WHITES POINT QUARRY AND MARINE TERMINAL PROJECT
JOINT REVIEW PANEL

SCOPING MEETING #1

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

PLACE HEARD: Sandy Cove, Nova Scotia

DATE HEARD: Thursday, January 6, 2005

SECRETARIAT: Mr. Stephen Chapman, CRAA
              Ms. Lucille Jamaull, CEAA
              Mr. Peter Geddes, NBU

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MR. OUTHOUSE: Looking at my watch, I think we're running a bit behind time.

THE CHAIRPERSON: Well, Mr.-

MR. LAURENCE OUTHOUSE - SUBMISSIONS:

I want to talk about -- I first of all thank you for the opportunity to speak to you. I want to talk about the Section 3 of your Guidelines, "Traditional Knowledge." And it has been mentioned briefly earlier by Tony Kelly.

The Draft Guideline gives a brief description of traditional knowledge and its need to be considered in preparing the EIS. As presented, this refers only to the traditional knowledge of aboriginal people of the area. I do not wish to take anything away from the knowledge of the Mi'kmaq, who have lived in this area much longer than any of the European settlers.

However, the families of these European settlers must now be considered to be indigenous to the area. To ensure the traditional knowledge available in this area is used, it is essential that the knowledge of these indigenous residents be utilized in the environmental assessment, and I would assume that the failure to
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SCOPING MEETING #3

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

PLACE HEARD: Wolfville, Nova Scotia

DATE HEARD: Saturday, January 8, 2005

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


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MR. CORBETT - SUBMISSION

don't think they are. I think these are people who
have not only a beloved place that they have
traditional long-term multiple generation
attachment to, they also have a place where they
can make a decent living, and have made a decent
living for a considerable time.

So, I would like to propose a
couple of things around the Environmental
Assessment Guidelines that you're using.

It's first of all my sense that
the guidelines of this inquiry have to be broadened
or should be broadened to incorporate accounts that
document traditional knowledge, oral traditions,
life ways, I'm going to use the word "spiritual"
connections in probably a similar way to the way
that Mr. Fisher used the word "beloved", spiritual
connections held by residents of the community
immediately and profoundly impacted by the proposed
 quarry development, particularly Whale Cove, Mink
 Cove and Little River.

I would argue that Article 3.0 in
the Draft Guidelines which focuses on Aboriginal
knowledge and the deep connection between people
and place ought to be considered as a model,
opening up this inquiry to a broad range of data
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PLACE HEARD: Sandy Cove, Nova Scotia

DATE HEARD: Thursday, January 6, 2005

SECRETARIAT: Mr. Stephen Chapman, CIIA
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EIS Guidelines represent components drawn together
from national guidance, from provincial guidance
and materials from previous panel reviews, but we
feel there's considerable room for improvement with
these Guidelines. From this point forward in the
process, we encourage the panel members to take
ownership of these Guidelines and revise the
Guidelines to reflect their considerable expertise
and experience with environmental assessments.

The Society believes that
sustainable development and the fundamental
principles of sustainability, particularly the
precautionary principle, are missing or absent from
the Draft Guidelines at present. Previous panel
reviews, particularly the panel review for the
Voisey's Bay mine and the panel review for the Red
Hill Creek Expressway, have explicitly recognized
the importance of sustainable development in the
environmental assessment and provided their own
interpretation of the role of sustainable
development and some of its key principles.

The approach that these panel
reviews have taken -- has taken have helped provide
clear direction to the Proponent on what the panel
expected and how the environmental assessment
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 Muscker, Member

PLACE HEARD: Digby, Nova Scotia

DATE HEARD: Friday, January 7, 2005

SECRETARIAT: Mr. Stephen Chapman, CEA
              Ms. Lucille Jamault, CEA
              Mr. Peter Geddes, NEEL

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next individual is Tom Haynes-Paton from the Council of Canadians. Good evening.

MR. TOM HAYNES-PATON -

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

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

The United States has not signed the Kyoto Accord regarding greenhouse gas emissions. The Proprietors don't have to worry

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MR. MIKE CORBETT - submission

AUDIENCE - SUBMISSIONS

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can't even predict where we're going to be, and I ask, you know, really to consider that.

When we look back at what -- you know, where we were even thirteen years ago when NAFTA came into effect under Mulroney, you know, since then we've only had two environmental laws at the federal level come into effect, and I would like to add that both of those, one of them -- both of them were rejected under NAFTA Chapter 11.

The first one was repealed and the Canadian taxpayers paid out thirteen million dollars ($13 million) to an American corporation for that. And the second is still under monetary consideration for that.

You know, the environmental laws

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THE CHAIRPERSON: Could I interrupt? Is this heading towards a question?

MR. DUCHAVICH: Yes, it is.

THE CHAIRPERSON: All right.

MR. DUCHAVICH: You know, in short, Chapter 11 can really significantly undermine the effects, you know, new laws and regulations that come up in the public interest, in particular in regard to protecting the environment.
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have anything more verbal?

MS BENGIVENNI: No, I don't have

anything to say unless someone has questions.

THE CHAIRPERSON: Let's just see

if we have any questions further.

DR. GRANT: Just a bit of a

clarification about the temporal and spatial

boundaries.

Are you suggesting anything

specific about how those should be extended?

MS BENGIVENNI: Well, I think when

I send my final documentation I see where I need to

clarify more.

My concern -- I guess that would

fall into the concern about NAFTA because the

current project would, of course, not indicate that

there's any risk to the ancestral lands of the

Acadians or the Mi'kmaq Métis people, but further

encroachment -- we cannot prevent further

encroachment once the company is permitted to do

this, so it goes beyond -- this is the future scope

of potential further development which we would not

have any control over once NAFTA regulations are

imposed.

In other words, we could be sued

at the World Court or even through the Supreme
Court of Canada that would prevent even regulatory
issues being enforced.

So my concern is that the land be
valued because I don't think it's generally known
to people beyond the boundaries, perhaps, of Nova
Scotia because I'm really concerned as to why a
federally produced document didn't include the
Acadians.

And I'm -- I will not address that
at this time.

DR. GRANT: It just -- a
clarification in terms of the information that the
professor from ---

MS BENGIVENNI: Professor Lavois
from University Ste-Anne?

DR. GRANT: Yes. Certainly you
might encourage that material to be submitted to
the public registry.

We don't really have a mandate to
go out looking for information.

MS BENGIVENNI: Well, this was to
be directed to the proponent, then, I guess,
whoever would be responsible to pursue the
knowledge of traditional values and community