

WHITES POINT QUARRY AND MARINE TERMINAL PROJECT

JOINT REVIEW PANEL

SCOPING MEETING #2

HEARD BEFORE: Dr. Robert Fournier, Chairperson
Dr. Jill Grant, Member
Dr. Gunter Muecke, Member

PLACE HEARD: Digby, Nova Scotia

DATE HEARD: Friday, January 7, 2005

SECRETARIAT: Mr. Stephen Chapman, CEAA
Ms. Lucille Jamault, CEAA
Mr. Peter Geddes, NSEL

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Per: Mark Aurini, Commissioner of Oaths

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Digby, Nova Scotia

--- Upon commencing on Friday, January 7, 2005 at
7:07 p.m.

THE CHAIRPERSON - OPENING REMARKS:

Ladies and gentlemen, I wonder if I could call this
meeting to order. Good evening to you all. Thank
you all for taking the time to attend this
evening's meeting.

My name is Robert Fournier, and
I'm the Chairman of Joint Panel, and my colleagues
are Jill Grant on my right, who is a planner, and
Gunter Muecke, who is an earth scientist, and my
professional discipline is I am an oceanographer.

Also, I'd like to point out that
there is a Secretariat, staff people who work with
the Joint Panel to help us make -- in doing this
process. And some of you have already encountered
Steve Chapman, who is on the far left over there in
the blue shirt. And next -- he's with CEAA, the
Department of the Environment, the Canadian
Environmental Assessment Agency. And then there's
Peter Geddes who is in the middle, and he is with
the Nova Scotia Department of Environment and
Labour. And also there's Lucille Jamault, who's
standing up against the window, and she's going to
be bringing around a microphone for you to speak

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1 into so that we can record it.

2 We're recording everything,
3 transcribing everything, and we can't do it unless
4 you speak into the microphone. So, when you stand
5 up to make a statement, those of you who are
6 planning to do that, if you would just hesitate a
7 moment until she brings it to you and then the
8 process will work from there.

9 So, maybe I should start by
10 telling you a little bit about our role. As I
11 said, we're a Joint Panel, and the word "joint" in
12 this case really means that it's a panel that's
13 been put together through an agreement with the
14 federal government and the provincial government.
15 That's what the "joint" refers to. It's the
16 Department of Environment in the federal government
17 and the Department of Environment and Labour in the
18 provincial government have agreed to come together
19 and bring people to sit in that collective fashion.

20 Our role is defined by two
21 documents. In other words, what we're being asked
22 to do is defined by an agreement. The agreement is
23 the agreement that's been signed by the federal and
24 provincial government and it outlines who the Joint

25 Panel will be and what they will do and so forth,

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THE CHAIRPERSON - OPENING REMARKS

1 and then specifically the Joint Panel has terms of
2 reference. The terms of reference specifically lay
3 out what we must do, what things we have to take
4 into consideration and how we're supposed to run
5 this particular thing.

6 And as you all know, of course,
7 the other player in all of this is the Proponent.
8 You'll hear me using the word "Proponent" from time
9 to time. What I'm really talking about, of course,
10 is the private sector organization that has
11 proposed to build a quarry and a marine terminal,
12 and that's Bilcon of Nova Scotia.

13 One of the things you should take
14 some comfort in, I think, is the fact that this
15 process is designed and will be run as a very
16 public process. Everything that transpires in this
17 meeting tonight, in the meeting last evening and
18 any other interaction that occurs with the Panel
19 will be public knowledge. All the information, for
20 example all the interaction in tonight's meeting,
21 will be transcribed and then put into a -- into
22 what we call the registry, and the registry is
23 located at the Isaiah Wilson Library in Digby.

24 Now, the registry is a formal
25 collection of all the information so that anyone in

THE CHAIRPERSON - OPENING REMARKS

1 the room can at any time see what has happened,
2 letters that have been exchanged, all the
3 documents, the terms of reference, the agreement,
4 transcribed notes, and subsequently anything that
5 comes to the Panel, anything that we use to make a
6 decision, will be in that registry and you can see
7 it. Okay? So, that's an important part of this
8 process, the fact that it's so public and open.

9 The second part of the process
10 that's public as well are these meetings. This
11 meeting tonight is one of two kinds of meetings.
12 We call these scoping meetings, and I'm going to
13 get back and explain that you in a moment. But the
14 scoping meeting is designed specifically to get
15 input from the public to help us refine a document
16 that will go the Proponent. All right? So, hang
17 on and I'll get back and explain further.

18 The second kind of meeting will
19 occur after the Proponent -- after Bilcon has put
20 together an Environmental Impact Statement. The
21 Environmental Impact Statement is the document that
22 the Proponent puts together and says, "This is what
23 we're going to do, this is how we're going to do
24 it, this is what we see as the environmental
25 impact," and they spell it all out so that the

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1 community, all of us, can in fact see this
2 document.

3 Now, the second kind of public
4 meeting will occur once that document has been
5 produced. It will be given to the public and then
6 there will be meetings held in which the public
7 will be able to interact with us and say, "We agree
8 with this," or, "We don't agree with this," and so
9 forth. Okay? So, very public, very open, and then
10 all the discussions there, again, will be
11 transcribed and put into the registry.

12 Now, both of these kinds of public
13 meetings have been put together to assist the Panel
14 in order to reach conclusions, in order to make a
15 decision. So, all that -- there's a great deal of
16 paper that's moving around, but in addition it's
17 recognized by everybody that the public has to have
18 opportunity to input into the process. Okay? It's
19 going to affect the public, the public has an
20 opinion, the opinion needs to be heard. And so
21 this process tonight and the subsequent other steps
22 that will occur later on, the other public meetings
23 later on, are all designed to give input to us.

24 Now, coming back to the scoping
25 meetings, that's what tonight is, tonight we're

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1 going to focus on the draft of -- a draft which
2 you've all seen -- oh, gosh, I put it -- hang on.
3 Oh, yeah, here it is. It's been circulated, it's
4 available to all of you, it's been widely available
5 to the public for -- I think it's November 5th, I
6 think, or November 10th it's been available.

7 Now, what this document is is this
8 is a set of guidelines which -- it's like a
9 roadmap. It will eventually be given to the
10 Proponent in order to define how the Environmental
11 Impact Statement should be written. It will
12 outline the various steps. Now, this is called
13 "Draft Environmental Impact Statement Guidelines."

14 The Environmental Impact Statement
15 is -- as I said earlier, it is the document
16 produced by the Proponent. "Guidelines" means
17 that, in effect, it will define how that document
18 should be written. And the word "draft" is the
19 important one. It's not been finalized yet. This
20 is not the final document.

21 The final document will not be
22 finalized until the Panel has had a hand taking all
23 the information it's gathered from tonight's
24 meeting, last night and subsequent meetings, and
25 we'll bring it all together. The timing is for the

THE CHAIRPERSON - OPENING REMARKS

1 21st of January, we'll close off the input and then
2 shortly thereafter in February it'll then be passed
3 on to Bilcon. Okay?

4 One thing you should know about
5 this document is the Panel did not produce it.
6 It's not produced -- has not been produced by us,
7 it's been produced by government specialists in the
8 federal government and the provincial government,
9 and they've assembled it based on experience in
10 other kinds of proposals similar to this one.

11 So, it's been produced, it's
12 available, it's being worked on and it will
13 continue to be worked on, and what you're being
14 asked to do tonight is tell us where you would make
15 changes in this, things that may have been left
16 out, things that might -- you might want to see put
17 into it and so forth.

18 Now, there are four meetings, four
19 scoping meetings. As you probably all know, we had
20 one last night in Digby Neck, we have one here
21 tonight in Digby, tomorrow we're going to be at
22 Wolfville and on Sunday we're going to be in
23 Meteghan. People can attend all those meetings if
24 they want to but we're restricting the number of
25 people who will speak only to one presentation over

THE CHAIRPERSON - OPENING REMARKS

1 the four meetings. So, if you spoke last night,
2 you can be here, that's fine, but we'd prefer not
3 to hear repetitive things. It's not going to
4 benefit you, because if you've had something to say
5 last night we've recorded it and there's no -- I
6 don't see any advantage to saying it twice.

7 Okay. What are our expectations?
8 Our expectations are that you will provide us with
9 your viewpoints, positive and negative. You have
10 to fully understand, of course, that there are --
11 we are aware that there are people who are positive
12 and support this project, and we're aware that
13 there are people who are negative and would prefer
14 not to see the project come forward.

15 This is an opportunity for both
16 viewpoints to be enlisted here, not just one. In
17 other words, if you have something to say one way
18 or the other and you think that you can help us
19 refine this document prior to its being given to
20 the Proponent, then we'd be happy to hear it.

21 Okay. So, we have three hours
22 tonight. Oh, I should point out -- one thing my
23 colleagues wanted me to make sure that I told is
24 that we visited the site. I don't know if that
25 matters to you. On December 10th the three of us

THE CHAIRPERSON - OPENING REMARKS

1 and the Secretariat individuals travelled to Whites
2 Cove and actually walked down the road there and
3 visited the site and had a good look at it and a
4 personal feel for it. Okay? So, that may help you
5 when you begin to interact with us.

6 We have three hours tonight.
7 We're planning to be here from 7:00 to 10:00 and
8 we've got -- at the present time we have six
9 individuals who have expressed an interest in
10 speaking, and the sequence is we'll simply go down
11 the list, first come/first serve. Those
12 individuals who are representing an organization
13 will get about 15 minutes, those people who are
14 speaking on their own will get about 10 minutes,
15 and then around 8:30 we're planning to take a bit
16 of a break, maybe 10 minutes, and then we can come
17 back again and see if there's anyone else in the
18 audience -- after all the other individuals who
19 have reserved an opportunity to speak, if there's
20 anyone else who wants to speak, we'll be happy to
21 hear what you have to say.

22 So, this is an open meeting.
23 There's a little bit of a structure at the front
24 end for those people who have clearly indicated
25 that they want to speak, and then after that if

THE CHAIRPERSON - OPENING REMARKS

1 somebody on the spur of the moment wants to speak
2 up, they can. But remember, we're going to ask you
3 to try and focus on this document.

4 The overall intention of the
5 meeting is to make it informal. As you can
6 probably -- I think you can probably see that what
7 we're really here for is to interact with you, and
8 so we're keeping the formality very much to a
9 minimum.

10 We realize that there are some
11 high emotions associated with this particular
12 project, and for that reason, if you have any
13 questions or you want to make any comments, please
14 direct them to me as opposed to directing them to
15 somebody else in the room. What we're really
16 saying is that those emotions can be best
17 channelled by helping us to make changes in this
18 rather than venting any particular issue that may
19 be important to you. We recognize they're
20 important, we're not trying to diminish that
21 they're important of course, what we're saying is
22 the questions be directed to me and then we'll go
23 from there. Okay? Anyways, I'll be reminding you
24 as we go along.

25 After a person has spoken, comes
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1 up and makes a little presentation, what we would
2 ideally like to do is ask a few questions, if
3 that's possible. And the sequence of questioning
4 will be for myself first, then the Panel members
5 will be allowed to ask and then anyone in the room
6 who wants to ask a question feel free, as I said,
7 directed to me first and then we will go from
8 there.

9 The Panel members reserve the
10 right to curtail a presentation if it gets off --
11 too much off track. In other words, we really do
12 want to hear what you have to say and we want to
13 hear what you think about this, but the task before
14 us -- I'm sorry to keep repeating myself, but the
15 task before us is to help us with this document.
16 So, if you feel that this is something pent up and
17 you want to release it, we'll let you talk for a
18 bit but we really -- this isn't an opportunity just
19 to vent on a particular subject, if at all
20 possible.

21 Okay. Finally, the last thing I
22 would like to say is that anyone who is here who
23 makes a presentation and there's any kind of
24 documentation with that presentation, if you've
25 made notes, if you've got an outline, if there's

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1 some document you want us to have, bring it along.
2 We'd like to see it. Give it to Steve on the far
3 left and he will take it, put a stamp on it, he'll
4 give it to us and it will end up in the registry
5 available for anyone.

6 If anyone here prefers not to
7 speak but has something to say, wants to write us a
8 letter, has a document they'd like to give us, even
9 though they haven't spoken, we'd prefer -- we would
10 be happy to receive that as well. There is no
11 priority or no emphasis being put on the verbal
12 presentation as opposed to the written. If
13 somebody gives us a written document, we'll read it
14 and it will have exactly the same weight as one
15 which has been presented orally, no difference.
16 We're really interested in the information, not the
17 form of presentation. Okay? And it's presented
18 orally, it'll be transcribed, it'll end up in the
19 registry.

20 Okay. As I said, we're going to
21 go through the six people who have indicated, we'll
22 take a little break and then after that we'll
23 return and see where we go from there. I want to
24 remind you that you're being recorded so that we
25 want to be sure that your words are spoken -- that

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1 your spoken words can be heard. And when you do
2 stand up to speak, please give us your name and
3 please tell us where you're from. That will be
4 helpful, because it will then be put in the
5 transcription so others can see.

6 And I've been asked to tell you
7 that any reporter or anybody of that sort who's in
8 the room, we really don't want to encourage any
9 interviews or picture taking or anything like that
10 while the process is underway. They can do it at a
11 break if they want to, they can do it at the end if
12 they want to. You saw a couple of pictures taken
13 here at the front, but that was before the process
14 is underway. Okay? We just don't want to
15 complicate the process.

16 I think that's all the logistics
17 and that's all the background, and so what we would
18 like to do now is to get underway. And according
19 to the list that we have here -- as I said, this is
20 a first come/first serve list -- the first person
21 who's asked to speak is Terry Farnsworth. Could
22 Terry Farnsworth come up to the microphone and
23 speak.

24 MR. TERRY FARNSWORTH -

25 SUBMISSIONS: Thank you, Mr. Chair, and ladies and
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MR. FARNSWORTH - SUBMISSIONS

1 gentlemen, for allowing me to speak today. I
2 rushed out of home today and forgot my reading
3 glasses and borrowed a pair. So far it seems to be
4 working pretty good. I only hope my heart will
5 lead me in the right direction as well.

6 I should note that my name is
7 Terry Farnsworth, first of all. I'm a fisherman
8 here in the Bay of Fundy as a hook-and-line
9 handliner, solely dependent on handlining, and I
10 fish from the lower end of the island [?] to the
11 head of the bay. And I'm speaking today on behalf
12 of the Fixed Gear Council. I'm sure there are
13 other people on the Fixed Gear Council who is way
14 better to speak than myself. I want everybody to
15 understand that I'm very emotional and nervous
16 today and I'm not really quite sure how I want to
17 express all the things that I would like to say but
18 ---

19 THE CHAIRPERSON: Just take your
20 time and just let us hear what you have to say.

21 MR. FARNSWORTH: I don't know
22 which way to come in on this, but I'd like to just
23 start out in my own way, if I could.

24 There are many things that trouble
25 me these days. All these things about trust

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1 agreements have manipulated the integrity and
2 existence of traditional practice of people and
3 resources for sustainability. The greatest
4 elements of all have been used, the elements of
5 confusion, mixed messages and all the elements that
6 in the end make us victims of society.

7 And if you want to study law or
8 ethics, justice, rights, or any of these things,
9 they're all imaginary guidelines for our society.
10 The diversity with all -- that's all in these words
11 has kept us juggling and comparing one lie with
12 another. In my marriage, in other things, trust is
13 something that is earned by demonstration and
14 practice. Unless it is demonstrated or put into
15 practice, there is no reward, there is no trust.
16 More than ever in today's society most feel there
17 is no social justice. Most will say there's none.
18 I can't express enough the lack of trust we now
19 have in our own governments in a sense of being
20 betrayed by all that we are expected to believe.

21 Many times over the last 10 years
22 I have written letters to the editor, then
23 afterwards threw it into the waste basket. I say
24 to myself, "Who cares about my grief, my concerns?
25 What difference will it make?"

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MR. FARNSWORTH - SUBMISSIONS

1 Ten years and much more is a long
2 time to wait for social justice. My greatest fear
3 is if we ignore why we are depressed or for our
4 oppressions, we in the end will be hollow, empty,
5 with no sense of feeling at all. As a youngster,
6 I've already been there. I don't want to go back
7 there. I know what it is like to be intimidated
8 and manipulated by situations I could not
9 understand. I survived much and can't ignore how I
10 got this far.

11 This place called Digby Neck, it's
12 a place when I was young I wanted to run away from,
13 but for some reason I've been called back and can't
14 leave. Fishing has been my life among many other
15 talents that God has given me.

16 As a handliner, hook-and-line
17 fisherman, I am one of the last with using what was
18 within my reach. My knowledge about people,
19 nature, values have come both from the old and the
20 new. I've lobster fished, scallop fished, herring
21 fished, groundfished, participated in most
22 fisheries you could name here in the Bay of Fundy.
23 Any fisherman can tell you that it is a different
24 equal[?] system unlike any other. To me it's the
25 very heart of the ocean and land and sky. For

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1 scientists it's the most difficult place to
2 understand unless you're a fisherman.

3 You cannot say that a project such
4 as a rock quarry on one end of the bay will not
5 affect the other end. You must look at the big
6 picture. With species at risk and all of the
7 unanswered questions, we cannot afford to rely on
8 science of large corporate interests that focus on
9 one small part. How can anyone talk about
10 minimizing or mitigation with boundaries of study
11 areas, methods of science, graphics, or talk about
12 communities most likely to be affected when we know
13 everything will be affected?

14 Over time a lot of little bits add
15 up to be a whole lot. We're already seeing this
16 today with resources and access erosion.
17 Globalization not only affected all our costal
18 communities but all communities around the world.
19 It's been a horrible disruption to our lives. How
20 can we say this in a common -- that we're working
21 in a common good for the people?

22 Democracy has served very well for
23 the large corporate companies who want to make
24 deals behind closed doors, but when communities
25 want to pull together to do projects we are denied

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1 because it don't fit within the corporate plans.

2 It is a scary thing after the
3 first events of the rock quarry to be discussing
4 guidelines with the possibility of our communities
5 being undermined such as we were in the fisheries.
6 They treat our communities as if we are the past
7 and not the future. Everything that could be done
8 to eliminate our traditional hook-and-line fishery
9 and small-boat fishery has been done. We are
10 treated like we are no longer but a picture on a
11 wall or in a museum or a thing of the past.

12 I reviewed the different articles
13 of the guidelines and I can see that there are
14 areas like trying to -- like, for example,
15 boundaries with study areas, boundaries on scales
16 chosen, which forms are you going to use, and all
17 these kinds of things. And I've got to tell you
18 right upfront, in a place like the Bay of Fundy
19 when I'm going up and down the bay with all the
20 tides in interrelationships of all the moving
21 things, that when you have a project that is so
22 persistent in moving forward with the project, once
23 it gets going there's no stopping it.

24 And if you're defining your
25 science data based on whatever surrounds that area

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1 and you eliminate your research, your work and
2 everything to that one point, you can undermine the
3 whole community. The tide comes and goes in this
4 bay in all directions. It's fine to say that it
5 washes out there somewhere and it's the greatest
6 thing there ever was to be working in an area where
7 tides will flush out the elements that you don't
8 want to see anymore.

9 We already have a situation here
10 in the Bay of Fundy where ships are coming in the
11 bay that are taking minerals from the head of the
12 bay and are coming and going from Saint John. We
13 don't know the effects of ballast water or
14 anything, and that troubles me because we're
15 talking about stuff without really knowing how to
16 look at the big picture, because there's so many
17 unknowns out there scientifically. We don't have
18 no research going on now, and God forbid if science
19 is being carried out by the corporate interest
20 groups because it doesn't address our communities.

21 I've seen this in the fisheries in
22 my experience in the past years. They have their
23 graphics, they tell you what is out there from year
24 to year, but it doesn't match up with what's in the
25 water. They never listen to the communities, they

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1 never listen to the little fellows like myself, and
2 all I can say now on the state of our fisheries is,
3 "I told you so."

4 And more and more each day it's --
5 you know, today I was sitting home there and I got
6 thinking about my life, all my struggles through
7 the years, and I just broke down and cried. And I
8 say that embarrassment because Digby Neck has been
9 a place of sorrow and it's been a place of good
10 things as well, and to have some large corporate
11 interest group come in there and intimidate our
12 community like it has and undermine the values --
13 our spiritual values, our social values, all of
14 these things that Tony Kelly expressed last night
15 and others, is so intimidating.

16 I'm at a loss right now as to what
17 I want to believe in this place we call Canada, but
18 I know it can't be mitigated and I know it can't be
19 minimized, because it's gone all around the world.
20 We're not alone, and it worries me. I've walked
21 many times along that shore. I got history back to
22 the 1500s. This is the place that God's put me,
23 this is the place God's keeping me, and I forbid
24 anybody to try to move my feet from this place.

25 I see people, I see their faces.

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MR. FARNSWORTH - SUBMISSIONS

1 We need the fish, the whales, the birds, and they
2 need us. Otherwise this place is gone. And that
3 may sound negative but I've seen how things were
4 done in the fisheries. We wrote the guidelines, we
5 wrote the guiding principles, and everything that
6 could be done to eliminate our culture, our
7 grassroots, our knowledge has been done to get rid
8 of us.

9 And all I can say is that I hope
10 that we are all on the same page, that this process
11 is not saying it's a green light to go. I take
12 knowledge -- the first time one of them signs went
13 up, that is community knowledge. They know in the
14 long term, in the big picture, Digby Neck and all
15 the North Mountain will never be the same again,
16 not in sightseeing, not in a holy place to go to or
17 anything, it'll be a much changed place from what
18 we're seeing today. And I thank you.

19 THE CHAIRPERSON: Thank you very
20 much, Mr. Farnsworth. I appreciate your taking the
21 time to come and give us this information.

22 Now, you mentioned a couple of
23 things, two things that I wrote down here that were
24 very specific to the document. Now, one of them
25 was boundaries. And as you know, boundaries are

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1 part of the process of the EIS, that is defining
2 what those boundaries are. Now, did you have any
3 further thoughts on boundaries? It's as if you
4 were questioning boundaries or suggesting that --
5 I'm not sure exactly what you were driving at.
6 Maybe you could just embellish that a little bit
7 for us.

8 MR. FARNSWORTH: If you're going
9 to take science and research and base it on a
10 directed site as a boundary, that we're only going
11 to look at or measure the depth of environmental
12 impact, and you're going to say, "Well, you know" -
13 - or maybe the impact on local habitat -- we've
14 done work here in the bay in migratory cod stocks
15 and fish and the last time it was done was in the
16 '30s, and as a collaborating group we did that
17 again and there's a whole picture there that needs
18 to be understood about our herring, they come up
19 through St. Mary's Bay and up along the shore and
20 the haddock that follow and feed on the spawn, like
21 was mentioned last night the periwinklers, the
22 whole nine yards. I mean, we haven't had time to
23 write it all down or do the proper bigger picture
24 that the scientists should have.

25 What it's been like up to now is
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MR. FARNSWORTH - SUBMISSIONS

1 that you make a huge investment on a resource and
2 you make huge returns, fish a species to near
3 extinction, then move on to the next species.
4 This, to me, has been the corporate plan, and it
5 has run out members of our communities, it has
6 dismantled our communities. And if this is the
7 kind of respect they're going to show our
8 fisheries, I'm asking myself what kind of respect
9 are they going to show to a project like this.

10 When you're going to decide how
11 you're going to assess the environmental impacts,
12 you just can't seclude it to a working area because
13 whatever is going to -- when the ocean -- or get by
14 you somehow, whether it be by accident, whether it
15 be by conditions you can't control, you're going to
16 have a conflict of argument, whereas maybe private
17 property rules may interfere with environmental
18 rules. You know, they're going to be too easy to
19 get around the loopholes, you know, it's just going
20 to be too easy if you don't have some precautionary
21 restraints on how you assess it.

22 THE CHAIRPERSON: I don't want to
23 put words in your mouth, but are you, in effect,
24 saying that the focus on Whites Cove, that is that
25 immediate area -- by simply focusing on that,

MR. FARNSWORTH - SUBMISSIONS

1 you're not including the broader -- what we would
2 call the broader ecosystem, that is the more
3 complex interconnected -- and that from your
4 standpoint what happens there has a broader
5 interest, so that your advice to us is don't
6 restrict it to that narrow area, make sure that its
7 connections to the rest of the physical and
8 biological things that go on in the Bay of Fundy
9 are included in that particular document?

10 MR. FARNSWORTH: Well, that is
11 correct.

12 THE CHAIRPERSON: That's the sense
13 of what you're saying?

14 MR. FARNSWORTH: That's the sense
15 of what I'm saying because, I mean, you have --
16 this is the heart of the ocean, this Bay of Fundy,
17 with all the animals and birds and migratory
18 species. For that matter, jets and everything is
19 using this one path. Now we got ships in it.

20 THE CHAIRPERSON: Um-hmm. Yeah.

21 MR. FARNSWORTH: And we've had all
22 kinds of other stresses here, and now we have a
23 long list of species at risk. And like it was
24 said, you know, in the book of ethics, if we all
25 had money we'd be all socially okay. I don't

MR. FARNSWORTH - SUBMISSIONS

1 believe that. Money can't bring the polar bear
2 back, neither can it bring the right whale back,
3 and all these other things that we have concerns
4 about, and it can't -- and money can't fix
5 disrupted lives, torn apart lives, and all these
6 things.

7 I was asked years back if I wanted
8 to sell my status quo as a fisherman. They were
9 going to offer to pay me to leave the country and
10 all the rest of it, they didn't want to recognize
11 me as a real fisherman and all these things. If
12 this is how they're going to treat our communities,
13 this is not acceptable.

14 THE CHAIRPERSON: Okay. Thank
15 you, Mr. Farnsworth. Let me just check and see if
16 my colleagues have any questions.

17 DR. GRANT: No, I don't. You
18 asked the one I was going to ask.

19 THE CHAIRPERSON: I beg your
20 pardon?

21 DR. GRANT: You asked the one I
22 was going to ask.

23 THE CHAIRPERSON: Oh? Okay. What
24 about you, Gunter?

25 DR. MUECKE: Well, I just wanted

MR. FARNSWORTH - SUBMISSIONS

1 to reassure myself in the sense that one of the
2 things you're saying -- and I hope I understand you
3 right -- is that one of the things lacking in this
4 document, in the guidelines, is what is called
5 traditional knowledge, knowledge of people who have
6 lived on the land ---

7 MR. FARNSWORTH: That's right.

8 DR. MUECKE: --- should be taken
9 much more account of ---

10 MR. FARNSWORTH: Much more.

11 DR. MUECKE: --- than what the
12 guidelines suggest at the present time?

13 MR. FARNSWORTH: Much more. Much
14 more. We are being treated as a community of the
15 past. We need to be treated as a community that is
16 of the future. We've put in proposals to do good
17 works that would go towards sustainability and all
18 the things that we're concerned about, and every
19 time we put in a plan we are denied because it
20 don't fit in with the corporate plan. Many can do
21 much business in someone else's name. There's all
22 kinds of ways around the hoops.

23 This is what worries me from my
24 experience in the past in the fisheries, that if
25 you start saying, "Okay, we're going to use

MR. FARNSWORTH - SUBMISSIONS

1 graphics and we're going to do this and we're going
2 to use that scale and we're going to use that
3 scale," it's not community knowledge.

4 THE CHAIRPERSON: Are there any
5 additional questions from the audience that anyone
6 want to bring forward? Here? Just a moment. Here
7 she comes. And would you give your name, please.

8 MS. BENGIVENNI: My name is Trudy
9 Bengivenni, I'm from Clare, and my question is, how
10 many handliner fishermen still exist in this
11 fishery?

12 MR. FARNSWORTH: Well, it's
13 actually quite embarrassing. We had 40 to 50 sign
14 up last year and out of a community identified as a
15 geographic community from Clare and some members
16 from Yarmouth, around the coast up to the head of
17 the bay -- it's quite a large area -- we had
18 probably about six or seven left that actually was
19 handlining. I'm still working with the same gear
20 because that's all that's accessible to me. My
21 boat's bigger but I'm still working with handline
22 gear, and I'll tell you when I hear of the things
23 that's going on around me, it just ain't fair what
24 they're doing to us.

25 And one thing I can be comforted

MR. FARNSWORTH - SUBMISSIONS

1 about is that I'm not alone in this battle, there's
2 many others speaking up like yourself, and we
3 deserve an apology from our own government. They
4 used to take care of our communities, they used to
5 recognize our small boats and our way of life. I'm
6 telling you it's some insulting to think that they
7 can project that on the TV but they can't walk it,
8 you know. There's dories, small boats on -- you
9 know, on the closing of the program, O Canada,
10 they're singing O Canada and they're showing the
11 small boats, but yet the government of today is
12 saying the future is ITQs and draggers, big boats.
13 They don't acknowledge us anymore. And when I'm
14 standing on a privatized wharf here in Digby and
15 when a dragger fisherman can drive by me and look
16 down his nose at me and laugh at me because of what
17 I have and what I don't have, it hurts.

18 THE CHAIRPERSON: I'm going to
19 have to jump in here because we have other people -
20 --

21 MR. FARNSWORTH: Yes.

22 THE CHAIRPERSON: Thank you very
23 much, Mr. Farnsworth.

24 MR. FARNSWORTH: And thank you.

25 THE CHAIRPERSON: Thank you. The
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1 next individual is Tom Haynes-Paton from the
2 Council of Canadians. Good evening.

3 MR. TOM HAYNES-PATON -

4 SUBMISSIONS: Good evening. My name is Tom Haynes-
5 Paton. I live in Barton. I have a small -- am the
6 owner of a small business. I live on the shore of
7 St. Mary's Bay in Southwest Nova, which I identify
8 as the site of the proposed quarry. I'll speak
9 more about that later.

10 I'm speaking as a member of the
11 Council of Canadians. I'm also a board member of
12 Enviro-Clare. By way of background, the Council of
13 Canadians has 200,000 members across Canada. We're
14 especially concerned about NAFTA's free trade
15 agreements which US companies are unilaterally
16 using to try to gain irrevocable control over our
17 Canadian lands and waters at the expense of our
18 daily well-being and our sovereignty as citizens,
19 but this evening I'd like to speak specifically to
20 two additions to the draft, two necessary
21 additions. One has to do with greenhouse gas
22 emissions and, secondly, with regard to what you
23 spoke of as boundaries.

24 The United States has not signed
25 the Kyoto Accord regarding greenhouse gas
26 emissions. The Proponent doesn't have to worry

MR. TOM HAYNES-PATON - SUBMISSIONS

1 about greenhouse gases and Kyoto requirements while
2 working in the United States. Canada has signed
3 the Kyoto Accord, and I'm very proud of that. And
4 the Proponent will indeed be caused to worry about
5 greenhouse gas emissions in Canada, and it's to
6 that effect that I would like an amendment, an
7 addition to the guidelines.

8 I do not see any benefit to
9 Southwest Nova Scotia from this quarry. I do see
10 many costs to us local citizens, costs that we must
11 bear. Among them will be a significant increase in
12 our greenhouse gases at a time when we Canadians
13 are committed to reducing our emissions. Many of
14 us have even considered taking Rick Mercer's "One
15 Tonne Challenge" to do our part, but I fear that
16 even if most of us accept this "One Tonne
17 Challenge" to reduce our greenhouse gas emissions
18 that Bilcon of Nova Scotia or Clayton Block company
19 of New Jersey or Bilcon of Delaware or whoever this
20 shadowy Proponent and their consortium of local
21 financiers are, that they will wipe out on a weekly
22 basis all our annual collective Kyoto emission
23 contributions, and do it through polluting of our
24 air, our land and our seas. So, I want to know
25 specifically how much the Proponent will cost us

MR. TOM HAYNES-PATON - SUBMISSIONS

1 and set us back in Nova Scotia in our Kyoto goals.

2 I urge an appropriate addition to
3 the draft requiring that the Proponent submit in
4 detail the annual production of greenhouse gases
5 from all aspects of this quarry project, proposed
6 quarry project, over the lifetime of the project.
7 This includes, but is not limited to, CO2 and other
8 gas emissions from all machinery and vehicles used
9 in the initial construction, toxic gases produced
10 by the ships themselves, the tugboats employed, the
11 machinery used to blast, dig, clean the aggregate,
12 the trucks hauling equipment, fuel, daily manpower
13 travel and final remedial cleanup of the site
14 itself, et cetera, et cetera. This report should
15 be in terms of tonnes of toxic gas emissions per
16 unit of time. But asking for this information or
17 requiring that they produce this information is
18 essentially free to the Proponent, like the basalt
19 they want to take.

20 A further draft amendment I would
21 like to recommend or urge be included is the need
22 for specific remedial payback. I urge that the
23 Proponent be required as a condition of the quarry
24 to purchase, at their own expense, equivalent green
25 points to offset their greenhouse gas pollution of

MR. TOM HAYNES-PATON - SUBMISSIONS

1 Nova Scotia and Canada. This will be done through
2 equivalent economic support of environmentally
3 sustainable alternative forms of energy to be
4 constructed in Southwest Nova Scotia, such as wind
5 power or biomass power and heat production. For
6 example, wind generators could be built by the
7 Proponent on the site of the quarry and given free
8 and unencumbered in reparations to the people of
9 Southwest Nova.

10 My second addition has to do more
11 personally with the issue of boundaries. I have a
12 small gallery. I own a business in -- it has been
13 for the last 15 years in Plympton on the shore of
14 St. Mary's Bay, and during that time I've been
15 increasingly aware of why it is people come to my
16 gallery, where my customers come from, and I've
17 been very conscious increasingly that they come
18 basically from Yarmouth, from the car ferries as
19 they move their way up. And as I talk with people,
20 what most people are saying is, "We're headed for
21 Digby Neck." A few say they're interested in the
22 history of Annapolis but most are talking about the
23 unique ecology and the whale-watching and the birds
24 and the orchids and they tell me things about Digby

25 Neck that I didn't know, as they have researched

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1 and sought out this unique experience for
2 themselves.

3 So, I went down to Yarmouth --
4 I've done this over a number of years -- and I've
5 interviewed the people at the tourist bureau who
6 decide or, through the information they give,
7 influence the tourists as to whether they move up
8 our area or move down the South Shore toward
9 Halifax. And they reassured me that they work very
10 hard to be even-handed. I asked them, "What do you
11 tell the people about the two destination?" They
12 say, "Well, for the South Shore we talk about
13 lighthouses, we talk about Lunenburg and we talk
14 about Peggys Cove." I said, "All right. How about
15 our direction?" "Well, we talk about the history
16 of Annapolis Royal, but primarily we talk about
17 Digby Neck."

18 Now, two years ago I had an
19 experience that showed me -- my impression has been
20 that about 75 percent of the people who come
21 through my gallery, and obviously then impact on
22 all the small businesses of Southwest Nova Scotia,
23 are headed for Digby Neck, about 75 percent, but
24 this was definitely brought home to me about two
25 years ago when Digby Neck was resurfacing its roads

MR. TOM HAYNES-PATON - SUBMISSIONS

1 and the delays caused by that decreased greatly the
2 traffic to my small business. And I went again
3 down to the tourist bureau and I said, "What's
4 going on?" and they said, "Well, you know, we've
5 got to be honest to our people, we tell them, 'Yes,
6 you can go whale watching on Digby Neck, but we
7 must be honest with you, you're going to have maybe
8 a 2-hour delay because of construction'." And
9 that, I would say, probably impacted 30 percent,
10 it's a guess of course, but it was a dramatic
11 reduction in my gallery.

12 It takes very little on the part
13 of the experts in the tourism business in Yarmouth
14 to dissuade someone from going one direction or
15 another. And in the future if they have to say,
16 "Yes, Digby Neck is beautiful but of course we do
17 have blasting, we do have heavy-duty trucks moving
18 up and down that road, we do have 620-foot boats
19 that your whale-watching boat is going to have to
20 avoid," one comment like that can send literally
21 thousands upon thousands of tourists in another
22 direction.

23 So, my proposed amendment is that
24 a study be done of the impact on small businesses
25 throughout Nova Scotia, throughout Southwest Nova

MR. TOM HAYNES-PATON - SUBMISSIONS

1 Scotia, the impact on all businesses, but
2 particularly small businesses in Southwest Nova,
3 should this proposed quarry proceed. I think that
4 it takes very little to shape the lives of many,
5 many people. We've heard from Terry the impact on
6 the lives of people in Digby Neck. The lives of
7 many, many thousands of other villages and other
8 families and other businesses will be affected by
9 this. So, I would hope that from now on when the
10 quarry site is referred to that we refer to all of
11 Southwest Nova. Thank you very much.

12 THE CHAIRPERSON: Thank you very
13 much, Mr. Haynes-Paton. One question I had about
14 the first point you raised was, you were suggesting
15 to us that an estimate would be made of the
16 production of toxic gases and based on that they
17 would attempt to -- your suggestion was that they
18 should be asked to compensate the community with an
19 equivalent amount of energy produced that would
20 be -- that would not produce toxic gases. That was
21 your reference to the windmill.

22 MR. HAYNES-PATON: It was.

23 THE CHAIRPERSON: So, there would
24 be a quid pro quo that would be underway ---

25 MR. HAYNES-PATON: That's correct.

MR. TOM HAYNES-PATON - SUBMISSIONS

1 THE CHAIRPERSON: --- so that they
2 would be producing carbon dioxide, let's say, in
3 return there would be electrical power produced
4 that would be roughly equivalent to that CO2 had it
5 been produced by conventional means?

6 MR. HAYNES-PATON: That's correct.

7 THE CHAIRPERSON: Okay. I
8 understand.

9 MR. HAYNES-PATON: Under the Kyoto
10 Accord, there are very specific ways of judging the
11 amount of negative production and positive
12 production, called green power ---

13 THE CHAIRPERSON: Yes.

14 MR. HAYNES-PATON: --- that's not
15 just necessarily electric, it can be heat power
16 through biomass. I just returned from a tour of
17 Austria looking at alternative energy sources, and
18 there there's a great deal of thought by huge
19 companies about where they're going to acquire the
20 green points that they need to stay in business.

21 THE CHAIRPERSON: Um-hmm.

22 MR. HAYNES-PATON: I think that --
23 I don't think Canada is -- has the laws that
24 require the companies match up green points with
25 dirty points in the production of toxic gas.

MR. TOM HAYNES-PATON - SUBMISSIONS

1 That's why I hope that the guidelines will require
2 that they match this up so that we don't further
3 pay the cost, not only within our community but
4 within our nation, of toxic waste in our air, in
5 our water, in our land.

6 THE CHAIRPERSON: Thank you.

7 DR. GRANT: Could I just ask you
8 to clarify, when you say "Southwest Nova Scotia,"
9 what area you're talking about, how far that
10 extends in your view.

11 MR. HAYNES-PATON: Basically, this
12 is the Municipality of Digby, Annapolis Royal and
13 Clare. And Yarmouth, sorry, yes.

14 DR. GRANT: Thank you.

15 THE CHAIRPERSON: Are there any
16 questions emerging from the audience? If not, then
17 thank you very much. Oh, sorry, couldn't see that.
18 Just a minute. Could you identify yourself,
19 please.

20 MR. ROBERT BUCKLAND-NICKS -

21 SUBMISSIONS: My name is Robert Buckland-Nicks and
22 I have a business in Bear River. I've had the
23 business -- this is my 25th year with this
24 business, it's a seasonal business and it relates
25 to tourism. And what I would -- am I good?

MR. BUCKLAND-NICKS - SUBMISSIONS

1 THE CHAIRPERSON: That's fine.

2 MR. BUCKLAND-NICKS: I was
3 actually going to line up in intermission and maybe
4 have a chance to say something, but I think I would
5 be repeating some of the things that Mr. Haynes-
6 Paton has said. Over 25 years we've probably
7 averaged 10,000 people a year there, and I should
8 say that I've probably spoken to 90 percent of
9 them. I'm interested in them, what they're doing,
10 where they're going from here and how they enjoyed
11 their vacation.

12 The number one reason that people
13 enjoy Nova Scotia is the people, the number two
14 reason is the scenery. The thing that has changed
15 in the last 16 years is that I can honestly say
16 that the number one reason that tourism and
17 benefits -- economic benefits and tourism in this
18 area have increased is because of whales. More
19 specifically one person called Carl Haycock who
20 came up here and partnered with a local lobsterman
21 from Briar Island and after his hard work and his
22 efforts and their marketing there's probably now 10
23 or 12 operations there.

24 Absolutely the number one reason
25 for all European visitors to my area to be here is

MR. BUCKLAND-NICKS - SUBMISSIONS

1 to whale-watch, that includes all Germans, all
2 people from the UK, Scandinavians and probably any
3 other European countries. It is also number one or
4 two on the agenda of all American visitors to this
5 area. It is absolutely the major reason to be
6 here.

7 In my gallery I sell the work of
8 200 different artists and craftsmen. It's
9 beautiful work and it's made by Nova Scotians, but
10 we would all agree that the thing that is easiest
11 to sell in terms of a work of art is Nova Scotia.
12 Other countries spend millions and millions of
13 dollars to create something like Nova Scotia, and
14 we have it here quite naturally and it is being
15 more and more appreciated by people that come here.

16 Now, last year I got sick to death
17 of talking to people who were bicycling this
18 province, especially bicyclists who have the chance
19 to have an intimate experience with the roadside,
20 and saying, "Well, there's no point in biking here
21 anymore, we can see clearcuts anywhere." And I had
22 the same response from people that usually go down
23 to the Islands on bikes or hiking, they said, "We
24 don't really see the point of going down there much
25 more, there's just going to be a lot of quarries."

MR. BUCKLAND-NICKS - SUBMISSIONS

1 It's a very, very special place
2 that we have here and I think all of these things
3 endanger it. And I get a feeling that tourism is
4 being skirted by a lot of people as something that
5 shouldn't even be mentioned in terms of geology and
6 mining and all the other jobs that might come from
7 it. I would like to suggest that the tourism --
8 the jobs related to tourism are far, far more than
9 any jobs that might be created locally by any
10 quarry in this area.

11 I had a whole lot more to say but
12 I didn't really come prepared. It was just that
13 I ---

14 THE CHAIRPERSON: When the formal
15 speakers have completed in the intervening period
16 if you want to bring more forward, please don't
17 hesitate.

18 MR. BUCKLAND-NICKS: I won't.

19 THE CHAIRPERSON: Okay?

20 MR. BUCKLAND-NICKS: I might do it
21 in writing. I'd prefer to ---

22 THE CHAIRPERSON: Either way. If
23 you want to ---

24 MR. BUCKLAND-NICKS: The only
25 other time I spoke in my life was the uranium

MR. BUCKLAND-NICKS - SUBMISSIONS

1 mining inquiries.

2 THE CHAIRPERSON: Yes.

3 MR. BUCKLAND-NICKS: I couldn't
4 stand up at my own daughter's wedding. I don't
5 like speaking. So, this is only the second time
6 I've spoken in 30 years at a public meeting, but I
7 do speak from what I know and I have honestly
8 spoken to almost everybody that's ever come in the
9 door of my business and I can promise you that Nova
10 Scotia is a work of art and it is being
11 systematically -- I don't want to use "raped," but
12 I feel like that sometimes, I get so angry, and I
13 get as emotional as the first gentleman that spoke
14 up here, and he reduced me to tears with what he
15 said, and I feel like that every day of my life
16 here. I see it being threatened all the time by
17 greed and large corporations who really don't care
18 about our lives here. And what he said about
19 treating us as a past life, I feel that too.

20 And I came to Bear River from
21 London, England 30 years ago, straight to Bear
22 River, and I've been here ever since, and I don't
23 want to be anywhere else, and I really treasure it.
24 Thank you.

25 THE CHAIRPERSON: Well, if you
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MR. BUCKLAND-NICKS - SUBMISSIONS

1 have further comments ---

2 MR. BUCKLAND-NICKS: If I can
3 think of anything else to say, I will.

4 THE CHAIRPERSON: If you have
5 further comments ---

6 MR. BUCKLAND-NICKS: Thank you.

7 THE CHAIRPERSON: --- as well as
8 anyone else in the audience later, that would be
9 fine.

10 MR. BUCKLAND-NICKS: Thank you.

11 THE CHAIRPERSON: I think -- okay.
12 Thank you very much, Mr. Haynes-Paton. The next
13 speaker we have is Harold Rowe.

14 MR. HAROLD ROWE - SUBMISSIONS:

15 Good evening, Panel. Good evening, ladies and
16 gentlemen. I originally -- my name is Harold Rowe.
17 My wife, Sheila, and I have a bread-and-breakfast
18 at beautiful East Ferry at the end of Digby Neck,
19 and last night I thought that maybe all my concerns
20 would be mentioned so I put in a written
21 presentation but -- I think my microphone may be
22 gone, so -- but I felt that it wasn't really
23 represented there. These comments that I'm going
24 to make resulted from a kitchen meeting of the
25 Digby Neck Community Development Association.

MR. ROWE - SUBMISSIONS

1 Although the words are mine, the thoughts are from
2 some of the other people that were at that meeting.

3 Tourism is the second most
4 important industry on Digby Neck and Islands next
5 to the fishing industry. Those involved in the
6 tourism industry on the Neck have been attempting
7 to promote the area as an eco-tourism destination
8 and have, in my mind, been moderately successful.

9 As well, the Bay of Fundy
10 ecosystem partnership, BOFEP, an organization
11 composed of interested stakeholders on the Bay of
12 Fundy from New Brunswick and Nova Scotia, have been
13 trying to get the whole Bay of Fundy designated as
14 a UNESCO World Heritage Site. The operation of a
15 basalt quarry right in the middle of this pristine
16 area does not fit with BOFEP's vision for the whole
17 of the Bay of Fundy, it does not fit with what the
18 people down in Digby Neck want for their community
19 and in no way complements the major industries of
20 fishing and tourism.

21 Whale watching is a major tourist
22 attraction in this area, so we need to know how the
23 proposed quarry operation will affect the various
24 species of whale that visit our area during the
25 summer season to feed on the krill-rich waters of

MR. ROWE - SUBMISSIONS

1 the Bay of Fundy. There are a number of things
2 that the quarry may do that will directly or
3 indirectly affect the whales.

4 The building and operation of the
5 marine terminal and the huge ships that will be
6 using this terminal will definitely have a
7 detrimental effect on the whole whale population.
8 As well as increasing the probability of collisions
9 with whales, there is great danger that the
10 presence of the marine terminal will result in the
11 whales, especially the endangered North American
12 right whale, moving farther out into the bay making
13 them inaccessible to the whale-watch companies on
14 Digby Neck and Islands and making them more
15 susceptible to being hit by the ships.

16 Why might the whales move from
17 where they have traditionally been? It may happen
18 because a marine terminal will result in some of
19 their food supply -- the herring -- moving to other
20 areas of the Bay of Fundy much farther from the
21 whale-watch companies on the Neck and Islands. The
22 blasting that the quarry operators will do on a
23 regular basis will also have the result of moving
24 the whales farther out in the bay or to the other
25 side of the bay.

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1 In addition, there is great
2 concern about the ballast water that the ships will
3 be carrying up from New Jersey when they come up
4 empty to load up with the basalt from the quarry.
5 There is also concern that the quarry Proponents,
6 Bilcon of Nova Scotia, are prepared to load their
7 ships with other goods to carry to Canada in their
8 ships. Why sail all the way to Canada in ships
9 filled with ballast water when you can carry cargo
10 for which you will be paid?

11 There is a media report recently
12 that their parent company, that's Bilcon's parent
13 company, has recently received permits to transport
14 hazardous waste.

15 Of great concern to tourism
16 operators is the effect that the quarry operation
17 will have on the habitat of the shore and sea birds
18 of the area. Bird-watching is developing as an
19 increasing attraction in our area, especially on
20 Briar Island but also on Digby Neck. Before this
21 whole environmental assessment process is completed
22 we're anticipating having some birding experts,
23 such as Ian McClare and Richard Stern or Carl
24 Haycock, study the potential damage to the habitats
25 of the birds that stop here on their way north in

MR. ROWE - SUBMISSIONS

1 the spring and south in the fall.

2 Another concern that should be
3 entertained is the disturbance of the culture of
4 the shore-dwelling peoples of the Neck. People
5 actually lived at Whites Cove some 200 years ago
6 and the ancestors of some of these people on Digby
7 Neck are buried there. People around here know
8 that there were not only aboriginal peoples in the
9 area 250 years ago but also that there were non-
10 native people there, the ancestors of the people
11 who still live in the area.

12 Many of the visitors to our area
13 from the United States, Europe and other parts of
14 Canada are extremely interested in learning about
15 the history of our area from earliest recorded
16 time. The history of our area is the history of
17 the oldest European settled area in Canada, second
18 only to St. Augustine, Florida in North America.
19 There are people in the area who have done a lot of
20 research into their genealogy, the history of Digby
21 Neck. This information has been passed down
22 through the generations and is available from any
23 of the old-timers of the area.

24 There is great tourism potential
25 around the wonderful Sandy Cove Beach on the Bay of

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MR. ROWE - SUBMISSIONS

1 Fundy, the former campground overlooking the beach
2 and Jerome's Rock. And I invite you to ask any
3 Digby Necker -- any of the panellists to ask any
4 Digby Necker to tell you what Jerome's Rock is. I
5 won't waste the time of giving that story here.

6 The proposed quarry has the
7 potential of damaging visitors' views of our whole
8 area of the Bay of Fundy as an ecological miracle.
9 Let's face facts. A basalt quarry does not fit
10 into most local people's perception of what our
11 area should be.

12 In the past few years, we've seen
13 quite an increase in sailing and diving around the
14 Digby area and it's possible that the Sandy Cove
15 and Little River area may be ideal for that tourism
16 industry as an extension of what's already
17 happening.

18 As far as the tourism potential of
19 the area, there are a number of other concerns that
20 the building of the proposed quarry would raise.
21 First, BOFEP's working proposal to make the whole
22 Bay of Fundy -- have the whole Bay of Fundy
23 declared a UNESCO World Heritage Site would be
24 severely damaged by putting a mega-quarry, which
25 incidentally would be Canada's fifth largest, right

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1 in the middle of the Bay of Fundy. The operation
2 of a mega-quarry does not fit in with the local
3 residents' and business view of the area as an eco-
4 tourism destination.

5 Second, there was a proposal a few
6 years ago that quite a number of the tourist
7 operators still believe in -- that is, building a
8 hiking trail from Point Trim to the end of Long
9 Island or out to Briar Island. The proposed mega-
10 quarry would be situated along the route that would
11 be taken by this proposed trail. Suppose this
12 proposed trail were able to go around the proposed
13 quarry site. Is this the kind of view that we want
14 visitors from the United States and Europe to see
15 as they hike through our beautiful land?

16 Something that should be looked at
17 seriously is the damage that the proposed mega-
18 quarry could possibly do to the wetlands and the
19 whole watershed area of Digby Neck. A study should
20 be done of where all the streams and rivers along
21 the middle of Digby Neck -- for instance,
22 Tiddville, Little River, Mink Cove and Sandy Cove,
23 where they travel. The slightest disturbance of
24 this intricate watershed could have disastrous
25 effects on the myriad of plant and animal life that

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1 exists in these wetlands of the entire Digby Neck.

2 Finally, we must emphasize that we
3 do live in a democracy. At least we thought we
4 did. Shouldn't local residents have some say in
5 the decision regarding what industries will be
6 commenced in our local area? We are happy that the
7 environmental assessment is being done and we are
8 pleased with the experts that have been chosen to
9 sit on the Panel but are dumbfounded that it has
10 come to this.

11 Sure, it looks like the proposed
12 mega-quarry will create some jobs and we are
13 interested in anything that will create much needed
14 opportunities in our area, but we have no
15 guarantees that the few jobs created will go to
16 local people. These new jobs that will be
17 created -- how many we don't know -- may be at the
18 expense of jobs in the tourism industry or the
19 fishing industry.

20 Some of the guests at our bed-and-
21 breakfast just discover Digby Neck and Islands as
22 part of their Maritime tour. They leave already
23 planning to return. We've had quite a number that
24 have come to us and said, "Wow, we just love this
25 area, we're coming back next year." We've had many

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1 that have done that. The majority of visitors want
2 to see whales but many tourists have done a lot of
3 research and have chosen their destination
4 carefully for peacefulness, clean air and water,
5 birds and other wildlife, wild flowers and the
6 breathtaking shoreline scenery. They tell us about
7 the loss of the valuable qualities in their home
8 environments and frequently remind us of how
9 fortunate we are to live here. I'm getting
10 emotional now.

11 They travel from all corners of
12 the world and have travelled all over the world.
13 They know that what they experience here in Digby
14 Neck and Islands cradled by the Bay of Fundy and
15 St. Mary's Bay is special and becoming increasingly
16 rare.

17 This is not about adapting to
18 progress or change. There is only one chance to
19 get this right. Digby Neck is a very narrow
20 peninsula. If the quarry goes ahead and damage to
21 the environment results, there is no compensation
22 on earth which can restore its uniqueness or make
23 up for its loss. Thank you very much.

24 THE CHAIRPERSON: Thank you very
25 much, Mr. Rowe. Don't sit down just yet, please.

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MR. ROWE - SUBMISSIONS

1 Your presentation touched on a huge number of
2 things and many of those things are in the
3 guidelines.

4 MR. ROWE: Right.

5 THE CHAIRPERSON: And I was -- as
6 you were speaking, I was listening and appreciating
7 all of the diversity. I was asking myself, what
8 issues do you think -- I don't know if you're able
9 to do this, but what issues did you raise that are
10 not in the guidelines?

11 MR. ROWE: Well, there didn't seem
12 to be a lot about tourism in there at all to me.

13 THE CHAIRPERSON: All right.

14 MR. ROWE: It was very skimpy on
15 tourism. There's only about three or four lines.

16 THE CHAIRPERSON: And you raised
17 the subject of wetlands ---

18 MR. ROWE: Yeah.

19 THE CHAIRPERSON: --- and your
20 suggestion was that -- the belief that a quarry, if
21 it were developed, would impact wetlands and that
22 wetlands would be one additional thing that
23 tourists come and see.

24 MR. ROWE: Well, I think -- well,

25 I know it is. You know, it's -- if it affects the

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1 water table, the water supply -- and we don't know
2 if it will or it won't -- it will then affect the
3 wetlands.

4 THE CHAIRPERSON: Is there
5 anything else that you touched on that you wanted
6 to emphasize or give higher priority to that ---

7 MR. ROWE: I think it's just ---

8 THE CHAIRPERSON: --- because just
9 let me remind you once again, as I said before, our
10 task is to modify this document.

11 MR. ROWE: Yeah.

12 THE CHAIRPERSON: And although
13 you've given us a lot of information, I'm not sure
14 that I have a sense of what you ranked or thought
15 were the most -- more important things.

16 MR. ROWE: Well, I think the most
17 important thing from my point of view is that we're
18 a fishing -- an eco-tourism area, and a quarry
19 really doesn't fit in what we see as Digby Neck and
20 Islands. And we've already had people come and
21 say, "Where is that quarry? You know, it's going
22 to destroy things." We haven't had anybody, you
23 know, cancel, but I can see that we will probably
24 have -- if the quarry is affecting our area, which

25 I expect it will, I could expect that we would have

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1 less people wanting to come, because a lot of
2 people do a lot of research before they come. They
3 come with -- know sometimes a lot more about the
4 area than I do, and I think I know a lot because
5 I've tried to find out a lot about it, but some
6 people come and tell me things that I didn't know,
7 you know.

8 THE CHAIRPERSON: Okay. That's --

9 -

10 MR. ROWE: And a quarry is not a
11 good thing in an eco-tourism area. It's that
12 simple.

13 THE CHAIRPERSON: All right.

14 Thank you. No. Just a moment. I want to make
15 sure that ---

16 DR. GRANT: You also raised some
17 questions around bird-watching. Are you suggesting
18 there need to be some enhancements to the
19 guidelines about ---

20 MR. ROWE: I think so, but what I
21 would like to do -- and I hope between now and
22 whenever the deadline is to try to get some
23 information on nesting birds around the area. We
24 talked about it at our meeting that we -- and we
25 identified some experts that we might contact that

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1 would be able to give us that information.

2 THE CHAIRPERSON: Our deadline for
3 receipt of information to be included in this will
4 be the 21st of January.

5 MR. ROWE: Right. Yeah.

6 THE CHAIRPERSON: We will then --
7 as a group will then make the changes necessary.

8 MR. ROWE: Yeah.

9 THE CHAIRPERSON: Okay? So, you
10 have the 21st of January. If you wanted to get
11 something to us in written form, that would be
12 fine.

13 MR. ROWE: Thank you very much.

14 THE CHAIRPERSON: Just a moment,
15 now.

16 DR. MUECKE: Could you tell me a
17 little more about this proposal of a UNESCO site?

18 MR. ROWE: I don't know much about
19 it.

20 DR. MUECKE: What status is that?

21 MR. ROWE: I don't know really
22 much about it. I just knew it was happening.

23 BOFEP, B-O-F-E-P, is a very interesting site to go
24 on. Just type "BOFEP" in Google and you will find
25 information that you probably couldn't read in a

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1 hundred years on that site, but it will certainly
2 educate you on the Bay of Fundy and all that's in
3 it and beside it and all the bad things that's
4 happening to it and all the good things that's
5 happening to it. I've been studying it for a week
6 and haven't -- have barely touched it, the site.

7 DR. MUECKE: I guess I'm
8 interested whether locally anybody is involved,
9 directly involved.

10 MR. ROWE: There's a number of
11 people around here that are members of the -- I'm
12 not, but there are a number of people that are
13 members of that.

14 DR. MUECKE: It would interesting
15 to hear from them.

16 MR. ROWE: Yeah, I think it would.

17 THE CHAIRPERSON: Now, is there
18 anybody in the audience who wanted to make any
19 additional intervention or questions specifically
20 to Mr. Rowe?

21 MR. PATON: My name is Warren
22 Paton, I'm a resident of Digby, and I would be very
23 interested in this study of wetlands. I'm setting
24 up a wildlife sanctuary within St. Mary's Bay
25 marsh, which is a 700-acre complex at the head of

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1 the bay, and I would very interested in knowing
2 what that study might reveal.

3 THE CHAIRPERSON: So, let me see
4 if I understand you correctly. You're saying to us
5 that you think that the Proponent should make a --
6 have a look at and elucidate the wetland aspect of
7 the peninsula?

8 MR. PATON: Yes, the impact.

9 THE CHAIRPERSON: All right.

10 MR. ROWE: I think they should,
11 too.

12 THE CHAIRPERSON: Yeah. Okay.
13 Thank you, Mr. Paton.

14 MR. PATON: Of dust and blasting
15 and toxic chemicals from the blasting, those kinds
16 of things.

17 THE CHAIRPERSON: Yes. Thank you,
18 Mr. Paton. Thank you, Mr. -- anybody else who
19 wanted to speak to Mr. -- no, it appears not.
20 Thank you, Mr. Rowe. Oh? Sorry. Sorry. Here's a
21 -- Lucille, over there.

22 MR. NETTE: No, this isn't a
23 specific question for Harold. But, Gunter, you
24 were asking about information concerning the
25 biosphere -- the UNESCO designation of a biosphere

1 reserve. If I can get an e-mail address from you,
2 I will put the right people to supply you with the
3 right information, because I do know those people.

4 THE CHAIRPERSON: Could I suggest
5 that information be sent to Steve Chapman.

6 MR. NETTE: Okay.

7 THE CHAIRPERSON: Steve will then
8 pass it to us, but at the same time he'll put it
9 into the registry. In other words, what we don't
10 want is for anyone to think that any group, pro or
11 con, is interacting with us directly in a non-
12 public circumstance. So, if you send it to Steve,
13 it then gets distributed to everybody.

14 MR. NETTE: Okay.

15 THE CHAIRPERSON: Okay?

16 MR. NETTE: I'll do that and I'll
17 just make sure I get the right address for that.

18 THE CHAIRPERSON: Thank you.

19 MR. NETTE: Thank you. My name is
20 Adrian Nette, for the record, from Annapolis Royal.

21 THE CHAIRPERSON: Okay. Thank
22 you. Lucille, there's somebody over here.

23 MS. LANGPOLE: My name is Shirley
24 Langpole, I'm also with the board of directors for
25 Enviro-Clare, and Enviro-Clare is very much working
26 with the biosphere reserve and that has been a

1 UNESCO-designated area starting in the Kejimikujik
2 Tobeatic area and it has a buffer zone or a
3 cooperative zone, as they refer to it, and that is
4 an economic -- where man's impact starts to come
5 into the natural reserve area. And what they're
6 asking for and their projection is for sustainable
7 economic development to happen in the entire buffer
8 zone around this biosphere.

9 And Enviro-Clare is working -- in
10 fact, on Monday we're meeting with the chairman of
11 the biosphere, because it is part of an economic
12 development plan that is underway for the last
13 eight months in this area, in Southwest Nova, on
14 sustainable economic development. So, there's a
15 report I have this large on the biosphere which
16 Enviro-Clare will be submitting with our materials.

17 THE CHAIRPERSON: Okay. Thank
18 you. Okay, then I think we will move on to Chris
19 Hudson, who represents the Bay of Fundy Inshore
20 Fisheries Association.

21 MR. CHRIS HUDSON - SUBMISSIONS:
22 [?] --- Fundy Inshore Fisheries Association [?]
23 full-time fisherman for the last 16 years. Our
24 association represents 238 members, full-time
25 fishermen, which represents over 700 licenses of
26 various sorts, and they're all used inside the Bay
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1 of Fundy, and that's fishermen from the Yarmouth
2 County line to the New Brunswick/Nova Scotia
3 border. So, we are the largest association in our
4 area and all our members have a stake in the Bay of
5 Fundy waters.

6 About 95 percent of our membership
7 rely a hundred percent on the Bay of Fundy for
8 their income and our members represent a vital link
9 in our communities, because they provide very well-
10 paying jobs in amongst all the coastal communities
11 around the province.

12 With this in mind, one has to ask
13 why the association has not been contacted on
14 whether this project would affect us. We, to my
15 knowledge as of yet, have not had any contact from
16 the quarry Proponents. We have heard nothing
17 except for community papers and stuff, but we have
18 not directly been contacted. And being a big
19 association in the area, you would think -- with
20 one of the largest -- you know, we have the most to
21 lose of a lot of people if things go awry because
22 of the fishery up and down the coastline.

23 And it makes reference to -- in
24 your document there of 8.1.7 where it says major
25 associations and stakeholders will be contacted.

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1 Well, our association has yet to be contacted. The
2 reason why, I have no idea, and we're the largest
3 association in Southwest Nova around to the New
4 Brunswick border.

5 And we feel that the process seems
6 to be very familiar with the process that we seen
7 back in the days when the groundfish was divided up
8 back in '95 and '96, and that process was when the
9 stocks were divided amongst the different sectors,
10 there's draggers, longliners, handliners, as Terry
11 Farnsworth mentioned. That decision was made to go
12 along with the government's terms that were already
13 predetermined. At least that's how we seen it, it
14 was predetermined, the decision was made, then all
15 the stakeholders were called together, "Come to
16 Halifax, we'll sit down and talk about how
17 everything is divided up." And so we did, but it
18 makes no difference, it was already predetermined,
19 you sit here, you have your meetings, you have your
20 say, but ultimately it's already a done deal.

21 So, we're -- you know, we have a
22 lot of questions. Our group has a lot of questions
23 that we'd like to have answered. The first being
24 is, where are the studies that prove the huge
25 terminal will not affect lobster spawning and

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1 nursery areas? A lot of lobster fishermen will be
2 able to tell you that small juvenile lobsters are
3 found only close to shore, predominantly inside 90
4 feet of water. You will not find -- you'll find
5 very few small -- there'd be lobsters there like
6 from two to seven years old. You find very, very
7 few off in the deeper waters. They're mainly in
8 along the coastal shores in where the kelp beds are
9 in the shallow waters there.

10 And to prove this, you know, you
11 only have to ask the fishermen, the local
12 fishermen. They can tell you the same story.
13 They're -- we're experts in our fields, that's what
14 we do for a living, we see it every day and we can
15 put a lot of information into the process.

16 And to get an outside contact,
17 unbiased opinions on it, there's the Fisheries
18 Science and Research Society headed up by Patty
19 King. They got their websites and they've
20 distributed traps to certain fishermen around
21 different areas of all the LFAs, lobster fishing
22 areas, and they fish -- each fisherman will fish a
23 couple traps of small mesh size and then they
24 record their catches daily when they haul them two
25 traps, and they're in the shallow waters and they

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1 get all the small lobsters there from the small to
2 the bigger ones, because they can see with the
3 small mesh trap the lobsters that you don't see in
4 a normal trap. And so they got recorded and so the
5 FSRS has all the pertinent information when it
6 comes to that kind of study in there. So, that's
7 an unbiased opinion besides what the fishermen
8 themselves can tell you.

9 And another question is, how will
10 the change in current from the terminal affect the
11 areas? Will the migration patterns of the fish and
12 lobster be affected? Will larval settlement be
13 affected? What effect will siltation have on kelp
14 beds? And this here is inside, that's where your
15 kelp is, on the inside grounds. What time of year
16 will the big ships be travelling to and from the
17 terminal? If during the lobster season, what will
18 happen to the fishermen's gear when huge boats are
19 trying to travel through their gear?

20 And the boundary of lobsters --
21 you know, you said earlier you took a walk down to
22 the cove and looked around. That isn't going to
23 tell you anything about the boats at all. What's
24 out on the water right now? This time of year out
25 on the water down across there, the balloons down

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1 there for their gear is just wall to wall, just
2 from -- to the rocks right clean to 15 - 16 miles
3 offshore. So, these big vessels coming up in
4 through the gear, what's going to happen in the
5 spring of the year, the fall of the year when these
6 fellows are out fishing trying to make a living and
7 these big boats are coming and turning? What's
8 going to happen to the gear? Who's going to
9 compensate?

10 In your document there's nothing -
11 - you know, there's no mention of what kind of
12 insurance or compensation packages are in place to
13 compensate fishermen. There's no mention. But, to
14 me, that's one of the big concerns of the lobster
15 fishermen that we represent, because there's
16 definitely going to be a huge loss of gear with
17 them big vessels. There's no ifs, ands or buts
18 about it. And once the operation is deemed not
19 profitable or is a failure, who will clean up the
20 mess or remove the terminal? This has all been
21 done before in the Basin.

22 I sat on the Basin Fisheries
23 Association and was president of that association
24 as well, and there's a couple people in the room
25 tonight that was involved in that as well with the

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1 aquaculture that went into the Basin, and we was
2 given promises and told an environmental study was
3 going to be done, currents, everything -- tests,
4 everything was going to be done. A little bit was
5 done, not very much, and what was done was pretty
6 sketchy at best.

7 And they said, "Well, what about
8 when the gear is left behind?", they said, you
9 know, "It costs a lot of money to put that gear in
10 the water, the mooring systems and everything.
11 What's going to happen if that gear is left behind,
12 it's in our way, it's a hazard to navigation if
13 it's abandoned." There's one site on the Port Wade
14 side of the Basin, on the other side of the Basin,
15 where it's been there for over three years. There
16 hasn't been one move made to clean up the mess.
17 Last year a scalloper snarled up in the gear, had
18 it in his blades. I see this year the same thing
19 again.

20 And our lobster boats had people
21 travelling up inside the Basin before daylight in
22 springtime or it's like fog. I mean, it's a mess,
23 and the people who live there on shore are looking
24 at that mess out their back window and there hasn't
25 been one attempt to make it clean -- to have it

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1 cleaned up. There's been protests about it, like
2 in the paper, and articles, and people have been
3 contacted to have things done.

4 So, these are all some of the
5 promises that we were made during this process to
6 get it pushed through and shoved through. And as I
7 said before, a lot of it was predetermined, like we
8 had our meetings but come to find out everything is
9 done behind your back, you think you're having a
10 say in it but you're actually not.

11 So, that is not mentioned either
12 in the document. When the time comes it's
13 abandoned, it's deemed unprofitable, who's going to
14 clean up the mess? Where's the compensation
15 package for the fishermen for lost gear? Where's
16 the compensation package if there is a serious
17 spill or if there's, you know, foreign invaders in
18 the ballast water? Where's the compensation
19 package? How's the fishermen going to be
20 compensated?

21 Nowadays most fishermen run half-
22 million-dollar boats or half-million-dollar
23 enterprises, licenses worth upwards of a million
24 dollars. There's no mention of insurance or
25 compensation in your document anywhere.

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1 So, you know, as you can see, we
2 have a lot of unanswered questions and the
3 questions are very valid questions which need to be
4 taken very seriously. And we've seen the causes of
5 human error, we've seen the mismanagement of
6 groundfish stocks, which all brought the small
7 communities to their knees, and to repeat the same
8 error here is -- the same error this time around is
9 unacceptable. To learn from the error seems only
10 logical.

11 So, as the president of the Bay of
12 Fundy Inshore Fisheries Association, I hereby
13 request that this endeavour be put on hold
14 indefinitely until, at the very least, all
15 questions are answered and answered properly.

16 THE CHAIRPERSON: Mr. Hudson, the
17 way the process will work is I don't think it will
18 be put on hold at the moment, but what'll happen is
19 that the Proponent will be asked to put together
20 this EIS, and in that EIS issues that you've raised
21 -- we will deal with modifying the document. They
22 will put together a document which will say, "This
23 is what we're going to do and this is how it will
24 impact on a wide variety of things."

25 At the time that document comes

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1 forward, you, your organization, will have a chance
2 to see the document and assess it from the context
3 of your particular interests and you can then come
4 to a public meeting, raise these issues, some of
5 those issues can then be given back to the
6 Proponent where they'll have to address them.

7 So, there's a series of steps
8 whereby the things that you've raised, and everyone
9 else in the room and people from the meeting last
10 night as well, can look at it and ask, "Has it been
11 satisfactorily dealt with? Have they touched on
12 the subject of blasting? Have they touched on
13 lobster spawn?" and so forth.

14 So, there are -- that's really
15 what this process is all about, is a series of
16 steps where the interests of the community can be
17 addressed relative to the document, and the
18 document will be what the Proponent has advanced as
19 issues of importance, how they're going to deal
20 with them and so forth, you see.

21 So, I'm not trying to diminish
22 what you've said, but I'm saying I don't think it
23 will stop the process but the process is going to
24 be very public and you'll have another kick at the
25 can, or several kicks at the can, later on as this

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1 process unfolds. This is just the first time for
2 you. Okay?

3 MR. HUDSON: But the point of the
4 matter is, though, we faced the same type of thing
5 in [?] species at risk [?]. We finally find
6 ourselves -- we go to Halifax, you get called to
7 Scotia Fundy meetings on the fixed gear and you
8 find yourself looking down the barrel of a gun with
9 the threats of saying the fishery is going to be
10 shut down in various aspects because of the type of
11 fish they got listed on the endangered species
12 list.

13 THE CHAIRPERSON: Um-hmm.

14 MR. HUDSON: And so the big
15 question of everybody at that Scotia Fundy meeting
16 was, how did it get there? Why weren't we
17 contacted before this species got listed? We're
18 the so-called experts, we're out there every day,
19 we see what is what, we know what's going on. How
20 come we weren't contacted? And it seems to be the
21 same thing in this case as well.

22 We've already gotten -- as you've
23 heard from someone tonight, we've already gotten to
24 this stage. We haven't received -- our association
25 hasn't received a phone call, we haven't been asked

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1 about what the possible implications might be of a
2 terminal sticking out in the water in everybody's
3 way, inevitably in everybody's way. I'm just
4 trying to understand somewhat.

5 THE CHAIRPERSON: Yes.

6 MR. HUDSON: I mean, it's already
7 here, it's gotten this far. But how do things get
8 to this point where it's too late to do anything
9 other than have these meetings and speak and ---

10 THE CHAIRPERSON: But your coming
11 here this evening and raising these issues, having
12 them end up in the transcript and making them
13 public and they will be then conveyed on to the
14 Proponent, it's all a very positive thing. I think
15 you've done exactly the right thing, as other
16 people in the meeting have done as well. So, it's
17 a step. The process is underway.

18 MR. HUDSON: So, in regards to the
19 mention of the compensation and insurance to -- the
20 type of insurance that could be in place for
21 environmental cases like the ballast water bringing
22 a disease and wiping out the lobster stocks, how
23 does them type of things get put into these
24 guidelines?

25 THE CHAIRPERSON: Yes.

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1 MR. HUDSON: Is that something
2 that's going to be put in these guidelines that
3 they got to answer to? Are they going to have to
4 prove to the fishermen that there is a program in
5 place in case something happens? Because the same
6 thing was told to us in the Basin, too, as well
7 when there was concerns of disease spreading from
8 the salmon, the feed, into ---

9 THE CHAIRPERSON: Yes, we
10 understand.

11 MR. HUDSON: And the same thing
12 happened with the lobster larvae in the Basin, and
13 we was told there's nothing ---

14 THE CHAIRPERSON: My colleague has
15 a question for you.

16 DR. MUECKE: I think I very well
17 understand what has happened to you in the past.
18 Actually, you've explained it quite well and I know
19 that it happened to you. I just want to reassure
20 you in this case that there is nothing
21 predetermined. That is to say nobody has made up
22 their mind as to what is going to happen, if
23 anything is going to happen. We are in the process
24 of determining whether anything is going to happen
25 and what is going to happen. So, we are not at a

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1 stage where anything is finalized. So that your
2 input now will be part of determining what is going
3 to happen.

4 So, you're -- this time you're in
5 at the early stage and, you know, your being here
6 is an indication that, you know, you have a -- you
7 know, that your interests will be taken care of
8 this time and will be listened to. We are
9 listening to it.

10 MR. HUDSON: Yes.

11 DR. MUECKE: That's -- I hope I
12 explained myself ---

13 MR. HUDSON: Yeah. Has it been
14 brought up to the Proponents that -- what will
15 happen with these big vessels travelling through
16 all the lobster gear that'll be up and down the
17 bay? Has it been spoke or talked about as to how
18 these ships are going to ---

19 DR. MUECKE: Well, we are in the
20 process of determining that.

21 MR. HUDSON: Yeah.

22 DR. MUECKE: And any information
23 we get on that will be passed on to you.

24 MR. HUDSON: Okay.

25 THE CHAIRPERSON: Jill?

MR. HUDSON - SUBMISSIONS

1 DR. GRANT: Yeah. Just to add to
2 that, the reason we've gotten to this point is
3 because the Proponent has put in a request to have
4 a project approved.

5 MR. HUDSON: Um-hmm.

6 DR. GRANT: So, that is what has
7 happened to this point in time, and now we're in
8 the process of going through to determine what the
9 recommendation will be on whether that project
10 should be approved. The first step is to decide
11 what we need to know before we can do that.

12 So, that's the stage we're at now
13 of the kinds of suggestions you've been making,
14 that yes, we need to know about ballast or whatever
15 the kinds of things that people suggest and then
16 we'll take all that in and try to adjust the
17 guidelines to the point at which we think the
18 important things are being addressed by the
19 Proponent before we go to the next stage.

20 MR. HUDSON: Okay.

21 THE CHAIRPERSON: Are there any
22 additional comments or questions from the audience?
23 Yes. Lucille will be right with you.

24 MR. HAYNES-PATON: Tom Haynes-

25 Paton. A question for you and then a question for
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MR. HUDSON - SUBMISSIONS

1 the Panel. My question for you is, you said that
2 the Bay of Fundy was the place where your
3 association makes its living. Do you include St.
4 Mary's Bay in that definition?

5 MR. HUDSON: Yes. We consider St.
6 Mary's Bay part of the Bay of Fundy, yes. Yeah, we
7 have -- a lot of our fishermen will go and they'll
8 fish the Bay of Fundy shore in the fall, early fall
9 or spring, and then they'll switch over to the Bay
10 of Fundy. So, it's all part and parcel of their
11 livelihood. It's all one and the same to us as to
12 anybody.

13 MR. HAYNES-PATON: That's another
14 definition of Southwest Nova. A question for the
15 Panel. You say that you have walked the earth, the
16 dirt, the land part of the site. Do you plan to
17 walk the water part of the site by going out and
18 perhaps tracing the route that the 620-foot vessels
19 will be following, where they'll stand off, how
20 they will turn, how they will get through the gear?
21 Are you going to experience that as part of your
22 preparation?

23 THE CHAIRPERSON: We haven't
24 discussed that and there are no plans to do that at
25 the moment. It's a possibility. I mean, yours is

MR. HUDSON - SUBMISSIONS

1 the first suggestion that we do that. I can tell
2 you as an oceanographer, I've been here as an
3 oceanographer, which doesn't compare to the day-to-
4 day activities of the fishermen but I do have some
5 seagoing experience in this area, in the Bay of
6 Fundy, off Yarmouth and on the Continental Shelf
7 for many years. But we'll just take your
8 suggestion under advisement. Are there any other
9 comments? If not -- oh, yes?

10 MS. BENGIVENNI: I just have a
11 very simple question. Sorry. I just want to get
12 this gentleman's name, if I may.

13 THE CHAIRPERSON: Oh? Chris
14 Hudson.

15 MR. HUDSON: Chris Hudson.

16 MS. BENGIVENNI: Chris Hudson?

17 THE CHAIRPERSON: Yes.

18 MS. BENGIVENNI: And it's the
19 Inshore Fishermens Association?

20 MR. HUDSON: Yeah, Bay of Fundy
21 Inshore Fishermens Association.

22 MS. BENGIVENNI: Bay of Fundy
23 Inshore Fishermen?

24 MR. HUDSON: Yeah.

25 MS. BENGIVENNI: Thank you very

MR. HUDSON - SUBMISSIONS

1 much.

2 MR. HUDSON: Okay. Thank you.

3 THE CHAIRPERSON: We're going to
4 take a 10-minute break now, and we have one more
5 scheduled speaker. As soon as we come back, we
6 will bring that person forward and then if there
7 are other people in the audience who wish to make
8 some kind of representation, we'll be happy to hear
9 that. This is about 10 minutes. It's a chance to
10 stretch your legs, use the washroom and so forth,
11 and then we'll be back.

12 (10-MINUTE BREAK)

13 THE CHAIRPERSON: Ladies and
14 gentlemen, could I ask you to take your seats,
15 please. Just before we broke I told you we had one
16 more speaker. Actually, we have two. And I'd like
17 to start this session off with a presentation in
18 which there are two individuals for this one
19 presentation, Mr. Warren Paton and Ms. Trudy
20 Bengivenni from Enviro-Clare.

21 MR. HUDSON: Excuse me, just one
22 more thing, if I could, please?

23 THE CHAIRPERSON: Yes.

24 MR. HUDSON: I'd like to formally
25 invite yourselves, the Panel members, out on a trip

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1 on one of our fishing boats to see the actual area
2 out around where the terminal will be going in
3 where all the gear is all on the water right now.
4 So, I'd like to formally invite you to go at your
5 earliest convenience.

6 THE CHAIRPERSON: I've been told
7 by Steve, who is more experienced than I am in the
8 procedures about this, that that's probably a no-no
9 for us because it means the Panel spending their
10 time with one side of this discussion we're having.
11 In other words ---

12 MR. HUDSON: But if you walked
13 down to the cove and you're looking at the land ---

14 THE CHAIRPERSON: We did that
15 independently with no -- just us.

16 MR. HUDSON: Yeah.

17 THE CHAIRPERSON: So, in other
18 words, were we to take a day and to go with the
19 Proponent, then people might find that that's kind
20 of lopsided. So, what we're saying is we'll do our
21 best to be as impartial and independent as
22 possible.

23 MR. HUDSON: We could also argue
24 that you're looking after one side only too if you
25 walked on the land and seen the land where it's
26 going rather than out on the water where the

1 fishermen's biggest concerns are.

2 THE CHAIRPERSON: Well, I'm not
3 going to get into a debate with you. All I'm
4 telling you is ---

5 MR. HUDSON: Okay. In order to be
6 seen from all sides that it should be seen from you
7 need to see what's out there on the water at this
8 time of the year in particular.

9 THE CHAIRPERSON: Yes, all right.

10 DR. MUECKE: Mr. Hudson, we may
11 very well do that but it'll have to be an
12 independent arrangement.

13 MR. HUDSON: Well, that's not a
14 problem. Just contact us and one of the members of
15 our association will be more than happy to take you
16 out.

17 THE CHAIRPERSON: Thank you, Mr.
18 Hudson. Thank you very much for that suggestion.
19 Now, Mr. Paton and Ms. Givenni -- Bengivenni.

20 MS. BENGIVENNI: Bengivenni.

21 THE CHAIRPERSON: Bengivenni.
22 Thank you.

23 MR. PATON: Good evening.

24 THE CHAIRPERSON: So, you're
25 first, are you? Okay.

26 MR. PATON: My name is Warren

1 Paton, I am president of Enviro-Clare, and I would
2 like to introduce Trudy Bengivenni who will be
3 reading our document to you.

4 THE CHAIRPERSON: Okay. Thank
5 you.

6 MS. TRUDY BENGIVENNI -

7 SUBMISSIONS: Thank you. I'm Trudy Bengivenni
8 representing the interests of Enviro-Clare.
9 Enviro-Clare is highly invested in guaranteeing
10 that the democratic rights of citizens and the
11 sovereign powers of the Government of Canada and
12 its regulatory agencies are in no way jeopardized
13 or usurped should this project be approved. To
14 that end, we are addressing any and all areas of
15 the guidelines that mention future scope and impact
16 of this project.

17 Enviro-Clare's overriding concern
18 is the degree of probability that this project, if
19 approved, will provide incentive and license for
20 other multinational corporations to quarry basalt
21 along the remaining length of the deposit running
22 from Digby Neck to Cape Split. We request that the
23 following questions and issues be addressed by this
24 process.

25 What are the long-term political
26 and legal consequences if a permit is issued to the
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MS. BENGIVENNI - SUBMISSIONS

1 Proponent? By granting approval, will the
2 sovereign rights and powers of the Canadian people
3 and our governments be challenged if NAFTA
4 provisions are imposed?

5 Corporations now have the power to
6 override local and national legislation if access
7 to profits, real or projected, is being denied or
8 limited. Are the same departments which have the
9 power to issue permits also empowered to rescind
10 permits? And under what conditions?

11 If our environment protection laws
12 are changed or the Proponent does not comply with
13 conditions of their permit, what recourse may be
14 expected? Once this corporation is able to
15 activate NAFTA privileges, will all levels of
16 government be blocked from exercising appropriate
17 enforcement regulations?

18 If this decision in any way
19 facilitates the dismantling of our federal and
20 provincial powers of governance, then the CEAA, the
21 Canadian Environmental Assessment Agency, should
22 apply the utmost scrutiny to examining the legal
23 precedents already established in the international
24 trade arena.

25 One needs only to look at the
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1 recent history of Monsanto Industries v. Ethyl
2 Corporation who successfully challenged the Supreme
3 Court of Canada, and in the case of Ethyl
4 Corporation carried their grievance to the World
5 Court at The Hague.

6 Such actions are carried out over
7 an extended period of time at immense expense to
8 the taxpayers of this country. We do not believe
9 that such manipulation of our legal system makes
10 optimal use of its intended function, and such
11 actions undermine the autonomy of our judicial
12 bodies.

13 If it is determined that future
14 quarry activities will create a liability to our
15 province and nation which is greater than projected
16 income and benefits to Canadians, good sense and
17 the dedicated citizens standing before you demand
18 that approval not be granted.

19 Further to that, since there is no
20 inalienable or binding legal mechanism that can be
21 applied to the Proponent's permit, we contend that
22 no amount of financial benefit will compensate for
23 the threat to our national sovereignty and our
24 democratic right to enjoy life and liberty as
25 citizens of this country.

MS. BENGIVENNI - SUBMISSIONS

1 Finally, although we have made our
2 best effort to respond to the guidelines, we do so
3 under protest. There is a basic conceptual and
4 moral inconsistency in having the Proponent
5 determine standards or evaluate the experience and
6 values of citizens. As business people, they are
7 naturally driven by the profit motive and have a
8 value system and mindset appropriate to that role,
9 especially in an unprotected scenario replete with
10 potential for exploitation. We can hardly fault
11 them if they choose to take advantage of an
12 opportunity to minimize and undervalue anything
13 that stands in the way of achieving maximum return
14 on their investment.

15 On the other hand, government is
16 intended to be the guardian of the public domain
17 and all the associated rights, values and access to
18 full participation in civil society. We contend
19 that these two value systems are incompatible in
20 terms of establishing conceptual terms of reference
21 or ensuring protection of traditional and core
22 values.

23 As a result, Enviro-Clare is
24 presenting a resolution. The basic principle of
25 our national sovereignty and democratic rights

MS. BENGIVENNI - SUBMISSIONS

1 should first be addressed, articulated and
2 guaranteed secure by our government before we
3 proceed to the next step of considering guidelines
4 or permits for the removal of our community's
5 coastline.

6 In addition, as part of the final
7 stage of this environment assessment process, the
8 completed EIS guidelines and all official
9 recommendations will be given over to the federal
10 and provincial departments of justice for full
11 legal review and commentary, especially with regard
12 to the issues cited above in our resolution.

13 A cost analysis must also be
14 prepared detailing potential expense to federal and
15 provincial governments, i.e., taxpayers, including
16 court costs, payouts to stakeholders and/or the
17 Proponent from liability suits, also costs for yet
18 undetermined environmental cleanup or recovery that
19 may fall outside the Proponent's legal obligations.

20 Now, although I've said all that,
21 we have responded in full to the guidelines. I'm
22 only going to present a couple of the issues that
23 we have concerned ourselves with for the sake of
24 saving time and having a chance for people to
25 respond to what I've said.

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MS. BENGIVENNI - SUBMISSIONS

1 THE CHAIRPERSON: And you'll be
2 passing that more information to ---

3 MS. BENGIVENNI: Well, I had a
4 couple of issues that I wanted to raise this
5 evening here.

6 THE CHAIRPERSON: But the fullness
7 of your response will be given -- passed on to ---

8 MS. BENGIVENNI: Yes, we are --
9 and we have several documents. We have quite a
10 large file, anyway.

11 THE CHAIRPERSON: That's fine.

12 MS. BENGIVENNI: So, I'm just
13 going to answer to a couple of the actual guideline
14 points that we really wanted to address to our
15 communities present here.

16 THE CHAIRPERSON: Sure. Um-hmm.

17 MS. BENGIVENNI: And excuse my
18 back. I appreciate that you're all here. Enviro-
19 Clare's response to the EIS guidelines challenges
20 the definition of temporal and spatial areas of
21 operations which is disproportionate to the
22 potential range of activity and impact from this
23 project.

24 The guideline I first respond to
25 is "The EIS as a Basis for Public Review," and I
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MS. BENGIVENNI - SUBMISSIONS

1 think that our resolution and my initial statements
2 on our rights and sovereignty answer to that as
3 well. I'm responding specifically to section (e)
4 of 2.0:

5 "The location of the
6 proposed undertaking and the
7 nature and sensitivity of
8 the surrounding area."

9 The location of the undertaking
10 must be redefined to included the entire
11 terrestrial and aquatic area of the proposed
12 venture, including the American stateside docking
13 facility, especially if any cargo or ballast will
14 be transported aboard the ships for conveyance
15 and/or deposit at the quarry site.

16 I refer also to Section 5.1, 8.2
17 and 5.3, which we do in our written presentation.

18 Now, the setting also -- Issue 5.1
19 is a description of the geographic setting, and our
20 challenge to that and our request for this to be
21 included in the guidelines; the Proponent must
22 distinguish between the specific site of their
23 proposed installation and the broader geographic
24 setting that that site is part of. For the purpose
25 of identifying and describing natural, social and

MS. BENGIVENNI - SUBMISSIONS

1 economic impact factors, Southwest Nova Scotia up
2 to the head of the Bay of Fundy, including St.
3 Mary's Bay, must be included. This entire area,
4 including Digby Neck, is an integral part of the
5 United Nations UNECSO-designated biosphere reserve,
6 formalized in 2001 and dedicated to the goals of
7 sustainable development and conservation. The
8 biosphere reserve describes beneficial land use and
9 associated values that are recognized globally and
10 sustained locally.

11 And I will interject here that
12 this is a different biosphere reserve than the one
13 being proposed specifically for the Digby Neck
14 area. This is one that already exists.

15 The Proponent is required to
16 describe in detail how their project will impact
17 on, and/or contribute to, advancing the goal of
18 sustainable development in Southwest Nova Scotia as
19 it pertains to the biosphere reserve. In addition,
20 the Proponent must state if and how they intend to
21 cooperate with the multi-sectorial group of
22 stakeholders invested in creating prosperous local
23 economies and healthy communities. This point is
24 further expanded in Section 2.0 and 8.0.

25 I move now into the socioeconomic

MS. BENGIVENNI - SUBMISSIONS

1 development, which is under the designated number
2 of 8.0. The reference to socioeconomic development
3 or socioeconomic environment, first the two sectors
4 need to be separated and described as social and
5 economic environment.

6 In describing the socioeconomic
7 environment, the Proponent must provide information
8 on the functioning and health of the socioeconomic
9 environment encompassing a broad range of matters
10 that affect the people and communities in the study
11 area. That's the focus that the guidelines now
12 state.

13 The Proponent will expand its
14 definition of the social and economic environment
15 to include the entire area of Southwest Nova and
16 provide the following in their written
17 documentation.

18 The statement of objectives and/or
19 operational mandates of diverse groups in the
20 economic development area of Southwest Nova Scotia
21 must be included in the Proponent's description of
22 the social and economic environment. It is worthy
23 of note that all organizations below mirror the
24 sustainable economic development goals and

25 objectives defined by the Canadian Environmental

MS. BENGIVENNI - SUBMISSIONS

1 Assessment Agency. The complete list of partner
2 groups and their mandates will be provided in our
3 written documentation. Among them are:

4 (1) The Western Valley Development
5 Agency, known as WVDA, was formed to promote and
6 support environmentally sustainable development for
7 the regional of Southwest Nova Scotia. They have
8 been named to the United Nations Global Best
9 Practices List by the United Nations Centre for
10 Human Settlements.

11 (2) Digby Municipal Council and
12 the six municipal units of the Western Valley
13 Region.

14 (3) Partnership for the
15 Sustainable Development of Digby Neck and Islands
16 Society. Contacts, Murray Ross and Harold Rowe.

17 (4) The Digby Neck Tourist
18 Association.

19 (5) Enviro-Clare.

20 (6) Nova Scotia Department of
21 Economic Development and Tourism.

22 This is a partial list.

23 Further to that, 8.0, "Existing
24 Environment," determines what is valued by members
25 of the public, and that is what I'm answering to

MS. BENGIVENNI - SUBMISSIONS

1 specifically within that context.

2 How has the Proponent attempted to
3 establish effective communications with the local
4 community and the broader regional community of
5 Southwest Nova Scotia? The guidelines need to be
6 more specific about methods used for approaching
7 and consulting with the public and the results of
8 such efforts.

9 Has the Proponent sought to attend
10 meetings of such organizations as the Digby and
11 Clare Community Health Boards, community fairs,
12 markets, the Digby-Clare Business Development
13 Centre or local historical societies?

14 Enviro-Clare has a sheaf of 50
15 letters to the editor published in 2002 from
16 concerned citizens and local municipal leaders in
17 Digby, which, with the exception of three, are
18 opposed to this type of development. These letters
19 are from a cross-section of the community and
20 represent a broad range of identified values which
21 the Proponent is required to respond to and
22 address.

23 Also, the Proponent should
24 maintain a record of all relevant concerns and
25 responses to them from the registry of documents

MS. BENGIVENNI - SUBMISSIONS

1 now housed at the Digby library.

2 The Proponent should familiarize
3 themselves with persons and groups responsible for
4 Digby Neck being named to the United Nations Most
5 Circumpolar Coping Processes Project in recognition
6 of their visible community capacity to overcome
7 developmental challenges. The Proponent must
8 describe in what way their relationship with the
9 local and regional community reflects and
10 harmonizes with stated values, such as civil
11 society, empowerment and networking. Thank you.

12 THE CHAIRPERSON: Thank you. You
13 touched on so many points I'm overwhelmed.

14 MS. BENGIVENNI: I am, too.

15 THE CHAIRPERSON: Well, I'm
16 overwhelmed in my ability to respond, because
17 there's an awful lot to take in there.

18 MS. BENGIVENNI: Um-hmm.

19 THE CHAIRPERSON: Maybe my
20 colleagues ---

21 DR. GRANT: Yeah. Can I just
22 follow up on your last comment about civil society
23 and empowerment. What do you have in mind there?

24 MS. BENGIVENNI: Okay. That is
25 actually quoted directly from the document that

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MS. BENGIVENNI - SUBMISSIONS

1 identifies Digby Neck as being named to this United
2 Nations Coping Processes Project. It was looking -
3 --

4 UNIDENTIFIED SPEAKER: ... UNESCO.

5 MS. BENGIVENNI: That's part of
6 the -- yes, this is a specific project within --
7 yes, it was a UNESCO project and it was, I assume,
8 directed at seeking models and ways for other
9 communities to respond to their own challenges, and
10 Digby Neck was held up as an excellent model of how
11 that could be accomplished, and there were
12 individuals who I'm certain are still living there
13 who could provide all kinds of information as to
14 what the values are associated with that.

15 And among those that were
16 highlighted by the body that presented that award,
17 they stated values such as civil society,
18 empowerment and networking, which of course are the
19 moving forces that created the success of the
20 community in dealing with its issues around
21 development. Is that ---

22 DR. GRANT: Are you asking ---

23 MS. BENGIVENNI: Does that clarify

24 ---

25 DR. GRANT: No, I want to know

MS. BENGIVENNI - SUBMISSIONS

1 what it is we're to put in -- what it is you're
2 asking that we put in.

3 MS. BENGIVENNI: Oh, the Proponent
4 -- I'm asking that the Proponent describe ways in
5 which their relationship with the local and
6 regional community reflects those values.

7 DR. GRANT: Their relationship --
8 okay.

9 MS. BENGIVENNI: Their
10 relationship with the local and regional community.
11 This is in relation to the sustainable economy and
12 the fact that there is a presence on Digby Neck of
13 a very successful initiative that overcame many
14 obstacles to development. So, I'm sure that this
15 is entirely relevant to establishing local values
16 that the Proponent should be very aware of and also
17 very respectful of.

18 THE CHAIRPERSON: Um-hmm.

19 MS. BENGIVENNI: That's my point.

20 THE CHAIRPERSON: I see.

21 MS. BENGIVENNI: I feel that it's
22 a local body of people who would be very accessible
23 to being approached, and I suggest that they would
24 be approached, must be approached.

25 THE CHAIRPERSON: Gunter? No?

MS. BENGIVENNI - SUBMISSIONS

1 Okay. As I said, there's a lot there for us to
2 digest.

3 MS. BENGIVENNI: I recognize that.

4 THE CHAIRPERSON: Anyone else have
5 anything -- any other comment? So, this document
6 you read from will come to us, but then there's a
7 subsequent document or ---

8 MS. BENGIVENNI: The entire
9 guidelines will be answered to and that will come.

10 THE CHAIRPERSON: Yes.

11 MS. BENGIVENNI: And we have lots
12 of supporting documentation. Some of it we will
13 probably hold in reserve for the next phase, but
14 any document I mentioned that is required to have
15 understanding, for instance, of the members of the
16 network of groups and individuals supporting the
17 sustainable economic development of Southwest Nova
18 Scotia, that will be provided to you.

19 THE CHAIRPERSON: All right.

20 Good. Good. Okay. Yes? Just a moment.

21 MR. RICE: Good day. My name is -
22 --

23 THE CHAIRPERSON: Sorry, go ahead.

24 MR. RICE: I hate microphones. My
25 name is Don Rice, I'm of Bear River. Just to

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MS. BENGIVENNI - SUBMISSIONS

1 support what Trudy is stating, perhaps someone
2 should look into -- the documentary "The Nature of
3 Things" by Dr. David Suzuki, I think, would support
4 what Trudy is presenting here.

5 THE CHAIRPERSON: Which
6 documentary was that?

7 MR. RICE: It was several years
8 ago on "The Nature of Things."

9 THE CHAIRPERSON: Yes, but it had
10 a topic.

11 MR. RICE: Pardon me?

12 THE CHAIRPERSON: On what ---

13 DR. GRANT: A topic?

14 MR. RICE: Specifically on Digby
15 Neck, which would support many of the points that
16 Trudy just raised at the last part of her
17 presentation. I can't remember exactly when it
18 was.

19 THE CHAIRPERSON: Okay. I can
20 look into that and see if I can find it.

21 MR. RICE: Okay.

22 THE CHAIRPERSON: Yeah.

23 MS. BENGIVENNI: Thanks, Don.

24 THE CHAIRPERSON: Oh? Lucille.

25 MR. FARNSWORTH: Yeah, it's Terry

MS. BENGIVENNI - SUBMISSIONS

1 again. I was just wondering if the gentleman who
2 just spoke, if he's referring to "Beyond the
3 Crisis," "The Nature of Things."

4 MR. RICE: Yes.

5 THE CHAIRPERSON: He's nodding his
6 head. "Beyond the Crisis" is the title of "The
7 Nature of Things" program?

8 MR. RICE: That sounds about
9 right.

10 THE CHAIRPERSON: "Beyond the
11 Crisis." All right. Thank you.

12 MR. FARNSWORTH: Thank you.

13 THE CHAIRPERSON: Okay. I guess
14 no one else -- thank you, Ms. ---

15 MS. BENGIVENNI: Bengivenni.

16 THE CHAIRPERSON: --- Bengivenni.
17 It takes a little practice. Okay. We have the
18 final -- the final scheduled individual is Tom
19 Vitiello, who is a councillor for the County of
20 Annapolis.

21 MR. TOM VITIELLO - SUBMISSIONS: I
22 appreciate the introduction but I do come here, I
23 suppose like a lot of us, wearing at least two
24 hats, one as probably a taxpaying citizen who lives
25 in Scarsdale[?] and looks out over the Annapolis

MR. VITIELLO - SUBMISSIONS

1 Basin, and then also as a councillor. So, my
2 remarks, I guess, will flop back and forth between
3 the two.

4 Certainly any card I was going to
5 lay on your table has been more than trumped by Mr.
6 Farnsworth and our immediately previous speaker and
7 also Chris Hudson, who is a gentleman that I know,
8 but I would like to make a couple of comments.

9 First, I do appreciate your
10 process and the three of you -- also your resumes
11 are quite, quite astounding to me, so I at least
12 appreciate that someone has put yourselves in at
13 the head of this table, and, you know, I do have
14 respect for that, so I appreciate it.

15 I have been in touch with Steve
16 back and forth for a year and a half or so just as
17 a councillor, not in any really strong way, but I
18 would just like to say that as a landowner it came
19 to me over the years that I've lived and been
20 associated with that area -- and that's back to
21 when I was a child -- when Mr. Farnsworth got
22 speaking, one of the things he said about, you
23 know, the past and you can't take the past into
24 account -- I don't know really how to say this and
25 make it make sense. It's kind of like asking you

MR. VITIELLO - SUBMISSIONS

1 to go chase a horse that's no longer in my barn.
2 But in the lifetime of the fishermen that Mr.
3 Hudson learned from -- I'll mention Boyd and Irving
4 Littlewood just because he and I know them both so
5 well.

6 In their lifetimes in the
7 Annapolis Basin there were probably a dozen to 15 -
8 - and I may not say the word correctly --
9 androgenous species which were very, very prevalent
10 in that river. They're hardly there anymore.
11 There was striped bass when I was a youngster that
12 you could look out in the river and you could see
13 the striped bass running in packs. There were
14 scallops that were fished in the Basin. There were
15 sturgeon. There was a big shad fishery which has
16 disappeared in the last 10 years, and that's
17 another subject of a board that we were promised
18 would never happen.

19 So, there's an -- I guess my point
20 is that when you start studying what swims by
21 Whites Point Quarry today and what should be
22 swimming by there, what we should be paying
23 attention to over the last 30 to 60 years, a lot of
24 it has disappeared. Now, a lot of it has

25 disappeared at the hands of -- you know, I mean, we

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1 can point our fingers and we can all be guilty -- I
2 mean, you know, at the hands of drag fishing and
3 all sorts of reasons that those certain species are
4 no longer there.

5 But the Annapolis Basin was a
6 proud, proud fishery not that long ago and it
7 distresses me and I -- I haven't been on council
8 all my life but I've -- you know, 20 years or more
9 ago I had never thought of being on council, but
10 when the causeway went in when the tidal power
11 project went in, people tried to say then that
12 certain fish would not make it past that point of
13 time. Well, they didn't really make it, and the
14 numbers are so small now that your board won't even
15 take those species into account.

16 So, if we're going to have a
17 global look at this, if we're going to have a
18 spatial, temporal look at this, do we start today
19 and say, "Well, no need studying striped bass,
20 they're all gone, no need studying sturgeon, hardly
21 any of them swim up the river anymore, no need
22 talking about the shad that ought to be up there,
23 no need talking about the Atlantic salmon that were
24 proud in that river." This is all in all of our
25 lifetimes.

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1 So, I don't know how to ask you to
2 look for that horse that's already out of the barn,
3 but if your database -- if we're going to talk
4 about sustainable development, if we're going to
5 have any hope that sometime on this planet yes, the
6 codfish will be back, yes -- I mean, in the Basin
7 they -- you know, halibut were -- you know, were
8 plentiful, flounder were plentiful, I mean, all of
9 these fish were available in the last four or five
10 decades.

11 So, that's a whole other problem,
12 it's a whole other thing. You know, the barn door
13 is open and the horses have gone, but if we're
14 talking about really sustainability, if we're
15 worrying about this planet -- I mean, I don't worry
16 about it so much because I know that it will win
17 and it will eliminate all warm-blooded species and
18 we'll be gone and the planet will be fine, but if
19 we are going to look at this in some way, how do we
20 only look at the lobster and the few fish that do
21 swim into the Basin anymore?

22 You know, the natives used to fish
23 porpoise right out off -- right between here and my
24 house. There was a big to-do made about that one
25 whale that got up above the causeway this summer as

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1 if it was the first whale in the history of the
2 planet that ever swam up the river. I suspect, you
3 know, he had some genetic memory from 10,000 years
4 ago when whales swam up there and chased herring
5 all the way to Bridgetown and it wasn't an uncommon
6 thing. It was pretty uncommon to see a whale in
7 that Basin. So, I start with that. Then I'll get
8 to my -- the cards that would have been trumped.

9 Annapolis County Council has very
10 simply written a letter that Steve is in receipt of
11 saying that in your spatial boundaries, which are
12 not defined in your study -- in your spatial
13 boundaries we consider the boundaries of Annapolis
14 County, the shoreline of Annapolis County, Parkers
15 Cove, all the way -- I mean, we can't speak for
16 Kings County, but we consider that to be a primary
17 impact area, not up the road, not way out on the
18 edge of the bullseye, we consider that to be ground
19 zero. And Mr. Hudson, when he spoke, he told you
20 why, and so did Mr. Farnsworth.

21 If there's a low, low tide down at
22 the quarry and some non-native species gets loose
23 and it's a big spring tide coming this way, in one
24 tide it's in Chris Hudson's lobster traps and the
25 next day it's in the Basin on the clam flats in

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1 front of my house. So, if something comes in there
2 and kills that clam flat, who's prepared to pay all
3 of the landowners there because their property
4 values are devalued, the clammers, the lobstermen,
5 the people that make a living off of dulce, off of
6 winkles?

7 So, I am just passing it along. I
8 mean, it's on paper. I don't need to come here and
9 say it, but for what it's worth Annapolis County
10 Council considers themselves to be on the bullseye,
11 and it's that simple. So, whatever studies you do,
12 whatever mitigation you provide, whatever -- in
13 your definition of "environment" you have social
14 and -- socioeconomic, cultural is all included in
15 your definition of "environment." We are just
16 saying we're on the bullseye. We can't be
17 otherwise. The tide brings whatever happens there
18 into our backyard overnight. So, I'll leave that
19 point and I'll go on to one other one, and I'll try
20 to let everybody be able to go home on a Friday
21 night.

22 I spoke to Steve about this in one
23 way, and of course we are all here now and have an
24 opportunity to stand up and speak. You folks have
25 an onerous job and I really respect how much effort

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1 everyone is putting into trying to do this, but
2 eventually the sad part of it is that the weight of
3 all this paperwork that you're collecting is going
4 to fall back on us, and there's no way that you can
5 avoid that. But the speech that the lady from
6 Enviro-Clare gave was incredible to me. I sat on a
7 board for a year or so, the board of directors of
8 the Federation of Canadian Municipalities, and the
9 NAFTA implications she was talking about, it's
10 unbelievable.

11 But the board of directors of the
12 Federation of Canadian Municipalities searched
13 around the world to find some lawyers who were
14 qualified enough to sit down and study all the four
15 or five different types of treaties that are going
16 on in that way just to give the board of directors
17 questions they could ask of the Canadian government
18 before the Canadian government went and sat down
19 and agreed to something because of the
20 contradictions within one treaty, contradictions
21 from treaty to treaty, across different panels.

22 So, I guess what I'm saying is
23 there's no way to change this, but all this
24 paperwork is going to eventually -- you're making
25 it public, it's going to come back to us. But who

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1 in this room is going to be able to take this pile
2 of paper and not be buried by it? Now, I don't
3 know how you cure that either, but eventually that
4 becomes an issue in itself.

5 I mean, us having to convince --
6 whatever our opinion may be -- I don't think I've
7 given an opinion here, I'm just saying whatever is
8 decided the weight of the paperwork -- people will
9 have to study it, just everyday people who took
10 their Friday night off to come here. And we
11 appreciate your professionalism, we appreciate you
12 doing it for us, but that's a tough job.

13 So, I don't know how -- in the
14 future I don't know how that can be dealt with. I
15 mean, I don't like to read executive summaries of
16 things because you miss stuff, but this process
17 works hopefully. But is there anybody in this room
18 capable of really reading every report? I mean,
19 who is going to sit down and do all that?
20 Everybody is going to spread it up, but that in and
21 of itself becomes a problem in your process.

22 And I appreciate what you're
23 doing, I appreciate the availability of the
24 paperwork. I just want to pass that along and say
25 that, you know, that's going to be another problem.

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MR. VITIELLO - SUBMISSIONS

1 And if you want to go back and
2 talk to some of those fishermen about what it used
3 to be like around here 40, 50, 60 years ago and
4 what fish swam past where that quarry may be put
5 and swam into the gut and swam up the river into
6 the Annapolis Basin, there are some around and
7 they'll bring tears to your eyes when they tell you
8 of all of the fish that were here then.

9 So, I don't know how you're ever
10 going to take them into account, but if you don't
11 you've missed something. So, thank you.

12 THE CHAIRPERSON: Thank you. Do
13 you have anything you want to ask?

14 DR. GRANT: Were there any
15 specific things that you think we need to add
16 then ---

17 MR. VITIELLO: No. Like I said
18 when I started, I said that ---

19 DR. GRANT: --- other than the
20 extension of the study area?

21 MR. VITIELLO: Well, I said that
22 everyone had long -- you know, my two points were
23 the spatial points and the data points.

24 DR. GRANT: Right. Yes.

25 MR. VITIELLO: I don't know. I'm

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1 challenging you. I don't know how you can take
2 into account what fishery has been depleted already
3 here and is not being spoken for.

4 DR. GRANT: Right.

5 MR. VITIELLO: I mean, there are
6 still a few striped bass in the Basin, there are
7 still a few haddock, halibut. I don't know if
8 there's any codfish. I don't think anybody's
9 fishing them. I don't know. Chris could tell you
10 that. I mean, there are still a few of all those
11 fish around, but, I mean, there are -- I don't know
12 -- there are still a few Atlantic salmon, but
13 nobody's talking about them because their numbers
14 are so small, and I just think that's ---

15 DR. GRANT: Are you suggesting
16 that there should be some question about the
17 potential for recovery of those species?

18 MR. VITIELLO: Well, if we're
19 going to -- if we're not going to -- if we're going
20 to look towards some large horizon, on the horizon
21 40 - 50 years from now if the life of this quarry
22 is 50 years down the road, in 50 years if the
23 quarry wasn't there or who knows what -- I mean,
24 could the world help the codfish, the haddock, the
25 halibut, the striped bass, the Atlantic salmon come

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1 back here? I don't know that. But if we're
2 talking about a lifetime of 50 years or 100 years
3 on a project or just -- I mean, how small do we
4 make -- you know, how small -- I mean, I realize
5 this is a huge undertaking for you. But if we put
6 our glasses on and just stare down at what's there
7 now, I mean, I -- it may sound ridiculous but let
8 me put it this way.

9 If somebody said, "Well, let's go
10 see if the tidal power project is hurting any fish
11 starting today," the answer would be no, because
12 all the fish that it could possibly hurt have been
13 hurt and what fish are possibly left are still kind
14 of making it, you know. But if you went back to
15 the 20 years when it was built, you would find that
16 an awful lot of the fish I just named were
17 stronger. If you go back another 20 years and you
18 take the causeway out of there and put the bridge
19 back, you'll find that half those fish again were
20 in that river.

21 Now, you know, if you want to go
22 back to World War II when after the war -- and I'm
23 not trying to point any fingers here at anybody,
24 but, I mean, we're all guilty of our own sins on
25 this planet. When draggers were first invented,

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1 the Canadian fishermen said, "No, we don't want
2 dragger fishing in our waters," but when the
3 competition got so strong from the European boats,
4 they reluctantly had to agree to do dragger
5 fishing.

6 So, if you go talk to Boyd
7 Littlewood, he'll tell you that in his lifetime
8 he's watched the fishery off his pier, which is
9 right by the habitation -- he's watched the fish in
10 that river, the birds that are alongside. I mean,
11 it hasn't been that long ago -- seven or eight
12 years ago you used to see birds working the water
13 all the time in front of my house and in front of
14 Boyd's. Right now I can't tell you the last time I
15 saw a bunch of gulls working out in what is sort of
16 my front yard. I mean, the heron aren't there
17 anymore, the seagulls aren't there, but Boyd can
18 tell you -- and he'll name the three of four things
19 I just named and point a finger anywhere you want -
20 - fish dragging, the causeway, the grinder, as I
21 call it, are three of the major ones.

22 But now here we are and all of
23 those things have disappeared and so we're starting
24 at ground zero. I just don't know if that's a
25 challenge that you can't handle but somebody has to

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1 remember that in a very short period of time ago
2 there was a lot more whatever, the land of plenty
3 as Boyd calls it, that was going on, and this
4 spatial connection here affects that.

5 THE CHAIRPERSON: Do you have
6 anything? No? Yes?

7 DR. MUECKE: I guess ---

8 MR. VITIELLO: Thank you.

9 DR. MUECKE: --- in a way, if -- I
10 -- well, they're very strong words and many
11 thoughts you put in there, but what you're talking
12 about is the accumulation of effects, basically, an
13 accumulation of past effects and the accumulation
14 of future effects.

15 MR. VITIELLO: Well, the
16 accumulation is one thing but the point is that you
17 are -- I think you are being charged with the idea
18 of starting at a point in time and measuring what
19 the possible effects might be.

20 DR. MUECKE: Um-hmm.

21 MR. VITIELLO: Well, if you went
22 back to when Boyd was a teenager -- and I can go
23 back up to the mike. I don't think anybody's
24 missing hearing me here. If you went back -- if
25 you were charged with the idea of going back to

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1 1930 and saying, "What possibilities forward 70
2 years will there be for fish in this area?", we
3 have to look back 70 years to see what fish were
4 available then. I mean, this is just coming off my
5 tongue as I stand here. Right? I didn't think --
6 you know, I'm just -- it just came to me in the
7 meeting here. But it's a shame to start at a
8 database where, you know, the first 25 things on
9 the list are crossed off.

10 THE CHAIRPERSON: Thank you very
11 much, Mr. Vitiello. Yes?

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12 MS. LANGPOLE: Shirley Langpole.
13
14 And in response to what this gentleman has just
15 said, I'd like to just add one more thing to make
16 that picture full. The Atlantic salmon in Clare,
17 the area -- part of Enviro-Clare where we have
18 membership, we have a man who is working for the
19 Salmon Association and for other organizations and
20 he used to put the salmon into the streams and then
21 there was a moratorium put on it.

22 What I want you to know -- and how
23 is this going to be reflected in the study by the
24 scientists or whatever scientific study is going to
25 be given -- that we now -- Enviro-Clare and a

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1 person in our area has come up with a natural way
2 to neutralize the acid water in our rivers and we
3 have done -- this gentleman has done experiments
4 where we are actually getting the Atlantic salmon
5 to spawn and the river's pH is such that it now can
6 hold the Atlantic salmon.

7 In other words, the horse isn't
8 all out of the barn, there still are horses, but I
9 think these horses are going to be ignored because,
10 how are you going to know -- I don't know the other
11 scientists. This one is known because Saint Mary's
12 University recognizes his work and so does
13 Dalhousie, and so we can give you the proof that
14 there is a hope for the sustainability that we wish
15 for this Southwest region. But who else is doing
16 this at this time? We can't fill in all the blanks
17 and you can't possibly know it, but therein is a
18 question that's a legitimate question.

19 THE CHAIRPERSON: Well, it's not a
20 question we can answer. I mean, in other words ---

21 MS. LANGPOLE: No, but the process
22 -- can the process when they're doing the study of
23 the species?

24 THE CHAIRPERSON: Well, you'll
25 have a chance to see the product of the

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1 environmental impact statement in which the various
2 topics, subject areas, will be treated. As I said
3 earlier this evening, this is an iterative process.
4 The Proponent will put together a document
5 attempting to touch on all these issues that we in
6 our guidelines offer to him as necessary to be
7 touched on. He may touch on more. They may touch
8 on more as well. That document will come forward,
9 you'll have a chance to review it and comment on
10 it, so that if there's something missing or if you
11 feel there's a nuance or something, you can input
12 at that point and then we can follow it from there.

13 So, I can't answer your question.
14 I think all we have to do is put the best possible
15 guidelines together that reflect the interests of
16 the people who drew up the guidelines plus the
17 public input, then let the Proponent go forward.
18 At that point then we get another opportunity to
19 review it. That's the way it is.

20 And so, I mean, yes, we are
21 professionals, but we don't know the answers to all
22 these questions, but there are people in the
23 community who can, in fact, address salmon
24 questions or can address other kinds of questions.

25 Presumably, the Proponent will go to those people

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1 and draw from that resource and they will
2 contribute in a consultative fashion to the
3 document. That's how it's normally done. Yes?
4 We're getting a little off track here, I think, are
5 we?

6 MR. HAYNES-PATON: I'd like to
7 bring it back.

8 THE CHAIRPERSON: Yes.

9 MR. HAYNES-PATON: In light of
10 what the gentleman just said, what Tom just said, I
11 think it's very significant that we can't simply
12 start off from ground zero and say, "How does the
13 quarry affect our life now and tomorrow?"

14 If we view his 30 - 50 years as a
15 period of, let's say, collective sin or collective
16 neglect or collective mistakes on our part, I think
17 we're now in what you might call an age of
18 atonement. We're in a new period of political will
19 and of a higher consciousness about how to deal
20 with the sins of our past.

21 And so as we look at the quarry
22 the question is, as we are now in a new part of a
23 continuum from sin to redemption, if I may use such
24 terms, in atonement or in a remediation period now,
25 where does the quarry fit? Is it an appropriate

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1 act now? Perhaps it was more appropriate 30 years
2 ago in an age of sin and desecration. I don't
3 think it's appropriate to this age and the
4 political will and the consciousness that has been
5 expressed by our fishermen and others.

6 THE CHAIRPERSON: I feel like I'm
7 at a revival meeting. It's a point well taken, and
8 I think others have said much the same thing over
9 the last two evenings in different variations, I
10 think. I think you've said it very eloquently but
11 I think others are saying similar things. So, it's
12 an idea which has come to us and we'll do our best
13 to deal with it.

14 Yes. Now, all the organized --
15 all the pre-registered speakers have stopped. We
16 still have time on our agenda. Any individual who
17 feels that -- here's one gentleman. Others as
18 well, if you wish to come forward and speak.
19 Remember our agenda, we're trying to influence the
20 guidelines rather than just venting on a subject,
21 okay? Please.

22 MR. NETTE: This will be very
23 specific.

24 THE CHAIRPERSON: Identify
25 yourself, please.

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1 MR. NETTE: Adrian Nette from
2 Annapolis Royal.

3 THE CHAIRPERSON: Thank you.

4 MR. NETTE: This will be very
5 specific. In your draft guideline, 5.3 says, "The
6 Proponent."

7 "This section should
8 introduce readers to the
9 Proponent with summary
10 information on the nature of
11 the management structure and
12 organizational..."

13 And they cite three points there.

14 THE CHAIRPERSON: Yes.

15 MR. NETTE: I feel like all along
16 we're dealing with a kind of a ghost ship here,
17 because we hear about Bilcon of Nova Scotia, yet we
18 all know that this material is not for or of Nova
19 Scotia, it has other destinations. In fact, at one
20 of the presentations that Steve did at the WVDA I
21 was asking what is the destination of this, and I
22 think you said you couldn't say. So, I don't know
23 why your hands are tied or your tongue is tied on
24 this one, yet right next to me at the table Mr. [?]

25 pushed a little piece of paper at me saying "New

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1 Jersey." So, it's like everybody knows. But why
2 aren't all the cards on the table right here?

3 So, what I would like to say to
4 clarify in this Section 5.3 is when the Proponent
5 identifies themselves, that they identify
6 themselves, not just the puppet company that they
7 have set up so that if something goes wrong they
8 can just -- it can disappear or that sort of thing.
9 So, if Bilcon Nova Scotia is a reputable company of
10 long standing with good backing and good
11 environmental practices, I would like to hear the
12 history or the track record of who this wonderful
13 company is, that Proponent. If not, I would rather
14 all of the cards lay on the table and know who all
15 of the real players are, the real depth of the
16 thing, because right now ---

17 (APPLAUSE)

18 THE CHAIRPERSON: Yes, that
19 request was made last evening very strongly and
20 it's been made several times as well, so -- and
21 we've taken that under consideration as well. Yes.
22 Yes? Please come forward.

23 MR. TRASK: I'm Fred Trask. I was
24 supposed to speak last night and I didn't.

25 THE CHAIRPERSON: Fred ---

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1 MR. TRASK: Trask.

2 THE CHAIRPERSON: Oh, yes.

3 MR. TRASK: I was supposed to
4 speak last night and didn't. I'd like to speak
5 about our fresh water supply in Little River. [?]
6 mentioned about it last night but not that much.

7 We own the home closest to the
8 quarry that would be most affected and I also own
9 and operate one of the fish plants, and my concerns
10 are I probably will lose my water at my home. It's
11 only a dug well, it's only 18 feet deep. We're
12 just a little over -- I think it's about 150 metres
13 outside of the blast zone for the quarry, and we
14 will definitely lose our water, and we see no signs
15 in any of the guidelines saying that they will
16 compensate us for the loss of our water. And more
17 so is our plant.

18 The fish plant is located down the
19 river, of course, and we've had to go -- the former
20 owners of the plant had to go three-quarters of a
21 mile north toward the mountain in order to get a
22 supply of fresh water to supply the plant, mainly
23 because it's mostly salt water down around the
24 plant, and wells they've drilled they've gone down
25 over 300 feet and all they come up with is salt

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1 water. So, as you go farther north towards the
2 mountain, of course, you get a better supply of
3 water. So, where they start blasting in the bottom
4 of this mountain on the northern side of it, your
5 water table is automatically going to drain. So,
6 where does that leave us? With no water.

7 THE CHAIRPERSON: So, what you're
8 suggesting to us -- within the context of our
9 responsibilities, what you're really saying to us
10 is that we should in the guidelines make it very
11 clear that the Proponent should define the impact
12 of blasting and the proposed quarry activities on
13 the water table and -- on the future water table,
14 assuming that -- in other words, a hydrogeologist
15 would presumably assist the Proponent to define the
16 way this is going to look. You'd get a chance to
17 see that document after the fact.

18 MR. TRASK: I see.

19 THE CHAIRPERSON: And the second
20 thing is you're suggesting that if this were to
21 work unfavourably for you, the question of
22 compensation?

23 MR. TRASK: Well, yeah,
24 definitely. But I don't see how they would
25 compensate a business like ours. We buy product

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1 from Yarmouth all the way up to [?] Haven.

2 THE CHAIRPERSON: Yeah.

3 MR. TRASK: We employ fishermen --
4 last year we employed 283 fishermen and plant
5 workers.

6 THE CHAIRPERSON: Um-hmm.

7 MR. TRASK: Plus we also -- there
8 was another 100 jobs in Prince Edward Island where
9 they process the [?] fish.

10 THE CHAIRPERSON: So, what you're
11 saying then is if you run out of water it's not
12 just an inconvenience ---

13 MR. TRASK: All those jobs are
14 gone.

15 THE CHAIRPERSON: --- they put you
16 out of business?

17 MR. TRASK: All those jobs are
18 gone.

19 THE CHAIRPERSON: Yeah.

20 MR. TRASK: And does it make sense
21 to risk all those jobs for an extra 20? I mean,
22 that's my concern. I don't understand it. Right?

23 THE CHAIRPERSON: Um-hmm.

24 MR. TRASK: So, that's the -- so I
25 think there should be something in the guidelines

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1 based on that.

2 THE CHAIRPERSON: All right.

3 Fine. We'll take that under consideration.

4 MR. TRASK: Okay.

5 THE CHAIRPERSON: Thank you.

6 Anyone else have anything to offer? Please.

7 MS. HALEY: I'm much shorter than
8 the councillor. My name is Faye Haley, I live in
9 Brighton on the Marsh Road or the lower crossroad
10 very few feet above sea level and separated from
11 the power majesty of the -- and the capriciousness
12 sometimes of the Bay of Fundy by a strip of land
13 that is at its widest, I believe, in the vicinity
14 of two and a half miles.

15 Having said that, I want to echo
16 the councillor's statement. I had written down
17 some points, I attended last night's meeting, I'm
18 here tonight, and during the course of these two
19 sessions most of my concerns have been addressed.
20 As a retired teacher, I just want to sum up my
21 understanding.

22 What I'm hearing at these two
23 meetings, I think, can be encapsulated by, pay
24 attention to traditional knowledge, please include
25 the precautionary principle in your considerations,

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1 and lastly -- and this was raised just tonight by
2 the Enviro-Clare presentation -- this is an
3 intensely personal issue in this area, a lot of
4 people think of it as purely a local concern. It
5 clearly is not.

6 We have to get the questions, we
7 have to get the requirements right, because the
8 decision that is made with regard to this proposal
9 has implications under Chapter 11 of the NAFTA
10 agreement which go way beyond Little River, Digby
11 Neck, Digby County or Nova Scotia. They are
12 country-wide. We have to get it right.

13 You are getting a mountain of
14 material. I don't envy you your job, it's a
15 horrendous one but it's critical. Please get it
16 right.

17 THE CHAIRPERSON: Thank you very
18 much. Anyone else? Please.

19 MS. MCCARTHY: I'm Mary McCarthy,
20 I live in Brighton on the shores of St. Mary's Bay
21 and I have a very specific question here. I do
22 intend to give a written submission to this paper.
23 I am not -- the guidelines -- I haven't yet had
24 time to do it, but I do feel that there are certain
25 things that can be conveyed better qualitatively by

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1 speech rather than in writing.

2 So, I was very heartened by page 4
3 of your document, proposed guidelines, draft
4 guidelines, where you speak of the consideration of
5 traditional knowledge.

6 THE CHAIRPERSON: Um-hmm.

7 MS. MCCARTHY: And I do hope that
8 we carry this to -- that the value of it is taken
9 into account, because I've had very sad experience
10 with this at a CLC meeting, a Citizen Liaison
11 Committee meeting, run by the Proponents.

12 THE CHAIRPERSON: Oh, yes.

13 MS. MCCARTHY: There's a
14 heartening statement here in this document which
15 says that collective experience and transmission
16 over generations are important.

17 When I did research on the history
18 and people who lived in Whites Cove, I presented
19 this and I was told by the specialist engaged by
20 the Proponent that a historian is not a scientist
21 but he was. I didn't make the argument with him
22 that I could have worn both hats.

23 So, then that brings me to 4.1(a).

24 So, here you have said -- it's said in the document
25 that the public should have a clear understanding

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1 of the proposed project as early as possible. (a)
2 says:

3 "Continue to provide up-to-
4 date information describing
5 the project to the public."

6 I question the word "continue."
7 Does it mean to continue from where the CLC
8 meetings have been trying to take us, or where does
9 it come from? Continue from where? So, I hope you
10 will illustrate that.

11 And I would like to know whether
12 the studies that were done relevant to the 3.9
13 hectare quarry for which a permit was issued and
14 now, I understand, has been revoked -- are these
15 studies relevant to the large quarry? Can these
16 studies be carried over? Because we, the citizens,
17 have also done a lot of work and we have paid out
18 of our own pocket for these studies.

19 So, I would like some
20 clarification on this. "Continue to provide up-to-
21 date information." Is the Proponent going to open
22 it to the whole community? Because my experience
23 of the CLC meetings was that they were an inner
24 core and an outer core, and if you were not on the
25 attendance list with "CLC Member" after your name,

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1 what information or what questions you brought to
2 the meeting -- you weren't treated very well and,
3 in other words, you were really put down. And I
4 have had experiences and I would like the Panel --
5 if the CLC meetings are relevant, I would be happy
6 if you would go through the CLC meetings and see
7 how we as outside core people got treated.

8 THE CHAIRPERSON: All three of us
9 have read the minutes from all of the CLC meetings
10 so far.

11 MS. MCCARTHY: Yeah.

12 THE CHAIRPERSON: Yes.

13 MS. MCCARTHY: I could quote. And
14 they're not all -- the minutes are not all accurate
15 really. I mean ---

16 THE CHAIRPERSON: Your
17 suggestion -- I think what you're saying, if I
18 understand you correctly, is that your feeling is
19 that the consultation with the community should be
20 as broad as possible, certainly not restricted to
21 the CLC, and that you're asking us to make that
22 clear in the guidelines so that consultation and
23 interaction with the community is requested of the
24 Proponent?

25 MS. MCCARTHY: Right. But I'm

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1 also querying whether the meetings that have taken
2 place with the CLC -- are they relevant to the
3 coming assessment that is going to be done?

4 THE CHAIRPERSON: I'm not sure of
5 the question. Are you asking whether the
6 discussions that have occurred are -- what do you
7 mean by "relevant"?

8 MS. MCCARTHY: I mean, we have
9 been told by the project manager that the studies
10 were being continued, that it was a continuum onto
11 the large quarry. So, I'm asking ---

12 THE CHAIRPERSON: Oh, I see.

13 MS. MCCARTHY: So, I mean, that's
14 fine. I'm making this ---

15 THE CHAIRPERSON: I can't answer
16 that. I guess the only way to determine that is to
17 wait until that EIS is produced. But, I mean, we
18 have to assume that some work that has been done
19 already will be further expanded and built upon for
20 that EIS document.

21 Now, if something has been done at
22 the 3.9 hectare piece and it's useful information,
23 it can be expanded on. I think what you should do
24 perhaps is reserve judgment for when you see that

25 EIS and determine yourself as to whether the

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1 information provided is valuable or useful. I
2 mean, I -- or maybe I'm missing your point.

3 MS. MCCARTHY: Yes. What I really
4 want to know is, are the CLC meetings -- are they
5 valid towards this new project?

6 DR. GRANT: This is a separate
7 process.

8 MS. MCCARTHY: Because to my mind
9 it's a new project.

10 DR. GRANT: It's a new process.

11 MS. MCCARTHY: Pardon? It's a new
12 process?

13 DR. GRANT: It's a new process,
14 yes.

15 MS. MCCARTHY: Yes. So, the CLC -
16 - what transpired at the CLC meetings is not
17 relevant?

18 DR. GRANT: That's right, that
19 happened under the provincial process.

20 MS. MCCARTHY: It's not relevant?

21 DR. GRANT: And it suspended when
22 a permit for the quarry ---

23 MS. MCCARTHY: Yes, that is my
24 question.

25 DR. GRANT: That's my
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1 understanding. Peter, is that your -- yes.

2 THE CHAIRPERSON: Do you have
3 information that the Panel could -- would be --
4 find useful? Is there something that has emerged
5 from the CLC? We have received the minutes and we
6 have read them.

7 MS. MCCARTHY: Right.

8 THE CHAIRPERSON: But is there
9 more than that available that we should be made --
10 apprised of?

11 MS. MCCARTHY: Well, I would like
12 to know, too -- and I don't know how to find this
13 out -- has the -- I have not been able to get the
14 CLC minutes of the meeting where the archaeologist
15 was present.

16 DR. GRANT: I haven't seen those
17 either.

18 MS. MCCARTHY: Have you -- no?

19 THE CHAIRPERSON: No.

20 MS. MCCARTHY: Right. So, that is
21 a point I want to make.

22 THE CHAIRPERSON: We have minutes
23 from about five meetings, I think.

24 MS. MCCARTHY: Yes.

25 THE CHAIRPERSON: Five or six or

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1 four or five, somewhere around that.

2 MS. MCCARTHY: Yeah. There
3 weren't ---

4 THE CHAIRPERSON: And our sense
5 was that there were some missing but we thought
6 perhaps the minutes hadn't been written up.

7 MS. MCCARTHY: That meeting was
8 held on -- in -- let me see -- it was held in 2003,
9 I think it was August, end of August.

10 THE CHAIRPERSON: Well, that --
11 yes, I've seen some from August, I think. I don't
12 remember reading about archaeologists, though.

13 MS. MCCARTHY: Yes. Well, if you
14 had seen the minutes, you'd remember that.

15 THE CHAIRPERSON: Yes. Yes.

16 MS. MCCARTHY: Yeah. So ---

17 THE CHAIRPERSON: I mean, where --
18 if you can access those meetings -- those minutes
19 and ---

20 MS. MCCARTHY: I mean ---

21 THE CHAIRPERSON: You think that -
22 --

23 MS. MCCARTHY: --- I was not
24 officially transcribing them.

25 THE CHAIRPERSON: I see.
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1 MS. MCCARTHY: I have my own
2 notes, yes.

3 THE CHAIRPERSON: I see. Well, we
4 can make an inquiry and see through Steve. Steve
5 can -- and see if it's possible.

6 MS. MCCARTHY: Right.

7 THE CHAIRPERSON: We thought we
8 had them all perhaps, but if we don't, then we'll
9 see if we can get the remainder of them.

10 MS. MCCARTHY: Okay. Thank you
11 very much.

12 THE CHAIRPERSON: You're welcome.
13 Anyone else?

14 Let me just say as a footnote to
15 what we were just discussing that we would -- I
16 mean, if there is information out there, we would
17 like to bring it forward, we would like to see it
18 ourselves, we'll put it in the registry and
19 everyone else can read it. That's the process
20 we're trying to follow.

21 So, anyone else? Any other
22 comment or intervention of any sort? It would
23 appear not. Tomorrow we move to Wolfville. We
24 have a meeting tomorrow between 1:00 and 4:00 in
25 Wolfville at the Horton School, Horton High School

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1 I guess it is, and then after that on Sunday we're
2 going to Meteghan, and we're hoping that by that
3 time we will have received as much input from this
4 community as possible.

5 So, if anyone -- let me just --
6 before I close the meeting, let me say if anyone
7 has anything in writing, coming back to your
8 minutes, or anything else that you think that we
9 can use, please send them to Steve, they will come
10 to us and they will end up in the registry.

11 Thank you all for taking the time
12 Friday evening. Thank you all. Good-bye now.

13
14 --- Whereupon the meeting adjourned at 9:50 p.m. to
15 resume on Saturday, January 8, 2005 at 1:00
16 p.m., at Horton High School in Wolfville, Nova
17 Scotia

18
19 (ADJOURNED TO JANUARY 8, 2005 AT 1:00 P.M.)
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