Department of Fisheries and Aquaculture
Aquaculture Division, Licensing & Leasing Unit
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Decision – Application to Administrator

Application Summary:

Application Reference Number:	REF#596
Aquaculture Site Number:	AQ#0995
Application Class:	Class II
Application Type:	Renewal
Abstract:	Application to Renew Licence No.0995
Applicant Name:	Bay Tender Shellfish Limited
Date Received by Department:	December 1, 2025
Location:	Mahone Bay
County:	Lunenburg
Site Type:	Marine
Operation Type:	Commercial

Current Licence / Lease Information:

Site Size (in hectares):	1.00
Method(s) of Cultivation:	Suspended
Species:	Blue mussel, Giant Sea scallop
Term of Licence:	June 3, 2016 – June 3, 2026
Term of Lease:	June 3, 2016 – June 3, 2036

Decision:

Decision Issued:	Approved
Signature and Date:	[redacted] September 27, 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 was first issued to Michael J. Dadswell on June 3, 1996, for a ten-year term from June 3, 1996, to June 3, 2006, for the suspended cultivation of Blue mussel and Giant Sea scallop on a 1.00-hectare site located in Mahone Bay, Lunenburg County. Licence and Lease were assigned from Michael J. Dadswell to Bay Tender Shellfish Limited on October 13, 2004. Licence and Lease were renewed on August 23, 2006, for a five-year term from June 3, 2006, to June 3, 2011. Licence and Lease were issued to Bay Tender Shellfish Limited on January 11, 2012, for a five-year term from June 3, 2011, to June 2, 2016. The licence was renewed on June 17, 2016, for a ten-year term from June 3, 2016, to June 3, 2026, and the lease was renewed for a 20-year term from June 3, 2016, to June 3, 2036. The Licence and Lease were amended on July 14, 2023, to change the site boundaries (no increase in size).

Outcomes of Compliance Review:

Pursuant to Section 33 of the Regulations, a compliance review was conducted of the applicant in accordance with Sections 86 and 87 of the Regulations.
The compliance review found no complaints, written warnings, summary offence tickets, charges, or convictions relating to the operator or AQ#0995. The review identified a concern regarding anchors and culture lines extending beyond the approved lease boundaries. The operator subsequently applied to amend the site boundaries and the matter was reviewed by Department staff. Aside from this issue, no significant compliance concerns were identified and no action against the licence or lease was recommended as a result of the compliance review.

Outcomes of Performance Review:

Pursuant to Section 34 of the Regulations a performance review was conducted of the aquaculture site in accordance with Sections 89 and 90 of the Regulations.
The performance review confirmed that AQ#0995 is an established and active shellfish aquaculture operation. The site has operated for more than twenty years, continues to be stocked and utilized, and operates under an approved Farm Management Plan. Department staff concluded that the site has demonstrated continued productivity and utilization consistent with its intended purpose. No administrative action was recommended 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
- 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 Wednesday, April 8, 2026 (at 12:00 AM), and ended on Friday, May 8, 2026 (at 11:59 PM).

There were no submissions 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 application proposes the continued operation of an established shellfish aquaculture site in Mahone Bay. The operation contributes to economic activity through employment and the purchase of equipment, supplies, vessel services, fuel, maintenance services, and other inputs required to support production. The Department's review concluded that renewal of the licence will support ongoing economic benefits associated with shellfish aquaculture and identified no adverse economic impacts arising from the continued operation of the site.

Fishery activities in the public waters surrounding the proposed aquacultural operation

The renewal application does not propose any change to the existing site footprint, licensed species, or cultivation methods. The site has operated in this location for many years and the Department did not identify any significant impacts on surrounding fisheries activities. The review concluded that renewal of the licence is not expected to result in any material change to interactions with commercial, recreational, or Indigenous fisheries within the area.

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

AQ#0995 has a long history of successful shellfish production and the site continues to support the cultivation of the licensed species. Department staff determined that the existing environmental conditions remain suitable for the proposed operation and that continued operation is consistent with the site's demonstrated production history. No significant concerns relating to the oceanographic or biophysical characteristics of the site were identified through the review process.

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

The application proposes the continuation of an existing operation and does not involve an expansion of the site or a significant operational change. Department staff concluded that the renewal is not expected to adversely affect other users of the surrounding public waters. The public consultation process did not identify concerns respecting recreational use, commercial activities, adjacent property interests, or other uses of the area.

The public right of navigation

The site is subject to a valid federal navigation approval and has operated in this location for an extended period. The renewal does not alter the existing site configuration or the navigation requirements that apply to the operation. Provided the site continues to comply with applicable federal and provincial requirements, it has been determined that the public right of navigation will continue to be protected.

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

The Department reviewed the relationship between AQ#0995 and aquaculture activities occurring in the surrounding area. The review concluded that renewal of the site is not expected to adversely affect neighbouring aquaculture operations or the productivity of other aquaculture sites. Continued operation of AQ#0995 is considered compatible with existing aquaculture activities in the area.

Decision:

In making this decision, I considered the application and Development Plan submitted by the applicant, the outcomes of the compliance review and performance review, the Department's technical review, the results of public consultation, and the requirements of the Fisheries and Coastal Resources Act and the Aquaculture Licence and Lease Regulations. No public comments were received during the consultation process.

The information before me demonstrates that AQ#0995 is an established and actively utilized shellfish aquaculture site. The site continues to contribute to economic activity in the area, is compatible with existing uses of the surrounding waters, and remains suitable for the cultivation of the licensed species. While the compliance review identified a lease-boundary concern, the overall compliance and performance records do not indicate concerns that would warrant refusal of the application.

Having considered the factors prescribed by the Regulations and the optimum use of marine resources at this location, I find that the continued operation of AQ#0995 for the suspended cultivation of blue mussel and giant sea scallop represents an appropriate and sustainable use of the marine resource.

Accordingly, Application REF#596 to renew Aquaculture Licence AQ#0995 is approved. The licence shall be renewed for a ten-year term, from June 4, 2026 to June 3, 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.