

Backroom deal only heightens tensions

jim.vibert@saltwire.com @JimVibert

Journalist and writer Jim Vibert has worked as a communications adviser to five Nova Scotia governments.

The future of the Northern Pulp mill in Abercrombie, Pictou County, is the source of deep divisions and anxiety among Nova Scotians, and the backroom dealing of the provincial Liberal government only makes matters worse.

Thanks to the Nova Scotia Court of Appeal, taxpayers know that the provincial government is spending millions to advance plans for the mill's new effluent treatment system — a system that will only get built with environmental approval from, you guessed it, the provincial government.

If you're thinking, "how can that be? Isn't that an obvious conflict of interest?" the answer is that it can be because the government made it so and, while it's an obvious conflict of interest, the environment minister's decision to approve — or reject — the new treatment facility can't be challenged based on a conflict of interest.

But that's not all. Because the province has a contract to treat the mill's effluent until 2030 — a contract inherited by Stephen McNeil's Liberal government — the province worries that Northern Pulp will sue if the mill has to close because it lacks an effluent treatment facility.

The province claims that it is unfounded conjecture to suggest that the environment minister's decision would be influenced by the province's financial interests.

In one paragraph, Justice Joel Fichaud, writing a unanimous decision for the three-judge Appeal Court panel, sticks a pin in the province's protestations of purity.

"The Province says it is "speculative" and "unfounded conjecture" to suggest that a ministerial approval may be influenced by a benefit to the Province. The submission turns a blind eye to history.

owned treatment facility at Boat Harbour, a tidal bay that sits on the edge of the Pictou Landing Mi'kmaq community. The plant's chemical-laden waste turned the bay — once a place of recreation and a source of sustenance for the Pictou Landing band — into a dead lagoon.

Northern Pulp has said that without a new effluent treatment facility — Boat Harbour is scheduled to close Jan. 30 — the mill itself will shut down, possibly for good. Northern Pulp and the province's interconnected forestry sector wants the province to extend the life of Boat Harbour until a new treatment plant can be completed.

The first plan submitted to the Environment Department by Northern Pulp — and financed in whole or in part by the province — contemplates pumping the mill's treated effluent out into the Strait. That plan was sent back to Northern Pulp for more information.

While that apparent setback could be seen as a blow to the mill, there are more than a few skeptics in northern Nova Scotia who believe it was a ruse to try to establish some credibility for a process that opponents of the mill do not trust.

And why would they?

The government tried to hide its financial interests in the proposed new treatment plant. It was only because Pictou Landing Chief Andrea Paul got wind of the province's financial involvement that the issue ended in court, where the truth emerged.

The Pictou Landing Mi'kmaq argued that the province's financial interest increases the likelihood that the mill will continue to operate past Jan. 30, and that imposes a duty on the province to consult with the community about the plant's continuing operation. The Nova Scotia Supreme Court, despite lacking full financial disclosure from the province, agreed with the band. The government appealed, but the ruling was upheld by the Appeal Court.

Across Nova Scotia, forestry and sawmill workers

For decades, the Provincial Government has vacillated this way and that, weighing economic stimulus against environmental concerns from the Mill's discharged contaminants."

In other words, the McNeil government would be just the latest in a long line of provincial governments to put financial, economic or political considerations ahead of environmental concerns about the 52-year-old mill.

The McNeil government hasn't yet joined that club, but Northumberland Strait fisherman and North Shore Nova Scotians, who are sick and tired of the mill fouling their air and water, are pretty sure it's about to take out membership.

The McNeil government passed a law in 2015 to shut down the mill's provincially

wait nervously for a decision from the province that they hope will keep Northern Pulp in operation. In northern Nova Scotia, fishermen and folks who feel that 50-plus years of pollution is long enough, fear the same decision.

The provincial government hasn't done a thing to reconcile those competing interests. Indeed, its backroom dealing and lack of transparency has only heightened tensions and fuelled suspicion that it can't be trusted to render a fair decision.



JIM VIBERT SALTWIRE NETWORK