

Decision on Application to Renew a Marine Aquaculture Licence and Lease

Application to the Administrator:

On March 29, 2022, the Nova Scotia Department of Fisheries and Aquaculture (the “Department”) received an application to renew Aquaculture Licence and Lease #1368 (AQ#1368), as described below:

Application Summary:

Type: Marine	Size: 4.86 HA
Number: AQ#1368	Cultivation Method: Bottom cultivation without gear, suspended cultivation and bottom cultivation with gear (on a portion of the site).
Applicant: Kenneth Fraser	
Location: Merigomish Harbour, Pictou County	Species: American Oyster, Bay Quahog
Proposed Term: 10 year Licence / 20 year Lease	

Site History:

AQ#1368 was first issued to Kenneth Fraser on November 21, 2012, for a 10-year term (October 15, 2012, to October 14, 2022).

In July 2021, Licence and Lease AQ#1368 were amended to authorize suspended cultivation and bottom shellfish cultivation with gear (on a portion of the site).

Performance Reviews Conducted by Administrator:

A performance review was conducted on the aquacultural operation of site AQ#1368, pursuant to Sections 71-72 of the *Aquaculture Licence and Lease Regulations* (the “Regulations”). There were no concerns raised following the performance review.

Public Submissions on Application to Administrator:

Pursuant to Section 41 of the Regulations, notice of the application was published on the Department's website and in the Royal Gazette Part I inviting the public to submit written comments on the application to the Administrator within the 30 days following the date the notice was published. This notice was published on August 25, 2022.

Zero submissions were received by the Department during the 30-day public comment period.

Factors to be Considered (as set out in Section 3 of the Regulations):

The optimum use of marine resources

The applicant's development plan demonstrates an optimum use of marine resources. Review of the file indicates that the site has had production and employment in recent years. The information in support of the renewal application suggests continued production is planned for this site and continued employment. Department staff will continue to monitor that production plans are implemented as submitted and that the site is utilized for Aquaculture.

The contribution of the proposed operation to community and Provincial economic development

The species and methods of cultivation authorized for this site are suitable for this area and are expected to be a positive contribution to the local and provincial economy.

Fishery activities in the public waters surrounding the proposed aquacultural operation

As this is an application to renew an existing Aquaculture licence and lease, there are no expected novel impacts to the fishery activities in the public waters near the existing site.

The oceanographic and biophysical characteristics of the public waters surrounding the proposed aquacultural operation

The applicant has been documenting the impacts from ice and storms. Historical information indicates that the proposed continued use of the site is reasonable. The amendment to add additional methods of cultivation (approved in July 2021) should improve development of this site. The site is in an open area, classified under the *Canadian Shellfish Sanitation Program*.

The other users of the public waters surrounding the proposed aquacultural operation

As this is an application to renew an existing Aquaculture licence and lease, there are no expected novel impacts to the other users of the public waters near the existing site.

The public right of navigation

The operator shall adhere to the site marking requirements according to their Notice of Works issued by Transport Canada under the *Canadian Navigable Waters Act*, reference number NPP#2011-200194.

The sustainability of wild salmon

There is no indication that continued operation of the site for shellfish aquaculture will pose ecological concerns or have an impact on the sustainability of wild salmon.

The number and productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation

Site AQ#1368 is located along the shoreline of Merigomish Harbour, Pictou County. There are currently 11 marine aquaculture sites in the Merigomish Harbour. The closest sites are approximately 0.7km North, AQ#1378 and AQ#1360 which are issued to other operators. There is no evidence to suggest that the extent of the existing aquaculture in the harbour has exceeded the carrying capacity.

Decision:

Based on the factors considered above, Aquaculture Licence #1368 shall be renewed for a period of 10 years from October 15, 2022 to October 14, 2032 and Aquaculture Lease #1368 shall be renewed for a period of 20 years from October 15, 2022 to October 14, 2042.

The Licence and Lease documents shall be prepared in accordance with the Department's standard operating documents and shall be made publicly available subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.



Robert Ceschiutti
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

October 13, 2022

Date