## NOVA SCOTIA AQUACULTURE REVIEW BOARD


#### Abstract

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 Josh Morash

I, Joshua Cody Morash, of Beach Meadows, Nova Scotia, affirm as follows:

1. I live at
partner Beach Meadows, near Liverpool, Nova Scotia with my
Fralick Cove (sometimes spelled Fralic Cove) and less than 500 metres from Kelly Cove
Salmon Ltd. ("KCS")'s proposed fish farming site AQ\#1432. My home is shown on the
attached Viewpoint "satellite view" and "map view" screenshots (marked with our civic
address "712") (Exhibit A). My home's location in the larger Liverpool area is marked with
a red pin and arrow on the attached Google Maps screenshot (Exhibit B).
2. I am a member of the intervenor Protect Liverpool Bay Association.
3. I am a certified CRA (Canadian Residential Appraiser), designated by the Appraisal Institute of Canada. I have held this designation since 2010. I am the owner and president of Kempton Appraisals. My office is located in Bridgewater, Nova Scotia and I appraise properties throughout Nova Scotia's South Shore.
4. My paternal grandfather, , was a fisherman and mill worker who lived for much of his life in the Liverpool area, residing at Beach Meadows, Eagle Head and Vogler's Cove. My grandfather also worked at the Bowater Mersey paper mill for his whole working life and prior to the mill's closure.
5. My parents are Dr.

). My father grew up at Beach Meadows. My parents purchased
built the house and moved there in 1980, the same year I was born. My father is a General Practitioner and practicing physician. He has practiced medicine in Liverpool for almost his entire career.
6. My partner grew up in Liverpool. Her father was a mason at the Bowater paper mill and still lives in Liverpool teaches middle school and high school English in Lockport NS.

## My family home at

7. I grew up at . My four brothers and I spent much of our time on the beach, or boating, swimming and fishing in and on the waters around the property.
8. In 2014, and I bought the $\square$ property from my parents, who moved next door to the adjoining property at
9. Our home property consists of 18 acres, including extensive water frontage. My family spends much of their time on the water off our property (in the same area where AQ\#1432 is proposed to be built) and on the beach on our shorefront. My children use the beaches and waters for swimming, boating, fishing, crab hunting and exploring. When my brothers and their families, and other family members and friends, come to visit us, they also spend time on the beaches and the waters off our property. My family and I also use the beaches to walk back and forth to my parents' home on their neighbouring property. My family and I' often fish recreationally for mackerel and pollock by boat in the waters immediately off of our beach in the same location as that proposed for AQ\#1432.
10. The extent of our home property at $\quad$ is set out in the attached property survey (Exhibit C). A printout of the information from Property Online is attached as Exhibit D. I attach as Exhibit E a photograph of our home I took on January 12, 2024, with my back to Liverpool Bay and facing our house. Except where otherwise noted, all the photographs exhibited to this affidavit were taken by me on January 12, 2024.
11. Soon after purchasing our home, from 2014 to 2016, we renovated our house and grounds, at a cost of over $\$ 600,000$. The renovations were designed to take full advantage of the amazing view. Our house plan now maximizes the spectacular views of Liverpool Bay. From our windows and outside our home we can see far out into the Bay. I attach as Exhibit F a photograph of the view from our deck.

## Impacts of $A Q \# 1432$ and the other fish farm developments

12. The pristine beauty and wonderful year-round views of the Bay, the beaches and surrounding lands are of central importance to my and my family's lives, and to those who visit us. I attach as Exhibit G three photographs I took of the view from our beach. I also attach as Exhibit $\mathbf{H}$ a photograph of our house from behind, looking toward the Bay.
13. All of this makes the property very special to us, but I would not have bought or renovated my home property if I had known that AQ\#1432 would be built and operated just off our beach directly in front of my home, ruining our wonderful view and occupying the area of the Bay we most often use for beach and water recreation. As an experienced real estate appraiser and as someone very familiar with the shore and waters close to my home, I would never have imagined that a company would try to build an industrial fish farm right in front of my residential property.
14. During storms, and other times when strong winds are blowing and waves are heavy, the waters just off our property, including at $\mathrm{AQ} \# 1432$ 's proposed location, are often very rough, and the winds are frequently very strong. At times, ocean debris is thrown from there by the wind and waves far up on to our property, as far as 75 metres from the shore, and only about 25 metres from our house. Attached as Exhibit I is another copy of the Viewpoint site printout - the red line drawn on the printout is the approximate highpoint of where ocean debris was thrown during the last storm, Hurricane Lee, on September 16, 2023. A photograph I took on September 16, 2023 shows how close the water pushed floating debris in relation to our house (Exhibit J). During that storm, as during other instances of severe weather, the waves from the Bay pass completely over the beach and enter the pond on our property as shown in my photograph taken that day (Exhibit K).
15. The proposed site of AQ\#1432 is located just off our beach and will stretch along most of our waterfront in front of our home. If it is built, it will be directly visible from my home. It will be subject to the very heavy waves and winds that I have often seen occur in that location. Exhibit L is a photograph taken on September 16, 2023, during Hurricane Lee, of the rough seas just off our beach. I am concerned that it will be very difficult to maintain the fish farm in this area, and that it will likely be damaged by the wind and water at this location.
16. My house is between 400 and 500 m from the proposed site for application $A Q \# 1432$. At its nearest point, the shorefront portion of my property is located approximately 150 metres from the lease boundary line for AQ\#1432, and roughly 350 metres or less from the site of the nearest open net pen within the $\mathrm{AQ} \# 1432$ site.
17. 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). The beaches in front of my home, used by my children and other family members for recreation, and our home itself, fall within all the Predicted Exposure Zones for AQ\#1432 set out in that report (see pages 13 and 16 of the report - excerpts from that report showing these figures are attached as Exhibit M). In some cases, my house and other parts of my property also fall within the Predicted Exposure Zones for AQ\#1433, and even within overlapping Predicted Exposure Zones for all three of the proposed sites (AQ\#1432, AQ\#1433 and AQ\#1205). It is of great concern to me that my property and the beaches and waters used by my family
would be within the predicted exposure zones for fish feces from 660,000 fish or more, and for chemicals that are used, or might be used, in the fish farming process immediately offshore from my property.
18. I am very concerned that Kelly Cove will be approved to build and operate $A Q \# 1432$ and the other proposed sites. I am worried that the operation will detract significantly from the beauty and aesthetic appeal of my property and Liverpool Bay and our ability to enjoy it as we have done until now. As well, I am concerned that the waters just offshore from our property, our beach and our own property will become polluted with fish feces, waste food, chemicals and debris from the fish farm infrastructure at AQ\#1432 and the other sites. We will experience unwelcome noise, lights, exhaust and smell emanating very close by from $\mathrm{AQ} \# 1432$, and also from the other proposed fish farm developments, and these will interfere with our ability to use and enjoy our property as we have done.
19. For the same reasons I am concerned that the value of our property will be adversely affected by these farms operating so close to our home. The significant amounts of money my family and I have spent to renovate our home will be wasted if our views become dominated by the fish farm and feeder barge.
20. I am also concerned that navigation into Fralic Cove would be obstructed or restricted if AQ\#1432 is built and operated as proposed. Fralic Cove is used by our family and many others for recreation and access to our property from the sea.

## Additional property holdings

21. I also own other properties in the immediate vicinity of my home and Beach Meadows, including ocean front and woodland properties. In 2017 and 2019 I bought several adjoining parcels of land (including PID 701000656 - I attach a property online printout of those parcels as Exhibit N) which together amount to more than 10 acres of land. The view from that property looks toward Coffin Island and the existing aquaculture site, which Kelly Cove seeks to expand as AQ\#1205x.
22. After buying those lots, I began the process of subdividing that property into smaller lots. I have now put that on hold as I am very concerned that all those properties will be impacted directly and aesthetically by the proposed industrial fish farms. My brother was planning to buy one of those lots from me to build a vacation home, but that is also on hold at present because Kelly Cove is pushing forward with these developments close by. I am very concerned that the properties will lose value due to the visibility of these industrial developments, and the other problems outlined above. I would not have continued acquiring land in the area, despite my strong connections to the region, if it had been made clear to me that industrial fish farms would be operated in the waters directly off the beaches of my property and other shorelines along Liverpool Bay.

## No contact from KCS or Province

23. Kelly Cove has never contacted me directly at any time, and has never informed me directly of their plans to build and operate an industrial open net pen fish farm, including operating a feeder barge with associated lights and noise, in the waters directly in front of my home. They have never told me that my home is within the Predicted Exposure Zones for their operation and what they will do to ensure my property is not affected. Likewise, the Province of Nova Scotia has never contacted me to advise that they are considering approving this project or how my property will be affected.
24. 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
$18^{\text {th }}$ day of January, 2024
at Regional Municipality of Queens, Nova Scotia





This is Exhibit "B" referred to in the affidavit of
Josh Morash, affirmed before me
this 18th daysof January. 2024


Jankes Gunvaldsen Klaassen
1 A commissioner of the
Supreme Court of Nova Scotia


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



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


## Property Online Map



The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

## Land Registration View

*Indicates interests inherited on subdivision or re-configuration of parcel


Tenants in Common not registered pursuant to the Land Registration Act

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




This is Entibit "G" referred to in the affidavit





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


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


This is Exhibit "I" referred to in the affidavit of Josh Morash, affirmed before me this_18th dave of Iannary 2024

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




This is Exhibit "K" referred to in the affidavit of Josh Morash, affirmed before me
this 18th dav of January 2024


James Gúnvaldsen Klaassen
Acommissioner of the
Supreme Court of Nova Scotia


This is Exhibit "L" referred to in the affidavit of Josh Morash, affirmed before me this 18th dav of Tanuary 2024


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


This is Exhibit "M" referred to in the affidavit of Jorh Morash, affirmed before me



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.

This is Exhibit "N" referred to in the affidavit of Josh Morash, affirmed before me


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## Land Registration View

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Thes parcel 15 REGISTERED PURSUANT TO THE LOAd Registiation Act. The regisfered owner of the registered interest owns the interest defined un this register in respect of the parcei described in the register, subject to any discrepancy in the location, boundaries or extent of the parcel arid subject to the overriding interests Rand Registration Act subsection 20(7)]

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## Land Registration View



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## Land Registration View

- Indicates interests inherited on subdivision or re-configuration of parcel


Farm Loan Board - Occupants \& Mailing Addresses

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## Land Registration View



Farm Loan Board - Occupants \& Mailing Addresses
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