

Adam Malcolm



Law Amendments Committee

March 29, 2021

To the members of the Law Amendments Committee:

As a high school biology teacher, landowner, avid fisher, hunter, forager, snowshoer, hiker, and camper who has called River Inhabitants home for my 40 years of life, I am in support of a Biodiversity Act whose stipulations apply to all land in this province - public and private - and includes the recently redacted sections concerning biodiversity emergency orders, enforcement, powers of the minister and responsibilities of conservation officers.

I would like to share with you a few of my observations of local species decline, local causes for these declines, and why Bill 4, as originally tabled, is an indispensable tool for slowing biodiversity loss in our area.

I grew up hunting and fishing with my father and his older siblings. Now in their 90s, they tell stories of how men made their living on this river fishing smelt with nets under the ice through winter to sell to Leonard's fish plant in Mulgrave. Their preferred fishing area was the big bend just below where my father and I built the house I'm writing to you from. Their old rock piers are still there. Then the Canso causeway was built and overnight the smelt run became just a memory. A story that old people told. I am not an old person yet, but the story I have to tell about the changes I've seen in and around the river in my life sounds very much like that of someone twice my age. I can remember being a boy going salmon fishing with my father way up river in the fall, standing on a high bank under a giant elm tree (along with all the other DED-infected elms on the river floodplain, now a bark-less standing stump) looking down into a pool with hundreds of salmon in it. Catching salmon with fly rods was easy then. It used to be that you'd catch salmon fry/parr/smolt below the culverts along the roads all summer long. I haven't encountered a salmon, juvenile or adult, in this river for at least 20 years. The entire eastern Cape Breton population, encompassing 46 home rivers from the north cape southeast to the causeway, is now slated for listing as endangered under SARA.

Every May there were a couple of brooks near here that we'd go to to catch gaspereau with dip nets where they gathered in large pools. There were many thousands every spring. I still go to check some springs. I can hardly remember what a gaspereau looks

like anymore, that's how long it's been since I (or anyone else around here) have seen one.

In the first or second full moon in January Dad and I and sometimes one of Dad's cousins would go to another brook, nearer the mouth of the river, to spear frost fish (tom cod) through holes in the ice. We could fill a bucket in an hour then. Again, I've gone many times as an adult; the only place I've seen a tom cod since I was small is in the Arctic Ocean. The brooks are seldom frozen here in early January anymore.

I have distinct memories of seeing American eels upriver, coiled up together in knots, some half-buried in sand and gravel, resting in shaded water through the day. I have memories of hooking the odd one in the evening, all when I was under 12. I haven't seen a live eel in the river in that long. Now they are globally critically endangered.

The wood turtle is another species at risk (threatened) in the province. River Inhabitants and River Denys are the centres of their population in Cape Breton. I used to see them while fishing quite often. Now I more often see them in pictures in local news articles about new settlers who've accidentally disturbed a nest, or the scattered shells of nests raided by coyotes and other scavenger/predators whose number are kept artificially high in the area (more on this below).

Likewise the New Jersey rush, a globally endangered wetland species. 31 bogs in Richmond County and extreme southern Cape Breton county are home to well over half of the total known global population of the species - somewhere between 5000 to 10,000 plants. Small wood-hemmed bogs are being backfilled regularly for roads and house lots in this area, despite any nominal legal protection they might be afforded. I've raised this particular concern with the DLF's wildlife division. To my knowledge not one of those wetland areas was ever surveyed for the presence of New Jersey rush.

Not so long ago pine marten and lynx called these local woods home. No longer. Both are provincially endangered. The pine marten is known to be shy about leaving the cover of the forest canopy, so roads through wilderness are serious barriers to their free movement. The northern flying squirrel, another local species, is thought by researchers seldom if ever to cross a road too wide to glide over, so new roads, of which there are many, serve to further isolate subpopulations from each other, leading to the increased likelihood of inbreeding and decreased genetic health.

The major local problem for our species at risk in and around the lower stretch of River Inhabitants - about 15 km as the river flows from Cleveland south to the ocean - is the buying up by three land developers (1) of nearly all river frontage and adjacent private woodlots totalling thousands of acres to build waterfront and sprawling backwoods estates serving the European market. Today many of our brooks run brown from the many kilometres of new roads cut through the woods by the developers. One of the two brooks that hem my property in has run brown for 2 years now. No fish can live in the muddied brooks for long. (The brook on the other side of the property, not crossed by any new road upstream, still runs clear, and some fish are present through summer.)

Beneath the newly cleared, newly inhabited lots along the lower stretch of the river, few migratory shorebird species that used to nest and/or stop by at the until-recently-relatively-undisturbed low-tide mudflats to fill up on inveterate snacks any longer do so.

It was my hope that a strong Biodiversity Act that included provisions meant to help listed at-risk species on private land might make possible efforts to save some of the more critical local wildlife habitat from degradation and outright destruction.

On the upper stretch of River Inhabitants, which extends from Cleveland northwest to the Creignish Hills, many tens of kilometres as the river flows, the principal endangerment to at-risk wildlife is the enormous deadstock pile that a poultry and cattle-beef farm operation in the area keeps 50 metres from the riverbank and does not maintain according to best practices. It is known to every hunter, fisher, and nature enthusiast in this area that the deadstock pile keeps a large population of coyotes and other predator/scavengers well-fed year-round. It so happens that along the river where the deadstock pile is located, just about every bend has a sandbar suitable for local nesting wood turtles (threatened) and snapping turtles (vulnerable). Because of the deadstock pile, this entire region of the river is a death trap for them, not to mention all our other struggling wildlife that are natural prey of coyotes (there has not been a significant rebound in the local hare population, for example, in at least 25 years.) Where once hare tracks crisscrossed our woods in winter and there were what we jokingly called rabbit superhighways here and there, year after year now there are few hare tracks anywhere nearby in winter. The tracks of the coyotes in the mud and sandbars upriver, meanwhile, look like tire tracks in some areas there are so many on top of one another. The only prey I feel comfortable hunting in this area anymore are geese, which have become abundant year-round over the past 10 years or so.

To my knowledge Nova Scotia, unlike other provinces, lacks laws regulating how deadstock piles must be maintained. It was my hope that a strong Biodiversity Act might give officials the tools to do more than educate the farm owner about the harms of not properly maintaining his headstock pile, which, if it's happened at all (as I've requested to the DLF's wildlife division on several occasions over the years), has not resulted in any change in practices.

Thank you for considering my concerns.

Citation:

(1) www.nationalpost.com/news/nazi-sympathizer-network-buying-up-cape-breton-properties-with-colony-in-mind-german-report