

Findings and Decision - Renewal Application of Kelly Cove Salmon Ltd. for AQ#1353

1. Overview:

On December 7, 2020, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Kelly Cove Salmon Ltd. to renew Aquaculture Licence and Lease #1353 (AQ#1353), as described below:

Table 1. Description of Aquaculture Licence and Lease #1353

Type: Marine	Size: 42.15 HA
Number: AQ#1353	Cultivation Method: Marine cage
Applicant: Kelly Cove Salmon Ltd.	Species: Atlantic salmon
Location: Grand Passage, St. Mary's Bay, Digby County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#1353 was first issued to Kelly Cove Salmon Ltd. on June 8, 2011 for a ten-year term from June 8, 2011 to June 7, 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 June 11, 2021.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#1353 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of March 11, 2021 to April 9, 2021. Notice of the application was also published in the Royal Gazette Part I on March 11, March 18, March 25 and April 3, 2021.

3.3 Submissions

Two submissions were received by NSDFA during the 30-day public comment period. Both of these (2) submissions met criteria for consideration and are included with this document. One submission was received after the 30 day public comment period and therefore did not meet criteria.

4. Factors to be considered

AQ#1353 forms part of Kelly Cove Salmon Ltd.'s multi-site marine aquaculture operation in Nova Scotia. The site had consistent production over the last licence and lease tenure, and resultant employment reflective of the scale of the operation. The operator's future intentions with respect to AQ#1353 indicate continued production and employment. The operator also indicates continued plans to procure goods and services from local and Nova Scotian businesses where practical. Affiliated companies of Kelly Cove Salmon Ltd. also operate a feed mill (Northeast Nutrition, located in Truro) and a seafood distribution outlet (True North Seafood, located in Dartmouth). Should AQ#1353 not be operated as planned, the Department's site utilization review provisions will be implemented.

The operators of AQ#1353 will be required to adhere to all Environmental monitoring provisions of the Aquaculture Management Regulations, including the need to maintain sufficient oxigenic conditions in the benthic environment. Information on the Environmental Monitoring Program, including descriptions of associated terms, can be found at:

<https://novascotia.ca/fish/aquaculture/aquaculture-management/>

Concerns were raised regarding the sustainability of wild salmon. A review of the application and available information indicated that AQ#1353 is located in the range of the Nova Scotia Southern Upland population of Atlantic salmon. The site is in Salmon Fishing Area (SFA) 21.

The Salmon Atlas did not identify any salmon rivers near the Freeport site while the ASF noted three salmon rivers – Boudreau River (present), Meteghan River (extirpated/restored/present), and Salmon River (present). These rivers are however located across St. Mary's Bay on the mainland, and no salmon rivers drain into Westport Harbour or Grand Passage.

The Applicant's Development Plan included several restoration efforts initiated by the applicant. Cooke Aquaculture is a partner of the Fundy Salmon Recovery Project, which is developing the world's first Wild Salmon Marine Conservation Farm (Grand Manan Island, NB). In 2018 the Fundy Salmon Recovery released 600 wild salmon into the Upper Salmon River. KCS is currently partnered with the Medway River Salmon Association in Queens County to duplicate the restoration project in the Medway River.

Several mitigation measures were included in the Development Plan that can be employed to reduce the potential impacts of salmon aquaculture on wild salmon populations.

Furthermore, it is a legislated requirement that the operator of AQ#1353 conform to the aquaculture management regulations specific to containment management through the Farm Management Plans. In the event of an escape, the operator would be required to adhere to measures prescribed in the Farm Management Plan and in Regulation on escape reporting, auditing and mitigation. The Department is also in the process of implementing a salmonid traceability program, through which any escaped salmonids could be traced back to the operator of origin, to mitigate against such future events.

The Farm Operations section of the Farm Management Plan for AQ#1353 will require the operator to indicate how they will operate AQ#1353 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. Additional information on Farm Management Plan requirements can be found at: <https://novascotia.ca/fish/documents/compliance-documents/Minimum-compliance-requirements-Marine-Finfish.pdf>

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/licensed by the province of Nova Scotia must be conducted in completely enclosed containment.

AQ#1353 is one of two marine finfish aquaculture sites located in proximity to Long Island, Digby County. AQ#1353 is located approximately 550 metres from the shoreline at its nearest location. The nearest aquaculture site to AQ#1353 is located approximately 1.20 km to the northeast (AQ#1354). Two additional marine finfish aquaculture sites (AQ#0829 and AQ#0742) are also located within 5.00 km of AQ#1353, located in proximity to the community of Westport on Brier Island, Digby County. Due to the physical separation from other aquaculture sites, the shoreline, and other marine users, there is adequate separation between AQ#1353, the shoreline, and other aquaculture sites to allow for navigation.

5. Decision

Based on the considerations above, Aquaculture Licence #1353 shall be renewed for a period of 10 years (June 8, 2021 to June 7, 2031) and Aquaculture Lease #1353 shall be renewed for a period of 20 years (June 8, 2021 to June 7, 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 60cm 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/lease number on 1 corner of the licensed/leased area.



Robert Ceschiutti
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

June 11, 2021

Date