

Decision – Application to Administrator

Application Summary:

Application Reference Number:	REF#592
Aquaculture Site Number:	AQ#0335
Application Class:	Class II
Application Type:	Renewal
Abstract:	Application to renew aquaculture licence no.0335
Applicant Name:	Allen J. MacDonald
Date Received by Department:	October 8, 2025
Location:	Tatamagouche Bay
County:	Colchester
Site Type:	Marine
Operation Type:	Commercial

Choose an item. Choose an item. Information:

Site Size (in hectares):	4.88
Method(s) of Cultivation:	Bottom without gear
Species:	American Oyster
Term of Licence:	April 17, 2016, to April 17, 2026
Term of Lease:	April 17, 2016, to April 17, 2036

Decision:

Decision Issued:	Approved
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 / lease no.0335 was first licensed by the Province on April 1, 1981, for a 20-year term, from April 1, 1981, to April 1, 2001, for the bottom without gear cultivation of American oyster on a 4.88-hectare site located in Tatamagouche Bay, Colchester County. July 27, 1995, Assignment to Allen Joseph McDonald. April 17, 2001, Renewal April 17, 2001, April 17, 2011. On September 7, 2011, renewal April 17, 2011, to, April 16, 2016. May 17, 2016, renewal licence April 16, 2016, to April 16, 2026, Lease April 16, 2016, to April 16, 2036.

Outcomes of Compliance Review:

Pursuant to Section 33 of the Regulations, a compliance review of the applicant was conducted in accordance with Sections 86 and 87 of the Regulations. The review included consideration of information provided by Nova Scotia Department of Natural Resources Conservation Officer Services and a review of available justice records.

The compliance history report identified a complaint associated with a 2018 inspection concerning a missing corner buoy and other buoys reported to be in incorrect locations. The report does not indicate that corrective action was taken. No written warnings, summary offence tickets, charges, or convictions under the Fisheries and Coastal Resources Act, the Aquaculture Management Regulations, the Aquaculture Licence and Lease Regulations, or the terms and conditions of an aquaculture licence or lease were identified.

The justice records review identified no charges against the applicant. The Compliance Review did not identify any significant concerns, and the available review documentation records no in-process charges or convictions within the scope of the review.

I conclude that no action is necessary as a result of the Compliance Review.

Outcomes of Performance Review:

Pursuant to Section 34 of the Regulations, a performance review of aquaculture site AQ#0335 was conducted in accordance with Sections 89 and 90 of the Regulations.

The review indicates that the site was assigned to the current licence holder in 1995 and has been used for the bottom cultivation of American oyster without gear. Production has been reported during the review period, including small-scale oyster production and the collection and sale of oyster seed. The site has experienced shellfish losses associated with ice and predators. An approved Farm Management Plan is in place, and no prior notices, warnings, or other actions related to site productivity were identified.

The technical review found the production plan to be reasonable. The authorized species is suitable for cultivation in Nova Scotia, the site is supplied through natural or wild set, and the proposed stocking levels were not identified as a concern. The site has historically supported bottom cultivation and natural set.

I conclude that the site continues to be utilized for its authorized purpose and that no action is necessary as a result of the Performance Review.

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

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 18, 2026, to March 20, 2026.

One (1) submission was received by the Department during the 30-day public comment period. Of the One (1) submissions received, One (1) in general met the requirements set out in subsection 43(4) of the Regulations (see below for exceptions) and have been included with this document (refer to **Supplement 1: Written Public Submissions**).

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 application is for the renewal of an existing aquaculture operation, with no proposed change to its scale or nature. The site supports commercial shellfish production and has historically used local and provincial services and suppliers. Recent production information indicates that the operation provides seasonal, part-time employment. No adverse economic impacts associated with the renewal were identified.

The continued operation of the site is expected to maintain its contribution to economic activity in the local community and the Province.

Fishery activities in the public waters surrounding the proposed aquacultural operation

The application does not propose changes to the authorized species, cultivation method, or site boundaries. This established site has coexisted with fisheries activities in the area, and the review identified no known impacts on surrounding fisheries. No additional mitigation measures were identified as necessary for the renewal.

The renewal is compatible with fishery activities in the surrounding public waters.

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

The site has historically supported the bottom cultivation of American oyster. The oceanographic and benthic environments have supported continued production and natural set at this location. The shellfish growing area is classified as open and approved.

Seasonal ice has caused mortality at the site. The technical review notes that ice conditions of this nature are typical for oyster sites on the North Shore and does not identify those conditions as making the site unsuitable for its authorized use.

The oceanographic and biophysical characteristics of the public waters remain suitable for the continued operation of the site.

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

One written public comment was received. The comment raised concerns regarding the site's proximity to shore and potential effects on the coastal environment, nearby property owners, and recreational use. The issues identified included water quality, sediment and nutrient changes, turbidity, marine ecology, odours, airborne particulates, waste accumulation, and visual impacts.

The concerns were considered in relation to the application and the Departmental review. The application is for the renewal of an existing bottom-cultivation site without gear and does not propose an expansion, a change in cultivation method, or a change in the authorized species. The technical review found that the site has coexisted with other users of the public waters for many years and did not identify new impacts expected to arise from the renewal.

The renewal is compatible with other uses of the surrounding public waters.

The public right of navigation

The site is authorized for bottom cultivation without gear. No gear is used on the site, and no change to the site configuration or cultivation method is proposed. The technical review identified the operation as bottom cultivation without gear and did not identify any navigation concern requiring modification of the application.

The renewal is not expected to adversely affect the public right of navigation.

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

The site has coexisted with other shellfish and marine plant aquaculture sites in Tatamagouche Bay for many years. The technical review did not identify any expected adverse effect on the operation or productivity of surrounding aquaculture sites. It also concluded that renewal would not impede existing sites or further aquaculture development in the area.

The renewal is compatible with the continued and orderly development of aquaculture in the surrounding public waters.

Decision:

The compliance and performance reviews did not identify matters requiring action by the Administrator. The technical review concluded that the renewal is supportable, and nothing was identified through the technical, operational, aquatic animal health, or licensing reviews that would warrant rejection of the application. The public submission and the issues raised in it have also been considered.

Having considered the seven factors set out in subsection 17(1) of the Regulations, I am satisfied that the continued operation of this established shellfish site represents an optimum use of marine resources. The site remains suitable for its authorized purpose, continues to support shellfish production, is compatible with fisheries, navigation, other users and nearby aquaculture operations, and does not require changes to its scale, configuration, species, or cultivation method.

The application by Allen J. MacDonald to renew Aquaculture Licence No. 0335 for the bottom cultivation of American oyster without gear on the 4.88-hectare site located in Tatamagouche Bay, Colchester County, is hereby approved.

The licence is renewed for a term of ten years, from April 18, 2026, to April 17, 2036.

Modifications:

No modifications.

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.

Supplement 1: Written Public Submissions

Written Public Submissions via email (1 pages)

The Department does not endorse, and is not responsible for, the content of the included submissions, including, but not limited to, the accuracy, reliability, or currency of the information contained wherein.

Wherever they may occur, text within public submissions will have been redacted by the Department for the purpose of protecting personal information, including but not limited to, names, addresses, and contact information, with the exception of the following:

- The name and community of the individual submitting the written public comment
- The name of the applicant and any authorized contacts, as listed on the application form
- Names and contact information of politicians
- Names and contact information of municipal, provincial, and federal employees
- Names of aquaculture licence holders
- Names of authors of published works

The Department also reserves the right not to post submissions or to redact certain details from submissions, in accordance with the Terms of Use for government websites, web applications or web communications (copy of terms available at <https://beta.novascotia.ca/terms>).

Constance LeBlanc and Robert Chan



To Whom It May Concern,

Re. REF# 592, Tatamagouche Bay, Colchester County, Licence number 0335

We are writing to express our concern regarding the shellfish farming operation within 500 meters of our shorefront property in Tatamagouche Bay. We are requesting this renewal not allow for expansion of this operation and ideally relocate to 800 meters from the shoreline.

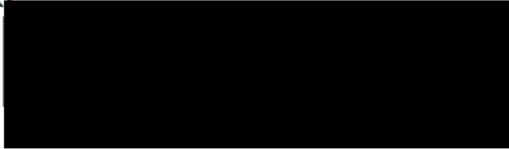
Our family has owned and enjoyed this property for more than a decade, and we are proud to have maintained its pristine condition and natural beauty. The proximity of this aquaculture site poses issues that with time, may impact the environment and enjoyment of our property. The proximity of a shellfish farm this close to shore risks altering the water quality in this sensitive coastal zone over time. Shellfish operations can disrupt sediment balance and nutrient flows, increased turbidity and leading to localized changes in marine ecology. These effects are particularly concerning specifically in proximity to areas used for swimming, boating, and recreation.

Air quality and odor are also concerns should the operation be expanded. The accumulation of organic material, equipment maintenance, and potential waste buildup in warmer months may result in unpleasant smells and airborne particulates that drift toward nearby homes. Given the prevailing winds and the short distance from shore, any such effects would be immediately noticeable on our property and would significantly reduce our ability to enjoy our property. Finally, the visual and aesthetic impact of a large aquaculture operation positioned only 500 meters offshore is of some concern.

Although we do not object to a renewal of this licence, we respectfully request that the shellfish farming operation not be expanded and ideally be relocated to 800 meters from the shore.

Thank you for your attention to this matter.

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Constance LeBlanc and Robert Chan