

Decision – Application to Administrator

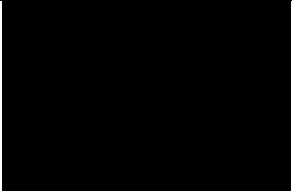
Application Summary:

Application Reference Number:	REF#587
Aquaculture Site Number:	AQ#0983
Application Class:	Class II
Application Type:	Renewal
Abstract:	Application to Renew Licence No 0983
Applicant Name:	Kelly Cove Salmon Ltd.
Date Received by Department:	October 15, 2025
Location:	Shelburne Harbour
County:	Shelburne County
Site Type:	Marine
Operation Type:	Commercial

Current Licence Information:

Site Size (in hectares):	8.24 Ha
Method(s) of Cultivation:	Marine cage
Species:	Atlantic salmon, Rainbow trout
Term of Licence:	April 21, 2016, to April 21, 2026
Term of Lease:	N/A - federal harbour lease issued by Transport Canada

Decision:

Decision Issued:	Approved
Signature and Date:	 September 24, 2026 Bruce Hancock, 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. 0983 were first issued to Shelburne Salmon Farms Ltd. on May 23, 1996 for a ten-year term (May 23, 1996, to May 23, 2006) for the marine cage cultivation of Atlantic salmon and Rainbow trout on 8.24 HA site located in Shelburne Harbour, Shelburne County. The Licence and Lease were amended on March 9, 2011, to amend the geographic area and location of the existing site and to note that the Lease issued on June 12, 2006, has been replaced by the Lease issued by Transport Canada. The Licence was assigned from Kelly Cove Salmon Ltd. to Ocean Trout Farms Inc. on May 17, 2012. The Licence issued to Ocean Trout Farms Inc. was renewed on August 15, 2016, for a ten-year term (April 21, 2016, to April 21, 2026). On May 17, 2021, the Licence was assigned from Ocean Trout Farms to Kelly Cove Salmon Ltd.

Outcomes of Compliance Review:

Pursuant to section 33 of the Regulations, a compliance review of the applicant was completed. The review considered the licence holder's activities in Nova Scotia, including matters associated with sites other than AQ#0983. The compliance information identified investigations and written warnings relating to site marking, keeping equipment within site boundaries, and adherence to farm management plan procedures. A January 24, 2024 warning included AQ#0983 and concerned failure to mark the site as required under subsection 55(1) of the Regulations. The review identified no summary offence tickets, charges, or convictions.

The Administrator considered the nature, disposition, and broader pattern of the identified matters. Although the warnings raise concerns regarding operational compliance across multiple sites, the available record indicates that the matters were concluded by warning and does not identify outstanding charges, convictions, or unresolved enforcement proceedings. The compliance history does not warrant refusal of this renewal application.

Outcomes of Performance Review:

Pursuant to section 34 of the Regulations, a performance review of AQ#0983 was completed for the period May 17, 2021 to January 2, 2026. Following assignment to Kelly Cove Salmon Ltd., the site supported a full Atlantic salmon production cycle from June 2021 to July 2023 and was subsequently used as an Atlantic salmon nursery in 2024 and 2025. There are no records of prior notices, warnings, or actions issued by the Administrator concerning the productivity of the site.

The review confirmed that the site operates under an approved Farm Management Plan, maintains a Transport Canada Navigation Protection Program approval, and was stocked with Atlantic salmon using ten 100-metre cages. The aquatic animal health review and the 2023 environmental monitoring laboratory audit were compliant, with no non-conformities identified. The review also confirmed receipt of a professional engineer's statement that the mooring and containment system remained installed according to the Spring 2021 stamped drawings and had not undergone significant alterations affecting system integrity. No action by the Administrator is required in response to the performance review.

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

As such, consultations were undertaken with the following departments or agencies:

Government of Nova Scotia:

- Department of Fisheries and Aquaculture

Public Submissions on Application to Administrator:

Pursuant to Clause 32(c) of the Regulations, the Administrator must undertake consultations with the public, in the manner provided in Section 43 of the Regulations.

Pursuant to Section 43 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 a 30-day period, from Wednesday, April 8, 2026 (at 12:00 AM), and ended on Friday, May 8, 2026 (at 11:59 PM).

There were no written submissions received by the Department during the 30-day public comment period.

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; and
- 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 contribution of the proposed operation to community and Provincial economic development

The renewal will continue an established marine finfish operation and does not propose material operational changes. The application states that the Boston Rock site directly employs five full-time site workers and supports fifteen part-time positions in fish health, diving, net washing, and maintenance barge work. It also identifies ongoing use of Nova Scotia goods, services, feed, transportation, and technical support. The technical review found that the services and infrastructure needed to support the operation are already in

place. Renewal will maintain, rather than create, the site's existing contribution to employment and economic activity.

Fishery activities in the public waters surrounding the proposed aquacultural operation

The application identifies commercial, recreational, and Indigenous fisheries in and around Shelburne Harbour, including seasonal groundfish, mackerel, halibut, swordfish, scallop, and tidal recreational fisheries. It states that the site has operated since 2021 without known adverse interaction with commercial fisheries and that local fishermen are permitted to use the lease area for fishing. The site does not block access to recreational fisheries. Because the renewal does not alter the site boundaries, infrastructure, or manner of operation, the technical review found no change to existing effects on fisheries activities.

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

The application describes a sheltered harbour site with oceanographic information on wind, waves, currents, temperature, and dissolved oxygen. Site-specific modelling indicates that the cage and mooring system was designed for local conditions. The site has a history of Atlantic salmon production and formerly supported Rainbow trout production. The proposed nursery use has a lower biomass and shorter production period than full grow-out, reducing organic input relative to historical grow-out use. Environmental performance will continue to be assessed under the Department's Environmental Monitoring Program, with mitigation and follow-up available where required. The technical review found the oceanographic environment, benthic environment, site design, and proposed production plan suitable.

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

The application identifies commercial vessels, container ships, cruise ships, pleasure craft, paddlers, fishermen, tourists, outdoor users, marine wildlife, migratory birds, and nearby property interests. AQ#0983 is an established site and the renewal proposes no change to its boundaries or configuration. The applicant maintains a Wildlife Interaction Plan, predator exclusion measures, bird netting, inspection procedures, biosecurity controls, and visitor protocols. The technical review identified no new impacts on other users and no concerns arising from continued operation as proposed.

The public right of navigation

The site operates under Transport Canada Navigation Protection Program approval, file no. 2009-200530 and registry no. 3114. The approval requires site-specific markings, containment of all gear within the leased area, and action if equipment moves outside the boundaries. The application is consistent with the site information held by the Department and proposes no change to the approved configuration. The renewal is therefore not expected to create a new impact on the public right of navigation.

The sustainability of wild salmon

AQ#0983 is within the range of the Nova Scotia Southern Upland population of Atlantic salmon and within Salmon Fishing Area 21. The application identifies containment and escape prevention as key measures, including engineered moorings and netting, routine surface and underwater inspections, post-storm inspections, maintenance records, fish-size and net-mesh controls, breach response procedures, and prompt regulatory reporting. The applicant also describes DNA traceability for stocked smolt and operational measures intended to minimize interactions with wild populations. The technical review found that existing practices support the sustainability of wild salmon and that the renewal introduces no change that would impede restoration or recovery efforts.

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

The application identifies two active aquaculture sites within five kilometres of AQ#0983: AQ#1192, approximately 400 metres away, and AQ#0602, approximately 1.5 kilometres away. Both are licensed to Kelly Cove Salmon Ltd. for Atlantic salmon production. The nursery function of AQ#0983 supports transfer of fish to grow-out sites and complements the applicant's regional production system. The renewal does not change the site configuration or operating area and is not expected to impede existing sites or future orderly aquaculture development.

Decision:

The Administrator has considered the application, the compliance review, the performance review, the Departmental technical review, the results of public consultation, the Fisheries and Coastal Resources Act, the Aquaculture Licence and Lease Regulations, and the seven factors prescribed by subsection 17(1) of the Regulations.

The continued operation of AQ#0983 as an Atlantic salmon nursery promotes the optimum use of marine resources. The proposed use makes productive use of an established site and existing infrastructure, supports employment and the broader Nova Scotia aquaculture supply chain, and complements other aquaculture operations in Shelburne Harbour. The site's oceanographic and biophysical conditions are suitable for the proposed nursery production plan, which has a lower biomass and shorter production period than full grow-out. Existing environmental monitoring, containment, fish health, wildlife, biosecurity, and navigation measures remain applicable. The renewal does not alter the approved site boundaries or configuration, and no written public comments were received.

The compliance review identified warnings that require continued attention to site marking, boundary containment, and Farm Management Plan requirements. However, the record identifies no tickets, charges, convictions, unresolved enforcement proceedings, productivity-related actions, or technical findings that would warrant refusal. On balance, the application and review record support continued operation subject to the Act, the Regulations, the terms and conditions of the licence, the approved Farm Management Plan, and applicable federal approvals.

Accordingly, the application by Kelly Cove Salmon Ltd. to renew aquaculture licence no. 0983 is approved. The licence is renewed for a ten-year term from April 22, 2026 to April 21, 2036.

Modifications:

No modifications are required.

Implementation:

The licence documents shall be prepared in accordance with the Department's standard operating documents. The decision shall be deemed implemented once the licence documents have been signed by all parties. The licence 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.