

NSARB 2023-001

NOVA SCOTIA AQUACULTURE REVIEW BOARD

Applications by KELLY COVE SALMON LTD. for a BOUNDARY AMENDMENT and TWO NEW MARINE FINFISH AQUACULTURE LICENSES and LEASES for the cultivation of ATLANTIC SALMON (*Salmo salar*) - AQ#1205x, AQ#1432, AQ#1433 in LIVERPOOL BAY, QUEENS COUNTY.

Affidavit of Eric Goulden

I, Eric Goulden, of Beach Meadows, Regional Municipality of Queen's, Nova Scotia, affirm as follows:

1. My wife Karen and I live at [REDACTED], in Beach Meadows, near Liverpool, Nova Scotia. Our home sits right off Beach Meadows Beach and is located approximately 1 km from Kelly Cove Salmon Ltd. ("KCS")'s existing open net pen salmon farming site at Coffin Island (AQ#1205). Attached to my affidavit as **Exhibit A** is a photograph of our home I took on December 24, 2023. **Exhibit B** is a copy of a survey of our property that we received from the seller when we purchased our home and our parcel is labelled as Lot 2-B on Exhibit B.
2. The first page of **Exhibit C** is a screenshot from Google maps showing the location of our home in relation to Liverpool Bay. Our home is at the location indicated by the arrow on the upper right. **Exhibit C** also contains screenshots of our property taken from Viewpoint.ca in "Map" view and then in "Satellite" view. In both views our property is labelled with "[REDACTED]" (our civic address number).
3. My wife Karen and I purchased our home in Beach Meadows in 2013. It is known as the Kidd House, built in 1999 by the architect Brian MacKay-Lyons and featured in the book "The Work of MacKay-Lyons Sweetapple Architects Economy as Ethic." We purchased our house because of its beautiful views, its proximity to the beach and the water, and because of the surrounding community. Our front door is only about 34 metres away from the highwater line on Beach Meadows Beach. There is a boardwalk leading directly to the beach from our house. We chose our home because of its proximity to the Beach and its many windows that allow us to enjoy the views of Liverpool Bay. Attached as **Exhibit D** is a photo of Beach Meadows Beach I took facing north from our deck on September 7th, 2023.

4. During storms, the ocean spray sometimes reaches our windows, as shown in the attached photograph of our house taken by our neighbour Lynda MacRae during Hurricane Lee on September 16, 2023 (**Exhibit E**). Our home was specially designed to “float” on piles, instead of a traditional foundation, to minimize its footprint and its impacts on the sensitive beach dune ecosystem.
5. We can also see KCS’s existing operation at Coffin Island from our southern and eastern facing windows and deck. I took a photo from my deck on December 12, 2023 looking south with the Coffin Island site in the distance (**Exhibit F**). I also photographed a close-up of the Coffin Island site from my home on September 16, 2023 during Hurricane Lee (**Exhibit G**).
6. We are concerned that the proposed large expansion at the Coffin Island site, along with two new salmon farming sites in the other locations proposed for Liverpool Bay, will have a significant and detrimental impact on the local environment and our community, as well as on our own enjoyment of our Beach and our cherished ocean views.

My life in Liverpool

7. My family has lived in Nova Scotia for 5 generations. I was born in Halifax Nova Scotia, and as a young adult, I worked in the cable television industry in Halifax for 4 years. I then moved to Southern Ontario where my family and I lived for the next 40 years. During those years, I built and ran telecommunications companies called Telonix and Algonquin Fiber. I am currently in the process of selling both businesses.
8. My wife and I lived part-time at our home after buying it in 2013, and moved there permanently in 2020. I have also taken up a new opportunity as a property developer. I own a company [REDACTED] Nova Scotia Ltd) that repurposes old buildings into modern and energy efficient buildings and rental units. Through my company I now own 13 residential units and 4 commercial units in Liverpool.
9. My rental units are located on Main Street in Liverpool and on School Street in nearby Milton Nova Scotia, within a five-minute drive of Liverpool Bay. These locations enable my tenants to live near the water and access it as a free and accessible form of recreation. 12 of my residential units are wheelchair accessible. It was important to me to ensure that the units were accessible so that they would be a viable housing option for seniors in the Liverpool area. Fortunately, Beach Meadows Beach also has accessibility mats, so many people with mobility limitations can enjoy the Beach. I am concerned that an expansion of the KCS Coffin Island site may make the Beach an unpleasant or unsafe place for my tenants to spend time, significantly impacting their options for affordable and accessible recreation in the area.
10. I enjoy being involved in the community of Liverpool. I am a transportation volunteer with the Victorian Order of Nurses, and a building advisor with Queen’s Neighborhood

Housing Cooperative. From about 2019 to 2023, I was a member of the Queens County Chamber of Commerce. I am also an active member of the intervenor Protect Liverpool Bay Association (“**PLBA**”). I joined PLBA at its inception in 2018.

11. My wife and I greatly enjoy our daily walks on Beach Meadows Beach with our dog Rosie. I also enjoy joining friends on their boats for recreational catch-and-release fishing in Liverpool Bay. I am concerned that the expanded and new fish farms will interfere with our ability to navigate in the Bay and will obstruct prime fishing spots. I am also concerned that the large increase in farmed fish in Liverpool Bay could negatively impact the health of the Bay’s wild fish and expose them to diseases, further disrupting our ability to fish recreationally in Liverpool Bay.
12. My children and grandchildren also spend much of their time enjoying the Beach and swimming there when they come to visit several times per year. I am concerned that if this lease expansion is approved, the added waste in the water will make it unpleasant or unsafe to swim and use Beach Meadows Beach.

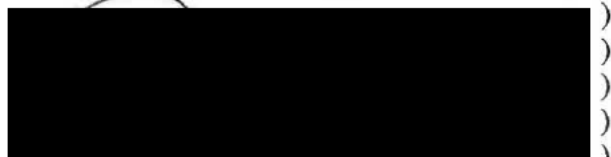
Observed pollution from the Coffin Island site

13. We have experienced impacts from the Coffin Island site and worry that increasing the size of KCS’s operation in Liverpool Bay will also increase the negative impacts of the farm on our Beach and on the environment and the residents of Liverpool.
14. On our daily walks on the Beach with our dog, we often come across debris, including buoys, ropes, netting and general plastic garbage, which appear to come from the KCS Coffin Island operation. Attached to this affidavit as **Exhibit H** are several photographs I took of fragments of broken plastic material and piping which I believe to come from the Coffin Island site. I took those photographs upon finding these items on the Beach on September 17, 2023, the day after Hurricane Lee had passed through the Bay. During the time I have lived at Beach Meadows, I have often seen debris on the Beach similar to the material I found on September 17, 2023.
15. I have also seen several buoys that appear to be from KCS’s Coffin Island site washed up on and around Beach Meadows Beach. Attached as **Exhibit I** is a photograph I took on July 11, 2021 of a large KCS buoy that had washed up near our home on Beach Meadows Beach. To show the size of the buoy, my wife Karen (who is over five feet tall) is standing beside the buoy in the photo. Some of the buoys that have washed up on the Beach are similar in size to the one shown in **Exhibit I**, and some are smaller. This buoy and ones like it that I have seen are made of hollow yellow plastic and filled with tiny Styrofoam beads. **Exhibit J** is a photo I took on September 24, 2023 of my hand holding some of the Styrofoam beads from another of KCS’s buoys that had washed up on the Beach. I have seen that when these buoys break, the Styrofoam beads can spread over the Beach and mix in with the sand, making them very difficult to clean up. I am concerned

- that, if KCS expands its aquaculture operation in Liverpool Bay, even more buoys will break up and wash up on the beach, further polluting the beach with Styrofoam beads.
16. Near my home, I also frequently find short ropes washed up on the shore of Beach Meadows Beach. These ropes are approximately four feet long and appear to be unused (not weathered or frayed). I believe that these ropes are coming from KCS's operation at Coffin Island because I have seen similar ropes in the boats used by KCS.
 17. Our neighbour [REDACTED], advised me, and I do believe, that he took the photograph attached as **Exhibit K** on September 17, 2023 of a fish feed bag he found on Beach Meadows Beach. KCS has since confirmed that the bag came from the Coffin Island site.
 18. This debris generally remains on the Beach unless I or someone else picks it up, or unless we report it to KCS. When reported to KCS, the buoys and large debris will be picked up, but smaller pieces and Styrofoam beads continues to accumulate on the Beach.
 19. The debris appears on the Beach at all times of the year, but I have noticed that much more debris appears after severe weather events. I am concerned that, with a trend toward more extreme weather due to climate change, and a significant expansion of KCS's operation in Liverpool Bay, much more debris will collect on our Beach and on other area beaches. This debris is unsightly and the spread of plastic fragments and Styrofoam pieces are environmental threats, which together will negatively impact our ability to enjoy the natural beauty of our Beach and Liverpool Bay.
 20. I have reviewed the Fisheries and Oceans report entitled *DFO Maritimes Region Science Review of the Proposed Marine Finfish Aquaculture Boundary Amendment and New Sites, Liverpool Bay, Queens County, Nova Scotia* (Science Response 2022/039). Our home and property falls within the Predicted Exposure Zones for the Coffin Island expansion set out in Figures 5 and 7 in that report (see excerpts of those figures from pages 13 and 16 respectively attached as **Exhibit L**). It is of great concern to me that my property and the beaches and waters used by me and my family would be within the predicted exposure zones for fish feces and other possible pollutants emanating from the proposed expansion to aquaculture in Liverpool Bay.

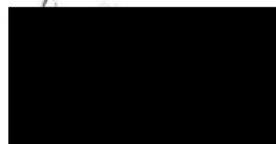
21. I affirm this affidavit in support of PLBA's intervention before the Aquaculture Review Board and for no other or improper purpose.

AFFIRMED before me on this
18th day of January, 2024
at Beach Meadows, Regional Municipality
of Queen's, Nova Scotia




A Commissioner of Oaths in and for the
Province of Nova Scotia

James Gunvaldsen Klaassen
A Barrister of the
Supreme Court of Nova Scotia



Eric Goulden


This is **Exhibit "A"** referred to in the affidavit of
Eric Goulden, affirmed before me
this 18th day of January, 2024.



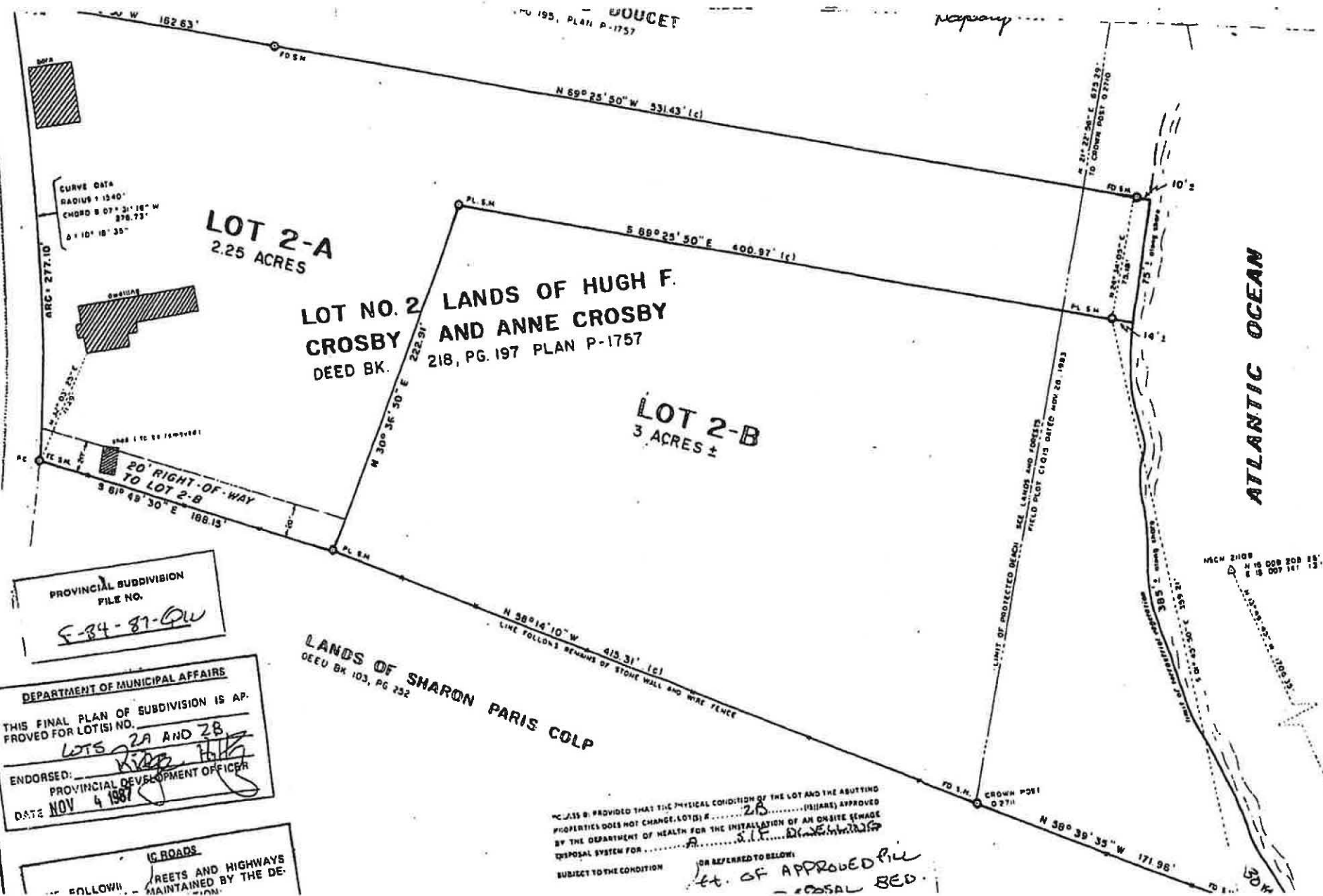
James Gunvaldsen Klaassen
A commissioner of the
Supreme Court of Nova Scotia



This is **Exhibit "B"** referred to in the affidavit
of **Eric Goulden**, affirmed before me
this 18th day of January, 2024.



James Günvaldsen Klaassen
A commissioner of the
Supreme Court of Nova Scotia



PROVINCIAL SUBDIVISION
FILE NO.
F-84-87-QU

DEPARTMENT OF MUNICIPAL AFFAIRS
THIS FINAL PLAN OF SUBDIVISION IS APPROVED FOR LOT(S) NO.
LOTS 2A AND 2B
ENDORSED: *[Signature]*
PROVINCIAL DEVELOPMENT OFFICER
DATE **NOV 4 1987**

ROADS
STREETS AND HIGHWAYS
MAINTAINED BY THE DEPARTMENT

LANDS OF SHARON PARIS COLP
DEED BK 103, PG 252

CLASS B PROVIDED THAT THE PHYSICAL CONDITION OF THE LOT AND THE ADJUTING PROPERTIES DOES NOT CHANGE, LOT(S) NO. **2B** (S) (ARE) APPROVED BY THE DEPARTMENT OF HEALTH FOR THE INSTALLATION OF AN ON-SITE SEWAGE DISPOSAL SYSTEM FOR **A. S.I.F. DEVELOPMENT** SUBJECT TO THE CONDITION **OR REFERRED TO BELOW: 10' OF APPROVED PILL - ROSSAL BED.**

This is **Exhibit "C"** referred to in the affidavit of
Eric Goulden affirmed before me
this 18th day of January, 2024.



James Guvaldsen Klaassen

A commissioner of the
Supreme Court of Nova Scotia







This is **Exhibit "D"** referred to in the affidavit
of **Eric Goulden**, affirmed before me
this 18th day of January, 2024.



James Gunnvaldsen Klaassen
A commissioner of the
Supreme Court of Nova Scotia



This is **Exhibit "E"** referred to in the affidavit
of **Eric Goulden**, affirmed before me
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A commissioner of the
Supreme Court of Nova Scotia



This is **Exhibit "F"** referred to in the affidavit of
Eric Goulden, affirmed before me
this 18th day of January, 2024.

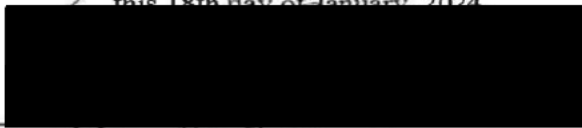


James Gunvaldsen Klaassen
A commissioner of the
Supreme Court of Nova Scotia

A handwritten signature in blue ink, which appears to be "James Gunvaldsen Klaassen", is written over the printed name and extends upwards into the redacted area.



This is **Exhibit "G"** referred to in the affidavit
of **Eric Goulden**, affirmed before me
this 18th day of January, 2024.

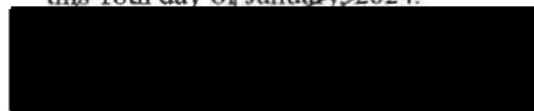


James Gunvaldsen Klaassen

A commissioner of the
Supreme Court of Nova Scotia

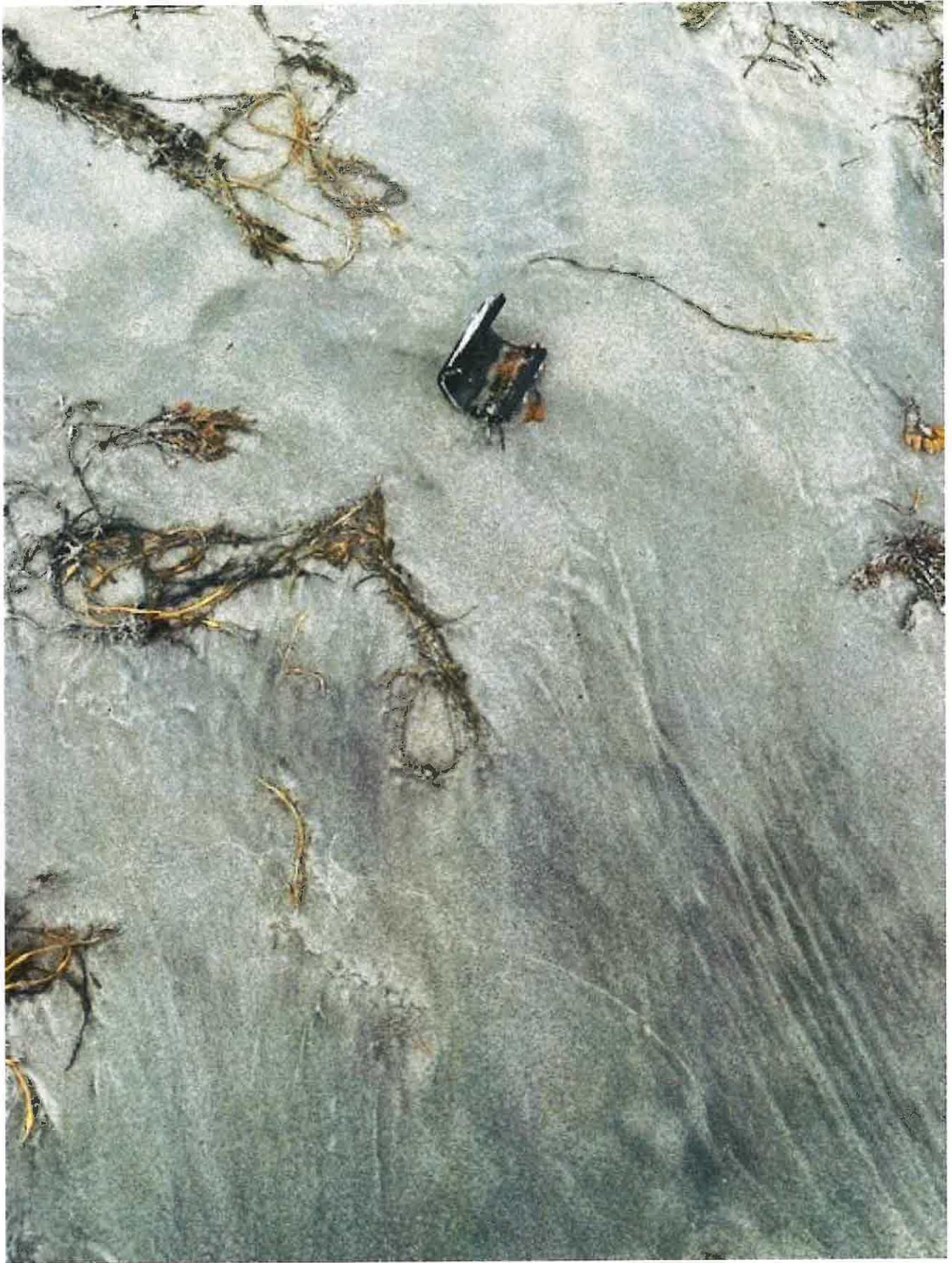


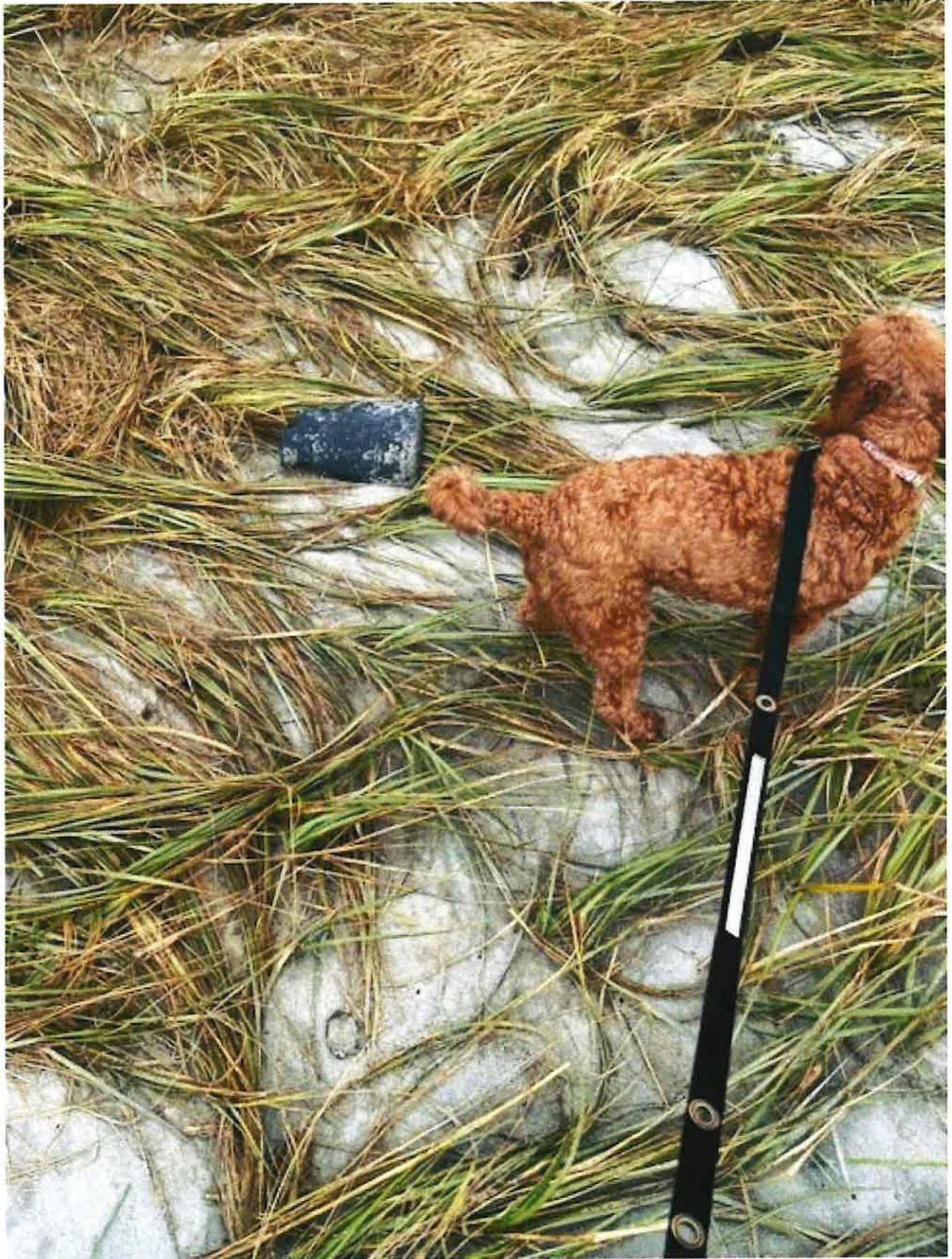
This is Exhibit "H" referred to in the affidavit of
Eric Goulden, affirmed before me
this 18th day of January, 2024.



James Gunvaldsen Klaassen
A commissioner of the
Supreme Court of Nova Scotia





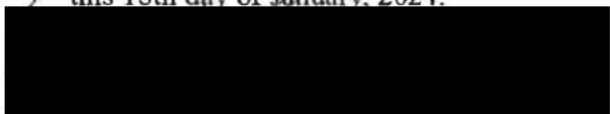








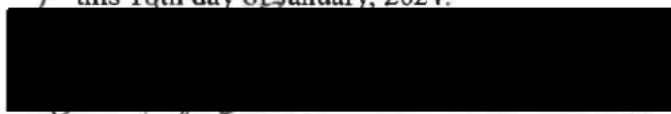
This is **Exhibit "I"** referred to in the affidavit of
Eric Goulden, affirmed before me
this 18th day of January, 2024.



James Gunvaldsen Klaassen
A commissioner of the
Supreme Court of Nova Scotia



This is **Exhibit "J"** referred to in the affidavit of
Eric Goulden, affirmed before me
this 18th day of January, 2024.




James Gunvaldsen Klaassen
A commissioner of the
Supreme Court of Nova Scotia

A handwritten signature in blue ink, appearing to be 'James Gunvaldsen Klaassen', written over the printed name.



This is **Exhibit "K"** referred to in the affidavit
of **Eric Goulden**, affirmed before me
this 18th day of January, 2024.



James Gunvaldsen Klaassen
A commissioner of the
Supreme Court of Nova Scotia



This is **Exhibit "L"** referred to in the affidavit of
Eric Goulden, affirmed before me
this 18th day of January, 2024.



A handwritten signature in blue ink, appearing to read 'James Gunvaldsen Klaassen', written over a horizontal line.

James Gunvaldsen Klaassen
A commissioner of the
Supreme Court of Nova Scotia

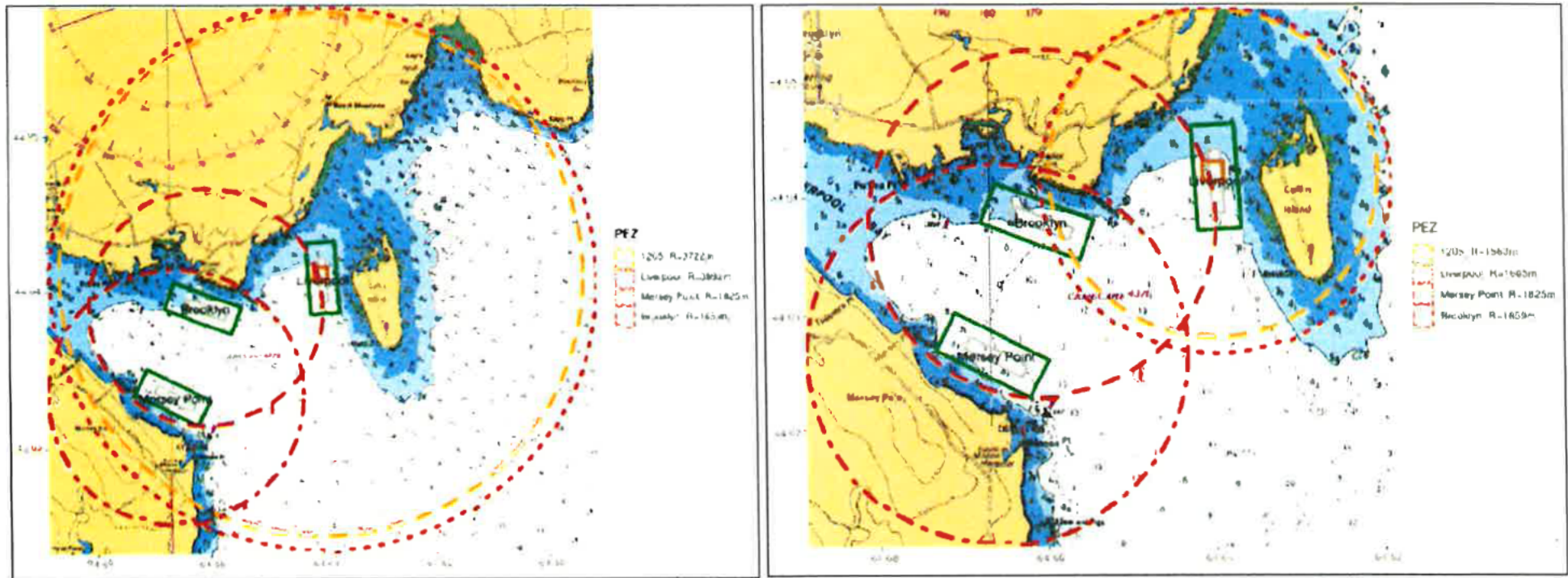


Figure 5. Benthic-Predicted Exposure Zones (PEZs) for the Liverpool (left: including storm event, right: excluding storm event), Mersey Point and Brooklyn proposed sites using the feces minimum sinking rate are shown in red overlaid on CHS chart #4379 (depths shown in fathoms). Cage arrays (grey) and lease boundaries (green) are shown. The existing #1205 Liverpool lease boundary and estimated benthic-PEZ are also indicated in brown and orange, respectively.

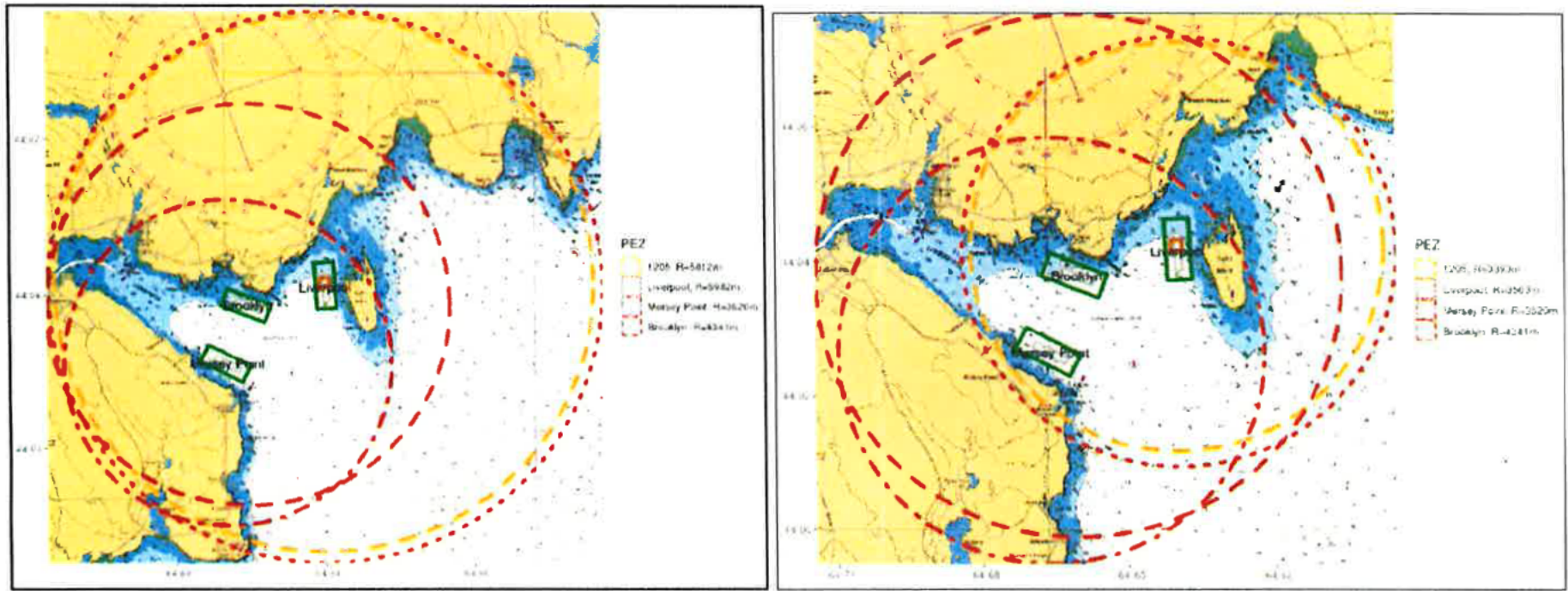


Figure 7. Pelagic-PEZs for the Liverpool (left: including storm event, right: excluding storm event), Mersey Point and Brooklyn proposed sites are shown in red overlaid on CHS chart #4379 (depths shown in fathoms). Net-pen arrays (grey) and lease boundaries (green) are shown. The existing #1205 Liverpool lease boundary and estimated benthic-PEZ are also indicated in brown and orange, respectively.