Department of Fisheries and Aquaculture
Aquaculture Division, Licensing & Leasing Unit
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Decision – Application to Administrator

Application Summary:

Application Reference Number:	REF#595
Aquaculture Site Number:	AQ#1041
Application Class:	Class II
Application Type:	Renewal
Abstract:	Application to renew licence no. 1041
Applicant Name:	Kelly Cove Salmon Ltd.
Date Received by Department:	November 28, 2025
Location:	Annapolis Basin
County:	Annapolis County
Site Type:	Marine
Operation Type:	Commercial

Current Licence / Lease Information:

Site Size (in hectares):	11.99 Ha
Method(s) of Cultivation:	Marine cage
Species:	Atlantic salmon
Term of Licence:	May 28, 2016 to May 28, 2026
Term of Lease:	May 28, 2016 to May 28, 2036

Decision:

Decision Issued:	Approved with Modification
Signature and Date:	[redacted] October 16, 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. 8303 issued to Whitewater Farms Limited on April 27, 1995; The Experimental Licence and Lease were surrendered on May 28, 1996. Licence and Lease were issued to Whitewater Farms Limited on May 28, 1996, for the marine cage cultivation of Atlantic salmon on a 11.99-hectare site located in Annapolis Basin, Annapolis County, for a ten-year term from May 28, 1996, to May 28, 2006. Assignment of Licence and Lease dated February 2, 1998, from Whitewater Farms Limited to Di-Anna Aqua Incorporated. Amendment to Licence and Lease dated July 30, 1999, for an alternative species, Atlantic Halibut, for experimental purposes for a five-year term from July 3, 1999, to July 30, 2004. On May 24, 2004, the Licence and Lease were assigned to Kelly Cove Salmon Ltd. Licence and Lease were renewed on August 23, 2006, for a five-year term from May 29, 2006, to May 28, 2011. Licence and Lease were renewed on February 8, 2012, for a five-year term from May 28, 2011, to May 27, 2016. On August 15, 2016, the Licence #1041 was renewed for a period of 10 years (May 28, 2016, to May 28, 2026) and Lease #1041 was renewed for a period of 20 years (May 28, 2016, to May 28, 2036).

Outcomes of Compliance Review:

Pursuant to Section 33 of the Regulations, the Administrator (or an appointed employee) must conduct a compliance review of the applicant in accordance with Sections 86 and 87 of the Regulations.

The compliance review of the operator identified a history of operational concerns involving debris management, site and buoy marking, equipment or infrastructure outside approved lease boundaries, and noise, with two matters having resulted in written warnings. The review also determined that most recorded matters had been resolved through communication, corrective action, administrative amendment, or additional internal procedures and staff training. No summary offence tickets were identified in the Compliance History Report, and the Justice database response did not identify pending charges or convictions within the period reviewed.

The Administrator considered the historical matters, including the recurring issues concerning debris and site marking. On balance, the compliance review did not identify an unresolved matter of sufficient significance to require further action as an outcome of the review. Continued compliance with the licence and lease conditions, approved Farm Management Plans, lease boundaries, and site-marking requirements, remains expected.

No action was taken by the Administrator as a result of the compliance review.

Outcomes of Performance Review:

Pursuant to Section 34 of the Regulations, the Administrator (or an appointed employee) must conduct a performance review of the associated aquaculture site in accordance with Sections 89 and 90 of the Regulations.

The review confirmed that the site is not stocked and has no aquaculture gear installed. Production records and the development plan indicate that the site had not yet been farmed by the current licence holder.

The review also identified a longstanding issue respecting site utilization. Departmental correspondence concerning non-utilization dates back to 2016 and includes subsequent requests for information concerning progress toward developing the site. The performance review records that no digital record was found

showing that a response was received following the Department's 2019 request for information concerning intentions for the site.

The principal constraint to development is the oceanographic environment of the Annapolis Basin. The performance review identifies the extreme tidal range as the major contributing factor to the site remaining inactive and without gear and states that the oceanographic conditions require careful assessment for engineering design and placement of infrastructure before fish can be stocked. It further identifies engineering approval as being required before stocking.

Having considered the performance review, the Administrator is satisfied that the issues identified do not warrant rejection of the renewal application at this time. However, given the extended period of non-utilization and the outstanding work required before the site can be stocked, continued review of the site's performance and development is warranted

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), to Friday, May 8, 2026 (at 11:59PM).

Two (2) submissions were received by the Department during the 30-day public comment period. Of the two (2) submissions received, two (2) generally met the requirements set out in subsection 43(4) of the Regulations (see below for exceptions) 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

The site is presently inactive and therefore does not currently provide direct employment or direct economic contributions associated with production at AQ#1041. The Department's Technical Review nevertheless found that, should the site become operational, additional employment would be required and existing infrastructure, services, processing capacity and other resources available to the applicant could support the operation. It also identified no adverse economic impacts from the renewal at this time.

The public consultation produced both support for and opposition to renewal. Comments in support identified aquaculture's contribution to employment, local supply chains, marine services and broader coastal economic activity.

The Administrator has considered both the potential economic contribution of an operational site and the fact that the site is not presently producing. On balance, this factor does not weigh against renewal but supports continued licensing only in the context of a realistic opportunity for the site to progress toward development.

Fishery activities in the public waters surrounding the proposed aquacultural operation

The information submitted identifies commercial, recreational and Aboriginal fisheries in and around the Annapolis Basin. The applicant states that the lease has remained inactive and that local fishers have been permitted to use the lease area for fishing.

The Department's Technical Review similarly found that the site has remained inactive and records that the applicant communicates with local fishers concerning use of the lease area. If the site becomes active and gear is installed, the applicant proposes to continue working with local fishers to address concerns regarding fishing activities.

Public comments also raised coexistence with traditional fisheries as a consideration.

Having considered the information available, the Administrator is satisfied that renewal of the existing licence does not, in itself, present an unacceptable impact on fisheries activities. Any future development of the site remains subject to the applicable regulatory and operational requirements before stocking.

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

This factor warrants particular consideration. AQ#1041 has not been developed because of the high-energy oceanographic conditions at the site. The applicant specifically states that it has not farmed the lease due to extreme tidal currents and that engineering work on appropriate infrastructure remains underway.

The Department's Technical Review concludes that the oceanographic environment has not yet been demonstrated to be suitable for the proposed use. It further concludes that additional assessment of the oceanographic environment, baseline environmental monitoring and engineering design and approval will be required before infrastructure and fish are added to the site.

The performance review reaches a consistent conclusion, identifying the extreme tidal range as the major reason the site has remained inactive and specifying that engineering approval is required before stocking.

Accordingly, although the outstanding site-specific information does not warrant rejection of the renewal application, the Administrator is not making a determination through this renewal that the site is presently suitable for stocking at the production levels proposed. Suitability for stocking remains subject to completion and approval of the applicable engineering, environmental and stocking requirements.

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

The applicant identifies commercial fishers, pleasure craft operators and tour operators among the human users of this part of Annapolis Basin, together with recreational users and marine wildlife in the broader area.

Because AQ#1041 has not been active, the Department's Technical Review concludes that site-specific effects on other users are not fully known. General mitigation measures have been identified, but impacts should be reassessed if the site becomes operational.

Public comments likewise raised recreational use, tourism and other shared uses of the Annapolis Basin, as well as environmental and site-suitability concerns.

On balance, the Administrator is satisfied that renewal of the existing licence does not preclude reasonable use of the surrounding public waters by others. The potential effects associated with actual development of the site will require continued consideration through the applicable approvals and operational requirements.

The public right of navigation

The performance review records an existing Transport Canada Navigation Protection Program approval, file no. 8200-95-3028.

The applicant's Development Plan further states that, once the final site design and plans are complete, an application in respect of the proposed works will be filed with Transport Canada and that aquaculture-related gear must be contained within the lease and marked in accordance with Transport Canada's requirements.

The Administrator is satisfied that the public right of navigation has been considered. Any future installation or modification of aquaculture infrastructure remains subject to applicable federal navigation requirements.

The sustainability of wild salmon

AQ#1041 is located in Salmon Fishing Area 22, which includes the traditional ranges of the Nova Scotia Southern Upland and Inner Bay of Fundy Atlantic salmon populations.

The Department's Technical Review records that the applicant proposes best practices and operational procedures intended to reduce interactions between farmed and wild salmon, including containment-related measures. The review also notes that the renewal does not itself propose a change to the existing site.

Because the site remains unstocked, risks associated with actual production will necessarily depend on the infrastructure and stocking ultimately proposed. The Administrator is satisfied that renewal of the existing licence does not, on the information presently available, warrant rejection on this factor. Requirements relating to containment, fish health, engineering and stocking remain applicable before production occurs.

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

The application identifies eight other finfish and shellfish aquaculture sites in the Annapolis Basin within 5 km of AQ#1041 and states that AQ#1041 is not presently part of an Aquaculture Management Area.

The Department's Technical Review notes that because AQ#1041 is not currently operating, there are presently no direct operational interactions with other aquaculture sites. It concludes that renewal should not impede existing sites, but identifies the need for additional communication and assessment if AQ#1041 becomes active.

The Administrator is satisfied that the number and productivity of other aquaculture sites in the surrounding public waters do not weigh against renewal. Any future operational interactions can be addressed through the applicable regulatory and management requirements should AQ#1041 become active.

Decision:

Based on the factors considered above, and having considered the optimum use of marine resources in reaching this determination, the application to renew Aquaculture Licence No. 1041 is hereby approved with modifications.

The licence is renewed for a term of five years, from May 29, 2026 to May 28, 2031.

Modifications:

Although AQ#1041 has not been utilized for aquaculture production, the information reviewed indicates that there remains potential for the site to be developed should the outstanding engineering, environmental and regulatory requirements necessary to support stocking be satisfactorily addressed. At the same time, the site's extended period of non-utilization and the unresolved question of its suitability for development under the oceanographic conditions of the Annapolis Basin warrant a shorter renewal term and further performance review.

The license shall only be renewed for a term of five years, and a performance review of AQ#1041 shall be conducted two years following renewal of the licence to assess the status of site development and utilization.

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 (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 #:	25651245
Submission Date (MM/DD/YYYY):	05/05/2026 13:16:27
Reference to Application:	595
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.

Submission ID #:	25651245

Personal Contact Information:



Online Written Public Comment Submission

Submission ID #:	1c41584c
Submission Date (MM/DD/YYYY):	04/16/2026 12:37:38
Reference to Application:	1041
First Name:	Nora Jane
Last Name:	Hatcher
Community:	Parker's Cove

Written Comment on Application:

Please do NOT renew our expand this anti- science, anti-environment, unsafe to eat and unsustainable type of farming.

Submission ID #:	1c41584c

Personal Contact Information:

[redacted]