

Findings and Decision - Assignment Application of Long Beach Farms Limited for AQ#1012

1. Overview:

On October 1, 2021, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Long Beach Farms Limited to reassign Aquaculture Licence and Aquaculture Lease #1012 (AQ#1012), as described below:

Table 1. Description of Aquaculture Licence and Lease #1012

Type: Marine	Size: 19.50 HA
Number: AQ#1012	Cultivation Method: Marine cage
Assignor: Long Beach Farms Limited	
Assignee: Long Beach Farms Limited	Species: Atlantic salmon and Rainbow trout
Location: St. Mary's Bay, Digby County	
Summary of Application: Long Beach Farms Limited is requesting the assignment of the license and lease (AQ#1012) as a result of restructuring within the company. The site is approximately 19.5 Ha. The assignment application does not involve any change in the species cultivated, the boundaries of the lease area or type of aquaculture authorized for the site.	

2. History

AQ#1012 was first issued to Harold Theriault on September 30, 1996 for a 10-year term (September 30, 1996 to September 30, 2006). Lease and Licence Amended on May 26, 1997 to add an experimental species, Winter flounder, for five months (May 30, 1997 to October 30, 1997). Licence and Lease Assigned on July 30, 2001 from Harold Theriault Jr. to Long Beach Farms Limited. Licence and Lease Assigned on July 31, 2001 from Long Beach Farms Limited to Nantucket Seafarm Inc. Licence and Lease Assigned on June 1, 2004 from Nantucket Seafarm Inc. to Long Beach Farms Limited. Licence and Lease Amended on November 24, 2004 to correct the size from 3.00 hectares to 19.50 hectares. Licence and Lease issued on January 4, 2005, for a ten-year term (December 6, 2004 to December 6, 2014). Licence and Lease Assigned on February 2, 2005 from Long Beach Farms Limited to Admiral Fish Farms Limited from December 15, 2004 to May 24, 2008. Licence and Lease Assigned on October 14, 2008 from Long Beach Farms Limited to Aquaculture Engineering Group Inc. from September 1, 2008 to October 31, 2010. Licence and Lease Assigned on September 27, 2010 from Long Beach Farms Limited to Aquaculture Engineering Group Inc. from October 31, 2010 to December 31, 2010. Licence and Lease Assigned on March 1, 2011 from Long Beach Farms Limited to Aquaculture Engineering Group Inc. from January 1, 2011 to March 31, 2011. Licence and Lease Assigned on April 19, 2011 from Long Beach Farms Limited to Aquaculture Engineering Group Inc. from April 1, 2010 to April 29, 2011. Licence and Lease Amended on May 9, 2012 to add clause regarding release or escapement of finfish at the aquaculture site and a clause concerning environmental monitoring program. Licence and Lease renewed on February

2, 2015, for a 1 year, 3-week, 5-day term (December 6, 2014 to December 31, 2015). Licence renewed on May 30, 2016 for a ten-year term (December 31, 2015 to December 31, 2025) and Lease renewed on May 30, 2016 for a twenty-year term (December 31, 2015 to December 31, 2035).

3. Procedure

3.1 Performance Review

A performance review of the information submitted by the applicant in support of their assignment application was completed. This review recommended that the site be assigned, on the condition that a new baseline study be completed and submitted to the NSDFA for approval prior to the introduction of any fish to the site. This performance review is required pursuant to Subsection 72(d) of the Aquaculture Licence and Lease Regulations and was completed on January 7, 2022.

3.2 Public Comment Period

Notice of the application for the assignment of AQ#1012 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of November 18, 2021 to December 17, 2021. Notice of the application was also published in the Royal Gazette Part I on November 18, November 25, December 2, and December 9, 2021.

3.3 Submissions

Zero submissions were received by NSDFA during the 30-day public comment period.

4. Factors to be considered

Review of the assignment application indicates that the restructured Long Beach Farms Limited intends to have appropriate levels of production and employment for AQ#1012. Information submitted in support of the assignment application indicates contributions to the local and provincial economy. Department staff will continue to monitor that production plans are implemented as submitted. Long Beach Farms Limited will be required to have an approved Farm Management Plan (FMP) prior to stocking, which will include specific details regarding environmental monitoring.

The assignment application does not involve any changes in the species cultivated, the boundaries of the lease area or type of aquaculture authorized for the site.

Regarding the sustainability of wild salmon, the Salmon Atlas did not identify any salmon rivers near the Long Beach site, while the Atlantic Salmon Federation noted three (3) salmon rivers – Boudreau River (present), Meteghan River (extirpated/restored/present), and Salmon River (present). These 3 rivers are located across St. Mary's Bay on the mainland; therefore, no salmon rivers drain into Westport Harbour or Grand Passage. This assignment application does not introduce any novel changes that would impact the sustainability of wild salmon.

Site AQ#1012 is located in St. Mary's Bay, Digby County. The site is approximately 150 to 250 metres from the shoreline. The nearest Aquaculture sites are approximately 7.5 kilometers East of AQ#1012 and are marine shellfish sites AQ#0828 and AQ#1037. There is no evidence to suggest that the existing aquaculture in this area has exceeded the carrying capacity of the bay.

5. Decision

Based on the considerations above, Long Beach Farms Limited right, title and interest in and to Aquaculture Licence and Lease #1012 is hereby assigned to the restructured Long Beach Farms Limited.

The assignment shall have an effective date of January 10, 2022. The approval documents shall be prepared in accordance with the standard operating documents of NSDFA, and shall be made publicly available subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

6. Conditions

In addition, the following conditions shall apply:

1. The operator shall adhere to the site marking requirements according to their Notice of Works issued by Transport Canada under the Canadian Navigable Waters Act, reference number 8200-95-3056
2. Prior to stocking the site, engineering approval is required for the infrastructure on site
3. Prior to stocking the site, an approved Farm Management Plan must be in place
4. Prior to stocking the site, the lessee must complete baseline monitoring of the site and submit the results to the Department
5. Prior to stocking the site, a finfish marking plan must be submitted to the Department



Robert Ceschiutti
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

January 10, 2022

Date