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April 25, 2011

The Honourable Darrell E. Dexter
Premier of Nova Scotia
Office of the Premier
PO Box 726
Halifax, Nova Scotia
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Dear Mr. Dexter:

We are writing to express our concern with the slow pace of progress on the part of the government of Nova Scotia and the Nova Scotia Mink Breeders Association in dealing with the causes of serious nutrient pollution impacting three watersheds in Southwest Nova Scotia located in Digby and Yarmouth Counties – the Wentworth-Carleton, Meteghan and Sissiboo river systems. These watersheds share a common headwater area in which high intensity mink farming is located.

Three major studies conducted by Nova Scotia Environment in 2008, 2009 and 2010 (Reported March 2009, October 2010, January 2011 respectively¹²) clearly show that seven of 10 tested lakes situated in these watersheds are severely impacted by nutrient over-enrichment and that the situation has been worsening over time.

While these surveys failed to pinpoint the exact sources of the nutrients, the authors of the March 2009 study reported that:

*“Lake shoreline surveys identified three large nutrient sources which could potentially be stimulating algal production in these lakes. **These potential sources were mink farms and a mink food processing facility on Nowlans Lake and an aquaculture operation on Hourglass Lake.** Otherwise, shoreline and watershed surveys to identify pollutant sources noted only a few small farms, limited commercial or industrial land use, and clustered residential development.”*

And, the January 2011 study reported that:

*“The lakes exhibiting the most serious symptoms of nutrient over-enrichment were located within the upper region of the study area **and in close proximity to a high concentration of mink farming operations, the activities of which are most likely to be the major source of nutrients leading to nutrient over-enrichment of the lakes.**”*

Clearly, the scientists conducting these surveys are of the belief that mink farms situated within these watersheds are the key sources of the nutrients that are having a negative impact on water quality throughout the river/lake systems. And the degree to which the pollution is occurring (phosphorus

¹ A WATER QUALITY SURVEY OF NINE LAKES IN THE CARLETON RIVER WATERSHED AREA YARMOUTH COUNTY, NOVA SCOTIA. Prepared by Water & Wastewater Branch Nova Scotia Environment Darrell Taylor Project Lead March 18, 2009

² Water Quality Survey of Ten Lakes Located in the Carleton River Watershed Area of Digby and Yarmouth Counties, Nova Scotia. Prepared for Nova Scotia Department of the Environment By M. Brylinsky, Acadia Center for Estuarine Research Acadia University, Wolfville Nova Scotia, January 2011

concentrations in one lake – Placides Lake – in excess of 1000 ug/litre) suggests a very concentrated highly nutrient-rich point source.

Some recent evidence (video) brought to our attention shows cases where uncontrolled runoff of wastes from some of these mink farms is still entering directly into some of these polluted lakes through buried pipes and polluted tributary streams. We have been advised that government officials know about these delinquencies but there is little or no evidence of efforts to stop them.

These problems were first identified in the 1980's, have gotten progressively worse, continue to this day and, from what we understand, there are still very few measurable or enforceable measures in place to mitigate this problem. We further understand that the time line for bringing this industry into compliance with proposed and recently introduced new legislation is on the order of 3-5 years *after* that legislation is promulgated and in force.

Given the severity and long duration of the problem, further delay seems both unnecessary and a failure of government to adequately protect the public resources of the province. Mink farmers have known for several years now that legislation governing the fur industry was/is pending and under development, that a new *Act* governing their industry was given Royal Assent almost a year ago, that waste management is one of the key issues that will be regulated and they themselves have been/are involved in formulating those regulations. Therefore, there is no practical reason why existing operations should not be required to comply immediately with any new legislation that governs them.

We recognize that the fur industry is an important economic driver for your province and provides much needed jobs for the area. However, that is not a reason to allow this industry to pollute another equally important and dwindling resource: the region's precious fresh water supply. Additionally, the fur industry is expanding in scale throughout the Maritimes, so now more than ever, circumstances warrant the timely development and implementation of innovative technologies that would allow this industry to grow in an environmentally and socially responsible manner while remaining economically prosperous and internationally competitive.

We believe that solid regulation and the establishment of good farm practices are absolutely necessary if this industry wants to achieve broad based public acceptance and confidence that the industry is being managed in a manner that is congruent with the values of Canadians.

Like many other countries, Canada and Canadians are concerned by the increasing scarcity and diminishing quality of freshwater. As such, the government of Canada has developed environmental sustainability indicators to track whether Canada's current economic activities threaten the quality of our water and the way of life for future generations.

The 2008 federal report on water quality³ in Canada indicates the reason for this concern is valid. Water quality was rated as "excellent" for only 10 out of 153 sites (7%) between 2005 and 2007. It was rated "good" at only 49 sites (32%), "fair" at 66 sites (43%), "marginal" at 22 sites (14%), and "poor" at 6 sites (4%). In the Maritime coastal region of Canada, which includes Nova Scotia and New Brunswick, water quality in only 5 out of nine indicator (55%) water bodies was rated as good. The remaining 45% were rated as fair to marginal⁴. None were rated as excellent.

The government of Nova Scotia has adopted a provincial water strategy⁵ grounded on sustainability, stewardship, partnership and leadership; a strategy that calls on everyone in the province to work toward

³ <http://www.ec.gc.ca/indicateurs-indicators/default.asp?lang=en&n=1C71AB61-1&printfullpage=true&nodash=1>

⁴ http://www.ec.gc.ca/indicateurs-indicators/default.asp?lang=en&n=ADFCFBAB-1#wq3_en

⁵ Water For Life: Nova Scotia's Water Resource Management Strategy:

http://www.gov.ns.ca/nse/water.strategy/docs/WaterStrategy_Water.Resources.Management.Strategy.pdf

good management of the province's water resources based on best known practices. It is disheartening then to see the mink industry continue with practices that undermine these important goals and degrade provincial water resources to such an extent.

We would think that it would be in everyone's best interests to ensure that the effluents from mink farms are properly captured, contained, treated and either properly disposed of or converted into useful byproducts (e.g. fertilizer) rather than discharged on adjacent lands or allowed to flow unabated into local water courses.

We understand that the recently introduced "*Act for Development and Management of the Nova Scotia Fur Industry*" is one effort to take action. However, we would point out that this *Act* has yet to come into force, and the actual regulations that will guide its implementation, are yet to be developed. Therefore, at this point in time, they do not have any real teeth and they are completely unenforceable.

In the interests of protection of the environment, we urge the government of Nova Scotia and the Nova Scotia Mink Breeders Association to move swiftly to develop and enact strict protocols and guidelines for the management of wastes from these operations so as to protect the water quality in the watersheds in which these farms are located.

Such protocols and/or guidelines should include enforceable regulations that require existing farms to comply with waste management rules immediately (e.g. no grand-fathering), should carry stiff fines for non-compliance and should consider the cumulative effects of multiple farms operating within a lake basin or watershed. Development of these tools should engage professionals experienced in waste and water quality management (engineers, biologists, limnologists) as well as agriculturalists, and industry.

We also strongly encourage that the process for developing the tools for managing these wastes includes open and transparent public consultation and local citizen engagement in the development of these initiatives.

I look forward to your response.

Sincerely

A handwritten signature in blue ink, appearing to read 'John Werring', with a stylized flourish at the end.

John Werring, M.Sc., R.P.Bio.
Aquatic Habitat Specialist
Marine and Freshwater Conservation Program
David Suzuki Foundation

Cc: Earl Prime, President, Nova Scotia Mink Breeders Association