

This experimental licence made in duplicate this 4th day of July, 2022,

BETWEEN:

HER MAJESTY THE QUEEN, in right of the Province of Nova Scotia, as represented by the Administrator, Nova Scotia Department of Fisheries and Aquaculture, as appointed under section 54A of the Fisheries and Coastal Resources Act, SNS 1996, c. 25,

hereinafter referred to as "**the Administrator**"

OF THE ONE PART

- and -

PAQTNKEK MI'KMAW NATION
7 DILLON STREET
ANTIGONISH, NS
B0H 1A0

hereinafter referred to as "**the Licencee**"

OF THE OTHER PART

WHEREAS the Administrator, under the provisions of the Fisheries and Coastal Resources Act, S.N.S. 1996, Chapter 25 (the "Act") and the Aquaculture Licence and Lease Regulations (the "Regulations"), is authorized to grant special experimental licences;

AND WHEREAS Aquaculture Licence No. 5000 was first issued to the Licencee for a term of one year from June 20, 2018 to June 20, 2019;

AND WHEREAS Aquaculture Licence No. 5000 has been consecutively renewed for three additional one-year terms, most recently for a term from June 20, 2021 to June 19, 2022;

AND WHEREAS under the Regulations, a special experimental licence may be renewed annually for up to 5 years;

AND WHEREAS the Licencee wishes to renew Aquaculture Licence No. 5000 for a fifth one-year term;

NOW THEREFORE in consideration of the mutual covenants herein contained, the parties agree as follows:

1. The Administrator hereby grants to the Licencee a special experimental licence to use a 7.51 hectare area located in the body of waters known as Pomquet Harbour, Antigonish County, more particularly described in Schedule "A" attached to and forming part of this Agreement (that area, the "site") for the suspended cultivation of American oyster (*Crassostrea virginica*).
2. The term of this licence shall be for one year from June 20, 2022 to June 19, 2023, in accordance with the terms of the Act and the Regulations.
 - a. This being the fifth and final renewal permissible under the Regulations, should the Licencee desire to convert this licence to a commercial purpose (further to section 51 of the Regulations), the Licencee shall submit an application to the Minister of Fisheries and Aquaculture prior to the end of the term of this licence.
 - b. Should an application identified in subsection (a) be received prior to the end of the term of this licence, the Licencee is authorized to retain any aquaculture gear and produce on the site, pending the Aquaculture Review Board decision on such application. No new produce shall be introduced to the site following the end of the

term of this licence, pending the Aquaculture Review Board decision.

- c. Should no application identified in subsection (a) be received prior to the end of the term of this licence or should an application identified in subsection (a) be rejected by the Aquaculture Review Board, the Administrator shall discontinue the licence and the Licencee shall within thirty (30) days, as applicable, of this licence being discontinued or of the Aquaculture Review Board rejecting an application to convert the licence to a commercial purpose, request a Certificate of Discharge in accordance with Section 60 of the Regulations.
3. The Licencee shall pay to the Minister of Finance an annual fee as set out in the Regulations. The annual payment must be received by the anniversary date of the licence. Late payments are subject to a fee as set out in the Regulations.
4. The undertakings set out in Schedule "B" to this licence (the "undertakings"), form part of this Licence, and the Licencee hereby agrees to comply with any conditions or limitations contained in the undertakings unless compliance for licensing purposes is expressly waived by the Administrator. The Licencee is responsible for confirming any undertakings and ensuring compliance with them.
5. The Licencee agrees to comply with any permits, protocols, approvals, licenses or permissions (the "licensing requirements") which may be required under the laws of the relevant municipality, the Province or Canada. The Licencee is responsible for confirming any licensing requirements and ensuring compliance with them.
6. The Licencee must use this licence only for the research purposes set out in Schedule "C" attached to and forming part of this licence.
7. This licence must not be assigned. If the Licencee is a corporation, any change in the right to control the corporation shall be deemed to be an assignment.
8. In the event that the Licencee shall cease conducting an aquaculture business in the normal course, become insolvent, make a general assignment for the benefit of creditors, suffer or permit the appointment of a receiver of its business assets, or avail itself of any proceeding in bankruptcy under any statute relating to insolvency or the protection of rights of creditors, the Administrator may revoke this licence and this Agreement shall be of no further force and effect subject only to the right of Her Majesty the Queen in right of the Province of Nova Scotia ("Her Majesty") to claim for damages.
9. The Licencee must adhere to the Farm Management Plan, as it is in effect for this licence from time to time, and any failure to adhere to the Farm Management Plan is a breach of this licence.
10. The Licencee shall submit to the Minister of the Nova Scotia Department of Fisheries and Aquaculture (the "Minister") an annual report stating such information as the Minister requires concerning the Licencee's use and the productivity of the site.
11. The Licencee is hereby prohibited from using the site in any way that would interfere with other licenced aquaculture operations.
12. If the Administrator, in his or her sole discretion, is of the opinion that the aquaculture activities authorized by this licence are detrimental to or interfere with other licenced facilities, the Administrator may revoke this licence without compensation.
13. Following the completion of a performance review, in accordance with the Regulations, of the aquacultural operation subject to this licence, the Administrator may vary any terms or conditions of this licence in order to address any concerns raised in the performance review.
14. The Administrator may revoke this licence without advance notice or compensation if the Licencee is found by a court of competent jurisdiction to be in violation of any law of the Province or Canada relating to fishery activities.

SCHEDULE A

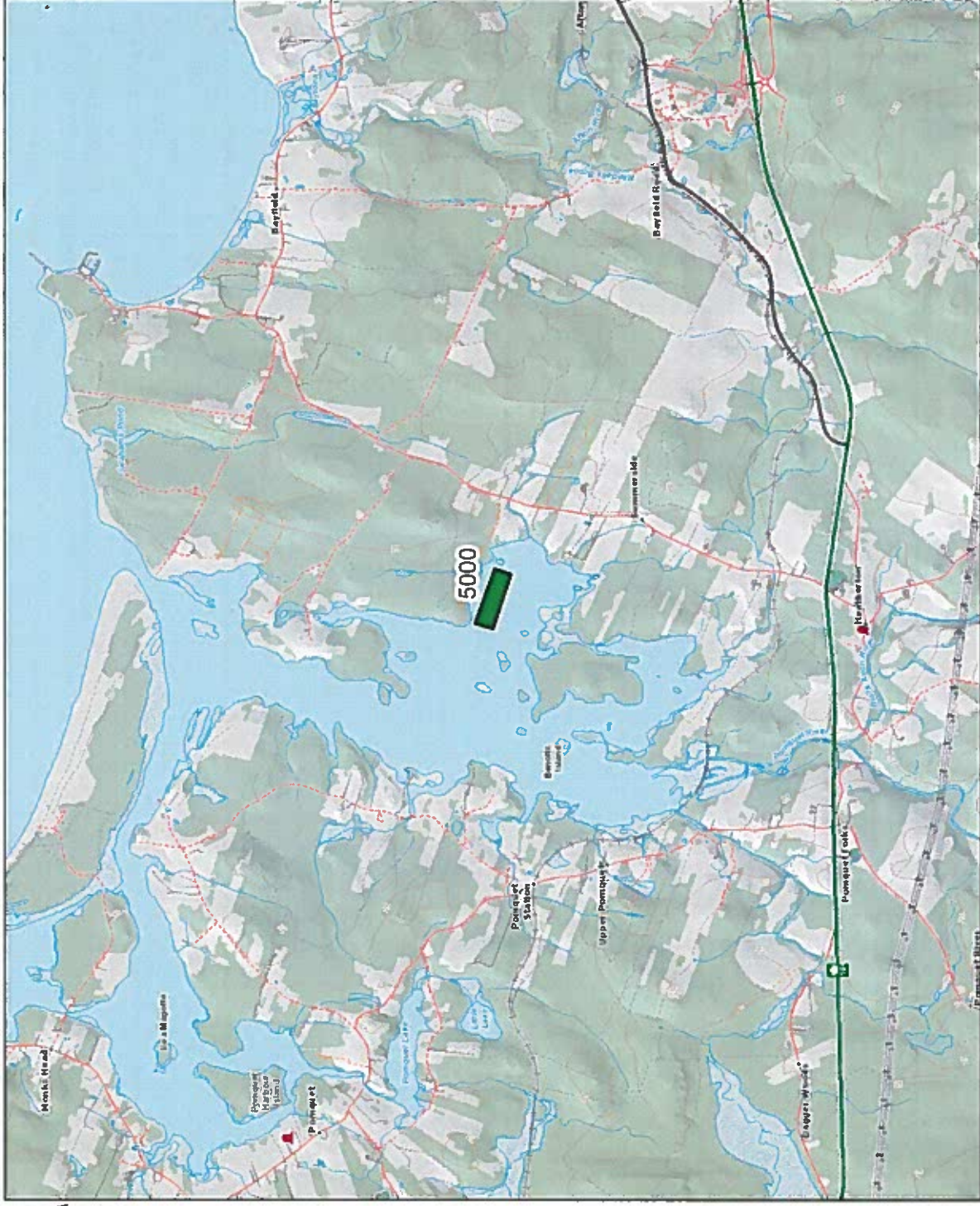


Aquaculture Site

5000

Corner	Latitude	Longitude
1	45° 36' 55.496"	45° 36' 55.496"
2	45° 36' 50.956"	45° 36' 50.956"
3	45° 36' 56.156"	45° 36' 56.156"
4	45° 37' 1.106"	45° 37' 1.106"
Centre	45° 36' 56.018"	45° 36' 56.018"

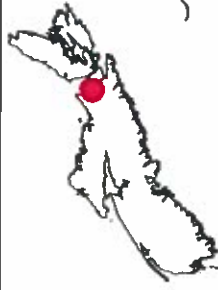
DATUM NAD 83 CSRS UTM Zone 20
The above coordinates are not from a legal survey



License/Lease Holder	County	Waterbody	Hectares	Species Type	Culture Type	Chart
Paqtneq Mi'kmaw Nation	Antigonish	Pomquet Harbour	7.51	Shellfish	Suspended Culture	4447
<input checked="" type="checkbox"/> Experimental Renewal App. <input type="checkbox"/> Other Issued Lease	<input type="checkbox"/> Other Proposed Lease	0 0.5 1 2 Kilometers	Disclaimer This map should not be used for navigation or legal purposes. It is intended for general reference use only. Date: 2020-05-28 Created By: MK			

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Service Nova Scotia and Internal Services

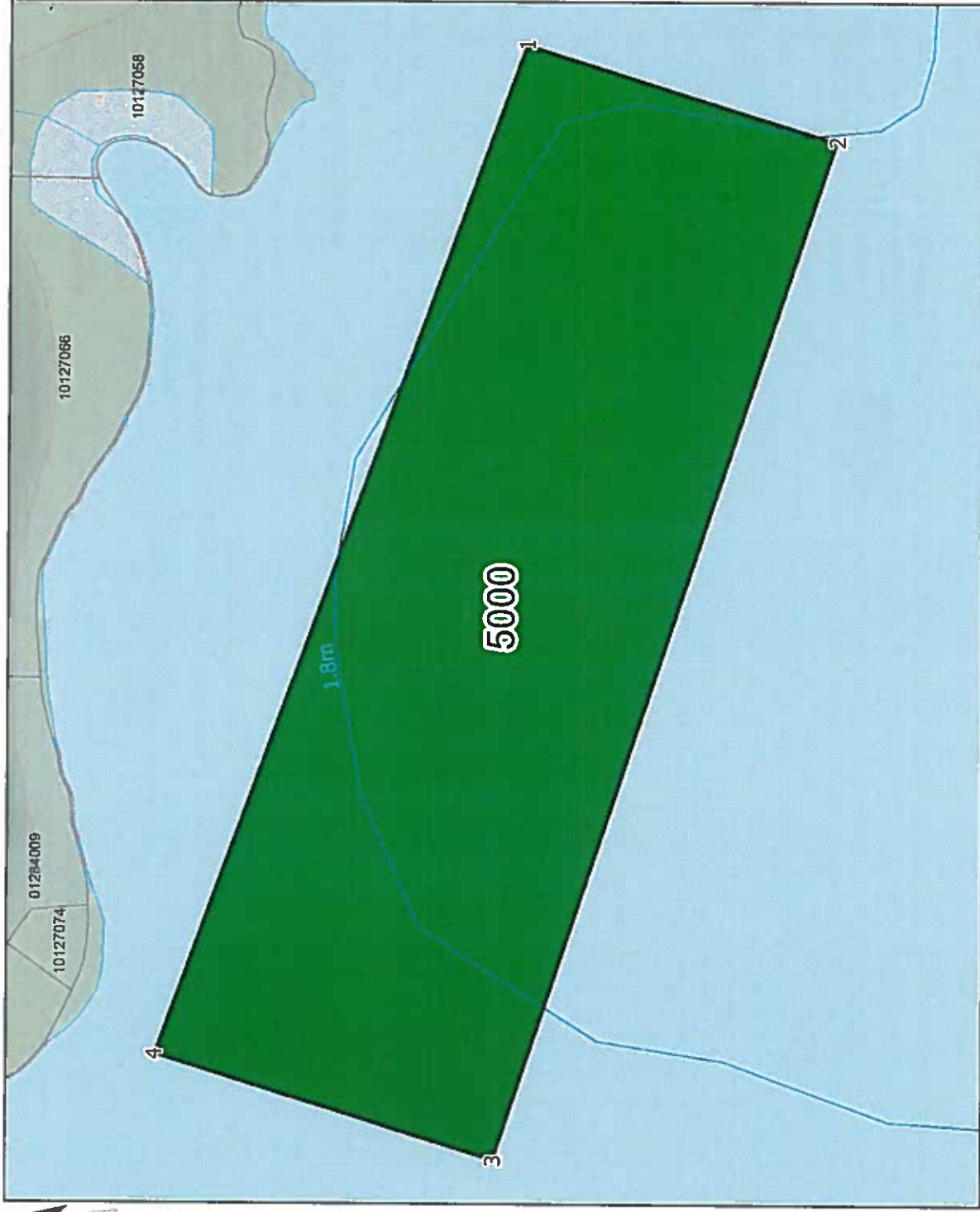
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Experimental Renewal App. Other Proposed Lease

Other Issued Lease NS PIDs



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Data: 2020-05-28
Created By: MK

Schedule "B"

This Schedule sets out any undertakings required of the Licencee.

1. The Licencee undertakes to ensure that the aquaculture operations at the site do not exceed the following limits:
 - 735 OysterGro units
 - 630 floating bags
 - 200 BOBR units

Schedule “C”

Research purposes

This licence has been granted to enable the Licencee to research new production methods for production and growth of oyster seed in Pomquet Harbour.

In particular, further to this licence, the Licencee will be involved in the following activities:

- Using OysterGro units to hold seed once removed from collectors, to be graded and healed prior to sale;
- Trial the use of a BOBR cage design and compare oyster growth, survival and grade to oysters grown in OysterGro units
- Identifying the best means of overwintering seed with minimum mortality;
- Assessing the potential to grow seed from the site to marketable oysters prior to decontamination at an open site;
- Training staff to determine the density and mesh size required for the timing of seed sales;
- Trial the use of floating bags for first-year seed;
- Trial the use of divided bags within the OysterGro units and compare to regular bag configuration; and
- Determine the optimum density of oysters for the maximum meat yield and quality (shape).