

Canadian Parks and Wilderness Society
Nova Scotia Chapter
P.O. Box 51086 Rockingham Ridge
Halifax, Nova Scotia
B3M 4R8

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To: Nova Scotia Environment:

The Nova Scotia Chapter of the Canadian Parks and Wilderness Society (CPAWS-NS) has reviewed the Environmental Assessment Registration Document prepared by Dillon Consulting for Northern Pulp Nova Scotia Corporation for the proposed Replacement Effluent Treatment Facility. This proposed undertaking includes a 15.5km long pipeline, which is intended to empty into the marine environment of the Northumberland Strait.

CPAWS-NS is concerned about this proposed undertaking and the impact it could have on the environment and the inshore fishery. We are also concerned about the rushed manner in which this Environmental Assessment Registration Document appears to have been prepared.

As an organization, we had intended on providing a thorough and detailed review of one aspect of the environmental assessment review, dealing solely with “wetlands”. I have a Ph.D. in wetland ecology from the Wetlands Research Centre at the University of Waterloo, and have provided advice to the Nova Scotia government for the development of a provincial wetland policy. Unfortunately, so little information has been provided within the Environmental Assessment Registration Document for the proposed Undertaking dealing with “wetlands” that CPAWS-NS is unable to carry out a proper review. In fact, it is shocking just how little information is provided.

The consultants acknowledge the deficiency in the information provided for the wetland assessment, stating the following:

“It should be noted that fall 2017 to summer 2018 field investigations were undertaken at the replacement ETF footprint area and surrounding area, but as an alternate pipeline route was selected in the fall of 2018 (see Section 5.3) and due to the fall/winter

timing of route selection, only a preliminary reconnaissance visit of the pipeline footprint area was undertaken” (Pg. 223)

That “preliminary reconnaissance” consisted of a single day of fieldwork, undertaken on December 3, 2018. That’s one day of fieldwork, undertaken at a time of year when vegetation surveys could not be completed. This is appalling in its deficiency. I’m actually surprised it was put forward in such a condition.

The Environmental Assessment Registration Document goes on to say that the wetlands were assessed using a “desktop review”.

“Wetlands outside of the replacement ETF footprint area (i.e., along the pipeline footprint area) were assessed primarily via a desktop review with a preliminary field reconnaissance visit.” (Pg. 225)

Sorry, but a “desktop review”, combined with a single day of reconnaissance fieldwork undertaken at a time of year when a proper assessment cannot be completed, is absolutely unacceptable. They state on Pg 224 of the report that part of their desktop review actually involved using Google Streetview.

The consultants state that a “significant portion” of the study area has “not been surveyed in detail for wetlands”:

“The proposed location of the effluent pipeline changed following the completion of the wetlands program for the ETF footprint area during the summer of 2018. As such, a significant portion of the PFA (i.e., the pipeline footprint area) has not been surveyed in detail for wetlands.” (Pg. 231)

That is an absolutely outstanding statement for a Proponent to make in an Environmental Assessment Registration Document, that a significant portion of the wetlands in the study area has not actually been surveyed in detail. Astonishing.

The Proponent goes on to admit that the wetland delineations could not be completed because it was “too late in the growing season to accurately delineate wetland boundaries or accurately identify plants.”

“Full delineations and evaluation of wetland functions for the wetlands adjacent to the pipeline footprint area was not possible since the revised alignment for the pipeline was only defined in the fall of 2018, when wetland delineation/functional evaluation would have been uncertain (i.e., it was too late in the growing season to accurately delineate wetland boundaries or accurately identify plants, especially SAR and SOCC).” (Pg. 232)
(SAR = Species at risk; SOCC = Species of Conservation Concern)

Although the Proponent says it was “not possible” to have completed the wetland assessments, we find that to be rather disingenuous. The Proponent has had a lot of time to prepare for this environmental assessment, yet has made big changes only months prior to submitting the Environmental Assessment Registration Document. Poor planning on their part does not constitute an emergency on anyone else’s part. A more prudent course of action would have been to delay registering the proposed Undertaking until the required wetland

evaluations could have been completed. At present, the Province of Nova Scotia has insufficient information about potential impacts on those wetlands to be able to make an informed decision on this environmental assessment.

The deficiencies in the wetlands review are even more concerning, considering that the proposed undertaking occurs in an area with numerous wetlands. That “desktop review” alone identified 24 wetlands within the study area, including 11 swamps, 4 bogs, 3 fens, 2 marshes, 1 salt marsh, 1 wet meadow, and 2 vernal pools. Detailed on the ground assessments could identify additional wetlands, given the density at which wetlands seem to occur near this proposed pipeline route. In an area of elevated wetland density, you’d think that the Proponent would have been even more careful in ensuring that the required wetland assessments were completed.

Detailed field surveys appear to have only been carried out at 2 of the 24 identified wetlands. The section on wetlands in the Environmental Assessment Registration Document provides a lot of information about wetland type and function, but hardly any of that is site-specific information for wetlands actually occurring within the study site.

I would like to review the detailed field assessments for every one of these wetlands. I’d like to review what species are found there, how the ecosystems change spatially, and what is the nature of the wetland edge condition. I’d like to review how the hydrology may be impacted by this proposed undertaking, and to assess how the fieldwork was set up to ensure objectivity. But, I cannot, because the majority of the wetlands in the study site simply have not been assessed on-the-ground, so that sort of information is unavailable for review.

Despite the lack of evidence presented, and despite only carrying out a single day of fieldwork where no real data was generated, the Proponent reaches a rather firm conclusion that the proposed undertaking will not impact wetlands. The report states the following:

“With the proper implementation of proposed mitigation measures, impacts to wetlands as a result of construction of the project are not anticipated to be significant.” (Pg. 240).

I simply cannot see how anyone could reach such a conclusion about wetlands from the paltry amount of data provided. It is not okay for a Proponent to seek environmental approvals now, without having completed the necessary work, under the promise that it will be done at a later date, after approvals are already received. That’s not how environmental assessments should work.

Using just the limited review of the wetlands portion of the Environmental Assessment Registration Document alone, and disregarding any other potential problems with this project and impacts on the environment, the Province of Nova Scotia cannot, in good conscience, approve this project as currently submitted. Seeing just how deficient the report is for wetlands gives me serious concerns that other sections of the Environmental Assessment Registration Document are similarly deficient.

CPAWS-NS respectfully requests that the Minister of Environment refer this proposed Undertaking to a Full Class 2 Environmental Assessment, so that a proper environmental assessment can be carried out. We also respectfully request that the provincial government

contact the federal government to initiate a Federal Environmental Assessment for this proposed Undertaking.

Thank you for your consideration

A handwritten signature in blue ink, appearing to read 'Chris Miller', is positioned above the typed name.

Chris Miller, Ph.D.
Executive Director
Canadian Parks and Wilderness Society – Nova Scotia Chapter