

# Decision on Application to Renew a Marine Aquaculture Licence and Lease

## Application to the Administrator:

On February 23, 2022, the Nova Scotia Department of Fisheries and Aquaculture (the “Department”) received an application to renew Aquaculture Licence and Lease #1358 (AQ#1358), as described below:

## Application Summary:

<b>Type:</b> Marine	<b>Size:</b> 40.00 HA
<b>Number:</b> AQ#1358	<b>Cultivation Method:</b> Marine Cage
<b>Applicant:</b> Kelly Cove Salmon Ltd.	
<b>Location:</b> Jordan Bay, Shelburne County	<b>Species:</b> Atlantic salmon
<b>Proposed Term:</b> 10 year Licence / 20 year Lease	

## Site History:

AQ#1358 was first issued on December 12, 2012, for a ten-year term (September 2, 2012 to September 1, 2022). The marine farm consists of twenty grid cells in a 2 x 10 floating configuration. The site incorporates all aquaculture related gear, above and below the water line. There are currently no other applications in process for AQ#1358 as of the date this document was issued.

## Performance Reviews Conducted by Administrator:

A performance review was conducted on the aquacultural operation of site AQ#1358, pursuant to Sections 71-72 of the *Aquaculture Licence and Lease Regulations* (the “Regulations”). There were no concerns raised following the performance review.

## Public Submissions on Application to Administrator:

Pursuant to Section 41 of the Regulations, notice of the application was published on the Department’s website and in the Royal Gazette Part I inviting the public to submit written comments on the application to the Administrator within the 30 days following the date the notice was published. This notice was published on June 16, 2022.

Three (3) submissions were received by the Department during the 30-day public comment period. Of the submissions received, three (3) met the requirements set out in subsection 41(5) of the Regulations and are included with this document.

**Factors to be Considered (as set out in Section 3 of the Regulations):**

*The optimum use of marine resources*

The site has shown continued production and is currently utilizing the site optimally, taking into account any fallow periods.

*The contribution of the proposed operation to community and Provincial economic development*

Public submissions received made reference to the number of people employed from coastal communities by the operator. This renewal application does not involve any changes to the current infrastructure. The operator continues to support local industries such as suppliers, wharves and related services wherever possible. There are no changes in staffing requirements expected for this renewal application. The operator's parent company, Cooke Aquaculture Inc. sponsors a number of Nova Scotia organizations, charities, associations and events. There are no known adverse economic impacts associated with this renewal application.

*Fishery activities in the public waters surrounding the proposed aquacultural operation*

This site has been co-existing with other fishers in Jordan Bay since 2013. There have been no major changes from the original approval of this site. The operator follows standard best management practices for rearing fish in a marine environment. These practices have controls in place to mitigate potential environmental effects on fish and fish habitat. The site must also have a selection of additional mitigation strategies to apply if an environmental compliance threshold is exceeded.

*The oceanographic and biophysical characteristics of the public waters surrounding the proposed aquacultural operation*

Public submissions received made reference to the storm of January 4, 2018. Public submissions received also made reference to changes to the wave heights since 2015. The operator has indicated that the current site design was based on historical winds, wave height, oceanography, currents and the operator's 30+ years of farming experience. Each area of the grid was designed to withstand different maximum loads based on the previous criteria. In February and March of 2017 there were several significant storms which resulted in slightly elevated mortality. On January 4th, 2018, there was infrastructure damage after a "1 in 100-year storm". No known fish escapes occurred from either event. The operator has contracted experts for modelling and engineering analysis of moorings, grid and cage components that are used to ensure that they can withstand extreme storm conditions anticipated in the future within Jordan Bay.

The operator has shown evidence that the site can return to Oxic conditions before being restocked, in the event that the Oxic threshold is exceeded.

Public submissions received made reference to “superchill” events in 2015. Since operational in 2013, there has been one (1) superchill event (March 2015). There are extensive benthic and water quality monitoring programs in place. Such programs will aid in initiating mitigation measures if temperatures approach the superchill threshold as they did in 2015.

*The other users of the public waters surrounding the proposed aquacultural operation*  
There were no changes to the impacts to other users including wildlife, as a result of this renewal application.

*The public right of navigation*

The operator has an approval under the Canadian Navigable Waters Act issued by Transport Canada, and is expected to adhere to the site marking requirements described within that approval document.

*The sustainability of wild salmon*

Public submissions received made reference to containment management in general, however there was no information provided that applied specifically to AQ#1358. Site AQ#1358 is located in the range of the Nova Scotia Southern Upland population of Atlantic salmon. The Southern Upland region of Nova Scotia is divided into three salmon fishing areas: SFA20, SFA 21 and part of SFA 22. The Salmon Atlas and the Atlantic Salmon Federation note that nearest salmon rivers as the Tuskent River and the Mersey River. The site is located approximately 52 km and 62 km from the mouth of Mersey River and Tuskent River, respectively, the nearest identified wild salmon rivers. Several mitigation measures are included in the operator’s development plan that can be employed to reduce the potential impacts of salmon aquaculture on wild salmon populations. Under the *Aquaculture Management Regulations*, all marine finfish operators are now required to provide fish marking plans as part of the initiative to support the sustainability of wild salmon. The operator has provided their finfish marking plan which has been reviewed and approved by the Department. The operator participates in various salmon restoration projects throughout Atlantic Canada and uses numerous operational measures to ensure wildlife interaction is as minimal and positive as possible.

*The number and productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation*

There are five aquaculture sites within 15km of AQ#1358, all of which are issued to Kelly Cove Salmon Ltd. This site has not displaced or adversely affected other aquaculture sites in the area, as supported by the most recent benthic data available. If, in the future, the biomass appears to be impacting the benthic environment, mitigation measures can be put into place.

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**Decision:**

Based on the factors considered above, Aquaculture Licence #1358 shall be renewed *with conditions* for a period of 10 years (September 2, 2022 to September 1, 2032) and Aquaculture Lease #1358 shall be renewed *with conditions* for a period of 20 years (September 2, 2022 to September 1, 2042).

The Licence and Lease documents shall be prepared in accordance with the Department's standard operating documents and shall be made publicly available subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

**Conditions:**

Based on the factors considered above, the operator will be required to obtain an Engineer's approval on the site design and configuration prior to any new introduction of fish to AQ#1358.

A handwritten signature in blue ink that reads "Rob Ceschiutti".

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Robert Ceschiutti  
Aquaculture Administrator  
Nova Scotia Department of Fisheries and Aquaculture

August 18, 2022

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Date