

Nova Scotia Aquaculture Review Board
P.O. Box 2223, Halifax, Nova Scotia, B3J 3C4

Aquaculture.Board@novascotia.ca

RECEIVED

By Nova Scotia Aquaculture Review Board at 2:53 pm, Sep 19, 2023

INTERVENOR STATUS APPLICATION

Instructions

Please submit this form to the Aquaculture Review Board (Board) no later than **ten calendar (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 4:30 pm (local Nova Scotia time) on the deadline date, without leave of the Board.

A person applying for intervenor status for more than one application 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 will 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, AQ#1432, AQ#1433

Hearing Date:

Feb 5-9 and March 4-8, 2024

- Name of Applicant:

Leslie Clarke

- Civic Address:

[REDACTED] Nova Scotia [REDACTED]

- Mailing Address:
(if different than above)

[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

Nova Scotia Aquaculture Review Board
P.O. Box 2223, Halifax, Nova Scotia, B3J 3C4
AQUACULTURE.BOARD@NOVASCOTIA.CA

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

The existing 14 open fish pens have substantially and directly adversely affected me in the following ways: storms have destroyed and will continue to destroy the pens, sending debris from broken gear to our otherwise pristine beaches and littering the shoreline with dead fish (eye-witness knowledge). Even when the pens are intact, they house fish who harbor diseases and lice, and when these fish escape into the ocean it is generally accepted that they mingle with and contaminate the wild fish population. The parasitic lice pollute our swimming waters and, to our disgust, invade our bathing suits (first-hand knowledge). Furthermore, the existing pens are overfilled, which creates conditions that cause mutations in fish and in their diseases. This overfilling also creates a level of waste pollution that our basin is too shallow to accommodate. Our shallow basin and these over-filled pens have also caused the fish to freeze and die (general knowledge). There is no reason to think this won't continue. Also, the existing fish pens have a large automatic feeder that is noisy.

Queens County beaches and our coastline (marketed as "Queens Coast") contribute in an integral way to our physical and mental well-being and to our economy. We walk, run, play, swim, boat, and otherwise release stress and exercise there daily. The 14 existing fish pens also compromise our food security (seafood fishery) and our economy (our pre-existing, by generations, million dollar lobster fishery is specifically threatened by the pesticides used on the farmed fish), not to mention tourism. An additional 46 open pens would have a hugely detrimental effect on the ecology of our ocean and shoreline. It is impossible for these pens to be made secure.

We have to stop acting like the ocean can absorb all of our waste--from direct human action or from the consequence of crowding fish in an unnatural environment.

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

There is one existing and two new lease sites at issue; my concerns extend to all of them. I find it difficult to make a distinction between recreational and commercial use, since recreational use is also a positive economic force in our county. The way this question and the next one are phrased makes it seem as if somehow one can consider the impact of the site as if stops at the boundaries of the lease, when that is an impossibility. (As a matter of fact, the owners have for years ignored these boundaries, and our government officials did nothing, although concerned citizens pointed out this encroachment.)

You are asking me to describe MY existing use, so I will discuss the existing site. I have to look at it, and it is an eyesore in such a beautiful spot that years ago our government created a look-out on the Shore Road over what became this fish farm. I swim at Beach Meadows Beach, which is part of a Queens County Municipal Park. I have to listen to the automatic fish feeder. I walk and run on Beach Meadows Beach for stress release (as do many of my neighbors), and it is difficult to find this relief when I'm constantly reminded of the fish farm and its detrimental effects on our environment. For this reason, the current leased area adversely affects my mental health.

Do you realize that there is no vantage point from Eagle Head Point all of the way along the entire coastline to Western Head Light where the existing pens are not visible from the shore?

Kelly Cove Salmon Ltd, as Cook Aquaculture, has never dealt in good faith with Nova Scotia governing bodies or Nova Scotians--its overreach means there are 14 pens in an area designated for fewer than 10. I would like to know why this private company was not fined for this infraction and made to remove the extra pens. This company also promised to build a fish processing plant in Shelburne, which never materialized; instead they truck the farmed fish to their plant in New Brunswick. They also process diseased fish and sell them in the Canadian food market to unsuspecting consumers (as reported by the CBC). Cook Aquaculture brought only one job that I know of to Queens County. We question the value of any jobs they have brought to Nova Scotia. It should be no surprise that we don't want any fish pens in the waters of Queens County especially under the aegis of this company in which we have no trust. After all, the best indication of future behavior is past behavior.

Nova Scotia Aquaculture Review Board
P.O. Box 2223, Halifax, Nova Scotia, B3J 3C4
AQUACULTURE.BOARD@NOVASCOTIA.CA

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:

See above for my comment about the area of the proposed sites and the false dichotomy between recreational/commercial use.

To be specific, my family and I:
Eat local lobster and clams
Walk and exercise on the beaches
Swim in the waters
Paddleboard, surf, kayak
Entertain tourists on the beaches
Look at the natural beauty that remains
Support our mental health

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

I have time to devote to this review. I am passionate about this cause. I have lived by the shore in Queens County for 48 years, and my children and grandchildren live here and use the ocean as I do. As an intervenor, I can have an open mind. I am in favor of economic development. The main things that worry me are losing the economic framework that has supported Queens County for generations (lobstering and tourism) and the possibility of pollution from open-pen fish farms destroying our chance of having a sustainable source of healthy food from the ocean.

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.

Leslie Ann Clarke

Digitally signed by Leslie Ann Clarke
Date: 2023.09.15 16:33:04 -03'00'

Signature of Applicant

15 September 2023

Date

For Internal Office Use Only

Notice Date: _____

Date Received: _____

Decision Date: _____

Decision: ☐ Approved ☐ Denied

Decision Notes: _____

Applicant Notification Sent: _____

Notification to Parties Sent: _____

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;