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Decision on Application to Renew a Marine Aquaculture Licence and Lease

Application to the Administrator:

On April 11, 2023, the Nova Scotia Department of Fisheries and Aquaculture (the "Department") received an application to renew Experimental Aquaculture Licence and Lease #5011 (AQ#5011), as described below:

Application Summary:

Type: Experimental Marine	**Size:** 3.68 HA
Number: AQ#5011	**Cultivation Method**: Bottom cultivation with gear
Applicant: Annapolis Valley First Nation	
Location: Minas Basin, Hants County	**Species:** American oyster
Proposed Term: 1 year	

Site History:

AQ#5011 was first issued on September 8, 2022, for a one-year term (August 8, 2022 to August 7, 2023). This application is to renew the licence and lease for a second one-year term. Experimental licenses and leases may be renewed annually to a maximum of five years.

Performance Reviews Conducted by Administrator:

A performance review was conducted on the aquacultural operation of site AQ#5011, pursuant to Sections 71-72 of the *Aquaculture Licence and Lease Regulations* (the "Regulations"). There were no concerns raised following the performance review.

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

The optimum use of marine resources
The purpose of the applicant's experiment is to determine if American oysters can be farmed under the high energy environment of the Minas Basin, using gear anchored to the seafloor. The results of the experiment will help determine if a commercial aquaculture site in this location would be an optimum use of marine resources. The size of the currently approved site was determined to be suitable for the experimental plan.

The contribution of the proposed operation to community and Provincial economic development
As this experiment will not be conducted at a commercial scale, there is no immediate benefit to the community and Provincial economic development. However, should the experiment demonstrate that American oysters can be farmed in the Minas Basin, future commercial aquaculture sites could then be considered which would provide opportunity for local employment and overall economic development.

Fishery activities in the public waters surrounding the proposed aquacultural operation
The size of the aquaculture site was determined to be suitable based on the scope of the experiment to be conducted and should not significantly impact the surrounding area in terms of fishery activities.

The oceanographic and biophysical characteristics of the public waters surrounding the proposed aquacultural operation
It is generally understood that, in terms of the oceanographic environment, this area of Nova Scotia is not conducive to the commercial scale farming of American oysters using suspended cultivation or bottom cultivation without gear. However, based on the proposed experiment to hold the Oysters within gear anchored to the seafloor, it is possible that positive growth could be achieved. The results of this experiment would add to the knowledge base of using novel methods for high energy waters. The area is currently unclassified by the Canadian Shellfish Sanitation Program (CSSP) and would need to be tested and classified by the CSSP prior to the sale or consumption of any shellfish harvested from the site.

The other users of the public waters surrounding the proposed aquacultural operation
The size of the aquaculture site was determined to be suitable based on the scope of the experiment to be conducted and should not significantly impact the surrounding area in terms of other users of the public waters surrounding the proposed aquacultural operation.

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 # 2021-204921.

The sustainability of wild salmon
The planned operation of the site does not suggest any negative impacts on the sustainability of wild salmon or other wildlife.

The number and productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation
There are currently no marine aquaculture sites within the Minas Basin and therefore there is no impact to the productivity of existing aquaculture operations.

Decision:

Based on the factors considered above, Aquaculture Licence and Lease #5011 shall be renewed for a second period of 1 year (August 8, 2023 to August 7, 2024).

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*.

Rob Ceschiutti

June 19, 2023

Robert Ceschiutti
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

Date