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## **You can't trust the science when the science isn't there: Groups respond to Environmental Assessment of Northern Pulp**

Pictou, NS: You can't trust the science when the science isn't there. That's the bottom line for Friends of the Northumberland Strait (FONS) and the Working Group representing 3,000 fishermen in three provinces as they wait for a decision on Northern Pulp's new Effluent Treatment Facility. The decision is due in just over a week, on March 29. The groups say Minister of the Environment Margaret Miller cannot approve the project, because there are information gaps on many critical issues.

"To approve a project, the minister must determine that the proposed project will not have adverse effects or significant environmental effects that cannot be mitigated. Northern Pulp's documentation is missing essential environmental baseline information. Without that information, the Minister cannot sufficiently predict adverse effects or significant environmental effects or Northern Pulp's ability to mitigate those risks, and therefore cannot approve this project," says Jamie Simpson, lawyer for the Working Group.

"Northern Pulp has not provided any information on effluent composition or concentration, which is essential to be able to understand potential effects on fish and fish habitat," says Carl Allen of the Maritime Fishermen's Union. "In spite of strong recommendations from their own consultants to provide lobster larvae studies, Northern Pulp has not provided that information, and in spite of clear instructions from Nova Scotia Environment that the receiving water study must address all potential substances of concern, not only those outlined in Federal Pulp & Paper Effluent Regulations, Northern Pulp has neglected to do that also," Allen said.

"It's not just a few bits of missing information," says Jill Graham-Scanlan of FONS. "There is lack of essential information on a wide range of issues, on land, in the water, and in the air, at every step of the project."

"Northern Pulp did not provide baseline water analysis for Caribou Harbour, but instead submitted information from Pictou Harbour as 'proxy' - while admitting that Pictou Harbour is more polluted than Caribou Harbour. The company did not examine possible risks from contamination on the mill site where construction is proposed to

take place. They have not provided baseline information on wetlands along the land-based pipe route and they have downplayed the potential risks of running a pipe through the Town of Pictou watershed,” she noted. “The company presented a health risk study from a mill that was never built to support their claim that there would be no health risks from this mill. That’s not science we can trust,” Graham-Scanlan says.

Of seventeen “Valued Environmental Components” examined for the EA, Northern Pulp failed to conduct primary research to determine baseline conditions for more than half - including freshwater fish and fish habitat, wetlands, wildlife, migratory birds and priority bird species, harbour physical environment, water quality and sediment, marine fish and fish habitat, marine mammals, sea turtles, marine birds and more. “As our submission states, the absence of this basic baseline research means that NPNS cannot accurately identify or describe the environment into which it proposes to introduce unknown toxic substances,” Graham-Scanlan points out.

Although ice scour was a major reason that Northern Pulp abandoned its initial route, Northern Pulp did not conduct studies of ice scour for the proposed Caribou Harbour route. Local fishermen and a master diver have submitted information to the Minister indicating that based on their direct knowledge of the area over decades, the proposed underwater pipe will be vulnerable to damage from ice.

“Northern Pulp’s proposed mitigation in case of damage to the pipe or diffusers ignores common knowledge and common sense,” says Allan MacCarthy, who has fished out of Caribou Harbour for 40 years. “The company says *‘Upon detection of any marine outfall pipe damage or diffuser fouling, repairs would be promptly performed.’* This would be impossible for four months of the year, when ice locks in Caribou Harbour. This is exactly when damage to the pipe or diffusers is most likely. Pipe or diffuser damage during this period could lead to long term damage to harbour habitat and marine life that depend on it,” MacCarthy adds.

MacCarthy points out that Northern Pulp’s submission is inaccurate in describing the fishing that takes place in the Caribou Harbour area and that the company has proposed a potential “no-anchor zone” that would interfere with herring and other fisheries. Northern Pulp’s submission also neglects to mention other existing economic activities that take place in the area, including a fish plant employing 100 people and use of the harbour for lobster storage by buyers. Both would be at risk from the proposed effluent discharge.

The groups believe that if Northern Pulp did not have enough time to gather required information, the application should not have been submitted to the

Minister. “Submitting an application that is incomplete on so many points and expecting approval is not relying on the science,” says MacCarthy.

“We are still hoping for a Federal Environmental Assessment, but at this point the EA is in the hands of Nova Scotia Environment,” says Ian MacPherson of the PEI Fishermen’s Association. “Given that so much environmental baseline information is missing, fishing organizations are asking the NS Minister to call for a full environmental assessment report to insure full and informed public participation and an accurate understanding of the facts and the risks,” MacPherson says.

“Fishermen and local citizens know the area and the issues in detail. Our groups have submitted valuable information to correct many gaps and inaccuracies in the information presented by Northern Pulp. We have also presented expert evidence that questions the accuracy of Northern Pulp’s modeling of effluent dispersion at the outfall,” Graham-Scanlan adds.

“If the Minister approves this project with so many gaps and weaknesses, and allows additional information to be presented behind closed doors without public scrutiny and input, she will be setting a dangerous precedent,” Graham-Scanlan points out. “A full environmental assessment report is the only credible option for the Minister to take, unless she chooses to reject the project outright.”

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Links:

[FONS submission to NS Environment](#)

[Fishermen’s Working Group Submission to NS Environment](#)

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Fishermen’s Working Group submission to EA process: “We implore you to reject NPNS’s proposal as presented and require NPNS to file a **thorough and rigorous Environmental Assessment Report, per subsection 13(1)(d) of the Environmental Assessment Regulations**, given the project’s high risk of environmental effects.”

Friends of the Northumberland Strait submission to EA process: “... there is ample evidence is before the Minister to allow her to conclude that the project should be rejected,” as it is likely that it will cause adverse effects or significant environmental

effects that cannot be mitigated. ...In the alternative, ...due to the multiple information gaps, lack of examination of significant issues, and lack of scientific support for the premises put forward by NPNS, as well as failure to provide evidence of mitigation measures and their effectiveness, a full environmental assessment report is the only means by which the Minister or a Panel can comprehensively and objectively assess project impacts and permit full and informed public participation in this process, given the potential for harm posed by this project.”

Environmental Assessment regulations state that in formulating a decision, the Minister shall consider information on a number of factors including :  
“whether environmental baseline information ... is sufficient for predicting adverse effects or environmental effects related to the undertaking,” and  
“potential and known adverse effects or environmental effects of the proposed undertaking, including identifying any effects on species at risk, species of conservation concern and their habitats.”