

RECEIVED

By Nova Scotia Aquaculture Review Board at 9:02 pm, Jan 22, 2024

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 Larry Cochrane

I, Larry Cochrane, of the Town of Liverpool, in the Province of Nova Scotia, AFFIRM AS FOLLOWS:

1. My wife and I own a home at [REDACTED] in Liverpool. Our home sits on 35 acres of oceanfront property and was built up on a hill overlooking Liverpool Bay. From our second story balcony, we have a partial view of Kelly Cove Salmon Ltd. ("KCS")'s current salmon farming site at Coffin Island (AQ#1205). If KCS's application for a new site on the other side of Liverpool Bay from our home (AQ#1432) is approved, I will be able to see that site from my home as well. A survey of my property is attached to my affidavit as **Exhibit "A"**, and a Google satellite image with a red arrow pointing to the exact location of my home is attached as **Exhibit "B"**.
2. My wife and I also own a cottage at [REDACTED] [REDACTED] in Greenfield, NS. The cottage has been in my family for over 50 years, though we recently tore it down and rebuilt it in the same location. The cottage sits right on the Medway River, where wild salmon continue to spawn in the summer. When salmon are present in the river, I can sometimes hear them jumping right outside my cottage.
3. I grew up in Liverpool, just a short distance from my current home. My mother also grew up in Liverpool, and my father was from Saint John, New Brunswick. Although I moved away from Liverpool for a long period of time for work, I would frequently return to visit my parents in my childhood home, and to spend time at our cottage.
4. I spent over a decade working in medical and dental sales in Halifax, NS. In the late 1990s, I moved to Barrie, ON and started my own veterinary supply company. I sold the company to my business partner in 2012 and moved back to Liverpool in 2016. I now work in real estate development. I am also an active member of the intervenor Protect Liverpool Bay Association.

Enos Collins Lane

5. When we moved back to Liverpool, my wife and I bought our property at [REDACTED]. [REDACTED] The land was vacant at the time, and we invested over \$2.5 million to build our home. We specifically designed the home to enjoy an unobstructed view of Liverpool Bay. When the weather is nice, we enjoy spending time on our second-floor balcony overlooking the Bay. Attached as **Exhibit "C"** are three photos of our home and attached as **Exhibit "D"** are two photos showing the view from our balcony. I am concerned that if AQ#1432 and AQ#1205x are approved, it will negatively affect our ability to enjoy the view from our home.
6. I also enjoy recreational activities in the Bay. I frequently go boating in the Bay, either on my own boat or on other people's boats. I enjoy fishing for cod and mackerel in Liverpool Bay. One of the best places to fish for mackerel is right where KCS proposes to locate their new site off Mersey Point (AQ#1433). If that new site is approved, recreational fishers in Liverpool Bay will lose access to that fishing ground. Navigating boats in Liverpool Bay will also become more challenging if KCS's two new proposed sites are approved, because it will significantly narrow the channel through the Bay and we will have to be careful to avoid all the ropes, buoys, and other equipment associated with a salmon farming operation.

Medway River Road

7. In past years, my wife and I would generally spend more than half of our time from spring to early fall at our cottage on the Medway River. When we rebuilt our cottage, we winterized it and now hope to spend time there in the winter as well. Two photos of our cottage during the rebuilding process are attached as **Exhibit "E"**.
8. I am an avid fly fisherman and enjoy fishing on the Medway River right outside the cottage. Although I used to be able to fish for salmon in the Medway, that fishery is now closed and I now mostly fish for trout.
9. I began fishing on the Medway River in the late 1970s when I was about 18 years old. At the time, there was still an active recreational salmon fishery on the Medway. It was a retention fishery, which means fishers were allowed to keep a certain number of salmon per season. Salmon season was in June and July, and during that season I would go fishing early in the morning every day before work. I would usually fish in a spot right outside the cottage called the "salmon pool," where salmon would congregate.
10. At the time, salmon fishing on the Medway River was very popular with locals and tourists alike. Even foreign dignitaries visiting Nova Scotia would sometimes visit the

Medway to go fishing. The salmon pool outside our cottage was a particularly well-known spot.

11. Unfortunately, I started fishing right at the tail end of the salmon fishery on the Medway. I was only able to fish for about six years before the fishery was shut down in the mid 1980s to prevent the Medway River salmon from becoming extirpated. Almost forty years later, salmon in the river are still around, although they have not recovered to the point that we can fish them again.
12. Since moving back to Liverpool, I have joined in local efforts to protect and recover wild salmon in the Medway River. For about two years, I was a member of the Medway River Salmon Association (“**MRSA**”), a group of locals working to ensure that salmon can survive and someday thrive again in the Medway. The group is mostly comprised of men of retirement age, who remember what it was like to fish for salmon on the Medway and who want to ensure that future generations can do the same. I left the MRSA about two years ago because of a disagreement over a particular salmon recovery initiative, which I discuss further at paragraphs 17-18 below. However, I still try to stay up-to-date on the MRSA’s efforts to protect and recover Medway River salmon by connecting with current members about the group’s activities.
13. One important area of focus for the MRSA is increasing pH (i.e. reducing acidity) in the Medway River to make the River more hospitable to wild salmon. I am informed by current MRSA members and believe that the group has been working with students from Acadia University to measure pH levels in the River and to identify areas that are more acidic than others. Those areas are then prioritized for efforts to increase pH.
14. When I was a member of the MRSA, the group would attempt to increase pH in priority areas of the Medway River by liming those areas. I am informed by current MRSA members and believe that these efforts continue. The liming is done in partnership with Freeman Lumber, and with both private donor and government funding.
15. “Liming” means dumping powdered lime into particularly acidic areas of the Medway River. My understanding is that the lime helps neutralize some of the acid in the River, and consequently raises the pH. Unfortunately, to date the MRSA has not been able to lime the River consistently or on a large enough scale to make a significant difference due to funding and organizational constraints. However, I am hopeful that in the coming years local liming efforts will improve and will contribute to enhancing of the quality of salmon habitat in the River.
16. Another planned initiative is the Salmon Recovery Project, which involves capturing wild salmon smolt, raising them in sea cages until they reach spawning age, and then returning them to the Medway River to spawn. The MRSA has partnered with several stakeholders, including KCS, to undertake this project. This project was initiated before I left the

MRSA but has been on hold for several years. I am informed by current MRSA members and believe that the project is still on hold because the MRSA has been unable to capture enough smolt.

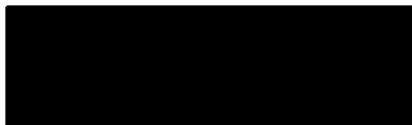
17. The Salmon Recovery Project has also been controversial within the MRSA. I am personally opposed to the project because I do not believe that it is an effective way of bringing a healthy wild salmon population back to the Medway River, and because I believe that KCS's open net pen salmon farming operations threaten the survival and recovery of wild Atlantic salmon. I left the MRSA because of my strong opposition to the Salmon Recovery Project.

18. Since I can no longer fish for salmon in the Medway River, I now travel to other locations in Nova Scotia to go salmon fishing. I go to Margaree, Cape Breton in the spring and fall to fish on the Margaree River. I also travel to Cumberland County every fall to fish on the River Philip. These are now catch and release fisheries, rather than retention fisheries like they used to be when I started fishing. During salmon season, I see many other recreational fishers out on those rivers, including younger generations. My personal hope is that wild salmon in the Medway River will not only survive, but will someday recover to the point that avid fishers like myself and the generations after me can once again spend our summers fly fishing for Medway River salmon.

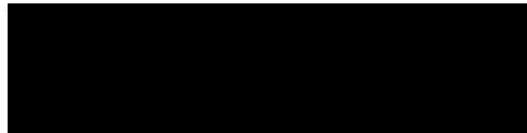
19. I am concerned that if KCS's applications for new and expanded open net pen salmon farms in Liverpool Bay are approved, they will undermine current and future efforts to ensure the survival and recovery of wild salmon in the Medway River.

20. I affirm this affidavit in support of Protect Liverpool Bay Association's intervention before the Aquaculture Review Board and for no other or improper purpose.

Affirmed before me on this)
17th day of January, 2024)
at Halifax, Nova Scotia)



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



Larry Cochrane)

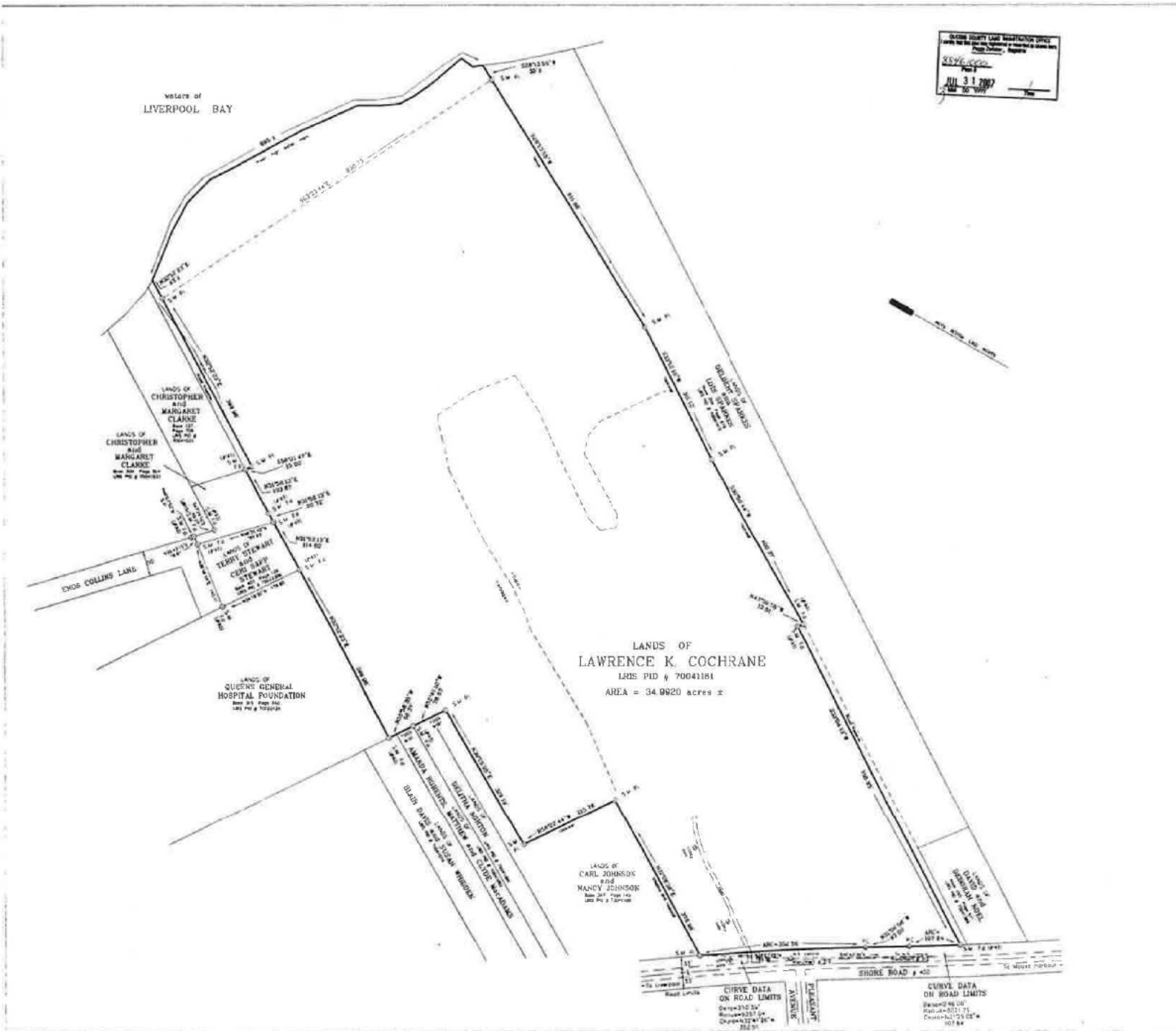
Sarah McDonald
Barrister, Solicitor, Notary Public
and a Commissioner of Oaths
in and for the Province of Nova Scotia

This is **Exhibit "A"** referred to in the affidavit of
Larry Cochrane, affirmed before me
this 17th day of January, 2024.



Sarah McDonald
A commissioner of the
Supreme Court of Nova Scotia

Sarah McDonald
Barrister, Solicitor, Notary Public
and a Commissioner of Oaths
in and for the Province of Nova Scotia



QUEEN COUNTY LAND REGISTRATION OFFICE
 2556-0000
 JUL 31 2007
 10:00 AM

KEY PLAN TOPOGRAPHIC MAP # 21A/2 SCALE 1:50,000

LEGEND			
Survey Marker	3/4"	Point of Commence	PC
Iron Pipe	1 1/2"	Beginning of Curve	BC
Aluminum Pipe	1/2"	End of Curve	EC
Concrete Monument	4"	Cornered Point	CP
Rock Nail	3/4"	Marker	M
Cut Corner	0"	Point	P
Telephone Pole	1 1/2"	1/4 Int.	1/4
Corner L.P.P.	1"	1/8 Int.	1/8
Fence	---	Lot or Lot No.	---
Boundary	---	Lot No.	---
Land Registration and Information Service	---	Lot No.	---
Property Identification Number	---	Lot No.	---

BEARING SYSTEM USED: True North, based on 2' of an assumed curve, north on 45° 30' west, true S. derived from observations of Nova Scotia earth monuments 218 and 212.

VALUES SHOWN are unadjusted.

PROPOSED LOT USE is Agriculture.

REFERENCES: FLORENCE BENNETT et al
 to
LAWRENCE K. COCHRANE
 Deed dated February 17, 2007 LMS PID # 70041181

See plan showing Milked Farm prepared by F.F. Taylor
 See plan of division of lands of George K. Cochrane and Patricia Cochrane, prepared by R. Hunt, surveyed April 20, 1962 and recorded under # P-204 recorded December 31, 1975 under # 205
 See plan of survey of lands of Lynne and Murray Est., prepared by R. Hunt and recorded December 31, 1975 under # 205
 See plan of survey of lands of George Cochrane and Lester Turner to Olio Reg and Neil Sparke, prepared by R. Hunt and recorded April 22, 1978 under # P-202
 See final plan of subdivision showing lands of Murray Hunter and George Cochrane prepared by R. Hunt and recorded June 28, 1985 under # 1920
 See final plan of subdivision of lands of Anne Cochrane, prepared by R. Hunt and recorded April 29, 1993 under # 201

SURVEYOR'S CERTIFICATE

I, William E. Ross, Nova Scotia Land Surveyor, hereby certify that the survey represented by this plan was conducted legally and accurately, that the lines and area were measured in accordance with the Nova Scotia Land Surveyor's Act and the regulations made thereunder.

Dated this 30th day of July, 2007:

W. E. Ross N.S.S.

PLAN OF SURVEY

Plan of survey showing lands of
LAWRENCE K. COCHRANE,
 situated on the Shore Road at
 Mount Pleasant, Queens County,
 Nova Scotia

Surveyed by William E. Ross, N.S.S. #515, on July 10-26, 2007
 Drafted by William E. Ross on July 31, 2007 Scale: 1"=100' Plan #112448

QUEEN COUNTY SURVEYS W. E. & J. Cochrane, Queens County, Nova Scotia, B07 180
 William E. Ross, N.S.S. #515, License #01-000

CURVE DATA ON ROAD LIMITS
 Curve 1: R=250.00', Δ=120.00°, L=157.08'
 Curve 2: R=250.00', Δ=120.00°, L=157.08'

CURVE DATA ON ROAD LIMITS
 Curve 1: R=250.00', Δ=120.00°, L=157.08'
 Curve 2: R=250.00', Δ=120.00°, L=157.08'

Form 28

Purpose: to record a non-enabling document in a parcel register

For Office Use

Registration district: QUEENS
Submitter's user number: 358
Submitter's name: WILLIAM ROSS

Take notice that the attached plan/document relates to the following parcels registered under the Land Registration Act

QUEENS COUNTY LAND REGISTRATION OFFICE
I certify that this plan was registered or recorded as shown here.
Peggy Zwicker, Registrar
88461000 Plan #
JUL 31 2007 Time
MM DO YYYY

Table with 2 columns: PID, [Redacted]

(Expand box for additional PIDs.)

Municipal file number or land registration file number (insert file number used when PIDs were originally assigned during pre-approval):

In the matter of the recording of the following non-enabling instrument (select one):

- plan
boundary line agreement
instrument of subdivision
statutory declaration regarding de facto consolidation
condominium declaration
initial condominium bylaws
condominium plan
repeal of subdivision
termination of condominium
other (specify)

And in the matter of registered owner (insert name) LAWRENCE COURAGE

Note: An amending Parcel Description Certification Application may be required.

Dated at LIVERPOOL, in the County of QUEENS, Province of Nova Scotia, JULY 31/07, 2007.

Signature of applicant/municipal official/owner/agent

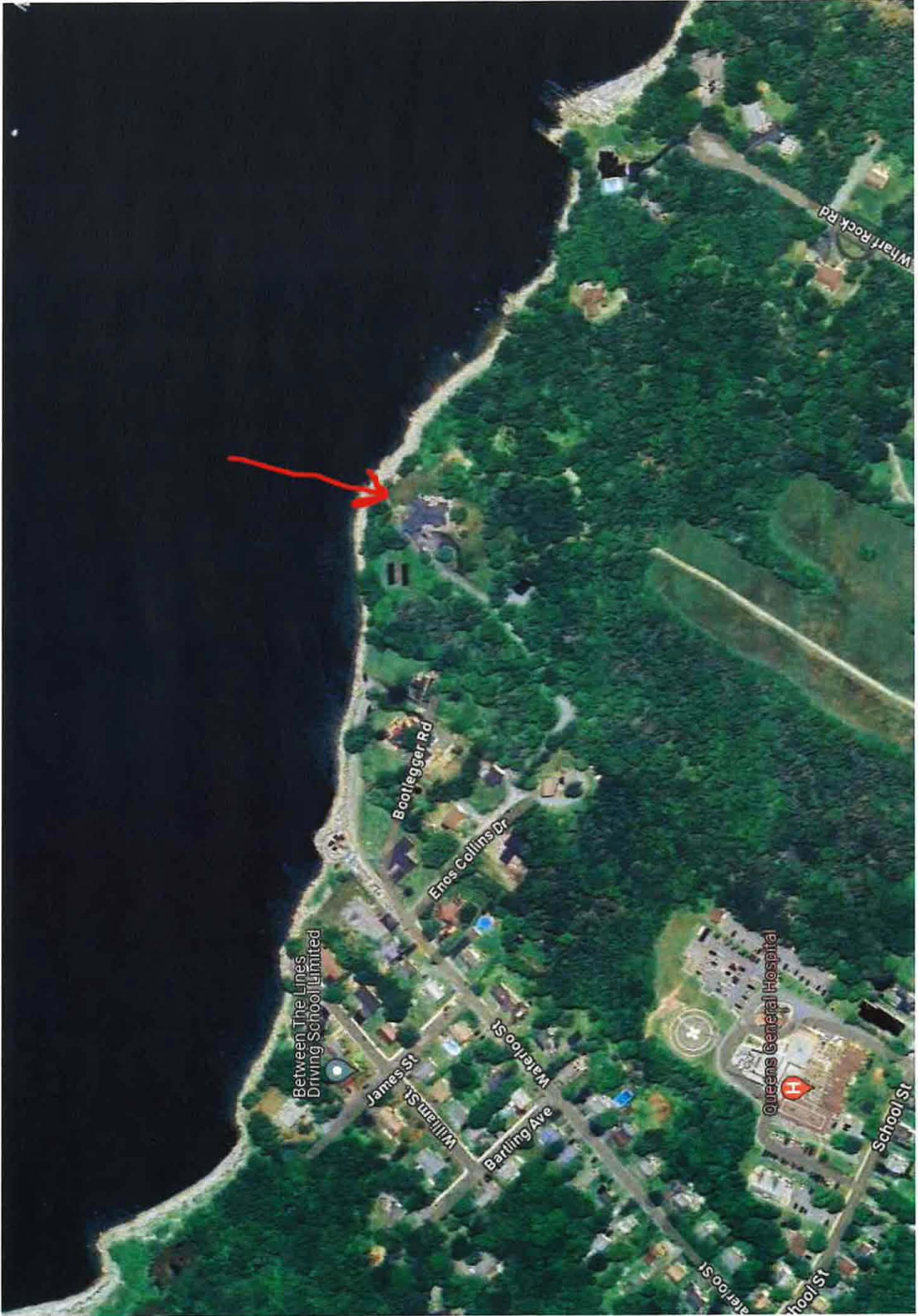
Name WILLIAM ROSS
Address [Redacted] NS
Phone [Redacted]
Email: [Redacted]
Fax: [Redacted]

This is **Exhibit "B"** referred to in the affidavit of
Larry Cochrane, affirmed before me
this 17th day of January, 2024.



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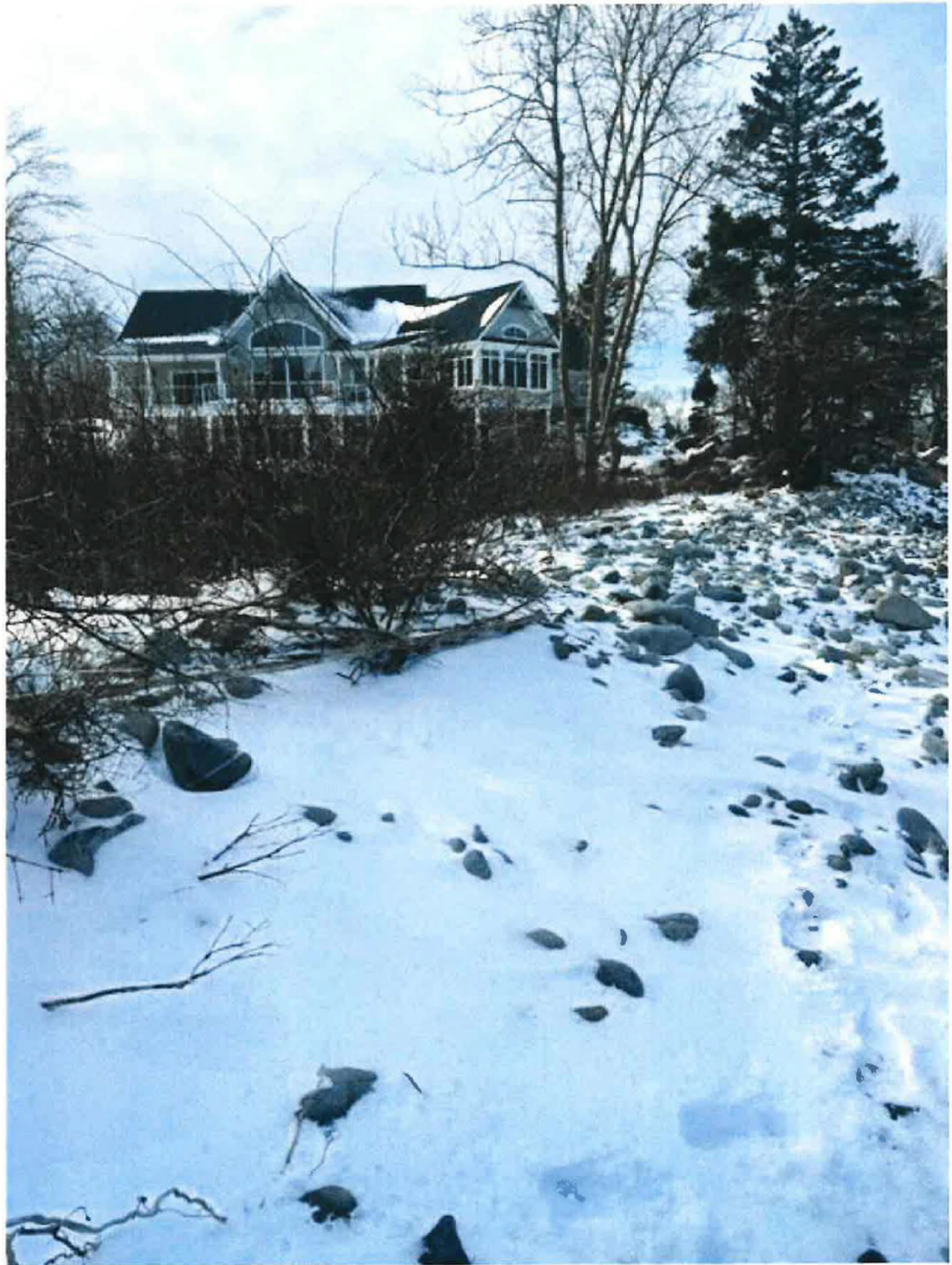


This is **Exhibit "C"** referred to in the affidavit
of **Larry Cochrane**, affirmed before me
this 17th day of January, 2024.



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Supreme Court of Nova Scotia

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This is **Exhibit "D"** referred to in the affidavit
of **Larry Cochrane**, affirmed before me
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This is **Exhibit "E"** referred to in the affidavit of
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