

Decision – Application to Administrator

Application Summary:

Application Reference Number:	REF#552
Aquaculture Site Number:	AQ#1012
Application Class:	Class III
Application Type:	Assignment
Abstract:	Application to assign licence and lease no. 1012 to Kelly Cove Salmon Ltd.
Applicant Name:	Long Beach Farms Ltd.
Date Received by Department:	June 23, 2025
Location:	St. Mary's Bay
County:	Digby
Site Type:	Marine
Operation Type:	Commercial

Current Licence / Lease Information:

Site Size (in hectares):	19.50
Method(s) of Cultivation:	Marine Cage
Species:	Atlantic salmon, Rainbow trout
Term of Licence:	December 31, 2015 to December 31, 2025
Term of Lease:	December 31, 2015 to December 31, 2035

Decision:

Decision Issued:	Approved
Signature and Date:	
	Robert Ceschiutti, Aquaculture Administrator

Definitions:

The following are terms, acronyms and definitions that may appear in this document:

Act means the Nova Scotia *Fisheries and Coastal Resources Act*

Department means the Nova Scotia Department of Fisheries and Aquaculture

Regulations means the Nova Scotia *Aquaculture Licence and Lease Regulations*

Site History:

Aquaculture licence and lease no. 1012 was initially issued to Harold Theriault on September 30, 1996, for a 10-year term (September 30, 1996 to September 30, 2006), for the marine cage cultivation of Atlantic salmon and Rainbow trout, on a 3.00 hectare site located in St. Mary's Bay, Digby County. In May, 1997, the licence and lease were temporarily amended to authorize the marine cage cultivation of Winter flounder (from May 30, 1997 to October 30, 1997). In July, 2001, the licence and lease were assigned to Long Beach Farms Ltd. then were immediately assigned to Nantucket Seafarm Inc. In June, 2004, the licence and lease were assigned back to Long Beach Farms Ltd. In November, 2004, the licence and lease were amended to modify the site boundaries, resulting in an increase in site size to 19.50 hectares. In January, 2005, the licence and lease were renewed for a 10-year term (December 6, 2004 to December 6, 2014). In February, 2005, the licence and lease were assigned to Admiral Fish Farms Ltd. for a limited term (December 15, 2004 to May 24, 2008). In October, 2008, the licence and lease were assigned to Aquaculture Engineering Group Inc. for a limited term (September 1, 2008 to October 31, 2010). In September, 2010, the licence and lease were assigned to Aquaculture Engineering Group Inc. for a limited term (October 31, 2010 to December 31, 2010). In March, 2011, the licence and lease were assigned to Aquaculture Engineering Group Inc. for a limited term (January 1, 2011 to March 31, 2011). In April, 2011, the licence and lease were assigned to Aquaculture Engineering Group Inc. for a limited term (April 1, 2011 to April 29, 2011). In May, 2012, the licence and lease were amended to add clauses pertaining to fish escapes and the Environmental Monitoring Program requirements. In February, 2015, the licence and lease were renewed for a limited term (December 6, 2014 to December 31, 2015). In May, 2016, the licence was renewed for a 10-year term (December 31, 2015 to December 31, 2025) and the lease was renewed for a 20-year term (December 31, 2015 to December 31, 2035). In January, 2022, the licence and lease were assigned to the restructured Long Beach Farms Ltd. There is currently an application in process for the renewal of licence no. 1012.

Consultations on Application to Administrator:

Pursuant to Clause 32(a) of the Regulations, the Administrator must undertake consultations with any of the following as required under the laws of the Province or of Canada with respect to the application:

- A department or agency of the Government of Nova Scotia
- A department or agency of the Government of Canada

With respect to this assignment application, no consultations were required to be undertaken pursuant to Clause 32(a) of the Regulations.

Factors to be Considered:

Under Section 17(1) of the Regulations, in making decisions related to marine aquaculture sites, the Administrator must take into consideration the optimum use of marine resources, as determined by taking into consideration the following factors only:

- a) The contribution of the proposed operation to community and Provincial economic development;
- b) Fishery activities in the public waters surrounding the proposed aquacultural operation;
- c) The oceanographic and biophysical characteristics of the public waters surrounding the proposed aquacultural operation;
- d) The other users of the public waters surrounding the proposed aquacultural operation;
- e) The public right of navigation;
- f) For marine finfish applications, the sustainability of wild salmon;

- g) The number and productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation.

All of the above factors have been taken into consideration prior to making the decision on this application. The following is a summary of the outcomes of the Departmental review and any consultation undertaken (where indicated above). This summary is not intended to be an exhaustive account of the results following review and consultation.

The optimum use of marine resources

As this is an application to assign an existing Aquaculture licence and lease, there are no expected novel impacts to the use of marine resources. There were no proposed changes to the existing operation of the aquaculture site related to this assignment application.

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

The application to assign this site did not appear to have any novel impacts (positive or negative) to the economic development of the community or Province.

Fishery activities in the public waters surrounding the proposed aquacultural operation

This application to assign an existing aquaculture licence and lease contained no expected novel impacts to the fishery activities in the public waters near the existing site.

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

The species and methods of cultivation authorized for this site are suitable for this area.

The other users of the public waters surrounding the proposed aquacultural operation

This application to assign an existing Aquaculture licence and lease contained no expected novel impacts to the other users of the public waters near the existing site.

The public right of navigation

This application to assign an existing Aquaculture licence and lease contained no expected novel impacts to the public's right of navigation. The operator is required to adhere to the site marking requirements according to their Notice of Works issued by Transport Canada under the Canadian Navigable Waters Act, reference number NPP# 2008-200547 / 12893.

The sustainability of wild salmon

There is no indication that the proposed assignment will pose ecological concerns to, or have an impact on, the sustainability of wild salmon.

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

Aquaculture site no. 1012 is located southeast of Digby Neck within St. Mary's Bay. There are currently 7 marine aquaculture sites in this area. There is no evidence to suggest that the assignment of this licence and lease would negatively impact the productivity of other aquaculture sites.

Decision:

Based on the factors considered above, the application to assign licence and lease no. 1012 is hereby approved.

Implementation:

The licence and lease documents shall be prepared in accordance with the Department's standard operating documents. The decision shall be deemed implemented once the licence and lease documents have been signed by all parties. The licence and lease shall be made publicly available subject to the provisions of the Freedom of Information and Protection of Privacy Act, once the decision has been implemented.