

To the Editors:

The Joint Review Panel for the Environmental Review Assessment of the Whites Point Quarry and Marine Terminal Project has filed its final report and made its recommendations. The Mining Association of Nova Scotia is most disappointed with the Panel's findings and recommendations; our membership unequivocally rejects the report.

We do not reject this report lightly, or simply because we disagree with its conclusions. We reject it because the review process, as it was conducted in this case, was fundamentally flawed – so much so that the conclusions that resulted are inherently flawed too.

First of all, the review process was not conducted in a fair and even-handed manner. Certainly, the panel accepted many points of view from the community and expert witnesses throughout its deliberations. But the panel members chose to be extremely selective in the views they cited when compiling their report – and reaching their conclusions. How else can you explain the decision to omit even a mention of the petition of over 300 individuals from Digby Neck that supported the project? How could it not be included in the panel's final report?

In the same way, the panel ensured the process was engineered to minimize the input from Bilcon. The company simply was not afforded the same opportunities to be heard in the public hearings as were its opponents.

Moreover, the review process went well beyond its mandate and was inappropriate to the size of the project. The process did not focus on what was truly at issue. As a result, other concerns not pertinent to this project were raised; the result was to obscure the real issues facing the panel.

In its final report, the panel rejects the project because it believes the proposed quarry would have an adverse impact on the "core values" of Digby Neck. "Core values" is not a scientific term. It is a values judgment that has no place in a supposedly scientific review. It was our understanding that the decision on this project would be based on scientific evidence. Instead, we are presented with a conclusion based on a value judgment, and not even an accurate one at that. The word "believe" is used over 70 times throughout this report. We ask: where is the science?

This panel wasn't content to make value judgments not supported by scientific fact in the case of Digby Neck alone. It then went on to make a number of recommendations that went well beyond its mandate. The seven recommendations made by the panel, if adopted by the province of Nova Scotia, will drastically affect not only the mining industry but also the entire province.

We can only conclude that the panel tailored the process and the resulting recommendations to fit its own preconceived notion of what was appropriate for Digby Neck and this province. Why else would it base a conclusion on "beliefs", rather than science?

The Mining Association of Nova Scotia, formerly the Chamber of Mineral Resources of Nova Scotia, has worked, over the years, with the province to ensure our regulations are

adequate to deal with this type of project – and they are. We would be happy to continue to work with them on finding a workable solution to this flawed report.

We call on the Province of Nova Scotia, Premier Rodney MacDonald and Minister Mark Parent to reject this report and its recommendations, and to return the province to its usual science-based process of assessment.

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