

Development Plan Guide: Aquaculture Licence and Lease - Reallocation

INTRODUCTION

Purpose of this guide

The Nova Scotia Department of Fisheries and Aquaculture (the “Department”) has prepared this guide as a reference for proponents preparing a development plan in support of an application for a marine aquaculture licence and lease for a reallocated site.

The development plan fulfills part of the requirements for an application for an aquaculture licence and lease for a reallocated site. Guidance for all of these requirements is available at the Department’s website www.novascotia.ca/fish/aquaculture/.

Before preparing a development plan, proponents should first complete a pre-application meeting with department staff to discuss the application process and any unique requirements not mentioned in this guide.

This guide is not a substitute for the *Fisheries and Coastal Resources Act* or associated Regulations. Proponents should obtain copies of the Act and Regulations for their reference (Appendix A). Where the information contained within this document differs from the Act or Regulations, the Act or Regulations shall prevail.

The most up to date development plan guides are available on the aquaculture division website www.novascotia.ca/fish/aquaculture/. A list of additional resources and contact information is provided in Appendix B.

Background

In the event a previously issued aquaculture site is discontinued, the Department will conduct a performance review to determine if the site remains a suitable location for aquaculture. In such a case, the site will be added to the Registry of sites eligible for reallocation. Following a competitive call for proposals, the aquaculture Administrator may select a proposal (with or without variations). A proponent whose proposal is selected has the exclusive right to apply for a new aquaculture licence and lease for a reallocated site, for a limited time.

Applications for an aquaculture licence and lease for a reallocated site follow the administrative decision process as set out in Sections 39 to 42 of the *Nova Scotia Aquaculture Licence and Lease Regulations*. In making decisions related to marine aquaculture sites, the Administrator must take all of the following factors into consideration:

- (a) the optimum use of marine resources;
- (b) the contribution of the proposed operation to community and Provincial economic development;
- (c) fishery activities in the public waters surrounding the proposed aquacultural operation;
- (d) the oceanographic and biophysical characteristics of the public waters surrounding the proposed aquacultural operation;
- (e) the other users of the public waters surrounding the proposed aquacultural operation;
- (f) the public right of navigation;
- (g) the sustainability of wild salmon; and
- (h) the number and productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation.

However, due to the processes involved in conducting a performance review on a discontinued aquaculture site and for selecting a proponent (following a call for proposals), much of the information related to the above factors has already been collected and as a result the content within the development plan for a licence and lease for a reallocated site is reduced significantly. Refer to the “Required Development Plan Content” portion of this guide for further information.

The completed development plan submitted must provide any novel information that will demonstrate if and how the proposed development will address the relevant factors to be considered in administrative decisions.

Information collection for the Development Plan

Information for completing the development plan should be acquired through whatever biological, ecological and social data collection and analysis the proponent deems necessary to acquire the requested information.

Submission format

In order to facilitate government review of submitted applications and to establish a standardized format for all applications, applicants must follow the submission format guidelines, as follows:

- All requested information, the minimum of which is the information as required in this document, is to be submitted to the Department in an electronic format.
- Each section of the plan must start on a new page and be labelled matching the sequence established in this guide.

- Each section of the plan must contain all information required for that section (including supporting information such as maps, diagrams, etc.).

Public notice and disclosure

As part of the process for deciding on an aquaculture application, the Department will disclose application information to other government bodies.

In accordance with departmental policy, which seeks to promote public involvement in the process for deciding on aquaculture applications, the Department may disclose application information – not including, however, personal or business confidential information – on the departmental website.

Privacy statement

The personal and business confidential information collected as part of an aquaculture application will only be used or disclosed by the Department for the purpose of deciding on the application.

All application information collected is subject to the Freedom of Information and Protection of Privacy Act (“FOIPOP”) and will only be used or disclosed in accordance with FOIPOP.

For more information

If you would like further information, please contact the Nova Scotia Department of Fisheries and Aquaculture, Aquaculture Division.

Phone: 902-875-7439

Fax: 902-875-7429

Email: aquaculture@novascotia.ca

Mail: 1575A Lake Road
Sandy Point, NS
B0T 1W0

REQUIRED DEVELOPMENT PLAN CONTENT

Minimum content requirements for a development plan for an aquaculture licence and lease for a reallocated site are described in the following sections. Additional information may be required for clarification.

SECTION 1: PROJECT OVERVIEW

The project overview should be a cohesive look at the overall picture of the planned development, its overall effects, impacts, and benefits.

Describe the application request, including a summary of the proposed development. The species, scale, technology used, and location should all be described. In addition, using all the information collected, describe how your production plan is an optimum use of marine resources.

SECTION 2: PRODUCTION PLAN

Indicate any **changes** to the proposed production plan summary/details contained within your previously submitted proposal document. You are required to submit the following information if not already referenced in your proposal document:

- If using suspended method of cultivation (shellfish / marine plants) (include spat or seed collection, if applicable):
 - Species;
 - Gear unit type (socks, lanterns, trays, etc.), including dimensions of individual gear units, and if using socks, whether they will be single or continuous;
 - Maximum number of gear units;
 - Maximum number and lengths of lines;
 - For shellfish: maximum shellfish introduced (number or mass) and maximum shellfish on site (number or mass);
 - For plants: maximum biomass on site (mass);
 - Seed source; and
 - Expected time to achieve maximum production.
- If using bottom cultivation with gear (shellfish / marine plants):
 - Species;
 - Gear unit type (bags, trays or cages), including dimensions of individual gear units;
 - Maximum number of gear units;
 - Type and dimensions of frames used (including length, width, depth and height off sea bed) (if applicable); and
 - Maximum number of frames (if applicable);
 - Maximum shellfish introduced (number or mass) and maximum shellfish on site (number or mass);

- Seed source; and
- Expected time to achieve maximum production.

Depuration

If depuration of shellfish is intended, you must obtain approval for your protocol from the Canadian Food Inspection Agency (CFIA) according to the Shellfish Sanitation Program (<https://inspection.canada.ca/food-guidance-by-commodity/fish/canadian-shellfish-sanitation-program/eng/1527251566006/1527251566942>). Describe the status of this application, if applicable.

Infrastructure

Describe the infrastructure required to support operations (e.g., buildings, wharves, transportation, onsite equipment, etc.) and whether it is existing or if it will be built or acquired. Include the location(s) of the existing or pending infrastructure.

Services and suppliers

Indicate any **changes** to the proposed services and supplies contained within your previously submitted proposal document. You are required to submit the following information if not already referenced in your proposal document:

- Seedstock;
- Processing of product;
- General supplies; and
- Other relevant requirements that may contribute to local or provincial economic activity.

Employment

Indicate any **changes** to the expected number of direct employees contained within your previously submitted proposal document. You are required to submit the following information if not already referenced in your proposal document:

- Break down the allocation according to full time, part time, and seasonal employment; and
- Include types of positions (managerial, technical, administrative, etc.) where possible.

SECTION 3: BUSINESS PLAN

Financial Plan

Indicate any **changes** to your financial plan contained within your previously submitted proposal document. You are required to submit the following additional information in support of your financial plan, if not already referenced in your proposal document:

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- A detailed description of your initial start-up costs and how you plan to fund these costs until you are reporting income, providing documented evidence where possible;
- Provide a detailed breakdown of your anticipated annual revenue and expenses starting from the year of start-up to the year you are reporting income;
- Include the costs for any equipment, supplies or infrastructure; and
- Include the type, amount and source of any financing or funding used or anticipated.

Market Plan

Indicate any **changes** to your market plan contained within your previously submitted proposal document. You are required to submit the following information if not already referenced in your proposal document:

- Product forms;
- Anticipated prices;
- Target market;
- Distribution of product; and
- Marketing/promotion of product.

SECTION 4: SITE DESIGN

During the “Call for Proposals” phase of the process, the Department may have published the GPS coordinates and oceanographic/biophysical characteristics of the waters of the aquaculture site. Additional copies can be provided to you upon request to aid in creating this section.

Provide a detailed description of the proposed gear configuration specific to this aquaculture site. Include the following in the description:

- Plan view drawing (top-down or “birds-eye-view”) complete with all relevant dimensions;
- Profile view drawing (side-view) complete with all relevant dimensions, including depth;

Describe how the oceanographic and biophysical characteristics of the waters of the location have been accounted for in the site design, including any anticipated events described by the Department. This can include, but is not limited to:

- Type of anchors to be used and the locations;
- Anticipated start and end dates for introduction of gear;
- Anticipated start and end dates for the sinking of gear (if applicable);
- Construction methodology outlining how the work will be undertaken.

Application for Navigation Protection Program to Transport Canada

The assurance of the public right of navigation is determined by Transport Canada through the *Canadian Navigable Waters Act*. Forms and guidance material is provided in Appendix B. You are required to provide evidence that:

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- An application has been submitted in the name of the proponent for the placement of the gear identified above; OR
- A prior approval has been issued by Transport Canada for the same site and you intend to use an *identical* gear configuration identified in the prior approval.

It is anticipated that a decision will not be issued by Transport Canada unless the corresponding aquaculture licence and lease application is first approved.

SECTION 5: ADDITIONAL INFORMATION REQUESTED

Should the Department request additional information separate from the above defined sections, please provide the information in this section. Missing or incomplete information identified by the Department should be provided in the applicable sections above.

APPENDIX A: NOVA SCOTIA AQUACULTURE LEGISLATION

Fisheries and Coastal Resources Act S.N.S. 1996, c. 25:

<http://nslegislature.ca/legc/statutes/fisheries%20and%20coastal%20resources.pdf>

Aquaculture Management Regulations made under Section 64 of the *Fisheries and Coastal Resources Act*. S.N.S. 1996, c. 25 O.I.C. 2015-339 (October 26, 2015), N.S. Reg. 348/2015:

https://www.novascotia.ca/JUST/REGULATIONS/regs/fcraquamgmt.htm#TOC1_1

Aquaculture Licence and Lease Regulations made under Section 64 of the *Fisheries and Coastal Resources Act*. S.N.S. 1996, c. 25 O.I.C. 2015-338 (October 26, 2015), N.S. Reg. 347/2015:

<https://novascotia.ca/just/regulations/regs/fcraqualiclease.htm>

APPENDIX B

ADDITIONAL RESOURCES AND CONTACT INFORMATION

Below is a list of reference websites or sources¹ that the proponent may find helpful in gathering information relating to fisheries and wildlife:

- Atlantic Canada Conservation Data Centre: www.accdc.com
- Atlantic Salmon Federation: www.asf.ca
- Canadian Shellfish Sanitation Program: <https://inspection.canada.ca/food-guidance-by-commodity/fish/canadian-shellfish-sanitation-program/eng/1527251566006/1527251566942>
 - SHELLI Map: <https://www.dfo-mpo.gc.ca/shellfish-mollusques/cssp-map-eng.htm>
- Canadian Wildlife Service (CWS): <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/canadian-wildlife-service-contact-information.html>
- Committee On the Status of Endangered Wildlife in Canada: <https://www.cosewic.ca/index.php/en-ca/>
- CWS EA Guidance: https://www.collectionscanada.gc.ca/eppp-archive/100/200/301/environment_can/cws-scf/occasional_paper-e/n110/pdf/EA_Best_Practices_2004_e.pdf
- Ducks Unlimited: www.ducks.ca
- Environment Canada's Protected Areas Network: <https://www.hww.ca/en/>
- Federal Policy on Wetland Conservation: <https://publications.gc.ca/site/eng/100725/publication.html>
- Federation of Nova Scotia Naturalists: <https://naturens.ca/>
- Fisheries and Oceans Canada: www.dfo-mpo.gc.ca
- Fisheries and Oceans Canada Library: <http://science-libraries.canada.ca/eng/fisheries-oceans/>
- Fishermen & Scientists Research Society: www.fsrs.ns.ca
- Implementation guide for federal land managers: https://nawcc.wetlandnetwork.ca/Fed%20Policy%20Wetland%20Conserv_Implement%20Guide%20for%20Fed%20Land%20Mgrs.pdf
- Important Bird Areas of Canada: www.ibacanada.com/
- Local naturalist groups
- Local salmon or angling associations
- Nature Conservancy of Canada: www.natureconservancy.ca
- North American Waterfowl Management Plans: www.nawmp.org

¹ Please note that these links were active at the time of publishing this document and may become outdated over time. It is the applicant's responsibility to reach out to the appropriate entity directly to confirm the accuracy of any information.

- Nova Scotia Department of Environment and Climate Change (NSECC): <https://novascotia.ca/nse/>
- Nova Scotia Department of Natural Resources and Renewables (NSDNRR): <https://beta.novascotia.ca/government/natural-resources-and-renewables>
- Nova Scotia Fisheries Sector Council: www.nsfsc.ca
- Nova Scotia Nature Trust: www.nsnt.ca/
- Nova Scotia Provincial Coastal Resources Coordinators (CRC): <https://www.novascotia.ca/fish/documents/crc-map.pdf>
- Nova Scotia Salmon Association: www.nssalmon.ca
- Other federally or provincially designated ESAs
- RAMSAR Sites: www.ramsar.org
- SARA Registry: www.sararegistry.gc.ca
- Second Atlas of Breeding Birds of the Maritime Provinces: www.mba-aom.ca
- Transport Canada Navigation Protection Program - Forms and Guidance Material: <https://tc.canada.ca/en/programs/navigation-protection-program/navigation-protection-program>
- Western Hemisphere Shorebird Reserve Network: www.whsrn.org/
- Wetlands of the Maritime Provinces: Revised Documentation for the Wetlands Inventory (1996): https://publications.gc.ca/collections/collection_2018/eccc/cw69-5/CW69-5-267-eng.pdf