

Findings and Decision - Renewal Application of Aquadelights Seafoods Limited for AQ#1349

1. Overview:

On April 24, 2019, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Aquadelights Seafoods Limited to renew Aquaculture Licence and Lease #1349 (AQ#1349), as described below:

Table 1. Description of Aquaculture Licence and Lease #1349

Type: Marine Shellfish	Size: 3.34 HA
Number: AQ#1349	Cultivation Method: Bottom shellfish without gear
Applicant: Aquadelight Seafoods Limited	Species: American oyster, Bay quahog
Location: Chance Harbour, Pictou County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#1349 was first issued on March 17, 2010 for a ten year term from November 2, 2009 to November 1, 2019;

3. Procedure

3.1 Performance Review

A performance review of the information submitted by the operator in support of their renewal application was completed. This review recommended that the site be renewed based on the technical and biological assessment. This performance review is required pursuant to Subsection 72(c) of the Aquaculture Licence and Lease Regulations, and was completed on October 17, 2019.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#1349 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of July 11, 2019 to August 9, 2019. Notice of the application was also published in the Royal Gazette Part I on July 10, 17, 24, 31 and August 7, 2019.

3.3 Submissions

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

4. Factors to be considered

Over the past tenure of the licence and lease, AQ#1349 has had consistent employment and production since 2014. The application indicates continued production for this site is planned. Should the operator not operate the site as indicated, the Department's site utilization review procedures will be triggered. AQ#1349 is one of five sites held by the operator and forms part of a mutli-site operation.

The performance review and subsequent public comment period did not note the presence of other fishery activities in the are a of the site. There were no ecological concerns identified in

the past performance of this site with respect to negative impacts on other fisheries. AQ#1349 is authorized for the bottom cultivation of shellfish without gear, and as such there is no gear permitted within the boundaries of the lease which mitigates concerns pertaining to navigation. Section 55 of the Licence and Lease Regulations requires an aquaculture licence holder to mark each site in a manner determined by the Minister (see below) and keep each site marked during the term of the licence. The Farm Management Plan for AQ#1349 has been conditionally approved. This approval is contingent on the operator addressing issues of gear on-site, either through submission of an amendment application or removal of gear, and an amendment application was received by the Department on April 24, 2019.

AQ#1349 is located in Chance Harbour and is located next to AQ#1329 and the licence and lease documents for AQ#1329 will allow for access to the site by the general public for recreational activities, provided that the public does not harvest the product on the site. This clause serves to reduce potential interference with other users. AQ#1349 is licensed to cultivate shellfish species and as such there is no evidence that shellfish aquaculture has impacts on the sustainability of wild salmon. The closest aquaculture site to AQ#1349 in Chance Harbour is located approximately 0.10KM away (AQ#1329) and the next closest site would be 2.40KM (AQ#1350). There is no evidence to suggest that the extent of existing aquaculture in the harbour has exceeded the carrying capacity of the harbour.

5. Decision

Based on the considerations above, Aquaculture Licence #1349 shall be renewed for a period of 10 years (November 2, 2019 to November 2, 2029) and Aquaculture Lease #1349 shall be renewed for a period of 20 years (November 2, 2019 to November 2, 2039).

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

6. Conditions

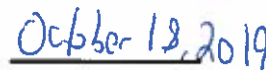
In addition, the following condition shall apply:

The operator shall adhere to the following site marking requirements:

- a) Mark each corner and angle of the lease from May 1 to November 30, annually;
- b) Mark each corner and angle of the lease with a cautionary yellow buoy of a minimum 16 inches in diameter;
- c) Display "PRIV" in black, on opposite sides of each buoy;
- d) At 1 corner buoy, display in black, the licence/lease number, licence holder's name and contact phone number.



Brennan Goreham
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture



Date