

## Pooping the Bed

As provincial government hands out millions to bottom-fouling industry, feds gut Fisheries Act.

by MILES HOWE



Sea Lice - Not Just a Tiny Crustacean. [Photo: SierraTerra]

K'jipuktuk (Halifax) – On June 21st, in response to the announcement that the province of Nova Scotia would be providing a series of loans and cash totalling \$25 million to Cooke Aquaculture's massive fish farm expansion plans, Glenn Cooke, CEO, [noted](#):

“My family has been farming the ocean for more than 25 years and the sky hasn't fallen.”

Such a statement seems flippantly reductionist, especially in light of the serious environmental problems that Cooke's fish farms have wrought upon the coastal waters of the Maritimes. To paraphrase a local environmentalist:

“Mr. Cooke, in this case it isn't the atmosphere that we're worried about. It's what goes on beneath your fish cages.”

Despite the provincial NDP government's gushing of praise (and cash) on Cooke, and despite his honorary degree from the University of New Brunswick, this is a man up on 19 charges of overseeing the use of a cypermethrin-based pesticide, considered deleterious to fish, in his fish farms across New Brunswick. In 2009 it was found to be the cause of a massive lobster kill.

The case against Cooke and two other top executives is set to continue for the foreseeable future, and none have yet entered a plea, but it is the type of crime in which there is very little in the way

of grey area in terms of legality and morality. Did Cooke knowingly considered his company to be above Canadian law, or perhaps more succinctly know that his half-billion dollar fish-farming empire could easily absorb the slap on the wrist from the newly-gutted Fisheries Act? If not, then where did the cypermethrin come from?

Of course, in the new climate of slash-and-burn politics that is spreading like wildfire across the country, this may well be the type of uncomfortable line of questioning that Glenn Cooke and company will never have to answer again.

Amendments to the Fisheries Act have left Canadians with a shell of a document, and Fisheries and Oceans minister Keith Ashfield himself now [unabashedly writes](#) that the new act will “provide flexibility and establish new tools to authorize deposits of deleterious substances”.

Matt Abbott of [Fundy Baykeeper](#), an organization with years of experience in watching Cooke Aquaculture render ocean floors into ocean deadzones, thinks that the new Environment Canada and Department of Fisheries and Oceans-light will no longer have the capacity to identify, or the muscle to enforce, any future potential lawbreaking by Cooke and his ilk. Indeed, as the laws themselves are re-written to more suit the Cookes of the world, wrongdoing, from a legal sense anyways, will be a thing of the past.

“In terms of future investigation and prosecution into this sort of thing, both Environment Canada and the Department of Fisheries and Oceans [employees] working in pesticides and contaminants have been laid off or their positions have been ended,” says Abbott.

“In terms of having the expertise in government in figuring out what happens when lobster or other things die; we might not see that again. We’ve had a weakening of the environmental legislation, and I’ll call it an attack on the capacity of government to have the expertise on hand to see this out. This is complex. You can’t just send a twitching lobster to anyone and have them figure out what’s happened. Instead of hiring young people to glean and learn from these people who’ve been at it for thirty years, we’re just laying them all off.”

Not to be outdone by, or perhaps in step with, their federal counterparts, the provincial government of Nova Scotia now seems only willing to provide feel-good answers to serious questions of environmental management and accountability.

When I asked the ministry of Fisheries specifically what processes and protocols are in place to ensure that all aspects of the environment, including wild salmon and lobster, are protected against the potential of illegal use of pesticides by Cooke Aquaculture's fish farms in Nova Scotia, I was provided with an rosy overview of a perfect-world scenario in which large-scale aquaculture farms either do not use illegal pesticides, or self-correct once they see the error of their ways.

Here is the response from the Ministry of Fisheries:

"Health and medicinal treatments are tightly regulated under the federal Feeds Act, the Food and Drug Act and Regulations, the *Pest Control Products Act*, the *Fisheries Act*, the *Nova Scotia Environment Act*, the *Nova Scotia Veterinary Medical Act*, and the *Nova Scotia Pharmacy Act*.

*The purpose of these Acts is to safeguard the health of humans, marine life, and the environment.*

Treatments in the aquaculture industry are designed to minimize any potential risks to lobster or other marine life."

Maybe. But what are the processes and protocols in place?

Of course, one doesn't have to trust Cooke, or rely on science, or check out court dockets, or even look across the Bay of Fundy (all of which perhaps didn't occur to the NDP government?), to see the drastic, negative environmental and economic effects of a Cooke Aquaculture open-net pen fin fish farm. These things already exist in real time for all those interested to see.

\$14 an hour jobs aside, the community of Port Mouton, Nova Scotia, knows well the destructive and unsustainable nature of such a venture. In 2009, after fouling the inner bay so badly that even farmed salmon could no longer survive, Cooke Aquaculture followed its Port Mouton fish farm for three years. Those three years are now up, Cooke Aquaculture is again stocking its farm, and people in Port Mouton are not happy.

"They fouled it," says Bob Swim, lobster fisherman. "There were way too many chemicals in the water, copper was one, and their fish were dying. As it was getting more polluted, the lobster wouldn't come into that inner bay anymore. That bay pretty much became non-existent for lobster. Last year there was a decent sign of lobster coming back, and this year we did a lobster survey and it was even better than last year. So now they're going to come back and hammer it again? You watch. Our sell-off survey for the next year and the next year if they're still here, it will decline again."

Clyde Fisher, of the group [Friends of Port Mouton Bay](#), agrees.

"The waste from the fish farm spread. It killed the eel grass. It made it so bad over the years that they couldn't raise fish there. There's so many things that happened starting out from that one little farm, and it just kept spreading through the Bay. And it's nowhere near what it once was. The effects haven't healed yet. And they're putting in fish again."

So, the industry that is being touted as an economic saviour to rural, coastal, Nova Scotia is an unsustainable venture that fouls its own bed to the degree that it can only survive where it sets up

for brief periods of time. It winds up costing local, independent fisherpeople their independent livelihood as it destroys the very environment upon which they depend, and instead provides a not-so-fortunate few with minimum-wage-plus-a-dollar-or-four jobs shovelling fish feed. It is 'monitored' by an act that may well no longer have the capacity to properly monitor it, which, if its track record is any indication, will suit industry, and apparently the provincial government, just fine. And it's going to make Glenn Cooke rich.