



FRIENDS OF THE NORTHUMBERLAND STRAIT

friendsofthenorthumberlandstrait.ca | info@friendsofthenorthumberland.ca

October 19, 2020

Holly Palmer
Monitor of the Petitioners
Ernst & Young Inc.
Holly.palmer@ca.ey.com

Dear Ms. Palmer:

Re: Northern Pulp Nova Scotia Corporation et al

I am writing on behalf of Friends of the Northumberland Strait (FONS) to express our concerns that some of the information presented to the Supreme Court of British Columbia is inaccurate and/or misleading, and that some of the loan conditions and timelines set out in Bruce Chapman's Affidavit #4, sworn to on July 17, 2020, are not consistent with the provincial and federal environmental assessment legislation by which Northern Pulp's proposed new effluent treatment facility (ETF) must be approved.

The issues I will address in this letter relate principally to three points:

1. The barriers that continue to exist to Northern Pulp receiving approval for its proposed new effluent treatment facility.
2. Whether those barriers can be overcome in the timeframes outlined in the loan conditions and milestones, and
3. Whether the loan condition timelines presented to the Court are consistent with provincial and federal environmental assessment legislation and regulations.

I will also touch on the characterization of the economic impact of Northern Pulp's closure on surrounding communities which has been presented to the Court in affidavits from Northern Pulp/PEC and Unifor.

FONS Involvement with Northern Pulp replacement ETF proposal

FONS is a community organization formed in 2017. FONS's members joined together in October, 2017 after Northern Pulp announced plans for a new ETF. We shared concerns about the potential environmental and health impacts of Northern Pulp's proposed new ETF, as well as its potential negative economic impact on the lucrative fisheries of the Northumberland Strait, which are critical to the economies of Nova Scotia, New Brunswick and PEI. FONS has been engaged in every stage of public evaluation of Northern Pulp's project over the past three years. I have served as President of FONS during that time. Our members are all volunteers.

At the initial stage of the Environmental Assessment process, FONS, through our lawyers from Ecojustice, made a submission of over 1000 pages in response to the registration document filed by Northern Pulp. Our submission included expert evidence,¹ and we argued that on

¹ https://novascotia.ca/nse/ea/Replacement_Effluent_Treatment_Facility_Project/

multiple points Northern Pulp had not submitted information to establish that the proposed project would not harm the environment or human health. We agreed with the decision of Minister of Environment Margaret Miller on March 29, 2019 not to approve the project and to ask for more information in a Focus Report.

In November, 2019, we made a second submission in response to Northern Pulp's Focus Report. This submission contained additional expert evidence² as well as a lengthy examination of information which we believed to be incomplete or inaccurate in the Focus Report. Again, we agreed with the decision of Minister of Environment Gordon Wilson on 17 December, 2019, that Northern Pulp had not met environmental standards for approval of the project and that additional information was required in an EAR.³

Provincial legislation allows for public input in response to Draft Terms of Reference (TOR) for an Environmental Assessment Report, and FONS again made a submission.⁴ FONS felt that the TOR were clear and covered essential points and suggested a number of additions that we felt would strengthen the TOR further.

At every point that public participation was allowed in the EA process, FONS has educated ourselves, sought expert advice, and made submissions. We have become very familiar with the information submitted by Northern Pulp, and with the requirements of the EA process.

Barriers to public engagement

The barriers to public engagement that we have experienced have come from Northern Pulp. We would like to point to three examples.

1. Northern Pulp held one series of public open houses on their original ETF proposal. That proposal was dropped by Northern Pulp in July 2018 (as stated in Chapman Affidavit #4), because it was found to be unworkable - for reasons that had been pointed out to the company by members of the public 6 months previously. In October 2018, Northern Pulp put forward a significantly different proposal. The second proposal involved new elements, including running the effluent pipe 10 km on land through the Town of Pictou watershed and 4 km through a protected marine area, and discharging in a location where herring spawn. Northern Pulp did not hold any public open houses on the new proposal, although they had committed to do so, and were asked to do so by our organization and others.⁵
2. Northern Pulp was required to include in its Focus Report (round 2 of the EA process) responses to questions raised by the public to its initial document, as well as responses to specific points outlined by the Department of Environment. FONS, along with other organizations and individuals pointed out in our submissions to the Focus Report that our questions, and the Minister of Environment's questions, had not been satisfactorily

² https://static.wixstatic.com/ugd/b61814_834efc603e0a4c9db1fb84516b218680.pdf

³ https://novascotia.ca/nse/ea/Replacement_Effluent_Treatment_Facility_Project/Northern-Pulp-Minister-Decision-December-17-2019.pdf

⁴ https://novascotia.ca/nse/ea/Replacement_Effluent_Treatment_Facility_Project/comments-focus-report/Public_Comments_1_through_25_Combined_Redacted.pdf

⁵ <https://pictouadvocate.com/2019/01/10/fons-says-northern-pulp-reneges-on-commitment-to-hold-open-houses-before-filing-new-plan-for-environmental-assessment/>

answered. The TOR for the EAR addressed this issue and directed Northern Pulp to respond to issues raised by the public in its EAR.⁶

3. In the legislated Nova Scotia environmental assessment process, the public has 30 days to respond to material presented by the proponent. Northern Pulp submitted 1734 pages of documentation in its registration document, much of it highly technical. In the TOR for NP's Focus Report, the Minister of Environment suggested that Northern Pulp make results of its new studies available to the public as they were completed, to allow more time for the public to review the materials.

It is strongly recommended that NPNS continues to engage with relevant stakeholders and the Mi'kmaq including Pictou Landing First Nation, and to share relevant studies and reports. (TOR, Focus Report)

Our organization and others asked Northern Pulp to provide us with the completed studies. The Working Group representing 3,000 fishermen, whose industry was potentially jeopardized by Northern Pulp's proposal, notified the media on 5 September, 2019 of their frustrations in not receiving any reports from the company⁷ in spite of the Minister of Environment's recommendation. Northern Pulp made only one document public, two weeks before submitting its Focus Report. The Focus Report filed by Northern Pulp was over 2600 pages long, including appendixes.

Northern Pulp's proposed CLC - A Broadened Discussion?

In Affidavit #6, Exhibit A, p 5, Mr. Chapman describes NP's proposed 100 Day Environmental Public Participation process as "a new scope of stakeholder engagement that broadens the discussion to community environmental issues." Mr. Chapman also states that, "To date for example stakeholders have identified air emissions and pulping technology, in addition to wastewater treatment as being issues." This statement might lead the court to believe that these are the only issues which have been raised by the public. This is far from accurate.

We believe these statements are is misleading in two major ways.

First, the Environmental Assessment process to date has already had a very broad scope. There was opportunity through this process for members of the public to raise any environmental issues they believed might arise from Northern Pulp's proposed new ETF.

A wide range of issues were raised, including risks to the Town of Pictou watershed, issues relating to leak detection and prevention, potential impacts of running the marine portion of

⁶https://www.novascotia.ca/nse/ea/Replacement_Effluent_Treatment_Facility_Project/Final_TOR_for_EA_NPNS ETF_Version_10_april_2020.pdf

The information obtained under subsection 19(2) shall be prepared taking into consideration comments from:

- the public;
- departments of Government;
- the Government of Canada and its agencies;
- municipalities in the vicinity of the undertaking or in which the undertaking is located;
- any affected aboriginal people or cultural community; and
- neighbouring jurisdictions to Nova Scotia in the vicinity of the undertaking.

In preparing the EA Report, Northern Pulp shall refer to comments from the above-noted parties during the EA review of both the EARD and the Focus Report submitted by Northern Pulp to NSE, as well as this Terms of Reference prepared by NSE, to identify and include the supplementary information required to provide a comprehensive and complete assessment of the potential effects of the Project

⁷ <https://www.thechronicleherald.ca/news/provincial/fishermen-want-to-see-studies-from-northern-pulp-351958/>

the effluent pipe through a marine protected area, risk of damage to the marine portion of the effluent pipe from ice scour and ice grounding, cumulative impacts of contaminants in discharged effluent, risks of sedimentation build up from discharged effluent, potential release of existing on-site mercury contamination through construction of the new facility, the impact of residual contaminants in effluent on lobster, expert opinion that Northern Pulp's documentation was not based on appropriate modeling of effluent dispersion leading to incorrect conclusions on environmental impacts and many more issues, covering a range of areas of expertise. Errors of fact were noted by members of the public, by organizations including our own, and by federal government departments. We refer you to an opinion piece⁸ from FONS with short summaries from a number of experts who raised significant risk issues in their submissions in response to the Focus Report. All responses to the Focus Report are available on the Nova Scotia Environment website page for Northern Pulp's project.⁹

In explaining his decision to neither accept or reject NP's proposal based on its Focus Report, but to require more information in the form of an Environmental Assessment Report, Minister of Environment Gordon Wilson stated,

“While I appreciate the work that has gone into the focus report, there is more to do,” said Wilson. “The company has identified potential air pollutants and made progress on the baseline survey of freshwater fish. It is of the utmost importance to adequately assess the way this project might impact fish and fish habitat. There must be a very detailed plan to address the impact a leak [in the pipeline carrying treated effluent] could have on the Town of Pictou's water supply. I also have questions about air emissions. An environmental assessment report will be expected to address all these issues, and others, to be successful.”

Second, we would like to point out to the court that public engagement in the first and second stages of the Environmental Assessment Process has been extremely high, far beyond normal for an environmental assessment process. Over 900 people submitted comments during the first round of the environmental assessment of Northern Pulp's proposed replacement ETF. In response to Northern Pulp's Focus Report (the second round), over 6,000 pages of comments from 3,254 people were submitted. All submissions were available to the public on the NSE page for the project https://novascotia.ca/nse/ea/Replacement_Effluent_Treatment_Facility_Project/ at each stage after the Minister made his decision.¹⁰

Submissions came from individuals, organizations including the Fishermen's Working Group representing over 3000 fishermen from NS, NP and PEI, the First Nation community of Pictou Landing First Nation, the Town of Pictou and many independent experts. In addition, provincial government departments and five federal government departments including Health Canada, DFO, Environment and Climate Change Canada and Transport Canada were involved in the process.

We would like the Court to be aware that the CLC process that Northern Pulp has proposed to the court in Chapman Affidavits #4 and #6 is in no way an expanded engagement process. It is a process which is limited in multiple ways. Participation is limited to 12 people chosen by

⁸ <https://www.thechronicleherald.ca/opinion/local-perspectives/counterpoint-pulp-effluent-not-as-safe-as-st-fx-prof-claims-386922/>

⁹ https://novascotia.ca/nse/ea/Replacement_Effluent_Treatment_Facility_Project/

¹⁰ Ibid https://novascotia.ca/nse/ea/Replacement_Effluent_Treatment_Facility_Project/

Northern Pulp, experts to be consulted are the company and its consultants, the process and timeline are defined by the company.

FONS would like to suggest to the Court that the proposed CLC is essentially flawed and cannot advance the legislative approval required for Northern Pulp's proposed new ETF for a number of reasons.

- a) As stated above, the environmental issues involved in Northern Pulp's proposal that have already been outlined are numerous and wide-ranging, and involve specialized knowledge in a range of areas.
- b) Northern Pulp's proposal gives committee members one week to identify all community environmental issues, a second week to prioritize those issues, and a third week to identify potential solutions. Yet in five years, Northern Pulp with its many consultants, have not been able to come up with a proposal that can be shown, through the environmental assessment process, to meet federal and provincial standards.
- c) The committee definition sets up a false competition between issues by requiring the committee to "prioritize" community concerns. There is no competition between human health, air quality, protection of a town's watershed, protection of the complex ecosystem of the Northumberland Strait, protection of the fishing industry, protection of wetlands and other factors. The project must meet all environmental standards, regardless of where an issue falls on the proposed CLC's priority list.
- d) Northern Pulp has still not disclosed the full composition of their effluent, as noted in the Terms of Reference for the required Environmental Assessment Report. Without this information, no solution can be found.
- e) Northern Pulp has submitted documentation to the EA process which misrepresented a number of basic facts, such as where commercial fishing takes place, whether the proposed pipe runs 4 km through a protected marine area, and where herring spawn. Without accurate facts, no environmentally acceptable solution can be found.
- f) Scientific truth is not found through negotiation and consensus building.

Whatever conclusion the committee reaches (in consultation with Northern Pulp and its consultants) cannot replace the legislated Environmental Assessment process.

We also believe that the results of Northern Pulp's hand-picked committee will not have moral weight. Credible conclusions and social license cannot be gained through a committee hand-picked by the company with access only to experts provided by the company.

To gain approval for a proposed new ETF, Northern Pulp must be able to satisfy the standards set out in the NS Environmental Assessment Act and in all relevant Federal legislation. Yet Northern Pulp has "paused" its participation in the EA process. We would like the court to be aware that although the company has informed the Court that it has "paused" the EA process, the pause is only on Northern Pulp's part. The two-year time frame within which the company must submit its EAR remains in place. There is no actual pause in the process, and Northern Pulp is still required to submit its Environmental Assessment Report by April 2022 ¹¹ unless it is granted an extension by the Minister.

Northern Pulp's purpose in establishing a Community Liaison Committee appears to be to establish for the Court that the company is on a path to obtaining environmental approval for a new ETF and thus restarting mill operations.

¹¹ <https://www.cbc.ca/news/canada/nova-scotia/northern-pulp-boat-harbour-paper-excellence-1.5604281>

FONS cannot see how the workings of this committee can provide the Court with any reliable indication that Northern Pulp is closer to meeting provincial and federally legislated conditions for environmental approval. This is why FONS has consistently urged Northern Pulp to put its efforts into addressing the unanswered issues raised in the legislated environmental assessment process.

We understand that Northern Pulp held its first Community Liaison Committee (CLC) meeting on October 12, 2020. FONS was not contacted to participate. FONS only became aware of the proposed CLC from reading these court documents. When we became aware that Northern Pulp had informed the court of a plan to establish a CLC, its objectives, proposed participants and methods of functioning, we wrote an Opinion piece in the local newspaper,¹² indicating the problems we saw with this. We stated that we would not participate if asked because of the inherent flaws in the committee, that a hand-picked committee cannot gain social license, and again urged Northern Pulp to engage with the publicly accessible, transparent and thorough EA process. FONS was never contacted by anyone representing Northern Pulp to discuss these concerns. We are not aware of who Northern Pulp has asked to serve on this committee.

Conditions, milestones and the legislated environmental assessment process

We are concerned that the Milestones set out in Chapman Affidavit #4, July 17, 2020, Exhibit B, Draft Debtor-in-possession Financing Term Sheet of July 16, point 25 Milestones, p. 45 do not appear achievable given other timelines set out in this and other documents. (Note: We have not been able to access the final version of this document to determine whether the same wording exists in the final document.)

Milestone 1 states:

By not later than June 30, 2021, the Borrowers shall have provided evidence satisfactory to the Lenders (acting reasonably) that there is no existing or anticipated matter, event or circumstance that would reasonably be expected to have a material adverse effect on the ability of the Borrowers to satisfy the conditions set out in: (a) paragraph 2 below by June 30, 2022; or paragraphs 3(a) or 3(b) below by December 31, 2022;

The first condition of Paragraph 2 states:

“by no later than June 30, 2022, the Borrowers shall have: (i) obtained all material regulatory approvals required to commence construction of a Replacement ETF.

This milestone requires the Borrowers to provide evidence in little more than 8 months (June 30, 2021), that the company will be able to show by June 30, 2022, (12 months later) that **they will have obtained all material regulatory approvals required to commence construction of a Replacement ETF.”**

In the Supplement to the Second Report of the Monitor we find these costs and target completion dates associated with the EA process:

June 30, 2021: Marine Geotech work for EA, Review of designs for pipeline structures in the ocean, (115,000)

January 31, 2022: Report Writing, EA, (\$57,000)

March 30, 2022: ETF Detailed Design Engineering, TCD (115,000)

¹² <https://pictouadvocate.com/2020/08/26/northern-pulp-tells-bc-court-about-community-consultation-but-neglects-to-inform-community/>

And in the Monitor's Milestones we find June 2022 as the target completion date of EA, although it is not clear exactly what stage of the EA this refers to, given the above points.

While the target completion date for report writing associated with the environmental assessment process is January 31, 2022, the target completion date for ETF Detailed Design Engineering is March 30, 2022. This would indicate that NP does not plan to submit a completed EAR until at the earliest March 30, 2022. Further, it is unclear to us how report writing can be completed prior to having detailed design engineering for a proposed new ETF.

We would like to ask the Court to consider how it can be possible for Northern Pulp to establish by June 30, 2021, many months prior to submission of a completed EAR and prior to completion of detailed design engineering, that as stated in Exhibit B,
there is no existing or anticipated matter, event or circumstance that would reasonably be expected to have a material adverse effect on the ability of the Borrowers to show ... that within 12 months that they will have obtained all material regulatory approvals required to commence construction of a Replacement ETF.

Given that,

- a) at the present time, Northern Pulp themselves have indicated that they are not confident that the final round of the EA process will lead to a positive result for the company,¹³ and,
- b) in order to gain regulatory approval Northern Pulp must gain Ministerial approval of its project through the legislated EA process, including approval from five federal government departments, and
- c) the EA process as set out in legislation will take a minimum of 5 months after a completed EAR is submitted to and accepted by the NS Minister of Environment, and
- d) based on the information submitted to this court, Northern Pulp does not plan to submit a completed report until at least March 30, 2022,

FONS does not understand and would like the Court to consider how it could be possible for the company to establish, by June 30, 2021, that there is no matter that will stand in the way of gaining "all material regulatory approvals required to commence construction of a Replacement ETF" by June 30, 2022.

It goes without saying that it would not be appropriate for the Province of Nova Scotia to give pre-approval to a replacement ETF project outside the environmental assessment process established by law, before receiving a completed Environmental Assessment Report and before that report is reviewed by federal and provincial government departments and the public through the legislated environmental assessment process.

As well, it would not be prudent for any party to give pre-approval to a project of such complexity and with so much potential risk to another major industry, as well as potential risks to the health of surrounding communities, without being able to examine complete information and consult experts as needed. The devil is in the details as they say, and

¹³ "The current TOR are highly ambiguous and are unlikely to result in a clear outcome that will allow the Petitioners a reasonable opportunity to move forward with the Replacement ETF. In particular, the TOR do not include provisions requested by Northern Pulp to ensure a clear risk-based EAR process with agreed to outcomes and valued ecosystem components that can ultimately be achievable within an 18 to 24-month window. Without a clear understanding of what is required from regulators and what Northern Pulp will be measured against, Northern Pulp is doubtful this process will have a different outcome from the previous two environmental assessment processes." Chapman Affidavit #4, point 42

assurances that a project will meet standards are not a sufficient basis on which any meaningful decisions can be made. This is particularly true given the continuing lack of essential facts (e.g. full composition of effluent) relating to the proposed replacement ETF.

The Court should also be aware that if Northern Pulp submits an incomplete report, the Minister of Environment can refuse to accept the report and request additional information, thus further extending the timelines for environmental assessment. In this third and final round of the Environmental Assessment process, the Minister has only two options, approval with conditions or rejecting the project. If the project is approved with conditions, those conditions may still require the company to gain regulatory approvals and/or licenses from federal regulatory bodies.

In pausing the EA process, NP appears to indicate that they are not in a rush to submit a completed EAR and begin the next stage of the EA process.

We have tried to imagine a situation which might allow Northern Pulp to achieve this loan condition. If the company proceeds with its present application, there is a minimum 5.4-month timeline after submission of a completed EAR before the Minister issues a decision. If information is not complete, the company may be asked for additional information, which would add additional time.

If Northern Pulp were to decide to withdraw the existing proposal and submit a substantially different project proposal registration document, a considerable amount of work and funds would be required to develop a registration document for a substantially different project. If the company were to take this route, once a registration document was submitted, the environmental assessment process would take a minimum of 5 months, regardless of whether it proceeded by a Class One or Class Two assessment under provincial environmental assessment regulations.

In either situation, we cannot see that by June 30, 2021 Northern Pulp will be in a position to satisfy the condition set out in the loan agreement, as presented in Exhibit B, Section 25, Chapman affidavit #4.

Negotiating changes to the TOR

Northern Pulp calls the current TOR for the EAR “highly ambiguous” and has told the Court that the company is not satisfied because “the TOR do not include provisions requested by Northern Pulp to ensure a clear risk-based EAR process with agreed to outcomes and valued ecosystem components that can ultimately be achievable within an 18 to 24-month window ...”

FONS would like the court to know that we do not agree with the company’s characterization of the current TOR as “highly ambiguous.” In fact, the TOR appear to us to be clear and detailed, and to direct the company to answer questions which were not satisfactorily addressed in previous reports. What Northern Pulp requested of NSDOE was that the Minister put aside the legislated process¹⁴ and instead adopt conditions, standards and a time-line defined by Northern Pulp.

In Affidavit #4, Mr. Chapman explains the company’s reason for pausing the EA process was to:

¹⁴ <https://novascotia.ca/nse/ea/docs/EA.RegistrationTimeFrames.pdf>

“(b) permit the Petitioners to **continue negotiations with the Province and other stakeholders** in the interest of obtaining clarity regarding the environmental assessment process, the TOR, the EAR, and related environmental targets; and, (c) **potentially allow the Petitioners and the Province to reach an agreement modifying or clarifying the TOR.**”

Northern Pulp appears to imply that the company may be able to negotiate changes to the Terms of Reference for the EAR. While it may be possible for the province to clarify the TOR, once the final TOR have been issued, which they were on April 28, 2020, there is no provision in Nova Scotia’s Environmental Assessment Regulations for the TOR to be changed. Thus, this goal does not reflect options under existing legislation.

The milestone in Appendix C of the Monitor’s report, p 2, to by December 2020 Evaluate whether sufficient progress made to commence /re-engage in environment assessment related to replacement ETF (in **Petitioners sole discretion**):
o Province adequately defined assessment path
should also be considered in this context.

Since this is to be determined at the Petitioner’s sole discretion, and Northern Pulp has declared itself unsatisfied with the clarity of the TOR, it seems difficult to see how this will be resolved.

Northern Pulp itself has stated in Chapman Affidavit #4, point 42, that the TOR make it difficult to see a different outcome from last two rounds.

The current TOR are highly ambiguous and are unlikely to result in a clear outcome that will allow the Petitioners a reasonable opportunity to move forward with the Replacement ETF... Without a clear understanding of what is required from regulators and what Northern Pulp will be measured against, Northern Pulp is doubtful this process will have a different outcome from the previous two environmental assessment processes.

This gives additional weight to our concerns that the loan condition requiring Northern Pulp to be able to show by June 30, 2021 that there are no barriers to gaining all necessary approvals for a replacement ETF within 12 months appears to face significant barriers acknowledged by the company itself.

Timeline for Judicial Review

We would like to point out that there has been little action on the matter of the request for Judicial Review of the Minister of Environment’s decision to require an EAR. This matter was initiated by Northern Pulp, Unifor, and forestry industry members on January 23, 2020. FONS is one of several groups that have applied for intervenor status in this action. We filed an application for intervenor status on February 19, 2020 through our lawyers, Ecojustice. We have been notified by the Province that they do not object. Our lawyers requested a response on this matter from the Petitioner’s lawyers on several occasions, but eight months later we still have not received an answer. In August, 2020 our lawyers requested the Court set a date for hearing this matter. The matter is now set down for November 22, 2020. We are aware that this Court has allowed Northern Pulp funds for this legal action.

Economic impact

Finally, I would like to touch briefly on some of the information presented to the court in relation to the economic impact of Northern Pulp’s closure on the surrounding community and stakeholders. In doing so, we do not want to deny in any way that for many mill workers and pensioners, closure of Northern Pulp created hardship and disruption, especially when it

seemed that severance pay and pensions were at risk. FONS is very glad that the issue of severance and pension for NP employees has now been settled, and that workers and pensioners will receive what they are owed.

- a) Housing sales - The affidavit of Wanda Skinner points to For Sale signs on many houses as an indication of the negative economic impact of the mill closure. We believe this is incorrect. The Court may not be aware that for 52 years, air pollution from the pulp mill has been a focus of community concern especially in the Town of Pictou, which sits across the water from the mill, as well as in surrounding communities. Throughout those years, there have been numerous efforts made by citizens and businesses to have the mill clean up its air emissions. Although some progress was made in 2015, air pollution issues continued to negatively affect citizens and businesses in the area.
For better or worse, the closure of Northern Pulp's mill has made the Town of Pictou and the surrounding area a more attractive place to live. We have been informed by local real estate agents that there has been a significant increase in demand for housing in the area and a corresponding increase in housing sales in the Town of Pictou and Pictou County. We understand from discussion with real estate agents that listings which have been on the market and have not sold for 3-4 years have now sold, and the major problem now faced by real estate agents is finding properties to list. Increased housing sales began in January, before Covid increased demand for rural housing. As a property lawyer in Pictou, I can personally attest to the booming property sales in the area.
- b) In spite of being told that sawmills could not survive without Northern Pulp, no sawmills in the province have closed after the mill closure.¹⁵ The Province established a forestry task force to help the industry transition after the temporary or permanent closure of Northern Pulp. New markets for wood chips and waste wood previously sold to Northern Pulp have been and are being developed. Covid has created an increased demand for lumber and lumber prices are double or triple pre-Covid levels. Robin Wilbur, owner of Elmsdale Lumber, recently announced plans to invest \$10 million in a biochar plant using waste wood.¹⁶ Mr. Wilbur had previously announced that his mill would not survive 60 seconds after the closure of Northern Pulp.¹⁷
- c) We have no information and see no indication that the overall economy of Pictou County is suffering from mill closure. We hear many positive comments from residents about improvements in air quality since closure of the mill, and improved cleanliness of the surrounding marine waters, as well as improved air and water quality around Pictou Landing now that Boat Harbour is closed to pulp effluent. We have heard tourists visiting the area comment on the improvements. Until recently, tourism growth in Pictou County lagged significantly behind other counties, according to statistics provided by the Tourist Industry Association of NS (TIANS) and comments to tourism owners and in on-line reviews indicated that air pollution from the mill was a major reason that tourists cut their stay in the area short.
- d) We know of many workers who have found new employment.

Conclusion

¹⁵ AllNS, September 30, 2020

¹⁶ AllNS, September 24, 2020

¹⁷ https://www.thechronicleherald.ca/news/local/northern-pulp-part-2-a-frightened-forestry-industry-is-tied-to-mills-fate-276280/?fbclid=IwAR02zu2z1OWV4ByCt0vVAP56qzHV4fm26SeQka_rRohFeJPf1uGFA6xblU

We appreciate the opportunity to bring these matters of concern to your attention, and hope that our comments will help you provide a more complete report to the court. Please contact us if you require additional information or clarification.

Yours truly,

A handwritten signature in blue ink, appearing to read "Jill Graham-Scanlan".

Jill Graham-Scanlan
President
Friends of the Northumberland Strait
902-485-4313
jillgrahamscanlan@gmail.com