

Decision – Application to Administrator

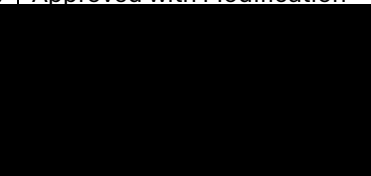
Application Summary:

Application Reference Number:	REF#547
Aquaculture Site Number:	AQ#0595
Application Class:	Class II
Application Type:	Renewal
Abstract:	Application to Renew Licence No. 0595
Applicant Name:	Scotch Cove Shellfish Limited
Date Received by Department:	June 23, 2025
Location:	Mahone Bay
County:	Lunenburg
Site Type:	Marine
Operation Type:	Commercial

Current Licence / Lease Information:

Site Size (in hectares):	2.03
Method(s) of Cultivation:	Suspended
Species:	Blue Mussel, American Oyster, Giant Sea Scallop, Bay Scallop
Term of Licence:	December 31, 2015 to December 31, 2025
Term of Lease:	December 31, 2015 to December 31, 2035

Decision:

Decision Issued:	Approved with Modification
Signature and Date	 August 25, 2026 Bruce Hancock, 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. 0595 was first issued by the Province on January 27, 1993, to Michael Dadswell for a ten-year term from February 1, 1993, to February 1, 2003, located in Mahone Bay, Lunenburg County. Amended to add Bay scallop and American Oyster on February 24, 1993. Amendment April 16, 1993, adding blue mussels. The Licence and Lease were renewed on September 4, 2003, for a 4-year term from July 1, 2004, to July 1, 2008. The Licence and Lease were assigned to Paul-Aime Joncas on October 18, 2004. The Licence and Lease were renewed on September 30, 2008, for a five-year term from July 2, 2008, to July 1, 2013. Licence and Lease were renewed on March 5, 2015, for a term of 2 years, 5 months, 3 weeks and 2 days from July 1, 2013, to December 31, 2015. Licence was renewed on June 24, 2016, for a ten-year term from December 31, 2015, to December 31, 2025. Lease was renewed on June 24, 2016, for a twenty-year term from December 31, 2015, to December 31, 2035. An amendment was approved on July 19, 2018, for a change to Schedule “B” and on January 22, 2026, the Licence was assigned from Paul-Aime Joncas to Scotch Cove Shellfish Limited.

Outcomes of Compliance Review:

Pursuant to section 33 of the Regulations, a compliance review of the applicant was conducted. The review identified a history of non-compliance related to lease boundary conformance and site-marking requirements at Aquaculture Site AQ#0595. Inspections conducted between 2023 and 2026 documented aquaculture equipment located outside the approved lease boundary and the absence of required lease corner markers. These matters resulted in enforcement action and a conviction for failure to comply with site-marking requirements. Subsequent observations conducted by Department staff indicated that site-marking deficiencies had not been fully addressed and additional concerns regarding compliance remained under review by enforcement authorities.

I am satisfied that these issues are significant and warrant continued regulatory oversight. While the licence holder has undertaken steps intended to address the identified deficiencies, the compliance history supports the imposition of additional conditions on the renewed licence to ensure continued compliance with licence, lease and regulatory requirements.

As a result of the compliance review, I have determined that a variation to the licence is appropriate.

Outcomes of Performance Review:

Pursuant to section 34 of the Regulations, a performance review of Aquaculture Site AQ#0595 was conducted. The review confirmed that the site remains active and stocked for the commercial cultivation of shellfish and that a current Farm Management Plan has been approved for implementation. The review also determined that the site continues to be utilized for aquaculture purposes and that the licence holder has made substantial investments in equipment, infrastructure, and operational capacity intended to support future production. However, the review identified concerns regarding the productivity of the site during the previous licence term. Historical production records indicate substantial stocking activity over the review period but comparatively limited reported harvest and sales. I am satisfied that the site continues to be utilized for aquaculture purposes; however, additional monitoring of site performance is warranted to assess whether the improvements and investments described by the licence holder result in increased utilization and productivity during the renewed licence term.

As a result of the performance review, I have determined that a shorter licence term and a future performance review are appropriate in order to evaluate the effectiveness of the measures undertaken by the licence holder to improve site productivity and utilization.

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

As such, consultations were undertaken with the following departments or agencies:

Government of Nova Scotia:

- Department of Fisheries and Aquaculture

Public Submissions on Application to Administrator:

Pursuant to Clause 32(c) of the Regulations, the Administrator must undertake consultations with the public, in the manner provided in Section 43 of the Regulations.

Pursuant to Section 43 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 a 30-day period, from February 4, 2026, to March 6, 2026.

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

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 contribution of the proposed operation to community and Provincial economic development

The proposed operation contributes to community and provincial economic development through ongoing shellfish aquaculture production, investment in vessels, infrastructure and aquaculture equipment, and the use of local suppliers and service providers. The applicant has identified plans to maintain and expand employment opportunities associated with the operation and to continue investing in the site. Renewal of the

licence is expected to support continued economic activity within the local community and the broader aquaculture sector in Nova Scotia.

Fishery activities in the public waters surrounding the proposed aquacultural operation

The site has existed in Mahone Bay since 1993 and has historically coexisted with surrounding fisheries, including the lobster fishery. No evidence was identified during the review indicating that renewal of the licence would result in unacceptable interference with existing fishery activities. As the application seeks renewal of an existing operation without significant changes to cultivation methods, species, or site size, I am satisfied that the operation can continue to coexist with surrounding fishery activities.

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

Departmental review concluded that the site remains suitable for the cultivation of shellfish. The site has supported commercial shellfish production for many years and the oceanographic and biophysical conditions of Mahone Bay continue to be suitable for the authorized species and cultivation methods. While storms and changing environmental conditions have affected production in recent years, the available information indicates that the site remains capable of supporting aquaculture operations.

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

The application proposes no substantive changes to the operation. Departmental review did not identify any significant adverse impacts on other users of the surrounding public waters. The site has historically coexisted with recreational, commercial and other marine users within Mahone Bay. Furthermore, no public comments were received during the public consultation process. Accordingly, I am satisfied that renewal of the licence is unlikely to result in significant adverse effects on other users of the surrounding public waters.

The public right of navigation

The site is subject to approval issued under the Navigation Protection Program and no changes to the authorized site configuration are proposed through this application. While compliance concerns relating to site marking were identified through the Compliance Review, I am satisfied that the navigational footprint of the site remains acceptable. Continued compliance with all site-marking requirements is necessary to ensure protection of the public right of navigation and will be addressed through licence conditions.

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

The continued operation of AQ#0595 is not expected to adversely affect nearby aquaculture operations or impede future aquaculture development within the area. Departmental review concluded that the site has historically coexisted with other aquaculture operations in Mahone Bay and that renewal of the licence supports the orderly development of aquaculture within the region.

Decision:

I have considered the application, the technical review, the compliance review, the performance review, the public consultation process, and the factors prescribed by subsection 17(1) of the Regulations.

The information before me demonstrates that the site remains suitable for the authorized shellfish species and cultivation method and that its continued operation is compatible with surrounding fisheries, other users of the public waters, navigation interests, and the orderly development of aquaculture in the area. No public comments were received during the consultation process. The site continues to be used for aquaculture purposes and the licence holder has identified planned investments and operational changes intended to improve productivity and long-term viability.

I have also considered the outcomes of the compliance review and performance review. The compliance review identified a need for increased oversight of site-marking requirements and boundary conformance. The performance review identified a need to further assess site utilization and productivity during the next licence term. While these concerns do not warrant refusal of the application, they support a shorter licence term and additional monitoring of the operation.

Based on the factors considered above, and having considered the optimum use of marine resources in reaching this determination, the application to renew Aquaculture Licence No. 0595 is hereby approved with modifications. The licence shall be renewed for a term of five (5) years, commencing January 1, 2026 and expiring December 31, 2030.

Modifications:

1. A compliance review shall be conducted annually throughout the term of the licence. Each review shall include an assessment of compliance with site-marking requirements and lease boundary conformance.
2. A performance review shall be conducted on or after the second anniversary of the renewed licence term to assess site utilization, productivity, and progress in implementing the production plan considered as part of this renewal application.

The results of future compliance reviews and performance reviews may be considered in determining whether further administrative action is warranted under the Act or Regulations.

Implementation:

The licence documents shall be prepared in accordance with the Department's standard operating documents. The decision shall be deemed implemented once the licence documents have been signed by all parties. The licence 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.