

Judge orders further environmental assessment of proposed Placentia Bay fish farm

2016 decision to release Grieg NL Seafarms project from further environmental assessment overturned

By Mark Quinn

Grieg's plans include a new \$75 million state-of-the-art hatchery/nursery facility in Marystown that will produce seven million Atlantic Salmon annually to stock sea cage sites. (CBC)

A Supreme Court of Newfoundland and Labrador judge has overturned a provincial minister's decision to release a proposed Placentia Bay salmon farming project from further environmental assessment.

"I conclude the minister lacked the jurisdiction to release the project. The only possible conclusion he could reach was that the project had both 'significant public concerns, and the potential for significant negative environmental effects,'" wrote Justice Gillian Butler in her July 20 decision.

Grieg Seafarms plans to establish sea cage sites in Placentia Bay. (Aqua Maof Group/Submitted)

Butler also ordered that the project should be subject to a full environmental impact statement (EIS).

"I find the obligation to order an EIS was such a duty owed to the people of the province," she wrote.

Butler also ordered that the government pay the Atlantic Salmon Federation's (ASF) court costs. The other plaintiff, lawyer Owen Myers, didn't seek costs.

Salmon Federation reacts

Members of the ASF said they were thrilled when a copy of the court decision arrived in their email inbox.

"My feet were off the ground to see the judgement come in and then to realize that the judge did decide in our favour. We are very, very happy," said federation spokesperson Neville Crabbe.

The Salmon Federation challenged two items: the decision to accept the project for registration and then the decision to release it from any further environmental assessment.

"The judge agreed with us that because of the overwhelming public concern and potential significant, negative environmental affects that this potential Placentia Bay aquaculture project poses it should never have been released [from an environmental assessment] and the only option for the minister was to order an EIS," said Crabbe.

Environment minister's 2016 decision

On July 22, 2016, Perry Trimper, who was then minister of environment and climate change, released the Grieg NL Nurseries Ltd. and Grieg NL Seafarms project from further environmental assessment.

The decision was appealed Aug. 31, 2016, in accordance with Section 107 of the Environmental Protection Act.

But in a later news release, the provincial government announced: "The minister has considered the appeal documents and has determined that the original decision to release the project from further environmental assessment will remain in effect."

Massive proposal

Grieg's plans include a new \$75 million state-of-the-art hatchery and nursery facility in Marystown. The facility will produce seven million fish annually to stock 11 sea cage sites for a harvest of 33,000 tonnes of Atlantic salmon.

If the plan goes ahead, it would more than double the province's annual production of farmed salmon.

Grieg will now have to decide to if it wants to continue to pursue its plan to build in the Placentia Bay area.

Crabbe said if it does, the salmon federation expects to participate in the environmental assessment process.

"We will be an active participant. We will certainly use public opportunities for comment," he said.

<http://www.cbc.ca/news/canada/newfoundland-labrador/judge-orders-further-environmental-assessment-of-proposed-placentia-bay-fish-farm-1.4214517>

