

Decision – Application to Administrator

Application Summary:

Application Reference Number:	REF#600
Aquaculture Site Number:	AQ#0177
Application Class:	Class II
Application Type:	Renewal
Abstract:	Application to Renew Licence No. 0177
Applicant Name:	Paul Budreski
Date Received by Department:	January 30, 2026
Location:	Little Harbour
County:	Pictou
Site Type:	Marine
Operation Type:	Commercial

Current Licence / Lease Information:

Site Size (in hectares):	22.24
Method(s) of Cultivation:	Bottom cultivation without gear (seeding only)
Species:	American Oyster, Bay Quahog, Bay Scallop, Bar Clam
Term of Licence:	February 27, 2016, to February 27, 2026
Term of Lease:	February 27, 2016, to February 27, 2036

Decision:

Decision Issued:	Approved
Signature and Date:	 September 23, 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:

A Licence and Lease was originally issued to Little Harbour Fisheries on February 27, 1991, for a ten-year term from February 27, 1991, to February 27, 2001, for bottom cultivation without gear of American oyster, Bay scallop, Bar clam and Bay quahog located in Little Harbour, Pictou County. The Licence and Lease were assigned from Little Harbour Fisheries to Paul Budreski on July 15, 1993. The Licence and Lease were renewed on January 9, 2001, for a five-year term from February 27, 2001, to February 27, 2006. The Licence and Lease were renewed on June 16, 2006, for a five-year term from February 27, 2006, to February 27, 2011. The Licence and Lease were renewed on March 9, 2011, for a five-year term from February 27, 2011, to February 26, 2016. The Licence was renewed on June 10, 2016, for a ten-year term from February 27, 2016, to February 27, 2026, and the Lease was renewed on June 10, 2016, for a twenty-year term from February 27, 2016, to February 27, 2036.

Outcomes of Compliance Review:

Pursuant to Section 33 of the Regulations, a compliance review was conducted for Paul Budreski and associated entities in accordance with sections 86 and 87 of the Regulations.

The review identified one concern related to a separate aquaculture site, AQ1112, where cultivation gear was observed during a 2023 inspection on a site authorized only for bottom culture without gear. A referral of non-compliance was drafted but not submitted, and the operator subsequently applied for an amendment to authorize gear use at that site. No complaints, warnings, charges, convictions, Aquatic Animal Health concerns, or Justice database issues were identified during the review. The Administrator determined that no compliance actions were necessary in relation to this application.

Outcomes of Performance Review:

Pursuant to Section 34 of the Regulations, a performance review was conducted on site AQ#0177 in accordance with Sections 89 and 90 of the Regulations.

The performance review found that AQ#0177 has continued to produce shellfish and remains an active aquaculture operation. Production has generally remained below the targets identified in the renewal plan; however, the site has demonstrated consistent production of American oyster and bay quahog over time. Factors affecting productivity include variable natural recruitment, invasive species, predation, storms, ice conditions, and increased filamentous seaweed. The site remains suitable for shellfish cultivation, continues to contribute to aquaculture production in Little Harbour, and no significant performance concerns were identified that would warrant administrative action.

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 March 4, 2026, to April 3, 2026.

There were no written 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

AQ#0177 is an established commercial shellfish site that has operated in Little Harbour for many years. Renewal of the licence will support the continued cultivation and harvest of American oyster and bay quahog and the associated use of local services and suppliers. No changes to the operation are proposed, and no adverse economic impacts were identified through the review process.

Fishery activities in the public waters surrounding the proposed aquacultural operation

The application is for renewal of an existing site with no proposed changes to site boundaries, species, or cultivation methods. Departmental review concluded that the site has co-existed with fisheries activities in the area and that no known impacts to surrounding fisheries have been identified.

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

The site has a long history of shellfish production and annual operation, demonstrating that the oceanographic and biophysical conditions of Little Harbour are suitable for bottom shellfish cultivation. The review found that the benthic and environmental conditions continue to support the proposed use of the site. Although storms, ice, predators and variable recruitment have influenced production, these are typical

conditions for shellfish cultivation on the North Shore and do not preclude continued operation. The site is also located within waters classified as approved under the Canadian Shellfish Sanitation Program.

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

No changes are proposed to the existing operation and no impacts to other users of the public waters were identified. The site has operated in its current configuration for many years and has co-existed with adjacent users of the waterbody. No public submissions were received identifying concerns relating to other users.

The public right of navigation

The application proposes no changes to the size, location, or cultivation method of the existing site. The site is authorized for bottom cultivation without gear and does not require navigation approvals associated with surface structures. No concerns regarding navigation were identified through the review process or public consultation.

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

The review concluded that renewal of AQ#0177 is expected to complement the continued development of aquaculture in the region. No impacts to nearby aquaculture operations were identified and the site is not expected to impede the productivity or orderly development of other aquaculture sites in Little Harbour. The nearest aquaculture site is AQ#1224, which is also operated by the applicant.

Decision:

After considering the application, the outcomes of the compliance review, the outcomes of the performance review, the departmental technical review, the public consultation process, and each of the factors prescribed by subsection 17(1) of the Regulations that apply to a shellfish aquaculture operation, I find that renewal of AQ#0177 promotes the optimum use of marine resources. The site has a demonstrated history of shellfish production, suitable environmental conditions, no identified impacts to fisheries, navigation, or other users of the public waters, and is expected to continue contributing to aquaculture activity in Little Harbour. No information was identified during the review process that would support refusing the application.

Accordingly, the application to renew Aquaculture Licence No. 0177 is approved. The licence shall be renewed for a ten-year term from February 28, 2026, to February 27, 2036.

Modifications:

None.

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.