

Decision on Application to Renew a Marine Aquaculture Licence and Lease

Application to the Administrator:

On December 27, 2023, the Nova Scotia Department of Fisheries and Aquaculture (the “Department”) received an application to renew experimental aquaculture Licence and Lease #5004 (AQ#5004), as described below:

Application Summary:

Type: Experimental Marine	Size: 30.69 HA
Number: AQ#5004	Cultivation Method: Suspended cultivation
Applicant: Bear River First Nation	
Location: Annapolis Basin, Annapolis County	Species: American oyster
Proposed Term: 1 year Licence / 1 year Lease	

Site History:

AQ#5004 was first issued on April 8, 2020, for a one-year term (March 10, 2020 to March 10, 2021). The licence and lease were renewed on April 30, 2021 for a second one-year term (March 10, 2021 to March 9, 2022). The licence and lease were renewed on April 5, 2022 for a third one-year term (March 10, 2022 to March 9, 2023). On July 25, 2022, the licence and lease were amended to modify the Schedule “B”. On April 20, 2023, the licence and lease were renewed for a fourth one-year term (March 10, 2023 to March 9, 2024).

Performance Reviews Conducted by Administrator:

A performance review was conducted on the aquacultural operation of site AQ#5004, 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):

AQ#5004 is an experimental aquaculture site located in the Annapolis Basin. For the proposed renewed tenure, Bear River First Nation will continue to ascertain whether this particular area of the Annapolis Basin is conducive to Oyster farming using suspended cultivation methods. As an

experimental site, the operator will assess the viability of survival and growth rates of oysters using OysterGro cages. If the experiment proves successful, it could bring economic prosperity to Bear River First Nation through commercial development of the licence and lease. The operation of this site on an experimental basis will enable the operator to inform future decisions with respect to suspended shellfish cultivation. The information reviewed during the performance review did not indicate adverse impacts on the surrounding public waters. 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 File 2019-200030. AQ#5004 is located in the Annapolis Basin, Annapolis County and is located approximately 820 m west from another experimental aquaculture operation, AQ#5003 also issued to Bear River First Nation and approximately 3 km west from AQ#5006, an experimental aquaculture operation, issued to Bear River First Nation. There is no evidence to suggest that the extent of existing aquaculture sites within the area has exceeded the carrying capacity of the area. There is no evidence to suggest that the extent of existing aquaculture sites within the area has exceeded the carrying capacity of the area. AQ#5004 is located in waters which are not eligible for direct shellfish harvest under the Canadian Shellfish Sanitation Program (CSSP); therefore, the existence of AQ#5004 does not negatively interfere with other shellfish harvesters. Bear River First Nation must adhere to all provisions of the CSSP and cannot harvest product unless the classification of the site permits harvesting. No product is permitted to be sold from unclassified waters.

Decision:

Based on the factors considered above, Experimental Aquaculture Licence and Lease #5004 shall be renewed for a fifth and final one-year term (March 10, 2024 to March 9, 2025).

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

April 10, 2024

Date