

Fishing for some objectivity on aquaculture



Northwest Cove residents erect a billboard to protest a proposed fish-farming operation in the community in January 2001. While residents lost a court fight over the plan, they eventually won the war because the fish farm never went ahead. (File)

By RACHEL BRIGHTON

Neither I nor the provincial government hold an objective view of aquaculture.

The Dexter government has sold its claim to objectivity with a \$25-million financial package for Cooke Aquaculture Inc.

As financier to the industry, government will only regain credibility as a regulator of the same industry by farming out the science-based components of the licensing, leasing and monitoring processes to independent third parties who are not being paid by aquaculture companies themselves.

For example, the environmental assessments often required before a fish farm is approved have typically been prepared by consultants. These reports are effectively carved in stone even when there may be conflicting scientific opinion.

A community that disagrees with the facts as presented, and with the location of the fish farm, can appeal a ministerial decision to grant an aquaculture licence and lease and take the matter to court.

But they may find the appeal process goes like this: The judge defers to the minister's expertise, and the minister defers to the advice of the deputy, whose advisers rely on the expertise of the environmental assessment report prepared by a consultant who is paid by the applicant.

This is roughly what residents in a fishing community in Lunenburg County found out in 2002.

A dozen residents, including myself, a fisherman and the owner of a fish processing plant, appealed a decision to approve a fish farm at the entrance to Northwest Cove in St. Margaret's Bay.

The pens would have been a stone's throw from the plant, whose owner feared the water he used to process fish would be polluted by the fish farm and ruin his business.

We lost the court battle but won the war because the fish farm never went ahead, and Chris d'Entremont, the fisheries minister at the time, shook hands with one of our group and assured him it never would.

Our case disclosed the political motivations of senior bureaucrats, who urged the fisheries minister to "curtail the momentum" of NIMBYs and send "a signal of support" to "increase investor confidence in the Nova Scotia aquaculture industry" and overcome the greatest "impediment to future growth of the industry," which is access to new sites.

Of interest in the current public debate, then-Associate Chief Justice Michael MacDonald stated in his decision that "courts cannot usurp the function of government and become 'academies of science.' "

Is our provincial government an "academy of science?" I don't think so.

Then who adjudicates the scientific claims of the aquaculture industry against the claims of critics and who fairly balances the risks and rewards? Even government admits that as the industry grows, it will have to depend more on self-monitoring by the companies because it won't be able to keep up with this essential task.

If government wants to assure a skeptical public that aquaculture is a sound strategy for generating jobs and investment in reluctant rural communities, it must prove that regulation is based on good science and independent assessment and monitoring.

Until then, this jury is out.

Rachel Brighton is a freelance journalist and former magazine publisher. She writes on environmental technology for the new Herald Magazine and on small business for The Chronicle Herald.