

Guide for Land-based Aquaculture Renewal, Amendment or Assignment Development Plans

INTRODUCTION

Purpose of this guide

The Nova Scotia Department of Fisheries and Aquaculture (the Department) has prepared this guide as a reference for proponents preparing a Development Plan for a land-based aquaculture licence renewal, amendment, or assignment.

The Development Plan fulfills part of the requirements for an application for a land-based aquaculture licence renewal, amendment, or assignment. A completed application must consist of a Development Plan, and a Renewal/Amendment/Assignment Application Form. Guidance for all of these requirements is available at the Department's website www.novascotia.ca/fish/aquaculture/

Before preparing a Development Plan, applicants should first complete a meeting with Department staff to discuss the proposed development.

This guide is not a substitute for the Fisheries and Coastal Resources Act or regulations. Proponents should obtain copies of the Act and regulations for their reference (Appendix A). Where the process and time frames given in this document differ from the regulations, the regulations shall prevail.

Updated versions of this guide will be available on the Aquaculture Division website www.novascotia.ca/fish/aquaculture/

Background

This Development Plan is required for land-based aquaculture licence requests that can be fulfilled by the Administrator according to the Aquaculture Licence and Lease Regulations for Nova Scotia made under Section 64, Chapter 25 of the Acts of 1996, *the Fisheries and Coastal Resources Act*.

This Development Plan is required for requests for changes to a land-based aquaculture licence (for all fish and plant species, hatchery and grow-out, and pond operations) including the following:

- extension of licence term;
- addition of species;
- increase in production (where the maximum production is indicated on the licence or within the terms and conditions of the licence);
- change in operation, (where operational restrictions are indicated in the terms and conditions of the licence);
- transfer of licence to another person or entity;

- other land-based aquaculture related licencing change requests deemed necessary by the Department.

The completed Development Plan submitted, as described in this document, must provide information that will address the factors to be considered in decisions related to land-based applications according to the licencing process of the Province of Nova Scotia. These include technical viability, financial viability, and demonstration of operating in accordance with the Fisheries and Coastal Resources Act, the relevant regulations made under the Act and any guidelines or policies established by the Minister.

The Development Plan will also provide information for government network partners in order for them to fulfill their jurisdictional duties in advising the Department on the application. The network partners that will be contacted will depend on the nature of the request.

Information collection for the Development Plan

Information for completing the Development Plan should be acquired through whatever biological, ecological, and social data collection and analysis the proponent deems necessary to acquire the requested information.

Submission format

In order to facilitate government review of submitted applications and to establish a standardized format for all applications, applicants must follow the submission format guidelines, as follows:

- All requested information, the minimum of which is the information as required in this document, is to be submitted to the Department in a durable format, such as a three-ring binder or spiral binding. An electronic copy must also be submitted.
- Each section of the Report must start on a new page and be labeled matching the sequence established in this guide.
- Each section of the Report must contain all information required for that section (including supporting information such as maps, diagrams, etc.).

Public notice and disclosure

As part of the process for deciding on an aquaculture application, the Nova Scotia Department of Fisheries and Aquaculture (“Fisheries and Aquaculture”) will disclose application information to other government bodies.

In accordance with departmental policy, which seeks to promote public involvement in the process for deciding on aquaculture applications, Fisheries and Aquaculture may disclose application information – not including, however, personal or business confidential information – on the departmental website.

Privacy statement

The personal and business confidential information collected as part of an aquaculture application will only be used or disclosed by Fisheries and Aquaculture for the purpose of deciding on the application.

All application information collected is subject to the Freedom of Information and Protection of Privacy Act ("FOIPOP") and will only be used or disclosed in accordance with FOIPOP.

For more information

If you would like further information, please contact the Nova Scotia Department of Fisheries and Aquaculture, Aquaculture Division.

Phone: 902-875-7439

Fax: 902-875-7429

Email: aquaculture@novascotia.ca

Mail: 1575 Lake Road,
Shelburne, NS
B0T 1W0

REQUIRED DEVELOPMENT PLAN CONTENT

Minimum content requirements for a Development Plan for a request for a land-based aquaculture licence renewal, amendment, or assignment are as follows. (See below.)

Since the assessment will examine changes since the last development plan was approved, information in addition to what is requested below may be required for clarification.

SECTION 1: PROJECT OVERVIEW

Describe the application request. This should include a description of the original licence and the desired changes to the licence. The species, scale, technology used, and proposed location should all be described. The reason for the request must also be provided.

SECTION 2: TECHNICAL VIABILITY

2.1 Production plan

For requests that involve fish, and for each species (shellfish and/or finfish) to be reared, describe the following, and indicate how/if the production plan information differs from what is currently practiced at the site:

- Species and strain (if applicable);

- Stock source;
- Maximum site biomass (kg);
- Maximum fish number;
- Maximum feed (annual total) (tons);
- Maximum tank density (kg/m³);
- Maximum total tank volume (m³);
- Intended initial stocking date;
- Expected FCR;
- Expected production or grow out period for each group or cohort;
- Expected time to achieve maximum production at the site.

For requests that involve plants, and for each species to be reared, describe the following, and indicate how/if the production plan information differs from what is currently practiced at the site:

- Species and strain (if applicable);
- Stock source;
- Maximum site biomass (kg);
- Maximum fertilizer input (mass in kg and composition);
- Maximum tank density (kg/m³);
- Maximum total tank volume (m³);
- Intended initial stocking date;
- Expected production or grow out period for each group or cohort;
- Expected time to achieve maximum production at the site.

This production plan information is understood to be based upon the information available at the time of the application. The actual stocking may be higher or lower than the projections and will be determined by operational performance outcomes experienced at the site including, but not limited to, environmental monitoring and fish health.

2.2 Location

Briefly describe any changes regarding the location of the site. Note that any provided maps should have an inset map locating the site in the province, True North, and a scale in metric.

- Topographic map showing the general location of the site (if the location will change);
- Orthophoto map showing the general location of site (if the location will change);
- Diagram (sketch) of site layout drawn to scale, including inlet and discharge lines (if the inlet and discharge lines will change).

If any structures below the high water mark will be installed or moved, a permit will be required from Nova Scotia Department of Natural Resources (NSDNR) (<https://novascotia.ca/natr/land/clo/>). Detail the status of this permit, if applicable.

If applicable, detail other permits required for the requested changes and their status (e.g. right of way/ easement).

2.3 Water source

Describe changes to the source(s) of the water to be used for the operation and the maximum flow required (in L per day). Include salinity and temperature profiles of new sources, if available, and water composition analyses.

Requests that require changes to activities associated with water withdrawal or diversion or water storage may require obtaining an approval from or providing notification to Nova Scotia Environment (NSE) according to the Activities Designation Regulations made under Section 66 of the Environment Act (https://novascotia.ca/just/regulations/regs/envactiv.htm#TOC1_1). Detail the status of the required notifications or approvals, if applicable.

If you will be changing how you withdraw water from the ocean or a lake, or another navigable water body in a way that requires a change or addition of a structure, device or thing—temporary or permanent—made by humans, that is in, on, over, under, through or across any navigable water, complete Section 4.3. This will assist in determining whether approval under the Navigation Protection Act (NPA) is required.

2.4 Water discharge

If there will be changes to water discharge, describe these changes. Include the water treatment prior to discharge, where the water will be discharged to, and how much will be discharged on a daily basis. An approval by NSE may be required.

If you will be changing how you discharge water to the ocean or a lake, or another navigable water body in a way that requires a change or addition of a structure, device or thing—temporary or permanent—made by humans, that is in, on, over, under, through or across any navigable water, complete Section 4.3. This will assist in determining whether an approval under the Navigation Protection Act (NPA) is required.

2.5 Infrastructure

Describe any infrastructure additions or changes required to support the request (e.g. site access, buildings, wharves, transportation, electrical supply, etc.). Include the location (s) of the existing or pending infrastructure.

2.6 System

Describe any changes to the system design including water flow (volumes in lpm = liters per minute), fish/plant holding units (materials of construction and volumes), water treatment methods, if they exist (with minimum dosage or treatment level described in metric units), and other equipment.

Water flow descriptions should include incoming flows, flows to each system or unit, and outgoing flows. Flows can be described via a process flow diagram.

Changes to the units (e.g. tanks, ponds, silos, incubators, etc.) used for holding the eggs, larvae, fish or plants required to support the request should be listed. If changes are intended, describe the final holding unit capacity by completing the table in Appendix B. Add additional rows to the table or additional tables as required.

Water treatment change descriptions should include the following, as applicable:

- Treatment of incoming water (temperature control, filtration, degassing, pH control, ozone, UV, etc.);
- Rate(s) of re-use of water, if applicable;
- Water treatment that may happen during water distribution or re-use (temperature control, filtration, degassing, pH control, ozone, UV, etc.);
- Oxygen supplementation;
- Emergency power back-up;
- Other water treatment.

Process flow diagrams can assist with the descriptions.

2.7 Containment

For all finfish facilities, describe if/how the request will affect structures or procedures used at your site, including monitoring, that will ensure effective fish containment.

For finfish, shellfish and/or plant facilities that house exotic or non-native species or strains, contact the Department to determine if updated containment and quarantine requirements will be required. If applicable, describe the systems and procedures, including monitoring, that will ensure these requirements are met.

2.8 Site history

If applicable, describe past use of the site.

2.9 Technical ability

Describe changes or additions to the technical ability that will be required to ensure viability of the operation if the request is granted. Describe how these will be accommodated. This can include information on the applicant, management and technical team (if known) in terms of the following:

- Education;
- Business experience;
- Aquaculture experience;
- Other relevant information to demonstrate the human resource ability to execute the proposed development.

2.10 Compliance history

Describe your record of compliance in previous aquaculture operations or in other operations that required management and monitoring of environmental effects. List any enforcement issues of the past and explain how they were resolved.

SECTION 3: FINANCIAL VIABILITY

3.1 Financial ability

Describe proof of financial viability of the request. This should include historical and projected financial resources for this development; historical Income Statements including revenues, expenses, and EBITDA for the past three years (if applicable) and one projected production cycle forward. This could also include strategic relationships that can assist with the viability of the proposed development; or other relevant information to demonstrate the financial ability to execute the proposed development.

Include a brief description of previous successes and failures of business ventures, if applicable.

SECTION 4: OTHER USERS OF AREA SURROUNDING THE PROPOSED AQUACULTURAL OPERATION

4.1 Impacts to other users including wildlife

Describe what aspects of the request may change how the operation affects other users identified in the region of the operation. Include how they may affect other users, and how you will minimize these effects during both the establishment and the execution of the request. Other users identified should include those who are directly and substantially affected by the request and may include:

- Adjacent property owners;
- Fishers (commercial, recreational, food, social and ceremonial);
- Pleasure craft and commercial boat traffic;
- Anchorages and moorings;
- Other watershed users;
- Processing plants (within 10 km);
- Campgrounds;
- Communities (including cottage communities);
- Municipal, industrial and agricultural users which may be sources of effluent;
- Tourism or recreational operations;
- Private and government wharves;
- First Nations territories/reserves;
- Other aquaculture sites;
- Wildlife, including migratory birds, marine mammals and other animals that inhabit or migrate through the area (refer to Appendix C for reference);;
- Any known or suspected pre-contact or historic archaeological resources;
- Important habitats and conservation areas (refer to Appendix C for reference);
- Other known potential projects (confirmed or proposed) and activities;
- Other users that are relevant to the area, if applicable.

If changes to the water discharge are proposed, include a description of the type of habitat and flora and fauna that will be directly affected by the changes. Include how you will minimize negative effects during both the establishment and the execution of the request. If the request requires construction in or near water, describe construction materials, methods and equipment to be used. Include mitigation measures to be used to reduce impacts on fish and fish habitat.

Describe if there has been any change in knowledge of local species at risk since the current licence was approved. If yes, and a species at risk has been identified (http://www.registrelep-sararegistry.gc.ca/sar/index/default_e.cfm), permits are required for activities that may affect these species. (http://www.registrelep-sararegistry.gc.ca/sar/permit/permits_e.cfm#). Describe the status of this permit(s), if applicable.

Identify any changes in the status of salmon run rivers in the region since the current licence was approved. These should include designated salmon rivers within the DFO Designatable Unit. Salmon rivers and Designatable Units are to be defined based on the latest DFO Canadian Science Advisory Secretariat Science Response for the Maritimes Region: Status of Atlantic salmon in salmon fishing areas (SFAs) 19-21 and 23; and the latest DFO Canadian Science Advisory Secretariat Science Response for the Gulf Region: Update of stock status of Atlantic salmon (*Salmo salar*) in DFO Gulf Region (Salmon Fishing Areas 15 to 18) (<http://science-libraries.canada.ca/eng/fisheries-oceans/>). Describe the proximity of these rivers to the site (if applicable).

Where applicable, describe public consultation activities that have been undertaken to allow community members to know about and provide input to the proposed request. Describe the outcomes of these activities (e.g. modification of the development plan, mitigation measures to address concerns, etc.).

Describe how fulfillment of the request may complement the other users, where applicable.

4.2 Impacts by other users including wildlife

If applicable, describe how other users may impact fulfillment of the request. Include how you will minimize interactions with and mitigate possible negative impacts by other users.

4.3 Navigation Protection Act (NPA) approval

The assurance of the public right of navigation is determined by Transport Canada through the Navigation Protection Act (NPA) (<http://www.tc.gc.ca/eng/programs-673.html>). If the request requires changes or additions of, or to, any structure, device or thing—temporary or permanent—made by humans, that is in, on, over, under, through or across any navigable water, include the following within this section to determine whether approval under the NPA is required:

- A completed and signed “notice of works” form with all mandatory fields completed (https://www.tc.gc.ca/media/documents/marinesafety/Form-NOTICE_OF_WORKS_FORM.pdf);

- Location map (indicating the exact location of the work);
- Legal site description and work position (in latitude and longitude);
- Plan view drawings (top down) complete with all relevant dimensions;
- Profile view drawings (side view) complete with all relevant dimensions;
- Project description (detailing the project);
- Construction methodology (outlining how the work will be undertaken);
- Anticipated start and end dates;
- Description of how the intake/discharge structure will be secured to avoid its movement or disruption.

The Department will submit this information directly to Transport Canada to allow assessment of the work and initiate the application for an approval under the NPA, if required.

If the request does not require changes, provide the current NPA approval (if applicable).

APPENDIX A

NOVA SCOTIA AQUACULTURE REGULATIONS

Fisheries and Coastal Resources Act S.N.S. 1996, c. 25:
<http://nslegislature.ca/legc/statutes/fisheries%20and%20coastal%20resources.pdf>

Aquaculture Management Regulations made under Section 64 of the *Fisheries and Coastal Resources Act*. S.N.S. 1996, c. 25 O.I.C. 2015-339 (October 26, 2015), N.S. Reg. 348/2015:

https://www.novascotia.ca/JUST/REGULATIONS/regs/fcraquamgmt.htm#TOC1_1

Aquaculture Licence and Lease Regulations made under Section 64 of the *Fisheries and Coastal Resources Act*. S.N.S. 1996, c. 25 O.I.C. 2015-338 (October 26, 2015), N.S. Reg. 347/2015:

<https://novascotia.ca/just/regulations/regs/fcraqualiclease.htm>

APPENDIX B

HOLDING UNIT CHANGE DESCRIPTION

Add tables as required for multiple buildings or multiple systems.

Holding unit name	Holding unit identification	Volume (L)	Description of fish or plants housed (life stage and/or size in g)	Description of change

Add rows, as required.

APPENDIX C

ADDITIONAL RESOURCES AND CONTACT INFORMATION

Below is a list of reference websites or sources that the proponent may find helpful in gathering information relating to fisheries and wildlife:

- Nova Scotia Provincial Coastal Resources Coordinators (CRC): <https://www.novascotia.ca/fish/documents/crc-map.pdf>
- Fishermen & Scientists Research Society: www.fsrns.ca
- Nova Scotia Fisheries Sector Council: www.nsfsc.ca
- Fisheries and Oceans Canada: www.dfo-mpo.gc.ca
- Nova Scotia Salmon Association: www.nssalmon.ca
- Atlantic Salmon Federation: www.asf.ca
- Nova Scotia Salmon Association: www.nssalmon.ca
- Local salmon or angling associations
- SARA Registry: www.sararegistry.gc.ca
- CWS EA Guidance: www.cws-scf.ec.gc.ca/publications/eval/index_e.cfm
- Committee On the Status of Endangered Wildlife in Canada: www.cosewic.gc.ca
- Atlantic Canada Conservation Data Centre: www.accdc.com
- Atlas of Breeding Birds of the Maritime Provinces (1992): www.mba-aom.ca
- Important Bird Areas of Canada: www.ibacanada.com/
- Western Hemisphere Shorebird Reserve Network: www.whsrn.org/
- North American Waterfowl Management Plans: www.nawmp.ca
- Federal Policy on Wetland Conservation:
www.cws-scf.ec.gc.ca/publications/abstractTemplate.cfm?lang=e&id=1023
- Implementation guide for federal land managers:
www.cws-scf.ec.gc.ca/publications/AbstractTemplate.cfm?lang=e&id=1027
- Wetlands of the Maritime Provinces: Revised Documentation for the Wetlands Inventory (1996)
- Ducks Unlimited: www.ducks.ca
- RAMSAR Sites: www.ramsar.org/
- Environment Canada's Protected Areas Network: www.hww.ca/hww2.asp?id=231
- Nature Conservancy of Canada: www.natureconservancy.ca
- Federation of Nova Scotia Naturalists: www.chebucto.ns.ca/Environment/FNSN/
- Nova Scotia Nature Trust: www.nsnt.ca/
- Other federally or provincially designated ESAs
- Canadian Wildlife Service (CWS): www.cws-scf.ec.gc.ca/
- Local naturalist groups
- Federal Science Library: <http://science-libraries.canada.ca/eng/fisheries-oceans/>
- Transport Canada Navigation Protection Program - Forms and Guidance Material:
<https://www.tc.gc.ca/eng/programs-624.html>