

Findings and Decision - Renewal Application of We'koqma'q First Nation for Experimental Site AQ#5010

1. Overview:

On May 4, 2022, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from We'koqma'q First Nation to renew Experimental Aquaculture Licence and Lease #5010 (AQ#5010), as described below:

Table 1. Description of Experimental Aquaculture Licence and Lease #5010

Type: Marine Finfish	Size: 10.89 HA
Number: AQ#5010	Cultivation Method: Marine Cage Cultivation
Applicant: We'koqma'q First Nation	Species: Rainbow trout
Location: North Aberdeen, Whycocomagh Bay, Inverness County	Proposed Term: One year with annual renewals up to a maximum of five years

2. History

AQ#5010 was first issued on August 23, 2019 for a one year term (August 23, 2019 to August 23, 2020). AQ#5010 was renewed on September 15, 2020 for a second one year term (August 23, 2020 to August 22, 2021). AQ#5010 was renewed on July 12, 2021 for a third one year term (August 24, 2021 to August 23, 2022).

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(d) of the Aquaculture Licence and Lease Regulations and was completed on July 18, 2022.

4. Factors to be considered

AQ#5010 is an experimental aquaculture site located in Whycocomagh Bay. For the proposed renewed tenure, We'koqma'q First Nation will continue to ascertain whether this particular area of Whycocomagh Bay is conducive to marine trout farming. The planned experimental nature of AQ#5010 relates to testing the effectiveness and efficiencies of using larger cages for rainbow trout aquaculture by comparing fish production characteristics and production costs with those of traditional size cages. Results from the prior three years of the experimental operation indicate success relative to the experimental objectives.

We'koqma'q First Nation presently operates an integrated trout farming operation in the western portion of Whycocomagh Bay, and the continued operation of AQ#5010 will

further enhance We'koqma'q's trout farming capabilities. Increased trout farming capacity should also allow for increased benefit to We'koqma'q's hatchery and trout processing operations. Should the operator fail to meet the production commitments indicated as part of the application, the Department will undertake a site utilization review.

We'koqma'q First Nation is required to adhere to all elements of the *Aquaculture Management Regulations*, including the requirement to have maintain an approved Farm Management Plan. The Farm Operations section of the Farm Management Plan requires We'koqma'q First Nation to indicate how they will operate AQ#5010 in accordance with industry best practices with respect to items such as wildlife interactions, noise, maintaining the site in good order, the removal of decommissioned farm supplies and equipment, and the retrieval of gear or debris that has broken loose. Furthermore, the Farm Management Plan includes necessary procedures to address fish health and containment management. The minimum compliance requirements for marine finfish farm management plans can be found at:

<https://novascotia.ca/fish/documents/compliance-documents/Minimum-compliance-requirements-Marine-Finfish.pdf>.

AQ#5010 will also be subject to the Province's Environmental Monitoring Program, whereby the benthic environment of the site will be monitored. During the first year of production, the Environmental Monitoring Program results for AQ#5010 showed Oxidic B conditions in December 2019. Information on the Environmental Monitoring Program, including descriptions of associated terms, can be found at:

<https://novascotia.ca/fish/aquaculture/aquaculture-management/>.

Section 55 of the *Licence and Lease Regulations* requires an aquaculture licence holder to mark each of their sites in a manner determined by the Minister and keep each site marked during the term of their licence and lease. Also, it is a requirement for the equipment and aquacultural produce to remain within the geographic boundaries of the site. A valid approval is currently in place from Transport Canada as it relates to navigable waters for AQ#5010, and such approval must continue to be in place over the course of operating the site. There is adequate separation between AQ#5010, the shoreline, and other aquaculture sites to allow for navigation. AQ#5010 is located along the northern side of Whycocomagh Bay. The closest aquaculture sites to AQ#5010 are approximately 7.50 km away and are also issued to We'koqma'q First Nation. As such, at present, there is no indication that the issuance of AQ#5010 will negatively impact the productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation.

5. Decision

Based on the considerations above, Experimental Aquaculture Licence and Lease #5010 shall be renewed for a fourth term of 1 year (August 24, 2022 to August 23, 2023).

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

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#2019-200108.



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Nova Scotia Department of Fisheries and Aquaculture

July 22, 2022

Date