

November 7, 2019

Nova Scotia Environment
Via email: EA@novascotia.ca

Dear Honourable Minister Wilson:

Re: Northern Pulp Replacement Effluent Treatment Facility Project

I am writing in response to Northern Pulp’s focus report for their replacement effluent treatment facility project that would discharge upwards of 85 million litres of treated pulp effluent daily and into the Northumberland Strait.

The below comments are a follow up to my March 9, 2019 response to Northern Pulp’s original EARD where I outlined my concerns with Northern Pulp’s public engagement process (attached).

NSE’s terms of reference for Northern’s Pulp’s focus report outlines the following two requirements for public engagement.

1.1 Provide a response (via a concordance table) to questions and comments raised by the public, Mi’kmaq and government departments, and incorporate these comments in the Focus Report where applicable.

I am unable to find any reference to my comments and concerns in the concordance table in Appendix 1.1 of Northern Pulp’s Focus Report. There is no section of the concordance table focused on public, stakeholder or Mi’kmaq engagement.

1.2 Provide a plan to share future reports and/or studies relevant to this Project with the public and the Mi’kmaq such as the Pictou Landing First Nation, including but not limited to the future Environmental Effects Monitoring results for the new effluent treatment facility.

Page 11 of Northern Pulp’s focus report includes a chart outlining levels of engagement for stakeholders, right holders, and the public for various phases of the project. Northern Pulp has deemed an email notification as a light level of engagement and posting a report on-line as a medium level of engagement.

7.0 PUBLIC, MI'KMAQ, AND GOVERNMENT ENGAGEMENT 11

Table 1.2-2: Engagement Plan after the Focus Report

Recipient	Project Phases					Engagement Level / Frequency
	Project Milestones	Results of Regulatory Approvals	Additional Studies	Construction Complete	Environmental Effects Monitoring Results	
NPNS Employees/ Retirees	Email Notification	Email Notification	Email Notification	Email Notification	Email Notification Post report online	High
Provincial Government	Email Notification	Email Notification	Email Notification	Email Notification	Post report online	High
Local NSE Officials	Email Notification	Email Notification	Email Notification	Email Notification	Post report online	High
Local MLA/ MPs	Email Notification	Email Notification	Email Notification	Email Notification	Post Report online	High
PLFN	Email Notification	Email Notification	Email Notification	Email Notification	Post report online	High
Local Municipalities	Email Notification	Email Notification	Email Notification	Email Notification	Post report online	High
Suppliers/ Vendors	Post report online	Post report online	Post report online	Post report online	Post report online	Medium
Civic Community	Post report online	Post report online	Post report online	Post report online	Post report online	Medium
Key Business Leaders	Post report online	Post report online	Post report online	Post report online	Post report online	Medium
Other	Post report online	Post report online	Post report online	Post report online	Post report online	Low

Public engagement is defined as a two-way process, involving interaction and listening, with the goal of generating mutual benefit. Sending an email notification and posting information on a website provides little to no opportunity for interaction and listening on the part of Northern Pulp, the public or stakeholders.

On two occasions (January 22, 2018 and July 9, 2018) Northern Pulp consultants, Dillon Consulting, responded to inquiries from Friends of the Northumberland Strait president, Jill Graham-Scanlan. Ms. Graham-Scanlan asked Dillon Consulting on both occasions if there would be a second set of public open house meetings. Dillon Consulting responded that yes, *“there would be another open house session where the public’s questions from the initial phase of engagement would be answered and recommended environmental plans would be presented.”*

Despite having a new receiving water location, new route, changes to the original technical proposal and several dozen new studies, Northern Pulp failed to honour that commitment. Instead, they chose to keep the public and stakeholders in the dark until filing their environmental assessment on January 31, 2019, leaving the public and stakeholders only 30 days to review massive amounts of technical information.

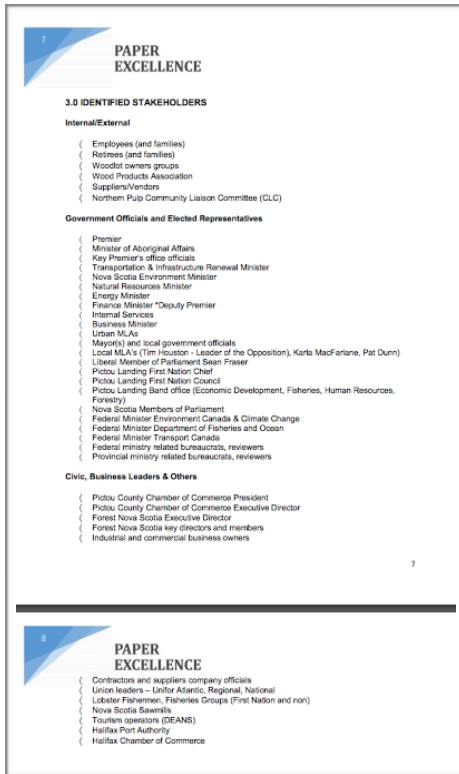
In a January 16, 2019 New Glasgow News story, (https://www.ngnews.ca/news/local/lack-of-public-consultation-ahead-of-northern-pulps-submission-of-environmental-assessment-sparks-backlash-276338/?fbclid=IwAR3bzXql2TfRqKiTOMpABZb-umqpcekfBmKsFgya8JSFoKJOLFJP_DMsVAK) Northern Pulp blamed a survey boat blockade and an increased number of required studies for the delay in filing their project and subsequent lack of further public open houses. Northern Pulp’s director of communication stated *“We’re at a point now where we want the project to move forward.”* Northern Pulp had since May 2015 to start moving forward on their project but instead opted to wait another two years and four months before commencing work.

In more recent month’s, Northern Pulp has done little to indicate they will improve their public or stakeholder engagement practices.

In late August of this year, The Fishermen’s Working Group representing over 3000 fishers in the Northumberland Strait, sent a letter to Northern Pulp requesting copies of any completed studies or reports for their ETF project. Northern Pulp failed to respond to the fishermen’s request despite the following:

- That the NSE terms of reference states that *“during the preparation of the Focus Report, 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”;*
- That the fishermen are identified as **stakeholders** in Northern Pulp’s Stakeholder Engagement Plan (Appendix 1.2) ;
- That Northern Pulp indicated on their website that 90% of the studies were completed at the time.

Page 9 of Northern Pulp’s focus report indicates the Stakeholder Engagement Plan (SEP) was developed to “*outline how information will be provided to multiple stakeholders and rights holders in a timely manner so that these groups can voice their opinions and concerns*” (appendix 1.2). The SEP identifies Lobster Fishermen, Fisheries Groups and tours operators (DEANS) as stakeholders. The SEP, however, fails to outline how these particular stakeholders will be engaged (fig 2.3).

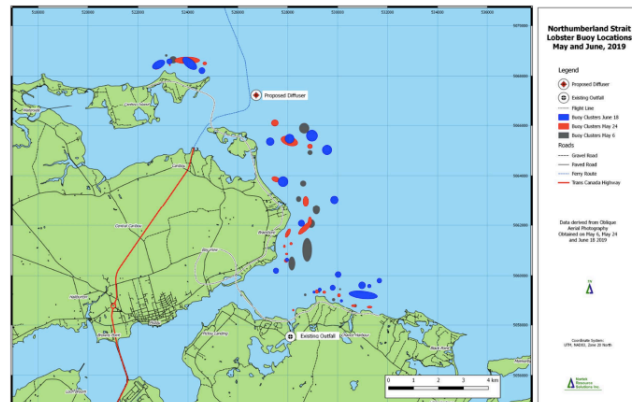


2.3 Consultation Methods

STAKEHOLDER GROUP	CONSULTATION MEDIUMS
Government officials	(Phone / email / text messaging (One-on-one discussions (Formal meetings
Neighbouring communities	(Print media, and radio/TV announcements (Public meetings (Focus group meetings (Surveys (Polling (Project website
Employees and retirees	(Phone /email /memos/MailChimp (email distribution tool) (Print media and radio/TV announcements (Employee information sessions
First Nations (PLFN)	(Phone / email / text messaging (One-on-one discussions (Formal meetings (Project website
NGO's	(Print media, radio/TV announcements (Public meetings (Focus group meetings (Surveys (Polling (Project website
Industry partners	(Phone / email / text messaging (One-on-one discussions (Print media, and radio/TV announcements (Public meetings (Focus group meetings (Surveys (Polling (Project website

Northern Pulp’s lack of public and stakeholder consultation is clearly reflected in the inaccuracies of their focus report. For example, Page 130 of Northern Pulp’s focus report includes a marine chart illustrating locations of “lobster buoy clusters” (fig 7.3-3). The figure shows no lobster fishing within or near the pipe diffuser location. Fishermen have attempted to tell Northern Pulp repeatedly that lobster fishing occurs along the pipe route and within the diffuser area. This is just one example of Northern Pulp not accepting information for what is true and instead manipulating it to meet their own needs.

Figure 7.3-3: Northumberland Strait Lobster Buoy Locations



Critical information gaps in Northern Pulp's focus report also illustrate a lack of response to public and stakeholder concerns. One of the most notable information gaps is no clear description of the effluent composition. This information has been requested repeatedly by the fishermen, by members of the public, and by NSE.

As the Minister of Environment, you are obligated to *'consider steps taken by the proponent to address environmental concerns expressed by the public'* when making your decision. Many issues raised in the original EARD by the public and by stakeholders showed a strong likelihood the project will harm the environment. These same issues were not addressed satisfactorily in the focus report. For this reason, I urge you to reject this project. Northern Pulp has been given multiple opportunities to show the community that their project would not cause harm, but they have failed.

In addition to rejecting Northern Pulp's ETF proposal, I expect our government to uphold its promise to Pictou Landing First Nation and close Boat Harbour to the flow of pulp effluent on January 31, 2020. The community of Pictou Landing First Nation should not have to live one more day breathing in the toxic haze from Boat Harbour that sweeps over Pictou Landing. As a cottage owner and a neighbour to Pictou Landing First Nation, we have experienced the air pollution first hand that this community must endure every day. We have the luxury of returning to our home in Hants County when the air pollution becomes overwhelming. The community members of Pictou Landing First Nation do not have that same luxury, nor should they have to leave their home to reap the benefits of the clean air and water that all Nova Scotians are entitled to.

Sincerely,

Linda Townsend