

Decision – Application to Administrator

Application Summary:

Application Reference Number:	REF#603
Aquaculture Site Number:	AQ#0828
Application Class:	Class III
Application Type:	Assignment
Abstract:	Assignment of Licence and Lease No. 0828 to 4512617 Nova Scotia Ltd.
Applicant Name:	Vince Stuart (Estate)
Date Received by Department:	November 24, 2025
Location:	St. Mary's Bay
County:	Digby
Site Type:	Marine
Operation Type:	Commercial

Current Licence / Lease Information:

Site Size (in hectares):	24.00
Method(s) of Cultivation:	Suspended
Species:	Bay quahog, Blue mussel, Soft-shell clam, European oyster, Giant sea scallop, Sugar kelp
Term of Licence:	May 23, 2016 to May 23, 2026
Term of Lease:	May 23, 2016 to May 23, 2036

Decision:

Decision Issued:	Approved
Signature and Date:	
	Robert Ceschiutti, Aquaculture Administrator

Definitions:

The following are terms, acronyms and definitions that may appear in this document:

Act means the Nova Scotia *Fisheries and Coastal Resources Act*

Department means the Nova Scotia Department of Fisheries and Aquaculture

Regulations means the Nova Scotia *Aquaculture Licence and Lease Regulations*

Site History:

Aquaculture Licence and Lease No. 0828 were initially issued to Vince Stuart on May 24, 1996, for a 1-year term (May 24, 1996 to May 24, 1997), for the suspended cultivation of Giant sea scallop, on a 24.00 hectare site. In September, 1998, the licence and lease were renewed for a 10-year term (May 24, 1996 to May 24, 2006) and were also amended to authorize the cultivation of European oyster. In October, 2000, the licence and lease were amended to authorize the cultivation of Blue mussel, Soft-shell clam and Bay quahog. In June, 2007, the licence and lease were renewed for a 5-year term (May 24, 2006 to May 23, 2011). In April, 2012, the licence and lease were renewed for a 5-year term (May 24, 2011 to May 23, 2016). In November, 2016, the licence was renewed for a 10-year term (May 23, 2016 to May 23, 2026) and the lease was renewed for a 20-year term (May 23, 2016 to May 23, 2036). In March, 2021, the licence and lease were amended to authorize the cultivation of Sugar kelp.

Note that at this time there is an application in process to renew licence no. 0828.

Consultations on Application to Administrator:

Pursuant to Clause 32(a) of the Regulations, the Administrator must undertake consultations with any of the following as required under the laws of the Province or of Canada with respect to the application:

- A department or agency of the Government of Nova Scotia
- A department or agency of the Government of Canada

With respect to this assignment application, no consultations were required to be undertaken pursuant to Clause 32(a) of the Regulations.

Factors to be Considered:

Under Section 17(1) of the Regulations, in making decisions related to marine aquaculture sites, the Administrator must take into consideration the optimum use of marine resources, as determined by taking into consideration the following factors only:

- a) The contribution of the proposed operation to community and Provincial economic development;
- b) Fishery activities in the public waters surrounding the proposed aquacultural operation;
- c) The oceanographic and biophysical characteristics of the public waters surrounding the proposed aquacultural operation;
- d) The other users of the public waters surrounding the proposed aquacultural operation;
- e) The public right of navigation;
- f) For marine finfish applications, the sustainability of wild salmon;
- g) The number and productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation.

All of the above factors have been taken into consideration prior to making the decision on this application. The following is a summary of the outcomes of the Departmental review and any consultation undertaken (where indicated above). This summary is not intended to be an exhaustive account of the results following review and consultation.

The optimum use of marine resources

On July 9, 2021, the Department requested that The Estate of Vince Stuart confirm the intentions of the Estate with respect to the Licence/Lease. This could take one of three forms:

1. Continue to hold the Licence/Lease and to operate Aquaculture Site No. 0828 in accordance with the terms and conditions of the Licence/Lease, until administration of the Estate is complete, and Estate assets are distributed;
2. Applying to assign the Licence/Lease to another individual or company; or
3. Request revocation (cancellation) of the Licence/Lease (as part of discontinuing operations at Aquaculture Site No. 0828).

Initially, The Estate chose to continue to hold the Licence/Lease and operate Aquaculture Site No. 0828. On November 24, 2025, the Estate responded to the Department with a completed application to assign the Licence and Lease to 4512617 Nova Scotia Ltd. As this is an application to assign an existing Aquaculture licence and lease, and the assignee intends to use the site for commercial aquaculture, there are no expected novel impacts to the use of marine resources.

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

The application to assign this site did not appear to have any novel impacts (positive or negative) to the economic development of the community or Province.

Fishery activities in the public waters surrounding the proposed aquacultural operation

This application to assign an existing aquaculture licence and lease contained no expected novel impacts 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

This application to assign an existing Aquaculture licence and lease contained no expected novel impacts to the other users of the public waters near the existing site.

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

This application to assign an existing Aquaculture licence and lease contained no expected novel impacts to the other users of the public waters near the existing site.

The public right of navigation

The operator is 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 File No. 1994-200301.

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

Aquaculture site no. 0828 is located approximately 100 m west of the shoreline near to Belliveau's Cove, and is part of the St. Mary's Bay waterbody. Currently there are a total of seven (7) marine aquaculture sites in this body of water, the closest being site no. 1037 which is about 430 m to the southwest of site no. 0828. There is no evidence to suggest that the assignment (and continued operation) of this licence and lease would negatively impact the productivity of other aquaculture sites.

Decision:

Based on the factors considered above, the application to assign licence and lease no. 0828 to 4512617 Nova Scotia Ltd. is hereby approved.

Implementation:

The licence and lease documents shall be prepared in accordance with the Department's standard operating documents. The decision shall be deemed implemented once the licence and lease documents have been signed by all parties. The licence and lease shall be made publicly available subject to the provisions of the Freedom of Information and Protection of Privacy Act, once the decision has been implemented.