

**Findings and Decision - Application by Annapolis Valley First Nation for a New Marine
Experimental Licence and Lease (AQ#5011)**

1. Overview:

On March 1, 2021, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Annapolis Valley First Nation for a new Marine Experimental Aquaculture Licence and Lease #5011 (AQ#5011), as described below:

Table 1. Description of Experimental Aquaculture Licence and Lease #5011

Type: Marine Shellfish	Size: 3.68 Ha
Number: AQ#5011	Cultivation Method: Bottom cultivation with gear
Applicant: Annapolis Valley First Nation	Species: American oyster
Location: Minas Basin, Hants County	Proposed Term: Five year maximum with annual renewals

2. History

AQ#5011 is an administrative application for a new marine Aquaculture Licence and Lease for experimental purposes.

Procedure

3.1 Departmental Review

A review of the information submitted by the applicant in support of their application for an experimental licence and lease was completed. This review recommended that the site be issued based on technical and biological assessment. This review was completed on July 26, 2022.

3.2 Network Review

AQ#5011 was sent for review on November 5, 2021 to the following agencies: Fisheries and Oceans Canada, Canadian Food Inspection Agency, Transport Canada, Environment and Climate Change Canada, Nova Scotia Department of Environment and Climate Change, Nova Scotia Department of Agriculture, Nova Scotia Department of Communities, Culture, Tourism and Heritage, Nova Scotia Office of L’nu Affairs, Nova Scotia Department of Fisheries and Aquaculture (Inland Division), Nova Scotia Department of Natural Resources and Renewables.

3.3 Public Comment Period

Notice of the licence and lease application for AQ#5011 was published on NSDFA’s website (<https://novascotia.ca/fish/aquaculture/public-information/>) for the period of March 24, 2022 to April 22, 2022. Notice of the application was also published in the Royal Gazette Part I on March 30, April 6, 13 and 20, 2022

3.4 Submissions

There were no submissions received by NSDFA during the 30-day public comment period.

3. Factors to be considered

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 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 and other uses of the public waters surrounding the proposed aquacultural operation.

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.

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 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 operator will be required to ensure that all gear remains within the geographic boundaries of the site.

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

There are currently no marine aquaculture sites within the Minas Basin and therefore there is no impact to the productivity of existing aquaculture operations.

4. Decision

Based on the considerations above, Experimental Aquaculture Licence #5011 and Aquaculture Lease #5011 is hereby issued to Annapolis Valley First Nation. 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*.



Robert Ceschiutti
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

August 5, 2022

Date