

NOVA SCOTIA AQUACULTURE REVIEW BOARD
60 RESEARCH DRIVE, BIBLE HILL, NS B6L 2R2
Aquaculture.Board@novascotia.ca

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By Nova Scotia Aquaculture Review Board at 11:29 am, Sep 19, 2023

INTERVENOR STATUS APPLICATION

Instructions

Please submit this form to the Aquaculture Review Board (Board) no later than **ten (10) days** after the publication date of the public hearing notice. You may attach additional pages if necessary.

Intervenor Status Applications will only be processed if they are received by the Board on or before 16h30 pm (local Nova Scotia time) on the deadline date.

A person applying for intervenor status for multiple applications must complete and submit individual Intervenor Status Applications forms for each application.

Pursuant to s.23 of the *Aquaculture Licence and Lease Regulations*, the Board will decide on this Intervenor Status Application within ten (10) days of receipt and will notify you of the decision no later than five (5) days after the decision is made.

All information provided to the Board on this form and any additional pages submitted (the "form information") will become a part of the record of the hearing. Should your application for intervenor status be accepted, the form information may be disclosed to the other parties to the hearing.

You are also advised that the form information may be subject to an access request under the *Freedom of Information and Protection of Privacy Act* ("FOIPOP") and may, as a result, be released unless the information is exempt from disclosure under FOIPOP.

Please refer to the *Aquaculture Licence and Lease Regulations*, s.23 (attached) for more information on Intervenor Status Requests.

Application

Please read the entire application before responding. **(Print clearly or type).**

- Please identify the aquaculture lease application that you are requesting intervenor status for:

Lease Number:

AQ#1205x, 1432, 1433

Hearing Date:

Feb 5, 2024

- Name of Applicant:

23 Fishermen of Liverpool Bay - See attached list for individual names

- Civic Address:

[REDACTED]
Liverpool, Nova Scotia
[REDACTED]

- Mailing Address:
(if different than above)

[REDACTED]
Liverpool, NS
[REDACTED]

- Phone Number(s):

[REDACTED]

- Email Address*:

[REDACTED]

- Preferred method of communication: ☒ email* ☐ Mail ☐ Other: _____

*Unless otherwise notified, email will be the preferred method of communication

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8. Specifically describe how the proposed aquaculture activities may substantially and directly affect you:

We are a group of 14 commercial, inshore vessel, Owner/Operator fishermen and 9 Crew who all live around and fish in Liverpool Bay (the Bay). We are mainly lobster fishermen, but also fish for mackerel and herring and harvest Irish moss in the off season. Any environmental impacts to our local fisheries will affect the socio-economic livelihoods of 32 vessel owners and their crew, totaling approximately 100 fishers of Liverpool Bay.

Most of us grew up here and live in the communities surrounding Liverpool Bay, we work on the shores of the Bay and the community wharves from where we fish. Many of us are multi-generational fishers, fishing our family's fleets, while others are young and new to the industry. Most of us own (or carry loans) for our licenses, boats and gear, which are significant, lifelong investments in our professions!! Some of us are still raising young families and hope to one day pass our investments onto our children.

The nine of us who are crew depend on this traditional, local industry for our family's livelihoods and a number of have hopes to one day have our own fleets and to fish these same waters.

Due to the existence of the Coffin Island site (AQ#1205) and the impacts we already experience from that, we know that the proposed expansion of net pens in the Bay will substantially and directly affect us in following ways:

1) Physical displacement - at least 9 vessels fish in the locations proposed for AQ#1432 and AQ#1433. Six of these vessels have been previously displaced by the placement of the existing AQ#1205. Should Cooke take over these sites and expand AQ#1205 it will mean that these vessels will need to travel further, use more fuel and be more at risk than when fishing close to shore.

2) Navigational hazards - AQ#1432 and AQ#1433 sites (pens, anchors, lines and buoys) represent new and increased hazards to navigate into and out of Liverpool, Brooklyn and Moose Harbour wharves, especially during fog and rough seas. Fishermen will no longer be able to navigate near and follow the coast, which is what we do now during bad weather.

Cooke's buoys from the current Coffin Island site (AQ#1205) break away regularly, and float through our fishing grounds and navigational channels. During bad weather and fog these buoys are another hazard to navigation.

The proposed site at Mersey Point (AQ#1433) is an especially poor location for a fish farm. High winds out of the northeast and southwest produce big waves and seas that will offer no protection for the fish farm. And when you add in the likely impacts of increased hurricanes and Climate Change events, this further increases the likelihood of cage failures (fish escapes) and buoys breaking free.

3) Environmental impacts to fish and loss of fish habitat - the addition of approximately 1.5 million more farmed salmon, when stocked, in our Bay will result in potential loss or contamination of fish habitat due to sedimentation from excess fish food and waste, potential contamination by use of pesticides and antibiotics and the infestation of native species by the sea lice that will eventually find, multiply and spread out from the farmed fish pens.

1.5 million more salmon in pens will result in substantially more caged fish (370% more) and the same in waste feed and excrement attracting predators, like seals into the Bay, adding risk to the fish farm infrastructure and resulting in more seals eating local wild fish.

Liverpool Bay is a fish nursery, teeming with larval and juvenile lobster and fish (gaspereau, herring, mackerel and American eel elvers). Any lobster and fish larva that happen to be floating on currents that move through the farm pens will be eaten by hungry salmon further adding to the depletion of stock. Others will be impacted by loss of habitat and potentially by antibiotics and/or pesticides should sea lice become an issue. Which we expect they will.

9. Describe your existing uses, if any, of the proposed lease site, and state whether the identified uses are recreational or commercial:

We are local, inshore fishermen from Liverpool, Moose Harbour, Brooklyn, West Berlin, East Berlin, Port Medway, and Vogler's Cove who navigate through and fish commercially for lobster, and when in season, mackerel and herring within the proposed new lease sites AQ#1432 and AQ#1433 sites and the expanded AQ#1205 site.

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10. Describe your existing uses, if any, of the area surrounding the proposed lease site, and state whether the identified uses are recreational or commercial:

We are local, fishermen and crew from Liverpool, Moose Harbour, Brooklyn, West Berlin, East Berlin, Port Medway, and Vogler's Cove wharves, who all fish commercially for lobster, and when in season, mackerel and herring and some harvest Irish moss in the areas surrounding the proposed new lease sites AQ#1432, AQ#1433 and AQ#1205 expansion sites.

We and our families are also recreational users of the Bay, its Beaches and Coffin Island. Several of us have boats licensed and insured as tourist sightseeing/fishing vessels and most all of us host our family and friends on board for tours around the Bay. Several of us have camps on Coffin Island, but the view and shoreline there has been ruined by the existence of AQ#1205, so not as enjoyable to visit.

11. Please provide any other information which you consider relevant to your application for intervenor status including any affiliations, if any:

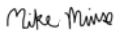
The fishermen requesting Intervenor status via this application are shocked and offended by this attempted PRIVATIZATION OF A PUBLIC RESOURCE by our government and Cooke Aquaculture/Kelly Cove Salmon.

Inshore lobster fishermen are generational, independent small, local business owners who support their families and are the backbone of rural Nova Scotia, redistributing HUNDREDS of MILLIONS of DOLLARS annually into our economy. Cooke boasts that their proposed expansion plan will create "up to 20 new direct jobs"... these are likely to be primarily, low wage, seasonal positions, while the real money from open net pen fish farming in Our Bays leaves the province and goes back to New Brunswick while we carry the negative impacts! Many businesses locally and around the province are struggling to find workers, there is no shortage of low paying or seasonal jobs in the area, but adding industrial operations in these waters will jeopardize the existing very lucrative local fishery of Liverpool Bay and its future, a fishery already under increasing pressure from Climate Change. We believe no amount of such new jobs are worth putting the livelihood of fishermen, their families and the communities they support at risk.

Due to the reasons outlined above, we 23 commercial fishermen, representing approximately 100 local, commercial fishers of Liverpool Bay, are opposing these Cooke Aquaculture's lease/license applications and how we will be directly and significantly impacted if their applications are approved.

12. Declaration

By signing and submitting this form, I acknowledge that I have read, understand and accept the above statements regarding the collection, use, and disclosure of the personal information provided on this form. I also hereby certify that the information provided on this form is true and correct to the best of my knowledge and belief.

 Digitally signed by Mike Muise
Date: 2023.09.18 21:17:30
-03'00'

Signature of Applicant

Date

*SEE the ATTACHED LIST
of
FISHERMEN SIGNATURES

For Internal Office Use Only

Notice Date: _____

Date Received: _____

Decision Date: _____

Decision: ☐ Approved ☐ Denied

Decision Notes: _____

Applicant Notification Sent: _____

Notification to Parties Sent: _____

Commercial Lobster Fishers

Name Printed
 STEPHEN SCOBAY
 Mike Muise
 Victor Westhaver
 Ronnie Conrad
 Daniel Reinhardt
 Kevin Golt

Signature
 Stephen Scobay
 Mike Muise
 Victor Westhaver
 Ronnie Conrad
 Daniel Reinhardt
 Kevin Golt

Ernest Selig Jr
 Matthew Manthorne
 Terry Conrad
 Bobby Holmes
 Justin Munroe

Ernest Selig Jr
 Matthew Manthorne
 Terry Conrad
 Bobby Holmes
 Justin Munroe

Name
 Dennis Naugler
 Sean Tester
 Jim Rhodenizer
 Joey Oickle
 Rob Crouse
 Darren Hatt
 Klie Conrall
 PETER FOSTER
 Ryan Foster
 Dylan Pomphrey
 BRADFORD CROUSE
 DAVID CROUSE

Signature
 Dennis Naugler
 Sean Tester
 Jim Rhodenizer
 Joey Oickle
 Rob Crouse
 Darren Hatt
 Klie Conrall
 Peter Foster
 Ryan Foster
 Dylan Pomphrey
 Bradford Crouse
 David Crouse

Additional Information on Intervenor Requests

Excerpt from the Aquaculture Licence and Lease Regulations

Request for intervenor status

23 (1) *A person may request intervenor status from the Review Board.*

(2) *A request under subsection (1) must be in writing in a form determined by the Review Board and must be submitted to the Review Board no later than 10 days after the date that notice of the adjudicative hearing is published under Section 19.*

(3) *No later than 10 days after the date it receives a request for intervenor status, the Review Board must decide whether to grant or refuse the request.*

(4) *The Review Board must grant intervenor status to any person requesting it who, in the opinion of the Review Board, is substantially and directly affected by the hearing.*

(5) *A decision made by the Review Board with respect to intervenor status is final.*

(6) *No later than 5 days after deciding on a request for intervenor status, the Review Board must provide notice of its decision to the person requesting intervenor status and, if the request is granted, to each of the parties to the proceeding.*

In making decisions on intervenor request, the Board will reference the regulated factors below to determine whether the intervenor applicant is directly and substantially affected by the hearing pursuant to section 23(4) above.

Excerpt from the Aquaculture Licence and Lease Regulations

Factors to be considered in decisions related to marine aquaculture sites

3 *In making decisions related to marine aquaculture sites, the Review Board or Administrator must take all of the following factors into consideration:*

(a) the optimum use of marine resources;

(b) the contribution of the proposed operation to community and Provincial economic development;

(c) fishery activities in the public waters surrounding the proposed aquacultural operation;

(d) the oceanographic and biophysical characteristics of the public waters surrounding the proposed aquacultural operation;

(e) the other users of the public waters surrounding the proposed aquacultural operation;

(f) the public right of navigation;

(g) the sustainability of wild salmon;

(h) the number and productivity of other aquaculture sites in the public waters surrounding the proposed aquacultural operation;