

Decision on Application to Amend a Marine Aquaculture Licence and Lease

Application to the Administrator:

Pursuant to the Nova Scotia Fisheries and Coastal Resources Act (the “Act”) and the Nova Scotia Aquaculture Licence and Lease Regulations (the “Regulations”), on March 5, 2019, the Nova Scotia Department of Fisheries and Aquaculture (the “Department”) received an application to amend Aquaculture Licence and Lease #1360 (AQ#1360), as described below:

Application Summary:

Type: Marine	Size: 7.94 HA
Number: AQ#1360	Cultivation Method: Bottom cultivation without gear
Applicant: Michael A. MacIntosh	
Location: Merigomish Harbour, Pictou County	Species: American oyster, Bay quahog
Proposed Amendment: Add suspended cultivation method and bottom with gear cultivation method	

Site History:

Aquaculture licence and lease no. 1360 were first issued to Michael A. MacIntosh on September 12, 2012 for a ten-year term (August 2, 2012 to August 1, 2022). In July, 2022, the Licence was renewed for a ten-year term (August 2, 2032 to August 1, 2032) and the Lease was renewed for a twenty-year term (August 2, 2022 to August 1, 2042).

Performance Reviews Conducted by Administrator:

A performance review was conducted on the aquacultural operation of site AQ#1360, pursuant to Sections 71-72 of the *Aquaculture Licence and Lease Regulations* (the “Regulations”). There were no concerns raised following the performance review.

Consultations on Application to Administrator:

The application was sent for consultation to the following departments or agencies of the Government of Nova Scotia, pursuant to Clause 40(1)(a) of the Regulations:

Environment and Climate Change (ECC), Communities Culture Tourism & Heritage (CCTH), Office of L'nú Affairs (OLA), Natural Resources (DNR).

The application was sent for consultation to the following departments or agencies of the Government of Canada, pursuant to Clause 40(1)(b) of the Regulations: Fisheries & Oceans Canada (DFO), Canadian Food Inspection Agency (CFIA), Transport Canada (TC), Environment & Climate Change Canada (ECCC), Canadian Wildlife Services (CWS).

Public Submissions on Application to Administrator:

Pursuant to Section 41 of the Regulations, notice of the application was published on the Department's website and in the Royal Gazette Part I inviting the public to submit written comments on the application to the Administrator within the 30 days following the date the notice was published. This notice was published on August 27, 2025.

No (0) submissions were received by the Department during the 30-day public comment period.

Factors to be Considered (as set out in Section 3 of the Regulations):

The optimum use of marine resources

The amendment application was submitted to be in compliance with the current Regulations, by authorizing the bottom with gear cultivation method. The amendment application was submitted to also authorize the suspended cultivation method, which, if approved, would allow the operator to access the deeper portions of the existing site. Review of the file indicates that the site has had production and employment in recent years. The information in support of the amendment application suggests continued production is planned for this site and continued employment. Department staff will continue to monitor that production plans are implemented as submitted and that the site is utilized for Aquaculture.

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

The species and methods of cultivation authorized for this site are suitable for this area and are expected to be a positive contribution to the local and provincial economy.

Fishery activities in the public waters surrounding the proposed aquacultural operation

The review of this application to amend an existing aquaculture licence and lease (with no change to the site boundaries) resulted in no novel impacts identified to the fishery activities in the public waters near the existing site.

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

The proposed gear changes will allow the applicant to grow oysters in suspended gear in a suitable location. These culture methods are common and successful along the North Shore, which suggests suitable oceanographic environment for culture of shellfish.

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

With respect to the application to amend the existing aquaculture licence and lease, there were no expected novel impacts to the other users of the public waters near the existing site.

The public right of navigation

If approved, the operator will be required to adhere to the site marking requirements according to their Notice of Works issued by Transport Canada under the *Canadian Navigable Waters Act*, reference number NPP#2011-200063.

The sustainability of wild salmon

There is no indication that continued operation of the site for shellfish aquaculture will pose ecological concerns or have an impact on the sustainability of wild salmon.

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

Site no. 1360 is located in the near-shore environment, adjacent to the shoreline of Olding Island. The site is located approximately 40 Meters from another Marine Shellfish Aquaculture site, AQ#1378 (issued to Chris and Shelly Strickland). There is no evidence to suggest that the extent of existing aquaculture in the harbour has exceeded the carrying capacity of the waters.

Decision:

Based on the factors considered above, licence and lease no. 1360 shall be amended to authorize suspended cultivation and bottom with gear cultivation methods in accordance with the applicant's proposal. Except as expressly amended, licence and lease no. 1360 shall remain unchanged in full force and effect, including any terms and conditions. The licence and lease documents shall be prepared in accordance with the Department's standard operating documents and shall be made publicly available subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.



Robert Ceschiutti
Aquaculture Administrator
Nova Scotia Department of Fisheries and Aquaculture

October 20, 2025

Date