From:	Alain Muise
To:	Chris Thibedeau; Alix d"Entremont
Cc:	info@coltonleblanc.ca; Danny Muise; Susan Savriga[redacted] thibedeauc[redacted] grahamco[redacted] Nicole Albright; Scott Surette
Subject:	RE: Aquaculture Development Area Pilot Project
Date:	April 16, 2024 3:07:00 PM
Attachments:	image003.png image004.png image005.png
Sensitivity:	Confidential

Mr. Thibedeau,

I have received your email and will be making inquiries based on it. You may not get a return call today, but rest assured that is because I am actively collecting data to be sure my response is as accurate as possible. The municipality's role is not in the decision on the location of these leases, but we were actively involved in this project, especially in the public engagement process that went on for about 2 years, some to general public and some specific to known ocean users. Forgive what I expect to be a day delay in responding via call. In the meantime, I can share what I have available now:

I can confirm that one of the 6 sites issued for lease is closer to your home than the existing development as run by d 'Eon's Oyster farm.
I can confirm that every site investigated was done taking into consideration the archeological, cultural, indigenous, transportation and fishing routes of the sea in these areas, and I can likely obtain specific details around the site closer to your home if you wish it. This detail would come from the Province of NS as they hold it.
I shall seek and obtain the distance and sightline from to the proposed new lease area.
I will confirm the public consultation dates and times etc that were made available to the public during the course of this exercise.
I can confirm there is another public consultation availability on this particular lease which I will be sure to include dates to you or any other resident near that location. The leases generally did have public consultation; however, another is required by law when a specific lease area is up for application.

Please be patient as I collect the remaining data. I can understand your concern and I hear frustration on your part. We want to get as much info to you as possible in the hopes of alleviating, understanding and addressing some of your concerns.

Finally, I can confirm that your concern was noted, and part of the report delivered to the Minister. I will seek information on how your concern was discussed and part of a final decision on lease locations.

Sincerely,

Alain Muise, CPA

From: Alain Muise
To: Chris Thibedeau; Alix d"Entremont
Cc: info@coltonleblanc.ca; Danny Muise; Susan Savriga 480 (2)(f) [redacted] thibedeauc 480 (2)(f) [redacted] grahamco 480 (3) (d) [redacted] Nicole Albright; Scott Surette; Hancock, Bruce H
Subject: RE: Aquaculture Development Area Pilot Project
Date: April 17, 2024 4:12:00 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
Sensitivity: Confidential

In asnwer to your written questions

1. The public consultation shall be led entirely by the department of agriculture, I have copied them on this response so that they know both you and Ms 480 (2)(f) [redacted] will be informed of the dates. Mr Hancock can confirm the details of the log in for a zoom/teams link.
2. Through this email, Mr Hancock has received your request for info for your location. He is intimately familiar with the project, and is the owner of that info and will be of service.
3. As we do not own the process, we cannot pause the project. The formal request is noted, and through Mr Hancock, the Department now has this request.
4. A report shall be disseminated. We were a party to this report and submitted it as part of the long process as led by the Department. We shall request a copy for you.

It is unfortunate you do not consider your input as being considered. This is something we can chat about. While I cant speak for the Province, they had the task to lead the development of sustainable and balanced oyster aquaculture development. Both Nicole and Danny are included in this thread, and you are encouraged to contract your elected representatives at any time. Also, your complaints on the process can also be shared with MLA LeBlanc and the department as owners of this process. They too are attached.

I will call between 4:45 and 5 pm today.

Alain

From: Alain Muise
To: thibedeauc480 (2)(f)
Cc: Hancock, Bruce H; kent.smith@novascotia.ca; info@coltonleblanc.ca; Danny Muise; Susan Savriga; grahamcc480 (3) (d) Nicole Albright; Scott Surette; Chris.dEntremont@parl.gc.ca; Alix d"Entremont
Subject: Re: Aquaculture Development Area Pilot Project
Date: April 28, 2024 6:06:51 PM

Received. Will examine Monday
Sent from my iPhone

> On Apr 28, 2024, at 5:42 PM, thibedeauc480 (2)(f) wrote:
>
> Dear, Alain/Bruce,
>
> Can I respectfully request you send me the ADA report that went to the NS Dept of Fisheries and Aquaculture from Argyle that recommended the proposed lease locations announced on April 15th, 2024?
>
> Please consider this a formal request.
>
> Thank you,
>
> Chris

From: Alain Muise
To: Chris Thibedeau 2
Cc: Hancock, Bruce H; kent.smith@novascotia.ca; info@coltonleblanc.ca; Danny Muise; Susan Savriga; grahamco480 (3) (d) Nicole Albright; Scott Surette; Chris.dEntremont@parl.gc.ca; Alix d"Entremont
Subject: Re: Aquaculture Development Area Pilot Project
Date: May 3, 2024 9:05:41 AM

No. The process was provincial. As I stated in an earlier communication, our role was to lead the public engagement portion of the study. They engagement was informed by potential lease areas which were vetted through public engagement and amended to be part of the reporting the province presented to the minister.

Bruce and I will discuss other reports and see what we can provide you asap.
Sent from my iPhone

> On May 3, 2024, at 8:59 AM, Chris Thibedeau 2 <thibedeauc480 (2)(f) wrote:
>
> [Some people who received this message don't often get email from thibedeauc480 (2)(f) Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]
>
> I apologize but I'm a bit confused. Perhaps you or Bruce can clarify. I understand the Dept. Of Fisheries and Aquaculture makes the "final" decision on locations. And it appears you confirm a report was indeed submitted with recommended locations. I further understand that a variety of departments were consulted and fed into the process but was a final report (most likely containing background, issue, considerations and recommendations) prepared or authored by the Argyle municipality that summarizes all of this?
>
> Thank you,
>
> Chris
>
> Sent from my iPhone
>
>> On May 3, 2024, at 5:44 AM, Alain Muise <admuise@munargyle.com> wrote:
>>
>> Received. I will consult with the province to eee what can be done in addition to the info on engagement. I will say that the work was done by a variety of departments but the ultimate decision on locations , final that is, rested with the Minister. A report would have been submitted for that and I will defer to the province as they have info they may suit your request in full
>> Sent from my iPhone
>>
>>>> On May 3, 2024, at 1:26 AM, thibedeauc480 (2)(f) wrote:
>>>
>>> Hi Alain,
>>>
>>> To clarify, I'm requesting the report on the selection of lease locations. I am requesting how and by whom the decisions were made, and an ADA report or reports should lay this out. As ADA is a partnership/liaison between the municipality and the province, I asked both you and Bruce for this information.
>>>
>>> Please refer to my April 28 email: "Can I respectfully request you send me the ADA report that went to the NS Dept of Fisheries and Aquaculture from Argyle that recommended the proposed lease locations announced on April 15th, 2024?"
>>>
>>> Does the engagement report offer this? It sounds like it may not. I'm assuming this is the report that logged local feedback that was received including mine.
>>>
>>> Please advise.
>>>

>>> Chris
>>>
>>> -----Original Message-----
>>> From: Alain Muise <admuise@munargyle.com>
>>> Sent: Thursday, May 2, 2024 2:59 PM
>>> To: thibedeauc480 (2)(f)
>>> Cc: 'Hancock, Bruce H' <Bruce.Hancock@novascotia.ca>; kent.smith@novascotia.ca; info@coltonleblanc.ca; Danny Muise <DMuise@munargyle.com>; 'Susan Savriga' <s.savriga480 (2)(f) grahamcc480 (3) (d) Nicole Albright <NAlbright@munargyle.com>; Scott Surette <ssurette@munargyle.com>; Chris.dEntremont@parl.gc.ca; Alix d'Entremont <gistech@munargyle.com>
>>> Subject: RE: Aquaculture Development Area Pilot Project
>>>
>>> Chris,
>>>
>>> We will be posting the engagement report on our public web site on Monday. We will send you the link and you are welcome to it!
>>>
>>> Thank you for your patience, we needed to redact for any personal information and this was completed.
>>>
>>> Alain

>>>>>>> From: Alain Muise
>>>>>>> <admuise@munargyle.com<mailto:admuise@munargyle.com>>
>>>>>>> Sent: Wednesday, April 17, 2024 4:48 PM
>>>>>>> To: Chris Thibedeau
>>>>>>> <chris.thibedeau480 (2)(f) [redacted]
>>>>>>> Alix d'Entremont <gistech@munargyle.com<mailto:gistech@munargyle.com>>
>>>>>>> Cc: info@coltonleblanc.ca<mailto:info@coltonleblanc.ca>; Danny Muise
>>>>>>> <DMuise@munargyle.com<mailto:DMuise@munargyle.com>>; Susan Savriga
>>>>>>> (s.savriga480 (2)(f) [redacted]
>>>>>>> <s.savriga480 (2)(f) [redacted]
>>>>>>> thibedeauc480 (2)(f) [redacted]
>>>>>>> grahamco@480 (2)(f) [redacted] Nicole Albright
>>>>>>> <NAlbright@munargyle.com<mailto:NAlbright@munargyle.com>>; Scott
>>>>>>> Surette <ssurette@munargyle.com<mailto:ssurette@munargyle.com>>;
>>>>>>> Hancock, Bruce H
>>>>>>> <Bruce.Hancock@novascotia.ca<mailto:Bruce.Hancock@novascotia.ca>>
>>>>>>> Subject: RE: Aquaculture Development Area Pilot Project
>>>>>>> Sensitivity: Confidential
>>>>>>>
>>>>>>> Chris,
>>>>>>>
>>>>>>> Thank you for our conversation. In the interests of keeping people informed I will summarize what I heard from you today.
>>>>>>>
>>>>>>> You are owner of a property in 480 (2)(f), set for major renovation in the coming year.
>>>>>>>
>>>>>>> * Yes – 480 (2)(f) [redacted] We have continued to invest in this home, upgrading it, and keeping it maintained. As I mentioned 480 (2)(f) cleared the land surrounding the house (by hand!) because he loved the property as much as we did and wanted to enhance our ocean view. We are 480 (2)(f) [redacted] to rebuild this house as a retirement home. 480 (2)(f) [redacted]
>>>>>>> The property faces both Nolan d'Eon's current site, and the proposed expansion shall be closer and more visible from your home.
>>>>>>>
>>>>>>> * We face the current site with a view of the floating processing plant. We have a very good relationship with 480 (2)(f) [redacted] During my travels I love to see Oysters on the menu, especially Ruisseau oysters. We promote and ask for them specifically so that our fellow diners can experience what we think is the best. We are strong proponents of expanding aquaculture and promoting local business.
>>>>>>> While it is a seasonal residence now, it is intended to be a retirement facility for you and your partner.
>>>>>>>
>>>>>>> * Yes 480 (2)(f) [redacted]
>>>>>>> You have roots in the community, 480 (2)(f) [redacted]
>>>>>>> 480 (2)(f) [redacted]
>>>>>>>

>>>>>>> * Indeed. I grew up in the Yarmouth area. 480 (2)(f) family is from Melbourne. 480 (2)(f) [redacted]. We seek to retain 480 (2)(f) and culture and are certainly proud to be from the Acadian community. 480 (2)(f) [redacted] It was his favorite place. I've worked and travelled in over 50 countries. 480 (2)(f) and NS is my favorite place to be and where we are happiest.
>>>>>>> You love the community and wish to approach your concerns with professionalism and transparency.
>>>>>>>
>>>>>>> * Absolutely. I'm not interested in being a problem identifier. I seek to add value and contribute to the community and lead by this example for my daughter.
>>>>>>> You feel that your input on the project was not reflected in the end result, you provided alternative locations in your convos, and reasons why they may be superior than the lease area announced. None of your topics appeared in final.
>>>>>>>
>>>>>>> * Honestly, I'm confused why the proposed locations continue to be placed in residential areas. This affects our ability to boat, swim, beachcomb, and more. It also affects Tourism in my opinion. Tourists seek places like Mahone Bay and Lunenburg to see pristine ocean views. They won't stay in Yarmouth and Argyle if we present them with ocean views of harvesting equipment and floating processing plants. While we all promote local seafood, it seems to me that these installations should not be an eyesore for residents (and prevent water access) and visitors (Tourists) to our area. We strongly feel there are alternative areas in Lobster Bay for aquaculture. I'm at a loss why they would sit next to my house (and neighbors houses) as well as seeing 14-15 proposed sites directly in front of Ye Olde Argyler, one of the nicest restaurants around. I don't think wedding parties will be seeking out an oyster farm as its backdrop in photos. Nor do diners want to see this view in my opinion. Have the decision makers viewed each proposed site and the surrounding areas? It appears they have not.
>>>>>>> You are concerned that your view will be impacted, but also as an avid water user, you are concerned that this expansion will further encroach, or even alter, sea transportation routes.
>>>>>>> Alternate transportation routes would likely mean more traffic in
>>>>>>> front of your home (closer to your home) due to tides etc. there are
>>>>>>> a number of recreational travellers in this area (which I can confirm
>>>>>>> as an ocean view resident on similar routes)
>>>>>>>
>>>>>>> * Yes it will. High tide is busy for boating in the summer in front of my house. For boaters travelling to/ from Eel Lake/Eel Book Area from beyond the point (coming from Wedgeport, Sluice Pt, Morris Island, Argyle, Pubnico, etc.) they either travel between 480 (2)(f) [redacted] or between 480 (2)(f) [redacted]. If the proposed location is approved, all that traffic will be forced to travel in front of my house. This just increases noise and traffic and ruins my family's ability for privacy, swimming, tubing, clamming, kayaking , paddleboarding, and more. It will simply increase the traffic by 100%.
>>>>>>> You would like to be consulted deeply on the lease application, ideally you would prefer it not there.
>>>>>>>
>>>>>>> * Yes please.
>>>>>>> You are not against business development and encourage proper business growth, would like to see it outside residential vicinity to reduce conflict of use, visibility.
>>>>>>>
>>>>>>> * Correct. We are strong proponents of expanding aquaculture in the region as it will promote economic prosperity. I realize this as a business owner. Simultaneously, it should be balanced with the needs of Tourism (which requires unobstructed ocean views and an ability to promote locally grown and harvested seafood). Finally, it should not in our opinions be located in residential areas like next to my house or next to restaurants. I had proposed several areas as alternatives. As an example, there is one place between Abrahams River and the Widgegum Islands where no houses exist and boating traffic is minimal.
>>>>>>> Willing to participate in a number of discussions around this issue.
>>>>>>>
>>>>>>> * Yes, 480 (2)(f) I are anxious to join these conversations and add value (not problem identification). We desire nothing more than to contribute to a solution that works for all.
>>>>>>>
>>>>>>> What I committed to
>>>>>>> Meeting you when you return to the Country.
>>>>>>>

>>>>>>> * I plan to be back mid May for a week then again with family in June for the summer.
>>>>>>> Amplifying your concerns to the proper channels – ie discussion with department of agriculture. Connect proper personnel and info to you.
>>>>>>>
>>>>>>> * That would be appreciated if possible.
>>>>>>> Understanding the likelihood that this lease will be 'taken up' by a
>>>>>>> developer. (this item may or may not be possible)
>>>>>>>
>>>>>>> * We'd request opportunities to join the discussions soon -and before any application is approved. Timeliness is critical in our view. We are only being engaged now at a late stage (pre-approval is done) and would request dialogue with decision makers before further decisions are made. At the risk of sounding conflicting, we feel we have not had ample opportunities as stakeholders in the process to date. We are not arguing whether this was done intentionally or not because we don't know. However, we would ask everyone here to please understand that this is the position we are now in regardless. It has happened, and we are here now. (I would suggest this may be why my emails to date sounded combative. We simply weren't being heard -which is why we so appreciate the call with Alain yesterday and this follow on email for record. This is the first time we feel like we can contribute added value..
>>>>>>> Understand the size of the lease, and options around it being different (ie , smaller). Leases are normally not issued larger than the site proposed.
>>>>>>>
>>>>>>> * Understood.
>>>>>>> Going to your property for a look-see for myself what your current sight line is.
>>>>>>>
>>>>>>> * [cid:image003.png@01DA9982.9DDAEEA0] Please do. The view changes during the seasons and at various tides. During a high course tide, 480 (2)(f) is under water and turns into 3 smaller islands. The view between low and high tide is drastically different. I've attached a picture of our view (that I use as my computer screen saver) so everyone here has a better understanding of the land and ocean view.
>>>>>>> Enquire into transportation conversations led by the Province,
>>>>>>>
>>>>>>> * That would be helpful and appreciated thank you.
>>>>>>> Enquire into provincial policy on advising residents during the public consultation sessions, encourage mail outs to neighbors to ensure knowledge.
>>>>>>>
>>>>>>> * It makes sense to us that a proposed site on a map should then go to the land registry or use viewpoint to determine who the taxpayers/owners are for any property in line of site -or is adjacent to the new installation. Letters should then be sent by the municipality to those owners announcing the preapproval process, dates for application, and final decisions. Again, we find it strange to put locations in residential areas, but this letter concept could be entertained at minimum as part of a larger communications strategy. The fact that the same conflict continues to happen over and over in various NS communities, highlights how deficient the process is around this issue.
>>>>>>> Encouraged you to speak to our elected officials to raise issues, not only rely on what I committed to.
>>>>>>>
>>>>>>> * I have reached out to MLA, MP, and Deputy Warden (cc'd).
>>>>>>> I think this is accurate, feel free to add something if I missed let me know. It was a sincere pleasure speaking with you today, I find email to be a bit emotionless and subject to lots of interpretations that are rarely accurate. Conversation is my preference and I believe we share that sentiment. Agreed. 480 (2)(f) greatly appreciate your time and effort here.
>>>>>>>
>>>>>>> Hope you are well 480 (2)(f) and wow, what a spot.
>>>>>>>
>>>>>>> Sincerely,
>>>>>>>
>>>>>>> Alain

From: Alain Muise
To: s sav
Cc: Chris Thibedeau 2; Hancock, Bruce H; kent.smith@novascotia.ca; info@coltonleblanc.ca; Danny Muise; grahamco[redacted] Nicole Albright; Scott Surette; Chris.dEntremont@parl.gc.ca; Alix d"Entremont
Subject: Re: Aquaculture Development Area Pilot Project
Date: May 3, 2024 2:05:18 PM

Your email is received. I am also in receipt of emails from Chris directly to me and indirectly sent to your municipal elected representative.

I have answered many questions to the best of my ability.

I will collect remaining questions and respond in a most detailed way from my part before 3 pm tomorrow. This response will be comprehensive. The authority having jurisdiction in this case is as I explained earlier , the province of N.S. I will go in much more detail when I arrive at my workstation.

Our role was definitely to lead the public engagement portion of this 6 year process. Most of the documents you desire are in the provincial hands and I will seek to expedite this info.

I assure you that I will seek to respond to each of your questions from my perspective and I am confident the province shall fill the gaps.

Stay tuned. I understand you to be anxiously awaiting answers so I will prioritize the work
Sent from my iPhone

> On May 3, 2024, at 1:31 PM, s sav <s.savriga[redacted] wrote:
>
> Hi Alain,
>
> I've followed this email chain from the start and am still trying to process the information that has been shared with us. I'm sorry but I still do not understand the roles and responsibilities of ADA and I still do not understand the roles and responsibilities of the province. Which office recommended the lease locations for the Minister to approve? Where is the documentation to support this decision? What is the process chain for approval? Are there records of meeting/records of decision attached to this file? Where are they housed?
>
> As a retired executive civil servant, I too have had to respond to requests of this nature and ensured that the questions posed were addressed by the office of principal interest. Who is the OPI?
>
> Why is it so difficult, as a key stakeholder, to obtain this information? The more that Chris' reasonable questions are not answered, referred to another party or delayed adds to the perception that this process is non-transparent. This only adds fuel to the anxiety fire of the community.
>
> Who is responsible to respond to Chris? Will you or Bruce be providing this information?
>
> Respectfully,
> Susan
>
>

From: Guy Surette
To: C Clamp
Cc: Alain Muise; Guy Surette; Colton LeBlanc; Colton LeBlanc; Scott Surette; Danny Muise; Nicole Albright; Kyle Boudreau; donnagaudet[redacted] dale.pothier[redacted]
Subject: Re: Aquaculture Argyle
Date: May 31, 2024 2:34:14 PM
Attachments: Letter of Concern Aquaculture Development Pilot 31 May 2024.pdf
LIST OF QUESTIONS 31 May 2024.pdf
TIANS Letter 3 May 2022.pdf
Aquaculture Development Area - Briefing Note - May 26 - 2024.pdf

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Received

Sent from my iPad

On May 31, 2024, at 2:28 PM, C Clamp <corey.a.clamp[redacted] wrote:

Hi all,

Please find attached a letter, and 3 attachments (4 files total) detailing some of my concerns, and questions about the aquaculture argyle project. Feel free to share as necessary.

I am hoping that we can work together, as community representatives, and community members, to get this issue resolved in a way that does not inflame emotions any further, and which seeks to ensure that the best interests of the communities are prioritized, as opposed to the interests of potential investors.

I would appreciate confirmation of receipt from both Colton's office, and the Municipality. Note that I've cc'd all community members who were at Tuesday's meeting (minus Michael Scott - I don't have his email yet), and have also cc'd Chris Thibedeau.

Finally, I did not address in my own letter the specifics around my concerns about the perceived conflict of interest that existed between former MoDA staff, and this project, but the Briefing Note accurately captures most of those concerns.

I look forward to continuing this conversation with all of you. Don't hesitate to reach out.

Corey Clamp
[redacted] Île des Surettes NÉ B0W 3M0

Corey Clamp
480 (2)(f) [redacted]
Surettes Island NS B0W 3M0

28 May 2024

Argyle Municipal Office
5 J. E. Hatfield Court
Tusket, Nova Scotia B0W3M0

ATTN: Guy Surette, Alain Muise

COPIED TO: Colton LeBlanc, MLA

ATTACHMENT: List of questions, TIANS Letter June 3 2022, Briefing Note prepared by Association for Responsible Aquaculture in Argyle

Guy, Alain, and relevant team members,

I'm keeping this informal, and speaking in my own voice here. Apologies if this informality seems disrespectful, but I feel most comfortable 'speaking' to you here in the same way I'd speak to you if we were face-to-face. If it's wordy, I apologize, but some things are worth a few more words.

I am a big fan of the municipality, and have always said so. I'm proud of our history, industry, people, the works – even the ugly bits. We've overcome a lot, and after almost 300 years our communities are thriving despite these tumultuous times.

I've also been, and continue to be, a big fan of our local government, particularly it's staff. If we're in the news, it always seems like it's for something good, and that helps instil a deeper pride of place. Unfortunately, when I recently read in the news that some officials were dismissing the complaints/concerns of some community members about the proposed locations/perceived impropriety associated with the Aquaculture Development Area pilot as simple NIMBY-ism, I was more than disappointed. You can blame the reporters, but I haven't seen an official response from the municipal body correcting the record.

I want to say clearly that I 100% endorse the development of a locally owned/operated, properly monitored, and sustainably developed aquaculture industry in the municipality. I also don't think that it should take years for a company like D'Eon's Oysters, which has invested heavily in the development of their company, to get a decision on a proposed expansion, and I think that identifying and cutting unnecessary red tape is a laudable goal when considering any development project. There is much good to be said about the potential for the ADA pilot.

At the same time, I have concerns/questions about this project, which I think are shared by many. I don't think these questions or concerns are unreasonable, and I'm convinced many of the concerns can be addressed in a timely, and reasonable manner, without having to pit communities or interests against

each other. Unfortunately, that process will be more challenging now because the dialogue has already been by tainted by behaviours that were once acceptable, but which despite possibly not breaching any rules, certainly surpass what people consider to be acceptable behaviour by a public servant.

To be blunt: MoDA's former Community Development Officer, and whoever was responsible for community outreach and education efforts related to the ADA failed in their jobs. The map showing the proposed sites was made available only within the past month or two, despite this project being ongoing for years. There are numerous communities and interest groups that were impacted, and all of them seem to have been taken by surprise. It's easy to latch onto NIMBY-ism as an excuse, but it's also lazy.

Public service is something that should be taken seriously. It's a profession, and should be treated as such. Part of the duty associated with this profession is to not sacrifice the public interest for the sake of our own self-interest. If a person really takes their role as a public servant seriously, they'll make efforts to avoid even the semblance of impropriety, as they understand that for people to trust the process, it has to not just be trustworthy, it has to appear trustworthy.

Another part of being a professional is being able to recognize what role we played in a situation when something goes wrong. Everyone makes mistakes, and true professionals understand that, and work to learn from the mistakes they make, both to make sure not to repeat them in the future, but also to try and remedy a bad situation if possible. They don't dig in their heels and push forward.

If the municipality genuinely wants to support this industry, and add shellfish farming, and marine plant farming to the list of sustainable industries practiced in our communities, they need to own up to this flawed communications process, and start over. There is no benefit to anyone but a very limited few if MoDA chooses to go forward now. If we're willing to slow down however, reboot, and try again, we could very much be part of the development of a sustainable primary resource sector that contributes to our communities ability to sustain themselves for another few centuries, regardless of the troubles the outside world brings. Yes, there are 6 sites that are up for lease and seemingly nothing we can do about that now. I assume there *is* something that can be done to slow down the process for the remaining 47 sites. If so, let's do it, and try to fix this mess before it gets any worse.

I believe that most of us want what's best for our communities, and are putting their interests as the top priority. Thoughts about our own careers, the interests of caucus, or of the possible interests for potential future investors should not be part of our considerations in these matters. I trust that you all feel the same.

Best regards,

Corey Clamp
480 (2)(f)
Surettes Island NS B0W 3M0
480 (2)(f)

ATT: List of Questions; TIANS Letter June 3 2022; Briefing Note prepared by Association for Responsible Aquaculture in Argyle

Aquaculture Development Area (ADA) Pilot
Requires Immediate Program Review

Background

As the aquaculture industry grows and scales in the provinces of Prince Edward Island (PEI) and New Brunswick, the provincial government of Nova Scotia (NS) is behind in aquaculture development and is desperate to catch up to their provincial neighbours. As such, NS has an agenda to promote this industry aggressively. Unfortunately, their aggressive position is at the expense of NS residents who will be forced to tolerate commercialization of waterways next to their properties. In addition, the Tourism Industry of Nova Scotia has expressed concern that this commercialization of NS waterways will negatively affect the tourism industry. The government agenda can achieve balance to satisfy all stakeholders yet remains steadfast to promote economic growth at the expense of other stakeholders. The issue is highly nuanced, including these important considerations:

1) The ADA pilot program is a joint Municipality of the District of Argyle (MoDA) and the NS Department of Fisheries and Aquaculture (DFA) effort. The pilot program is designed to fast-track aquaculture lease locations and approvals which had encountered significant delays and friction under the old regulatory process with the Aquaculture Review Board (ARB).
2) MoDA acted as "boots on the ground" for DFA by identifying potential locations and conducting water testing to determine the most ideal places for oyster farms in Lobster Bay.
3) While MoDA and DFA report that adequate public consultation was performed, the Argyle and Lobster Bay community completely disagree. Most residents only learned of the ADA program from the province's announcement released on April 15th, 2024. As such, the community has taken steps to lobby elected officials to reset and perform industry standard public outreach; and, reposition the proposed lease locations in non residential areas. This movement has triggered the creation of the *Association for Responsible Aquaculture in Argyle (ARA)* which is gaining in popularity and momentum - as representation for a community that feels it was overlooked and negated in the consultative process.
4) MoDA and DFA have declared an agenda to turn Lobster Bay into a "Water Based Industrial Park."
5) TIANS president, Darlene Fiander, has sent a letter to Minster Kent Smith's office expressing a need to balance the aquaculture agenda with Tourism, stating, "Aquaculture generates $158 Million a year is a stark comparison to the $3.2 Billion generated annually by tourism, throughout every Nova Scotia community. Tourism has

"Non-Confidential. Open for Public Domain Use and Dissemination"

the highest multiplier effect on the economy, every $1 invested or spent generates $3.2 on main street."

Objective

The province seeks to:

- Fast-track lease locations and approvals to catch up to aquaculture development efforts seen in PEI and NB; and,
- Promote industry, new jobs, and economic growth and prosperity.

Status

On April 15th, 2024, the province announced 53 locations were "preapproved" for Lobster Bay with 6 locations being opened for application tender. These applications are due on June 15th, 2024 with a final 30-day public consultation period.

1) Many of the lease locations reside alongside residential properties in Lobster Bay. The infrastructure is unsightly and commercializes a touristic coastline with floating processing plants, cages, buoy strings, and other evasive aquaculture equipment and infrastructure.

2) The community is very concerned having witnessed Eel Lake taken over with oyster farms. The farms now prevent recreational boating, and swimming, and has contaminated a once pristine lake with oysters on shorelines, docks, and boats - rendering it unusable for recreation.

3) Many lease locations will hinder or prevent traditional boating lanes and navigable waters, creating new hazards as boaters will be required to avoid and evade the new locations to take hazardous or less convenient/desirable routes.

4) Municipal and Provincial government officials have taken a hard stand by pre-approving 53 lease locations in Lobster Bay and refused to pivot to consider approving locations in non residential areas. To the angst of the community and local residents, MoDA and DFA (and Argyle MLA) maintain that these locations must proceed as selected and new locations will not be considered.

The non transparent and clandestine design of the ADA framework (explained herein) is expected to formally approve these applications.

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Issue(s)

In terms of ADA process, 3 core issues nullify the selection of the 53 locations.

Conflict of Interest: A MoDA employee led the ADA pilot and liaised with the province to select the desired lease locations. The same employee resigned from MoDA (before announcement of the preapproved locations) and is now applying for the very same lease locations they identified.

- This is evidence of a real and/or perceived conflict that exists.

Collusion: MoDA and DFA consulted with oyster farmers to identify their desired lease locations. These are the current preapproved locations. The same oyster farmers were then asked to choose the first 6 locations they would like to have tendered. The same oyster farmers are submitting applications to be awarded these leases (due June 15, 2024). Once awarded final approval, the very same oyster farmers will begin expanding current farms and/or establishing new ones.

- Allowing a bidder to influence early requirements or stages of a tendering process is prohibited under the UN CITRAL Model Law on Procurement and all modern tendering frameworks used by PWGSC and the NS Public Tendering Office. Canada is a signatory to the UN model and agreement and is a member state of the UN.

Data Bias: MoDA and DFA consulted with oyster farmers to identify their desired lease locations. Rather than testing all locations in Lobster Bay seeking the best conditions, they instead chose preferred locations first, and then subsequently tested the water to support these desired locations creating a "self fulfilling prophecy." This is commonly referred to as "Confirmation Bias".

- Data biases affect the collection, analysis, and interpretation of data.

- Confirmation bias occurs when we favour information that confirms our existing attitudes and beliefs. This often happens subconsciously but, in this instance, we see oyster farmers performing or influencing the selection of locations, and then building the supporting data (testing water, depth, salinity, sulphates, phytoplankton count, etc). Confirmation bias causes us to focus on information that supports our arguments or way of thinking.

- Confirmation bias influences data analysis when we gather data or perform analyses in a way that consciously or subconsciously supports the original hypothesis. That is exactly what was done here.

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- Ultimately, MoDA and DFA failed to interrogate the obvious bias that exists in the data collection, analysis, and interpretation.

Conclusion

Ripe with conflicts of interest, MoDa and DFA unfortunately allowed bidders to select their desired spots in Lobster Bay and then tested the water to see if the location supported the growing of oysters. This was done in the wrong sequence, exposing confirmation bias.

Compounding the problem, MoDA and DFA then allowed the same bidders to prioritize and bid on the locations they selected. This unfortunately creates a framework that sets the decision outcome first, and then allows the bidder to "stack the deck" with data to support the original selection decision. This results in overwhelming confirmation bias.

The various conflicts, collusion, and data bias now renders the "preapproval" of 53 ADA locations as null and void. To correct, MoDA and DFA will unfortunately have to start the ADA process again and ensure no conflicts or opportunities for collusion exist, as well as ensure no data biases are present in the selectivity and approval framework. Recognizing the obvious failures of the ADA pilot, the other option is to revert to the older ARB regulatory process. While this may take longer, it would ensure all stakeholders are consulted properly and avoid the shortcuts taken in this example which resulted in political and possible legal exposure for the municipality and province.

Recommendation

1) Reset the ADA process to test water locations first and then select best locations, ensuring that they will reside in non residential/tourism areas as a priority.

Or;

2) Revert to the regulatory process using the ARB to ensure all stakeholders are adequately consulted with both legal and political exposure minimized.

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LIST OF QUESTIONS

Corey Clamp
480 (2)(f) [redacted]
Surettes Island NS B0W 3M0

28 May 2024

Note that I am aware some of these questions are more appropriate for the province. I am sending this same list to Colton as well. Regardless, I would appreciate that a genuine attempt be made to answer these questions. If necessary, I will file FOIPOP requests to get necessary answers, but in the spirit of openness, I am hoping that both the municipality, and the province will actually attempt to engage with residents instead of putting up walls.

1. What considerations, if any, were made for recreational boaters, rockweed harvesters, and any other users of these waters when making choosing these locations?

    a. Specific to this question, was there any review of historical usage patterns of the area of analysis? If so, what time period was looked at, and who did the work? Personally, I think an appropriate time period would be for at least for as long as Tommy Surette from Sluice Point has been around. If no historical analysis was done, did MoDA use any other methods to determine how these waterways were used besides community engagement?

2. What considerations, if any, were made about the impact to households whose properties are adjacent to these sites? Again, this question is looking for efforts made that go beyond community engagement efforts.

3. What considerations were made to wharf usage, and/or marine traffic created by occupied sites? Is any funding going to wharves to handle any increased traffic?

4. What considerations were made for coastal birds, many of which use the surrounding marshlands as nesting grounds? Were any other environmental factors examined specific to local flora and fauna, if so, what were they, and who undertook the work?

5. What data was collected for questions 1-4? Is this data available to the public? If so, what is the process to access this information?

6. Can you provide a detailed list of all changes DFA made to sites (eg. changes in site size, or the removal of a site) that resulted from the feedback provided to the province by MoDA?

7. Who is responsible for unsightly shorelines resulting from marine farm activities?

8. Is the February 2020 MOU between the province and the municipality available for public review? If so, where is it located?

9. Is there any data available on the consultations DFA undertook for these sites? This includes any communications they made with other provincial departments, the federal government, and First Nations groups? (See paragraph 3 page 1 Stakeholder Engagement Report)

10. Page 1 of the "Aquaculture Development Area Local Stakeholder Engagement Report" says that after 1400 hours of public engagement efforts, the municipality only engaged with 120 people. I have read the entire report, so please don't refer me back to the report when looking to answer the following questions - I am looking for the source data, and not the summaries included in the Report.

    a. When was the Stakeholder Report produced, and who was the author? Who gave final approval for this report?

    b. In the Concluding Remarks (page 16), the report's author states:

       "The Municipality of Argyle strongly believes that their work on informing and engaging with local stakeholders on the ADA project was thorough and very successful. A project of this size has potential to impact many groups of people with varying levels of stake that require appropriate degrees of consideration. We are confident that proper amounts of attention have been devoted to these groups. For example, the engagement work focused on the lobster industry has been appropriately extensive given the importance of the fishery to the economy."

       Ignoring the word salad that is that paragraph ('varying levels of stake'?), I want to know what measures did the author use to conclude that the engagement work was 'appropriately extensive', and 'thorough and successful'. This is not a throwaway question – I would like to know what benchmarks were utilized to determine that engagement efforts were sufficient given the high stakes involved in this project.

    c. Can you provide a breakdown of how the 120 contacts took place? For example, how many of those 120 were 'chance encounter' (S. 2.1.1 of the Stakeholder report)?

    d. How does an individual get permission from the fishers for access to their comments? Is this a MoDA driven process, or are we required to approach the fishermen ourselves? (see para 2, page 5 Stakeholder Report).

    e. Can you explain why there were no changes to the two sites to the west of Surettes Island despite fishermen having identified these spaces as being actively fished? Will you contact NSDFA to get the answer, or are you requiring residents to make

those enquiries? I have the same question for all sites showing as being actively fished to the east of Hog Island.

f. The Stakeholder Report (see section 2.1.3 Publications page 7) mentions a one-pager that was used to inform groups in June 2022, and was placed on the aquacultureargyle.com site, I have not been able to locate it, can you tell me why, and when it was removed? Is the June 3 2022 letter from MoDA, signed by Alix, the one-pager that they're talking about (see page 25 of the PDF)?

g. Did MoDA develop an actual public engagement strategy for this project, if so, is it available for review? Who was responsible for its implementation?

    i. Followup to this question: The Open Houses that were both done on Oct 19, 2022, and only had 39 people attend. Did no one think that perhaps having more sessions on different days might be a good idea? I actually had wanted to attend one of these sessions, but was donating blood during the earlier session in Glenwood, and was unavailable for the evening session. I imagine there were many others who would have liked to attend, but for whom the Oct 19 date didn't work. Who was responsible for organizing these sessions, and who had final approval for when they would take place?

h. Why is the Fall 2021 MoDA Newsletter (page 32 of the PDF) included in the Stakeholder Report, as it makes no mention of the ADA? I assume it's because of the mention of "Bob", and the mention at the very bottom of the "Bob"-blurb that says "Like Aquaculture in Argyle".

    i. Who paid for Bob? Was this purchase made solely for the purposes of the ADA? What was the process to get this in the water, and what is the status of this piece of infrastructure right now?

    ii. Who has access to the data generated by Bob? Where is it accessible?

    iii. Not really expecting an answer to this one, but does anyone genuinely think that this mention in the Newsletter is (a) sufficiently detailed to let anyone know anything useful about the ADA process, and (b) is it of such significance that it warrants inclusion in this report?

i. Has anything been done about the ghost gear in Pubnico Harbour that was identified as a hazard left behind by previous aquaculture operations (see section 2.1.5 Pop-Up Sessions, page 9 of Report)? If not, whose responsibility is it to deal with this ghost gear?

i. What level of discussion has taken place between DFA and MoDA re: ghost gear during the lead up to the present day?

j. Section 2.1.6 Formal Presentations in the Stakeholder Report states that YASTA was supportive of the ADA. Are you able to explain the conflict between this statement in the report, and the 3 May letter from TIANS (attached)?

k. How were the members of the Stakeholder Committee selected? (mentioned throughout report, but see page 88 PDF for Stakeholder Committee Meeting, Questions, Concerns, and Responses)

l. 'Engaged Stakeholders' (see Project Organization & Guidance, Appendix A, page 83 of PDF) – what does this mean? Was this an official group, or simply people who were contacted by MoDA staff? What data was collected from these groups, and is it available for public viewing?

m. 'Local Engagement Performed to Date' (page 84 of PDF) states that over 100 local fishers were contacted. Page 5 of the Report states that only 20 fishermen were contacted. Can you explain the discrepancy?

n. S. 2.1.8 Direct Emails – Are these emails available for review? Particularly interested in emails sent to/from DFA. Of particular interest to me is the line in the section titled Email Feedback 2 which states:

"It was shared that a potential ADA polygon in lower Salt Bay, where concerns over nearby archaeological sites were identified, will likely be removed from the pilot project due to inadequate water depth."

i. Which proposed farming site has archaeological sites close to it?

ii. What was the province's response when this was pointed out to them?

11. I've got a whole slew of other questions, but haven't delved deep into the material yet and assume/hope some of the answers are already available to the public. At a minimum, I know I want to know about:

a. Equipment – What equipment is permitted on sites/in the water? What equipment/gear is not permitted? Who is responsible for cleaning up sites if a company goes bankrupt/abandons their lease site?

b. Species – What species have been approved for farming? Have any been excluded?

c. What are disclosure requirements for companies whose applications are approved? For example, are they required to disclose what chemicals are used/stored on site? I'm thinking of things like cleaning/disinfecting chemicals, and fertilizers.

d. Once approved are the company's Standard Operating Procedures on file with NSDFA alone, or are they kept at MoDA as well? Are these SOPs available for review by the public before the application process is finalized? Are they available for review after approval?

e. What's the testing/compliance regime for sites once a lease has been grated? I'd love as fulsome a response as possible to this question. Here are some examples of what I think needs to be provided:

    i. Who is responsible for doing the testing (municipality, province, industry), and what are the rules around what labs are allowed/approved to do the actual lab work?

    ii. Who conducts inspections, and what's the frequency?

    iii. Are site owners given a heads up before inspections take place?

    iv. How frequently is water testing done, and what is being looked at? Is water sampling only done within the sites themselves, or is there some form of testing being done in the surrounding areas?

    v. Is there baseline data available for sites pre-farming, and will tests done after farms are on-site be compared to that baseline data?

    vi. Will any of this testing information be available to the public, and if so, how can they access it?

f. Does a company who is granted a lease site have any official relationship with the MoDA municipal government?

    i. If not, what does the agreement between the company and DFA look like? What are the costs for leasing a site?

    ii. Where does the fees paid for these leases go?

    iii. What about royalties for the product taken out of the water – what are the royalty rates, and to whom are they paid?

    iv. How frequently are these rates reviewed, and on what basis would they be increased?

v. Is there any mechanism/means by which MoDA could be provided these funds, instead of the province?

g. What are the criteria DFA is using to assess sites?

i. Did MoDA know about these criteria during the consultation phase? Was this information shared with the public?

ii. Throughout the Stakeholder Report, there are mentions of a preference for local applicants to be given preference during the application phase for leases. Is the place of residence for an applicant a factor DFA takes into account? If not, did MoDA request the DFA include this as a factor? If not, why? If so, what was DFA's response?

h. What have the conversations between DFO, and NSDFA looked like in terms of the rockweed industry (see "Aquaculture Development Area Stakeholder Committee Meeting Questions, Concerns, and Responses", page 88 of the PDF)? This issue was raised in 2022 – has there been any progression in this conversation, and what have been the results?

i. None of the hyperlinks in the Stakeholder Committee Meeting document referenced above are working, can you please provide a copy of all the links that should have been included with the PDF?

i. Does MoDA have a dedicated contact at the Centre for Marine Applied Research (CMAR)? Is there a unit within that agency, or within Perennia who is responsible for oversight of the MoDA ADA file?

j. Which employee within MoDA is responsible for liaising with NSDFA? Who is responsible for liaising with CMAR? What are the lines of communication between the various departments involved, or to put it another way, what are the approved lines of communication, and to whom must MoDA submit questions of various types?

k. Is there an active/ongoing working group dealing with any issues related to the ADA, and if so, who are the members?

l. Does MoDA have any policies around conflicts of interest? Are there separate policies for staff vs elected representatives? If there are policies, are they available to the public? Can you please send me copies of these policies.

m. Last but not least: Can you provide a detailed breakdown of the process that takes place after the June 15 application deadline for submitting applications to NSDFA has passed. Most importantly, please make sure to provide details on all instances

when public consultations will take place.

i. As well, if available, I would like a flowchart or explanation of some sort that details the flow of the entire process (it doesn't have to be detailed in the sense of each step being explained fully, rather detailed in the sense that all steps are identified). I would like to know the whole process from how sites will be selected from the remaining 47 to be put up for application, to the final awarding of sites to applicants, and what happens to sites that are not applied for, or for which an applicant has said they only want to use part of the site. I'd also like to know at what point (if any) does a site get removed from the 'pre-approved' list (ie. Is there an expiry date for any of the 47-53 sites, or will they always be available for lease should NSDFA decide they want to do so).

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May 3, 2024

Honourable Kent Smith
Department of Fisheries and Aquaculture
6th floor (Suite 607), WTCC
1800 Argyle Street
Halifax, Nova Scotia
B3J 2R5

Dear Minister Smith:

On behalf of the Tourism Industry Association of Nova Scotia (TIANS), we are writing in response to the Aquaculture Pilot Project in the Municipality of the District of Argyle, announcing six new pre-approved sites. The aggressive expansion of aquaculture planned for the Lobster Bay region warrants that the public process be rigorous - allowing residents and stakeholder groups a voice on an issue that will forever change their ocean playground.

From a tourism perspective, the inconsistent approach around aquaculture development throughout the province is extremely concerning. Our oceans are our greatest natural asset and draw visitors from around the world; many jurisdictions have moved away from open pen farms to land based, as a result of serious environmental and economic consequences. We would encourage your department to study these jurisdictions that have transitioned including British Columbia.

While notable, the reference in your announcement that aquaculture generates $158 Million a year is a stark comparison to the $3.2 Billion generated annually by tourism, throughout every Nova Scotia community. Tourism has the highest multiplier effect on the economy, every $1 invested or spent generates $3.2 on main street.

The fact that communities throughout Nova Scotia have had to battle this issue over and over again, speaks to the need for a provincial framework that ensures appropriate engagement and scientific considerations on the impact to our oceans.

The current approach around the approval process is incongruent with good public policy, and actually contradicts other initiatives underway.

. . . 2

In 2022, Premier Houston announced the development of a joint government/industry Tourism Strategy that is currently underway. During this process we have consulted with hundreds of tourism and community stakeholders and the issue of aquaculture expansion in our oceans has come up on many occasions, in regards to the lack of consistent framework that best serves the whole of the province. Another key theme has been environmental stewardship of our oceans and recognition of the draw of "Canada's Ocean Playground".

With regards to the pre-approved pilot sites announced and proposed future locations we respectfully request from your department, impact studies conducted on possible consequences to the Nova Scotia tourism industry.

Thank you for your consideration on this important issue, Minister. We look forward to hearing from your office.

Sincerely,

Darlene Grant Fiander
TIANS President

cc Honourable Tim Houston, Premier of Nova Scotia
Minister Allan MacMaster, Communities, Culture, Tourism and Heritage
TIANS Board