

Findings and Decision - Renewal Application of Ocean Trout Farms Inc. for AQ#0912

1. Overview:

On October 22, 2020, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Ocean Trout Farms Inc. to renew Aquaculture Licence and Lease #0912 (AQ#0912), as described below:

Table 1. Description of Aquaculture Licence and Lease #0912

Type: Marine	Size: 2.58 HA
Number: AQ#0912	Cultivation Method: Marine cage cultivation
Applicant: Ocean Trout Farms Inc.	Species: Rainbow trout
Location: Lobster Bay, Yarmouth County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#0912 was first issued on May 18th, 2011 to Ocean Trout Farms Inc. for a ten year term from April 29th, 2011 to April 28th, 2021.

3. Procedure

3.1 Performance Review

A performance review of the information submitted by the operator in support of their renewal application was completed. This review recommended that the site be renewed based on the technical and biological assessment. This performance review is required pursuant to Subsection 72(d) of the Aquaculture Licence and Lease Regulations and was completed on April 26, 2021.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0912 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of January 14, 2021 to February 12, 2021. Notice of the application was also published in the Royal Gazette Part I on January 13, 20, 27, February 3, 10, and 17th.

3.3 Submissions

Zero submissions were received by NSDFA during the 30-day public comment period.

4. Factors to be considered

AQ#0912 is currently identified as a seasonal trout operation due to the possibility of "superchill" in mid to late winter. Ocean Trout Farms Limited also operates a fish processing facility in Shelburne County, and an affiliated company (St. Peter's Fish Hatchery Limited) operates a hatchery site in Richmond County. The applicant has proposed to continue to utilize local processors in Nova Scotia for their farmed product. Due to recent inactivity, Ocean Trout

Farms Limited will be required to conduct a baseline monitoring event prior to stocking or restocking the site, to ensure the Oceanographic and Benthic environments are suitable for the proposed level of production. Should AQ#0912 not be operated as planned, the Department's site utilization review provisions will be implemented.

The Aquaculture Management regulations include regulatory compliance points with regards to aquatic animal health management. The operator is required to have comprehensive aquatic animal health procedures in place as part of the Farm Management Plan and is also required to adhere to the reporting and notification provisions regarding aquatic animal health management. The Farm Management Plan must include elements relating to finfish husbandry and welfare, veterinary care and disease surveillance practices, biosecurity measures, and emergency measures. Pesticide products must be used according to product labels and following all health and safety requirements and all Federal and Provincial regulations. Bath treatments on sites leased/licenced by the province of Nova Scotia must be conducted in completely enclosed containment. There are no changes to the impacts on fisheries activities in the public waters surrounding the aquaculture operations resulting from this renewal request.

The Farm Operations section of the Farm Management Plan for AQ#0912 will require the operator to indicate how they will operate the site in accordance with industry best practices with respect to items such as interactions with wildlife, noise, maintain the site in good order, the removal of decommissioned farm supplies and equipment, and the retrieval of gear or debris that has broken loose. Any complaints received by the Province of Nova Scotia specific to a particular aquaculture site are reviewed by Nova Scotia Environment, with appropriate follow-up and prescribed actions taken if necessary.

The operators of AQ#0912 will be required to adhere to all Environmental monitoring provisions of the Aquaculture Management Regulations. Information on the Environmental Monitoring Program, including descriptions of associated terms, can be found at:
<https://novascotia.ca/fish/aquaculture/aquaculture-management/>.

The Province of Nova Scotia actively stocks Rainbow Trout throughout the Province; however, the stocked population are all female fish and there are no known wild male Rainbow trout in the Southern part of the Province nor naturally reproducing populations. Furthermore, the marine cultivation of Rainbow Trout in Nova Scotia involves the stocking of all female individuals. As such, the potential for genetic interaction through breeding of farmed and wild Rainbow Trout does not pose a significant risk. There are no changes in the status of salmon run rivers in the region since the current lease was approved.

Section 55 of the Licence and Lease Regulations requires an aquaculture licence holder to mark each of their sites in a manner determined by the Minister (see below) and keep each site marked during the term of their licence. Furthermore, AQ#0912 is required to maintain compliance with Transport Canada as it relates to Navigable Waters. The operator of AQ#0912 is also required to maintain a security bond for the site, which can be drawn upon by the Department to perform clean-up activities should the operator fail to perform its obligations with respect to site maintenance. Furthermore, it will be a condition of licence that the operator must comply with

any permits, protocols, approvals, licences or permissions which may be required under the laws of the relevant Municipality, the Province or Canada. The operator is also required to adhere to all relevant Government of Canada legislation and regulations that may pertain to conducting aquaculture in the marine environment.

AQ#0912 is one of three marine finfish aquaculture sites issued to Ocean Trout Farms Inc. in Lobster Bay. AQ#0912 is located approximately 1.5 km from the nearest aquaculture site, AQ#0899, which is also licensed to Ocean Trout Canada Inc. AQ#0912 is located in the nearshore environment of Big Gooseberry Island. Due to the physical separation from other aquaculture sites, the shoreline, and other marine users, there is adequate separation between AQ#0912, the shoreline, and other aquaculture sites to allow for navigation.

5. Decision

Based on the considerations above, Aquaculture Licence #0912 shall be renewed for a period of 10 years (April 29, 2021 to April 28, 2031) and Aquaculture Lease #0912 shall be renewed for a period of 20 years (April 29, 2021 to April 28, 2041).

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*.

6. Conditions

In addition, the following condition shall apply:

The operator shall adhere to the following site marking requirements:

- a) mark all corners of the leased site with cautionary yellow buoys of a minimum of 60 cm in diameter;
- b) mark all corners of the leased bottom with a cement block or similar device of a weight sufficient to ensure the cement block or device remains in place at all times; and
- c) display the licence or lease number at 1 corner of the licenses or leased area.



Robert Ceschiutti
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

April 29, 2021

Date