

No More Environmental Impact Assessments for Salmon Farms in Nova Scotia

Navigable Waters Act omnibus cut leaves gap in federal assessments; province won't pick up the slack

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In Nova Scotia, Environmental Assessments are no longer required for fin-fish farms like this one.

[Photo: peigi_pest]

Halifax -- "I'm absolutely gobsmacked," says Marike Finlay. "I really cannot believe this is happening in Canada."

Finlay is president of Association for the Preservation of the Eastern Shore (APES), a group that is actively opposing the licensing of two new salmon farming operations in Spry Harbour and Shoal Bay. But it's not the bid to set up open net pens off the Eastern Shore that is surprising to Finlay. In the past two years, 4 new ocean-based salmon feedlot sites have been proposed and approved in other coastal Nova Scotia communities. What's astounding to Finlay is that unlike the feedlot sites that have gone before them, neither Shoal Bay nor Spry Harbour will undergo an environmental assessment.

Since the federal government passed omnibus bill C-38 this past summer, no aquaculture projects along Nova Scotia coastline, or anywhere else in Canada, will be assessed for environmental impacts by the federal government. And in Nova Scotia at least, they won't undergo a provincial environmental assessment either.

Shoal Bay and Spry Harbour didn't start out that way. Environmental Impact Assessment (EIA) documents were prepared for both sites in the fall of 2011, and in spring of 2012, the recently formed Association for the Preservation of the Eastern Shore started filing their responses with Transport Canada, the responsible agency for an assessment triggered under the former Navigable Waters Protection Act.

APES formed just weeks after a public meeting hosted by the Nova Scotia Department of Fisheries and Aquaculture (DFA) to announce and explain Snow Island Salmon's plans for the eastern shore. APES has roughly 300 members including groups such as the Sheet Harbour Chamber of Commerce, the Eastern Shore Fishermen's Protective Association, and the Atlantic Salmon

Federation. Heading up the environmental assessment response team for APES was vice president Bill Williams, a retired firefighter and avid fisherman.

Williams expressed concern that the currents near the proposed pens would not be strong enough to carry away fish feces and excess feed, and that nets and feed would be treated with chemicals and drugs to help keep pens clean and fish healthy under crowded conditions. Williams also laid out a list of concerns and issues related to the EIA docs submitted by Sweeney International, the project managers for the two Snow Island Salmon sites. Williams cited missing and outdated information on the local commercial, recreational and aboriginal fisheries, along with wind and wave data taken from the South Shore and Gulf of Maine, too far away to be relevant to the site locations. But after submitting his concerns in writing to Transport Canada and DFA, he has yet to hear back.

"The thing that really scares us," says Williams, "is that the DFA and Minister Belliveau are going to base their decision on a lot of the things said in those [EIA documents] that are not right."

"We spent huge amounts of time, energy, and expertise making our reply," says Finlay. "We had marine biologists, wildlife specialists, specialists in tides and currents, local fishermen's knowledge. And we replied to each environmental assessment for each of those sites."

And then along came the federal government's omnibus budget implementation bill in July 2012. Among its many changes was a rewrite of the Canadian Environmental Assessment Act, eliminating federal responsibility for most of the thousands of assessments they had conducted each year, including those already underway for aquaculture sites like Shoal Bay and Spry Harbour.

On CBC Radio's The House, Natural Resources Minister Joe Oliver defended the federal policy changes. "We did eliminate the review of some projects which were inconsequential," said Oliver. "And that's been used as sort of an instance of reduced environmental protection. In fact, we've been focussing on the projects that can have an environmental impact, and not whether a rink should be set up in a national park."

It turns out that among Oliver's "inconsequential" projects are open net pen fish farms, a slightly more contentious public issue than your average rink. On both coasts, citizens and non-governmental scientists have been expressing concerns over the environmental impact of open net pens, calling for moratoriums on further licensing of farms and consumer boycotts of farmed fish. Issues are wide ranging and include destruction of ocean habitat underneath pens, use of chemicals and pesticides that kill other marine life, proliferation of viruses (infectious salmon anaemia) and parasites (sea lice) that can infect wild fish populations, and escapes of farmed fish that compete with wild populations.

Most recently, the Atlantic Coalition for Aquaculture Reform issued a report that found significant increases in the number of monitoring stations reporting polluted and grossly polluted conditions on Nova Scotia fish farms since 2006. Conservation Council of New Brunswick biologist Inka Milewski authored the report, which used DFA's own monitoring data, collected from 11 of 16 fin-fish farms in the province. "There is a tremendous amount of waste that is produced from these fish farms," says

Milewski. "We're talking hundreds of metric tonnes of waste per farm... And we know from previous monitoring history that that waste is not being adequately absorbed by the environment. It's simply degrading the sea bottom and creating these dead zones."

Milewski confirms Bill Williams's concerns over the ability of currents to flush out the areas underneath farm sites. "The waters where these farms are located are relatively shallow," says Milewski. "The currents and the flushing are fairly restricted. As these farm sites operate year after year, even with a little bit of fallowing, the data indicates that the waste builds up... and as it builds up, conditions become polluted or grossly polluted."

Dalhousie environmental law professor Meinhard Doelle says provinces will need to reassess their role in the wake of the drastic federal pullback in environmental assessment. "You can't expect provincial laws to be adequate to the task right now in any province, because they were developed based on an assumption that the federal government was willing to play a role that it is no longer willing to play." Provinces will have to determine "whether there are projects that they now feel should be assessed provincially to ensure that they're not missed," says Doelle.

In Nova Scotia, the Environment department response is, well, no. Spokesperson Lori Errington says there are no plans to review the Environment Act or its regulations to make up for the massive gap left by the federal government.

Beyond that gap, there is also the issue of whether environmental assessments were doing the job in the first place. APES and any other intervenors in the short-lived Shoal Bay and Spry Harbour assessments did not hear any feedback to their comments and concerns, and for the most part went in with the understanding that the farms were a fait accompli.

"We were told by other areas that have had fish farms imposed on them, you have to do this," says Marike Finlay. "They told us, you have to do it, to show that you've done it. But in the end it won't matter a hill of beans. They're going to grant them the licenses anyway."

"I think there are better ways," says Meinhard Doelle. "One is to do more strategic and regional environmental assessments, where you go beyond one project." Nova Scotia conducted a strategic environmental assessment for tidal power before deciding to support development of the industry. Strategic assessments can "engage people in a discussion about whether a new industry is a good thing for a region or not, how a new industry might coexist with existing uses of an area. And how that new industry interacts with the natural environment," says Doelle. "If you did that, I think the problems at the project level would diminish significantly."

Marike Finlay wasn't a fan of the environmental assessment process, but says it needed improvement, not scrapping altogether. "There's one casualty, which is our waters," says Finlay, "but another casualty is that people no longer believe they live in a democracy. People have become extremely disillusioned by this whole process."