

Findings and Decision- Renewal Application of Ocean Trout Farms Inc. for AQ#0835

1. Overview:

On September 12, 2019, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) received an application from Ocean Trout Farms Inc. to renew Aquaculture Licence and Lease #0835 (AQ#0835), as described below:

Table 1. Description of Aquaculture Licence and Lease #0835

Type: Marine	Size: 8.03 HA
Number: AQ#0835	Cultivation Method: Marine cage
Applicant: Ocean Trout Farms Inc.	Species: Atlantic salmon and Rainbow trout
Location: Port Mouton, Queens County	Proposed Term: 10 year Licence/20 year Lease

2. History

AQ#0835 was first issued on March 6, 1995 to Michael Raynard for a 10 year term from March 13th, 1995 to March 13th, 2005. AQ#0835 was assigned from Michael Raynard to Aqua Jem Farms Ltd. on April 5, 2000. An amendment to Licence and Lease was completed on April 6, 2000 to add Atlantic salmon. AQ#0835 was assigned on February 15, 2001 from Aqua Jem Fish Farms Limited to Aqua Fish Farms Limited. AQ#0835 was renewed on March 16, 2005 for a five-year term (March 13, 2005 to March 13, 2010). AQ#0835 was renewed on February 16, 2010 for a five-year term (March 13, 2010 to March 13, 2015). An amendment to Lease and Licence dated January 5, 2011 to add clause regarding escapements. AQ#0835 was assigned on May 9, 2012, from Aqua Fish Farms Limited to Ocean Trout Farms. AQ#0835 was renewed on April 2, 2015 for a five-year term (March 12, 2015 to March 12, 2020).

3. Procedure

3.1 Performance Review

A performance review of the information submitted by the operator in support of their renewal application was completed. This review recommended that the site be renewed based on the technical and biological assessment. This performance review is required pursuant to Subsection 72(d) of the Aquaculture Licence and Lease Regulations and was completed on March 3, 2020.

3.2 Public Comment Period

Notice of the application for the renewal of AQ#0899 for the 30-day public comment period was published on NSDFA's website (<http://novascotia.ca/fish/aquaculture/public-information/>) for the period of January 9 to February 7, 2020. Notice of the application was also published in the Royal Gazette Part I on January 8, 15, 22, 29, and February 5, 2020. Several items were raised that will be further discussed in the Factors to be Considered section of the decision.

3.3 Submissions

Fifteen submissions were received by NSDFA during the 30-day public comment period (see attached).

4. **Factors to be considered**

As per the *Fisheries and Coastal Resources Act* and the *Aquaculture Licence and Lease Regulations*, renewals of existing aquaculture sites are within the purview of the Aquaculture Administrator. As such, the renewal application was not required to be submitted to the Aquaculture Review Board for decision. AQ#0835 forms part of Ocean Trout Farms Limited's multi-site marine aquaculture operation in Nova Scotia. The operator's future intentions with respect to AQ#0835 indicate production and resultant employment. Ocean Trout Farms Limited also operates a fish processing facility in Shelburne County, and an affiliated company (St. Peter's Fish Hatchery Limited) operates a hatchery site in Richmond County. Should AQ#0835 not be operated as planned, the Department's site utilization review provisions will be implemented.

AQ#0835 is currently licensed for both Rainbow Trout and Atlantic Salmon; however, since assuming responsibility for the site Ocean Trout Farms Limited has only conducted Rainbow Trout aquaculture. The Province of Nova Scotia actively stocks Rainbow Trout throughout the Province; however, the stocked population are all female fish and there are no known wild male Rainbow trout in the Southern part of the Province nor naturally reproducing populations. Furthermore, the marine cultivation of Rainbow Trout in Nova Scotia involves the stocking of all female individuals. As such, the potential for genetic interaction through breeding of farmed and wild Rainbow Trout does not pose a significant risk. It is a legislated requirement that the operator of AQ#0835 conform to the aquaculture management regulations specific to containment management, as outlined the Farm Management Plan. Also, there were no reported escapes from AQ#0835 over the most recent tenure of the site. However, in the event of an escape, the operator would be required to adhere to measures prescribed in the Farm Management Plan and in Regulation on escape reporting, auditing and mitigation. The Department is also in the process of implementing a salmonid traceability program, through which any escaped salmonids could be traced back to the operator of origin, to mitigate against such future events.

The operators of AQ#0835 will be required to adhere to all Environmental monitoring provisions of the *Aquaculture Management Regulations*, including the need to maintain sufficient oxie conditions in the benthic environment. Over the most recent tenures of the site, Environmental monitoring results showed the following results: 2009 (Oxic), 2010 (Oxic), 2011 (Hypoxic A), 2012 (Oxic), 2013 (Oxic), 2014 (Hypoxic A), 2015 (Oxic), 2016 (Inactive), 2017 (Oxic), 2018 (Inactive); 2019 (Inactive). Reference stations sampled within the bay outside of the lease boundaries have consistently demonstrated maintenance of Oxie conditions, thus suggesting limited far-field benthic impacts. In events where Oxie conditions are not maintained, the operator is required to implement mitigation measures with subsequent sampling to ensure compliance. Subsequent site stocking decisions will be made based upon the past environmental performance of the site. Information on the Environmental Monitoring Program, including descriptions of associated terms, can be found at:

<https://novascotia.ca/fish/aquaculture/aquaculture-management/>.

Historical environmental monitoring of benthic conditions at lease AQ#0835 suggests oxic conditions have not consistently been maintained during finfish production. As such, the Nova Scotia Department of Fisheries and Aquaculture (NSDFA) initiated modelling exercises to inform future biomass decisions. Any future stocking applications with respect to AQ#0835 will take the outcomes of this study into consideration. The modeling exercise does not fully preclude the farming of Rainbow Trout on this site. Environmental performance, as measured by impacts to the benthic environment, can be managed on a performance basis.

The Farm Operations section of the Farm Management Plan for AQ#0835 will require the operator to indicate how they will operate AQ#0835 in accordance with industry best practices with respect to items such as interactions with wildlife, noise, maintain the site in good order, the removal of decommissioned farm supplies and equipment, and the retrieval of gear or debris that has broken loose. Any complaints received by the Province of Nova Scotia specific to a particular aquaculture site, such as AQ#0835, are reviewed by Nova Scotia Environment, with appropriate follow-up and prescribed actions taken if necessary.

The Aquaculture Management regulations include regulatory compliance points with regards to aquatic animal health management. The operator is required to have comprehensive aquatic animal health procedures in place as part of the Farm Management Plan and is also required to adhere to the reporting and notification provisions regarding aquatic animal health management. The Farm Management Plan must include elements relating to finfish husbandry and welfare, veterinary care and disease surveillance practices, biosecurity measures, and emergency measures. Pesticide products must be used according to product labels and following all health and safety requirements and all Federal and Provincial regulations. Bath treatments on sites leased/licenced by the province of Nova Scotia must be conducted in completely enclosed containment.

During the review of the renewal application and the ensuing public submission period, specific concerns were raised with respect to derelict gear and other debris remaining in the marine environment associated with the past operation of AQ#0835. Section 55 of the Licence and Lease Regulations requires an aquaculture licence holder to mark each of their sites in a manner determined by the Minister (see below) and keep each site marked during the term of their licence. Furthermore, AQ#0835 is required to maintain compliance with Transport Canada as it relates to Navigable Waters. The operator of AQ#0835 is also required to maintain a security bond for the site, which can be drawn upon by the Department to perform clean-up activities should the operator fail to perform its obligations with respect to site maintenance. Furthermore, it will be a condition of licence that the operator must comply with any permits, protocols, approvals, licences or permissions which may be required under the laws of the relevant Municipality, the Province or Canada. The operator is also required to adhere to all relevant Government of Canada legislation and regulations that may pertain to conducting aquaculture in the marine environment.

During the public submission period, concerns were raised with respect to the impact of AQ#0835 on local lobster populations and lobster harvesting activity. In particular, a study of lobster catches in the area of Port Mouton was referenced during the public submission period. This study suggested that lobster catch rates decreased in connection with the

operation of the site. A review of several studies looking at this topic suggest differing conclusions. In response to work done by others with respect to the interaction of marine finfish aquaculture and lobster populations, the Nova Scotia Department of Fisheries and Aquaculture has been involved in a collaborative research study with Department of Fisheries and Oceans Canada, that is looking at the interactions between aquaculture farms and lobsters in Nova Scotia. Specific objectives of this research include providing information on lobster movements around farm sites and reference locations, and lobster movements around current farm sites and surrounding areas. Lobster movements will be assessed using an acoustic telemetry system that follows lobsters fitted with acoustic transmitters (tags) within an array of receivers deployed. Results from this study will inform the Provincial and Federal Governments on the interactions between salmonid farming and lobster fisheries. Port Mouton is one area where this research is being conducted. Concerns were also raised with respect to the potential negative impacts of AQ#0835 on the local tourism industry; however, no specific information was provided that indicated that the past operation of AQ#0835 had a detrimental effect on tourism activities.

A review of information related to AQ#0835 indicates losses having occurred due to super chill approximately five years ago; however, it is a requirement of an approved Farm Management Plan for the operator to have strategies for responding to unusual events and severe weather. It is also required for operators to perform daily monitoring of oxygen and temperature and to implement appropriate mitigation measures when oxygen readings and temperature levels fall below prescribed levels. New technologies exist that were not previously in widespread use in Nova Scotia for trout farming that allow for real-time monitoring and tracking of oceanographic parameters.

AQ#0835 is the only marine finfish aquaculture site located in Port Mouton. AQ#0835 is located approximately 200 metres from the shoreline of the Spectacle Islands, and approximately 750 metres from the shoreline of the mainland. The nearest aquaculture site to AQ#0835 is located over 15.00 km away in Liverpool Harbour. AQ#0835 is located over 2.00 km away from the Port Mouton Wharf. Due to the physical separation from other aquaculture sites, the shoreline, and other marine users, there is adequate separation between AQ#0835, the shoreline, and other aquaculture sites to allow for navigation.

5. Decision

Based on the considerations above, Aquaculture Licence #0835 shall be renewed for a period of 10 years (March 12, 2020 to March 12, 2030) and Aquaculture Lease #0835 shall be renewed for a period of 20 years (March 12, 2020 to March 12, 2040).

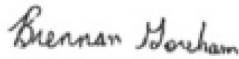
The Licence and Lease documents shall be prepared in accordance with the standard operating documents of NSDFA, and shall be made publicly available subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

6. Conditions

In addition, the following condition shall apply:

The operator shall adhere to the following site marking requirements:

- a) mark all corners of the leased site with cautionary yellow buoys of a minimum of 60 cm in diameter;
- b) mark all corners of the leased bottom with a cement block of similar device of a weight sufficient to ensure the cement block or device remains in place at all times; and
- c) display the licence or lease number at 1 corner of the licenses or leased area.



Brennan Goreham
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

April 8, 2020

Date

Spencer, Amanda L

From: Jesykah Kelly [REDACTED]
Sent: February 7, 2020 2:46 PM
To: Aquaculture Administrator
Cc: [REDACTED]
Subject: Response to AQ#0835 on Behalf of The Quarterdeck Resort Inc.
Attachments: Ltr to Agriculture Admin.pdf

**** EXTERNAL EMAIL / COURRIEL EXTERNE ****

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Good day

Please see attached Letter from Randall L. Prime on behalf of the Quarterdeck Resort Inc. in response to the Renewal Application for Lease # 0835 in Port Mouton, Queens County.

We would appreciate if you could confirm receipt of this letter as soon as possible

Should you have any questions, please do not hesitate to contact our office

Jesykah Kelly
Legal Assistant
WATERBURY NEWTON
LAW FIRM

[REDACTED]
Kentville, NS
[REDACTED]

The attached records were submitted by third parties to the Department of Fisheries and Aquaculture as a part of a public submission process. The Department does not endorse, and is not responsible for, the content of the attached records, including, but not limited to, the accuracy, reliability, or currency of the information contained in the attached records.



Waterbury Newton - Law Firm
www.wnns.ca

Randall L. Prime

February 7, 2020

Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture
1575 Lake Road
Shelburne, Nova Scotia
B0T 1W0

Dear Administrator:

**Re: Renewal Application for Lease Number 0835 Port Mouton,
Queens County (Spectacle Island site)**

I am the solicitor for the Quarterdeck Resort Inc., and am contacting you today on my client's behalf in relation to the above matter.

The owner and operator of this business, along with all of their employees and guests, have a direct interest in the outcome of the above-noted renewal application. The Spectacle Island site is located only a short distance off shore from the Quarterdeck Resort and the Summerville Beach Provincial Park.

My clients are not only a property owner in the area but also a significant employer. They have grave concerns as the owner of the Quarterdeck Resort of the impact that this nearby facility will have on their business. Summerville Beach is the cornerstone of their resort operations. Indeed, Summerville Beach and Carter's Beach, which is also near the proposed site, given their unique nature, are important and popular tourist destinations. It is their draw that feeds the tourist industry, and all of the financial benefits that flow from this industry. During their peak season the Quarterdeck Resort employs over 60 individuals in their operations. At present, they are in the process of expanding which will ultimately lead to additional jobs. My clients also have an additional property at Bull Point, which is located even closer to the proposed site. This property will be utilized as a high-end tourist destination in the near future.

The last few years have seen tremendous growth in the tourism industry and certainly in my client's operations. I would strongly suggest that the employment opportunities through these businesses significantly outweigh those that would arise from the renewal of the aquaculture lease at this location. It would also be accurate to conclude that the spin-off economic benefits of these tourist operations far exceed those to be gleaned from any financial benefits arising subsequent to the renewal of this fish-farming lease.

My client purchased the Quarterdeck Resort (as it is now known) in December of 2013. Since that time they have invested millions of dollars in this property, with the building of a new 12 unit complex; a recreational centre with pool, sauna, and movie theatre; a new and expanded restaurant and conference centre; a new 7 unit building to replace an aging cottage; the construction of another 12 unit building; and renovations to the existing Villas. Much has been invested in the business. It is now a significant employer and economic generator in this area. At the same time much can be lost if the beach and waters of Port Mouton Bay are not properly safeguarded.

The beaches and waters at Carter's Beach and Summerville Beach are pristine, yet ecologically fragile. This fragility was evident during the years that a fish farm was operational at the Spectacle Island site. The most recent fish farm operation was closed in 2015. Photographic evidence of the waste that found its way to Summerville Beach and other areas can be found on the Friends of Port Mouton Bay website. In particular, I would draw your attention to a portion of the attached slide presentation made to the Doelle-Lahey Commission highlighting issues that arose during the most recent operation of the farm at this site. As many residents can also attest, Summerville Beach and Carter's Beach, during the years of operation of the fish farm, experienced foul odours, slime algae and waste residue on their shorelines. At one point, a large section of one of the cage structures polluted an area of Summerville Beach and, of course, with this structure came further pollution from styrofoam beads. These styrofoam beads cause serious issues when consumed by fish and birds, including the nesting and endangered piping plovers found at these beaches, thus compounding the negative impact that this license renewal could propagate. Pieces of the cage structure and other remnants were routinely found along the Bay's shoreline, including Summerville Beach, during the time frame of operation of this farm, as confirmed in the attached photographs.

Tourists do not visit this area for scenic views of styrofoam beads and remnants of fish farming cages. People do not come to this resort area to walk on a sandy beach and wiggle their toes in foul-smelling algae slime and waste residue from aquaculture operations. The by-products of this fish-farming operation could be devastating to my client's business, and the tourism industry in general in this area. The financial impact of a devastated tourist industry would far out-weigh the financial gains of further fish farming at this site.

It is also worth noting the remnants of an old ship wreck which occasionally has been exposed near the western end of the Summerville Beach. A unique structure which is certainly worth preserving and which could be damaged should further fish cages again find their way to this location.

It does not make economic sense to risk further negative impact upon this unique area at a time when the tourist industry is experiencing growth. There are other locations which would not be as fragile or susceptible to the harmful consequences which inevitably arise from these types of fish-farming operations. The ecosystem of Port Mouton Bay does not experience significant tidal water movement. The shallow, sandy

and unique topography has created magnificent beaches such as those at Summerville Beach and Carter's Beach. Those same characteristics make it more susceptible to harm caused by the flushing of the waste and by-products generated from these types of fishing operations. Summerville Beach is a sandy, kilometre long area with shallow water and salt marshes. It is frequented by those looking for a scenic stroll. An area to construct sand castles. Wading or swimming in its waters, including an area at its western end where warmer fresh water enters the sea. These activities could be threatened given the documented evidence of past issues noted above. Clearly, ecological concerns must be an important and indeed overriding consideration in a review of this lease renewal application. Aquaculture can exist in this province without having to exist at this location.

We understand that your decision will be a balance of competing interests. Those of the company applying for the renewal of the lease of public waters, of the Quarterdeck Resort Inc. and other tourist operators, of lobster fishers in this lucrative lobster fishing area, of other small business owners and employees whose livelihoods are tied to a viable tourist and fishing industry, and of the public in general looking to enjoy the waters and shorelines of this beautiful area. We also believe, and respectfully submit, that a thorough review of the impact upon the various stakeholders can only lead to the conclusion that any benefits of a fish-farming operation at this particular location would be significantly offset by the detriment to the other stakeholders.

Yours truly,

WATERBURY NEWTON



RANDALL L. PRIME
RLP/jk
Encl.

cc: client

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Trap hauled approximately 1 km from farm site, showing coating of slime algae after 24 hours exposure May 19th 2013.

Photo [redacted]



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Ulva intestinalis at Carter's Beach, September, 2007



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Nuisance algae *Ulva intestinalis* at Carter's Beach,
September 2007

Photo [REDACTED]

**Surface waste slick arriving on Carter's /
Wobamkek Beach on northeasterly winds,
December 8, 2012**

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Dirty foam wind-drifted to Summerville Beach Provincial Park,
August 13, 2012

Photo 



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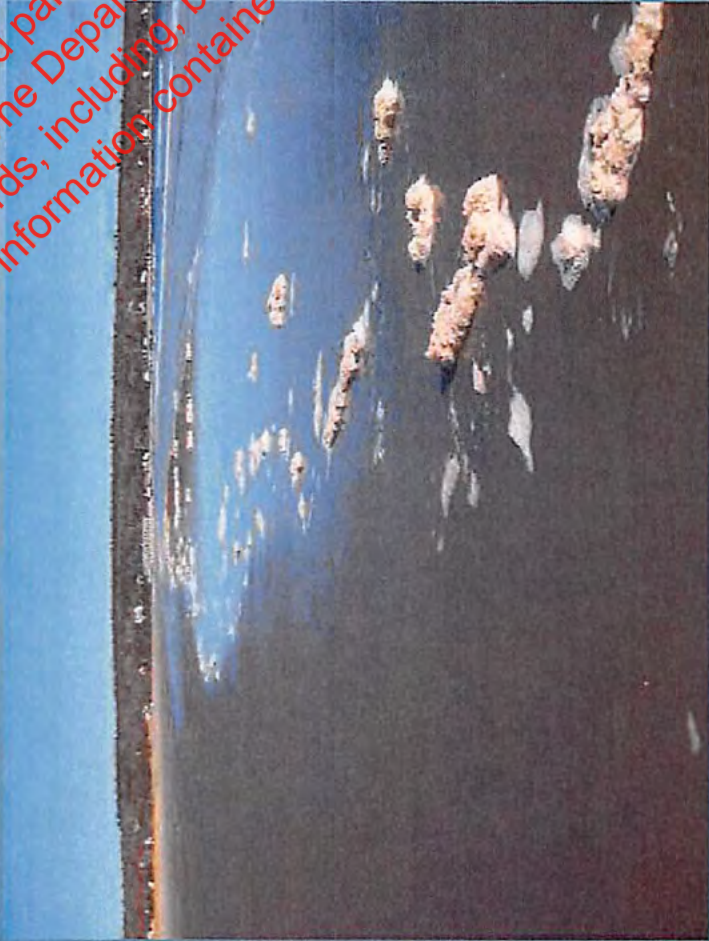
Dirty foam, wind-drifted to Summerville Beach extending north ~1 km.

August 13, 2012

Photo



November 18, 2012



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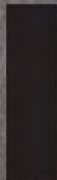
Dirty' foam wind-drifted to Summerville Provincial Bark Beach Nov 18, 2012

photo

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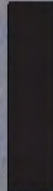
07/11/2013

Mat of slime algae at Carter's/Wobamkek Beach;
open-net pens distant

Photo 

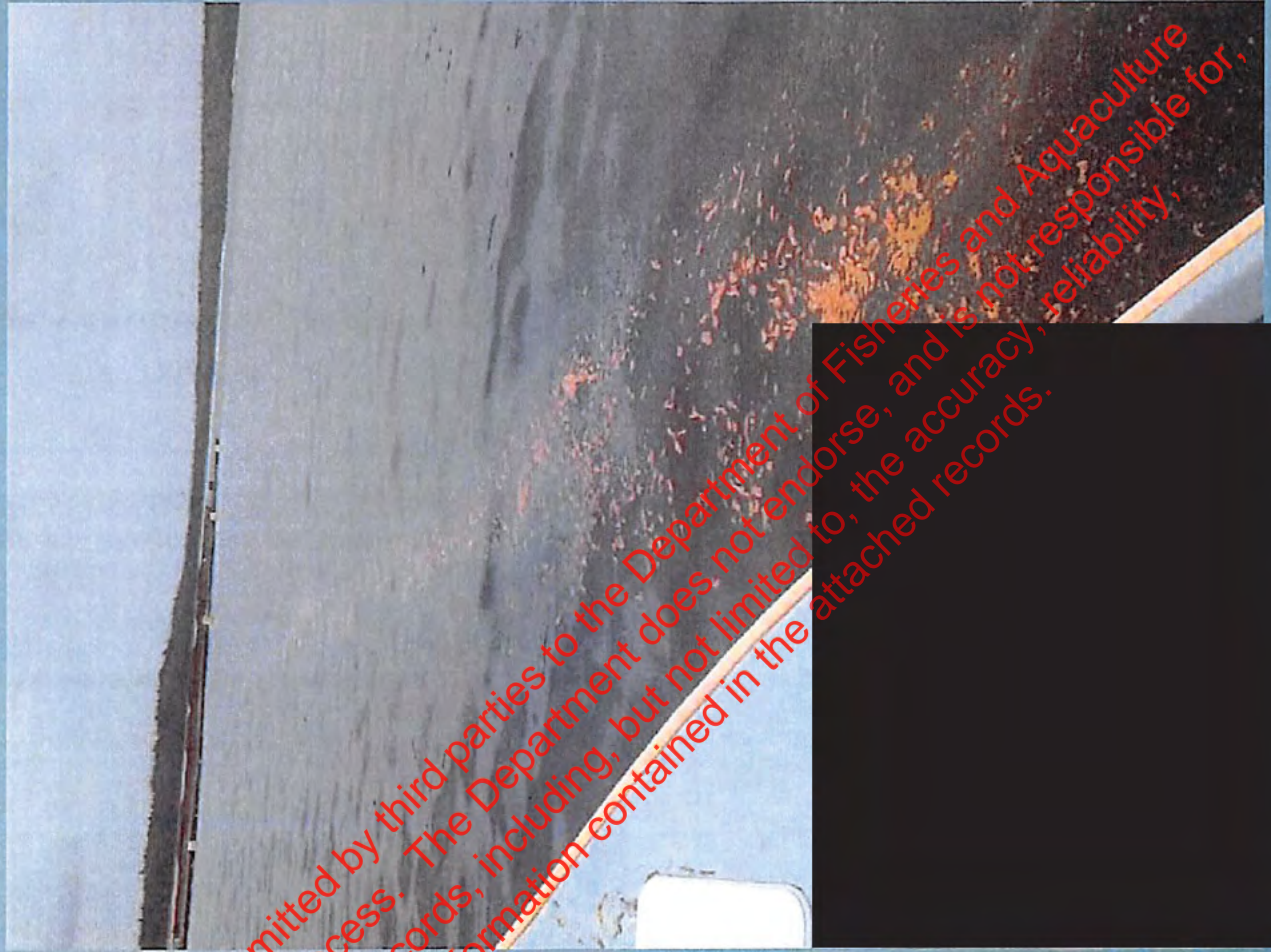
Pink waste material floating near Spectacle Island, August 5, 2012.

Photo



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Pink floating waste from farm site

October 6, 2012

Photo [redacted]

**Closer view of pink floating waste
from farm site
October 6, 2012.**

Photo [REDACTED]



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Photo

**Waste left by receding tide, Summerville Beach
Provincial Park, November 2012**

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Carter's Beach

Fine black silt deposits after north east winds and 18 months of fallow

January 29, 2011

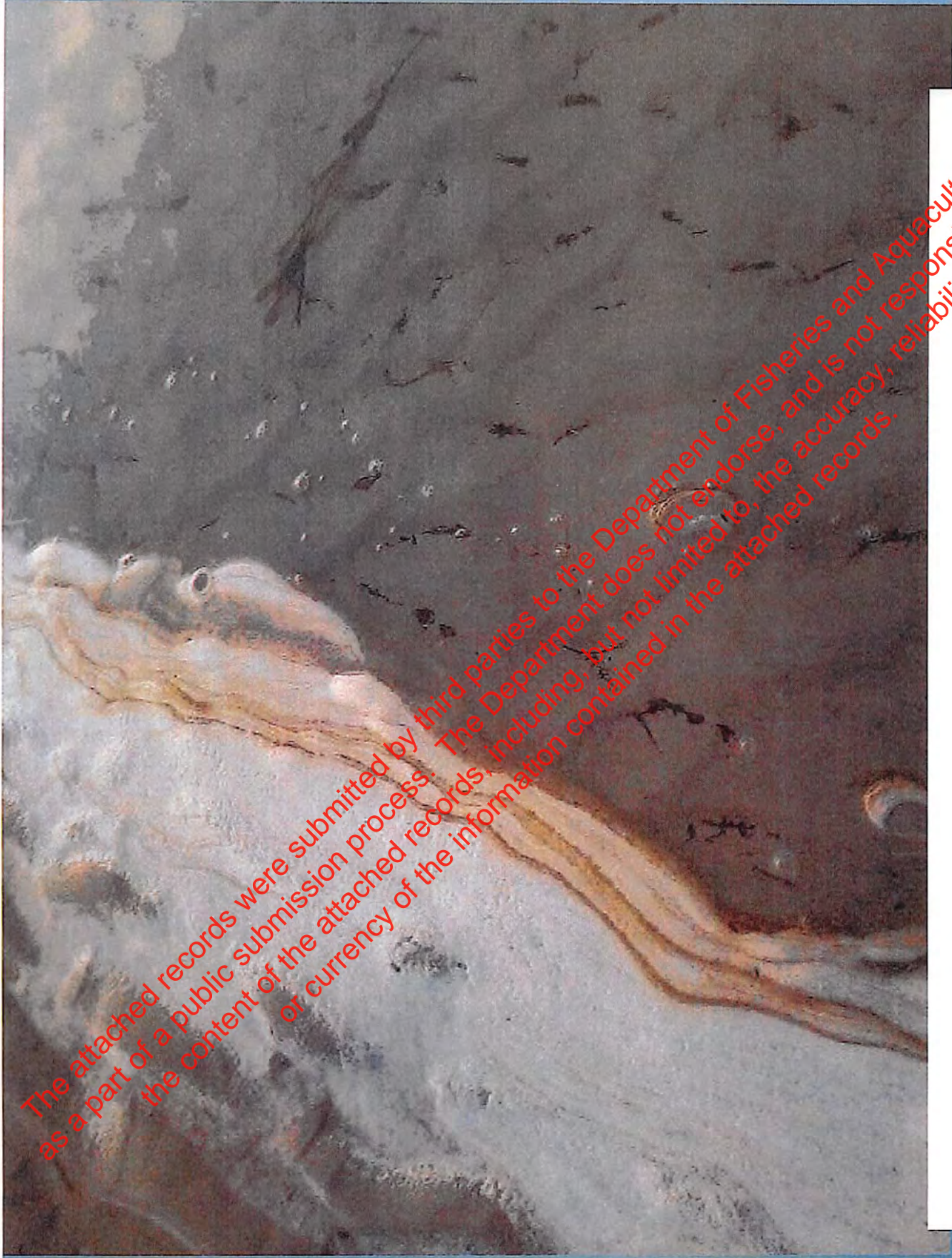


Photo

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'Dirty' scum / foam on Carter's Beach after a period of northeast winds
March 10, 2013.

Photo



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Waste in tideline with oily bubbles, Carter's Beach, March 16 or 17, 2013

Photo 

Odorous slime algae, Carter's Beach, July 11, 2013

Photo 



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07/11/2013



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Spencer, Amanda L

From: Brian Fisher [REDACTED]
Sent: February 7, 2020 9:49 PM
To: Aquaculture Administrator
Subject: Renewal Application for Lease #0835 Port Mouton , Queens County (herein "the site" or "Spectacle Island site")

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Dear Administrator,

I was born and raised in Port Mouton on Carters Beach Rd. Though I no longer live in the area I have many friends and family members who still do. I also visit my family home often with my family, enjoying the natural beauty of the area. Over the past 20 years the fish farm in port mouton bay has had many negative effects on the area. These negative effects include farm debris washing ashore, biological waste polluting the beaches and same biological waste negatively impacting the local lobster fishery (proven by a scientific , peer reviewed study). Even though the site has laid vacant for the past few years ,it has still had a negative impact with debris and stray lines, one line wound up caught in my fathers boat motor last summer nearly throwing my father and myself from the boat near Spectacle Island.

The return of a fish farm to Port Mouton Bay will have a negative effect on the lobster fishery and tourism , two of the remaining industries in the area. Many families rely on the Lobster Fishery for their livelihoods and Carters Beach is a very popular area which brings thousands of visitors from around the world every summer. I have seen first hand the debris and biological waste that past aquaculture ventures have left on Carters Beach, the shoreline of the bay and other area beaches / attractions.

I have also seen the stress that the fish farm has placed on the local residents. For 2 decades they have fought tooth and nail , to get the farm out of the area. Taking the time for scientific research, protests and appealing to government time and again to have the farm removed for once and for all. The emotional roller coaster of having the site vacated only to have their hopes daunted by talk of reopening the site again is cruel to say the least.

Time and again the residents of Port Mouton Bay have loudly stated that they do not want a fish farm in the area and they have done so for decades. They have done so with concern for the ecosystem of the area as well as the effect on the local economy. There is no benefit to the local economy to have an aquaculture site here. For what few jobs it creates , it also creates the potential for impacting lobster catches and driving away tourists.

Enough is enough . please say no to reopening the site and leave it closed for once and for all. Let the residents of Port Mouton Bay have their peace and give them back their harbour.

Sincerely,
Brian P Fisher

[REDACTED]
Timberlea, N.S.
[REDACTED]
[REDACTED]

Spencer, Amanda L

From: Robert Ross [REDACTED]
Sent: February 6, 2020 6:36 PM
To: Aquaculture Administrator
Subject: Public Submission Comments to Ocean Trout Farms Inc. Renewal Application in Port Mouton, N.S.
Attachments: Port Mouton Bay Aquaculture Lease Renewal Comments, February 6, 2020.docx; Spectacle Aquaculture Debris 1.jpg; Spectacle Debris 2.jpg

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Hello Mr. Goreham

With respect to your role as Aquaculture Administrator, please accept the attached written submission, and two companion photos, as my public consultation comments to Ocean Trout Farms Inc.'s renewal application for an Aquaculture License and Lease # (AQ #0835) in Port Mouton, Queens County, Nova Scotia

If you should have any questions with regard to my submission and comments, please do not hesitate to contact me.

All the best,

Robert Ross

[REDACTED]
Port Mouton, NS
[REDACTED]
[REDACTED]

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Public Consultation Submission - Ocean Trout Farm Inc.'s renewal application for Aquaculture Licence and Lease #0835 (AQ # 0835) in Port Mouton, Queens County, Nova Scotia

Submitted by: Mr. Robert Ross, [REDACTED], [REDACTED]
[REDACTED]

Submission Date: February 6, 2020

Connection to Subject Application: Local resident, property owner and Nova Scotia taxpayer concerned with aquaculture impacts to local lobster fishery and tourism industries, Certified Sea Kayak Guide and Instructor with Paddle Canada, and 30 year+ professional member of Canadian Institute of Planners.

Overview

The following submission comments generally pertain to varied economic, environmental and community considerations of sustainability, as they relate to the optimum use of marine resources, the contribution of the proposed renewal application to local community and Provincial economic development benefits, and to the oceanographic and biophysical characteristics of the subject site. The provided comments of this submission are additionally relevant to the public right of navigation from sea kayaking experience near the subject aquaculture lease area, and from personal observations while kayaking in proximity of previous and current Marine Cage aquaculture operations at the subject site.

As a professional land use planner, both as a Director of Planning for a suburban municipality of Vancouver, and as a private consultant in Newfoundland and Nova Scotia, it is my overall view that the subject aquaculture licence and lease renewal, if approved, will result in substantially more dis-benefits to the local Port Mouton community and to the marine environment of Port Mouton Bay, than provision of substantial and long term positive benefits to the local community. In this context, it is my further opinion that the subject application does not represent a sustainable development proposal for the local community, for Queens County or for the Province of Nova Scotia.

Economic Considerations

(i) Economic Benefits

Often the proponents of aquaculture operations, tout the economic benefits of their operations. However such boasts are never quantified to the local community. While a relatively few employment opportunities may be created, there does not appear to be any tangible economic advantages beyond those minimal employment positions. It is also uncertain how the evolving automation of open pen fish farms will affect the level of potential local jobs. Seldom are locally sourced goods and services purchases and expenditures related to the proposed aquaculture operation outlined, and certainly none of the proposed salmon or trout are processed locally, but rather are trucked outside of the community, and often to processing locations outside of the province. So the following questions need to be

asked... "What economic benefits will actually accrue to the local community"? and "Why isn't information related to proposed economic development benefits to the local community, and to the Province, provided to local residents of Port Mouton as part of the subject application consideration"?

(ii) Economic Equity and Fairness

From a land use planning perspective, if the proposed aquaculture operation was sited on land, it would need an industrial zoning designation, and for rezoning of an industrial activity, a Public Hearing would be required. Furthermore, an industrial land based site would be subject to annual taxation levies based upon the assessed value of the land and any building improvements thereon. At the current time marine based aquaculture operations do not pay the local municipality any property taxes, as all local Port Mouton residents as property owners are required to do. Instead, the Aquaculture operator pays a paltry licence/lease fee to the Province. What is the specific amount of the annual licence/lease fee payment to the Province? The economic issue therefore becomes one of economic equity and fairness. Why do aquaculture operations not have to financially contribute to the local economy in the same manner as a property owner is required to do? In effect, the aquaculture industry seems to be subsidized by the local municipality and by the Province, and at a cost of likely environmental impacts to local marine waters and to the local lobster fishery.

(iii) Rural Nova Scotia Economic Development through Tourism

The majority of rural Nova Scotia is in a state of economic decline. From an economic development lens, the pathway to a more positive and sustainable financial future for rural Nova Scotia resides in accentuating local strengths and opportunities. The success of golf course developments in Inverness County highlights how rural communities can positively shape their future through reliance on local natural strengths. For Queens County, promotion and realization of an expanded tourism industry focused on the area's white sand beaches and waterfront settings, represents one of its strengths. However, the environmental impact of aquaculture operations' fecal matter and chemical pollution of the water column (as has been documented in recent scientific journals as it relates to Port Mouton Bay), poses a huge risk to the pristine and natural character of Queens County's marine setting. In other words, aquaculture in Port Mouton Bay poses potential harm to realization of a sustainable local tourism industry.

(iv) Lack of Economic Sustainability

Collectively, the provided information of the subject licence/lease renewal application is seriously lacking in any manner of detailed information relating to substantive economic development benefits to the local community, and to the Province. It therefore cannot be stated that the subject proposal represents economic sustainability.

Environmental Considerations

(i) Site Selection

It is my opinion that Ocean Trout Farms Inc.'s proposed renewal licence/lease location does not represent a site based upon sound scientific criterion. It is located on the lee side of Spectacle Island and relatively close to the harbour for boat access to service the site. In essence, it is a site of convenience to the fish farm operator. It is my understanding that the underlying ocean bottom of the proposed lease area is actually a depression where fish farm fecal matter is deposited and collects. Local underwater photos of the site have historically shown fish farm fecal deposits greater than one metre in depth. The local ocean currents are such that the site does not 'flush' adequately on a daily basis to clean the site's contaminants.

(ii) Density of Fish in Cages

Much of the published literature and discussion on aquaculture operations worldwide, and specifically pertaining to the historical open pen fin-fish containment cages at the Spectacle Island site, speak of the need to reduce the layering density of fish within the marine containment cages. Too many fish equates into too much fish poop, and consequently too much fecal depositions on the ocean floor and within the water column. A number of years ago, the extreme density of the farmed fish within the Spectacle Island site cages amplified the extent and number of fish that were killed by freezing water temperatures. Simply put, it appears that identification of a lesser density amount of penned fish is not an item of consideration for the aquaculture industry or for the regulators, yet the impacts to the marine environment of too high of a density of penned fish seems apparent.

(iii) Sea Kayaking Observations

I have regularly kayaked to Spectacle Island since 2007 when I became an accredited sea kayak guide and instructor with Paddle Canada. During times when varied aquaculture operations at the subject site were active, I routinely observed discoloration of the water adjacent to the site, and more distant within the bay of Spectacle Island. In essence, the water was murky, discoloured and seemingly polluted. Each time, I returned home after a kayak outing and while hosing off my boat with water to wash away the saltwater, I always observed an oily sheen on the waterline level of my kayak. I had to scrub off the grime to remove it. Conversely when I paddled to other locations within Port Mouton Bay such as to the non-fish farm side of Spectacle Island, to Port Mouton Island or to southwest Port Mouton, the water was always clear and never did I need to clean my boat in a scrubbing manner as I did when I paddled near the aquaculture operation. My conclusion as a sea kayaker is that the waters near the aquaculture site are being tainted by the fish farm. Near the fish farm site, one can seldom see the ocean bottom, even in a shallow depth of 1 metre. In other locations of Port Mouton Bay such as on the non-fish farm side of Spectacle Island, visibility to the sea bottom is clear and pristine.

This begs the question as to why aquaculture operations are permitted to apparently pollute not only the waters within their lease area, but also seemingly contaminate the waters located outside of their allocated lease area. In most jurisdictions for land based activities, there are strict guidelines in place to

manage site contamination risks and offences. Why are aquaculture operations seemingly allowed to inflict damage to the marine environment with apparent impunity?

As the varied fish farm operations at the subject site ceased operations, and lay in fallow, it typically took two to three years+ for the water and marine environment adjacent to the site to recover to a clear water state. Within the Spectacle Island Bay, after the last aquaculture operation, there was an extensive brown debris mat on the ocean bottom (i.e. indicating high sediment sulphide levels)....all green underwater vegetation such as eelgrass was dead, and took years to re-grow. As a sea kayaker, this is a very, very sad observation to view.

(iii) Need for Baseline Environmental Data

While I wholeheartedly do not support the renewal application of Ocean Trout Farms, prior to any potential consideration of a renewed aquaculture operation, there should be baseline information independently gathered within and adjacent to the proposed aquaculture lease area for water clarity, for component mineral parts of the water column, for the level of nitrogen loading, for the extent and state of marine vegetation, the character of the ocean floor, etc. Until there is baseline information to compare to the inevitable impacts of potential pollution to the marine environment that aquaculture operations seemingly always cause, it will be very difficult to monitor and assess damage to the marine ecosystem adjacent to the aquaculture site and to Spectacle Island bay.

(iv) Navigational Barriers

From a kayaking perspective, I have further concerns with navigation barriers to the newly installed Spectacle Island boat dock posed by the proposed large 8.03 Hectare (19.91 acre) aquaculture site. No longer is it possible to access Spectacle Island in a direct path from a launch area such as Carter's Beach. Instead there is a need to take a longer circuitous route around the fish farm buoyed lease area. When the wind picks up and water becomes more rough, and when I have novice kayak guests with me, there are safety risks to paddlers in having to spend more time within treacherous waters to sidestep the lease area, and return safely to land. It appears that the public's right to unencumbered navigation is seriously compromised by the subject aquaculture lease area.

(v) Aquaculture Infrastructure Debris

I have further concerns with the site management of the infrastructure of the aquaculture buoys, wooden walkways and similar materials at the Spectacle Island site. As the attached photos illustrate, there is an ongoing incidence of component parts of the fish farm operation becoming dislodged and washing up on local beaches, including upon the sensitive estuary areas and dune ecosystems of Carter's Beach. The black caisson box washed up on nearby Wombenkek Beach during the fall of 2017. The yellow buoy pieces washed up on Carter's Beach in December, 2019. Local residents are becoming increasingly tired of these ongoing displays of a lack of care and attention of the aquaculture site infrastructure materials washing up on local beaches. Residents also are becoming increasingly frustrated of having to take their own time to make reports of washed up debris to the Province, and being subject to the subsequent long lead time it takes for any follow-up action to remove the debris.

Why is it that so much local volunteer social capital needs to be expended to monitor and oversee the aquaculture operation in Port Mouton when such operators repeatedly claim that their industry is so positive and causes no environmental impacts and effects?

(vi) Rebirth of the Local Fish Plant

Several years ago, as the ground fishery declined, the local fish plant in Port Mouton closed. At one point, a subsequent owner of the plant began to disassemble, remove and sell off the processing equipment within the fish plant. Today the local fish plant is owned by Chinese investors, and processes lobsters for international shipments. The plant employs 30+ workers and represents a local success story. Given the recent scientific studies within Port Mouton Bay that have seemingly made a correlation finding between aquaculture operations at the Spectacle Island site and reduced lobster catch numbers, the community cannot afford to risk loss of the current fish plant due to potential impacts of an active aquaculture operation in the Bay.

(vii) Local Lobster Fishery

A primary environmental concern with consideration of the subject aquaculture licence and lease renewal relates to the documented historical impact of previous aquaculture operations near Spectacle Island on the local lobster fishery. The lobster fishery is the backbone of the local economy. When the fish farm sites were active, local fishers tabulated data that revealed over a multi-year period, that their catch amounts within Port Mouton Bay diminished. After the said aquaculture operations lay in fallow for a couple of years, and the sea bottom recovered somewhat, the lobster catches in the Bay increased. This appears to indicate a direct correlation between an active aquaculture site and low lobster catch amounts. As a taxpayer, it is very difficult to understand why the Province would contemplate putting at risk in any manner, the lobster fishery as the primary engine of growth in Port Mouton Bay?

Community and Social Sustainability

(i) Community Building

Community building and achieving social stability and sustainability in small coastal regions such as Port Mouton Bay is a challenge. As previously referenced, building on local strengths is a key to sustainability success. The social fabric and resilience of residents of Port Mouton Bay is based upon love and attachment to the area's past and to its future. Several years ago, the community prepared a Vision Statement, and goals and objectives, to achieve that Vision. Support for the local lobster fishery, for the area's white sand beaches, for preservation of the natural and marine environment, for respect of the community's history, and for enhancement of local quality of life were primary factors of the community's Vision. Conversely aquaculture was not deemed to be important to community building within Port Mouton or to the community's future.

(ii) Heritage Designation of Spectacle Island Lighthouse

The Spectacle Light Society, a local volunteer group of over 120 members, recently acquired ownership of the Spectacle Island Lighthouse. The group is primarily responsible for the care and maintenance of

the historic lighthouse building. The Society has been very active in securing National, Provincial and Municipal Heritage Designation of the Lighthouse. During the summer of 2018, through varied fundraising initiatives, the Society paid for the installation of a floating dock system to provide safe mooring of boats and kayaks visiting the Island and the Lighthouse. Not only does a possible new fish farm operation pose a potential pollution risk to the floating dock and to the waters of Spectacle Island bay, but similar to kayak navigation, the large area size and extent of the proposed aquaculture lease area, poses a significant navigational barrier to easily access Spectacle Island and thereby the heritage designated Lighthouse structure. This is important as the Lighthouse Society has intent in the future to showcase the Island's history, to educate visitors of the Island's natural flora and species at risk, and to tell the story of the Lighthouse through promotion and expansion of local tourism opportunities. It is my view that the proposed aquaculture location acts as an impediment to successfully achieving these goals.

It needs to be emphasized that the Spectacle Lighthouse is one of the iconic Heritage lighthouse structure tourism draws along the Lighthouse Highway route of Nova Scotia. It represents a local strength of Port Mouton, and its future success as a tourism destination should not be impeded by the aquaculture lease area.

(iii) Proposed Term of Licence and Lease

The proposed 10 year Licence term and 20 year Lease term for Ocean Trout Farm Inc. is deemed to be excessive and unacceptable to the community. The elongated periods of 10 and 20 years respectively diminishes opportunity to undertake long term marine management planning of Port Mouton Bay. Unenvisioned changes to the hydrology of the Bay as a result of climate change and sea level rise, to fishing patterns, to recreational boating and for tourism enhancement of Spectacle Island Lighthouse represent community issues that are likely to be impacted by 10 and 20 terms to the proposed aquaculture activity.

Within British Columbia, historic licence and foreshore lease terms for log boom storage in waterways similarly were for 10 and 20 year terms. Local municipalities who were impacted by such lengthy log storage terms resisted. Instead the public's right to access to waterways was deemed to be more important. As a result, foreshore licence and lease terms for log storage were reduced to 5 and 10 year renewal periods, and in some instances, not approved at all.

It is also viewed that no private operator should be given the right to solely use a public resource of ocean waterways for their exclusive use for such an excessive period of time. When one considers that previous aquaculture operators at the subject lease site seemingly caused environmental damage to the marine environment of their leased site, and to waters beyond their site, it becomes more apparent that a 10 and 20 year period of right of use does not appear fair or equitable to the local community.

(iv) Lack of Community Support

Given previous aquaculture activities' apparent poor track record in successfully operating in Port Mouton Bay, and the lack of any tangible and significant economic development to the Port Mouton

community, it can be generally stated that the community does not support nor desire open pen fish farming within Port Mouton Bay. Instead the community has a much greater support for the local lobster fishery, for continued success of the fish plant, for pursuit of local tourism opportunities and for preservation of the natural marine environment of the waters within Port Mouton Bay. If the social fabric of Port Mouton is so aligned in unison for a better and more sustainable future that does not include aquaculture, it begs the question why the Province would impose such an use upon the community?

Summation

It is hoped that this submission will be considered as a basis in part to not approve an extension of either the proposed 10 year Licence and 20 year Lease terms for Ocean Trout Farm Inc.'s renewal application. The subject submission has identified that the subject aquaculture application is not in congruence with varied economic, environmental and social issues of community sustainability for Port Mouton Bay.

Over the past 15 years+, the community has organized, has undertaken scientific research, has engaged local lobster fishers and has observed the negative environmental effects from aquaculture in Port Mouton Bay. It is the view of the community that the subject site is not appropriate for continued aquaculture activity.

Instead perhaps a more open ocean setting for the aquaculture operation can be found, a potential location where the site can adequately flush and cleanse itself daily, where the local lobster fishery is not impacted, and where the community is not subject to the imposition of an unwanted industry.

Alternatively, perhaps land based aquaculture facilities are the answer.

It is acknowledged that decisions on aquaculture are tough for the Province of Nova Scotia, given their apparent desire to expand aquaculture in the Province. However, not all selected sites are suitable for open pen fish farms, and the track record within Port Mouton Bay seems to clearly show that a licence and lease renewal for Ocean Trout Farms Inc. is not an appropriate fit for the community, or for the local lobster fishery.

Best Regards,

Robert Ross

February 6, 2020



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Spencer, Amanda L

From: Gloria Gilbert [REDACTED]
Sent: February 7, 2020 6:33 PM
To: Aquaculture Administrator
Cc: Kim Masland; bernadette.jordan@parl.gc.ca
Subject: PUBLIC INPUT RE SITE 0835

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**To: Aquaculture Administrator Brennan Goreham, NS
Fisheries and Aquaculture
Re: Public Input on application for lease and licence
renewals
Location: Aquaculture Site #0835 Port Mouton
Bay, application by Ocean Trout**

Submitted by: Gloria Gilbert

[REDACTED]
Lockeport NS
[REDACTED]
[REDACTED]

My family roots in Queens County date from 1761. I am a coastal resident and taxpayer who recognizes and appreciates the economic dependency of Nova Scotia on the lobster fishery and tourism. I am a member of Friends of Port Mouton Bay.

Comments:

The optimum use of marine resources;

Incompatibility increases with each additional salmon or trout feedlot/cage. When caged fish are produced at a commercial level, local people who own shellfish culture businesses or wild-harvest shellfish leases are threatened by waste from fish feedlots. Lobsters are displaced from nursery areas and fishermen have lost good trapping territories. Moss harvest has been curtailed by dieback near Site 0835. **There is no positive gain for the marine environment from hosting open-pen caged fish.** The ecosystem has shown clear evidence of nutrient overload ranging from Carters Beach to Summerville Beach and into the estuaries of rivers and brooks. **This is a mis-use of marine resources.**

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

Both lobster fishermen and tourism operators participate in and contribute to industries that are locally owned, proven sustainable and consistently investing their profits here in NS. The same cannot be said for the applicants for renewed salmon and trout aquaculture leases. Fish are trucked to New Brunswick for processing and sold as "Product of New Brunswick". The profits accrue to New Brunswick and Ontario interests, not to Nova Scotia. Lease holders pay no business or property taxes on their NS marine feedlots and therefore do not contribute to the maintenance of roads and landfill sites.

Job creation is minimal, layoffs frequent, and the work is dangerous and poorly-paid. Skilled workers are brought in for stocking and harvesting. Automation of feeding has reduced the labour component.

Derelict gear has littered the shoreline and produced hazards to wildlife.

Fishery activities in the public waters surrounding the

proposed aquacultural operation;

Fishery activities in public waters at this location include lobster fishery, herring, mackerel and crab bait fishery; Irish moss harvest and recreational fishery of mackerel, scallop, mussels and clams. There is no plan for compensation of pre-existing fisheries, when displacement or harm to resources occurs, caused by organic and chemical waste from feedlot cages.

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

Locating a fish feedlot in the North Atlantic is always a tradeoff between shelter from legendary storms and adequate flushing capacity. Site #0835 is sheltered to the extent that waste accumulates and the stench of the off-gassing manure spoils outdoor activities in the neighborhood and on the beach. When Irish moss and eelgrass fail to thrive, the ecosystem has been upset or overbalanced.

Like anybody's toilet, flushing needs to happen regularly.

Site #0835 only flushes effectively during a major storm event, usually from the North East:

Spectacle Island shelters the feedlot (0835) to the extent that ice-over has occurred during most winters. The limitation of shallow NS waters to 10-meter deep net pens is a serious drawback that no technology can fix. With the top 15 feet of water super-chilled, and the bottom of the net pen accumulating decomposing deadstock, the fish that survive are compressed into a swimming area of about 5 meters. Low oxygen, hunger, stress, diseases, parasites and bacterial infections have resulted in most, if not all fish dying under these compromised conditions.

Due to the loss of 2.8 million fish in NL in fall 2019, that province modified regulations to require a minimum net pen depth of 20

meters. There is no opportunity for this mitigative strategy in Port Mouton, or for that matter, anywhere in NS waters. It is such a misleading story to promote NS as a great place to grow fish. Not true.

The community has witnessed the removal of deadstock and the greasy, slimy, fleshy floating waste numerous times. The disgust factor cannot be overstated.

The other users of the public waters surrounding the proposed aquaculture operation;

There are three lobster pounds in Inner Port Mouton Bay. All require clean unpolluted sea water.

Summerville Beach Provincial Park and Carters Beach (a Protected Beach with pending Nature Reserve designation)- experienced very foul odors, slime algae and waste residue on shorelines during aquaculture operations. These impacts interfere with the public right of enjoyment and tourism, privatisation of public waters and issuing leases and licences does not include degradation of the water or land surrounding the lease.

The public right of navigation;

A designated anchorage site is in close proximity to the lease area and is frequently visited by ocean-going yachts. There have been complaints that foul odors from the fish farm in operation made overnight stays untenable at the anchorage .

Unmarked net pen anchor locations are hazards for fishing gear and cables present risks for seals and porpoises.

Thank you for your attention to the above.

Gloria Gilbert

Spencer, Amanda L

From: Will Scott [REDACTED]
Sent: February 5, 2020 5:27 PM
To: Aquaculture Administrator
Cc: bernadette.jordan@parl.gc.ca; kimmaslandmla@gmail.com
Subject: Port Mouton (Ocean Trout farms Inc) AQ#0835 Do not grant renewal

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To Whom it May Concern,

RE: Aquaculture Lease Renewal Applications: Public Comment. Port Mouton (Ocean Trout farms Inc) AQ#0835 Do not grant renewal.

I grew up and lived in Summerville, NS, and continue to own a home and woodland in the area, attended Acadia University with a BSc in Biology, and have completed specific studies on aquatic ecosystems. I have kept close eyes on Summerville beach for over 40 years and can speak to the destruction that open pen fish farms can cause.

I absolutely believe these farms negatively effect a number factors within our community. Listed below are my thoughts on the proposed renewal of the open pen leases. Let me be very clear, I am completely against any type of open pen fish farming in ALL AREAS including, but not limited to, Port Mouton Bay for a number of reasons:

1) Pollution: The feces, food waste, pesticides, and antibiotics that get into these pens, and subsequently our pristine ocean environments, have negative impacts on marine and coastal wildlife. Nova Scotia Department of Fisheries and Aquaculture (NSDFA) do not require monitoring on where waste ends up, including waste from fishing debris, trash, styrofoam, and faeces. The province does not test the water at the beaches bordering these sites to ensure the water is safe for public use. There are endangered animals (piping plover for example) that nest on Summerville beach and rely on humans to make the right choices to ensure their continued recovery and survival. These open pen farms put everything at risk.

2) Economic Losses: The waters surrounding these sites are a vital source of livelihood for many of our residents, and a hidden gem to visitors and tourists to the area. These sites have valuable lobster fisheries, bait fishers, harvesters of other seaweed and shellfish. This ecosystem is threatened to decline with millions of unwanted open pen fish being added. Visitors will go elsewhere if they know the Bays are polluted and destroyed, causing lost money in tourism. Summerville beach has boaters, divers, surfers, kayakers/canoers, and local residents who rely on clean water. Please don't drive people away by extending these leases.

The small number of jobs created pale in comparison to the negative losses other industries will suffer.

3) Fish kills and disease- Freezing temperatures can kill penned fish. This causes suffering to the fish as they die a cold preventable death, and an economic loss to the company. (Which I hope is not reimbursed by the government for these losses). Infectious Salmon Anaemia (ISA), and sea lice are problems of open-pen farms - putting our wild salmon population at risk.

4) Escape -Intense storms, severe weather, broken equipment all facilitates fish escape. Open pen fish are selected for fast growth and resistant to disease and should not exist in a wild population. Genetic consequences exist causing it to be a potential invasive species. The green crab is an example of an invasive species already plaguing Port Mouton Bay. Please don't allow this possibility.

5) Government and Social Responsibility - The Federal government is creating a responsible plan to transition from open net-pen farming in BC by 2025. It would be irresponsible of Nova Scotia to continue to be opposite of this direction, knowing full well the Federal government has major concerns with the open pen farms. Citizens have created opposition groups and social media platforms and are rallying to prevent this. Municipal officials are increasingly viewing open pen problems as too risky and oppose the Industry. I would hope that policy decisions made would be free of influence. Lobbying by the Industry or companies should be restricted.

The solution is simple. Land based fish farms. It will solve every one of the issues above. It create numerous jobs to build, produce and maintain fish production in a closed system. Cleaner, safer, better. Prepare today for the needs of tomorrow.

Will Scott

[Redacted]

Port Mouton, NS

[Redacted]

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Spencer, Amanda L

From: Mary MacIntosh [REDACTED]
Sent: February 7, 2020 10:00 PM
To: Aquaculture Administrator
Cc: bernadette.jordan@parl.gc.ca; kim.maslandmla@gmail.com
Subject: LIVERPOOL BAY, (Kelly Cove Salmon Ltd.) - AQ#1205 and PORT MOUTON, (Ocean Trout Farms Inc.) - AQ#0835

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Nova Scotia Department of Fisheries and Aquaculture

RE: Liverpool Bay AQ #1205 and Port Mouton Bay # AQ #0835

As a 40 year+ resident and property owner, employed in the Tourism Industry in Liverpool and now living in Mersey Point, Queens County, I feel I must speak out against the construction and operation of fin-fish aquaculture in both Liverpool Bay and Port Mouton Bay. I would go so far as to say that this type of aquaculture has no place in Nova Scotian waters at all.

In both Liverpool Bay and Port Mouton Bay, public beaches are located in close proximity to these proposed or expanded operations. Queens County prides itself on our beautiful, clean white sand beaches. We know from past operational seasons that raw fish sewage, and that is exactly what it is, raw sewage pollutes the waters and washes up on the beaches of Beach Meadows Beach, Sumnerville Beach and Carters Beach and all the neighbouring shore front. Do we continue to invite people to swim, play and move to our ocean playground? Do we loose this treasure of a resource?

The Region of Queens Municipality prides itself on all the improvements made in the communities of Liverpool, Milton and Brooklyn with regard to the proper treatment of our combined effluent. The operation of these open pen fish farms, with their resulting uncontrolled and untreated effluent, would undo and indeed exceed any of our community's positive efforts in this regard.

I trust that these concerns and the concerns of many other Nova Scotians will be given the attention and care it deserves.

Thank you.

Mary P. MacIntosh

[REDACTED]
Liverpool, NS
[REDACTED]
[REDACTED]
[REDACTED]

--
Mary P. MacIntosh
[REDACTED]
[REDACTED]

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Spencer, Amanda L

From: Dirk vL [REDACTED]
Sent: February 5, 2020 8:54 PM
To: Aquaculture Administrator
Cc: Kim Masland; bernadette.Jordan@parl.gc.ca
Subject: letter to DFA re aquaculture application

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N.S. Department of Fisheries and Aquaculture
Shelburne, Nova Scotia

February 5, 2020

Re Application, marine cage aquaculture AQ#0835
Ocean Trout Farms Inc.
Port Mouton Bay

To whom it concerns:

The application AQ#0835 to stock trout or salmon in marine cages in Port Mouton Bay must be denied.

There are many reasons for this, the foremost being the proximity of 0835 to Carters Beach, a proposed nature reserve that is recognized internationally as "one of the most beautiful beaches in Canada because of its white sand and turquoise waters."

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This photo taken by Gustavo Espinola at Carters Beach shows how close this Nova Scotia icon is to the proposed location of 0835, which, according to the map presented with the application, would be just to the left of Spectacle Island, seen on the horizon. The island, too, is an integral part of a Carters Beach proposed Nature Reserve.

Nova Scotia Environment, with jurisdiction over the beach prior to its having been handed over to Lands and Forestry, recommended that it become a nature reserve, "because of its unique ecosystems," adding that, "this special place will require careful planning to ensure protection of its natural values, while continuing to support informal use by the local community that is consistent with the emphasis on protection."

For this reason alone the location of marine cage site 0835, or any such site in the proximity of Carters Beach must be considered unacceptable.

Yours sincerely

Dirk van Loon

[Redacted signature block containing the name "Pop Joli"]

[Redacted signature block]

[Redacted signature block]

Spencer, Amanda L

From: Janet Shotwell [REDACTED]
Sent: February 6, 2020 9:07 AM
To: Aquaculture Administrator
Subject: Kelly Cove Salmon and Ocean Trout Farms, #AQ1205, #AQ0742, #AQ0835, #AQ1192

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Dear NS Dept of Aquaculture and Fisheries,

It is apparent now that farming fish in our ocean bays and harbours is a very bad idea. Now is also the time when you can decide to end the above leases.

I think it's a much better idea for all of us humans to change our eating habits, and if we want to eat fish, to eat more expensive, sustainable, healthy fish instead, than to further damage our bays and harbours.

We humans have done plenty enough damage to our oceans. Someone needs to give us a cease and desist order. There is no one but us to give that order, and it is now overdue to do just that.

Let us pledge to our precious grandchildren that we will do all we can to undo the harm we have done and are doing to our planet. Take that pledge with me.

sincerely,
Janet Shotwell

[REDACTED], Halifax, NS [REDACTED]

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Spencer, Amanda L

From: brian fisher [REDACTED]
Sent: February 6, 2020 6:56 PM
To: Aquaculture Administrator
Subject: -Lease #0835 Port Mouton

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Brian Fisher
[REDACTED]
Port Mouton
Nova Scotia
[REDACTED]

I have lived in Port Mouton all my life and proud to say a fifth generation fisherman. I have been on the water making a living 52 of my 66 years,. During that time I have faced many challenges trying to convince the Nova Scotia Government that this harbour was not suitable for finfish aquaculture. has proven to be the most challenging.

I have been on the water in this harbour all my life and experienced first hand the effects that the fishfarm has had on the lobster fishery in the harbour the loss of the recreational scallop fishery ,the die off of periwinkles mussels ,irish moss and anything else that became coated with the oil that was constainly coming from the farm.

In the last five years while the fishfarm has been idle there has been great economic growth around Port Mouton Bay

- 1 what was formerly Bluewave seafoods is now three seperate buisnesses

Newell Fisheries and Ships Harbour have developed lobster pounds
Captain Littles Sefood operates the main plant and ships lobster mostly to China

- 2 The Quarter Deck has new owners who have spend millions of dollars to make it a world class resort

These new buisness employ more than fifty people and need clean water and enviroment in order to succeed.

Carters Beach has become one of the most popular beaches in Nova Scotia with visitors from across Canada and the United States

It is directly across from the fishfarm which will once again become littered with oil and waste from the farm.

It is well known by residents and scientist alike that Port Mouton Bay is not suitable for fishfarming.The message of Nova Scotia Aquaculture that it has the best regulations anwhere is meaningless, when they allow a fishfarm that has seen the worst pollution of any farm in Nova Scotia even being considered for renewal.

Brian Fisher

Spencer, Amanda L

From: Pmuttart [REDACTED]
Sent: February 5, 2020 8:29 AM
To: Aquaculture Administrator
Subject: Fwd: Lease #0835 Port Mouton , Queens County

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Subject: Lease #0835 Port Mouton , Queens County

Dear Administrator,

Renewal Application for Lease #0835 Port Mouton, Queens County (herein "the site" or "Spectacle Island site")

I own property on Port Mouton Bay, as do two of my children.

I am aware of the Aquaculture Associations lobby for the hearts and minds of the public. The most recent example received by politicians today from the executive director of the Atlantic Canada Fish Farmers Association entitled "protect Salmon Farmers", attaching a pamphlet recycled from October 4, 2019. One trusts that this is not a tactic that influences the independence of your good offices.

Over a period of more than a decade, I have met, together with the Friends of Port Mouton Bay, with the representatives of Cooke Aquaculture when it controlled the site (around the time it was facing charges for its actions in New Brunswick and being fined, while simultaneously receiving grants from Nova Scotia far in excess of the amounts required to pay the NB fines) and, later, with the representatives of Kelly Cove and Ocean Farms Trout Inc.

I have attended the hearings and made oral representations to the Doull and Lahey Commission on aquaculture regulations in support of the science-based submissions of FPMB and the Ecology Action Centre. At that time I shared with them my concern that their work was superior and I hoped that their recommendations would be respected and enacted, rather than 'cherry-picked'. My fears were regrettably prophetic.

I have been present at a multitude of community meetings in Port Mouton at which presentations were made by lobster fishers.

I have a complete understanding of the work of [REDACTED] and of [REDACTED]

I have had the advantage of access to the work of [REDACTED] who holds the Dalhousie chair funded by Cook Aquaculture; the peer-reviewed published work of [REDACTED] regarding the fatal impacts of copper residue from feed, present in the micro-layer of the water, on lobster larvae in Port Mouton Bay; the local oral history of the fishers of the Bay; physical studies regarding its mechanics of

circulation/lack thereof; the studied impact of both active and fallow farms at Spectacle Island on the inshore lobster fishery.

Because of the unique configuration of Port Mouton Bay, the Spectacle Island site (indeed all surrounding areas) it is so obvious that intensive, open-net, fish-farming is contra-indicated, one would have thought that not even the decades-old hollow promises of economic nirvana and outflows to the tax revenues of the province would over-shadow the obvious.

Nevertheless, the refusal of the province's successive governments to recognize the obvious has led to a great deal of scientific and physical inquiry that has fortunately added to the accumulation of general (as well as site-specific) aquaculture science.

Important and revealing contributions by FPMB to the data pool have proven useful as a resource to all who choose to visit the website of FPMB (its repository). Regrettably, all of that work has come at considerable community-contributed expense for lab-testing, divers, etc. because of the baseless denials of the provincial government to credit any information other than the representations of the industry and the published mandate of the province itself to foster and promote open-net, intensive livestock, fin-fish farming.

It should be recognized that FPMB have concentrated their efforts on this Spectacle Island site alone. They have made their data open-source, but have refrained from attacking the industry generally. Theirs has not been a 'shot-gun' approach.

It should also be noted that 'aquaculture' is not the culprit in these scenarios: it is open net fin-fish farming. I say that because the representatives of the 'aquaculture' industry have gathered this aspect of aquatic farming under their umbrella, I fear because of the funding from that side of the industry, and in the result they protest that the scientific arguments against fin-fish farming in the ocean is an attack on the entire industry. It is not. Neither is it a criticism of on-land closed-containment fin-fish farming, which appears to be quite sustainable and non-polluting.

Science and local fisher knowledge should be enough. When it appears to hold no sway with the decision-makers, one is inclined to look for reasons why. None that I have found would bear close public scrutiny.

I submit that it is irresponsible – indeed indefensible – for industry to represent its research as superior and independent when it emanates from an academic Chair that relies on that industry's funding. It should hold no higher status than the research and findings of FPMB, of equal scientific quality, more specific to the site and funded by its own community.

Similarly, the Administrator must surely take into account that a study of a specific location in New Brunswick, with its unique depths, tides, currents, benthic and bottom features cannot logically be used as a proxy for any other site. That is nonsense, particularly when compared to the Spectacle island site.

I recommend to you the submission of [REDACTED] showing a side-by-side comparison of the two sites and I trust that you have staff at your disposal that can review the science related to the Spectacle Island site that is to be found at <http://friendsofportmoutonbay.ca/documents.html>.

Lastly, there is a public right of navigation and overnighting in the lee of our islands. The lease interferes. There is a public right and a tourism industry dependence on the cleanliness of our Bay and

beaches. This pollutes both. There is an obligation to consider the precautionary principle. This ignores it or brushes it aside. There is the expectation of the 'reasonable(wo)man' that government and its agencies apply reason and common sense to its decision-making. All things aforementioned considered, a renewal of this lease would fall short of that expectation.

Respectfully,

Peter Muttart

[Redacted] Hunts Point, NS
[Redacted] Kentville NS, [Redacted]
[Redacted]

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Spencer, Amanda L

From: Aquaculture Administrator
Sent: February 7, 2020 3:08 PM
To: Aquaculture Administrator
Subject: FW: ASF submissions for AQ# 0742, 0835, 1192, and 1205
Attachments: Ocean Trout Farms (AQ 0835) License Renewal - ASF Submission.pdf

From: Kris Hunter [REDACTED]
Sent: February 7, 2020 2:56 PM
To: Aquaculture Administrator <aqua.admin@novascotia.ca>
Cc: Geoff Giffin [REDACTED]; Neville Crabbe [REDACTED] Stephen Sutton [REDACTED]; Robert Otto [REDACTED]; Jon Carr [REDACTED]
Subject: ASF submissions for AQ# 0742, 0835, 1192, and 1205

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Hello,

Please find attached two submissions from the Atlantic Salmon Federation (ASF). The first submission is with regards to the public consultation on Kelly Cove Salmon's renewal applications for aquaculture sites #0742 at St. Mary's Bay in Digby County, #1192 at Shelburne Harbour in Shelburne County, and #1205 at Liverpool Bay in Queens County. The second submission is with regards to the public consultation on Ocean Trout Farms' renewal application for aquaculture site #0835 at Port Mouton in Queens County. If you have any questions or issues with our submissions then please do not hesitate to contact me.

Sincerely,
Kris Hunter

Program Director for Nova Scotia and Prince Edward Island
Atlantic Salmon Federation / Fédération du Saumon Atlantique

Atlantic Salmon Federation  Fédération du Saumon Atlantique



February 7, 2020

Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture
1575 Lake Road
Shelburne, NS B0T 1W0

To Whom It May Concern:

I am writing on behalf of the Atlantic Salmon Federation (ASF) concerning the renewal applications by Ocean Trout Farms Inc of their Aquaculture License and Lease #0835 at Port Mouton in Queens County. We have several concerns and reservations about this proposed renewal, which are lack of transparency in the renewal process, unsuitability of the sites for open net-pen aquaculture, status of the company, and timing in relation to other initiatives such as the new Fisheries Act.

Lack of transparency - As is the unfortunate case with all aquaculture licensing and lease applications in Nova Scotia, there does not appear to be any publicly available information on the company's proposed renewal for this site. A lack of detail about the history of the site and how the previous operation of the site impacted the local environment and biodiversity makes a fair and independent evaluation of the potential risks and impacts associated with the renewal near impossible. The only publicly available evidence is the published research by [REDACTED] of Dalhousie University, which demonstrated negative impact of the site on the water quality and ecological integrity of the bay, and anecdotal evidence from locals that the farm has had a negative impact on the biodiversity of the bay. Based on the evidence provided by [REDACTED] and her colleagues alone this site should not be renewed due to the disruption that it is having on the ecological integrity of the bay.

Even if the work by [REDACTED], which has gone through a rigorous scholarly peer-review process, did not exist, which is the case for most other sites, then the precautionary approach dictates that the renewal should not be approved unless it can be demonstrated that the site did not have a significant negative impact on the local environment and fisheries in the area and that the proponent and the regulatory bear the burden of proof to provide this information. The precautionary approach is the standard that Fisheries and Oceans Canada has identified to which all fisheries and projects that potential impact fisheries should be managed. Therefore, there still needs to be empirical evidence provided either by the proponent or by government to demonstrate that this site has not been negatively impacting the oceanographic and biophysical characteristics of the public waters surrounding the aquacultural operation before it the site can be considered for renewal. If this information exists, then the government must release it under their recently announced commitment to transparency and to adhere to the spirit of public consultation process outlined in regulations. If this information does not exist, then the site renewal needs to be deferred.

Unsuitability of the sites - Without any new information being provided by either the proponent or the government, historical evidence must be utilized to determine the suitability of the sites for aquaculture operations. The Port Mouton site experienced a super chill event in 2015

that resulted in large losses of the stocks held on site. The likelihood of this type of event reoccurring is quite high, especially given the exposure of these sites and the increase in extreme weather due to climate change as evidenced by the flash freeze events that have occurred the past few winters. For further proof that these events are not uncommon one only has to look at other aquaculture operations that have a similar exposure profile. The Snow Island Salmon briefly operated several such sites on the eastern shore of NS and these sites also experienced superchill events in 2013. Sites, operated by Kelly Cove Salmon with similar exposure patterns, experienced superchill events as recently as 2019 that resulted in the loss of many thousands of salmon. This repeated loss at these exposed sites speaks to both the economic viability of the renewal and to the unsuitability of the oceanographic and biophysical characteristics of the bays along the Atlantic coast of Nova Scotia. As both criteria are listed in the regulations as factors that must be taken into consideration when making aquaculture application or renewal decisions it seems a foregone conclusion that this site should not be renewed.

Status of the company – It is our understanding that Ocean Trout Farms not been actively using their Port Mouton site since the 2015 superchill event. This lack of engagement prior to renewal is cause for concern as it makes the company’s intentions unclear. Natural resources managed by the Department of Fisheries and Aquaculture on behalf of the citizens of Nova Scotia should not be leased to companies and made unavailable to other users in the area such as lobster fisherman, tourism operators, and recreational boaters if the proponent has not demonstrated a commitment to the area and growing the local economy.

Timing of the renewal applications/approvals - ASF also has strong reservations about the timing of this renewal as there are numerous regulatory and policy changes that have occurred since original licensing or that are about to occur. These regulation and policy changes could significantly alter the conditions and requirements for finfish aquaculture operations in the area. As such ASF is firmly of the opinion that no finfish aquaculture site should be approved or renewed until such time the consequences of these new regulations and policies are clear.

Since the initial approval of this site the NS government has accepted the Doelle-Lahey Report calling for an overhaul of finfish aquaculture regulations in NS and imposed a 3-year moratorium on finfish aquaculture to develop new regulations and guidelines. As this site was not originally vetted through this new lens, it should be required to go through that process as part of its renewal. At this time, it is unclear as to whether this site will be grandfathered in in perpetuity or eventually be referred to the newly established Aquaculture Review Board (ARB). This process needs to be communicated to the public prior to the review of any proposals (new sites or renewals). Even if this renewal is to be referred to the ARB it is unclear whether enough information has been collected and presented to evaluate this renewal. For instance, the new regulations require the establishment of go / no-go zones for aquaculture as well as the establishment of oceanographic and biophysical characteristics of the bay to determine its suitability to maintain aquacultural operations. It doesn’t appear that this has occurred.

Other regulatory and policy developments are the now-official revisions to the Fisheries Act and the pending development of a new federal Aquaculture Act. The newly revised Fisheries Act has recently received royal assent, resulting in new policies and regulations that will be subsequently developed and implemented. Provisions within the new Act, along with these new

policies and regulations could potentially impact aquaculture operations. In addition to the Fisheries Act changes, Fisheries and Oceans Canada (DFO) is developing a new federal Aquaculture Act, for regulating aspects of the aquaculture industry in Canada. The implications of these new Acts, policies, and regulations are not yet known, therefore any new application or renewal will potentially be impacted when these come into effect.

Given the lack of new information associated with these renewals, the history of the adverse events at these sites, the likelihood of adverse conditions reoccurring, and regulatory changes, ASF is seriously concerned about the suitability of this location for aquaculture operations. Therefore, ASF urges the Nova Scotia Department of Fisheries and Aquaculture to ensure that the best interests of Nova Scotians, optimum use of marine resources, and sustainability of wild salmon are represented and protected by denying these renewals.

Sincerely,



Kris Hunter
Director of NS and PEI Regional Programs
Atlantic Salmon Federation



About ASF:

The Atlantic Salmon Federation (ASF) is a world-leading science and advocacy organization dedicated to conserving and restoring wild Atlantic salmon. Domestically, ASF conducts research on wild salmon throughout the North Atlantic, performs complex river restoration projects and advocates for good environmental decisions. Internationally, ASF negotiates conservation agreements with commercial fishermen in places like Greenland and the Faroe and is represented at important forums such as the North Atlantic Salmon Conservation Organization and the International Council for the Exploration of the Sea. Headquartered in New Brunswick, Canada, ASF oversees a network of six state and provincial councils, and 103 affiliated groups. In Nova Scotia ASF works closely with its provincial council, the Nova Scotia Salmon Association (NSSA), and over two dozen affiliate groups. Altogether ASF represents more than 25,000 members and volunteers.

The attached reports were submitted by third parties to the Department of Fisheries and Aquaculture as a part of a public submission process. The Department does not endorse, and is not responsible for, the content of the attached records, including, but not limited to, the accuracy, reliability, or currency of the information contained in the attached records.

Spencer, Amanda L

From: Maggie Fortey <[REDACTED]>
Sent: February 6, 2020 4:07 PM
To: Aquaculture Administrator
Subject: Concern over Open Net-Pen Aquaculture renewal application for Port Mouton AQ# 0835

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The Honourable Keith Colwell

Nova Scotia Minister of Fisheries and Aquaculture It is in regard to the renewal licence application for open net fish farm in Port Mouton AQ#835.

Dear Minister Colwell:

We are extremely concerned how this Aquaculture lease will effect the optimum use of marine resources in our bay. We have been a home owner and permanent resident in Port Mouton for the past thirty years. The pristine beaches along Port Mouton Bay brought us to the area from Ottawa, and has kept us here.

During these past years many family members have come out to visit us, some from as far away as England.

Our sister and brother in law Jean and Lorraine Potvin from Long Island New York loved the beaches and the bay so much when visited us, that they purchased waterfront property here in Port Mouton.

Their daughter could have been married anywhere, but chose to be married on her parents property overlooking the beautiful Port Mouton bay.

My brother in law spent thousands of dollars sprucing up the property, and had large rocks placed along the property line and hired local workers to do the job. (to prevent beach erosion). He ordered a local Yurt rental for the event, and had the catering done locally. Later on the day of the wedding, the guests were all invited to a reception at West Queens Community Center in Port Mouton. Guests came from as far away as England, Calgary, New York and Ottawa. They stayed in rental cottages along the bay, or in Liverpool hotels. Lots of income and work was earned by local workers as a result.

All remarked on the pristine waters and the white sand beaches, which we walk on regularly. These resources are the real treasures of Port Mouton Bay. None of the above activities would have happened if our waters were not pristine or white sand beaches so beautiful and clean.

Our cousin [REDACTED] and [REDACTED] also visited from Calgary, just four years ago. They loved the beaches and clear water so much they ended up buying a property at [REDACTED]. They spent close to a million dollars in having the house built by local builders, and in purchasing furnishings, and in buying a big pleasure boat all locally.

They often go out for the day in Port Mouton Bay in this boat.

They are, and we are all very concerned.

We feel as property owners living along the bay, we have a right to share with you our heartfelt concerns. We are very worried that if licence AQ# 0835 be renewed, our beaches will again become polluted from the thousands of fish being caged in one area.

We are only too aware of the damage the last fish farm did.

At that time I and others would take our usual walk to Carters Beach, only to find all kinds of green algae blooms, floating along the waters edge, inches deep, and a cruddy looking grey beige substance bubbling on the white sands. It was sickening to see.

During one of our many storms a huge part of the fish cages was actually blown onto shore, and remained there for months.

We are also very aware of ISA disease infecting open pen fish. And of the many antibiotics used to control the infection and also to control the many Sea Lice.

There is also a big risk of damage to our lucrative Lobster fishery in the bay. Lots of smolts live there too.

Our kids and grandchildren use Carters beach often, and during that time we could not allow them there to paddle or swim in the water, as it was so polluted from the fish farm. It was not at all healthy for toddlers. We also have snorkelling equipment, and love to use it. I recall boating out to Spectacle Island one day when the last fish farm was in full operation, and looking into the water to try to find star fish or crabs, but all I could see was a thick green dirty water full of algae. We could not see the ocean floor. It was quite upsetting and disgusting really.

Mr Minister: please, in regard to application AQ#0835 in Port Mouton Bay, we respectfully urge you to consider our concerns very seriously, and pledge to say no.

There are so many valid reasons to say no. Please hear our sincere voices. We are many.

Respectfully yours.

Maggie and Peter Fortey

[Redacted]

Port Mouton

Nova Scotia.

[Redacted]

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Spencer, Amanda L

From: JS Clark [REDACTED]
Sent: February 3, 2020 9:42 PM
To: Aquaculture Administrator
Subject: A Q # 0835

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J.S. Clark
[REDACTED]
Port Mouton, N.S.
[REDACTED]

I am writing this to oppose the renewal of the lease agreement for site #0835. I have witnessed first hand that this site does not carry adequate flush rates.

Sincerely,
Stan Clark
[REDACTED]

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Spencer, Amanda L

From: Wendy Coolen [REDACTED]
Sent: February 7, 2020 11:08 AM
To: Aquaculture Administrator
Subject: Comments against the renewal application for aquaculture licence and lease in Poert Mouton Bay
Attachments: Aqua docx2.docx

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Please find the attached document with comments supported by myself and my husband, residents of Port Mouton, N.S.

Sincerely,

Wendy Coolen and Christopher Wallace

[REDACTED] Central Port Mouton, N.S.

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Port Mouton Bay Cottages

2/7/2020

Barbara Campbell

Port Mouton, NS

Nova Scotia Department of Fisheries and Aquaculture
Fax 902- 875-7429

Re: Connection with Ocean trout farms Inc's Renewal Application for Aquaculture License and Lease # 0835. (AQ #0835) in Port Mouton, Queens County.

As ocean front property owners on Port Mouton Bay, Port Mouton, NS we understand the dependence of the Tourism Industry in this province. Many people come from hundreds of miles away just to walk on the pristine white sand beaches of Carters Beach and Summerville Beach.

We believe this Aquaculture site will negatively impact the Tourism Industry and Lobster Industry. Tourism is one of the backbone industries of this province. We do not want slime and feces pollution washing up on the shores of our beaches. If this happens our livelihood will be greatly impacted in a negative way.

We would not be opposed to closed pen fish farming as it would have little environmental effect.

In closing I must strongly voice my opinion that we are opposed to Open Pen Fish Farming at this site.

Barbara Campbell
Owner/Operator
Port Mouton Bay Cottages

Received

07 FEB. 2020

Fisheries and Aquaculture
Shelburne, NS

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