

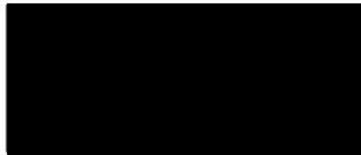


Healthy Bays NETWORK

SUBMISSION TO NOVA SCOTIA STANDING COMMITTEE ON LAW AMENDMENTS REGARDING BILL 24

October 25th, 2021

Geoff Le Boutillier



<http://healthybays.ca>

Thank you for agreeing to hear our thoughts on Bill 24, proposed amendments to the Nova Scotia Fisheries and Aquaculture Act.

My name is Geoffrey LeBoutillier. I live at 680 Indian Point Road in Eskekewakik, Glen Haven in HRM, Kijipuktuk on the shore of St. Margaret's Bay. My ancestors settled there in 1780.

I have had a hand in many community and environmental organizations and causes over the years, but today I come before you as founding member and past Chair of the Healthy Bays Network through which six community organizations, and four large NGOs collaborate to protect Nova Scotia's coasts. We are eager to help government develop policies and legislation which will benefit our and future generations. Netukulimk.

I want to take just a minute to describe the scope of our incorporated alliance, the Healthy Bays Network.

In addition to the Atlantic Salmon Federation, the Nova Scotia Salmon Association, and the Ecology Action Centre, all of which I'm sure you know something about, the community organizations which currently comprise our growing membership are as follows:

- the Association for the Preservation of the Eastern Shore,
- the Twin Bays Coalition representing St. Margaret's and Mahone Bays,
- the St. Margaret's Bay Stewardship Association and the Friends of Nature,
- Protect Liverpool Bay where current applications before the Aquaculture Review Board propose doubling the number of fish grown there to a whopping 2 million fish producing fecal matter equivalent to a city of 650,000 people,

- and the St. Mary's Bay Protectors where fish farms are also in expansion mode. St. Mary's Bay, you will remember, was one of the front line sites for the Stockholm-based Mitsubishi subsidiary Cermaq before they, in no small part due to our efforts, decided they were not welcome in Nova Scotia.

So, scope, our combined membership is well in excess of 10,000 souls, strong and determined to see our province's aquaculture policy transition to a more enlightened future. We include lawyers and scientists and investors, luminaries and workers in the seafood industry, retirees and shorefront landowners, people from all walks of life, urban, rural, including notably the growing ranks of those serious about what they eat (pleased to report that chemical and anti-biotic free land-based closed containment farmed salmon is now available at competitive prices throughout HRM at one of our major grocery store chains).

So, it won't surprise you that the Nova Scotia NDP has the following official party policy:

"...BE IT RESOLVED THAT the Nova Scotia NDP commit to rejecting any new licencing of open-net fish farms in our waters and to developing a transition plan to phase out all existing open-net fish farms by 2025 and to supporting the further development of land-based closed containment aquaculture technology."

No wonder also that Federal Conservative MP for South Shore-St. Margaret's Rick Perkins, who defeated the Minister of Fisheries and Oceans at least partially due to his strong position on open-net pens, and Chester-St. Margaret's provincial PC MLA Danielle Barkhouse ran this past summer in open opposition to open-net pens, and no wonder the Nova Scotia Progressive Conservative Party itself featured the following in its official platform:

"A Tim Houston PC government will stop fish farm expansion projects and put them through an independent, rigorous approval process based on science... effectiveness, transparency, and safety... Every safeguard will be in place so that local residents can have confidence in the process... The economy benefits from certainty and communities benefit from the comfort of knowing that independent experts are the ones determining the environmental viability of applications before them."

So, HBN has considerable scope, a wealth of like-minded influencers, and the political environment I think you will agree is ripe for a change of direction when it comes to open-net pen aquaculture.

Six days ago, Tuesday, October 19th, NS Fisheries and Aquaculture Minister Steve Craig introduced Bill 24 proposing significant amendments to the Fisheries and Coastal Resources Act, specifically fundamental changes to the composition of the Aquaculture Review Board. Ostensibly to fast track the approval process and ensure Board members' availability for hearings, the number of commissioners the Minister can appoint would be increased from 3 to 10. Further, if I understand the wording correctly, the Board Chair, at her discretion, can now empower as few as a single commissioner to hear and approve multiple applications. The Bill passed Second Reading last week with very little debate and is now here before you, Law Amendments, barely 6 days after its introduction. The public has barely had time to catch its breath.

Minister Craig's mandate letter from Premier Houston charged him with the task of, and I quote, consulting 'key stakeholders regarding the open-net pen aquaculture licensing process.' I guess the Healthy Bays Network and its member organizations are not key stakeholders because what did we hear from the Minister regarding Bill 24's radical proposed changes? Nothing.

Let me ask you this: What could be more central to the licence approval process than the structure of the Board itself? Is this an indicator of how the Minister and his department intends to deal with community stakeholders going forward? We certainly hope not.

Over and above the changes proposed in Bill 24, the Healthy Bays Network questions other aspects of the licensing process.

For example, we question the factors used to determine how the Board grants or denies intervenor status in its hearings. None of our member groups were accepted as intervenors in the sole finfish license hearing so far scheduled (and repeatedly postponed) by the ARB.

Here's another question: The HBN wonders how the Board can in good conscience hear applications for license expansions which have been fait accompli for years in clear contravention of regulatory procedures. And when you read the applications, their claim to legitimacy is largely based on stats from inappropriately licensed operations.

Here's another: We question the composition of the Board itself. Maybe in the appointment of up to 7 new commissioners some of these shortcomings might be addressed. But then again, maybe not. No guarantees, especially when decision making authority can be delegated to as few as a single person. Are we stakeholders to be adequately represented on the ameliorated ARB? Will the Board have the necessary expertise to evaluate impacts on endangered species like, for example, populations of Atlantic salmon? Will the current highly localized and therefore blinkered factors used to screen potential intervenors prevent the Board from seeing the big picture? Now is the time, the HBN suggests, is the perfect opportunity to correct some of these serious shortcomings which seem to benefit short term profits at the expense of future generations.

Lastly, HBN questions the haste for Bill 24's changes when, despite the dramatic increase in the size of the Board, there is a total lack of provisions to ensure consistency in its decisions. The Act is due for a comprehensive legislative review of the aquaculture provisions introduced in 2015. We wonder, why the big rush now?

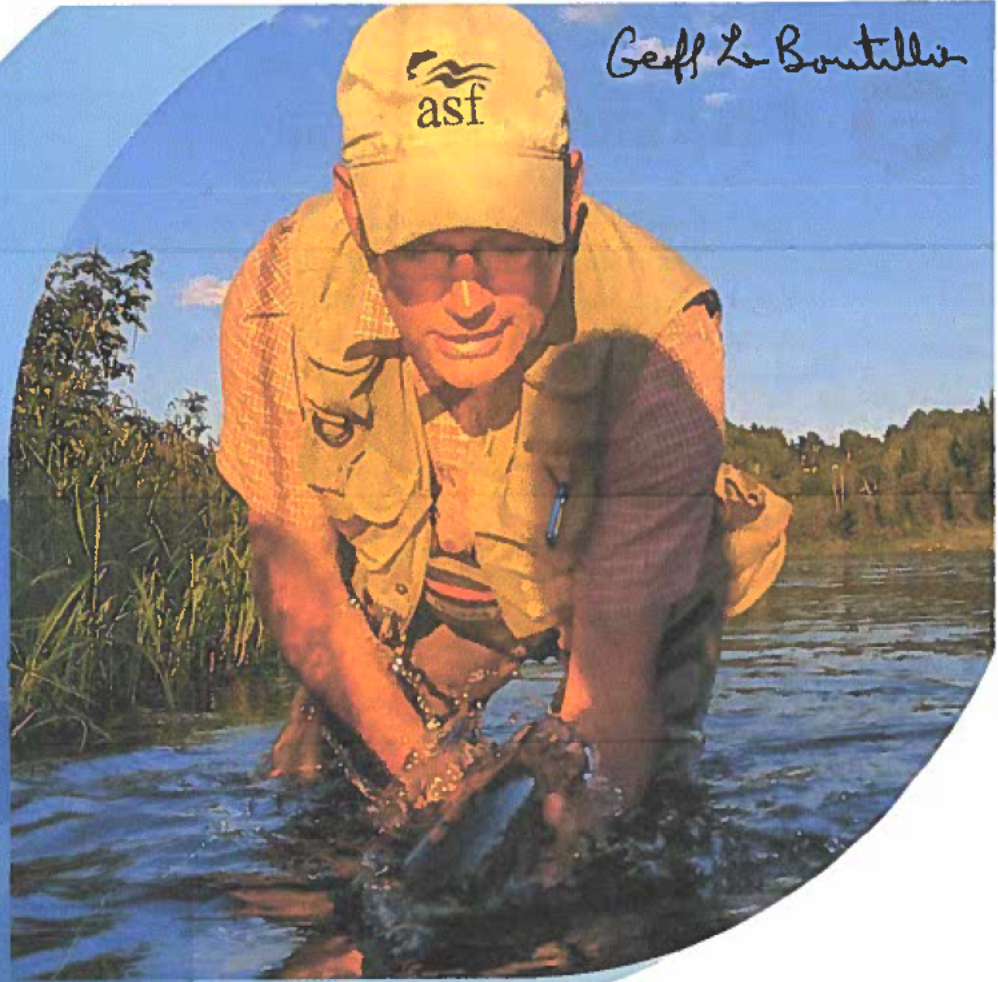
Perhaps a more reasonable solution would be to slow down. Stop. Think about this. Perform the promised consultation. Put in place a process in which Nova Scotians can, as promised, have confidence. We do not have confidence in Bill 24.

In closing, I'd like to remind you of a few basic tenets of the Act itself. It was designed to, quote: "...provide a predictable and efficient regulatory environment for business and public confidence"; and it is to, quote: "...ensure that members of the public have access to information with respect to the regulatory process and an opportunity to participate in the process."

So, at the very least, we should do what we said we were going to do, and what we agreed we should and must do, by law. Don't rush into the creation of a law which is doomed to abuse.

Thank you.

Geoff Le Boutillier



BLUEPRINT FOR **SAVING WILD SALMON** STRATEGIC PLAN 2018-2023

RETURNING NORTH AMERICA'S WILD ATLANTIC SALMON TO ABUNDANCE



Ensure sustainable Atlantic salmon fisheries & engaged fishers and anglers



Determine what's killing wild Atlantic salmon at sea, and offer solutions



Reduce the effects of open net-pen salmon aquaculture



Remove barriers & restore healthy rivers

ATLANTIC SALMON FEDERATION



President's Message

ASF's president emeritus, Wilfred Carter, once called wild Atlantic salmon "the fisherman's canary." Their presence or absence tells us if a river is clean or polluted, wild or dammed. When there are plenty of salmon, all life is thriving. This is ASF's vision: healthy and resilient watersheds, abundant salmon, and enduring community benefits.

Based on ASF's 70-years of conservation experience and the most recent science, our strategic plan offers the best hope for stemming decline and restoring North America's wild Atlantic salmon to abundance. It's an audacious goal, and this is an aggressive plan that requires working constructively with governments, indigenous groups, and other NGO partners.

We will break from past thinking which has diluted conservation efforts. Too much has been expended on populations made up of a few individual salmon. Instead, ASF will work to ensure healthy wild Atlantic salmon populations are not exposed to the pressures which have led to extinctions elsewhere and will only focus on depleted populations where there is a high likelihood of recovery.

After the closure of Canada's Atlantic salmon commercial fisheries in the 1990s, North American populations stabilized, but emerging threats like climate change, open net-pen salmon aquaculture, and a persistent Greenland fishery prevented a full recovery.

By diligently studying causes of decline and reducing the negative effects of overfishing, and other industries, we will give wild Atlantic salmon a real chance to recover and thrive.

Sincerely,

Bill Taylor, President, Atlantic Salmon Federation



“

ASF'S PRESIDENT EMERITUS,
WILFRED CARTER, ONCE CALLED
WILD ATLANTIC SALMON
"THE FISHERMAN'S CANARY".

”





Ensure sustainable Atlantic salmon fisheries & engaged fishers and anglers

Fisheries for North American wild Atlantic salmon take place throughout Canada and off the coast of Greenland. Although the global harvest of wild Atlantic salmon has decreased drastically since the 1970s, unsustainable fisheries still occur in some areas.

ASF recognizes the cultural and recreational value people derive from fishing for Atlantic salmon. In return, we believe everyone who benefits should be engaged in wild salmon conservation. **We will:**

1 Negotiate agreements to suspend commercial fishing for North American wild Atlantic salmon at Greenland and the Faroe Islands.

2 Engage anglers and indigenous communities to share knowledge and cooperate in research, advocacy, and conservation activities.

3 Advocate for management decisions that ensure no fishery continually pushes a population below sustainable levels.



Determine what's killing wild Atlantic salmon at sea, and offer solutions

In the early 1990's, oceanographic conditions shifted in the North Atlantic. Prey species like calorie-rich capelin changed their distributions and declined in abundance. At the same time, predator populations like striped bass and seals have grown remarkably. The result is previously unseen rates of marine mortality for wild Atlantic salmon.

ASF is determined to find where salmon are dying in high numbers, what's killing them, and offer solutions to mitigate these effects. **We will:**

1 Expand the number of salmon tagged and locations for our ocean tracking research to enhance knowledge of migration routes and identify mortality trends.

2 Link our ocean tracking data to research about climate change and shifting ocean conditions to predict future movement and threats.

3 Advocate for evidence-based measures to counter and reduce marine mortality.





Reduce the effects of open net-pen salmon aquaculture

Open net-pen salmon aquaculture is a high-level marine threat to wild Atlantic salmon. Diseases and parasites are transferred from sea-cages to wild species. Aquaculture fish escape then breed and compete with wild Atlantic salmon, contributing to population collapse. Where ever open net-pen salmon aquaculture exists in eastern North America, wild salmon populations are threatened or endangered. As new land-based containment methods of salmon aquaculture begin to supplant sea-cages, ASF is committed to preventing further harm from the existing marine based industry. **We will:**

1 Advocate for regulatory reform of the existing open net-pen salmon aquaculture industry to reduce escapes, increase transparency, and hold companies accountable.

2 Challenge expansion to areas where wild Atlantic salmon are present and industry is not.

3 Ensure new open net-pen salmon aquaculture projects are subjected to a rigorous screening and environmental review process that fairly considers effects on wild species and the environment.



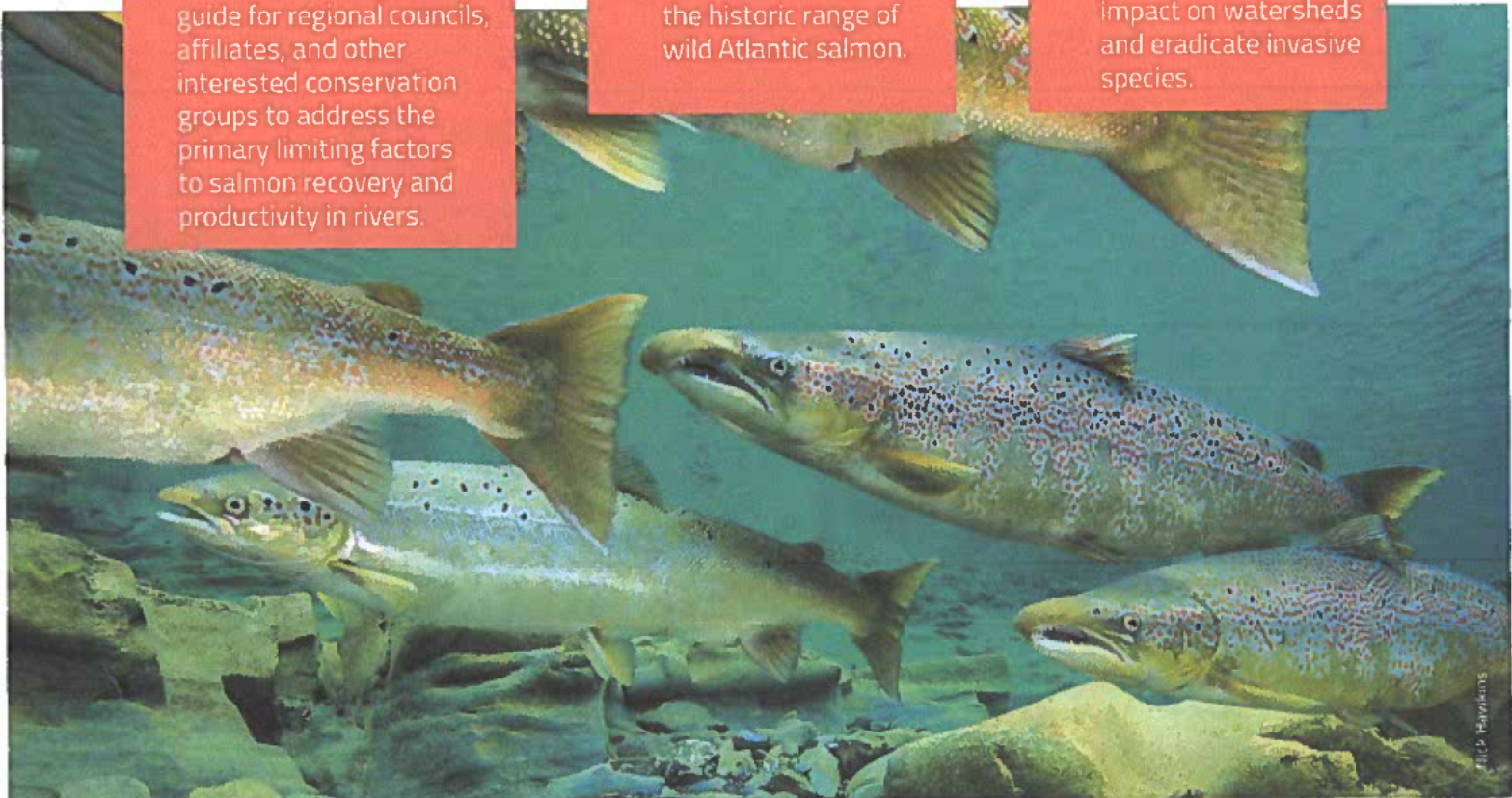
Remove barriers & restore healthy rivers

Wild Atlantic salmon and other species of sea-run fish need free flowing, clean rivers to complete their life cycle. Centuries of dam building, forestry, acid rain, and other human development have altered entire watersheds. Unobstructed, clean rivers are imperative for successful recovery efforts. Productive watersheds that send large numbers of juvenile salmon to sea also help mitigate the effects of high marine mortality. ASF is committed to restoring and conserving wild salmon rivers in North America. **We will:**

1 Employ ASF's Freshwater Recovery Strategy as a guide for regional councils, affiliates, and other interested conservation groups to address the primary limiting factors to salmon recovery and productivity in rivers.

2 Fund and manage dam removals throughout the historic range of wild Atlantic salmon.

3 Advocate for policies that reduce human impact on watersheds and eradicate invasive species.



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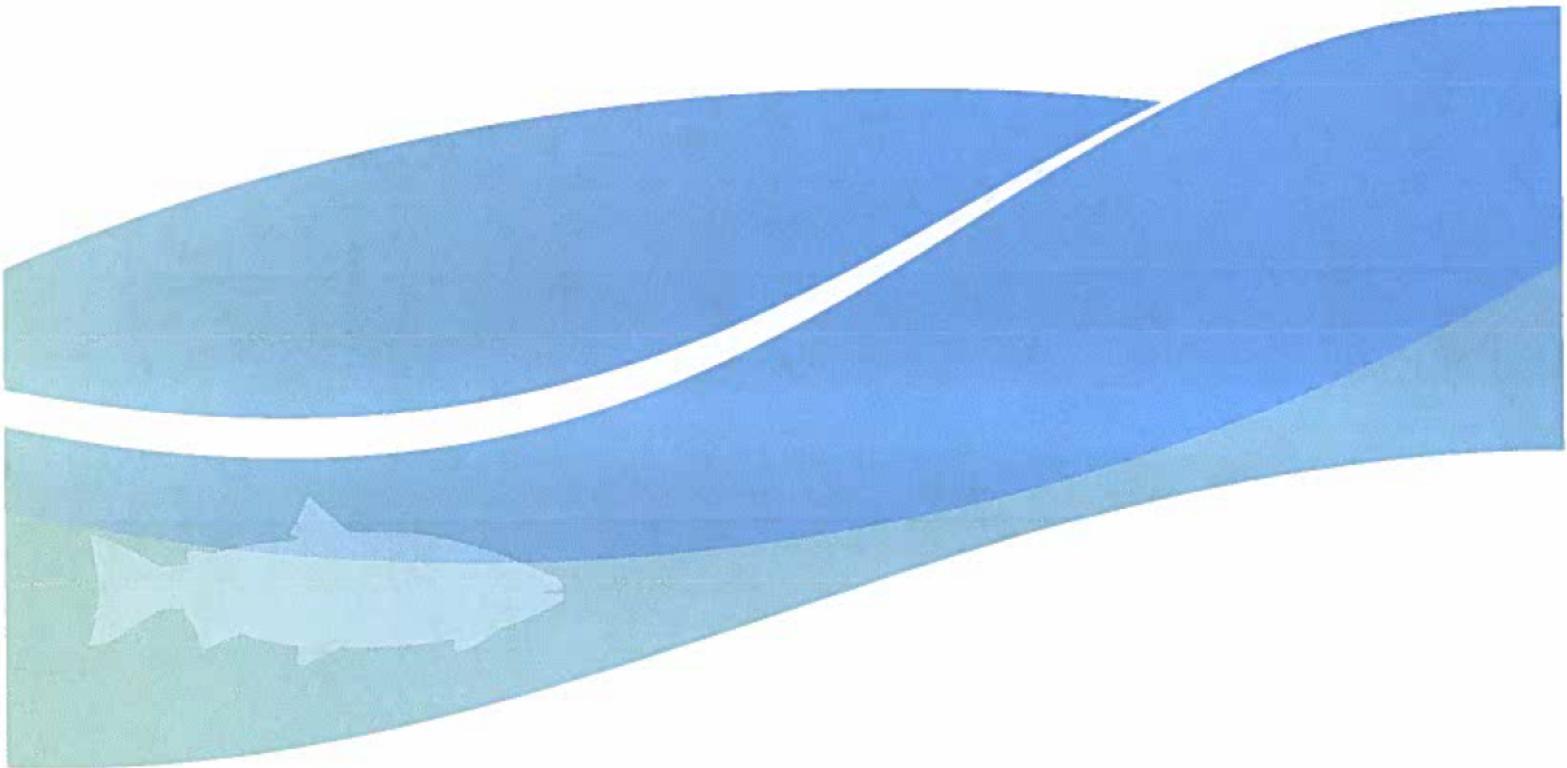
ASF's mission is to conserve and restore wild Atlantic salmon and their ecosystems.

Your support of ASF's *Blueprint for Saving Wild Atlantic Salmon* is needed to bring back healthy salmon runs for the years and decades ahead.

CONTACT:

Kirsten Rouse | krouse@asf.ca | (506) 529-1037

www.asf.ca



INTERNATIONAL HEADQUARTERS

P.O. Box 5200
St. Andrews, N.B. E5B 3S8 Canada
P.O. Box 807
Calais, M.E. 04619-0807 U.S.A.
Tel: (506) 529-4581
Fax: (506) 529-1028
Email: savesalmon@asf.ca

NEW ENGLAND OFFICE

Fort Andross, Suite 202
14 Maine Street
Brunswick, M.E. 04011-2054 U.S.A.
Tel: (207) 725-2833
Fax: (207) 725-2967
Email: cindy@asf.comcastbiz.net

MONTREAL OFFICE

23 rue St-Pierre
Ste-Anne de Bellevue,
Quebec H9X 1Y5 Canada
Tel: (514) 926-1412
Fax: (514) 227-8213
Email: ccusson@asf.ca