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The need to regulate not subsidize mega-environmental industries
Birds I View
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Atlantic salmon aquaculture, offshore oil and Muskrat Falls have many things in common. Some of these include government (read citizens) subsidies, self-reporting of environmental problems, restriction of public information, hidden environmental costs and jobs.

Recent issues surrounding the open-sea aquaculture disaster on the south coast has again highlighted these concerns. Northern Harvest Sea Farms that self-reports (or not) environmental problems released no public information about the kill of millions of Atlantic salmon in August. On 3 September they informed the province (read responsible minister) and the FFAW (Food, Fisherman and Allied Workers). The minister withheld that information from the public, until the FFAW exposed the disaster on 23 September.

More recently we learned that even in the company's disclosure press conference on 9 October, they did not report a kill of 600,000 fish that died of infectious salmon anemia (ISA) just prior to the massive kill of 2,000,000 salmon. On 13 October, likely due to a leak, they reported the ISA kill. What else don't we know? Were the two massive kills linked? Though there has been an absence of information and no obvious presence of any responsible federal agency on site, an investigation by DFO will hopefully shed light on the issue.

This clearly not the way to do business or to exploit environmental resources? Without comprehensive and strictly enforced environmental regulations, there can be no environmentally sustainable way forward. Corporate self-reporting is obviously inadequate, inaccurate and misleading. As a spokesperson for the Newfoundland and Labrador Coalition for Aquaculture Reform, Leo White puts it "This industry is characterized by deceit, deception, misleading statements, statements that don't include all of the facts."

And add to this mix the likes of Rex Murphy at the NAIA (National Aquaculture Industry Association) meeting demonizing people concerned about climate change and the environment. Note in the timeline of unfolding information about the aquaculture disaster that Rex's decree was delivered on 25 September with Minister Byrne and Senator Fabian Manning heehawing with the audience

The fundamental problem with the current government – corporate approach to regulation is that it's a tacit admission of their belief that comprehensive environmental assessment and regulation are incompatible with resource development. This is not true – it is just hard work as it is meant to be. It simply not a fast-tracking, "time is money" approach as the provincial and federal governments and vested interest groups insist.

These concerns apply to offshore development as well as aquaculture development. The hollow cheerleading from the provincial and federal governments for rapid corporate expansion and praises for "excellent" regulation by the C-NLOPB (Canada – Newfoundland and Labrador Offshore Petroleum Board) are simply detritus on the political landscape. With adequate regulation – pollution and supposed "accidents" are preventable. In most instances these disaster are not accidents at all but rather consequences of inadequate environmental protection and deficit precautionary practices that result from lax regulation and weak enforcement. Case in point – the largest oil pollution event on Grand Banks occurred during November 2018, when Husky Oil decided to resume pumping during 30-foot storm seas and when all other offshore operators were more prudent and delayed resuming production.

To take a larger continental perspective, the *Deepwater Horizon* blow in the Gulf of Mexico during 2010 created the largest oil pollution event in North American history. President Obama's initial response to the disaster was that it resulted from a "scandalously close relationship between the regulator and the industry." He acted on this inherent regulatory conflict by partitioning the agency into separate entities – one responsible for development and the other responsible for safety and environment. Regulatory agencies in the UK, Norway and Australia are similarly organized.

We had a similar opportunity in 2010, when former chief justice Robert Wells released his report following the Cougar 491 helicopter crash recommending that an independent safety board be established. That recommendation was rejected by government, and the C-NLOPB continues to hobbles along with a conflicted mandate.

The coast guard and Transport Canada advisory committees that I have worked with, all focus on prevention as our best option for substantive environmental protection. Comprehensive environmental assessments and strictly enforced regulations are the cornerstones of prevention. And when these fail, penalties are the bottom-line. As the bottom-line for corporations is profit, these penalties need to affect profit. We have yet to see the CNLOPB or government impose anything that even approaches that level of deterrence.

And when these disasters occur the onus should not be on those concerned with wildlife and the environment to prove that there has been a negative effect and damage. The responsibility should clearly be the other way around such that the polluter needs to demonstrate in a scientifically defensible way that there hasn't been a negative effect on wildlife or the environment due the pollution they created.

Birds in the Area

A few storm-petrels are still showing up late in the season. On the clear calm night of 26 October, Sherry Green collected and released 24 storm-petrels by the fish plant in Bay de Verde. There was very lighting in the area and no boats were coming or going.

Storm-petrels will at times strand on land where there is no night-lighting. Yet reducing coastal lighting, lights on ships and lights and flares on offshore oil platforms are the easiest and most effective precautionary actions that we can take to reduce bird attraction to night-lighting. On 28 October in Outer Cove, Michael Kinsella's dog picked up a storm-petrel that subsequently perished, and 1 November a storm-petrel was seen on the road in Holyrood (Rich Nugent).

Robust flocks of 75 -100 diving ducks including scaup and ring-necked ducks appear to have taken up residence in Murray's Pond in Portugal Cove. In St. Philips, a hairy woodpecker and some flickers are exploiting a suet feeder and 10 mourning doves are hunkering down in Rich Nugent's yard. On 4 November I picked up a brilliant male northern flicker that had been struck by a vehicle on Portugal Cove Road by Windsor Lake.

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