Department of Fisheries and Aquaculture
Aquaculture Division, Licensing & Leasing Unit
1575A Lake Road, Sandy Point, NS B0T 1W0
www.novascotia.ca/fish/aquaculture
aquaculture@novascotia.ca

# Decision – Application to Administrator

## Application Summary:

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|---|---|
| **Application Reference Number:** | REF#588 |
| **Aquaculture Site Number:** | AQ#1039 |
| **Application Class:** | Class II |
| **Application Type:** | Renewal |
| **Abstract:** | Application to Renew Licence No. 1039 |
| **Applicant Name:** | Kelly Cove Salmon Ltd. |
| **Date Received by Department:** | October 24, 2025 |
| **Location:** | Annapolis Basin |
| **County:** | Digby County |
| **Site Type:** | Marine |
| **Operation Type:** | Commercial |

## Current Licence / Lease Information:

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| **Site Size (in hectares):** | 29.10 Ha |
| **Method(s) of Cultivation:** | Marine cage |
| **Species:** | Atlantic Salmon, Atlantic Halibut, Atlantic Cod, Rainbow Trout, Haddock, Lumpfish |
| **Term of Licence:** | April 27, 2016, to April 27, 2026 |
| **Term of Lease:** | April 27, 2016, to April 27, 2036 |

## Decision:

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|---|---|
| **Decision Issued:** | Approved |
| **Signature and Date:** | [redacted]<br>September 25, 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:

Experimental Aquaculture Licence and Lease No. 9401 issued to Rattling Beach Farm Ltd. on April 27, 1994; The Experimental Licence was surrendered on April 27, 1994. Licence and Lease issued to Rattling Beach Farm Ltd. on April 27, 1996, for a ten-year term from April 27, 1996, to April 27, 2006. Amendment to Licence and Lease for an additional species, Atlantic Halibut, for experimental purposes for a five-year term from July 3, 1999, to July 30, 2004. Sublease and Equipment Lease dated April 1, 1998, between Di-Anna Aqua Incorporated and Rattling Beach Farms Limited for a four-year term from April I, 1998, to April I, 2002. Amending Agreement dated April 19, 2001 between Di-Anna Aqua Incorporated, Rattling Beach Farm Limited, Stolt Sea Farm Inc. and The Province of Nova Scotia respecting a Non-Disturbance Agreement (NDA) dated June I, 2000. The NDA will continue in full force and effect and the Minister consents to the assignment from Rattling Beach Farm Limited to Di-Anna Aqua Incorporated. Rattling Beach Farm Limited will no longer be the Sub-Landlord and Di-Anna Aqua Incorporated will assume all rights and obligations under the said NDA. Assignment of Licence and Lease dated March 9, 2001, between Rattling Beach Farm Ltd and Di-Anna Aqua Incorporated. Amendment to Lease and Licence dated October 8, 2003, to add additional species of Atlantic halibut, Atlantic cod and Haddock. Assignment of Licence and Lease dated June 10, 2004, between Di-Anna Aqua Incorporated and Kelly Cove Salmon Ltd. The Licence and Lease renewed on April 25, 2006 to Kelly Cove Salmon Ltd. for a five-year term from April 27, 2006, to April 27, 2011. The Licence and Lease renewed on February 8, 2012, for a five-year term from April 27, 2011, to April 26, 2016. The Licence was renewed on July 11, 2016, for a ten-year term from April 27, 2016, to April 27, 2026, and the Lease was renewed on July 11, 2016, for a twenty-year term from April 27, 2016, to April 27, 2036. The Licence and Lease were amendment on January 28, 2022, to change the size of the site to 29.10HA. The Licence and Lease were amendment on August 29, 2022, to add an additional species Lumpfish.

## Outcomes of Compliance Review:

Pursuant to Section 33 of the Regulations, a compliance review was conducted for Kelly Cove Salmon Ltd.. The review considered the applicant's aquaculture operations in Nova Scotia, including the operation of AQ#1039. The review identified a history of complaints and operational issues related primarily to site marking, marine debris, equipment placement, noise complaints, and adherence to management plan requirements at various sites operated by the licence holder. Two warnings were identified during the review period; however, available information indicates that concerns were generally addressed through corrective action and communication with regulators. No summary offence tickets, pending charges, or convictions were identified under the Fisheries and Coastal Resources Act, the Aquaculture Management Regulations, the Aquaculture Licence and Lease Regulations, or associated licence and lease conditions. The compliance review did not identify any outstanding compliance matters that would warrant refusal of the application or additional action by the Administrator.

## Outcomes of Performance Review:

Pursuant to Section 34 of the Regulations, a performance review of AQ#1039 was completed. The review found that the site has been consistently utilized for the production of Atlantic salmon and that the current production plan is consistent with the site's historical use. No notices, warnings, or actions related to site productivity were identified. The site has an approved Farm Management Plan, demonstrated compliance during applicable audits, possesses current engineering approval for the existing cage array, and continues to operate within established stocking and operational parameters. The performance review identified no concerns respecting the operation, utilization, or management of AQ#1039 that would warrant

administrative action. Accordingly, no actions were taken by the Administrator as a result of 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).

Eight (8) submissions were received by the Department during the 30-day public comment period. Of the eight (8) submissions received, eight (8) in general met the requirements set out in subsection 43(4) of the Regulations and have been included with this document (refer to **Supplement 1: Written Public Submissions**).

Some public submissions included material in a form other than written, including but not limited to, photographs and charts. Such material was not eligible for consideration by the Administrator under Section 43 of the Regulations. However, consistent with previous decisions made on aquaculture applications, the Administrator has chosen to include any such material with this document *if the material was created by the individual submitting the comment for the purpose of this specific application*.

## 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*

AQ#1039 has operated in Annapolis Basin for many years and forms part of the applicant's established aquaculture operations in Nova Scotia. The technical review found no proposed changes to the production plan, infrastructure, employment levels, suppliers, or economic contributions associated with the renewal. The site continues to support employment, local suppliers, and associated economic activity while maintaining an established role within the applicant's Nova Scotia operations. Public submissions included comments supporting the economic benefits associated with the continued operation of the site.

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

The technical review concluded that there are no changes to fisheries interactions associated with the proposed renewal. The applicant identified commercial, recreational, and Indigenous fisheries that occur within Annapolis Basin and indicated that the site has operated alongside these fisheries for many years. Public submissions raised concerns regarding potential impacts on lobster, scallop, and other harvesting activities; however, the application under consideration is limited to renewal of an existing operation and no expansion or operational changes were proposed. The technical review did not identify any fisheries-related issue that would support refusal of the application.

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

The technical review found that the oceanographic and biophysical characteristics of the site continue to support the authorized aquaculture activities. AQ#1039 has a long history of successful Atlantic salmon production, and no changes to site design, biomass limits, stocking densities, or environmental management practices are proposed. The site remains subject to annual environmental monitoring and associated mitigation requirements. The review concluded that the environmental conditions at the site remain suitable for the continued operation of the approved marine finfish facility.

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

The technical review found no changes to the interactions between the site and other users of the Annapolis Basin. The applicant provided information regarding nearby residents, commercial and recreational users, and wildlife resources. Public submissions raised concerns regarding noise, odour, visual impacts, wildlife interactions, maintenance practices, and equipment management. These concerns were considered as part of the review process. The Administrator notes that the application concerns the renewal of an existing operation and that no change in site footprint, infrastructure configuration, or authorized activities is proposed. The technical review did not identify any concerns related to other users that would warrant refusal of the application.

### *The public right of navigation*

AQ#1039 operates under a Navigation Protection Program approval issued by Transport Canada. The performance review confirmed that Navigation Protection Program approval remains in place and the technical review identified no changes to site configuration or navigational requirements. Although some public submissions raised concerns regarding equipment and navigational safety, the renewal application proposes no changes to the existing site configuration. The Administrator is satisfied that the public right of navigation has been appropriately considered.

### *The sustainability of wild salmon*

AQ#1039 is located within the range of the Nova Scotia Southern Upland Atlantic salmon population. The technical review concluded that there are no proposed changes affecting wild salmon considerations and noted that the applicant continues to utilize containment systems, operational procedures, and mitigation measures intended to reduce interactions with wild salmon populations. The renewal does not alter the nature, scale, or operation of the existing site. After considering the information provided and the technical review, the Administrator is satisfied that the renewal application does not present new concerns respecting the sustainability of wild salmon.

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

The technical review identified no anticipated changes to interactions between AQ#1039 and nearby aquaculture operations. The site has operated successfully within Annapolis Basin alongside other aquaculture licences for many years, and the renewal does not alter existing conditions. The review concluded that continued operation of AQ#1039 will not impede existing aquaculture activities or future aquaculture development in the area and remains compatible with the orderly development of aquaculture resources within Annapolis Basin.

## Decision:

Based on the application materials, technical review, performance review, compliance review, public comments received, and the factors prescribed under Section 17(1) of the Regulations, the Administrator finds that the continued operation of AQ#1039 represents an optimum use of marine resources. The site is an established marine finfish operation that has demonstrated continued use and productivity, has suitable environmental and operational characteristics, contributes to economic activity within Nova Scotia, and can continue to operate alongside other users of Annapolis Basin. While public comments raised concerns related to environmental effects, wildlife interactions, navigation, maintenance practices, and community impacts, these concerns were considered in the context of a renewal application for an existing site and alongside the findings of the technical, performance, and compliance reviews. The Administrator finds that the information before him does not identify grounds to refuse the application and that the factors set out in Section 17(1) of the Regulations support continued operation of the site.

Accordingly, the application to renew Aquaculture Licence No. 1039 is approved. The licence shall be renewed for a term of ten (10) years from April 28, 2026, to April 27, 2036.

### *Modifications:*

No modifications are recommended.

### *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.

## Supplement 1: Written Public Submissions

Written Public Submissions via online form (6 pages)

Written Public Submissions via email (3 pages)

The Department does not endorse, and is not responsible for, the content of the included submissions, including, but not limited to, the accuracy, reliability, or currency of the information contained wherein.

Wherever they may occur, text within public submissions will have been redacted by the Department for the purpose of protecting personal information, including but not limited to, names, addresses, and contact information, with the exception of the following:

- The name and community of the individual submitting the written public comment
- The name of the applicant and any authorized contacts, as listed on the application form
- Names and contact information of politicians
- Names and contact information of municipal, provincial, and federal employees
- Names of aquaculture licence holders
- Names of authors of published works

The Department also reserves the right not to post submissions or to redact certain details from submissions, in accordance with the Terms of Use for government websites, web applications or web communications (copy of terms available at https://beta.novascotia.ca/terms).

# Online Written Public Comment Submission

| | |
|---|---|
| Submission ID #: | 3bd8e07e |
| Submission Date (MM/DD/YYYY): | 05/05/2026 13:18:18 |
| Reference to Application: | 588 |
| First Name: | Edwin |
| Last Name: | Chisholm |
| Community: | SMITHS COVE |

Written Comment on Application:

I am submitting this comment in support of the aquaculture licence renewal within the Annapolis Basin, Nova Scotia. As CEO for the Port of Digby I am aware of Kelly Cove Salmon Ltd. activities in the Annapolis Basin and region. Kelly Cove Salmon Ltd. has been established raising salmon here for decades. Their site managers, crews and transient staff are exemplary for their use of safe working practices and adherence to NS Health and Safety practices. At the Port of Digby we have calculated annualized landings of salmon to rival the inshore scallop landings for the facility. Given the Nova Scotia supply chain encompassing feed production in Truro, trucking by contractors such as Bill Harris Trucking Ltd., local fuel and boat repairs – the effect is enormous. The A. F. Theriault Shipyard in Meteghan went through a multi-million dollars expansion to enable the facility to service the Kelly Cove Salmon Ltd. (and additional Cooke Aquaculture) vessels. Aquaculture sustains secondary economic activity through supply chains, transportation, and local services, helping maintain the viability of rural coastal communities.

Aquaculture in the Annapolis Basin contributes meaningfully to community and provincial economic development. The operation supports stable, year-round employment in a region where seasonal industries often dominate.

In relation to existing fishery activities, aquaculture operations in the Basin have coexisted with traditional fisheries. The structured and site-specific nature of aquaculture allows for predictable spatial use, which can reduce conflict compared to more variable harvesting activities. When properly managed, these sites do not preclude adjacent fishing activity and can, in some cases, contribute to localized ecological productivity by providing habitat structure.

The oceanographic and biophysical characteristics of the Annapolis Basin make it suitable for aquaculture in the few identified lease sites. The Basin's tidal exchange, sheltered geography, and water quality conditions support the controlled cultivation of marine species. The significant tidal flow restricts suitable sites. When the full complement of factors that go into an initial application for fin fish aquaculture are considered there are very few sites that are suitable and also meet the Provincial aquaculture selection criteria. There are only three approved finfish sites in the Annapolis Basin with two sites being active. There are eight Marine Shellfish leases that make up the remaining aquaculture activities within the Annapolis Basin. The Annapolis Basin extends greater than 10,000 hectares (presumably at high tide), after accounting for the hectares allocated for aquaculture, the usage amongst all stakeholders is well balanced.

With respect to other users of the public waters, aquaculture sites occupy a defined footprint and are clearly marked, allowing for shared use of the Basin. Recreational boating, tourism, and shoreline activities continue alongside aquaculture operations. The public right of navigation is maintained through appropriate siting, marking, and adherence to regulatory requirements, ensuring safe passage for all users.

Regarding sustainability considerations, responsible aquaculture management practices—such as monitoring, fallowing, and adherence to environmental standards—are essential to minimizing impacts on wild species, including salmon. Continued oversight and compliance with provincial and federal regulations are key to maintaining this balance. When regulatory compliance is met the proponent has gains the license to farm fin fish. Kelly Cove Salmon Ltd. (and parent Cooke Aquaculture) have invested millions to adopt mitigation measures for pests and predators to the fish on their sites.

I am a resident of Joggins Bridge and have a direct connection to the Basin through both regular use of its coastal waters and an interest in the long-term sustainability of local marine industries. My perspective is informed by living and working in the community, observing local economic conditions, and engaging with others who rely on the Basin for employment and recreation.

Finally, the presence and productivity of existing aquaculture sites in the Annapolis Basin demonstrate that the area can support such operations without exceeding ecological or spatial limits. Renewing established licences allows for continuity, stability, and the ongoing refinement of best practices, rather than introducing uncertainty or underutilizing a proven marine resource.

In conclusion, the renewal of this aquaculture licence represents a balanced and effective use of the Annapolis Basin's marine resources, supporting economic resilience, environmental stewardship, and shared access to public waters.

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|---|---|
| Submission ID #: | 3bd8e07e |

Personal Contact Information:

[redacted]

# Online Written Public Comment Submission

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| Submission ID #: | 9e397ca9 |
| Submission Date (MM/DD/YYYY): | 05/05/2026 11:21:57 |
| Reference to Application: | 588 |
| First Name: | Kevin |
| Last Name: | Adams |
| Community: | Digby Co |

Written Comment on Application:

I have had people asking how I stand the noise from the fish feeding barge when it was moored across from my house.

The farm is an eyesore to visitors coming off the ferry from NB, and I believe that fish farms have no right to be in an enclosed basin where it is now. They should be situated off shore or in uninhabited inlets.

I have seen from drone pictures the green algae and mess that is between the pens, and feel this can not be healthy for the Annapolis Basin.

Therefore I see no reason that the fish farms license be renewed to operate in the Basin

Kevin Adams

[redacted]

# Online Written Public Comment Submission

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|---|---|
| Submission ID #: | 8a3630ac |
| Submission Date (MM/DD/YYYY): | 05/04/2026 19:10:39 |
| Reference to Application: | 588 |
| First Name: | Kelly |
| Last Name: | Harding |
| Community: | Bay View |

Written Comment on Application:

My husband and I have lived within 500 metres of the Digby Salmon farm for the past 6 years. We have seen the farm grow over these years without the company asking for feedback from us - but holding talks in Yarmouth, away from the people who might have concerns. The company asked to expand - but had already added the pens before getting approval. That is concerning. We see activity at the pens daily and, besides noticing some awful smells coming from the 'feeder' while on walks down the road, from our home we witnessed a full day of up to 7 seals enjoying access to one of the pens. If they could get in, I imagine the salmon were getting out. That, I believe would interfere with the ecosystem of the area. We saw the inner ring of the salmon pen floating off into the basin, while the workers weren't watching - requiring a boat to go capture it before it became a hazard to other boats. One winter day, the crews did not attempt to break up the ice flows that had headed towards the pens - causing quite a bit of damage to them when they eventually crashed. I have heard alarms going off on the 'feeder' at night, but never noticed anyone coming to check it out. Birds manage to get into the pens. I think the basin sees enough activity with lobster, scallops, and fish collected from its waters. With two salmon farms added to the mix, it would be best to refrain from abusing the area more.

[redacted]

# Online Written Public Comment Submission

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|---|---|
| Submission ID #: | 7bd71974 |
| Submission Date (MM/DD/YYYY): | 04/30/2026 08:56:04 |
| Reference to Application: | 588 |
| First Name: | Earl Allen & Zora |
| Last Name: | Walker |
| Community: | Bay View |

Written Comment on Application:

As long as Kelly Cove Salmon Ltd. follows government rules, their License No. 1039 should be renewed.

[redacted]

# Online Written Public Comment Submission

| | |
|---|---|
| Submission ID #: | 8f578e18 |
| Submission Date (MM/DD/YYYY): | 04/28/2026 18:14:31 |
| Reference to Application: | 588 |
| First Name: | Gordon |
| Last Name: | Wilson |
| Community: | 1324 culloden road |

Written Comment on Application:

I firmly believe that the application for renewal is a very positive thing for the community and the province. I have no concerns with environmental issues and competing overlaps with existing fisheries.

[redacted]

**From:** [redacted]
**To:** Aquaculture
**Subject:** Application ref. Number #588
**Date:** April 14, 2026 11:41:38 AM

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My name is Andre Thiffault [redacted] email [redacted] Kelly cove salmon are applying for a renewal of their license, my concerns are the close proximity of additional 4 pens on the far west side which where added beyond their original leased site which are within 500 feet from the front of our residential home. We have noise pollution year round which is totally unacceptable within our residential area . Like they say not in my backyard , there are others on shore road that have complained about this site . Just take a walk on the shoreline and you will see garbage and smell from their feed barge. We can imagine the feces under those fish pens, an environmental disaster. I agree with the Premier these fish pens need to go. Thank you.
Sent from my iPad

**From:** [redacted]
**To:** Aquaculture
**Subject:** Public Opportunity
**Date:** April 28, 2026 7:55:23 AM

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Greetings,

From what evidence I've seen which spans over a couple decades this approach to producing a product is more than counter-productive, disturbing if not destroying local employment, but also having serious and harmful effects upon the overall quality and aquatic health of our seas and oceans.

While there may be a substantial influence placed upon approving such requests, it seems with some attention to the long-term consequences and existing information this is not in the best interest of our regional well-being.

Respectfully
Craig Bryant
Port Royal
NS

**From:** [redacted]
**To:** Aquaculture
**Subject:** Kelly Cove Salmon Ltd
**Date:** April 30, 2026 11:04:02 AM

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Janice Frankland
[redacted]
Reference Number REF#588

I will bein full view of of the aquaculture operation. I have no objection to reference # REF#588.

Janice Frankland
Sent from my iPhone