

# PUBLIC HEARING

## WHITES POINT QUARRY AND MARINE TERMINAL PROJECT

### JOINT REVIEW PANEL

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V O L U M E 13

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HELD BEFORE: Dr. Robert Fournier (Chair)  
Dr. Jill Grant (Member)  
Dr. Gunter Muecke (Member)

PLACE HEARD: Digby, Nova Scotia

DATE HEARD: Saturday, June 30, 2007

PRESENTERS: -Mr. Laurie McGowan and Mr. Scott Leslie  
-Mr. Tom Haynes-Paton  
-Ms. Heather Stewart  
-Institute for Applied Science  
Mr. David Hill  
-Mr. Christopher Tidd  
-Ms. Dorothy Tidd  
-Ms. Carol Littleton

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Recorded by: A.S.A.P. Reporting Services Inc.  
200 Elgin Street, Suite 1004 Ottawa, Ontario K2P 1L5  
130 King Street W., Suite 1800 Toronto, Ontario M5X 1E3  
613-564-2727 (Ottawa Office) / 416-861-8720 (Toronto Office)  
613-564-7756 (Ottawa Fax) / 416-946-1693 (Toronto Fax)  
1-888-661-2727 (Toll Free)

Per: H  l  ne Boudreau-Laforge, CCR

1 Digby, Nova Scotia

2 --- Upon resuming on Saturday, June 30, 2007, at 9:00 a.m.

3 THE CHAIRPERSON: Ladies and gentlemen,  
4 we will begin now. I don't know, do I need to introduce...

5 Yes, I guess I will anyway. I see a couple of unfamiliar  
6 faces, so on my left is Dr. Jill Grant, who is a  
7 professional planner. On my right is Dr. Gunter Muecke, who  
8 is an earth scientist. My name is Robert Fournier,  
9 oceanographer by training.

10 We had another computer glitch yesterday  
11 which slowed us down, so anybody who is planning to show  
12 anything, please get it to the Secretariat as soon as  
13 possible so they can familiarize themselves with it. That  
14 would be a big, big help to us.

15 With regards to undertakings, I'm not  
16 going to go through the list at all. There are still a  
17 number of undertakings that are outstanding, however...

18 They have all arrived? Everyone of  
19 them? My goodness, no one told me.

20 Okay. They have all arrived, but they  
21 have certainly not been reviewed, and so... But I'll come  
22 to that later, I'll make some mention of that this  
23 afternoon.

24 So I'm really quite pleasantly surprised  
25 they are all here, but obviously they have to be reviewed

1 carefully and thoughtfully, and that will take some time.

2 The only other item I think of  
3 background interest or housekeeping remark has to do with  
4 the closing.

5 The presentations will end this morning,  
6 when we break for lunch, and then this afternoon will be the  
7 closing.

8 The closing is an opportunity for  
9 registered presenters to summarize their presentations or to  
10 summarize the points that they think are important.

11 The amount of time is very limited, it's  
12 about five minutes for each, 15 minutes for the Proponent,  
13 and at the moment I think we have 17 or 18 presenters.

14 I need to emphasize that it's not an  
15 opportunity to have another presentation, but rather a  
16 summation, okay?

17 Well, I'll make some additional comments  
18 later. So I think that's really all that I have to say for  
19 this morning.

20 We are now moving into the final list of  
21 presentations, and the first presentation is by Carol  
22 Littleton.

23 Thank you.

24 **PRESENTATION BY Ms. CAROL LITTLETON**

25 Ms. CAROL LITTLETON: Good morning ladies

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1 and gentlemen and Panel, my name is Carol Littleton, I live  
2 in Annapolis Royal.

3 I've called my presentation: "Positive  
4 and negative consequences of the Whites Cove Quarry  
5 proposal."

6 Yes, I believe there has been some  
7 positive consequences in the way of a wake-up call if you  
8 will.

9 We have been propelled out of our  
10 sometimes over complacency which perhaps comes when you live  
11 in a relatively problem-free area of the world with beauty  
12 and civility and old fashion community caring and ties.

13 The negatives, a feeling of anxiety and  
14 uncertainty about the future, a sense of loss of control  
15 over our affairs, over our surroundings and our prized  
16 places and lifestyle.

17 Feelings of this empowerment raised by  
18 behind-the-door dealings of our elected officials and civil  
19 servants have raised suspicions that we are not being  
20 treated with due respect.

21 Who to trust? What information is  
22 reliable? What can we do? We might be trusting people, but  
23 we are not unaware of the ways of the corporate world.

24 We care about our traditional lifestyle  
25 and the legacy we leave to the next generation, not more so

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1 than others living with similar economic stresses across our  
2 province and country.

3 Another negative has been the fear of  
4 retribution. Some people have had... If they speak out,  
5 something might happen to them or their profession or their  
6 relatives.

7 And who am I to be talking, a relative  
8 newcomer to the region just 18 years ago. Some background  
9 to my remarks might be helpful.

10 I was born and brought up in Cape  
11 Breton, an area of Nova Scotia with some similarities to  
12 Digby Neck and the Islands, both geographically and in terms  
13 of the rural coastal economy and lifestyle.

14 I was educated at Acadia and Dalhousie  
15 before leaving for further education and employment in  
16 Toronto.

17 As many Nova Scotians before us, my  
18 husband and I returned to Nova Scotia when we were in our  
19 fifties, after years of work and travel, seeing it as the  
20 best place in the world to live out the rest of our lives.  
21 That was in 1989, 18 years ago.

22 I was then privileged for a seven-year  
23 period to work as a psychologist on Digby Neck and the  
24 Islands, both in my role as school psychologist and  
25 afterwards for a four-year period as a clinical psychologist

1 at the Digby Mental Health Services.

2 I didn't live in the Digby Neck area  
3 ever, but after hundreds of consultations with mothers,  
4 fathers, children, teachers, administrators and other health  
5 professionals, I felt a profound connection with the people  
6 of the area, the people and the area.

7 Driving down the Neck in the early  
8 morning staring across straits to the Islands in all seasons  
9 of the year was a delight, especially after coping with the  
10 14-lane highways of my city drive to work, and the people  
11 were a joy, compassionate, hospitable, humourous, adaptable  
12 and multi-talented.

13 It was saddening to see the effects of  
14 resource depletion and economic downturn in the province,  
15 and the need for people to work so hard to survive and to  
16 embrace technology and work conditions alien to their  
17 background like call-centre work, although that has enabled  
18 many families to survive.

19 My own son had to give up a small  
20 business he had established in the region to move, again  
21 like so many others before him, to the big city.

22 He will likely be back, and with new  
23 skills to share, a traditional pattern leading to the  
24 slightly skewed population demographic, but a pattern not  
25 without its own merits, given the leadership and

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1 voluntarism available from a large number of seniors in the  
2 area, citizens who have more time available and the wisdom  
3 which comes from lives lived.

4           The Neck has been blessed also from the  
5 skills brought by the "come-from-aways", those who live  
6 elsewhere and own holiday property in the Province, and  
7 those who will discover this lovely part of the world and  
8 manage to come back here to live full-time, full of passion  
9 for area, and having the perspective to appreciate its  
10 qualities as much as the long-term residents and for the  
11 tradition of Nova Scotians returning to their province after  
12 many years away and able to work for a few more years, as  
13 did my husband and I.     Economic stresses aside, it was the  
14 news of the mega-quarry which was the most upsetting to me.

15     Advance plans for industrial development of a kind would  
16 seem so inappropriate for the special characteristics of the  
17 growing eco-tourism destination of Digby Neck and the  
18 Islands, as well as its established large and important  
19 fishery.

20           Residents particularly objected to the  
21 secrecy with which it was developed, with no consultation  
22 with the Municipality or the residents.

23           An early quarry proposal had been  
24 rejected years ago, and it was unexpected to have the threat  
25 resurface with a permit already granted.



1                   If not enough benefit to the area could  
2 be seen, certainly not a net increase in employment, many  
3 perhaps speculated about backroom deals and payoffs.

4                   A matter of applying for the permit for  
5 a size calculated to escape the scrutiny of an automatic  
6 provincial environmental assessment raised further  
7 suspicions about the company's good faith dealings and  
8 trustworthiness.

9                   What came next was the good news, the  
10 coming together of the community and its different groups,  
11 the long-time local residents, the "come-from-aways", and  
12 the "come-back-from-aways", to deal with the threat.

13                   Now some have proclaimed the opposite,  
14 that the opposition to the quarry has split the community.

15                   Actually, a rather small number plus the  
16 media is always it seems focussing on the negative.  
17 However, I maintain that given a large discrepancy between  
18 the numbers opposing the quarry and the few supporting it, I  
19 would characterize it more as a small fisher, not a big  
20 split.

21                   Rather than focus on the one threat, the  
22 Whites Cove mega-quarry, the group wisely chose to look at  
23 development in general and to form an organization whose  
24 name demonstrates the vision of the community.

25                   The Partnership for the Sustainable

1 Development of Digby Neck and the Islands was created, whose  
2 charter contains an agreed upon definition of shared values  
3 and goals.

4                   You just have to attend the annual  
5 fundraiser of the Partnership, if you can get a seat in the  
6 huge hall, to assess the support and the spirit of the  
7 people.

8                   Had there not been tremendous opposition  
9 to the Project, the Partnership would never have been able  
10 to succeed in obtaining this Joint Panel Review, the highest  
11 level of environmental assessment in the country, and  
12 believe me, not readily granted.

13                   What a review it has been, outstanding.

14       The three Panel members have uncovered an astonishing  
15 amount of information through their careful and shrewd  
16 questioning so that they really understand the situation and  
17 the players.

18                   We are so grateful to them and full of  
19 admiration for their knowledge.

20                   One even feels that the representatives  
21 of the various government agencies have been treated to many  
22 ideas about how they could better conduct their  
23 environmental protection and regulatory activities, just  
24 through their participation and cooperation with this  
25 Review.

1                   To the Panel members, a plea for you to  
2 consider recommending not only that this Whites Cove Quarry  
3 not receive a permit, but to recommend a freeze of other  
4 coastal development projects until the Province has  
5 developed long, overdue, updated regulations, specifically  
6 designed to protect the coastal environment.

7                   We are fortunate to have several  
8 organizations poised to work with officials to complete  
9 these well-educated environmentalists with an appreciation  
10 of the complexity of ecological interactions and current  
11 threats to the environment from carbon emissions.

12                   Several of these organizations are  
13 focussed on the coastal environment.

14                   We just need a little more time to get  
15 these regulations worked out. Indeed, the Department of the  
16 Environment and Labour has, I believe, already started on  
17 this.

18                   Meanwhile, Nova Scotia needs a reprieve  
19 from ongoing threats to allow this next phase to be  
20 implemented.

21                   Although I know you have had a  
22 presentation from Jen Graham of the Coastal Coalition, I am  
23 enclosing some literature which shows the locations of all  
24 the environmental groups around coastal Nova Scotia. It's  
25 quite impressive.

1                   Just briefly, my vision of a future Nova  
2 Scotia is a place where traditional values will continue to  
3 thrive along with the best of environmental practices.

4                   Such a place will attract new residents  
5 from across the world and visitors who want to learn from  
6 our choices and to experience the resulting blend of a  
7 traditional and a technologically advanced society with the  
8 best of environmental practices.

9                   Our fishery will recover, and the waters  
10 will again become pristine and home to a very large range of  
11 species.

12                   We will learn to take advantage of the  
13 projected increase in temperatures in this area due to  
14 global warming to extend our growing seasons.

15                   Our farmers in the Annapolis Valley will  
16 continue their current trend towards pesticide-free  
17 agriculture, which will commend the best prices for export  
18 and bring sustainable economic success.

19                   No longer would we be susceptible to  
20 those who would exploit our resources for short-term  
21 financial gain.

22                   Small businesses would thrive, and our  
23 experimentation with the protection of our ecology would  
24 supply new technology which could be exported and provide  
25 the needed value-added products.

1 Clear cutting would be a thing of the  
2 past, and our forest could regain diversity and maturity.

3 Just as we have demonstrated in the  
4 past, that is Nova Scotia, we are a leadership across this  
5 Nation in waste management and disposal.

6 We will take the necessary steps to  
7 reduce our carbon emissions with the most advanced programs  
8 in other provinces, states and countries.

9 If we do indeed care about the  
10 environment as much as we have proclaimed during these  
11 hearings, we will take that issue seriously also.

12 There is no reason why this vision could  
13 not come to be. We have the will, we have the people and we  
14 now have the awareness of what needs to be done.

15 It all depends now on the ability of our  
16 elected government officials, provincial and federal, to  
17 think and plan long term, to deny this permit and to  
18 demonstrate that they respect the will of the people.

19 Thank you so much for making it possible  
20 for me to give this presentation.

21 THE CHAIRPERSON: Thank you Ms.  
22 Littleton. Mr. Buxton?

23 Mr. PAUL BUXTON: Thank you Mr. Chair, I  
24 don't have any questions.

25 THE CHAIRPERSON: Questions from the

1 audience, from the floor? Yes.

2 **PRESENTATION BY Ms. CAROL LITTLETON - QUESTIONS FROM THE**  
3 **PUBLIC**

4 SISTER BARBARA: My name is Sister  
5 Barbara, and I'm from Rossway, Digby Neck, thank you very  
6 much for your presentation Ms. Littleton.

7 You mentioned that you thought that  
8 people are afraid to take a stand either for or against the  
9 quarry.

10 And many times during the hearing, it  
11 has come up about a plebiscite or a vote. Do you think  
12 these people would exercise their democratic right at the  
13 ballot box if we were offered that opportunity?

14 Ms. CAROL LITTLETON: Well, I think they  
15 obviously would not have the same fear of retribution, so  
16 possibly so.

17 I'm not sure how the plebiscite results  
18 would be used. It seems to me that the important thing is  
19 that it has to be recognized whether this is appropriate  
20 or inappropriate on the basis of all the information  
21 gathered.

22 SISTER BARBARA: Could I have a point of  
23 clarification please Mr. Chair? Okay. If a plebiscite is  
24 approved, could it be confined to the area most affected,  
25 should this Project proceed, namely the residents of Digby

1 Neck and Islands?

2 THE CHAIRPERSON: I'm not the person to  
3 ask that too. Perhaps that's a subject you should raise  
4 with some of your elected officials.

5 SISTER BARBARA: Right, thank you very  
6 much.

7 THE CHAIRPERSON: You're welcome. Thank  
8 you Ms. Littleton.

9 The next presenter is Tom Haynes-Paton.  
10 Come forward. Try and keep it about six inches away from  
11 you.

12 Identify yourself please.

13 **PRESENTATION BY TOM HAYNES-PATON**

14 Mr. TOM HAYNES-PATON: My name is Tom  
15 Haynes-Paton. I wish to thank you very much for this  
16 opportunity to speak, and I speak without prejudice.

17 I want to view the quarry from what the  
18 Japanese call a Gygene, or one who stands outside.

19 First as one who lives outside Digby  
20 Neck and second, as if I were viewing our subject today  
21 standing outside Canada, for example in Chinamen Square in  
22 Beijing, China.

23 Without prejudice, my name is Tom  
24 Haynes-Paton, and though I do not live on Digby Neck, I am a  
25 stakeholder in this issue as are hundreds of small family

1 business owners throughout western Nova Scotia, some living  
2 very far from Digby Neck.

3 I have a Japanese Art Gallery in Barton,  
4 on the south side of St. Mary's Bay. I have lived in Nova  
5 Scotia for almost 20 years.

6 I have been fortunate to live in most  
7 parts of the world. The U.S. during my youth, Scotland for  
8 a year, where I studied hard rock geology; Taiwan, China for  
9 two years where I taught English and music and Japan and  
10 Northeast Asia for 20 years, working in urban human rights,  
11 peace and justice development.

12 For me Southwest Nova holds a spiritual  
13 energy of created peace and tranquillity that I haven't  
14 found elsewhere.

15 Good land, good air, good food and good  
16 people. That's why I'm here.

17 I'm a small business owner, one of a  
18 great number from Yarmouth to Digby along Route 1. The  
19 livelihood of many of our Route 1 businesses depend upon  
20 tourists getting off the ferries and being sent toward  
21 Digby Neck by tourist authorities and shop keepers in  
22 Yarmouth.

23 The destination on the lips of most of  
24 my customers is not Digby, it's not Annapolis Royal, most of  
25 my customers are on their way to Digby Neck and Long and



1 Brier Island.

2                   The Achilles' heel of my business is  
3 what happens each day in Yarmouth when tourists get off the  
4 CAT.

5                   If the tourism information personnel or  
6 the shop keepers in Yarmouth have any additional reason to  
7 send tourists to Halifax via the south shore rather than up  
8 St. Mary's Bay, then that hits my pocketbook directly.

9                   My point is this, the quarry will  
10 greatly diminish or blemish Digby Neck's reputation as a  
11 magical natural ocean-bound hideaway, and that will directly  
12 affect the number of customers to my shop, and thus my  
13 bottom line.

14                   Not just my business, it will affect  
15 many, many Route 1 businesses, motels, hotels, restaurants,  
16 organic farmers produce booths, craft shops, galleries, gas  
17 stations, et cetera.

18                   And I am not speaking hypothetically. A  
19 few years ago, a road on Digby Neck and Long Island was  
20 being repaired.

21                   The number of customers to my gallery,  
22 and thus my income, dropped significantly during that five-  
23 week period.

24                   I went to Yarmouth at that time and  
25 asked what was going on. I was told by the Manager of the

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1 tourist information centre that they normally work very hard  
2 at holding no bias about how tourists move from Yarmouth to  
3 Halifax, whether south shore or St. Mary's Bay.

4 She said that they readily recommend  
5 Digby Neck and Islands for those asking about whale  
6 watching, visiting fishing villages, small inlets,  
7 birdwatching, eco-tourism, et cetera.

8 But she continued, and I quote:

9 "Yes, this summer we have had to be  
10 honest with our tourists and warn people  
11 about problems and delays on Digby  
12 Neck."

13 These were her words:

14 "...warn people about Digby Neck..."

15 A mega-quarry on Digby Neck would be a  
16 permanent blemish, and thus a permanent loss of income to me  
17 and to many others, some very far from Digby Neck.

18 I can hear the Yarmouth tourist  
19 information centre conversations now if the quarry is  
20 allowed to happen.

21 "Yes, Digby Neck and Islands are or have  
22 been a key tourist destination for Western Nova Scotia, but  
23 I must warn you some days there will be blasts of 30 tonnes  
24 of explosives, some days there will be a 700-foot boat  
25 moving through your whale-watching area, and there will be

1 unusual heavy-duty truck traffic on the narrow road at  
2 times. Now on the other hand, we have the lighthouse trail  
3 of South Shore."

4 Now let's look at the quarry project  
5 from far away, China.

6 This is part of a much longer document,  
7 which I have submitted.

8 The great danger of Whites Point's mega-  
9 quarry as a precedent is not just the insatiable appetite of  
10 the U.S. for aggregate. No, what mega-powers need and will  
11 take from us, it's water.

12 I would like to refer you, all of you to  
13 Maude Barlow's excellent book: "Blue Gold, the battle  
14 against corporate theft of the World's water."

15 The Chinese are watching to see if the  
16 nation is a player or just a pond on the global board. The  
17 Chinese respect players, ponds are free for the taking.

18 20 years, I lived and worked among both  
19 the Japanese and the Chinese. I speak both their languages.

20 I have friends amongst both people, good people, but China  
21 as a collective nation, its government and its companies  
22 is materialistic, opportunistic and not a global team  
23 player.

24 China wants to be number one. China is  
25 watching for lesser countries who are willing to sell their

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1 sovereignty to any bidder.

2                   China now owns most of Africa's oil, and  
3 much of the freedom of each nation involved, and they watch  
4 the fine print in the news.

5                   They watch to see if a small New Jersey  
6 company is able to grab, free of charge, the gravel of a  
7 small corner of Canada, to see if the people and their  
8 governments let them do it.

9                   I'm sure they sometimes wonder at our  
10 stupidity: "Can a province and then a country... Can its  
11 resources really be bought for 30 jobs?"

12                   But they will also notice that lesser  
13 nation is Canada, because they admire immensely our nation  
14 because of our own Dr. Bethune who gave his life for the  
15 Chinese people and helped to establish their national free  
16 health problem.

17                   Because Mao included such a long portion  
18 of his red book about Dr. Bathune, the Chinese people all  
19 speak with love about Canada.

20                   They will notice if Canadians say no to  
21 the selling of their sovereignty. They will notice and they  
22 will respect that.

23                   Let's pull together or we will surely be  
24 picked apart over 30 pieces of silver.

25                   I wish to move to a third subject

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1 relating to the geology of the Project at hand.

2                   The principles from which I present the  
3 following geological points are summed up by Janet Larkman's  
4 presentation to you.

5                   It was made clear in Janet's report that  
6 we, as a community in Southwest Nova, have already made a  
7 clear statement and stand with one voice.

8                   One, that we want only sustainable and  
9 innovative development in our area.

10                   Two, we said we want to stop wholesaling  
11 of our natural resources.

12                   Three, that we want to start having  
13 sustainable industries, develop around our resources that  
14 maximizes benefit to the people of Nova Scotia and thus to  
15 Canada.

16                   Four, that we need to guarantee the  
17 protection of our coastline, similar to East coast  
18 neighbours in the U.S.

19                   Pertaining to all this is the case  
20 before us, that of basalt.

21                   Let me explain why Nova Scotia basalt  
22 and New Jersey's basalt are so similar. To explain why Nova  
23 Scotia basalt and New Jersey basalt can be compared, allow  
24 me to give a 30-second historical geology lesson.

25                   My major study at university was

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1 geology, so this is fun recalling ancient lessons I've  
2 learned.

3                   Most of the bedrock of Eastern North  
4 America are the exposed routes of ancient mountains and an  
5 ancient continent. That includes all Nova Scotian  
6 bedrock.

7                   4.8 million years ago, the grand  
8 continent of Pangea was formed in the centre of which were  
9 the Appalachian Mountains, which rose at that time higher  
10 than the present Alps.

11                   And what we now know as Africa, Europe,  
12 Great Britain, North and South America were all fused  
13 together making up the super-continent of Pangea.

14                   In the early Mesozoic period, around 230  
15 million years ago, give or take a few years, Pangea began to  
16 break up and drift apart.

17                   North and South America went drifting  
18 west. You've heard of continental drift.

19                   When these great plates of the  
20 continental plate and the strata under those plates began to  
21 clash and collide magna or lava rose up, broke through the  
22 crust but cooled quickly into the fine grained basalt of our  
23 North Mountain, and other parts of Nova Scotia.

24                   At the same time, the Palisades of New  
25 Jersey were formed, as were basalt deposits along the shores

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1 of New England States.

2                   Nova Scotia basalt and New Jersey basalt  
3 are first cousins. Basalt is made up primary of silica and  
4 an assortment of other heavier, darker minerals. End of the  
5 history lesson.

6                   An important note. There is a  
7 moratorium on basalt quarrying in New Jersey (I guess I was  
8 wishing it were Nova Scotia), and along the eastern seaboard  
9 of the U.S. to protect the environment, that is the ocean  
10 and its watershed.

11                   My first geological point is really a  
12 request to the Panel. I am hoping that the Panel can verify  
13 in their subsequent study of the materials they have been  
14 given whether the material actinolite is to be found in the  
15 composition of our basalt rock in Whites Point.

16                   Actinolite mineral is one of six  
17 asbestos minerals found in igneous rocks in Eastern North  
18 America, and it has been discovered to exist in New Jersey's  
19 basalt.

20                   I refer to an article from November of  
21 1981 published in Berlin, in Germany, in the English  
22 Language Journal Environmental Geology, and I quote:

23                   "Actinolite asbestos occurs in the  
24                   Mesozoic basaltic rocks of the Newark  
25                   Basin. Potential environmental problems

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1 associated with asbestos bearing bedrock  
2 include:

- 3 1. Production and use of rockment  
4 products containing asbestos.
- 5 2. Introduction of asbestos into  
6 environment surrounding excavations.
- 7 3. Asbestos contamination of soils and  
8 water supplies."

9 I have presented to you a document on  
10 that, document 2, regarding actinolite. I quote some forms  
11 of asbestos are formed from fibres of actinolite, the  
12 fibres being so small that they can enter the lungs and  
13 damage it.

14 My personal view, layman's view  
15 regarding this danger, if actinolite or any other of the six  
16 asbestos minerals are found in Whites Point basalt, these  
17 fibres could travel as water or air-borne dust particles.

18 I should think that most of the risk  
19 would be to workers at the quarry, residents and workers,  
20 especially fishermen, living and travelling within certain  
21 distance of the quarry and tourists travelling past the  
22 quarry or whale-watching near the quarry.

23 It could be that this does not exist in  
24 our basalt, here.

25 I come to my second geological point.



1 It could be that perhaps the real reason we have a company,  
2 Bilcon, that one, has never mined before; two, that is  
3 commanding only the highest quality basalt; three, that is  
4 putting itself through such a costly and lengthy process at  
5 these hearings, hopefully with no guarantee of success;  
6 perhaps Bilcon's real motive may not be selling penny-ante  
7 gravel to New Jersey, but rather it is planning to meet a  
8 much more lucrative demand on the global market.

9 But what could this lucrative market for  
10 only the highest-quality basalt, our basalt, be? BFT,  
11 basalt fibre technology.

12 Basalt fibre is one of the newest and  
13 hottest manufacturing materials to hit the World markets in  
14 the last few years.

15 I have been using the word "ore" and  
16 "mining" above. I argued that this basalt, our basalt, is  
17 not an aggregate but an ore. So this operation is not  
18 quarrying, but mining.

19 Most research in basalt fibre production  
20 has been done in Russia, and they have perfected the  
21 technology and come up with hundreds of possible products.

22 Basalt fibre is being produced in  
23 Russia, Ukraine, and recently China.

24 Basalt fibre technology is a very new  
25 space-aged technology producing everything from corrosive-

1 free I-beams to firemen's clothing.

2 E-glass fibres, which until the very  
3 last few words was the fibre of choice in manufacturing,  
4 requires an assortment of ingredients for the melt.

5 Basalt fibre production involves merely  
6 melting our basalt ore with no additives required and then  
7 drawing out the material into long fibres.

8 To summarize a very lengthy  
9 presentation, basalt fibres show high-tensile strength in  
10 elasticity, better chemical resistance, extended operating  
11 temperature range, better environmental friendliness than  
12 regular E-glass, all in one material, and it is getting  
13 close to and sometimes outperforming carbon fibre and other  
14 high strength glass, other specialty fibres, but beating  
15 them all in price.

16 Basalt continuous fibres are ideally  
17 suited for demanding applications requiring high  
18 temperatures, chemical resistance, durability, mechanical  
19 strength and low water absorbency.

20 I presented document three, which is an  
21 article out of Russia in the English language by three  
22 Russian authors about basalt fibre being used in the  
23 filament winding of compressed natural gas cylinders.

24 My next document is from China, in the  
25 English Language, Beijing JUNANTAI Basalt Fibre Application

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1 Institute, and it lists all of the products they are now  
2 making out of basalt fibre.

3                   The last document I submit is a Chinese  
4 language document, the first page of the Website is  
5 www.chinabasaltfibre.com.

6                   I don't know whether that Chinese  
7 document should be presented to our simultaneous translators  
8 or not.

9                   Seriously, if you look at the Chinese  
10 written form that they have used in their pictorial writing  
11 to express basalt fibre, it is a bit ominous.

12                   The word "basalt" they have translated  
13 as "rock of 1,000 strands". "Fibre", as in basalt fibre,  
14 they have translated "warrior military mystery thread".

15                   In conclusion, we are asking our  
16 governments in Halifax and Ottawa to become pro-active and  
17 not derelict in their duties to bring prosperity and  
18 benefits to us.

19                   Those duties, first changing the status  
20 of our basalt to ore is a first and vital duty of pro-active  
21 government.

22                   Second, it is to enact laws that  
23 guarantee ownership of this valuable ore by the people of  
24 Nova Scotia for the benefit of Nova Scotia.

25                   Third, to promote innovative and

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1 sustainable development of our ore through the value-added  
2 technology of basalt fibre technology.

3 All this would be preceded by an  
4 immediate moratorium on seacoast mining of our basalt and  
5 any other ore until our coastline is safe and secure.

6 Lastly, I have the honour to read a very  
7 short quote from a much longer open letter to our Prime  
8 Minister and our Premier written by Klaus Langpohl, resident  
9 of St. Mary's Bay, the total of which I filed here as part  
10 of my submission.

11 I quote:

12 "In the past, our Canadian government  
13 has cheated the Native people of lands  
14 and their way of life by being arrogant,  
15 giving false promises and mitigating as  
16 it were these injustices with tokenism  
17 in the first of glass beads.

18 We stole from them, we dehumanized them  
19 in many ways, and we tried to kill their  
20 vision of themselves and their culture.

21  
22 With their traditional values and  
23 culture denied and all their ancient  
24 wisdom and respect for all living things  
25 ignored, we made a very dyer mistake as

1 a Nation. This was the "colonialistic  
2 frame of mind".  
3 It is 2007, and here we have governments  
4 once again ignoring our voices,  
5 disregarding our vision for who we are  
6 and where we are going, ignoring totally  
7 our traditional knowledge and the  
8 culture and promoting the exploitation  
9 of the very ecosystem which provides for  
10 us in every way, all to serve a foreign  
11 entity. Sounds familiar?  
12 So does the Canadian Federal Government  
13 and the Nova Scotia Provincial  
14 Government wish to give to the people of  
15 Southwest Nova glass beads for the  
16 exchange of our land, tradition, our way  
17 of life and the possibility to make our  
18 own livelihood?  
19 We are not going to be traded off in  
20 some backroom deal in Ottawa, not our  
21 rock, not our sovereignty, not our way  
22 of life, not our tourism industry, not  
23 our fishing industry, and most certainly  
24 not our coastline.  
25 No corporation from the U.S. or from any

Mr. TOM HAYNES-PATON  
(QUESTIONS BY THE PANEL)

1 other country is going to determine how  
2 we like to live in Nova Scotia.

3 We, the people of Southwest Nova, will  
4 not stand for this proposed quarry or  
5 any other proposal that intends to  
6 remove our coastline.

7 The line must be drawn here and we shall  
8 make our stand.

9 We, the people of the Province, say no  
10 to the proposed quarry and no to glass  
11 beads."

12 Thank you.

13 THE CHAIRPERSON: Thank you Mr. Haynes-  
14 Paton.

15 **PRESENTATION BY Mr. TOM HAYNES-PATON - QUESTIONS FROM THE**  
16 **PANEL**

17 Dr. JILL GRANT: Mr. Haynes-Paton,---

18 Mr. TOM HAYNES-PATON: Yes.

19 Dr. JILL GRANT: ---do you know of any  
20 kind of research on basalt fibres going on in Nova Scotia or  
21 is all this work being done elsewhere?

22 Dr. JILL GRANT: None is being done in  
23 Nova Scotia, and I don't think in the rest of Canada.

24 THE CHAIRPERSON: Mr. Buxton?

25 Mr. PAUL BUXTON: Thank you Mr. Chair, I

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1 don't have any questions.

2 THE CHAIRPERSON: From the audience? Mr.  
3 Farnsworth.

4 **PRESENTATION BY Mr. TOM HAYNES-PATON - QUESTIONS FROM THE**  
5 **PUBLIC**

6 Mr. TERRY FARNSWORTH: I'm stepping  
7 forward to say that...

8 THE CHAIRPERSON: Identify yourself  
9 please.

10 Mr. TERRY FARNSWORTH: I'm sorry, Terry  
11 Farnsworth, fisherman.

12 I'm here to state that there has been a  
13 lot of work on these issues that were expressed.

14 We've been with Aboriginal People groups  
15 and many other groups to share the message that's in this  
16 letter and for small hand-liners and small enterprises, we  
17 have a lot in common in our struggles as with Aboriginal  
18 People.

19 Martha... I forget her last name, but  
20 she just recently did a story about the end of the line for  
21 hand-liners and all the things that are mentioned there.

22 We've come to the point where we feel  
23 that we have many things to share through learning circles  
24 and we're working on projects of taking pictures and movie-  
25 taking in order to get our message out there.

1                   It's been very emotional and a  
2 struggling situation. I just wanted to bring that forward,  
3 so...

4                   There's a lot of information,  
5 collaborating with many, many groups, with the Marine  
6 Resource Centre and other working groups.

7                   Thank you.

8                   THE CHAIRPERSON: Thank you Mr.  
9 Farnsworth. Others? No? Thank you Mr. Haynes-Paton.  
10                   We now move on to the next presentation  
11 by Heather Stewart.

12                   Ms. Stewart?

13 **PRESENTATION BY Ms. HEATHER STEWART**

14                   Ms. HEATHER STEWART: Good morning, my  
15 name is Heather Stewart, and I have been a consulting  
16 botanist for 25 years of government industry and research.

17                   I am here today as an individual to  
18 address the shortcoming of the EIS for the Whites Point  
19 Quarry and Marine Terminal published in 2006.

20                   I thank the Panel, the Proponents, the  
21 Presenters and the audience for this opportunity to express  
22 my concern.

23                   This presentation is not a critique of  
24 the vegetation surveys that have been done to date.

25                   In fact, I would say that this has been



1 well done and would applaud Bilcon for this work.

2                   This presentation is a critique of how  
3 this information has been presented and how that  
4 presentation prevents us from complete analysis of the  
5 demarcation of the preservation areas, vegetation  
6 communities, and therefore determining objectively how the  
7 monitoring and mitigation will proceed in the life of this  
8 Project.

9                   I have subtitled this presentation:  
10 "Seeing the forest and the trees" with apologies to Moran  
11 and Ostrom for lifting their title from their 2005  
12 presentation, but this EIS has presented the detailed plant  
13 species lists (the trees) and left us with little  
14 information of the community vegetation types (the forest)  
15 that are on this site.

16                   Nowhere in the EIS is there a map that  
17 describes where one vegetation community ends and another  
18 begins.

19                   We are given no idea how large the rare  
20 species headlands are or how extensive this type of  
21 community is on this site.

22                   We have no illustration to determine  
23 whether the preservation zone will actually contain all the  
24 rare species or whether some will be lost due to proximity  
25 to the edge of the described zone.

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1                   This presentation is not just about  
2 forest, it's also about a coastal wetland fen that we heard  
3 was mis-typed yesterday by Dr. Chris Miller.

4                   It is also about headlands, terraces,  
5 lower shorelines, riparian habitats and how they will retain  
6 their community associations and structure, therefore their  
7 ecological integrity through the 50-year duration of this  
8 Project to closure given the massive changes in slope,  
9 drainage and land use that will occur in the adjacent  
10 communities designated as processing quarry, sediment ponds  
11 and infrastructure.

12                   First of all, I would like to outline  
13 some definitions presented in the EIS and elsewhere, and how  
14 they relate to vegetation communities.

15                   I will use one rare species as an  
16 example, as I feel addressing each rare species would take  
17 too much time.

18                   I will present the ecosystem approach  
19 and finally address how not addressing spatial extents of  
20 the vegetation communities prevents adequate assessment of  
21 the preservation zone, i.e. buffers, and prevents the  
22 understanding of the mitigation proposed over the life of  
23 this Project.

24                   We are left asking the question: "Is the  
25 mitigation adequate? Has enough preservation zone been

1 retained? What will the communities look like in 50 years?"

2 These are the questions a vegetation specialist was unable  
3 to answer at the outset of the proceedings.

4 I've put the definitions up here, but I  
5 will abbreviate them. I've bolded things that I think are  
6 important.

7 Vegetation community, as described by  
8 Dr. Pielou in 1974 in the Population and Community Ecology,  
9 is similar to habitat as defined by Bilcon in the EIS  
10 glossary.

11 The key words are an **association** that  
12 **interacts** within a space", and this will become important  
13 later in my discussion.

14 I have included a definition from the  
15 Bilcon report for ecosystem, because it has  
16 "non-living environment" as well as "functional unit", and  
17 this implies adherence to some of the vegetation community,  
18 to its physical space and the non-living environment.

19 I have included a definition of critical  
20 habitat from the **Species at Risk Act** because in the  
21 vegetation community, we have one S1 designated species,  
22 Glaucous Rattlesnake Root, which if it were listed under  
23 COSEWIC would require a definition of critical habitat for  
24 this species.

25 But this S1 species is not listed, so

1 therefore the maintenance does not require recovery, and we  
2 are asked to believe that 30 metres will define adequate  
3 habitat for continued growth and reproduction for the next  
4 50 years of this species.

5                   Finally, ecological integrity. This is  
6 important in this presentation as it is the quality of the  
7 natural and managed ecosystem in which the natural processes  
8 will be sustained.

9                   If we want to view where these  
10 communities occur within this study area in relationship to  
11 the development from the EIS map book Vol. 3, we can see  
12 that only the rocky shoreline, the rockweed community and  
13 the kelp community are documented and that these are well  
14 below the defined preservation zone.

15                   This does not answer our questions.  
16 Where are these vegetation communities? How do they relate  
17 spatially to the process areas? Where are the rare plants?  
18 What community do they reside in?

19                   In relation to this zone, are they  
20 aggregated or growing in linear stretches scattered along  
21 the coastline?

22                   In the EIS, there are nine habitats  
23 listed or communities and one additional community in the  
24 Addendum of the survey in 2005.

25                   These communities are described in

1 appendix 1 as headlands, coastal marshes/open seepage  
2 slopes, rock crevices, inland boulders and outcrops, coastal  
3 "boggy" marsh, streams (1 and 2), wooded area (1 and 2) and  
4 habitats and rock outcrop.

5                   The coastal boggy marsh, which is  
6 actually a fen, is second with 55 species.

7                   The headland on north of Whites Cove  
8 Road has 64 species and so has the highest biodiversity.  
9 The coastal bog is second with 55, and the average of all  
10 the headlands is about 40 species.

11                   This is amazing when you see that the  
12 only mapped area is a coastal bogging marsh, and I'll show  
13 you maps later.

14                   Here we are, this is the map referred to  
15 as terrestrial ecology.

16                   There are coastal headlands defined.  
17 East Point is defined, and we can see in the background very  
18 light [inaudible] related to the forest stance.

19                   And also the coastal bog has been  
20 identified.

21                   I have tried by reading through the  
22 reports on my own to try and locate these as they are  
23 described in the report.

24                   I think, as defined in the report, that  
25 the little red ellipse that I just showed you is habitat

1 one.

2 I think that habitat two is Whites  
3 Point Head, and I think where all the rare species are,  
4 Habitat three is actually where I have the third ellipse  
5 there.

6 So I would like to overlay year one and  
7 year five, or no, year one to five, and see if these are  
8 actually adequately taken.

9 And you can see there is a large amount  
10 of preservation zone, the dark green, around habitat three,  
11 but again a lot of that is to accommodate the roadway that  
12 comes in.

13 There are five rare species on the site,  
14 and we have descriptions of habitats where these occur, but  
15 again no locations for these communities.

16 I would like to describe the  
17 distribution of the rarest, the S1.

18 The Glaucous Rattlesnake Root, which is  
19 ranked S1 by ACCDC in Nova Scotia, was thought to be  
20 extirpated until a part of the research for this work.

21 It is a plant on the Eastern Edge of its  
22 range and is found in wet sedge meadows, peatlands and fens.

23 But here on the site, it's actually found on PT rocky  
24 outcrop.

25 It is rare in Newfoundland, found

1 occasionally in New Brunswick and elsewhere along the  
2 Eastern seaboard, it has a rather tenuous status.

3           The VEC for all rare plants is described  
4 as long-term, significant, and provincial in scale, but I  
5 would beg to differ about provincial because if you look in  
6 Maine, it's species of special concern, it's endangered in  
7 New Jersey and extirpated in Pennsylvania.

8           The community is found on the Ohio DNR  
9 Website and is described as potentially threatened in Ohio.  
10 The hazards to continued growth are overgrowth by woody  
11 species as a result of succession.

12           In describing the recovery of this  
13 species, it is vital to maintain open habitats by  
14 controlling woody species, and this will be important later  
15 on when I discuss the medication.

16           There are five rare plant species on  
17 site, but what about the communities that these live in?  
18 This is focussing on the trees, the EIS.

19           The habitat headland, number three that  
20 I showed as the third ellipse, contains three rare species  
21 and 36 others.

22           It is not enough just to prevent  
23 extinction, but it's important to maintain sufficient space  
24 to continue functioning, and I would say a viable  
25 functioning community.

1                   This must include enough habitat to  
2 accommodate foraging pollinators, provide dust and  
3 disturbance barriers and a fair distance from process areas  
4 where invasive species will take advantage of the open soil  
5 piles and set seeds.

6                   If we look at the profile of the  
7 existing topography and the proposed finish grade of the  
8 quarry, when we see the sighting of process and deposit  
9 areas, there will not be a similar grade of slope on the  
10 adjacent lands or there will not be similar communities  
11 existing.

12                   Also, the plants are on a shoreline  
13 terrace. This slope above the existing community  
14 contributes to the surface flow and makes a contiguous  
15 landscape unit.

16                   The finished quarry grade will look  
17 quite different. It will be very different. But will it be  
18 different enough to affect the plants in the preservation  
19 zone?

20                   As a practising botanist, I would say  
21 yes. The micro-topography and the adjacent land use will  
22 have many important changes and this will make it very  
23 difficult for these plants to sustain their community.

24                   What about the Proponent, their  
25 responsibilities? If you read the EIS, the ecological



1 responsibilities for preserving the Glaucous Rattlesnake  
2 Root, as we see from the Ohio site, there should be no  
3 incursion of wood studies from the surrounding disturbance.

4           There should be enough habitat to  
5 maintain foraging for pollinators and to ensure the  
6 reproduction and spread of these species.

7           A dust barrier and the effects of dust  
8 on pollinators and plants is very well known and documented  
9 from the Arctic, and as well, I have included a reference to  
10 these in some of my written submissions.

11           Dust affects the soil characteristics of  
12 the surrounding soil that will be dusted upon, and we've  
13 heard many, many descriptions of the kind of dust that we  
14 can expect from this development.

15           Not only that, it affects the pH and the  
16 soil texture in this preservation zone and adjacent  
17 communities.

18           The surface effects of dust on  
19 vegetation will influence the reproduction and  
20 photosynthesis rates, the productivity on pollinators and  
21 pollination.

22           Plants parts will be dusted and  
23 therefore the pollen may not be able to follow down the  
24 pollen tube and produce feed.

25           The wetlands. I'm only going to talk

1 briefly about the wetlands because it was well covered  
2 yesterday in Dr. Miller's presentation.

3           So our community, one community that has  
4 been mapped, but they are still a community of concern, the  
5 coastal fen, the only mapped community as preserved by a  
6 buffer that by all current literature, and I've included  
7 some references here as well as additional references in my  
8 submissions, is too small for the wetland and fails to take  
9 into consideration local conditions such as current  
10 landscape use, the soil type, the slope and the spatial  
11 variability of the site.

12           It is designed the one-size-fits-all  
13 approach, and it doesn't work for wetland.

14           In addition, we have... This community  
15 is particularly vulnerable to surface runoff from ongoing  
16 reclamation and silvicultural activity upslope.

17           This will create sediment loading in the  
18 community that is naturally...

19           This community is naturally limited  
20 somewhat in nutrients, and this will increase the sediment  
21 load, changing the community from a peat base, and as we  
22 heard yesterday, a sedge-base peatland, to a marsh, which  
23 will be a sediment-based peatland.

24           With the increased eutropication, this  
25 peat will break down quickly and change its character. This

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1 will also be exacerbated by the proposed lining, which is  
2 written in for reclamation of the site in terms of  
3 reclamation over time.

4           The lining will help the upland  
5 silvicultural operations and promote rapid tree growth, but  
6 it will affect communities in the adjacent preservation  
7 zones. This will further end up in the coastal fen and  
8 modify the peat component.

9           Given the proximity of the sediment  
10 ponds, the constructed wetlands to the preservation areas,  
11 there is a danger of surface overflow on extreme flashy rain  
12 events and flashy season.

13           Flashy is a term that's used to describe  
14 unpredicted, over rainfall events. And I'm not talking  
15 about a 100-year flood here. We're talking about things  
16 that occur in a very quick succession of events.

17           These overflows will go into the  
18 sediment to the preservation areas, and that could change  
19 with the soil characteristics, pH of the soil and adding a  
20 fine sediment to these areas.

21           There is some contradiction in the  
22 function of these preservation areas, and I found throughout  
23 my talk here I have been intending to call these buffer  
24 areas, but in the report they are described as preservation  
25 areas.

1                   Buffer areas are described as areas  
2 where you have like a riparian buffer that modifies the  
3 sediment, takes out the toxic pollutions and basically  
4 offers a cleaning service to the surrounding community.

5                   There's a lot of information around  
6 about the delineation of these buffers, and particularly  
7 riparian.

8                   But what we have described in the EIS is  
9 a preservation area. And a preservation area, from  
10 interpretation, is a no-go zone. It's a zone that maintains  
11 its ecological integrity. They are for protection and  
12 preservation.

13                   Or, are these just green spaces on a  
14 map?

15                   I will try, in the remaining  
16 presentation, to point out some of the contradictions...  
17 What I'd like to point out here is that you can see through  
18 the duration, and I'll backtrack to the other one, this is  
19 the 31 to 40 year.

20                   You can see that the actual processing  
21 and reclamation gets very close to the edge of this  
22 preservation zones. So how does the Proponent propose to do  
23 this?

24                   And I'm not really going to read through  
25 this. We've head about preservation zones, the dust and

1 noise, environmental preservation zones and plant species  
2 conducted every year for monitoring. Where are these going  
3 to be conducted, in the process zones or the preservation  
4 zones? It's important to know that.

5 Floral species will be monitored as  
6 indicated, but what will the tolerance be for deterioration  
7 and unhealth or unwealth(sic) in the community? Is it just  
8 the floral species at risk that will be assessed, or it will  
9 be assessed as a total community?

10 Will we tolerate 10 plants, 50 plants?  
11 What will be the indicator of compromise and integrity and  
12 health in these?

13 Monitor health and integrity of the  
14 trees in the preservation zone.

15 This is something that's a bit of a  
16 contradiction because we also later read that, in the  
17 reclamation, there will be silvicultural activities carried  
18 out in the lands adjacent to the quarry property, and maybe  
19 some will be done to hide the property along the shoreline  
20 preservation zone.

21 This is in contradiction to what is  
22 required to maintain the S1 species as outlined in the Ohio  
23 web site.

24 The reclamation, and this is one area  
25 that I think will need to be revisited in this, all topsoil

1 and chip material from clearing will be stored on site and  
2 mixed with stored waste fines for reclamation.

3                   These fines will wash out of the stored  
4 material, and the additional lime will make this possibly a  
5 toxic site for additional species.

6                   So, considerations of the 30-metre  
7 preservation zone. Is this really going to include all the  
8 critical habitat for rare species?

9                   This buffer is doubling as a vegetation  
10 buffer of shoreline from industrial development and will  
11 become the remaining critical habitat for these rare  
12 species. And I haven't gone into the additional species and  
13 their requirements.

14                   How will monitoring determine the  
15 critical type, as I said before? Will just the rare species  
16 be monitored? Will the vegetation community be assessed?  
17 Will it be just numbers, or will reproduction be assessed?

18                   These are all questions that we are  
19 asked in the EIS to believe that they will be answered after  
20 the mitigation and monitoring programs are presented to the  
21 Provincial Governments, after the approval.

22                   In conclusion, given the information  
23 deficiencies in the EIS, I would recommend that the panel  
24 consider widening the preservation zone required.

25                   I have heard 100 metres has been

1 proposed this week, I would say particularly around the  
2 zones that include areas of rare species and the zone around  
3 the coastal wetland.

4 Add an addendum to include boundaries of  
5 the existing communities and overlay the development impact.

6 As a practising botanist, I found it  
7 very, very difficult to determine from the maps that I  
8 showed you just where these boundaries, these community  
9 boundaries. And it's very, very important to understand how  
10 close these species are to the boundary.

11 Retain this as a true preservation area  
12 and not allow silviculture, liming and reforestation in  
13 areas where rare species are located.

14 To get back to my title, in the end, to  
15 the Panel, do you believe the claims that the protection for  
16 the S1 species and associated vegetation communities and the  
17 validity of the study that describes only species as trees  
18 without once defining the areas in which these communities,  
19 forests are located.

20 Thank you for allowing me to make this  
21 presentation.

22 THE CHAIRPERSON: Thank you, Ms. Stewart.

23 **PRESENTATION BY Ms. HEATHER STEWART - QUESTIONS FROM THE**  
24 **PANEL**

25 Dr. GUNTER MUECKE: You mentioned the

1 100-metre buffer zone, which has come up several times in  
2 the last two weeks. And you say why the buffer zone always  
3 be more effective.

4 From the information that's available,  
5 would it encompass your concerns provided everything else  
6 that you suggest was done, or is there enough information  
7 available to come to the conclusion that 100 metres is  
8 adequate at this stage?

9 Ms. HEATHER STEWART: 100 metres is being  
10 very, very cautious because they haven't put the dots on the  
11 map. We have just a vague description of where this  
12 preservation, and some lines, but we don't know how this  
13 relates to where these species are actually found.

14 They may be found along the edge of the  
15 preservation zone, which means they would only receive  
16 another 50 metres of preservation, so I would say that  
17 without having these locations defined, it's very hard.

18 But I say on the cautious side, yes, 100  
19 metres around the rare species. And I would say that for  
20 the coastal wetlands, yes, it's definitely a must.

21 Some of the reports that I've been  
22 reading have defined buffers around wetlands of 200 metres,  
23 and a lot of this work is to ensure the dragonflies and, as  
24 well, amphibians that may be resident.

25 There are many reports that define a



1 gradient, a biodiversity the further you get from roadways,  
2 construction and development. So I'd say that 100 metres  
3 would be a good, cautious approach.

4 But I would urge that the Panel think  
5 about the fact that none of these things were defined in any  
6 way that you could make an assessment, an honest assessment,  
7 about the actual vegetation communities on site.

8 Dr. GUNTER MUECKE: What do you see in  
9 terms of the coastal fen? Is 100 metres sufficient in terms  
10 of the hydrology that a fen would require, or how much can  
11 you disturb basically the watershed above a fen?

12 Ms. HEATHER STEWART: Well, again, from  
13 reading the report, I understand that the continued stream  
14 corridor will be maintained by diverting it under an  
15 existing process pond and in that way it will be continued.

16 But one of my concerns about that is a  
17 fen depends on the quality of the water that is coming into  
18 it.

19 Peat fens, in particular, they have some  
20 sphagnum, but they also have a gramanoid or a sedge peat to  
21 them. And this has been proven by a lot of work that's  
22 going on in fens in western Canada, in Alberta, where they  
23 have large contiguous areas of fens.

24 That these fens have critical  
25 requirements to maintain the fen in terms of pH. They are

1 very, very pH sensitive.

2                   If a fen becomes nutrient rich and  
3 overly nutrient rich, then the peat breaks down rapidly and  
4 you have a marsh, so you basically would have a deposit of  
5 sediment and what you would see is the intrusion of cattails  
6 and marshy elements. So it would change its character.

7                   But, again, 100 metres would keep the  
8 airborne dust out of the fen itself and the process waters  
9 would be kept out, so I think 100 metres would be adequate.

10                   But again, it would be very, very  
11 important for the company to be monitoring the water pH and  
12 the condition of the peatland.

13                   Dr. JILL GRANT: Ms. Stewart, you didn't  
14 tell us too much about your expertise in this topic. Can  
15 you give us an idea?

16                   You said you're a consulting botanist,  
17 but can you give us a better sense of what your background  
18 is and your credentials in the area?

19                   Ms. HEATHER STEWART: As a botanist, I  
20 have been employed across Canada on consulting work. I have  
21 written a book on the grasses of the Columbia Basin.

22                   I have worked in museums as a curator of  
23 botanical material. I have worked as a consultant for a  
24 number of firms in Alberta.

25                   I have worked on wetlands. I'm a

1 certified wetland evaluator for the Ontario Government, a  
2 registered biologist with the Province of BC.

3 I have evaluated wetlands in Alberta,  
4 written wetland monitoring protocols for development, so I  
5 have actually written protocols for monitoring and  
6 mitigation.

7 So I have a background in monitoring,  
8 mitigation and reclamation of wetlands.

9 Dr. JILL GRANT: Thanks. A couple of  
10 questions. One is around climate change and sea level rise.

11 Would sea level rise present any kind of  
12 an issue for these coastal headland habitats?

13 Ms. HEATHER STEWART: Yes, it will.  
14 They'll become noticeably wetter. They'll also change some  
15 of their character related to... They're already receiving  
16 airborne sea water, so they have a strong sodium influence.

17 As the water rises, a lot of wetlands  
18 have a tendency to move further and further inland.

19 This peat material has a very high  
20 capillary action, so if there's water down deep, it'll move  
21 it to the surface and change the surface. And so the peat  
22 actually introgrades into the surrounding landscape.

23 So in a lot of cases, we actually see  
24 lakes that have little peat pockets and, over the time, the  
25 peat expands onto the shoreline and fills in the lake.

1                   And so with a natural change, they will  
2 change and they will adapt. But with an abrupt change that  
3 occurs with development, it may change the character  
4 abruptly and the adaptation of the community will not be  
5 quick enough.

6                   Dr. JILL GRANT: Would you see washing of  
7 plants of dust as a recurrent problem? Would you see  
8 washing of these plants as an appropriate mitigation  
9 strategy over a 50-year period?

10                  Ms. HEATHER STEWART: So taking a truck  
11 and going along the roadside and washing the road and the  
12 vegetation? Is that what you're...?

13                  That's a common activity that occurs,  
14 and very often, in the past what has happened is de-dusting  
15 chemicals have been added.

16                  Again, anything you add to a surface  
17 changes the nature of the soil, so anything that's added on,  
18 a continued deluging of water, as long as it's pure water  
19 with no additional mineral component or chemicals, probably  
20 might be a short-term solution.

21                  Dr. JILL GRANT: If it's recurrent, I  
22 presume the dust would get into the soil around the plants.  
23 Is that an issue over a long time?

24                  Ms. HEATHER STEWART: Well, it will  
25 change the surface of the surface soil, and again, if it's

1 dust that has some sort of chemical added to it or process  
2 chemical, it's going to end up in the soil.

3 And how the plants will deal with that,  
4 I'm not sure.

5 It's also like, for anybody who's had a  
6 garden, if you go out and water your garden every day, what  
7 happens over time is the roots of the plant move closer and  
8 closer to the surface to the point where, you know, they  
9 adapt to that surface water in-flow and they don't put down  
10 deep roots.

11 Is this a possibility in the natural  
12 native plant community? Yes.

13 If they're repeatedly watered, the roots  
14 in those communities will become surface roots and,  
15 therefore, if it's stopped at any point then they'll be left  
16 with an inadequate adaptation.

17 THE CHAIRPERSON: Ms. Stewart, you  
18 mentioned a whole series of mitigative measures that could  
19 be used to protect these plants, but you didn't address the  
20 question of how realistic is it for these two things to co-  
21 exist, that is, the continued survival and success of these  
22 plants or, more appropriately, these plant communities or  
23 the environment in which the communities are found and an  
24 industrial process like this.

25 Ms. HEATHER STEWART: I think that it

1 really... I have seen mitigation successes, and it really  
2 depends on the attitude of the company.

3 I have seen a lot of companies who have  
4 taken great pride in the fact that there has been a rare  
5 plant found on their location and have taken measures to  
6 preserve and to use that as a positive feature about the  
7 landscape.

8 And I will address one example. The  
9 Halifax Airport found, a number of years ago, lister  
10 australis on the site. Some of these could not be preserved  
11 because they were directly in the proposed areas, but  
12 they've made it a goal to monitor and they've made it a  
13 highlight and a very public event.

14 We had a news article this week about  
15 the Halifax Airport where they have: "Look, we have these  
16 species on site."

17 And so it really depends on the attitude  
18 of the company that is prepared to mitigate the  
19 circumstances.

20 And in some cases, it's pretty extensive  
21 what is involved in keeping these species going.

22 And so again, it depends on whether it's  
23 a token. Is it just a buffer that gets us through the  
24 process, or is it a real concern, we found these species and  
25 we will do what it takes. We'll step up to the plate. We

1 will research the requirements.

2 Often what happens is companies throw a  
3 wad of cash at researching or relocating or putting some  
4 money into establishing a sort of research on the actual  
5 physiology of these plant species.

6 THE CHAIRPERSON: Thank you. Mr. Buxton?

7 **PRESENTATION BY Ms. HEATHER STEWART - QUESTIONS FROM THE**  
8 **PROponent**

9 Mr. PAUL BUXTON: Thank you, Mr. Chair.  
10 I think in a review of our EIS I think we got a bit of  
11 criticism for, in fact, expressing the fact that we'd found  
12 rare plants on the site and were prepared to monitor,  
13 protect and do whatever was necessary.

14 We saw that as a significant positive  
15 result. These rare plants on the site at the present time  
16 were in a very vulnerable zone. Many of them were on ATV  
17 trails, et cetera.

18 I do have just a couple of quick  
19 questions, Mr. Chair.

20 One concerns the mapping of rare plants.  
21 And I don't think that you were suggesting that we don't  
22 know where they are.

23 Ms. HEATHER STEWART: No, I wasn't  
24 suggesting. I was just suggesting that the communities in  
25 which they are located should be on the map.

1                   Mr. PAUL BUXTON: Yes. I think this was  
2 discussed, I recall, in terms of mapping, that, you know,  
3 what we do with the information of where these rare plants  
4 were, particularly with an S1 plant, which was thought to be  
5 extrapated and hence was quite a find.

6                   And we took the view, on advice, that  
7 probably we shouldn't map them. We didn't want a lot of  
8 people going down there and saying, you know, let's go look  
9 at this and maybe we'd like one in our back yard.

10                   We did, in fact, give, for reference...

11                   And I'm just looking at Ruth Newell's study here. We  
12 certainly gave the map coordinates so that one could, in  
13 fact, go in on the map if one were sufficiently interested  
14 and say, yes, they're here. But I don't think we wanted to  
15 flag them on the site.

16                   The other thing is, have you worked with  
17 Ruth Newell in the...

18                   Ms. HEATHER STEWART: Yes, I have. Ruth  
19 and I have a very long working relationship.

20                   Mr. PAUL BUXTON: Would you think that  
21 she would be capable, in fact, of developing a monitoring  
22 program and do an examination of the mitigation that we've  
23 suggested to protecting the rare plants that are on the  
24 site?

25                   Ms. HEATHER STEWART: I'm really not, at



1 this point, going to make a comment on that because Ruth is  
2 a personal friend and I feel what is happening here is some  
3 obfuscation of information.

4                   The mapping of the rare species that I'm  
5 talking about is in relation to the preservation zone, and I  
6 think that to make that decision that you're not going to  
7 show that zone on a map has been a little bit misleading.

8                   And whoever advised you not to show that  
9 zone has misled you.

10                   Mr. PAUL BUXTON: I didn't say the zone.

11                   Ms. HEATHER STEWART: No, but...

12                   Mr. PAUL BUXTON: The plants. The plants  
13 themselves.

14                   Ms. HEATHER STEWART: Yes. No, no. But  
15 I think that the community in which they occur should have  
16 been mapped and put on the map.

17                   I'm not really going to speak to an  
18 individual and their capabilities. I think that if a  
19 monitoring and mitigation plan is required and put forward  
20 prior to approval that it should be a process in which you  
21 look for a person who has done quite a bit of that work and  
22 has some experience specifically in rare plant conservation.

23                   Mr. PAUL BUXTON: Is your understanding  
24 of the zone which is shown at the present time along the  
25 waterfront and, indeed, anywhere else on the site is just

1 simply a 30.5 metre strip which is drawn around the site?

2 Is that your understanding?

3 Ms. HEATHER STEWART: From this report,  
4 yeah. I would say that, from the report, I have no...  
5 There's a disconnect between the vegetation report and the  
6 mapping and description of the community, so I have no way  
7 of knowing whether this is just a tokenism or if this is  
8 real.

9 And that is the basis of my critique, is  
10 you have not shown me where the boundaries of this rare  
11 plant community is, so I don't know. And that's what I'm  
12 putting forward, is that that...

13 Mr. PAUL BUXTON: Well, yeah, but, you  
14 know, I guess you did answer the specific question, in fact,  
15 but I would like to clarify that that is not the case.

16 And I think the text certainly says that  
17 areas such as the headlands, the important headlands, the  
18 fen/bog were marked clearly as preservation zones.

19 Where, in fact, there were seen to be  
20 areas which we were advised were of not great significance  
21 is where the minimum 30.5 metres comes in. So this is a  
22 quite different description of the preservation zone.

23 So if, for example, there's a headland  
24 with these plants on it, then that's immediately excluded.  
25 All that is taken out into a preservation zone.

1                   And it's only where we have areas on the  
2 site where we were advised that there was nothing of great  
3 importance or significant where the 30.5 metres, the  
4 minimum, comes in.

5                   So there is quite a difference in  
6 descriptive here. You know, it isn't just a 30.5 metre  
7 strip around because that is the minimum amount which is in  
8 the guidelines. It's very much more significant than that.

9                   And I think if you were to just do the  
10 math, I think that there are 78 acres of preservation zone.

11                   Sorry. I'm slipping into non-metric  
12 here, Mr. Chair. It's late.

13                   But almost 25 percent of the site, being  
14 380 acres, 75 acres is set aside as a preservation zone, so  
15 it's actually 25 percent of the site which is set aside, not  
16 just a 30.5 metre strip.

17                   I don't think I have any more questions.  
18 Thank you, Mr. Chair.

19                   Ms. HEATHER STEWART: Could I make a  
20 comment on that?

21                   When you consider that 78 acres, if you  
22 think that a lot of that is buffering the roadway, and I  
23 have the map. You've seen the map where you've seen the  
24 green strips along the roadway.

25                   And it's buffering the boundary on the

1 community side.

2                   Because I work in GIS as well, and if I  
3 had the raw data loaded on my computer I could have  
4 extracted the amount.

5                   I didn't take the time to actually take  
6 a ruler and try and extract the amount of that 78 acres  
7 that's actually buffering required for noise and dust for  
8 the community and required for roadway dust servicing.

9                   So again, it sounds great, and I agree,  
10 there may have been a bit of slippage in the map, but I  
11 didn't have the raw data to actually do the calculations.

12                   THE CHAIRPERSON: Thank you, Ms. Stewart.  
13 Questions? Mr. Farnsworth, Mr. Morsches.

14 **PRESENTATION BY Ms. HEATHER STEWART - QUESTIONS FROM THE**  
15 **PUBLIC**

16                   Mr. TERRY FARNSWORTH: Terry Farnsworth,  
17 a fisherman.

18                   I've heard a bit about we have plutonium  
19 mineral or whatever. I don't know what plutonium is. We  
20 have it in the region.

21                   THE CHAIRPERSON: Did you say plutonium?

22                   Mr. TERRY FARNSWORTH: I don't know how  
23 you pronounce it, if anyone can help me.

24                   THE CHAIRPERSON: No. I don't think you  
25 mean that. Well, I don't know what...

1                   Mr. TERRY FARNSWORTH: It's a mineral,  
2 anyway, in the area, a resource.

3                   Is it something that's exposed that when  
4 you're doing this sort of work, or will it affect the same  
5 things she's talking about? Like I guess...

6                   THE CHAIRPERSON: I don't...

7                   Mr. TERRY FARNSWORTH: I guess because I  
8 can't pronounce the word correctly we have a grey area here.

9                   THE CHAIRPERSON: Plutonium is what they  
10 use to make bombs, and it's extremely dangerous, so, I mean,  
11 it's not a natural product. It's a created product, so  
12 you're thinking of something else, yes.

13                  Ms. HEATHER STEWART: Could I interject  
14 here? We do have uranium in the soils in this region, and  
15 that might be what you're referring to.

16                  Mr. TERRY FARNSWORTH: That's the kind of  
17 stuff I'm talking.

18                  Ms. HEATHER STEWART: Yeah. That's a  
19 naturally occurring form, and most of the plants and  
20 animals, surprisingly, are adapted to the levels that we  
21 have here, so they pose no problem whatsoever.

22                  Mr. TERRY FARNSWORTH: Okay. Thank you.

23                  THE CHAIRPERSON: Mr. Morsches.

24                  Mr. BOB MORSCHES: Doctor, I'd like to  
25 address this question to Ms. Stewart.

1                   You portrayed the various zones, et  
2 cetera, this morning using the Bilcon graphics. I measured  
3 those lines, and the lines, because it's a graphic, it's not  
4 a map, is approximately 10 metres wide, each line.

5                   You cannot do any firm estimate with  
6 that kind of thing.

7                   Ms. HEATHER STEWART: No.

8                   Mr. BOB MORSCHEs: The second part is the  
9 fact that when you look at fauna and flora, you have to look  
10 at it over a four-season period and during each time of the  
11 year, these four times. They did not do that.

12                   The whole thing they're putting together  
13 is an error, or it's a Cloud 9. We have to get down on  
14 earth and do this.

15                   I talked to a world-renowned  
16 lichenologist, and he's a botanist at a university in the  
17 United States, the Americans. But he read the EIS, and he  
18 says they're not even into the earth yet, they can't do any  
19 of this.

20                   Would you agree with that?

21                   Ms. HEATHER STEWART: Well, I'm really,  
22 really addressing the vegetation situation here, and from  
23 that, I would say if that's indicative of the amount of  
24 effort that they're going to put into the project, I would  
25 be worried at this point.

1 Mr. BOB MORSCHEs: Thank you, Doctor.

2 THE CHAIRPERSON: Ms. Peach?

3 Ms. JUDY PEACH: Along the lines of  
4 ecosystem approach and studying the forest and not just the  
5 trees, I know scientists are very good at counting things,  
6 both before and after they go extinct.

7 I'm wondering what ways do you have of  
8 studying the forest and the health of the forest as a  
9 botanist, and not just counting species and measuring pH and  
10 measuring water levels and depth of water, all those sort of  
11 little things you can measure?

12 I'm wondering, do you have an  
13 encompassing model to be able to predict whether, even if  
14 they do 100 metre preservation zone, will that be adequate  
15 to say those plants are going to be there in 50 years or 100  
16 years?

17 Ms. HEATHER STEWART: Well, first of all,  
18 to do measurements and assessments on these things, you need  
19 to set up transects that are plot-based where you're  
20 actually looking at the structure of the community, you're  
21 looking at what kind of soil it's occurring on, what is the  
22 depth of the soil.

23 You know, for each community all you  
24 really need to do is put a statistically representative  
25 sample, you know, maybe five plots along, look at the kind

1 of soil, look at the structure of the community, look at  
2 what is sort of the slope, the aspect, you know, is it on a  
3 very steep slope.

4 So all of these site characteristics are  
5 important in determining the ecosystem, the inter-  
6 relationships that I talked about.

7 So there's known protocols. There's  
8 books, one by Ellison on monitoring areas and protocols.  
9 There's numerous papers been written on different protocols  
10 for assessing and monitoring areas and ecosystems.

11 One of the things that I would like to  
12 point out is that in the report the forests of Digby Neck  
13 were defined as declining, in poor shape. That's a common  
14 tactic to make people feel that what they have is worthless,  
15 and we might as well plow it under.

16 And that's without sending people out  
17 with the knowledge of forest and what constitutes an exposed  
18 nutrient-limited forest, exposed to prevailing winds that  
19 are continental, sea winds.

20 If you look at the Tuckamore Forests in  
21 Newfoundland, they're very poor. They look bad. They look  
22 really bad. The trees are stunted.

23 Look at the trees on the Niagara  
24 escarpment. They look bad. They really, really, really  
25 look terrible, and yet they're very old. So is the



1 Tuckamore.

2 Trees that are under repeated what's  
3 called pruning by natural conditions look like bonsai trees.

4 They look like they're declining until you send somebody  
5 out there who knows that this a functioning forest.

6 Trees get blown over. Trees have a hard  
7 time. This isn't central Nova Scotia where the trees can  
8 grow big and tall like a forester's dream. These trees will  
9 always be exposed to wind and weather and salt spray, so  
10 they look bad.

11 So it needs assessments that are real,  
12 done by people who know what an exposed forest looks like.  
13 We're not going to make this look like BC Douglas fir.

14 THE CHAIRPERSON: Mr. Lang?

15 Mr. WILLIAM LANG: William Lang, Green  
16 Party of Nova Scotia.

17 Mr. Buxton mentioned that there was 78  
18 acres of preservation area. I was wondering if you could  
19 tell me, of those 78 acres, how much is the coastal buffer  
20 zone, the shoreline where it's just rock?

21 Mr. PAUL BUXTON: I can't tell you just  
22 offhand, Mr. Chair. No, I'm sorry.

23 Mr. WILLIAM LANG: Ballpark figure?

24 Mr. PAUL BUXTON: It's no good asking me  
25 that, you know. We've had these people where we could

1 provide this information here, the specific information this  
2 week. I have no idea.

3 Mr. WILLIAM LANG: Okay. Thank you.

4 THE CHAIRPERSON: Yes.

5 Mr. GEORGE MASTERS: My name is George  
6 Masters. I live in Belliveau Cove. I just have a general  
7 question or a comment, and we're talking about environmental  
8 impact here.

9 I would like to know how in hell you can  
10 take 100 million tonnes of Digby Neck out and not have a  
11 major environmental impact?

12 Thank you, Mr. Chair.

13 (Applause)

14 THE CHAIRPERSON: Please, please. I  
15 don't think that's directed at you. That's more of a  
16 statement, I think, than a question.

17 Fair statement. Anybody wish to ask  
18 additional questions? No? Okay.

19 Thank you, Ms. Stewart, and we will  
20 break for 15 minutes.

21 --- Recess at 10:38 a.m.

22 --- Upon resuming at 10:54 a.m.

23 THE CHAIRPERSON: Ladies and gentlemen,  
24 we will resume now.

25 The next presentation is by David Hill

1 and Tom Sachs, representing the Institute for Applied  
2 Sciences. Mr. Sachs, Mr. Hill?

3 I saw Mr. Sachs here earlier. Maybe  
4 just wait a moment and we'll see if we can chase them  
5 down.

6 --- Pause

7 THE CHAIRPERSON: Are the Tidds in the  
8 room? Maybe we could substitute Chris Tidd, Cassie Tidd,  
9 Kyla Tidd, Dorothy Tidd together.

10 He's coming? Thank you. Oh, yes. Here  
11 he comes.

12 Mr. Sachs, is Mr. Hill joining you?

13 Mr. TOM SACHS: Yes.

14 THE CHAIRPERSON: Okay. Good.

15 --- Pause

16 THE CHAIRPERSON: Mr. Hill, you're new  
17 here, so keep this about six inches from you, introduce  
18 yourself for the purposes of the transcription service, and  
19 then you can proceed.

20 **PRESENTATION BY THE INSTITUTE FOR APPLIED SCIENCES - Mr.**

21 **DAVID HILL**

22 Mr. DAVID HILL: Thank you. David Hill  
23 is my name, from Bear River.

24 My concern pertaining to this project is  
25 the livelihood of the black communities in the area. I have

1 spent over 40 years working on the social issues and  
2 economic issues of the black communities in Nova Scotia and  
3 have been a founder of the economic movement in the Province  
4 of Nova Scotia which now exists.

5 We at the Institute for Applied Science  
6 are convinced that the application of some solid science to  
7 Bilcon's application is long overdue.

8 What everyone really wants to know is,  
9 what will be the effect of permitting this quarry  
10 considering that this will be a legal test case for NAFTA.

11 A number of attorneys have been  
12 questioned about what the laws say, and universal response  
13 is, "We do not know, as there is no precedent."

14 What the people who live here want to  
15 know is, if the government's protection and legal guarantees  
16 don't hold up, what is the possible risk to them and their  
17 way of life?

18 To do any scientific investigation, one  
19 must start by developing a hypothesis. If it is well enough  
20 formulated, that is sufficient, though it gives to the  
21 subject designing an effective hypothesis.

22 Takes a great deal of time and thought  
23 to produce a really important hypothesis. The scientists  
24 have to use his or her intuition rather than reason.

25 Einstein, the speed of light is the same

1 in every direction. Seemed perfectly ridiculous to his  
2 colleagues at the time. Nevertheless, that is the concept  
3 of theory of relativity is based on.

4 For us lesser mortals, we have to look  
5 at all the information, even rumours, and use them to help  
6 us gear up our intuition to generate an effective  
7 hypothesis.

8 This is the only way that really new  
9 scientific ground can be broken.

10 Now we need a fact which drops out of  
11 the mathematic goal. It is that the speed of sound depends  
12 on the pressure.

13 Clayton Industries are the party which  
14 stands to gain in getting their rock supply. Why did they  
15 not make the application themselves?

16 Instead, they complicated matters and  
17 greatly increased their costs by inventing Bilcon to make  
18 the application. This sounds as a thought that there's  
19 something to be hidden.

20 We know that they are aware of the  
21 willingness of the state in the United States to permit them  
22 to carry out anti-ecological projects, such as their  
23 proposal to mine 100 square miles of the New Jersey coast.

24 Nova Scotia's quarry on the shore is a  
25 straight run to New Jersey. North Carolina, Florida,

1 quarries are not things of beauty.

2                   When a quarry has been mined out, the  
3 company no longer wants to spend money on it. If they apply  
4 for the permit themselves, they have assets which could be  
5 garnisheed to force them to finish the job as they agreed.

6                   The simple solution for them is to  
7 provide Bilcon, which makes the application and therefore  
8 has a legal responsibility to finish the job.

9                   When they don't want to pay the bill or  
10 anything does not go according to Bilcon's rosy picture of a  
11 wonderful source of jobs with no negative side effect and  
12 people feel cheated by the reality, then Bilcon can be the  
13 sacrificial lamb, or scapegoat.

14                   It simply goes into bankruptcy and its  
15 large debtor, Clayton, gets most of the residue and no legal  
16 responsibility.

17                   As evidence that this is a real  
18 possibility, witness the case of Bilcon's bankruptcy in  
19 Ireland as presented by North Beach on Friday, June the  
20 29th. The same need is apparently acting in the case of  
21 North Carolina, who presently is getting their rock from  
22 Bayside in New Brunswick, and Florida Rock.

23                   If this is what is really going on and  
24 we want useful results from our research, we need a  
25 hypothetical scenario which would undercover such a

1 situation.

2                   Since we only found out about this other  
3 rock users after the Wednesday night meeting, we will not  
4 have the time to research it, but hope to have one of our  
5 members knowledgeable about the subject available for  
6 questioning.

7                   The scenarios we have chosen as a  
8 hypothesis in that Clayton's real proposal is to open up  
9 access to Nova Scotia rock which are on the coast and can be  
10 loaded directly into large ships and can be cheaply  
11 transported wherever they wish.

12                   The ore carriers used are designed to  
13 haul large payloads with minimum fuel costs and maximum  
14 speed. Once loaded, which Bilcon says one man can do with a  
15 computer in less than a day, they can travel long distances  
16 at relatively low cost.

17                   They are just short enough to allow them  
18 to go through the Panama Canal, which allows them to deliver  
19 anywhere in the world. This means that the market in the  
20 United States, which is all we are considering here, is only  
21 a part of the potential pressure on Canada's seaside  
22 quarries on both coasts.

23                   The effect of any quarry depends upon  
24 its size and the period over which it operates. Thus, in  
25 order to assess the effect on the local ecology, it is not

1 just this quarry which must be investigated, but what the  
2 effects would be if this quarry is permitted on a spread of  
3 quarries around the Bay of Fundy and to parts of the  
4 Canadian shoreline.

5                   The unknown is what kind of ruling NAFTA  
6 will make. Since Canada is a member of NAFTA, it has given  
7 is sovereignty to NAFTA, and they could make rulings which  
8 could be extremely negative for the fishing industry which  
9 has been its economic base since 1492.

10                   Tourism expanded to be a major source of  
11 jobs as a result of the fishing industry. NAFTA is a  
12 relatively new organization trying to work on how it should  
13 take into account not only free trade, but also the needs of  
14 people, which includes their needs for jobs.

15                   Since we do not know what it will do in  
16 this instance, we must assume the worst, which would be that  
17 once permission is granted to any quarry to operate and then  
18 everyone else who would like to start a quarry should be  
19 allowed to.

20                   If that's the case, then the total  
21 demand of aggregate is what will determine how many  
22 individual organizations will decide to operate quarries  
23 here.

24                   We get numerical results. We must  
25 determine what the damage of aggregate is from the United



1 States, at a minimum.

2 We therefore request this information  
3 from Dr. James Olsen, Professional Engineer, who before  
4 retiring was Chairman of the Department of Civic and  
5 Environmental Engineering at the University of Vermont.

6 He is now running Vermont's Civic  
7 Engineering, where he is a senior Professional Engineer.

8 He collected data, mainly from the US  
9 Geological Survey, wrote a report and faxed it to Tom Sachs,  
10 International Executive Director of IAS, along with some 30  
11 pages of supporting data.

12 Sachs gives all this material to the  
13 Panel Secretariat on the 19th after Bilcon undertook  
14 collecting this data by around the 29th. At the previous  
15 experience with Bilcon carrying out of undertaking has  
16 delivered it the next morning, since we had already  
17 collected this information in our own research.

18 Furthermore, we suspect their  
19 undertaking would be given little attention, as everything  
20 else they were requested to bring. The answer noted almost  
21 30 questions they had not answered, but not one has the  
22 interpretation for what noted means in terms of action, if  
23 anything.

24 The numbers are important. The numbers  
25 of dollars' worth of aggregate used in the United States per

1 year is 12.1 billion. The average price per tonne in the US  
2 is \$7.16. The number of tonnes used per year in the US is  
3 thus 1.69 billion.

4 Comparing this with Bilcon two million  
5 tonnes per year, the ratio is 60 to 50.1. The arithmetic  
6 says this would be the number of additional quarries of the  
7 same size as White Point's required to satisfy their market  
8 demand.

9 Look at it another way. Instead of the  
10 ships per week, this would translate into one ship every two  
11 minutes.

12 There are some obvious problems with  
13 this calculation, mainly that there is no way to handle that  
14 kind of traffic. It would be more than a little difficult  
15 to prevent collision.

16 If NAFTA rules that limiting the number  
17 of ships to the number that the present infrastructure can  
18 handle, it is a restraint on trade. Then Canada would have  
19 to develop a new infrastructure and pay for the very  
20 expensive research that would be necessary.

21 The budget is not available for such an  
22 undertaking, so it would be a first blow to the Canadian  
23 physical security.

24 Following our hypothetical scenario  
25 future, including suits made by NAFTA against the Canadian

1 Government, that the entire 12.1 billion would be forced  
2 into the national budget.

3 Now, the results of this situation, it  
4 would definitely have an effect on our social services, old  
5 age security, veterans' benefits, medicare, schools,  
6 universities and road maintenance, all for 100 jobs on Digby  
7 Neck.

8 This is a very grim picture, but we  
9 don't know what NAFTA will do, so we must prepare for it.

10 We suggest that the permission not be  
11 granted until after Canada has time to negotiate an  
12 agreement with NAFTA.

13 Let us now look at the effects which  
14 heavy traffic would cause various important systems.

15 The dust problem. As pointed out by  
16 Engineer Ganley the evening of the 26th, part of the problem  
17 was concealed by the nature of Bilcon's inadequate  
18 experiments.

19 They did a trial blast with 45 kilos of  
20 explosives, a very small size. They now tell us that the  
21 actual blasts will be 32 tonnes of explosives. They even  
22 talk about spacing the blasts a little so that the effect  
23 won't all come at the same time and overlap, which they  
24 suggest might cause damage.

25 There's a difference between 45 kgs and

1 32 million kgs. It is a little over several hundred  
2 thousand times as much.

3 Of course, Bilcon will have nothing to  
4 do with this, as they are hiring a licensing blaster to do  
5 the job. Since this is an obviously critical part of the  
6 operation, it would have seemed that this expert should have  
7 been made available to the Panel.

8 Dr. Thomas Sachs, International  
9 Executive Director of IAS, has spent some 40 years as a  
10 specialist. The reason he is not presenting this paper is  
11 that he would be in conflict of interest if he spoke for the  
12 Institute of Applied Sciences and introduces his own  
13 specialty science, worried about being completely open about  
14 their source of information, which gives us a proper  
15 background to their presentation.

16 Sachs tells me that the sharpness of  
17 explosion increases tremendously, you know, as soon as the  
18 pressure exceeds atmospheric pressure. I will be calling  
19 him as an expert witness.

20 Right whales will obviously be a thing  
21 of the past. Three were killed last year with the present  
22 amount of shipping. An increase of this magnitude will  
23 certainly wipe them out in short order.

24 MLA Theriault put his finger on the  
25 critical point on the evening of the 26th. He is a 15th

1 generation fisherman from the Neck, and this statement was  
2 that DFO has basically caused the destruction of the  
3 fisheries by massive mismanagement.

4 He's right. They have used what they  
5 call the scientific mathematical model, which is for a  
6 single species only. In other words, this model does not  
7 take into account the fact that fish eat each other. That's  
8 what's called the food chain.

9 With such a silly model, DFO is almost  
10 invariably wrong and makes regulations based on their faulty  
11 data, which is counter-productive.

12 Any fisherman would tell you the same  
13 thing. If our MLA can straighten this out and we see the  
14 Liberal party has taken this on as a mission, the fishing  
15 should come back in a few years and supply tens and  
16 hundreds, as many jobs as the quarry would produce.

17 If the quarry is permitted, the  
18 tremendous amount of damage to the ecological system, which  
19 many people have spoken about, will occur, and this positive  
20 future may well be killed.

21 Bilcon has stated that they have no  
22 responsibility for the carbon footprint which they are  
23 leaving, which is certainly true under the American law,  
24 since the present US government has refused to join Kyoto  
25 Agreement.

1                   Canada, on the other hand, is a member  
2 of the Kyoto Agreement, and therefore is responsible for  
3 their carbon footprints. At this point, there is a new  
4 banking system internationally in carbon credits which are  
5 bought and sold so that people have the problem with cutting  
6 their carbon emissions for the time being may buy credits  
7 from other areas which have a surplus.

8                   This is what Canada will be forced to do  
9 to cover Bilcon for their demonstration of inadequate  
10 control of this footprint. This will be very expensive for  
11 the Canadian taxpayer for the privilege of giving anyone our  
12 natural resources.

13                   I believe Bilcon should be charged for  
14 their carbon footprints, as everyone else in the world  
15 except the United States with the present delinquent  
16 government.

17                   The Panel has heard the question: "What  
18 would be the creep rate of other quarries?" If the demand  
19 is this high, it sounds as though it would be more like a  
20 gold rush than a creep.

21                   We do not know what NAFTA will do and  
22 have no control over it. Under these conditions, the  
23 application of the precautionary principle seems  
24 appropriate, least until NAFTA's position is negotiated and  
25 clear.

1 Thank you.

2 THE CHAIRPERSON: Thank you, Mr. Hill.  
3 Mr. Sachs?

4 Dr. THOMAS SACHS: Yes. I'm not sure how  
5 to handle this. I think we've gone over time, and I'd be  
6 glad to handle any questions that come up.

7 I have a paper which I can present which  
8 is about the shock effects of the kind of blasting that is  
9 planned.

10 THE CHAIRPERSON: I think that the  
11 allotted presentation time is over, and so what we'll do now  
12 is just see whether... My colleagues have no questions, so  
13 Mr. Buxton?

14 **PRESENTATION BY THE INSTITUTE FOR APPLIED SCIENCE -**  
15 **QUESTIONS FROM THE PROPONENT**

16 Mr. PAUL BUXTON: I just have one brief  
17 question for information, Mr. Chair, if I may.

18 There was a letter submitted to the  
19 Panel by the Institute for Applied Sciences on August the  
20 4th, 2006 as a part of the process, and it is signed by you,  
21 Thomas Sachs.

22 And I'm wondering whether the letter, in  
23 fact, represents the position of the Institute for Applied  
24 Sciences. You used the letter. Whether it was a personal  
25 letter or, in fact, it was representing the views of the

1 Institute for Applied Sciences.

2 Dr. THOMAS SACHS: I am the International  
3 Executive Director of the Institute, so yes, it did  
4 represent the point of view. As a matter of fact, it was  
5 checked by the Board of Directors before I sent it.

6 That letter was on a somewhat different  
7 subject. It was that species should be protected.

8 And one of the species which we believe  
9 is at risk is young women because of the way in which,  
10 historically, what has been found internationally that the  
11 machines, for instance, your 100... I'm not sure if it's  
12 100 cubic foot or 100 cubic yards. 100 cubic yards,  
13 certainly.

14 Those machines, Dr. Olsen sent me a  
15 bargain paper on it. They are \$700 million. They're not  
16 going to be something that you're going to train a person  
17 locally to use.

18 And what apparently has happened  
19 elsewhere is that these people come in and they set up  
20 housekeeping, that is, the experts that Bilcon or Clayton,  
21 whatever you want to call it, brings in, and then what they  
22 do is, in 10 years, the place is mined out and so what they  
23 do is just simply leave.

24 And interestingly enough, they don't  
25 take their families with them. That's the thing which is a



1 real concern.

2                               So what this does is to leave a very  
3 large welfare cost on the community as a result, and that  
4 was the thing that I was pointing out in that letter.

5                               Thank you for bringing it up because I  
6 wouldn't have been able to present it otherwise.

7                               THE CHAIRPERSON: Thank you, Mr. Sachs.

8                               Mr. PAUL BUXTON: That wasn't quite the  
9 extent, if I may, Mr. Chair.

10                              No, I won't ask any more questions.

11 Thank you, Mr. Chair.

12                              THE CHAIRPERSON: Thank you, Mr. Buxton.

13 Any other questions? Yes. There are two.

14                              Mr. Ackerman?

15 **PRESENTATION BY THE INSTITUTE FOR APPLIED SCIENCE -**  
16 **QUESTIONS FROM THE PUBLIC**

17                              Mr. JERRY ACKERMAN: I'm Jerry Ackerman.

18                              I would like to ask the presenter the  
19 time line on the data that was presented, the hard numbers  
20 on the aggregate demand in the United States, and  
21 particularly the time that it was done.

22                              So the price, say, of \$7.15 a tonne,  
23 when was that because I have evidence that that is not a  
24 current price level.

25                              Dr. THOMAS SACHS: That was done about

1 three weeks ago, and it's a national average.

2                   However, there are predictions along  
3 with it that the magnitude of the demand is due to rise very  
4 suddenly in the near future.

5                   Now, I believe you have some information  
6 from another source which I was interested to see.

7                   Why don't you tell what you've got?

8                   Mr. JERRY ACKERMAN: Mr. Chair, I  
9 presented that in written form to the Panel this morning,  
10 but perhaps I should follow up my question in terms of what  
11 is the price on the Eastern Seaboard in 2007, and how did  
12 that change from 2006 and 2005 and so on.

13                   I think this is most relevant in doing a  
14 projection of where is the price of aggregate going in that  
15 market because 30 percent of that market I understand to be  
16 serviced by imports.

17                   This has immense meaning for this  
18 proposal.

19                   THE CHAIRPERSON: My understanding is  
20 that we had an undertaking on that subject, and if you check  
21 the undertakings you'll see that there is a price quoted for  
22 aggregate in New Jersey, I believe.

23                   Mr. JERRY ACKERMAN: The only information  
24 in the minutes of the CLCs is the response of Mr. Buxton to  
25 my question at a CLC some years ago, and it was \$6 and

1 something. I believe that's in the minutes of the CLCs.

2 THE CHAIRPERSON: Thank you, Mr.

3 Ackerman. Were there any other questions?

4 If not, then thank you, Mr. Sachs, Mr.

5 Hill.

6 Okay. We now move to presentation by

7 the Tidds, Chris, Cassie, Kyla and Dorothy. Are they all

8 presenting? If they are, come up, or is it just one?

9 Please.

10 Oh, they're different? This is listed

11 on my sheet as a presentation with all four kids, so is it

12 or isn't it? We'll sort this out for a moment.

13 --- Pause

14 THE CHAIRPERSON: Okay. I think we've

15 clarified it. So Chris Tidd, that's you, and Dorothy Tidd

16 is there. And we had 15 minutes allotted for this group so

17 that you're working within a framework of about 15 or 17

18 minutes, at most. All right?

19 Okay. Go ahead. Identify yourself,

20 please.

21 **PRESENTATION BY CHRISTOPHER TIDD**

22 Mr. CHRISTOPHER TIDD: Yes, Chair. My

23 name is Christopher Tidd. I'm a fisherman and resident from

24 Little River, Digby Neck.

25 And I just wrote up a few comments off

1 of the Bilcon diagram that I received in the mail, so I'll  
2 try to read off as best I can.

3 My report is based on what I see in this  
4 diagram sent out by Bilcon of Nova Scotia and how the quarry  
5 will affect myself, my family and my community.

6 First off, myself. A very large bulk  
7 carrier that will have to go through my fishing gear to get  
8 from the traffic lane to Whites Cove, the best case scenario  
9 being the weather is fine and the ship can dock upon  
10 arrival, the opposite being the weather is bad and the ship  
11 has to wait offshore, making little headway through the  
12 waters filled with lobster gear.

13 The second, the 52 times a year that  
14 large ship has to empty its ballast tanks when arriving  
15 close to the Whites Point dock.

16 Third, how close the settling ponds are  
17 to the coastline and the thought I have of silt and  
18 explosive residue running off into the Bay of Fundy.

19 Number 4, the blasting that will have to  
20 take place to make such an operation work. Will it affect  
21 the marine life going on in the waters that I fish?

22 Second, my family. Number 1, dust from  
23 the site.

24 Will it travel towards our house when  
25 the wind is in the nor'west to nor'east direction?

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1                   Number 2, noise. Will my family be  
2 subject to an industrial sound while living in a rural  
3 setting?

4                   Number 3, pollution. Nobody wants to  
5 breathe in any more emissions than they have to and, again,  
6 we live in a rural area that will be subject to higher  
7 levels of poor air quality.

8                   The Atlantic provinces are known to be  
9 on the exhaust end of the New England states. This will  
10 just add salt to the wound.

11                   Number 4, Will the quarry have an effect  
12 on our home's water supply?

13                   Our thoughts of country living did not  
14 have to depend on someone else to bring our water to us.

15                   This is my community. Number 1, I think  
16 that if living and working conditions change that some  
17 residents will leave or sell enterprises, possibly taking  
18 jobs with them.

19                   Number 2, I see Bilcon buying land  
20 outside the area originally purchased for the quarry.

21                   Number 3, I see retirement people from  
22 Canada and other parts of the world choosing to live here  
23 that might not make the same choice if the living conditions  
24 change.

25                   I must also add that they have really

Mr. CHRISTOPHER TIDD  
(QUESTIONS FROM THE PANEL)

1 stood up for what they must believe in as a special place to  
2 live.

3                               Number 4, I see a shoreline around  
4 Whites Cove, both on land and in the water, that we have  
5 always taken as being public property disappearing.

6                               Number 5, I see 34 jobs offered. I  
7 don't see these jobs guaranteed to the local people of Digby  
8 County. I'd like to stress the word "guaranteed".

9                               I don't see compensation offered to  
10 those in the fishing industry who might lose income due to  
11 the effects from the quarry.

12                              Also from the diagram, I don't see the  
13 summer cabins on the shore that the land was earmarked for  
14 when first purchased.

15                              Thank you.

16                              THE CHAIRPERSON: Thank you, Mr. Tidd.

17 **PRESENTATION BY Mr. CHRISTOPHER TIDD - QUESTIONS FROM THE**  
18 **PANEL**

19                              Dr. GUNTER MUECKE: Mr. Tidd, how much of  
20 your fishing occurs, let's say, within two miles of Whites  
21 Cove? How frequently do you use those grounds?

22                              Mr. CHRISTOPHER TIDD: In the winter  
23 time, half of our lobster season, I fish for three months in  
24 the waters close to that. In the summer time for two months  
25 trawl fishing or dog fishing, I fish in that area.

1                   Dr. GUNTER MUECKE: And we have a lot of  
2 concerns about whales.

3                   Since you're fishing in that area, how  
4 frequently do you encounter whales, particularly right  
5 whales?

6                   Mr. CHRISTOPHER TIDD: Not as much up  
7 that area. You do see them once in a great while. Also,  
8 I'm in a winter fishery most of the time, and the whales  
9 have left by then.

10                  In the summer time, you see the odd  
11 whale, but it's not as frequent as they are, like, from  
12 Boar's Head or Petit Passage to the west. They seem to hang  
13 down that way more.

14                  Dr. GUNTER MUECKE: Thank you.

15                  Dr. JILL GRANT: Mr. Tidd, how far is  
16 your home from the quarry site?

17                  Mr. CHRISTOPHER TIDD: My home is  
18 approximately one mile from the point itself, I would say,  
19 give or take a few.

20                  What worries me, I guess, somewhat is  
21 Bilcon has bought homes a lot closer towards me. They seem  
22 to be coming my way towards the village more, and they've  
23 offered to buy more land all the time.

24                  The last house they bought probably from  
25 my corner of my property to that corner would be maybe a

1 quarter of a mile.

2 THE CHAIRPERSON: Mr. Buxton?

3 **PRESENTATION BY Mr. CHRISTOPHER TIDD - QUESTIONS FROM THE**  
4 **PROPONENT**

5 Mr. PAUL BUXTON: Mr. Chair, one of our  
6 commitments was that we would not only hire local people,  
7 but we would also use local services.

8 And I wonder if Mr. Tidd could say that  
9 we have attempted to use local services in the area.

10 Mr. CHRISTOPHER TIDD: Yes. No, you have  
11 somewhat. Yes.

12 I guess, Mr. Buxton, what I was getting  
13 at is, let's say if you hire somebody foreign to come do  
14 your whatever job needed to be done and I went and got the  
15 course and I could do the same job as him, would I be hired  
16 over him if I have to put up with the noise, the pollution,  
17 the air quality?

18 That's the idea I was getting at that  
19 way.

20 Mr. PAUL BUXTON: Yes. I'm just sort of  
21 making the point that where we can, even through this  
22 process, that we have tried to engage local people and, as  
23 you recall, we've used your services on numerous occasions  
24 to take scientists out.

25 And in fact, we commissioned a summer-



1 long series of cruises by your boat to use your traditional  
2 knowledge and interpretation of what you saw on those  
3 cruises.

4 So given that, do you have some  
5 confidence that in the future that we would try to use local  
6 people?

7 Mr. CHRISTOPHER TIDD: Number 1, you  
8 didn't use me. That was my brother. I'm Christopher. That  
9 was Gregory. He had a whale-watching business and a boat  
10 for hire.

11 I doubt if you would be able to hire me.

12 Mr. PAUL BUXTON: My apologies.

13 THE CHAIRPERSON: Obviously you look like  
14 your brother.

15 Mr. CHRISTOPHER TIDD: We look very much  
16 alike.

17 THE CHAIRPERSON: Questions from the  
18 audience? Yes, Ms. Peach.

19 **PRESENTATION BY Mr. CHRISTOPHER TIDD - QUESTIONS FROM THE**  
20 **PUBLIC**

21 Ms. JUDY PEACH: Would you say like among  
22 the people of Little River if they did work for Mr. Buxton  
23 or sell something to him or if they were to sell their house  
24 or land to him would that, to you, mean that they supported  
25 the idea of the quarry, like they wanted the quarry to come

1 to Little River or, you know, maybe it's another thing that  
2 they use to make a living?

3 Mr. CHRISTOPHER TIDD: As far as selling  
4 your property to him, I would say get it while the getting's  
5 good. Big prices. He's paying above fair market value  
6 right now if he wants your property or your house.

7 As far as working for him, it would  
8 probably be... I don't know. Off the top of my head, I  
9 can't think of too many people in that line of work, like  
10 pit mining.

11 It's all new and Greek, you know what I  
12 mean. I don't know if very many people that would give up  
13 what they're doing now, fishing, to work in a mine or a pit.

14 There have probably been opportunities  
15 they could have done it, and I never seen nobody jump to  
16 say, "I'm not going to go fishing, but I want to go work at  
17 a pit."

18 Ms. JUDY PEACH: I think there's been  
19 some fishermen in the area and whale watch operators that  
20 have been contracted out by the company to do studies and  
21 stuff. Would you say that 'cause they did that they support  
22 the whole idea of the quarry?

23 Mr. CHRISTOPHER TIDD: No, no. Like I  
24 say, a buck's a buck. Get it any way you can, I guess.

25 If your boat's for hire and good money

1 is being paid, take advantage of it. Somebody else will  
2 come along and do it.

3 If you didn't do it, there would be  
4 somebody, God knows from where, come and do the job for  
5 you.

6 THE CHAIRPERSON: Mr. Farnsworth?

7 Mr. TERRY FARNSWORTH: Terry Farnsworth,  
8 fisherman. Chris and I know one another quite well.

9 I'd like to bring up a question to  
10 Chris. Like we hear a lot of discussions and people talking  
11 in our community.

12 How many have you talked to that feel  
13 that the decision's already been made?

14 Mr. CHRISTOPHER TIDD: A few, yeah. It's  
15 number 1, 'cause the Claytons aren't here themselves. That  
16 kind of puts them on the defensive a little bit more.

17 It's more like, I think, a lot of people  
18 want to meet one-on-one. Yeah, Terry, that's the rumour  
19 going around, a lot of people say that.

20 And you hate because you're living in a  
21 democratic country that that's not the process, and I hope  
22 to God it's not.

23 Mr. TERRY FARNSWORTH: And the second  
24 question is... Never mind. I had it, but I forgot it.

25 Oh, I know what it is.

1                   How many fisher people and others felt  
2 uncomfortable attending the Liaison Committee? Would you  
3 say quite a few, or...?

4                   Mr. CHRISTOPHER TIDD: Like this meeting  
5 here or the...

6                   Mr. TERRY FARNSWORTH: Well, previously  
7 over the years we've had Liaison Committee meetings. I know  
8 for myself I felt uncomfortable that that was the proper  
9 process of getting the assurances and so on.

10                  Mr. CHRISTOPHER TIDD: Yeah, I understand  
11 what you mean, Terry.

12                  Yeah, it's very hard to get fishermen to  
13 come out to the meetings. I mean, they hardly come out to  
14 their lobster meetings. That's probably something that will  
15 affect them, you know, right instantly, and this is a very  
16 uncomfortable because we're not used to it.

17                  It's not our cup of tea, being a  
18 fisherman, getting up in front of a mike or even address  
19 something like that 'cause the scientific information is so  
20 far above our heads that it's hard, you know, competing in  
21 the conversation.

22                  Mr. TERRY FARNSWORTH: Thank you, Chris.

23                  THE CHAIRPERSON: Ms. Allbright?

24                  Ms. JANICE ALLBRIGHT: Janice Allbright,  
25 Annapolis Royal.

1                   Mr. Tidd, have you always lived in  
2 Little River? Have you never lived in a city or anywhere  
3 else?

4                   Mr. CHRISTOPHER TIDD: No, Janice. I've  
5 always lived in Little River. I grew up beside your  
6 grandparents.

7                   Ms. JANICE ALBRIGHT: I know that answer.  
8 Is it fair to say, or is it an assumption, that the reason  
9 that you live in Little River, which is a small rural  
10 community where everybody knows everybody and people are  
11 inter-connected is because you live it, it is your breath,  
12 it is your life, it is your heritage and it is the heritage  
13 of your forefathers?

14                   Is that a correct assumption?

15                   Mr. CHRISTOPHER TIDD: Yes. I'm the  
16 fourth generation to make a living on Digby Neck. I  
17 certainly like it there.

18                   I had no reason to live once I got out  
19 of Grade 12. There was a living there, a good living. And  
20 there's still a good living there.

21                   It's downsized a lot from what it was  
22 years ago, but so has the population, so maybe it'll even  
23 out that way.

24                   Ms. JANICE ALBRIGHT: And is it safe to  
25 say that you're hoping that your sons and their grandsons

1 will have that same way of life, the quality of life that we  
2 love and choose to live in rural Nova Scotia?

3 Mr. CHRISTOPHER TIDD: Definitely. I  
4 hope that some day my grandkids will say or my kids will say  
5 let's go visit their grandfather or their father and say  
6 this is the way it was years ago and it still is that way.

7 They can go outside, listen to the  
8 whatever, and basically, like I said here, it's the same.  
9 It really hasn't changed in four generations.

10 I'm probably fishing along the same  
11 rocks that my grandfather did.

12 Ms. JANICE ALBRIGHT: Thank you.

13 THE CHAIRPERSON: Any additional  
14 questions?

15 Thank you, Mr. Tidd.

16 Mr. CHRISTOPHER TIDD: Thank you.

17 THE CHAIRPERSON: Dorothy Tidd.

18 --- Pause

19 THE CHAIRPERSON: Identify yourself and  
20 proceed.

21 **PRESENTATION BY Ms. DOROTHY TIDD**

22 Ms. DOROTHY TIDD: My name is Dorothy  
23 Tidd. I live in the Village of Little River and have done  
24 so for 44 years.

25 As you are well aware, this is the

1 village where the mega quarry is proposed, and I am in the  
2 aim of fire, as I live within a mile as the crow flies.

3 I have been an educator and have taught  
4 school for 30 years, 28 of them at Digby Neck Consolidated  
5 in Sandy Cove. I have four children, three boys and a girl,  
6 and I must say that I really enjoyed raising them in this  
7 village.

8 The four love this place, and have many  
9 memories. Our house was a gathering place for the other  
10 children in the community, and it was here where they would  
11 decide what exciting adventure they would take today, be it  
12 a trip to Whites Cove on a picnic, Tommy's Beach or Little  
13 Cove to either beachcomb, have a weiner roast, climb rocks,  
14 build a cabin, swim or just watch the waves.

15 Boats were these children's interest.  
16 An old orange dory was placed in our back yard. One day the  
17 dory would be a fish dragger, all geared up with tackles,  
18 and the next few days it would change into a lobster boat,  
19 traps and buoys over the side.

20 And honestly, one day, it was pushed  
21 across the road to the pond with one of my sheets for a  
22 sail.

23 At six years old, oars in hand, my  
24 youngest son, Greg, moved for more fun and excitement on the  
25 marsh behind our house a rowboat tied to a stake until the

1 tide came up and then the fun began. Back and forth from  
2 the bridge to the upper end of the marsh he travelled.

3                   If you happen to be driving down the  
4 Shore Road in the village, you will see a white dory, not  
5 the same one, of course, secured by a rope waiting for the  
6 tide.

7                   Here, he takes his son for the same fun  
8 and excitement. The boys, Chris, Brad and Greg, grew up  
9 with fishing in their blood for sure, generations before  
10 them, and are independent fishermen, all three owner-  
11 operators.

12                   Our daughter decided to leave the  
13 village, although the sea and the way of life remains within  
14 her, for a journalism degree at Carlton. She successfully  
15 did so, and then went into public relations.

16                   She worked in pharmaceutical and, guess  
17 what, she met a man, got married, and lives outside of  
18 Toronto, bringing up her two children, but she owns property  
19 in Whale Cove.

20                   She purchased her grandparents' house,  
21 which is sitting on nothing more than big basalt rock. Her  
22 mind has been with us these past two weeks.

23                   With three of the family living near, I  
24 have the pleasure, like so many other grandmas in the  
25 village, to enjoy my grandchildren and watch them mature and



1 grow up in the same village. They and their friends do  
2 exactly the same as their parents before them.

3                   Although my three oldest grandchildren  
4 are girls, they can be rough and tough and help their  
5 fathers in any way that he needs help, getting the gear  
6 ready for the fall season by painting buoys, dragging traps  
7 down the wharf on dumping day, baiting bags, piling the  
8 traps at the end of the season and cleaning up.

9                   Fishing in the veins. Kyle, our oldest  
10 grandson, eight years old, can jump from the boat to the  
11 wharf and tie the MV Kyle C as quickly as a mate on the  
12 ship.

13                   Sam and Sarah and McLean are much  
14 younger, but love the boats and water. Now I'll get to the  
15 point.

16                   On Thursday evening, June the 14th,  
17 after attending a fashion show which was enjoyable with a  
18 few laughs, my friend and I went to Tim's for a coffee. We  
19 talked along with the others, but oh my, it sounded like a  
20 beehive in there.

21                   When I arrived home around 9:30 p.m.  
22 going from the car to the house, I was amazed at the night  
23 and I wanted to be out in it, so I said to the dog, "Porter,  
24 would you like to go for a walk?"

25                   And guess what? His tail started

1 wagging and he was off to the door. I changed to sneakers,  
2 snapped the lease on Porter's collar, and out the door we  
3 went. It was now 10:00 p.m.

4 We live at 33 Shore Road, so when we go  
5 for a walk it usually consists of a loop which one goes down  
6 the Shore Road, up the Denton Road, the one that Randy  
7 Nesbitt referred to as more dust would fly from this road  
8 than the quarry would produce, down the 217 and home.

9 This is the walk that many villagers  
10 take, but being so late at night, I decided Porter and I  
11 would take our walk to the wharf and back, so off we go.

12 On that walk, I stopped four times  
13 because I could not believe the tranquillity in that  
14 village. There was not a sound other than nature, and that  
15 was tree frogs peeping and, of course, Porter sniffing.

16 As I approached the river bridge, the  
17 water was rushing under it quite quickly, as the tides were  
18 full that week and the highest tide would be around 12:00  
19 p.m. that night.

20 This meant that the waters of the St.  
21 Mary's Bay was rushing under the bay, up the river, to the  
22 marsh behind our house.

23 Finishing my walk to the end of the  
24 pier, I turned to retrace my steps homeward when that black  
25 cloud entered my mind, that black cloud that enters and

1 shuts out our daily living activities every day and night,  
2 that black cloud which has controlled us now for five years  
3 and beyond because of the Eastern Head proposed quarry.

4 Yes, that quarry and, the more I thought  
5 about it, the faster I walked. Now I could hear frogs  
6 peeping, dog sniffing when he got a chance, Dorothy panting,  
7 heart pumping and blood pressure rising because so much fury  
8 had built up inside of me within a short distance.

9 When I left the house, I thought the  
10 walk would be excellent, and a good night's sleep would be  
11 forthcoming, but not so. One's brain is continuously  
12 thinking in some way or another about this burden.

13 Little River is a very picturesque  
14 village. We take pride in our community by keeping our  
15 houses, grounds and properties well.

16 I've heard many travellers down this  
17 Neck say that Little River is neatly kept.

18 The people of this village and so many  
19 others are really concerned about this proposed quarry, and  
20 have definitely shown this in their presentations this past  
21 two weeks.

22 As I think of the younger generations,  
23 who love to play in their back yards, play in the brook,  
24 climb trees, ride their bikes, just having so much in the  
25 quiet and beauty of their surroundings, how can this

1 continue if the quarry gets the go-ahead?

2                   It can't. There is going to be dust,  
3 and it's definitely going to settle down over the mountain  
4 on us all.

5                   Ms. Graham, Linda, wouldn't be able to  
6 hang her clothes on a line in Little River if she lived  
7 there, especially if the wind was blowing northerly,  
8 nor'east also, and maybe nor'west.

9                   There will be noise. I can't imagine  
10 not raising my window and hearing the sound of leaves  
11 fluttering from the wind, the chimes singing or hearing the  
12 swell in the Bay of Fundy or the foghorn in Petit Passage.

13                   Oh, God. How can I listen to that  
14 crushing, banging, roaring all night? Machines. Now more  
15 medication, sleeping pills.

16                   Blasting from 6:00 p.m. to 8:00 a.m.  
17 Oh, no. I have a friend who lives in Kanada, Ottawa. They  
18 have been blasting rock outcropping to build housing. She  
19 lives two miles from the site.

20                   When a blasting occurs, they definitely  
21 hear and feel the house shake. The dog jumps, and she runs  
22 for cover.

23                   What on earth are we going to do, hide  
24 or run? Maybe Bilcon thinks that we will take off running  
25 and follow the Pied Piper to the wharf and jump. Their

1 worries would be over, but no way. We'll fight to the end.

2 We'll not go easy.

3                   May I ask, do we not, as citizens of our  
4 community, have the right to have the enjoyment of life or  
5 our property? How can someone come in and take this away?

6                   We allowed you, Mr. Buxton, an immigrant  
7 from Britain, into our beautiful Province of Nova Scotia.  
8 You settled in Annapolis County by choice.

9                   You've made a living in your profession,  
10 and now you want to take our little strip of land, a unique  
11 piece of land between two beautiful bays, one and one-half  
12 miles wide, and blow it up.

13                   What have we, the people in this  
14 village, done wrong to get this brought on us twice?

15                   There is all kinds of basalt in New  
16 Jersey and Iceland. Go for it, sir.

17                   I have two items that really, really irk  
18 me.

19                   I was born and brought up in the Village  
20 of Centreville, a nice little village in my day. I took a  
21 drive down through, which I often do.

22                   This day was different. There were  
23 green signs which looked like sprouting weeds popping up  
24 everywhere. I laughed a hearty laugh.

25                   The signs were on properties with no

1 occupants, retired people, one of whom I hear gave a good  
2 chase, disabled occupants and people who just don't work.  
3 It is not a thing they do.

4                   So since Centreville is supporting you,  
5 Bilcon, where are you going to get workers out of that  
6 community? Did you take a good look at the Powerpoint in  
7 Mrs. Nesbitt's presentation? Maybe you could look at it  
8 again.

9                   Good luck on your job search. Most of  
10 our Digby Neckers have the sea in their blood and there are  
11 jobs out there if they look and want one.

12                   We hear 30 plus jobs will be available.  
13 You are definitely going to have to import every one, so  
14 now I know why you are buying up the properties in our  
15 village. They are to put your working crew in.

16                   Our local boys couldn't buy a house  
17 because it has such a high price tag on it. If the quarry  
18 materializes, and I surely hope it doesn't, our house, being  
19 on the Shore Road, won't be worth much.

20                   Would you please consider trading houses  
21 with me house for house? We'll take the one on the  
22 beautiful Annapolis Basin in Deep Brook overlooking the  
23 Digby Gut with clean sea breezes, green trees, quiet nights  
24 and lovely surroundings while you can enjoy, at our house,  
25 dusty, brown, ugly trees, dust filling both nostrils and

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1 lungs.

2 Oh, and I would suggest you substitute a  
3 black Tilley hat for your cream one. Don't forget the noisy  
4 highways. You'll love it, humming all day and all night.

5 Think about it, and think hard.

6 To the Panel, I would like to thank you,  
7 the Panel, for listening and your time. You have a hard  
8 task ahead of you. Keep well, and I wish you all the best.

9 We don't want this quarry.

10 THE CHAIRPERSON: Thank you, Ms. Tidd.

11 (Applause)

12 Please, please. Please. It's not  
13 respectful to do that. Now, please.

14 UNIDENTIFIED MAN FROM AUDIENCE: It's  
15 very respectful.

16 Mr. PAUL BUXTON: Thank you, Mr. Chair.  
17 I don't have any questions.

18 THE CHAIRPERSON: Any questions from the  
19 audience? Yes, please.

20 **PRESENTATION BY Ms. DOROTHY TIDD - QUESTIONS FROM THE PUBLIC**

21 Mr. MOHAMMAD WAISEM: My name is Mohammad  
22 Waisem. I specialized in management of impounded waters and  
23 fisheries management, by the way, at Auburn University in  
24 Alabama 50 years ago, and I have nothing else but praise for  
25 my professors, who I learned many things about the fisheries

1 management.

2 Now, I cannot be more complimentary than  
3 I must say that these presentations are excellent, to the  
4 point, scientific and absolute truth.

5 On the contrary, no offence meant to Mr.  
6 Buxton, the other day the speaker freely used the word  
7 "significant". This is a difficult term. What level of  
8 significant? Is it one person, five persons, 100 persons or  
9 what?

10 Why did Mr. Paul Buxton ask Mr.  
11 Theriault what does he mean by "most people"? Well, most  
12 people is an English word and is in the dictionary.

13 I can recall myself that we were at a  
14 tea party at Acadia University and we talked to the  
15 President and the former professor and former President of  
16 university, and they were all appalled by what is going on  
17 and by what Bilcon wants to do.

18 And immediately I digress to this thing  
19 that we are doing whatever we can to publicize what is  
20 going...

21 THE CHAIRPERSON: The purpose of this is  
22 to ask a question. Are you getting to a question?

23 Mr. MOHAMMAD WAISEM: Yeah.

24 THE CHAIRPERSON: And please move along.

25 Mr. MOHAMMAD WAISEM: I wanted to ask the



1 Tidd family, what can we do where we are in Wolfville or  
2 Kentville, in that area, to save the fishery, which they  
3 have brought to almost extinction in Nova Scotia?

4 THE CHAIRPERSON: Sir, the question  
5 you're asking has no relevance to the Panel at this  
6 particular time. The Panel is here to gather information  
7 with regard to the environmental effects of the proposed  
8 quarry.

9 The fishery is an important issue, but  
10 it's not germane to this particular group.

11 Mr. MOHAMMAD WAISEM: My question would  
12 be what else can be done by people like myself to support  
13 you and the fishery? That's all.

14 Thank you.

15 Ms. DOROTHY TIDD: Sir, I would just say  
16 to be part of us, talk to us, and you have to be very  
17 careful because if this quarry starts down here, it's liable  
18 to keep continuing going up your way.

19 But as far as us down here, we will  
20 regulate the fishing as well as we can, and just by your  
21 participation and readings and thoughts of us would help us  
22 a lot.

23 Mr. MOHAMMAD WAISEM: I assure you, on my  
24 behalf and on behalf of my wife, that we will do.

25 THE CHAIRPERSON: Thank you. Any

1 additional questions?

2 If not, thank you, Ms. Tidd.

3 We're coming to the final presentation,  
4 which is by two people, Laurie McGowan and Scott Leslie.

5 Are they here?

6 --- Pause

7 THE CHAIRPERSON: Before this  
8 presentation begins, I need to make a comment with regard to  
9 the demonstration that occurred earlier, is that I really  
10 urge you not to do that. It's not in keeping with the way  
11 in which this process works.

12 And if it continues, if it were to  
13 continue again, then you would force us to take action such  
14 as dissolving the Panel and leaving the room or something to  
15 that effect.

16 The process works by the exchange of  
17 information. That's what we're here for. We're here to  
18 hear both sides, and it really is not appropriate.

19 I say it again. I've been saying it all  
20 week long. I didn't think it was necessary to say it today.

21 I know emotions run high. We're not  
22 taking sides with anybody. We're simply saying both sides  
23 deserve respect. Okay?

24 I hope I don't have to say it again.

25 Now, gentlemen, there are two of you.

1 You have 15 minutes. Within that 15 minutes, okay?

2 **PRESENTATION BY Mr. LAURIE MCGOWAN AND Mr. SCOTT LESLIE**

3 Mr. LAURIE MCGOWAN: Mr. Chairman and  
4 Panel members, thank you very much.

5 I'm Laurie McGowan. I live in Mochelle,  
6 near Annapolis Royal. I'm a boat designer and organic farm  
7 inspector.

8 For five winter seasons, running from  
9 October to April, from 1998 to 2003, I was a sea urchin  
10 fisherman or diver, and logged over 1,000 dives in the Bay  
11 of Fundy and St. Mary's Bay.

12 I decided to respond to the EIS after  
13 reading an assessment of the bottom of Whites Cove. I don't  
14 know who wrote this article from around 2002, but remember  
15 that the author claimed the Cove had a mud and sand bottom  
16 and made no mention of the thick kelp forests in and around  
17 it.

18 Kelp grows only on large rocks, boulders  
19 and ledges. It does not grow on sand. I know Whites Cove  
20 is made up of mostly ledge and larger boulders.

21 Urchin diving is a beautiful, dangerous,  
22 sustainable and not that well paying a profession. The  
23 fishing zone in this area runs from Cape St. Mary's to  
24 Claire, then Claire to Parker's Cove and Annapolis County,  
25 and includes the Grand and Petit Passages of Digby Neck.

1                   The actual fishing of green sea urchins  
2 in this area is pretty basic. One license holder can have  
3 one boat with four scuba divers on it. The divers descend  
4 from the boat to manually pick urchins off the ocean floor  
5 and place or scoop them into large bags.

6                   The divers are inches off the bottom and  
7 see the Bay like nobody else can.

8                   The bags have buoys on them, and when  
9 full or when the dive is over, the bags are hoisted into the  
10 boat where the Captain and deck hand remove seaweed and  
11 small animals and pack the urchins in tote boxes.

12                  The urchins eventually end up as sushi  
13 in restaurants and homes as far away as Japan and Korea.  
14 There is no by-catch. Each urchin is removed from the ocean  
15 by a diver's hand.

16                  The water in the two Bays is so full of  
17 life that, at best, divers can see around 10 metres, or just  
18 over 30 feet, horizontally under water.

19                  Our crew fished for urchins in Whites  
20 Cove only twice in five years. Despite the ledge bottom and  
21 dense kelp forests, there were no urchins there. This was  
22 and still is a mystery to us.

23                  Sea urchins eat kelp beds. It's their  
24 primary food. They mow them down, as this picture shows.

25                  That would have been all kelp there, but

1 the urchins just totally clean up any plants.

2                   The kelp beds of Whites Cove are  
3 incredibly dense and full of life, and they are a nursery  
4 and home for all kinds of sea creatures except for urchins.

5                   Due to time constraints, I'm going to  
6 start the movie and describe the methodology of my  
7 transects. I did eight dives.

8                   I filmed them under water, and I hope it  
9 flows all right.

10                   I swam with a video camera and completed  
11 four transects in Whites Cove on August 12th, 2005, once on  
12 November 23rd and three more times on August 1st, 2006.

13                   Slack low tide always occurred during  
14 the first dive of the day. The dive numbers on Table 1, I  
15 don't have the Table 1 in the appendix of the pages you were  
16 given because I'm waiting for a sea chart to draw it  
17 correctly.

18                   Anyway, this dive is at 78 feet. Just  
19 mark that. Keep that in your head. But this is the deepest  
20 dive.

21                   Dive 2 is around 50 feet, and it was all  
22 ledge covered in starfish. Fisherman Kemp Stanton took me  
23 to the site, and his knowledge of tides proved invaluable.

24                   There's a lobster. I had over two hours  
25 of video footage, and it's paired down to eight minutes

1 here.

2 My videos show that the base of this  
3 cove is solid ledge and large boulders. Mud, fine stone,  
4 gravel or a silty sand occur further out.

5 In his interpretation of a sub-literal  
6 benthic survey along the shoreline of Whites Point, Digby  
7 Neck, Nova Scotia, see Appendix A, completed on February  
8 28th, 2004, Dr. Michael Brylinsky used very little and ver  
9 poor data collected outside Whites Cove, not in it, to come  
10 to his conclusion regarding the composition of the ocean  
11 bottom.

12 The data was collected by Canadian Sea  
13 Bed Research on June 28th and 28th, 2002. Here are some  
14 points to consider.

15 All the Canadian Sea Bed research and  
16 sampling video transects were taken outside the cove area  
17 and in the path of full tide. The bottom is very mobile.

18 Only two of the 12 benthic grab samples  
19 were taken in depths where abundant epi flora and epi fauna  
20 are known to occur. Only one of these samples was  
21 successful at retrieving anything.

22 Canadian Sea Bed Research needed only to  
23 ask local fishermen or urchin divers where the most abundant  
24 life was and what the bottom was like, but seemed to have  
25 chosen instead to obtain but one poor sample from these

1 areas on their own.

2 All scuba divers along this shore know  
3 that in depths beyond approximately 22 metres, or 72 feet,  
4 the amount of sand and shells on the bottom increases and  
5 the amount of boulders, ledge and plants decrease.

6 These depths are generally in full tide,  
7 and the silt and sand on flats and covering ledges and  
8 boulders is very active.

9 Few plants and animals live here  
10 compared to areas along the shore. I'm just stopping the  
11 video there.

12 This is in around less than 20 feet.  
13 Canadian Sea Bed Research's video transects were often at  
14 right angles, and you can see in the appendix of the sheets  
15 I gave you that shows their tracks.

16 They're at right angles to the shore,  
17 right in the thick of the tide. They didn't go into the  
18 cove. They were out in the tide.

19 And look at their records of their  
20 samples is terrible. Most of the time they don't see  
21 anything. They have it written down, "We don't see  
22 anything."

23 As my video footage demonstrates, due to  
24 the large amount of small marine life and silt in the water,  
25 the visibility in the Bay of Fundy is not good. Divers

1 often only see the bottom just before arriving there.

2 Canadian Sea Bed Research's sampling  
3 coincides with the summer solstice that happened in June, so  
4 there would have been good photosynthesis and plant growth  
5 in the water.

6 The water in the month of June has  
7 particularly bad visibility. At the reported depths of  
8 33.5, 37, 38.5 and 41.5 metres, the light and visibility  
9 would be very bad indeed.

10 In eight out of their 15 video entries,  
11 camera problems were mentioned. It was either out of focus,  
12 moving too quickly and, presumably, was too far from the  
13 bottom too often to be of use.

14 In the first five benthic grab sample  
15 attempts, which occurred in the shallowest depths where life  
16 is most abundant, only one tiny sample of 250 grams was  
17 obtained. Of the remaining seven attempts, only four  
18 samples were obtained. And these were from areas known  
19 locally to have relatively little marine life.

20 I disagree with Dr. Brylinsky's  
21 conclusion that:

22 "Based on the benthic grab samples and  
23 video record, the sub-tidal substrata  
24 offshore of Whites Point is composed  
25 largely of coarse sands, gravels and



1 mollusk shell fragments overlain in many  
2 areas by small to medium sized boulders,  
3 heavily colonized by various types of  
4 flora and fauna."

5 In my opinion, Dr. Brylinsky's only  
6 conclusion should have been that the sampling was too small  
7 and of such poor quality that it was not possible to  
8 determine the composition of the ocean bottom in and around  
9 Whites Cove.

10 The too convenient omission of data from  
11 the known high epi fauna and epi flora areas is curious.

12 My videos clearly show that in Whites  
13 Cove at depths of 22 metres and less, and particularly in  
14 depths of less than 10 metres like right now, there's  
15 abundant life built on the base of basalt ledge and  
16 boulders.

17 In my experience, this is the same for  
18 almost all of the shoreline along the Nova Scotian side of  
19 the lower Bay of Fundy.

20 I'll describe an amazing... It ties  
21 into this right now, actually. Something really incredible  
22 that happened to Scott and me when we were out diving with  
23 whales.

24 Anyway, I have a story that I'd like to  
25 share with you about the fragility and invisibility of life

1 in the Bay of Fundy.

2 In late August 2002, photographer,  
3 author, scuba diver and friend, Scott Leslie and I, were  
4 bobbing around in the lower Bay of Fundy, 15 miles from both  
5 Brier Island and Grand Manan Island.

6 We were in the middle of the Bay waiting  
7 for whales. Scott wanted to film them so fishermen and  
8 whale-watching tour boat operator, Craig Theriault, took us  
9 there.

10 We used wetsuits and snorkels instead of  
11 our usual dry suits and scuba gear so we could swim very  
12 freely. Our dive boat was parked, engine off, several  
13 hundred metres from us.

14 Scott explains our close encounter with  
15 a beautiful Northern Right Whale really well in his book,  
16 "Bay of Fundy, A Natural Portrait", but something else  
17 happened below the surface that he didn't mention.

18 A few siphonophores floated near us on  
19 the surface. Siphonophores are amazing little hydrozoans,  
20 or colonies of jelly-like polyps. The individual animal is  
21 a smooth and transparent sphere with two purple dots in the  
22 middle. It's how they group in colonies that makes them  
23 incredible.

24 Cyphonaphores link together by a single  
25 tiny thread, and when they do, they each take on a single

1 function. One is in charge of locomotion, one of  
2 reproduction, one controls floatation, one feeding, et  
3 cetera.

4                   They can link together in colonies of  
5 dozens of animals, but act together as one. They can also  
6 link up in larger groups. Joined in a line, they look like  
7 see-through caterpillars. Cyphonaphores are also whale  
8 food.

9                   Floating over 200 metres over the  
10 bottom, I took a deep breath and dove down into the gloom.  
11 I had always wanted to do this, to go straight down in deep  
12 water. My suit compressed and I descended more rapidly.

13                   At around six metres, or 19 feet, I swam  
14 into a floor of cyphonaphores, a big, undulating, tightly  
15 massed floor of creatures that ran out as far as I could see  
16 horizontally.

17                   I had no idea how deep this mass was,  
18 and I pushed on it with my hands. It pushed back like a  
19 soft mattress.

20                   "Scott", I yelled, when breaking the  
21 surface, "check this out." I explained what was below us,  
22 and he dove down, too.

23                   Encumbered by his large camera and  
24 flash, he remained above the creatures. I then took a  
25 really deep breath, raised my fins and dove back down, but

1 instead of stopping, I put my hands together and disappeared  
2 into the crush of life. All went black.

3 I've since learned that cyphonaphores  
4 are bio-luminescents, but I didn't see any flashes of light.

5 I stopped my descent and now, completely engulfed by  
6 creatures and with a gentle push of my arms, started to  
7 ascend.

8 Whatever the attraction was between  
9 these animals squeeze them around me, even more than the  
10 water pressure did. My mass cleared the surface, then my  
11 face, my shoulders and, finally, my arms.

12 I stopped the ascent with my fins and  
13 floated chest high in the amazing ball of life while padding  
14 the top and looking around. With a gentle flick of my fins'  
15 tin tips, I slowly emerged and the beautiful cyphonaphores  
16 pushed me out.

17 It was a rebirthing experience I cannot  
18 accurately describe.

19 A few minutes later, Scott and I had our  
20 close encounter with a right whale. We floated, transfixed,  
21 as acres of mouth cruised by us, as the kind and curious eye  
22 caught and held our gaze as it lowered its flipper to clear  
23 our fins as a mountain of body ghosted by.

24 Finally, off in the distance, we could  
25 see the tail rising for a push. It was advancing quite

1 quickly. Scott was clicking his shutter as fast as he could  
2 while I just watched.

3                   As the fluke slipped by me, just out of  
4 reach, I marvelled that this 50-ton creature didn't move the  
5 water at all. Not one ripple. I felt the tiny  
6 cyphonaphores, but not the whale.

7                   This all happened under the surface of  
8 the Bay of Fundy, so I get no comfort from the thought of  
9 some guy sitting in a Hummer on top of a cliff with a pair  
10 of binoculars watching for life on the Bay. He really would  
11 not see anything.

12                   And how do you tell a whale, a porpoise,  
13 a seal, a cyphonaphore, an amazing little jellyfish with  
14 tiny little, unrecognizable hitchhikers on it, soon to come  
15 up, that they are about to receive a shock beyond comparison  
16 when the quarry operators blast the mountain to bits?

17                   It's all about jobs, Mr. Buxton says. I  
18 do think of the jobs, the ones that will be lost. I also  
19 think of this water, this lifeblood of the Fundy. I think  
20 of the earth on a knife edge as humanity recklessly decides  
21 who or what lives or dies.

22                   A decision must be made here, and I hope  
23 that you choose in favour of life. Please do not approve  
24 this mega quarry and marine terminal. It would be the death  
25 of this area.

1 Thank you.

2 **PRESENTATION BY Mr. LAURIE MCGOWAN AND Mr. SCOTT LESLIE -**  
3 **QUESTIONS FROM THE PANEL**

4 THE CHAIRPERSON: Thank you very much.

5 Your basic premise is that the sampling  
6 that was done to look at the biology of the benthos, the  
7 bottom creatures, was really misplaced.

8 Mr. LAURIE MCGOWAN: Yes, that is...

9 THE CHAIRPERSON: That there were too few  
10 samples, but the location for those samples was incorrect.  
11 They were too far off, as opposed to being in the Cove  
12 itself or in the immediate coastal zone. Is that correct?

13 Mr. LAURIE MCGOWAN: In part. If you  
14 look at the graph on the second-last page...

15 THE CHAIRPERSON: I don't have it here.

16 Mr. LAURIE MCGOWAN: Oh, I gave her three  
17 copies.

18 THE CHAIRPERSON: It's in a pile of paper  
19 here.

20 Mr. LAURIE MCGOWAN: Oh, okay. Alright.

21 If you look on the graph, you know, they had one sample,  
22 the shallowest sample, which would have been in kelp. It  
23 would have been in life, was at 9.5 metres.

24 They go in a line straight out from  
25 shore. The next five samples, no sample, no sample, no

1 sample. They get a sample, no sample, no sample,  
2 insignificant, blah, blah, blah.

3 The further they're out, they go, the  
4 better the sample quality.

5 The reason for that is they kept it in  
6 ledge. You can't pick up the bottom of the ocean.

7 And for Mike Brylinsky to come to the  
8 conclusion using the few samples he got from further out  
9 where there are no plants, very little life, worms and some  
10 echinoderms, sea cucumbers, he could not come to the  
11 conclusion he did.

12 THE CHAIRPERSON: Isn't it true that the  
13 further out you go, you get more in the tidal currents?

14 Mr. LAURIE MCGOWAN: You're right. The  
15 bottom's moving.

16 THE CHAIRPERSON: Two to three knots.

17 Mr. LAURIE MCGOWAN: Yes. It's very  
18 active. Yeah.

19 THE CHAIRPERSON: Thank you.

20 Mr. LAURIE MCGOWAN: You're very welcome.

21 THE CHAIRPERSON: Mr. Buxton?

22 Mr. PAUL BUXTON: Thank you, Mr. Chair.  
23 I have no questions.

24 THE CHAIRPERSON: Any from the audience?  
25 Anyone? Yes, please.

1 **PRESENTATION BY LAURIE MCGOWAN AND Mr. SCOTT LESLIE -**  
2 **QUESTIONS FROM THE PUBLIC**

3 Ms. JUDY PEACH: I guess as a boat  
4 designer, you also know something about boats. I'm  
5 wondering how all this life you showed us would be affected  
6 by boats turning and docking, and all the rest of it.

7 Mr. LAURIE MCGOWAN: Yeah. I think about  
8 that a lot. You know, I deal with bodies moving in fluids,  
9 and the thing about fluids is power.

10 You know, the power of a moving fluid is  
11 measured logarithmically, so if you imagine an empty bulk  
12 ship with a wicked nor'west wind, and we wouldn't fish at  
13 times for weeks on end because the winds were blowing for  
14 weeks, just incredible nor'west winds, and we could not go  
15 along the shore to dive.

16 But the thought of a big, empty ship  
17 trying to turn next to that shore with the tide running,  
18 whichever is worst, you know, whether it's flooding or  
19 ebbing, it's crazy.

20 It's going to end up on the rocks. You  
21 can't stop that much surface area from blowing around.

22 THE CHAIRPERSON: To add to it, Ms. Peach  
23 said that we've heard twice now that a ship coming in would  
24 probably require two tugs as well.

25 Mr. LAURIE MCGOWAN: Oh, yeah. Easily.



1 THE CHAIRPERSON: So you would have the  
2 ship and two tugs.

3 Mr. LAURIE MCGOWAN: Easily. But still,  
4 you know, the amount of force on these tugs would be  
5 phenomenal.

6 It's not like going through Halifax  
7 Harbour where you are protected from... Sorry? Oh, yeah.  
8 Then you have three boats, and it only takes something wrong  
9 on one boat to make it bad for all three boats.

10 THE CHAIRPERSON: Did you have a follow-  
11 up there?

12 Ms. JUDY PEACH: I guess I was thinking  
13 more about the effect of the boats on the sea life---

14 Mr. LAURIE MCGOWAN: Oh, yeah. Easily.

15 Ms. JUDY PEACH: ---propellers and bow  
16 thrusts and...

17 Mr. LAURIE MCGOWAN: Yeah, absolutely.  
18 The sound below is incredible. Our first two years of  
19 diving, we were in Grand Passage between Long Island and  
20 Brier Island, and we'd go underwater and hear this  
21 jackhammer, just this solid jackhammer and come up, and  
22 there'd be no sound at all. And we'd go back down, the  
23 sound very much like that.

24 And it turned out, it was a salmon farm,  
25 the fish feeder on a salmon farm miles away, downwind,

1 downstream. Didn't matter which way the tide was running.  
2 And the sound just carries so well under water.

3 A sharp sound like gravel, like basalt  
4 hitting the bottom of the ship. You know, I don't know  
5 who's going to be down there stopping it from making a big  
6 clunk, but it would be incredibly loud when millions of  
7 tonnes of basalt hit the bottom of the ship.

8 THE CHAIRPERSON: Thank you. Next.

9 Mr. BRIAN DYER: Thank you, Mr. Chair.  
10 This is Brian Dyer once more.

11 And Laurie, you touched upon it just  
12 now, but maybe I think I would like a little more  
13 elaboration.

14 Most of modern tugs have got bow  
15 thrusters, and what are the scouring effects that you see on  
16 this very sensitive area where you've got maybe one or two  
17 tugs with bow thrusters?

18 Mr. LAURIE MCGOWAN: Well, tugs, their  
19 main propellers have way more thrust, you know, usually two  
20 props and a nozzle. And the thrust is phenomenal.

21 You know, if it's all pointing anywhere  
22 near sea life, it's going to get blown off the bottom. I  
23 have no doubt about that. Yeah.

24 Dr. GUNTER MUECKE: I have a few  
25 questions about the sea urchin fishery---

1 Mr. LAURIE MCGOWAN: Yes.

2 Dr. GUNTER MUECKE: ---and how it relates  
3 to that part of the coast.

4 How many divers are in that business?

5 Mr. LAURIE MCGOWAN: There are six  
6 licenses, so six licenses there's a Captain and a deck hand  
7 and four divers, so that's six people per boat, so 36 right  
8 there. The truckers involved. Usually there's a lot of  
9 bookkeeping and people at home who deal with the buying and  
10 selling because it's really tricky to get a good price.

11 You know, so often urchin divers get  
12 shafted by the brokers.

13 Dr. GUNTER MUECKE: And you said that  
14 within the cove itself---

15 Mr. LAURIE MCGOWAN: Yeah.

16 Dr. GUNTER MUECKE: ---although they were  
17 good kelp beds, you're puzzled about the absence of sea  
18 urchins.

19 Mr. LAURIE MCGOWAN: Yeah.

20 Dr. GUNTER MUECKE: Once you get out of  
21 the cove on the coastline, how far do you have to go before  
22 it becomes viable for a sea urchin fishery?

23 Mr. LAURIE MCGOWAN: All along that coast  
24 there's potential because it's all ledge. It's all kelp.  
25 It's high quality.

1                   And there are places where there are  
2 beaches with small, round rocks. Basically nothing grows on  
3 them. They're quite mobile, and urchins just get squashed.

4                   Dr. GUNTER MUECKE: So in the immediate  
5 adjacent area---

6                   Mr. LAURIE MCGOWAN: Oh, yeah.

7                   Dr. GUNTER MUECKE: ---it's good for sea  
8 urchins.

9                   Mr. LAURIE MCGOWAN: Oh, yeah. And, you  
10 know, urchins are born, they're free flowing when they're  
11 born, and it's just a total mystery why they weren't there.

12                   But my point is that cove is an  
13 incredible nursery now because of it, because the urchins  
14 haven't removed the kelp.

15                   Dr. GUNTER MUECKE: And how much  
16 potential is there in terms of expansion of the sea urchin  
17 fishery? Do the six licenses at the present time---

18                   Mr. LAURIE MCGOWAN: No.

19                   Dr. GUNTER MUECKE: ---represent a limit  
20 to the ecosystem?

21                   Mr. LAURIE MCGOWAN: Yes, very much so.  
22 Very much so.

23                   And the great thing is, the divers only  
24 go so deep and the urchins go right down to the very bottom  
25 of the ocean, seven miles down. They're just always moving

1 their way up to the good food. So it's a sustainable  
2 fishery in that way, economically and environmentally.

3 THE CHAIRPERSON: Ms. Albright?

4 Ms. JAN ALBRIGHT: Jan Albright, also  
5 Annapolis Royal.

6 I read an article, I think it was a week  
7 ago, and I believe it was in the Halifax Herald. I'm a  
8 voracious reader, so I can't be sure on that, but I'm sure  
9 on the article.

10 And it was about a developing food  
11 market focussing on sushi and sushi bars and on kept in  
12 particular.

13 Is it an assumption or is it a valid  
14 question to ask that this is a market if these kelp sea beds  
15 are all along this coast, and it's my understanding that  
16 they are, that maybe there could be some research done into  
17 these kelp beds and there could be jobs provided by  
18 providing kelp?

19 Mr. LAURIE MCGOWAN: Oh, yeah. Yeah.

20 Ms. JAN ALBRIGHT: And that there will be  
21 an upcoming market that will be viable to the fishermen in  
22 this area in kelp and things that we don't necessarily think  
23 about eating but Asian people do and other foreign  
24 countries.

25 Mr. LAURIE MCGOWAN: Yeah, that's a good

1 point.

2 I coach soccer, and my assistant coach  
3 is a new marine biologist at Acadia Sea Plants, and the  
4 Asian countries are buying more and more Canadian sea plants  
5 because their waters are so polluted.

6 And Jeff Hafting just mentioned last  
7 week that he was quite excited because they just discovered  
8 five new species of sea plant that had really neat  
9 properties, medicinally and also for food. And that was  
10 here that they didn't realize were here, so yeah.

11 Ms. JAN ALBRIGHT: Thank you.

12 THE CHAIRPERSON: Okay. If there are no  
13 further questions, then I thank Mr. McGowan and Mr. Leslie.  
14 Thank you very much.

15 And we will resume here at 1:30.

16 --- Recess at 12:22 p.m.

17 --- Upon resuming at 1:30 p.m.

18 **CLOSING REMARKS**

19 THE CHAIRPERSON: Ladies and gentlemen,  
20 okay. Could we get underway?

21 Now, this is the closing. The closing  
22 means that you will have five minutes standing up at this  
23 microphone and, at the end of five minutes, I'll get a  
24 signal from over here and if you're still talking, I'll ask  
25 you to wrap it up quickly so that the next person can take

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1 over.

2 I have a list here of 18 people, and  
3 there may be a few others for other reasons, so the sequence  
4 is one right after the other.

5 If the Panel feels that you've raised  
6 something that needs to be questioned, we might stop you and  
7 ask a question, but in general, we don't expect that to  
8 happen, but it could happen. Okay?

9 So we're going to start with Government,  
10 with the Federal Government, the Provincial Government,  
11 Municipalities if there are people and then we'll move into  
12 this list that I have.

13 That will be followed by Bilcon making a  
14 15-minute presentation and then, following that, I will make  
15 a few closing remarks and the session will end. Okay?

16 So the first question is, is there  
17 anybody here from the Federal Government who needs to make a  
18 closing statement?

19 And remember, the closing statement is  
20 supposed to be a summary rather than introducing new  
21 information.

22 Nobody? No one from the Federal  
23 Government? Anyone from the Provincial Government? No.  
24 Anyone from a Municipality? No.

25 Okay. So the first presenter, then, is

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1 Sister Barbara.

2                   **SISTER BARBARA:** Thank you, Mr. Chair.  
3 My name is Sister Barbara, and I am from Rossway, Digby  
4 Neck.

5                   The Hippocratic Oath is a code of  
6 medical ethics sworn to by a physician upon receiving the MD  
7 degree. It was once thought that the oath stated "Do not  
8 harm". However, this has now been found not to be the case.

9                   Perhaps it might be prudent for those  
10 involved in the mining and quarry industry to adopt this  
11 motto as their own code of ethics.

12                   Mining companies should take an oath to  
13 do no harm to the fish swimming in the sea, the birds flying  
14 in the air or the habitat of plants, animals and humans.

15                   A very wise priest friend of mine once  
16 said, "To make a decision on a contentious issue, you must  
17 ask yourself the following question." How ethical is it?

18                   Is it ethical to take the basalt rock  
19 from Whites Point and ship it to New Jersey?

20                   My answer to that question is an  
21 unequivocal no. The bottom line, as I see it, is once the  
22 rock is hauled away to New Jersey, it ain't coming back.

23                   No matter how much clean-up Bilcon of  
24 Nova Scotia does to repair the damage caused, the area will  
25 not be the same as it is today.

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1 I believe the main objective of this  
2 undertaking is not jobs, but profit. There's another word  
3 that sounds the same, but means something totally different,  
4 and that is the word prophet spelled p-r-o-p-h-e-t.

5 Webster's Dictionary defines profit, p-  
6 r-o-f-i-t, as "(1) gain; (2) advantage; (3) excess of income  
7 over one's investment" and another word below it is the word  
8 profiteering, "one who makes large profits at the expense of  
9 the general public".

10 The other prophet, p-r-o-p-h-e-t, means  
11 "(1) person disclosing divine revelation; (2) a spokesperson  
12 or advocate; (3) one who foretells the future".

13 I think we need to listen to the modern  
14 prophets of today, not only to the well-known ones such as  
15 Dr. David Suzuki and Al Gore, but also those who gave  
16 presentations here opposing the proposed mega rock quarry  
17 and marine terminal.

18 These people understand it is our civic  
19 duty as good stewards of the earth to speak out when either  
20 corporations and/or individuals set out to destroy this  
21 fragile earth, our island home.

22 We must not, under any circumstances, be  
23 swayed by promises of jobs at the expense of our way of life  
24 on Digby Neck.

25 Digby has a sign on the outskirts of the

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1 town "Scallop Capital of the World". Perhaps if this  
2 project does go ahead, Digby Neck's claim to fame will be  
3 "Home to the world's largest super quarry" or tourists might  
4 be greeted with this name tag. A lady from Kentville gave  
5 it to me, and it says, "Nova Scotia Come to Life. Come to  
6 America's Gravel Pit".

7                   The wants and needs of the people living  
8 on Digby Neck are simple. The majority want to enjoy the  
9 beauty and peace they currently have and they need the  
10 governments, both Federal and Provincial, to turn down the  
11 request made by Bilcon of Nova Scotia.

12                   I have found that both the Federal and  
13 Provincial governments want what is best for the people  
14 affected by this proposal.

15                   Faith, they say, can move mountains. It  
16 is quite ironic that my faith wants a mountain not to be  
17 moved, North Mountain in particular.

18                   I would like North Mountain to stay  
19 where it was placed by the Creator and has been situated for  
20 millions of years.

21                   As this is our final day of the Joint  
22 Review Panel discussions, I would like to make the following  
23 suggestion.

24                   If, as Mr. Buxton stated in his opening  
25 remarks two weeks ago, Bilcon is a good corporate citizen,

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1 my suggestion is Bilcon withdraw its application for a  
2 permit for a rock quarry and marine terminal at Whites  
3 Point, donate the land it currently owns or leases to the  
4 people of Digby Neck to be used as a nature preserve.

5                   This benevolent action on Bilcon's part  
6 would leave Whites Point in its current pristine condition  
7 for future generations to enjoy its beauty as its creator,  
8 God, the original and still undisputed land owner, I might  
9 add, intended.

10                   If this suggestion is agreed upon, I  
11 think it would be a win-win situation for all parties  
12 involved.

13                   (1) The government would not then be  
14 liable under the North American Free Trade Agreement.

15                   (2) The opponents would acquire for  
16 future generations land currently owned or leased by Bilcon,  
17 and

18                   (3) The Proponent, Bilcon, would  
19 demonstrate to the people of Digby Neck that it is, indeed,  
20 without a doubt a good corporate citizen.

21                   And for the record, the Digby Neck is  
22 not a dying community. I have here a brochure of a shuttle  
23 service that's just starting up in Digby Neck and is  
24 catering to tourists, and...

25                   THE CHAIRPERSON: Sister Barbara.

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1                   SISTER BARBARA: Sorry.

2                   THE CHAIRPERSON: One minute.

3                   SISTER BARBARA: And if another 33  
4 entrepreneurs would start a business, we could offset the  
5 jobs offered by Bilcon.

6                   In conclusion, I will pray for you, the  
7 members of the Joint Review Panel, as you submit your  
8 recommendations to the Federal and Provincial Governments.  
9 I will continue to pray for the proponents and the opponents  
10 as the final decision is made.

11                   May all parties accept the decision and  
12 may peace return once again to the Digby Neck. Thank you.

13                   THE CHAIRPERSON: Thank you, Sister  
14 Barbara. The next person is Sister Bonnie.

15                   **SISTER BONNIE:** Thank you. Before I give  
16 my remarks, may I say thank you to Dr. Gunter Muecke, Dr.  
17 Jill Grant and Dr. Robert Fournier for their  
18 professionalism, their perseverance and their patience over  
19 these past two weeks of presentations.

20                   As well, I'd like to say thank you to  
21 the members of the Secretariat, whose coordination and  
22 organizational skills kept the process moving smoothly. I  
23 would also like to acknowledge the panel representing the  
24 Proponent in the discussions, Bilcon of Nova Scotia.

25                   Mr. Paul Buxton, in particular, has had

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1 to try to answer some gruelling questions, and I'm sure that  
2 he, along with all of us, must be feeling some lessening of  
3 tension as we come to the final hours of this process.

4 I would like to thank all the unsung  
5 heros and heroines who have worked so diligently and  
6 faithfully for these past five years and beyond, back to the  
7 early '90s when the shores of our beautiful St. Mary's Bay  
8 were first threatened in Little River for their commitment  
9 in their efforts to preserve our beautiful Digby Neck and  
10 Islands and our way of life here.

11 Because of you, this Review Panel came  
12 into being. Thank you.

13 I would like to read you a poem written  
14 by an Aboriginal lady by the name of Mona Elaine Edelman  
15 entitled "The Silent Majority":

16 "I've been too long in love with Mother  
17 Earth. I bleed to see her sorely gaping  
18 wounds and writhe with pain at her deep  
19 agonies. The cruel pillage of her  
20 martyred flesh somehow corrodes and  
21 destroys my body, too. The carnage of  
22 her gentle living things has sickened  
23 every rusty breath I draw. Not long  
24 ago, the pulsing earth was young and I  
25 was young, impassioned with her light,

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1 the beauty of her sky, the lush green  
2 lands, the sparkle of her rivers  
3 tumbling through sweet acreage of  
4 fragrant flowered soil, but suddenly,  
5 the earth is old and sick. And  
6 suddenly, the sky was black and foul.  
7 Birds sang no more. The verdant trees  
8 were gone. My image in the river's face  
9 grew dark, and the death mask leering at  
10 a dying stream and stinking sludge  
11 lapped at the cringing shore. In love  
12 with Mother Earth, what did it mean? I  
13 see her bounty, gloried in her gifts,  
14 but where was my voice when she was  
15 besieged and ravaged viciously to the  
16 point of death? And where was my arm  
17 raised in her defence, demanding laws to  
18 sanctify her strength? I've been in  
19 love with Mother Earth, I, long, but did  
20 I help to silence her sweet song?"  
21 In my presentation, I mentioned that  
22 people are made up of body, mind and spirit. I said that we  
23 have enough here to feed our bodies and our minds, and thus  
24 far the spirit.  
25 The spirit is fed by beauty,

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1 particularly natural beauty, but when our natural beauty is  
2 removed or diminished, part of our spirit is destroyed as  
3 well.

4                   Nothing that I have heard in the last  
5 two weeks leads me to believe that there is anything in the  
6 proposal by Bilcon Nova Scotia for a quarry and marine  
7 terminal at Whites Point Cove that will enhance our way of  
8 life here on the Digby Neck and Islands.

9                   Quite the contrary. I only see  
10 devastation and destruction.

11                   Cheryl Denton spoke yesterday of how she  
12 and her friends and family have enjoyed this beautiful cove  
13 over the years, taking picnics, having bonfires, hiking in  
14 the area, watching the birds and the whales.

15                   All this will be gone if Whites Cove  
16 becomes a quarry.

17                   I leave you with the lyrics of a very  
18 well known and much loved song written by Alistair  
19 McGillivray about a spot in Cape Breton called Myra. It's  
20 called "Song of the Myra", and I'm sure most of you know it.

21                   I believe it pertains to Digby Neck and  
22 Islands as well, so I ask you to close your eyes and  
23 envision Whites Cove and the wonderful times you have had  
24 there.

25                   "Out on the Myra, on warm afternoons,

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1 old men go fishing with black line and  
2 spoons. And if they catch nothing, they  
3 never complain. I wish I was with them  
4 again. As boys in their boats call to  
5 girls on the shore, teasing the ones  
6 they dearly adore and into the evening  
7 the courtin' begins, I wish I was with  
8 them again.

9 Can you imagine a piece of the universe  
10 more fit for princes and kings? I'll  
11 trade you 10 of your cities for Marion  
12 Bridge and the pleasure it brings.  
13 Out on the Myra, on soft summer nights,  
14 bonfires blaze to the children's  
15 delight. They dance 'round the flames  
16 singing songs with their friends. I  
17 wish I was with them again.

18 And over the ashes, the stories are told  
19 of witches and werewolves, and Oak  
20 Island gold. Stars on the water face  
21 sparkle and spin. I wish I was with  
22 them again.

23 Out on the Myra, the people are kind.  
24 They treat you to home brew and help you  
25 unwind. And if you come broken, they'll



1 see that you mend. I wish I was with  
2 them again.  
3 Now I'll conclude with the wish you go  
4 well. Sweet be your dreams, and your  
5 happiness swell. I'll leave you here  
6 for my journey begins. I'm going to be  
7 with them again."

8 Thank you for the opportunity of  
9 speaking to you. May you all travel to your respective  
10 homes safely and enjoy what remains of this Canada Day  
11 holiday. God bless.

12 THE CHAIRPERSON: Thank you, Sister  
13 Bonnie. The next presentation is by John Whiteman,  
14 representing the Mining Association of Nova Scotia.  
15 --- Pause

16 **Mr. JOHN WHITEMAN:** Good afternoon. I am  
17 here to present a prepared statement by the Mining  
18 Association of Nova Scotia, and it was prepared by Gordon  
19 Dickey, our President.

20 This is a summation of the presentation  
21 he made last week, and I want to read it into the record.

22 I would like to thank the Joint Review  
23 Panel for the opportunity to provide some information on the  
24 importance of the mining industry to the economic and social  
25 well-being of the people of the Province of Nova Scotia.

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1                   We would also welcome any opportunity to  
2 provide additional comments on the process in the future.

3                   The Mining Association of Nova Scotia  
4 advocates profitable, environmentally sound, responsible and  
5 orderly development of the mineral resources of Nova Scotia.

6                   In order for the industry to thrive into  
7 the future, continued investment is required. In order to  
8 facilitate investment, clear and appropriate regulation is  
9 needed and must be applied with consistency to all mineral  
10 development projects.

11                   The Provincial Environmental Assessment  
12 process is well known and has proven adequate to the task of  
13 assessing the impact of mining projects in Nova Scotia.

14                   In light of the scope of the Bilcon  
15 project, which is similar in size to many other operating  
16 quarries in the region, the Mining Association is very  
17 concerned that the Federal Review Panel process may be used  
18 in the future to assess other relatively small projects that  
19 mine and process non-reactive rock, employing a standard  
20 shipping terminal near international waterways.

21                   A significant competitive advantage Nova  
22 Scotia has for mineral development projects is proximity to  
23 tide water, thereby reducing transportation costs of getting  
24 goods to market.

25                   Mr. Dickey says that my presentation to

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1 the Panel provided information that shows the importance of  
2 the mining industry to the economy of Nova Scotia. The  
3 industry contributes \$400 million to the annual GDP and  
4 employs 5,200 people in both primary and secondary  
5 processing.

6 It is second only to fishing, and ahead  
7 of forestry and agriculture in the value of primary  
8 production.

9 The mining industry pays the highest  
10 wages in the resource sector. The average weekly wage is  
11 \$1,000, which is 40 percent higher than the nearest sector,  
12 forestry.

13 Information resulting from the requested  
14 undertaking shows that the GDP per person-years of  
15 employment is \$171,000 for mining, \$42,500 for fishing,  
16 \$40,900 for forestry and \$35,600 for agriculture. Clearly,  
17 mining has a huge impact on the economic and social  
18 viability of Nova Scotia through the generation of new  
19 wealth and high-paying jobs.

20 The Bilcon project represents new  
21 investment in both jobs and infrastructure in the mining  
22 industry in Nova Scotia. The details of the project,  
23 however, are not new, but well demonstrated in many similar  
24 operations in Atlantic Canada.

25 The Mining Association of Nova Scotia

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1 supports and encourages this kind of investment in the  
2 future of the mining industry of Nova Scotia.

3                   And there was an undertaking to Mr.  
4 Dickey about those figures, and those have been submitted to  
5 the Panel.

6                   I have two concluding comments. I was  
7 born in Digby. I'm a retired school teacher living in  
8 Annapolis County. I'm a graduate of Digby High School and  
9 Acadia University.

10                   I'm also a rock hound and a prospector.

11                   Bilcon's proposed quarry affects less  
12 than one-tenth of one percent of the available surface area  
13 on North Mountain, Digby Neck and Islands for basalt quarry  
14 development, very insignificant footprint.

15                   The proposed quarry, in my considered  
16 professional opinion, based on field investigations and  
17 personal experience in the area over the past 65 years and  
18 also based on the site selection, local geology and  
19 topography, should not constitute a significant negative  
20 impact on the local community, its quality of life and  
21 livelihood.

22                   Thank you.

23                   THE CHAIRPERSON: Thank you, Mr.  
24 Whiteman. Okay. Moving on to next presenter is Jerry  
25 Ackerman.

1                   **Mr. JERRY ACKERMAN:** Thank you, Panel.

2                   What I have to summarize are very few  
3 words, but they have been offered to people up the Valley,  
4 that is, from Annapolis Royal to Wolfville, who reside  
5 within sight of the North Mountain.

6                   And my questions to them, I already knew  
7 they understood quite fully the risks to their mountain.

8                   And when I read this to them, they were  
9 asked to say it in their own words if they were coming to  
10 present at the hearings and, if not, and they were in accord  
11 with this, then give me their name and their address.

12                   And so what I have to offer to the Panel  
13 here are almost 35, but one woman was so excited that she  
14 signed it twice, so there's 34 people that feel as I do  
15 about this proposition.

16                   Regarding the proposed destruction of  
17 our Fundy Shore communities by foreign-based pirates  
18 stealing our resources, contaminating our environment and  
19 threatening our livelihoods and well-being for future  
20 generations.

21                   (A) We are outraged with the deceptive  
22 tactics used by this invader, its local hirelings and the  
23 complicit elected officials.

24                   (B) We are not now deceived. We know  
25 and we want your Panel to know the detailed consequence,

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1 short and long term, of allowing this project to proceed.

2 (C) We sincerely ask that your Panel's  
3 report and recommendations be strong, poignant, vociferous  
4 in sharing our accumulated anger and outrage with the  
5 Federal and Provincial Government bodies with whom such  
6 decisions have been entrusted.

7 THE CHAIRPERSON: Thank you, Mr.  
8 Ackerman. Let the record show that Mr. Ackerman has given  
9 that to the Secretariat.

10 Okay. The next presentation is Kemp  
11 Stanton speaking on behalf of the Partnership for the  
12 Sustainable Development.

13 **Mr. KEMP STANTON:** Kemp Stanton. I don't  
14 know how to really sum up.

15 I'd like to thank the Panel for their  
16 patience and the Secretariat for a great deal of help. I  
17 don't envy you at all trying to make a decision on this.

18 I found the whole process extremely  
19 complicated. I don't believe that any one person can even  
20 comprehend the different aspects of it.

21 I don't know what value you put on each  
22 part. It's almost mind numbing after two weeks of listening  
23 to it.

24 I would hope that you can somehow make  
25 the connections that nothing is in isolation from anything

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1 else. I realize that this is the closest look anybody is  
2 ever going to take at this project.

3 Our government and its departments  
4 haven't got the personnel or maybe the will to look this  
5 closely again, and when we look at adaptive management I  
6 don't know whether they have the capability of handling  
7 changing situations quickly enough to make mitigation  
8 effective in time to prevent damage.

9 I'm not reassured. I'm more frightened  
10 than ever than when this whole process started.

11 I guess that sums up basically what the  
12 Society thinks. Thank you.

13 THE CHAIRPERSON: Thank you, Mr. Stanton.  
14 We now move to the Green Party of Nova Scotia, William  
15 Lang.

16 **Mr. WILLIAM LANG:** William Lang, Green  
17 Party of Nova Scotia.

18 I'd like to thank the Chair and members  
19 of the Panel for once again allowing me the opportunity to  
20 speak to you today.

21 A week ago the Chair asked me if we read  
22 the ethos in this province where only green developments  
23 would be allowed, and that if we weren't at that ethical  
24 point then this isn't unethical.

25 I was nine years old when the

1 International Panel on Climate Change was first established.  
2 That was almost 20 years ago.

3 I was 14 when Canada went to Rio in '92,  
4 and I remember the excitement the Earth Summit and the  
5 ensuing UN Framework Convention on Climate Change triggered  
6 in the youth across this entire country. We thought our  
7 governments were coming together and stepping up to the  
8 plate to save our planet. That was 15 years ago.

9 I had just graduated from high school  
10 when Canada signed Kyoto. Next year will mark Canada's 10th  
11 year as signatory to this Protocol.

12 My entire life, I have watched as  
13 irresponsible governments and industry, knowing full well  
14 the extent of the damage being done, have ravaged our  
15 environment, polluted our waters, destroyed our biodiversity  
16 and altered the very make-up of our atmosphere, threatening  
17 our entire planet.

18 It's going to be my generation that has  
19 to pay the price for the injustice of this irresponsible and  
20 unsustainable development. My generation that is going to  
21 have to face struggles unimaginable in our lives, and that  
22 will be just a precursor to the struggles that my children  
23 have to face.

24 Are we at that ethos? I think I'd like  
25 to say to the Panel that, as a member of the generation that

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1 will be inheriting the unmeasurable legacies of destructive  
2 environmental damage that have been so graciously left to us  
3 that, for us, we are at that ethos.

4 As a matter of fact, we are past that  
5 point, not just as a province, but as a society.

6 Environmentally sustainable development  
7 is the foundation for our future.

8 I would like to leave the Panel with a  
9 quote from one of the great poets of my generation:

10 "It's time for us as a people to start  
11 making some changes. You see, the old  
12 way wasn't working, so it's on us to do  
13 what we gotta do to survive, and still I  
14 see no changes."

15 The immortal words of Tupac Shakur,  
16 1997.

17 Thank you very much.

18 THE CHAIRPERSON: Thank you, Mr. Lang.  
19 We now move to the Little River Residents' Association and  
20 Tony Kelly.

21 **Mr. TONY KELLY:** By way of summary, and  
22 after many of the residents have patiently sat through the  
23 hearing, let me say on behalf of the group that we're  
24 humbled and grateful to all the participants over the past  
25 two weeks.

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1                   There's been an outstanding amount and  
2 quality of concern regarding the stewardship and care of our  
3 back yard.

4                   This care has blossomed over the years  
5 as a result of the diligent and persistent, and I should  
6 note volunteer work, from citizens located throughout the  
7 continent and locally.

8                   I recall the disbelief when, some years  
9 ago, it was myself and a young child, actually, who saw  
10 stakes on the ground, that we informed the community of this  
11 project, which came to my attention from a phone call to a  
12 Mr. Patterson who was located in the Carolinas. Mr.  
13 Patterson was part of the then global quarry, Nova Stone,  
14 Bilcon, Clayton Group, and had acted as a kind of advanced  
15 guard for the company and its Nova Scotian agents.

16                   I like to thank the various agents of  
17 the company or companies for the various leaks in the public  
18 documents that they provided us over the years. These have  
19 provided us the basis for the passionate, loud defence of  
20 our homes and our village.

21                   These have provided us with the  
22 opportunity and the imperative to engage with others  
23 throughout Canada and North America regarding the intense  
24 value we place on the local ecosystem and its place in  
25 relation to... Now I lose it, because my glasses are poor

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1 here... Provided us with the opportunity imperative to  
2 engage with others throughout Canada and North America  
3 regarding the intense value we place on the local ecosystem  
4 and its place in relation to our lives of our supporters in  
5 a more global context.

6                   Hopefully what the companies have  
7 started in terms of this process has softened their hearts,  
8 and their intentions regarding one of the most pristine  
9 areas of Nova Scotia. Hopefully the company will begin to  
10 employ its huge financial resources in the interests of  
11 healing the large fractures and scars apparent to the social  
12 fabric of the area.

13                   I thank the company and its agents for  
14 exposing these fractures, because these appear to run along  
15 what we would call pre-existing fault lines. We're well  
16 aware of rural poverty. I grew out of poverty. We're well  
17 aware of unemployment. My father experienced unemployment.  
18    And the desire of all citizens for a dignified in the  
19 chosen place of their residence.

20                   In exposing these fractures, the company  
21 has helped us to see that we must do more in terms of  
22 imagining and bringing about a more inclusive local reality.  
23 Sister Bonnie and Barbara spoke so well to these issues that  
24 I need not say more.

25                   And yet the refrain, "All things bright

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1 and beautiful" remains in my head, and I think it goes a  
2 considerable distance to addressing why the passion; the  
3 question has been asked by the Panel; why the passion; why  
4 the emotion; why the intensity of response to the  
5 Proponent's project?

6                               The answer lies in the fact that the  
7 sense of place shared by all the participants in these  
8 hearings is real, and it's a form of priceless social  
9 capital which motivates and inspires people across the  
10 spectrum of support for the goals of their friends, and the  
11 partnership itself.

12                              The breadth of the response grows out of  
13 something my colleague, Professor Corbett, the other day  
14 eluded to. That is the fact that the local population is  
15 deeply rooted, and not only is it deeply rooted; those who  
16 leave seldom really leave. Whether Montreal, Toronto,  
17 Halifax, New England or wherever, those who leave carry with  
18 them the kind of sense of place the late Julia Sauer  
19 captured in her "Fog Magic", or indeed the Nova Scotian  
20 context Allister MacLeod captures when he talks about the  
21 eroticism and the desire for return many rural Nova Scotians  
22 carry with them when they leave home.

23                              This desire feeds what really is the  
24 phenomenon, the social phenomenon of looped migration. It's  
25 both temporal and it's spatial, which can be seen in the

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1 family structures of so many of the local residents.

2                   Digby Neck is in our blood, so to speak.

3     Without judging good or bad, this sense of place is a  
4 reality and it provides priceless social capital. And so  
5 when a heavy-equipment operator goes west, she really wants  
6 to come home. When the summer folk go to the city for the  
7 winter, they really want to come home, and when our young  
8 folk go to university, they really want to come home. This  
9 desire is in the blood, and it's contagious for most who  
10 arrive in our midst, and it signals the generosity of spirit  
11 most who have found their way to Digby Neck have  
12 encountered.

13                   In closing, and in that spirit of  
14 generosity, I want to thank all who have participated, and  
15 that gratitude goes even to the hired fellow who told me the  
16 other day that he was one of the bad guys. On behalf of the  
17 residents, I wish the Panel Members wisdom in their  
18 deliberations. Thank you very much.

19                   THE CHAIRPERSON: Thank you, Mr. Kelly.  
20 Now it's David and Linda Graham.

21                   **Ms. LINDA GRAHAM:** Thank you, Mr. Chair.  
22 I'll be presenting by myself.

23                   In closing, after attending as many  
24 presentations as I could, I still ask whose way of life may  
25 be affected in a negative way? Our summer residents, a lot

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1 of these from the U.S., or United States definitely from  
2 out-of-province who are here for a mere ten weeks out of 52  
3 weeks? Our retirees who retire here?

4                   These people cannot care, because they  
5 don't see how families struggle after the summer, when they  
6 go home to the United States or other provinces. In the  
7 winter months, when the boats cannot get out because of  
8 wind, or when the boats go out and the family's left on  
9 shore to wonder if their husbands, sons, fathers, brothers  
10 will return because the winds pick up, there is no pay or  
11 settlement for two, three, four weeks.

12                   I still find it hard to understand how a  
13 quarry is different from a quarry; blasting is different  
14 from blasting; dumping rock into Petite Passage differs from  
15 loading ships; uncontrolled dust from trucks in Tiverton  
16 differs from more controlled dust in Whites Cove.

17                   When we speak of 34 jobs, we refer to  
18 direct jobs. Let's see, if you make at least twice minimum  
19 wage, and work all year, not part-time at minimum wage,  
20 those 34 are equivalent to a lot more; let's say 68 jobs.  
21 And if people have more money, they spend more money.  
22 Supporting business prospers; stores, restaurants, Tim  
23 Horton's, all the minimum-paid jobs; our school. Now that  
24 is a way of life.

25                   Our children can attend a school on

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1 Digby Neck. We have less than 50 students in seven grades  
2 at present. If this declines further, will we lose our  
3 school? Yes, it is happening all over the province.

4 Elementary schools are closing. Children are being bussed  
5 further and further from home, and these are elementary.

6 As one of our young family men said,  
7 local, full-time, young families are an endangered species  
8 on Digby Neck and Islands. They are also the ones most  
9 intimidated, and this intimidation continues today, even at  
10 these hearings.

11 Our politicians all speak out against  
12 the quarry. Did they hear the little people? Although Mr.  
13 Theriault, our MLA, when asked, said the Stop-the-Quarry  
14 sign on his lawn was his wife, he spoke against the quarry  
15 in his presentation.

16 There is the old saying, "The squeaky  
17 wheel gets the grease". I hope my voice and a couple of  
18 others willing to speak up will be heard just as loud.

19 We have heard all kinds of what-ifs.  
20 Would we fly on planes? What if? Would we go on boats?  
21 Remember the Titanic. What if? Would we travel our roads?  
22 Would we have children? What if? No, we cannot live in a  
23 what-if world. Thank you for hearing me today.

24 THE CHAIRPERSON: Thank you, Ms. Graham.  
25 We now move to Cindy Nesbitt and John Ivans.

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1                   **Ms. CINDY NESBITT:** Hi. I'll be very  
2 brief. It's been a long two weeks. I am Cindy Nesbitt.

3                   I ask you to please remember some of the  
4 names of the faces of the people supporting this Project.  
5 Please remember the need for work in the area, and that this  
6 is not the first quarry to exist, or the first ship to  
7 travel the Bay of Fundy. This is not the first area that  
8 could mix industry with tourism and fishing, nor is it the  
9 first area to need to diversify its economy to strengthen  
10 itself.

11                   We have common sense to draw on, and a  
12 regulatory system that I believe will make sure that our  
13 interests are protected, and we will all be watching.

14                   Thank you to the Panel for your time,  
15 and to the Secretariat for your help, and for organizing  
16 this event. Thank you.

17                   THE CHAIRPERSON: Thank you, Ms. Nesbitt.  
18 Now we move to the Clean Annapolis River Project, Andy  
19 Sharpe.

20                   **Mr. ANDY SHARPE:** Hello. Andy Sharpe,  
21 Clean Annapolis River Project.

22                   Over the past two weeks, I've listened  
23 as the Panel questioned the Proponent over the concepts of  
24 precaution, sustainability, and the ecosystem approach, and  
25 their application to this Project. Now while all these are



1 evolving fields, tools on how to use and apply these  
2 concepts have been available for a number of years.

3           The EIS Guidelines were quite explicit  
4 in requiring the incorporation of these concepts, and it was  
5 the Proponent's choice and responsibility to adequately  
6 address these. As we have seen in many cases, the Proponent  
7 chose not to integrated these into their EIS or use them  
8 incorrectly, such as the case of adaptive management.

9           The Proponent failed to clearly  
10 articulate how the Project would make a durable contribution  
11 to the long-term sustainability as required by the  
12 precautionary principle. The Proponent failed to address  
13 areas of scientific uncertainty, while conducting a large  
14 number of discreet, short duration investigations. The  
15 Proponent failed to bring these together in an integrated  
16 fashion.

17           I don't believe it's now the time or the  
18 place for the Panel to re-interrupt the EIS to seek out  
19 examples of these concepts. It was the Proponent's job to  
20 fulfill these responsibilities, and the Proponent chose not  
21 to. When the existing information is examined, it is  
22 evident that we have a Project that has a high likelihood of  
23 causing a number of significant adverse environmental  
24 affects; a project in which numerous uncertainties remain,  
25 and with the Proponent's failure to make the sustainability

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1 case, we are left with a Project that will make a net  
2 negative contribution to sustainability.

3                   If the Review Panel and Governments  
4 ultimately decide that this Project should go ahead, the  
5 question of mitigation must be considered. There will be a  
6 long and complex list of mitigation requirements to try and  
7 minimize, if possible, the environmental and social costs of  
8 this Project. For those of use who have sat through these  
9 hearings with you, through these hearings, and have followed  
10 this process for over the past four years, we are not  
11 convinced that the Proponent is inclined and the regulators  
12 able to enforce any such mitigation.

13                   When the owners of Clayton Concrete fail  
14 to attend these hearings to answer questions, yet turn up in  
15 Digby the very next week to attend a barbecue, we question  
16 the company's commitment to Canadian laws, policies and the  
17 importance of these hearings.

18                   When the Department of Environment and  
19 Labour requires members of the local community to file a  
20 Freedom of Information request to find out about the 3.9  
21 hectare quarry, and take days to respond to complaints about  
22 sedimentation, the willingness and ability of Government to  
23 enforce any mitigation measures is cast in doubt.

24                   Clayton Concrete has never operated a  
25 marine aggregate quarry. As Captain William Denton

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1 described yesterday, this lack of experience is evidence in  
2 the Proponent's selection of a site of a marine terminal.  
3 We have a Proponent that did not do their homework.

4                   Captain Denton indicated that the  
5 shipping access to the marine terminal may be satisfactory  
6 in perfect conditions, and increasingly risky in all other  
7 conditions. Can we trust a Proponent to faithfully and  
8 fully implement a long and complex list of mitigation  
9 measures, when they've apparently overlooked something so  
10 fundamental as the shipping of the aggregate?

11                   In closing, this Panel has the  
12 opportunity to make history, to draw a line in the sand.  
13 You have the ability to make a clear statement to future  
14 project developers that lack of scientific rigour and  
15 inadequate consultation are unacceptable. You have the  
16 ability to clearly state that the ecosystem approach and  
17 precautionary principle must be central to environmental  
18 assessments, and you have the authority to demand that  
19 projects must clearly demonstrate their contributions to  
20 sustainability rather than just serving as an afterthought.

21                   Thank you very much.

22                   THE CHAIRPERSON: Thank you. Thank you,  
23 Mr. Sharpe. Tina Little?

24                   **Ms. TINA LITTLE:** I want to thank you all  
25 so very much for being so thorough in all that you're doing

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1 and searching your minds and your hearts for this Project,  
2 which is so obvious. Thank you so very much.

3 I don't think anyone here believes that  
4 there shouldn't be any mining in Nova Scotia, but what I  
5 think is that we need to be selective about what we choose  
6 for our future in mining in Nova Scotia, and what the  
7 repercussions would be. I don't think this is the  
8 appropriate type of quarry that we want to open the doors to  
9 for Digby or for the entire North Mountain.

10 I firmly believe that this is precedent  
11 setting, and if this quarry is approved, you will see more  
12 quarries coming along the North Mountain.

13 Sister Barbara was speaking, and she was  
14 telling us about folklore in her poems, and in the song  
15 lyrics, and when we hear those kinds of things, we think  
16 those are coming from the past. Well, I want to tell you  
17 that folklore and history is being created today. Last  
18 night I had several people over at my house, and we were  
19 sitting up on the deck, on a hill overlooking the Bay of  
20 Fundy, and it was quiet. We could hear the tides swishing,  
21 because they're so intense there, and we were telling ghost  
22 stores. We were bundled in blankets, sitting on the hill,  
23 creating history for a future generation. There were  
24 several children listening.

25 Wednesday night, Dr. Grant asked me why

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1 I chose this area to settle in, and at that time, I was  
2 really overcome, kind of a circuit overload, because there's  
3 so many reasons. I couldn't think straight, Dr. Grant, and  
4 I couldn't answer you. And I went home, and I beat myself  
5 up about it, and then I thought about it, and this is the  
6 reason I chose this community.

7 I chose this community because of the  
8 rare conditions of this coastal area compared to others in  
9 the world. It is the way the skin of the earth is visible  
10 in its natural state, as it unfolds from the mountain to the  
11 sea; the soft skin of the earth covered in its natural fur  
12 bares itself to the world, exposing the real virginal state  
13 of nature, unharmed and unchanged by man.

14 Within this pristine environment, there  
15 is a sense of order in the universe that overwhelms me. I  
16 feel alive and a respect of all things living, including the  
17 land and the creatures at the sea. It is here that I feel a  
18 connection to life, itself. It is the spiritual and  
19 physical legacy I leave to my daughter and her descendants,  
20 and there are many more people that feel the same way that I  
21 do.

22 Thank you very much, and please do not  
23 allow this quarry to come in, and all the other ones that  
24 will come after it. Thank you.

25 THE CHAIRPERSON: Thank you, Ms. Little.

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1 Ashraf Mahtab?

2 **Mr. ASHRAF MAHTAB:** My name is Ashraf  
3 Mahtab. I would like to, first of all, for the opportunity  
4 to make comments on the EIS of this Project. I also want to  
5 thank the Secretariat for a prompt and very kind  
6 co-operation and assistance throughout the hearing.

7 The following is a summary of the three  
8 issues that had presented. Number one, blasting. The  
9 blasting protocol of the EIS is based on the use of ANFO,  
10 ammonium nitrate fuel oil mixture, as the explosive, however  
11 the DFO Guidelines for the use of explosives in or near  
12 Canadian Fisheries' Waters, 1998, state the following under  
13 item four on page five:

14 "No use of ammonium nitrate fuel oil  
15 mixture occurs in or near water due to  
16 the production of toxic by-products  
17 (ammonia)."

18 Obviously the proposed Project, as  
19 described in the EIS is in conflict with the DFO Guidelines.  
20 It should, therefore, be rejected.

21 The requirements of a realistic blasting  
22 scheme regarding the 20-metre high bench is to be used in a  
23 major part of the Project are not met by the blasting plan  
24 provided in the EIS. The blasting scheme derived for the  
25 20-metre high bench, using the protocol of the EIS as the

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1 baseline results in a 210-hole blast. That's one blast for  
2 210 holes to meet the bi-weekly production for the blasted  
3 rock. This size of blast is not practical. This statement  
4 is from my own mining background.

5                   The weight of ANFO used per year will be  
6 579 tons, or 52,650 kilograms. Over 49 years, the weight,  
7 the total weight of ANFO used will be 2,835 tons. These are  
8 2,000 pounds per ton, or 2.6-million kilograms. Even a  
9 small percentage of this charge of ANFO will be a source of  
10 irreversible and unmitigable pollution to the local aquifer  
11 and the Bay of Fundy.

12                   The explosive residue will enter the  
13 surface water and groundwater, which is the aquifer, through  
14 gravity flow of the runoff, and the water used for washing  
15 the aggregate, which will also have the residue.

16                   The second issue is the impact on  
17 groundwater table. About 40 percent of the recharged area  
18 for the common aquifer in this quarry site will be removed  
19 by the quarrying operations of 49 years. The cumulative  
20 impact of the lack of recharge, the sustained pumping of  
21 water [inaudible] community, and the lowering of the water  
22 table during and beyond the life of the proposed quarry are  
23 some of the critical issues that need to be examined in  
24 detail.

25                   For a reasonable assessment of the

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1 environmental impact of the 50-year old Project, 50-year old  
2 quarrying operation, it is essential to define the  
3 hydrogeologic parameters within an assigned and acceptable  
4 degree of confidence. This would require the use of a  
5 database that would be significantly larger than the one  
6 hither to use by the Proponent.

7 I can say what issue three is, it's the  
8 bias reports in the EIS. Three experts whose reports are  
9 considered to be biased were employed by AMEC, the  
10 consultant to the Proponent, for preparing their reports for  
11 input to the EIS. One of the experts was on leave of  
12 absence from Health Canada, during the preparation of the  
13 expert's report dated December 2005 on the issue of health.

14 This was done for AMEC. The employment of this person with  
15 AMEC, during preparation of the report for the EIS, was in  
16 violation of the Values and Ethics Code for the Public  
17 Service.

18 And the other two experts would do  
19 several reports, six by one, and one by another, on various  
20 subjects for AMEC prior to the 12-month period after their  
21 retirement from Natural Resources Canada. This activity was  
22 also in violation of the Ethics Code for the Public Service.

23 I believe these reports to be biased or  
24 tainted. These reports should not be allowed to constitute  
25 a part of the EIS for the proposed Project. Thank you very

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1 much.

2 THE CHAIRPERSON: Thank you, Mr. Mahtab.  
3 Bob Morsches?

4 **Mr. BOB MORSCHES:** Thank you, Doctor.  
5 First of all, I would like to say to Mr. Buxton, and  
6 Josephine, and Mr. Wall that, please, I do not hold anything  
7 personal against them. They're employees via the Clayton  
8 Foundation, and I would like to not have any conflict when  
9 we walk out of here.

10 My rationale and passion for not having  
11 a quarry of this scope along the Whites Cove, White Point  
12 area is that my home is 26 metres from the centre of 217.  
13 It's a heritage-type home. It's had a book written about it  
14 known as "Roundabout" written by Alice Dalgliesh back in  
15 1934. The passionate part that I really have is the fact  
16 that in Vietnam, a Viet Cong sapper set off a mine. I still  
17 have shrapnel in my back, and I was instantly deafened by  
18 shrapnel in my ear, which is... Both of them are  
19 inoperable. That's where I get the passion.

20 Regarding my presentation I gave on  
21 Wednesday night, the 27th, I provided additional information  
22 to the Secretariat this morning which will be forwarded to  
23 you.

24 Regarding the question from Dr. Grant  
25 about any data that I could find on accidents on 217, I have

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1 found a undisclosed source which will provide me the data.  
2 I will analyze it this week, and I will send it to the CEAA  
3 for forwarding to the Panel. I would like to take the data,  
4 analyze it, and convert it into a comprehensible,  
5 understandable form.

6 Thank you very much, Doctor, and it was  
7 a pleasure to address you.

8 THE CHAIRPERSON: Thank you, Mr.  
9 Morsches. Next, Sierra Club of Canada, Mr. Marcocchio?

10 **Mr. BRUNO MARCOCCHIO:** Thank you very  
11 much. Bruno Marcocchio from The Sierra Club of Canada.

12 On behalf of the Atlantic Chapter of The  
13 Sierra Club of Canada, I would like to thank the Panel for  
14 the opportunity to participate in this process.

15 I've been involved in environment  
16 assessment process from a non-governmental organization  
17 perspective for the last 15 years, and I think I can add my  
18 voice to the chorus of people that have outlined that this  
19 process has worked very well, has been respectful, and has  
20 managed to bring out facets of not only the science, but the  
21 very important socio-economic and traditional knowledge that  
22 we heard so much of, and it illuminated these hearings.

23 Despite the appalling inadequacies of  
24 the EIS, the process has facilitated a thorough examination  
25 of both the available science and community traditional

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1 knowledge. The traditional knowledge from every facet of  
2 the community, lifelong residents, summer residents,  
3 fishers, ship pilots, the religious community, specialists  
4 on engineering, mining and groundwater, and politicians at  
5 every level of Government have provided compelling  
6 testimony.

7                   This is a vibrant and diverse community  
8 with a strong connection to the beautiful place they call  
9 home, Digby Neck and the Islands. We have shown, during the  
10 two weeks of the White Point Quarry hearings, through the  
11 testimony of those who have presented evidence on our  
12 behalf, that the Proponent's proposed ship route, which  
13 avoids the right whale conservation area, may in fact be the  
14 most dangerous route for the right whales and other whales.

15                   Sediments and pollutants associated with  
16 the quarry could be carried by prevailing currents into the  
17 primary right whale feeding area in the Grand Manan Basin.  
18 Noise, pollution from blasting could adversely affect whale  
19 behaviour and lobster behaviour, and have significant  
20 impacts on the reproduction of groundfish and crustaceans as  
21 the undertakings we have submitted on noise impacts  
22 demonstrate.

23                   Nearly the 100,000 tons or perhaps far  
24 more of greenhouse gas emissions produced by the quarry  
25 operation will compromise Canada's international commitments

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1 under the KYOTO protocol, and Canada's own KYOTO  
2 Implementation Act. The Proponent's proposed greenhouse gas  
3 mitigation efforts will do little to offset the Project's  
4 emissions.

5                   The materials provided by the Proponent  
6 fail to meet the requirements of the EIS Guidelines, and do  
7 not meet the Cumulative Effects Assessment Guidelines  
8 provided by the Canadian Environmental Assessment Agency.

9                   This is but a partial list, and our  
10 evidence is only a small part of a far larger body of  
11 evidence presented by many others during these proceedings,  
12 pointing out the numerous significant environmental, social  
13 and socio-economic impacts of the Proponent's proposal.

14                   This part of Nova Scotia does not need  
15 an exposed marine terminal facing out on habitats of  
16 numerous whale species, including the critically endangered  
17 North Atlantic right whale. Rather, it needs a  
18 marine-protected area that encompasses those habitats. With  
19 this Project and without such a designation, the loss of a  
20 natural asset of incalculable value and significance is very  
21 likely to occur.

22                   We urge the Panel to consider making a  
23 recommendation for the need of Government to initiate a  
24 lower Bay of Fundy marine-protected area adjacent to Digby  
25 Neck and the Islands. Such an outcome seems to have wide

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1 support across the community.

2                   If ever there was a project that  
3 warranted outright rejection, it is this one. We therefore  
4 strongly urge the Panel to make a recommendation of no  
5 action; in other words, no quarry. No other conclusion in  
6 our considered opinion is appropriate, given the numerous  
7 and myriad negative environmental, social and economic  
8 impacts that would surely result from the Project.

9                   And finally Mr. Chair, I'd like to thank  
10 this community for restoring a sense that, given a  
11 reasonable process, that a community can, with concern,  
12 care, compassionate and passion, demonstrate their love for  
13 their place and have meaningful input in shaping the  
14 direction that their community is going and how it will look  
15 in the future.

16                   I am proud to have played a small part  
17 here. It's an example that I take to heart that will  
18 empower not only this community in the future, in their  
19 endeavours here, but I will take with me to empower other  
20 communities to be similarly engaged in a meaningful,  
21 transparent and open process like we've seen here. Thank  
22 you very much.

23                   THE CHAIRPERSON: Thank you, Mr.  
24 Marcocchio. Wanda VanTassel?

25                   **Ms. WANDA VANTASSEL:** First of all, I'd

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1 like to thank you guys for coming here, and maybe one day  
2 you can come back and come to where we live under different  
3 circumstances, and enjoy some of what we have.

4 I guess one of my things that I need to  
5 say is I've been here for the last two weeks off and on.  
6 I've heard a lot of people talk, and a lot of professional  
7 people, that seem to know what they're doing and where  
8 they're going, and I listened to the one about the quarry  
9 over in Saint John, the quarry gone bad.

10 Well, I think if we don't look at what  
11 ifs, I'm a part-time worker, I'm a seasonable(sic) worker.  
12 There's a lot of other people out there that do the same  
13 thing, and if something does go bad, then it's not only the  
14 34 jobs that can be jeopardy, but all of us, and all I'm  
15 asking is that the Government look at this and be fair,  
16 because at the end of the day, or if all these quarries  
17 start to move in, in my heart, I think a lot of bad things  
18 are going to take place.

19 And I really liked what that gentleman  
20 had to say about each and every one of you, because I never  
21 hold hard feelings, but what I hope at the end of the day is  
22 that we're all safe, and this quarry, I don't feel safe.

23 The other thing I'd like to say is about  
24 the Claytons, and why... And this was my last presentation  
25 yesterday, and my question to you, Paul, is the last page

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1 talked about the Claytons, and to me, I felt they should  
2 have been here long ago to talk to us, the people. They are  
3 the owners; they are the ones that structure this whole  
4 company. Why couldn't they have come here today, or this  
5 week, so then people could have asked them questions; the  
6 Panel could have? But they're coming next week. Why?

7 THE CHAIRPERSON: This isn't about  
8 answering questions, Ms. VanTassel, so perhaps he'll mention  
9 that in his closing remarks. There has to be rhetorical  
10 question at the moment. If you have anything else to add,  
11 then please.

12 Ms. WANDA VANTASSEL: I just hope and  
13 pray to God, at the end of the day, we're safe. Thank you.

14 THE CHAIRPERSON: Thank you, Ms.  
15 VanTassel. Next we have Tom Sachs.

16 PRESENTATION BY MR. THOMAS SACHS

17 Mr. THOMAS SACHS: I want to thank you,  
18 Panel, for being as even-handed and as careful of the way  
19 you have handled this as you have. I think it's a real show  
20 of confidences due from all of us.

21 I have come concerned mainly by what I  
22 see as the lack of basic scientific information on what is  
23 going on, and in looking it, I was quite shocked. The  
24 situation is that the demand for rock of any kind is up now  
25 to \$12.1-billion a year, which is 1.69 billion pounds, tons

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1 of material. Of that, this quarry is only two million. So  
2 in other words, this is 6,050 times as much rock as is being  
3 planned by this quarry.

4           If there's that kind of a demand, I'm  
5 afraid that depending upon what NAFTA does, which we do not  
6 know, this could be a financial catastrophe for Canada. We  
7 don't have the funds to handle anything like that, and it  
8 would probably mean taking apart many of the social services  
9 which exist now, even though they may not be that good, but  
10 they'll be much worse.

11           It seems to me that a decision should  
12 not be made until the situation with NAFTA is clarified. I  
13 think that can be done by negotiation. I don't think NAFTA  
14 is an ogre. I think they just need to have the opportunity  
15 to see what a decision will lead to, and that should be a  
16 negotiation process between the Governments and NAFTA.

17           Once that is clarified, then it's time  
18 to talk about what amount of material can be removed without  
19 damage Canada's future, and I think that's the consideration  
20 that I would hope that you would pay particular attention  
21 to. Thank you very much.

22           THE CHAIRPERSON: Thank you, Mr. Sachs.  
23 That completes the list of names that I have. Now is there,  
24 are there any other registered participants in the room who  
25 are not on this list who would like to make a presentation.

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1 You have to be a registered participant, and if you are...  
2 This isn't a broad invitation. This is an invitation for  
3 registered participants who are not on the list who would  
4 like to speak. Please. Mr. Farnsworth and this woman right  
5 here.

6 Ms. CLYTIE FOSTER: Yes, I'm Clytie  
7 Foster.

8 THE CHAIRPERSON: Yes, just a moment.  
9 Mr. Farnsworth, and I'll come to you.

10 Ms. CLYTIE FOSTER: Okay.

11 --- Pause

12 THE CHAIRPERSON: Mr. Farnsworth, I don't  
13 know if you heard me before, but five minutes.

14 **Mr. TERRY FARNSWORTH:** I just want to  
15 take this opportunity to plead with Bilcon, and the  
16 consultants, and the Panel about this Proposal of the rock  
17 quarry.

18 I feel strongly that it poses great,  
19 huge risk. You know, much about the Panel questioning, no  
20 offence, I notice has been directed to only the site itself.  
21 Much about minimizing environmental impacts is confusing in  
22 the definition, and I'm very troubled as to what parts of  
23 the hearings and presentation will be excluded.

24 I would also like to point out a great  
25 deal of people donate money to protect endangered species.

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1 There will be a point where we won't be able to have it both  
2 ways. I would urge that in the case of life and humanity, a  
3 decision made that's not wise could have serious long-term  
4 effects on our children's future, as it's been mentioned  
5 earlier.

6           The mismanagement in the fisheries is no  
7 excuse for more. The quota system didn't work, and they're  
8 already starting to admit it. We know why it's been  
9 difficult to create better economics with a system that is  
10 designed for us to not succeed at grass roots. Why should  
11 we go around the world to play politics to fix our local  
12 issues? For every day that passes where many parents have  
13 to claim bankruptcy, lose everything they have, and in many  
14 cases, live with their children. We are going backwards and  
15 that worries me.

16           If we are going to blot out what  
17 answers, if we're going to be blotted out, what answers do  
18 we have? I'm exhausted with it all.

19           Just to finish up, back in 1996, we had  
20 huge, very huge, large-room meetings. I often refer to it  
21 as the days of weeping and the gnashing of teeth. I have  
22 oftentimes in the middle of the night got up and read The  
23 Bible, looking for answers. In many ways, I see the faces  
24 of people and the hardship, and I know we can do better is  
25 we are supported in the proper way by Government. Thank you

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1 for allowing me to speak and express.

2 THE CHAIRPERSON: Thank you, Mr.  
3 Farnsworth. This woman right here? I'm sorry, I don't  
4 remember your name.

5 **Ms. CLYTIE FOSTER:** My name is Clytie  
6 Foster. I live in Bear River, and I welcome this  
7 opportunity to again voice my strong opposition to the  
8 proposed quarry at Whites Point on Digby Neck.

9 The mass of information brought forward  
10 at these meetings has only served to strengthen my belief  
11 that these undertakings will be most detrimental to the  
12 health and well-being of the people of Digby Neck, and to  
13 the land, and to the sea that surrounds it.

14 I have every confidence, Members of the  
15 Panel, that you have been making fair and reasonable  
16 judgments during all of these hearings, and that you will  
17 arrive at a final decision based on truth and conscience.  
18 However, beyond you lies the Federal and Provincial  
19 Governments. Of these bodies, just two men, the Ministers  
20 of the Environment, will have the final say. I would(sic)  
21 that I had the confidence in them that I have in you.  
22 Unfortunately, I do not.

23 I am deeply concerned that this whole  
24 process could be a done deal; that the quarry will go ahead,  
25 regardless of what we say or do here; regardless if you

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1 decide against it. The arrogantly confident attitude of the  
2 Proponent has led me to believe this. I've also heard this  
3 concerned voice by others in my conversations with them.  
4 Does the Proponent know something we do not know? Does he  
5 know for a fact that the quarry will go ahead? Does he have  
6 grounds to believe our Governments cannot stop him?

7                   Is it possible that influential  
8 individuals within our Federal and Provincial Governments  
9 have become so weak, or corrupt, or compromised that they  
10 concerns could be true? Will outside interests be enabled  
11 to enter our Province at will to rape and pillage our land,  
12 and we will not be able to stop them? Have we become like  
13 little children who've gone to sleep, trusting that their  
14 parents have locked the doors, only to be awakened in the  
15 night by the thief at their bedside?

16                   If this be true, then it would be the  
17 vilest and blackest betrayals against the rights and dignity  
18 of the people of Digby Neck, against all Nova Scotians,  
19 against all Canadians. What happens here in this tiny part  
20 of Canada may well have far-reaching consequences now and in  
21 the years to come. If these concerns have foundations, then  
22 they will advertise to the world that Nova Scotia is up for  
23 grabs, and that our Governments condone it.

24                   I ask you, Members of the Panel, if  
25 possible, to search out if there is any basis for my

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1 concerns, and if so, to expose those responsible for such  
2 shameful, traitorous acts. I appeal to you be our champions  
3 in this David and Goliath struggle. Help us to sling the  
4 fatal stone that will bring down this towering giant that is  
5 seeking to devour our land to satisfy its own voracious  
6 appetite. Is it not appropriate that in this Biblical  
7 reference the weapon of choice was a stone?

8 I sincerely hope that these concerns are  
9 not true; that our Ministers will arrive at a decision  
10 untainted by corruption; that my trust in Government will be  
11 restored. Thank you for the many hours you have listened to  
12 us, for the exceptional manner in which you have conducted  
13 these hearings.

14 In closing, I must beg of you to do all  
15 in your power to ensure that justice will prevail; that  
16 Digby Neck will remain beautiful, unspoiled place it is  
17 today, and that its people will live their lives with their  
18 rights and dignity intact. We will not forget you. Please  
19 do not let our Governments forget us. Thank you very much.

20 THE CHAIRPERSON: Thank you very much.  
21 One final request. Any registered participant who would  
22 like to speak for five minutes? Sir, are you a registered  
23 participant? Please come forward. Oh, yes, I remember.  
24 Father Daniel? Is that correct? Yes, thank you.

25 FATHER DANIEL MILLS: I don't think it'll

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1 take five minutes.

2                   First of all, many have spoken about the  
3 respect which you have held for the lions in the den. It's  
4 been rather an interesting gathering, and I am sure there  
5 are times when there were tense moments that must have been  
6 very difficult to deal with.

7                   It's my sense, then, that you agree with  
8 me that you see the people who have assembled here, who have  
9 come here from far and wide for two solid weeks, the people  
10 who have worked together for five or more years. I believe  
11 you see them as I see them; as gifts one to the other, as  
12 gifts to the community in which we live, as gifts to the  
13 country which we love; and at the end of the day, we want,  
14 we hope and I pray that all of us, regardless of which side  
15 we find ourselves on, and regardless of the ultimate  
16 decision is made, that we still will be able to look at each  
17 other, and value each other as the gifts that we are,  
18 because it is the gifts that we are that build community,  
19 and we need community, God only knows. We are not islands.

20                   Based on the experience I've had living  
21 on Digby Neck over the past number of years, listening to  
22 the fishermen, listening to the people who have been here  
23 for generations, I came to the conclusion that this quarry  
24 is not a good thing for Digby Neck; that, in fact, it is  
25 counterproductive. However, whatever the final decision, I

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1 will live with it.

2                   Tonight I will go home, and I will  
3 remove my Stop-the-Quarry signs, not because I think that  
4 I'm saying that I've changed my mind, but I think the battle  
5 that's been fought, the battle that's be waged is over. The  
6 rest is in the hands of yourselves and our elected  
7 officials. I will lay them down. I'm going to lie, just  
8 lay them on the ground face down for a few days. They've  
9 been taken out a few times before, but I'm not in the same  
10 frame of mind right now.

11                   I'm going to lay them down just as a  
12 symbol that I'm tired of fighting; that my neighbours and  
13 friends are tired of fighting; and then in a few days, I'll  
14 take them away. So once again, thank you, Panel, thank you,  
15 all of you. Thank you, friends and neighbours, for allowing  
16 me to be a part of your community.

17                   THE CHAIRPERSON: Thank you, Father  
18 Daniel. Now, if there are no further inputs, I will turn  
19 to... One last one back there?

20                   Ms. JAN ALBRIGHT: I have a question. Am  
21 I considered a registered participant?

22                   THE CHAIRPERSON: I don't know. Are you  
23 registered?

24                   Ms. JAN ALBRIGHT: [Inaudible - no mic].

25                   THE CHAIRPERSON: No. Well, I don't

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1 think you're on this list, but I will make an exception,  
2 just an exception, okay? Otherwise it turns into a Town  
3 Hall meeting which I don't think we need that.

4 PRESENTATION BY MS. JAN ALBRIGHT

5 **Ms. JAN ALBRIGHT:** I thank you for your  
6 patience. My name is Janet Green Hersey Trask Morehouse  
7 Albright. I am saying that, because I want you to know my  
8 heritage and my lineage. I do not have a degree in  
9 oceanography, I do not have a Bachelor of Science degree,  
10 but I do have a BIL, a Bachelor of Life. I have been very,  
11 very fortunate and very blessed to be on the water all my  
12 life.

13 I was born in Digby. The first time was  
14 my birth announcement was made in the Digby Courier; the  
15 second time I was in that Digby Courier was in 1952, when I  
16 was three years old and went missing. I independently went  
17 and got my bathing suit, my towel and I went swimming in  
18 Little River. I have been on the water ever since.

19 I have been an ambassador for Nova  
20 Scotia halfway around the world and back, and I am proud to  
21 be a Nova Scotian. I live here by choice. I will live here  
22 until I die. I own property, and my children's children  
23 will have that opportunity, because I've been lucky enough  
24 to invest in land.

25 That community of White Cove has

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1 historic value. It was a thriving community of fishing  
2 people. My ancestors are from there. I have come through  
3 it, through my maternal grandmother's line. I know what I'm  
4 talking about, and I believe that that property could be  
5 turned into a very important historical site where you could  
6 have a working village; you could have a smokehouse with  
7 smoked fish. There are other things that could be done with  
8 our land, other than blowing it to kingdom come.

9 I have said that I will live here until  
10 I die. We are talking about 50 years down the road, and I  
11 realized this morning when I saw a young boy come through  
12 the door who was maybe ten, he is one of the few people who  
13 might be here in 50 years time. None of us will, but what  
14 we do here today, and the recommendations that you make, and  
15 the decisions that are made for us by people that are  
16 supposed to be wiser than us will impact the future  
17 mightily.

18 I know that I grew up with a grandmother  
19 who believed in the Golden Rule. As an adult, I've learned  
20 that gold does rule. I try to be a good citizen; I try to  
21 do what is right. Yes, I have lived on Unemployment only  
22 once in my life, when I had one of my children. It was  
23 maternity employment that people harassed me so much, I  
24 stopped after two weeks of drawing Unemployment. My husband  
25 was on Unemployment once. Since then, for 36 years, we have

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1 been self-employed. We have put back into the community  
2 that we live in.

3                   For five years, we worked for an  
4 organization that did volunteer work in Third World nations,  
5 and we received no pay. We paid them to be there. In other  
6 words, we spent our retirement funds. I consider myself a  
7 global citizen, but I consider myself a Nova Scotian in  
8 heart. I have sung, standing in my tender, this winter.  
9 There were 30 Nova Scotia boats in the area that we are, and  
10 I sung "Farewell to Nova Scotia" more times than I can  
11 count.

12                   Nova Scotia is respected around the  
13 world. When we say that we are mariners from this Bay of  
14 Fundy waters, people stand up and they take notice. We are  
15 known about. People know who we are. We're respected  
16 because we have pristine conditions here, because we have a  
17 beautiful country, but mostly because we are people with  
18 warm hearts. We embrace people.

19                   You have been very, very gracious and  
20 kind, I believe, in how you have handled this. I believe  
21 that the people have been allowed to have a voice, and that  
22 is important.

23                   I also would like to say I oppose this  
24 quarry. I believe with all my heart that the destruction  
25 that it will bring to our natural environment alone, let

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1 alone the lives of the people that live in that community,  
2 will be felt for generations to come. Please, please do not  
3 sell us out for 30 pieces of silver.

4 THE CHAIRPERSON: Thank you, Ms.  
5 Albright. And now we will turn to Bilcon of Nova Scotia.  
6 Mr. Buxton?

7 Mr. PAUL BUXTON: Thank you, Mr. Chair  
8 and Members of the Panel. After 13 days of hearings and  
9 dozens of speakers and dozens of hour, I promise I will be  
10 brief, too.

11 On behalf of Bilcon of Nova Scotia, I  
12 want to talk you, Members of the Panel, for your involvement  
13 in these proceedings, your commitment to a fair, thorough  
14 and rigorous process, and your insights, and questions, and  
15 sheer endurance. We look forward to your Report and  
16 recommendations.

17 We believe that the Whites Point Quarry  
18 and Marine Terminal is a good opportunity, and a good fit  
19 for the community. Through the presentations and  
20 discussions, it's clear that some people have real  
21 legitimate concerns about this Project, about its potential  
22 effects on the ecosystems, and parts of the economy. We  
23 understand that.

24 We have also heard from people who want  
25 the quarry; who are assured about the safeguards and

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1 monitoring, and are hungry for the economic opportunity, and  
2 we understand that, too. I believe the Panel even spoke of  
3 the community being divided into two competing visions. One  
4 focussed on conservation; the other on economic  
5 diversification.

6 We believe that both of these can be  
7 achieved. Both visions can be compatible. They can  
8 co-exist if they are approached in the right way.

9 Throughout these hearings, we have been  
10 encouraged by Government regulators supporting that view.  
11 With a proper design, the right mitigation, and stringent  
12 monitoring, with proper management, public review of the  
13 environmental performance, community consultation and  
14 co-operation, checks and balances, we can make this work.  
15 We will make this Project a success story for the  
16 community.

17 For many years now, the Province of Nova  
18 Scotia has promoted responsible natural resources  
19 development, particularly in our rural communities. The  
20 Nova Scotia Department of Natural Resources sees this kind  
21 of venture as a way to boost employment, to diversify the  
22 rural economy, and to contribute to the wealth of the  
23 Province and its people. Bilcon agrees, and we believe this  
24 quarry compliments that Provincial strategy.

25 The people who live in this area know

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1 too well the list of job losses, like Shaw Wood, Weymouth  
2 Sawmill. We all know young people, young families who have  
3 gone down the road, and we know that many of them want to  
4 stay here; they just need a reason to.

5                   A rebound of the local fishery and  
6 tourism sector may be possible, however, that does not  
7 appear likely in the short term, because of the strong  
8 dollar, high gas prices, and uncertainty around fish stocks,  
9 all of which are out of our control.

10                   The proposed Project offers immediate  
11 economic diversification, and a long-term perspective. We  
12 are ready to get this Project started, and to get local  
13 people to work year-round. The Quarry and Marine Terminal  
14 will directly provide 34 family-sustaining jobs for people  
15 in this community, with benefits, with paid vacation. Those  
16 34 jobs won't be a cure-all, of course, but they are a good  
17 start. They may not sound like very much to people from a  
18 big city like Halifax, but to a community like this, 34  
19 means a lot.

20                   The Whites Point Project will not be a  
21 quarry from the 1950s. This will be one of the most  
22 technologically advanced and environmentally respectful  
23 quarries in North America. The gradual reclamation of the  
24 site will begin in the first five years of the operation.

25                   We've also gone to great lengths to

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1 address concerns that we heard from the public about dust,  
2 and light, and noise, lined truck beds, enclosed screens,  
3 crushers and conveyor belts. The plant will conform to all  
4 Guidelines and Regulations. We are encouraged by Health  
5 Canada's endorsement of our efforts to protect human  
6 health.

7                   Computer modelling, field verification,  
8 implementation of setback zones that exceed minimum  
9 standards, prescribed ship speeds and routes; these are just  
10 some of the measures taken to ensure compliance with  
11 regulatory requirements in the marine environment. For  
12 this, too, we received encouraging comments from a Federal  
13 regulator, the Department of Fisheries and Oceans who  
14 supports key conclusions of the Environmental Assessment.

15                   The Provincial Government saw little  
16 concern in the use of the local roads during construction,  
17 and occasional use during operation. The site, itself, is  
18 fairly straightforward. It contains no unique habitat, and  
19 no Federally-protected species. The Project design respects  
20 Provincially-protected plant species on site within an  
21 environmental protection zone. The Department of Natural  
22 Resources agrees.

23                   But, of course, the end of these  
24 hearings is not the end of the process. There is a lot of  
25 work ahead. Still, we believe we have obtained the

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1 confidence of the regulators that any concerns can be  
2 adequately addressed in the detailed work. All of us, I  
3 think, should take comfort in this process. Very few  
4 projects undergo this kind of scrutiny and the degree of  
5 scientific, technical, environmental and socio-economic  
6 analysis.

7                   During these hearings, some voices have  
8 suggested Federal and Provincial Government Departments may  
9 not have the ability, or the tools to properly regulate the  
10 quarry. We disagree. We appreciate the expert scientific  
11 help, the many meetings with Government specialists and  
12 their constructive council. We believe the regulatory  
13 process has worked, does work, and will work in the  
14 future.

15                   We recognize there is much more at stake  
16 here than just jobs. In order to achieve the balance and  
17 compatibility that we foresee, we need to do our utmost to  
18 protect the health of people, plants, animals, land and  
19 fish, and we need to provide ongoing training of local  
20 people, contract local suppliers, and stay in close contact  
21 with the research community.

22                   Bilcon of Nova Scotia is committed to  
23 this. Bilcon is also committed to transparency. The  
24 quarry's environmental performance will be clearly  
25 documented through disclosure of all monitoring results to

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1 anyone with an interest in the Project.

2 Last, but not least, Bilcon is committed  
3 to do its share to make the CLC a meaningful tool for  
4 community involvement and environmental management.

5 We are convinced that this development  
6 does not have to be one side versus the other. We are  
7 committed to delivering a safe, responsibly-managed,  
8 environmentally-respectful quarry and marine terminal; a  
9 development that will also help the people, the families and  
10 the economy of Digby Neck and beyond for many years to  
11 come.

12 Thank you, Mr. Chair.

13 THE CHAIRPERSON: Thank you, Mr. Buxton.

14 Now that brings to a close all of the presentations that  
15 will be made this afternoon. The only thing that remains is  
16 the concluding remarks, which I will offer, and which will  
17 eventually adjourn this meeting.

18 So, ladies and gentlemen, we have  
19 arrived at the moment when my responsibility is to bring  
20 these hearings, the Whites Point Quarry and Marine Terminal  
21 Project, to a close. This will bring to an end the  
22 penultimate step.

23 There is one further step in the  
24 information and gathering process, because the last two  
25 weeks have been just that. They have been a process

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1 designed to provide all the information deemed by the Panel  
2 to be necessary in order to enable the Panel to make a  
3 decision.

4                   Just let me remind you; I'll repeat  
5 something I mentioned at the outset in my opening remarks,  
6 which is that the Panel was created in November of 2004.  
7 The scoping sessions took place in January of 2005. Those  
8 scoping sessions were designed to generate guidelines. The  
9 Guidelines were created and delivered to the Proponent in  
10 March of 2005. That resulted in the Environmental Impact  
11 Statement given to us in March of 2006. That was followed  
12 by a series exchanges, five, I believe, of information  
13 requests; requests made, responses received; and that ended  
14 approximately April of 2007 this year, and then eventually  
15 led to the hearings.

16                   The hearings are now, and we're reaching  
17 the conclusion.

18                   Now, over this period, over the period  
19 of two and a half years beginning in November 2004, we have  
20 been gathering information ever since, throughout that  
21 entire period. We have received a vast amount of  
22 information from the Proponent, from the Government  
23 Departments, Federal, Provincial, Municipal; we have  
24 received information from non-governmental organizations,  
25 and then in addition, from various interested parties; that

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1 would include academics, politicians, citizens and others,  
2 all sources.

3                   The hearings, alone, these hearings  
4 over the past two weeks, have involved 84 different  
5 interveners.

6                   Now my job, at the moment, is to make a  
7 very clear distinction for you between the closing of the  
8 hearings and the closing of the record, the Public Record.  
9 What we do today is we will close the hearings, but the  
10 Record will not be closed immediately.

11                   The intention is to close the Public  
12 Record on Friday, July 13th, and the reason for that is that  
13 we have received over the last two weeks about this much  
14 documentation...(indicating approximately 12 inches)...two  
15 binders filled to the brim, as well as a series of  
16 undertakings, as well as a number of written documents which  
17 are over and above the hearings, themselves, which have been  
18 submitted to us.

19                   So we think we need at least a couple of  
20 weeks in which to go through this material, and at the same  
21 time, remember this process has been transparent from the  
22 get-go. That means that that material is available for you  
23 to look at, as well, and if there is some contribution to  
24 us, this is the time when it will happen.

25                   So the hearings will close today; the

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1 record...

2 Dr. JILL GRANT: Adjourn today.

3 THE CHAIRPERSON: The hearings will close  
4 today, or the proper word is adjournment, but essentially we  
5 will be terminating them today, and the disconnect between  
6 the closing or adjournment of the hearings and the closing  
7 of the Record is the need for this two-week breather, if you  
8 will, and to allow us to look at this material.

9 During this period, part of the Record,  
10 or I should say all of the material entered into the Record,  
11 as well as all the material which is already in the Record,  
12 is certainly available to all to examine, okay?

13 Now with the close of the Record on  
14 Friday, July the 13th, the clock will begin, so the clock  
15 will begin as of that day, and extend for 90 days, in which  
16 time we are required, as part of our terms of reference, to  
17 produce a Report. That Report will be delivered to the  
18 Ministers of Environment, federally, and the Minister of  
19 Environment and Labour, provincially.

20 The Report that we produce will be based  
21 only on the Public Record. All the information that's in  
22 the Public Record is the information that we will use in  
23 order to produce our Report. So it's the basis for  
24 decision-making, and that Report, as you all know, but it  
25 needs to be restated once again, is we will produce

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1 recommendations. We are not a decision-making body. We  
2 will make recommendations to the Ministers, and the final  
3 decision rests with the Ministers, okay?

4                   The Panel takes its responsibility very,  
5 very seriously. We've been entrusted with a responsibility  
6 that we know is important to the Proponent and his  
7 colleagues, it's important to the community and all the  
8 others equally, so we take that responsibility very  
9 seriously.

10                   Our deliberations and recommendations,  
11 or I should say the process that we will engage in leading  
12 up to the production of the report will be based on the  
13 Public Record, as I've already said, up to its close. It  
14 will be based on our terms of reference, of which is  
15 available for you to look at. In the terms of reference, we  
16 have been asked to do certain things; we will adhere to  
17 those Guidelines. We will be adhering to the rules laid  
18 down by CEAA, and we will also adhere to the general intent  
19 of the Environment Assessment process.

20                   So those are the constraints that we  
21 work with. A Public Record is the source of the  
22 information, plus a series of rules which will guide us.

23                   Now, at this point, it is important, I  
24 think, as I bring the process to a close, or as my colleague  
25 would prefer, adjournment, we need to recognize a number of

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1 contributions, I think.

2                   First, I think is that we need to  
3 recognize the contribution of the Proponent, Bilcon.  
4 They've been at this process for a long time; they have  
5 produced a large amount of information; they have generally  
6 been responsive to our request. Not all, as I've said, but  
7 in general, the staff and the experts associated with Bilcon  
8 have... And through this process, as well, I have called  
9 for respectability and civility throughout, and I think you  
10 have to recognize that that certainly has been the case from  
11 the Proponent.

12                   The process works well when everybody is  
13 civil, and the guideline that drives us information  
14 transfer, and not the release of emotions. So I think that  
15 Bilcon should be complimented for their deportment and  
16 behaviour here.

17                   I think the Panel Secretariat that sits  
18 over there, these are the people behind the scenes. The  
19 three of us are academics. We have other things to do.  
20 We're involved in teaching, and research, and all of those  
21 kinds of things.

22                   The Secretariat is hugely responsible  
23 for keeping all this process on track, and I think we, the  
24 Panel, but you, the Public, owe them a gratitude as well for  
25 maintaining the continuity, keeping the Public Record up to

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1 date, and so forth. This may be a case where we could clap  
2 a little bit.

3 --- Applause

4 THE CHAIRPERSON: Now I think we've  
5 embarrassed them, but that's good. Okay? So it just lets  
6 you know the process is supported to a large extent by these  
7 professionals.

8 Now, most importantly, the group that I  
9 think deserves the most credit is the group that's here, the  
10 people. And I'm not taking sides with regarding to one side  
11 or the other. The participation of the community in this  
12 process is key.

13 I think Mr. Marcocchio said it extremely  
14 well. This is a process about people. It's a process in  
15 which people are making their views known, coming here, and  
16 some of your faces are very familiar, because you've been  
17 here every single day, and some of you have been less active  
18 than that, but nevertheless committed, and the process is  
19 very, very useful.

20 So I think you all deserve a great deal  
21 of credit for your participation and involvement.

22 I think the Panel commends all the  
23 individuals for their diligent exercise of their rights. I  
24 think it was Ms. Peach who said something about this is not  
25 a privilege, she said, that's a right, and I support that.

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1                   It is a right. This is the kind of  
2 participation that leads to self-determination and so forth.

3                   In the end, I think this participation  
4 has been really quite extraordinary. We're very impressed  
5 by it all, and I believe that, for the most part, with a few  
6 minor aberrations, it has been courteous, it has been  
7 respectful, it has been civil, and I think it's been very  
8 worthwhile for all parties.

9                   Excuse me for a moment. The final task  
10 I have a formal pronouncement, if you will, which says the  
11 Whites Point Quarry and Marine Terminal Joint Review Panel  
12 Public Hearings are hereby adjourned; that they will be  
13 adjourned until July 13th at the close of business. So if  
14 you have something to send to us, that July 13th at the  
15 close of business it will terminate; and at which time the  
16 Panel expects to close the Public Record. And at that time,  
17 on July 13th, we will formally begin our deliberations  
18 leading to the report.

19                   So as of now, we are adjourned. Thank  
20 you all.

21 --- Applause

22 --- The matter was adjourned at 3:13 p.m.