

# PUBLIC HEARING

## WHITES POINT QUARRY AND MARINE TERMINAL PROJECT

### JOINT REVIEW PANEL

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#### V O L U M E 3

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

PLACE HEARD: Digby, Nova Scotia

DATE HEARD: Tuesday, June 19, 2007

PRESENTERS: -Foreign Affairs and International Trade Cda  
Mr. Gilles Gauthier  
-Nova Scotia Transportation and Public Works  
Mr. Paul Stone  
-Department of National Resources  
Mr. Mike McDonald/ Mr. Hugh Gillis/  
Mr. Mark Elderkin/ Mr. Peter Neily/  
Mr. Don Jones  
-Health Canada  
Ms. Sharon Chard  
-Dianne Thériault  
-Climate Action Now  
Ms. Anna Maria Galante  
-Sister Barbara  
-Sister Bonnie

-Chamber of Mineral Resources of Nova Scotia  
Mr. Gordon Dickie

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Per: Hélène Boudreau-Laforge, CCR

1 Ms. WANDA VANTASSEL: Okay. Thank you.

2 THE CHAIRPERSON: Okay. I think we will  
3 terminate this portion of the afternoon, and we'll move into  
4 the next segment, so perhaps it'll take us two or three  
5 minutes for the gentlemen to collect their things, and then  
6 we'll begin the next segment.

7 Thank you, gentlemen.

8 --- Recess at 3:43 p.m.

9 --- Upon resuming at 3:49 p.m.

10 THE CHAIRPERSON: We have on our schedule  
11 four presentations between now and the end of this session.

12 The first is to be made by Dianne Theriault.

13 Proceed.

14 **PRESENTATION BY MS. DIANNE THÉRIAULT**

15 Ms. DIANNE THERIAULT: Good afternoon. I  
16 want to thank the Panel for giving me the opportunity to  
17 speak today, not an easy task, but a necessary one.

18 My name is Dianne Theriault, and I've  
19 lived on Digby Neck for 35 years. I've owned and operated  
20 Petit Passage Whale Watch for the last 15 years.

21 And I've been involved in community  
22 development for the past 15 years through the Digby Neck  
23 Development Association, the Digby Area Learning  
24 Association, Digby Neck and Islands Ecotourism Committee,  
25 which is now Digby Neck Long and Brier Island Tourism  
26 Association, and the Digby Area Tourism Association.

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1                   In the past, my husband has been  
2 involved in the lobster fishery, and I have now three sons  
3 that are directly involved in lobstering. They all have  
4 expensive licenses that they have to pay for, and they all  
5 have young families to take care of.

6                   I am here today to ask the same  
7 questions that have been asked over and over since this  
8 process has begun, what if.

9                   What if the silt created by the proposed  
10 quarry contaminates the sea beds so as to no longer sustain  
11 the lobster and the scallop fishery in this area?

12                   Most families along Digby Neck are  
13 connected to these fisheries in some aspects, either on land  
14 or on the boats.

15                   What if ship strikes kill whales? Now  
16 that the shipping lane has been moved closer to Nova Scotia,  
17 there's a greater risk to whales. Whales frequent the Bay  
18 of Fundy shore from Brier Island to the Digby Gut, following  
19 the herring that come into the Bay.

20                   Large ocean-going vessels have little  
21 chance to stop if they come upon a pod of whales feeding.  
22 Humpback whales frequently bubble feed along in groups of  
23 eight to 10 along the shore of Digby Neck.

24                   What if blasting causes whales and birds  
25 to move elsewhere? Tourism has become a vital economic  
26 bridge for many people involved in the local seasonal

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1 fishery.

2                   The local economy cannot withstand the  
3 displacements of any jobs. Jobs promised by the proposed  
4 quarry are few in comparison to those that will be affected  
5 in tourism and the fishery.

6                   What if the water table in the  
7 surrounding area is diverted because of blasting at Whites  
8 Cove? My eldest son told me that his greatest fear is that  
9 of ballast water.

10                   Destructive organisms could be brought  
11 here. Then what happens to the ecosystems in the local  
12 waters and beyond?

13                   These questions, along with many others,  
14 should absolutely trigger the precautionary principle part  
15 of the **Oceans Act** and law of this land.

16                   More questions. How does the principle  
17 fit into this process? When will it fit in, if it does?  
18 And these are questions that the community needs answers  
19 to.

20                   Tourism, as with any industry, is  
21 cyclical. Our numbers have dropped in the years following  
22 911. We have, in the past, depended on markets from the  
23 eastern United States, and these markets have diminished,  
24 but others in Europe and western Canada loom large.

25                   The nature of the business and the drop  
26 in numbers, along with the lure of jobs in Alberta have led

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1 some to believe that tourism is in a state of decline along  
2 Digby Neck and the Islands.

3                   Well, just go ask Ruggles Guest Cottage  
4 on Long Island, who just opened another cottage this year.  
5 They've been in business for the past 10 years, and they  
6 have expanded.

7                   Perhaps one should speak to the owners  
8 of the new establishments on Brier Island, the Lighthouse  
9 Cafe and Hooking By the Sea retreats to ask where they feel  
10 tourism is headed.

11                   On Digby Neck, visit Autoview Camping  
12 Cabins in Little River and Gullivers Cove Oceanview  
13 Cottages, all new businesses this year.

14                   Tourism in this area is relatively new  
15 and somewhat fragile. The impact of a mega-quarry would be  
16 devastating.

17                   Along with the economics for this area,  
18 the Panel should consider the social impact of the proposed  
19 quarry. There are little yardsticks to measure the changes  
20 that have been imposed on our community.

21                   This issue of the proposed quarry has  
22 put family against family, neighbour against neighbour, and  
23 imported an air of confrontation among community members.

24                   The uncertainties of the issues  
25 surrounding the proposed quarry have already caused wedges  
26 to be embedded in our community's social structure. The

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1 Proponent's signs claim a step forward. For whom?

2 The signs are placed at driveways that  
3 lead nowhere, and on lawns with houses where no one has  
4 lived for ever since I've been on the Neck, and these are  
5 laughable to the locals.

6 I would like to relate a story about a  
7 young man that lives on Digby Neck and runs a small business  
8 with his family. I do business with him through my whale  
9 watch, and for the longest time he had a "Stop the Quarry"  
10 sign on his lawn.

11 It has come to light recently that he  
12 has sold his home to Bilcon and now is building a new,  
13 larger home called a mansion by one with the bills being  
14 paid by Bilcon, the Proponents.

15 For the longest while, I was in a  
16 dilemma, trying to decide whether I should continue doing  
17 business with him. By stopping, I would show my discontent.  
18 I was in a real quandary, but after some thought, I came to  
19 the conclusion that one cannot blame anyone for trying to do  
20 better for their family.

21 He's young. He's trying to get ahead.  
22 He has a young family he's trying to take care of.

23 The proposed quarry company has watched  
24 for this opportunity. They have come in and made offers too  
25 good to turn down, knowing some will grab on, the young  
26 ones, the vulnerable ones.

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1                   This young man is already labelled as  
2 one who has been bought off by the quarry. This is  
3 something that will stay with him a long, long time in this  
4 small community.

5                   Ask the local gas station owners about  
6 the reaction by the community because they have placed a  
7 "Support the Quarry" sign on their property. It seems  
8 whether the quarry goes or not, their legacy is already  
9 established.

10                  Some in this community will win, and  
11 some will lose. The wedge is deep.

12                  Is it right that a foreign company can  
13 come here, take away our land, leave us with nothing but a  
14 sense of frustration and uncertainty on both sides of this  
15 issue?

16                  When I look back at the past five years  
17 and see the energy and the resources spent on the fight  
18 against the proposed quarry, I think all that could have  
19 been done with the money and the community planning. I feel  
20 that we have already been stripped of our resources.

21                  If I may, I would like to ask a  
22 question.

23                  Why is Bilcon trying to buy so much  
24 property in Little River? They already control the property  
25 where the quarry is located. Why is it necessary to buy

1 more?

2                                   And if the Panel has no more questions  
3 for me, I would conclude my presentation with just a note  
4 that there has been a coastal linear trail talked about in  
5 years gone by by our local Tourism Associations and our  
6 Development Associations, and we even submitted a plan to  
7 the Department of Tourism at one time, but the cost of it  
8 was prohibitive and they turned us down.

9                                   But there is talk. There has been talk  
10 about that for some years.

11                                   So if you have any questions...

12                                   THE CHAIRPERSON: Thank you, Ms.  
13 Thériault.

14 **PRESENTATION BY Ms. DIANNE THÉRIAULT - QUESTIONS BY THE**  
15 **PANEL**

16                                   Ms. JILL GRANT: Just one question, Ms.  
17 Theriault.

18                                   Do you think there are any ways in which  
19 regulators can address some of the concerns that you've  
20 raised here today in terms of, you know, mitigation for this  
21 project or any of the effects that you're talking about,  
22 ones that could be addressed through mitigations?

23                                   Ms. DIANNE THERIAULT: I think that the  
24 issue of the quarry has split the community so widely that,  
25 for mitigation to occur, to try and to fix it, it would

1 almost seem that it would be weighted on one side or the  
2 other, and I don't see...

3 I would be at a loss to try and tell you  
4 what that means of mitigation might be.

5 Mr. GUNTER MUECKE: Yes. You asked a  
6 question about the buying out properties, and I would like  
7 Bilcon to respond to that.

8 Mr. PAUL BUXTON: I can respond to the  
9 specific reference if you would like me to, or be more  
10 general.

11 Mr. GUNTER MUECKE: Maybe both.

12 Mr. PAUL BUXTON: If we talk properties  
13 with buildings on them, I can say that the property then  
14 belonging to Rex Trask was acquired by Bilcon as a result of  
15 Mr. Trask coming into our office and indicating that he and  
16 his wife wished to move to Truro and would we have any  
17 interest in purchasing his property.

18 In fact, it's probably a little outside  
19 of our proposed perhaps effects, if you like, but we said:  
20 "Yes, we would like to talk about it." We suggested that he  
21 get an appraisal of his property, and come in with the  
22 appraisal.

23 And we negotiated. He got a very fair  
24 price, was very satisfied. He's living in the house now for  
25 as long as he basically wants to live in it. He has not

1 been displaced.

2 He's paying, I think, \$150 a month rent,  
3 and they're able to move to Truro when certain events happen  
4 in the family.

5 The next-door neighbour, I would  
6 suppose, heard of this and again, suggested that we might  
7 buy his property because he wanted to build a new house on a  
8 parcel of land that he had further up Digby Neck.

9 And again, we went through the process  
10 of asking him to get an appraisal and we agreed on a price.  
11 And we bought the property immediately.

12 He will live in the property rent free  
13 until his new house is complete.

14 The property to the north of Whites Cove  
15 Road came on the market. We made an offer of the full  
16 market value for the property. We then got a request from  
17 the seller that we close within 15 days because there was a  
18 very significant demand for money for health purposes, and  
19 we paid for the building, for the property within 15 days.

20 Land has been offered to us, and we...  
21 If it provides buffer, we have picked up all the parcels of  
22 land adjacent to the quarry that have been offered to us.  
23 But we have not gone on a door-to-door campaign to buy  
24 property.

25 We have negotiated with another couple

1 of property owners in the area, and have so far failed to  
2 come to an agreement with them.

3 Is that of sufficient explanation for  
4 you?

5 THE CHAIRPERSON: Yes, thank you.

6 Mr. Buxton, do you have any questions  
7 for Ms. Thériault?

8 **PRESENTATION BY Ms. DIANNE THÉRIAULT: QUESTIONS BY THE**  
9 **PROPONENT**

10 Mr. PAUL BUXTON: One in general, and  
11 that is if Mrs. Theriault felt so strongly about this  
12 project, why she didn't come to meetings and express her  
13 views to us? Obviously they're very strong views.

14 But we have had many, many opportunities  
15 to get comments from the public. We had a public meeting on  
16 May the 3<sup>rd</sup>, not very long ago. 100 people attended.

17 And people have raised concerns to us,  
18 specific concerns, noise and air and so on, water quality  
19 and quantity, and we have made every attempt to deal with  
20 these.

21 And I'm a little puzzled to understand  
22 why somebody has all these objections and commentary and did  
23 not make their views known to the company.

24 THE CHAIRPERSON: Thank you. Is there a  
25 question from the audience?

1 Did you want to answer, Ms. Theriault?

2 Ms. DIANNE THERIAULT: I certainly will.

3 I feel that, number one, probably 90 percent of the people  
4 know in this room that my husband is the MLA, and for those  
5 that don't, they do now.

6 And there is a sense in our household  
7 that we stay clear of... Or that I'm to stay clear of  
8 issues that are so strongly put forward in the community,  
9 and that's why, to show that we don't have... That we are  
10 not on one side or the other.

11 I do have a "Stop the Quarry" sign on my  
12 lawn, and... But that's the main reason why I haven't been  
13 to any of the public meetings.

14 I don't feel that meetings that were put  
15 on by Bilcon is the place that I want to be seen. It says  
16 that... It has the connotation that you are in support of  
17 the quarry, and that's the reason why I didn't attend your  
18 meetings.

19 THE CHAIRPERSON: Thank you, Ms.  
20 Theriault. We're going to move on to the next presenter  
21 now.

22 That would be Climate Action Now, Anna-  
23 Maria Galante.

24 **PRESENTATION BY CLIMATE ACTION NOW - Ms. ANNA-MARIA GALANTE:**

25 Ms. ANNA-MARIA GALANTE: Thank you very

1 much for allowing me the opportunity to come and speak to  
2 you. My name is Anna-Maria Galante, and I am the  
3 facilitator of a grassroots citizens group that has been  
4 involved in activities to raise awareness about climate  
5 change.

6                   And I'd like to say right off the bat  
7 that the GHG emissions that we're dealing with here aren't  
8 so terribly, awfully bad, at least not compared to some  
9 terribly awfully bad things that we already have going on in  
10 our Province. But I think because the reality that now  
11 involves a whole lot more public awareness has changed, I  
12 think we need to bring a fairly critical eye to any  
13 proposals for business in our Province, and we need to bring  
14 this aspect to bear in the EISs that are done, to a greater  
15 degree.

16                   So I'd like to jump in right away and  
17 address the issue of the mining sector's GHG emissions,  
18 because one of the first things I did was to go to  
19 Environment Canada's National Inventory that it keeps on  
20 greenhouse gasses, and it's broken down by Province, and  
21 Nova Scotia's mining sector, the data goes back to 1990, and  
22 it has grown quite steadily.

23                   The most recent figure in the chart that  
24 I have here is for 53,000 tonnes of carbon emission that  
25 year.