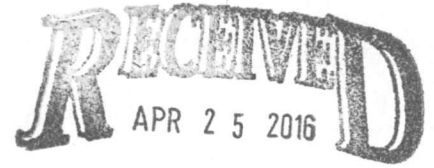


LAW AMENDMENTS COMMITTEE

Red Room, Province House

Monday, April 25, 2016

9:00 a.m.



N.S. LEGISLATIVE
LIBRARY

**Bill #152 - Municipal Government Act (amended) and
Halifax Regional Municipality Charter (amended)**

No representation

Bill #156 - Public Archives Act (amended)

No representation

Bill #157 - Government Records Act (amended)

No representation

Bill #149 - Mineral Resources Act

9:00 a.m.

1. Bonnie Sutherland, Executive Director
Peter Wright, Board Chair
Nova Scotia Nature Trust
2. Martin Willison, President
*Canadian Parks and Wilderness Society
Nova Scotia Chapter*
3. Craig Smith, NS Program Director
Nature Conservancy of Canada
4. Gretchen Fitzgerald, Chapter Director
Sierra Club Canada Foundation

10:00 a.m.

5. William Zimmerman, P.Eng.
6. Mark Parent
7. Peter Finley **DIDN'T SHOW**
8. Tim Bourque
Atlantic Gold Corporation

- 11:00 a.m.
9. Raymond Plourde, Wilderness Coordinator
Ecology Action Centre
 10. Barbara Markovits
Eastern Shore Forest Watch Association
 11. Stacey Rudderham
Stop the Fall River Quarry Group
 12. Dusan Soudek
- 12:00 noon
13. Sean Kirby, Executive Director
Rick Horne, Board Member
Ian Palmeter, Board Member
Mining Association of Nova Scotia
 14. Tom Herman
 15. John Amirault, P.Eng.
 16. John Wightman, Executive Director
Matt Abel, President
Nova Scotia Prospectors Association

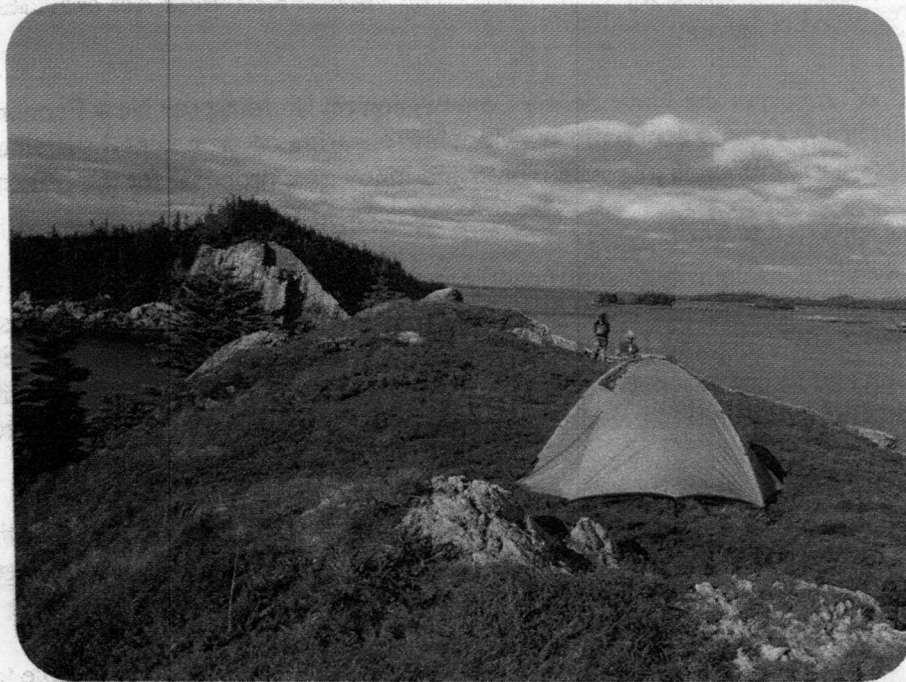
Bill #154 - Halifax Regional Municipality Charter (amended)

- 1:00 p.m.
1. Maggie MacDonald, Managing Director
Government Relations & External Affairs
Halifax Regional Municipality

NOVA SCOTIA
**Nature
Trust**



**NATURE
CONSERVANCY**
CANADA



**Submission to the Law Amendments Committee
Bill 149 The Mineral Resources Act**

Submitted by the Nova Scotia Nature Trust and Nature Conservancy of Canada

April 25, 2016

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1.0 Introduction: Private Land Conservation and Provincial Priorities

Private land conservation, through the work of non-government land trusts, is widely recognized as making a significant and irreplaceable contribution to biodiversity conservation and protected areas in Nova Scotia. While land trust efforts are also recognized as having an even more critical role in the future, there is a barrier impeding effective progress for such efforts. The Mineral Resources Act provides an ideal opportunity to remove this barrier.

The "Now or Never" report of the Nova Scotia Commission on Building our New Economy calls for bold, innovative approaches to expand economic growth while ensuring environmental sustainability. The following submission recommends just such a bold and innovative proposal for the Mineral Resources Act.

Natural areas and economic development

Nova Scotia's natural assets contribute significantly to economic development in diverse ways from resource development to tourism and recreation. Our protected areas, from National Parks and Wilderness Areas to the Nature Trust's ongoing 100 Wild Islands efforts on the Eastern Shore, are critical to our unique tourism positioning and future success. They are also essential to the quality of life and lifestyle Nova Scotia offers and which is essential in retaining and attracting people and capital to our province.

Critical role of private land conservation

With over 70% of our land base in private ownership, and many of the Province's most threatened species and biodiversity hotspots occurring primarily on private land, the Province has long recognized that conservation on private lands is critical to protecting Nova Scotia's biodiversity and most special places.

Land trusts, like the Nova Scotia Nature Trust and Nature Conservancy Canada, are able to work cooperatively with private landowners to formally protect properties of outstanding conservation value, for wildlife and the public to enjoy. Our work is a critical complement to what government can accomplish primarily on government-owned lands. We are uniquely positioned to help landowners keen to protect their land, but seeking a non-government alternative. Our work is science-driven and focused on the most ecologically important sites in the province. By nature of private ownership in Nova Scotia, lands protected by land trusts (Land Trust Protected Areas) tend to be small but highly significant for conservation.

Because so many of our most ecologically important natural areas are on private land, land trusts are critical in helping the government meet its own environmental goals and commitments¹. Our work is also critical in meeting public expectations of the Government to protect Nova Scotia's unique natural heritage, especially with over 85% of our treasured coastal areas in private ownership.

Private land conservation also makes good economic sense. Land trusts have achieved significant conservation results, brought in millions of dollars in investment to the province and leveraged significant conservation through land donations, conservation easements and purchases below market value. Our work is highly cost-effective for conservation, as we can leverage much more in terms of private, corporate and foundation contributions, and more donated land value than government can. Land Trusts provide

¹ Nova Scotia has conservation commitments under the Environmental Goals and Sustainable Prosperity Act, the United Nations Convention on Biological Diversity and the provincial Biodiversity Strategy, the Environmental Goals and Sustainable Prosperity Act (EGSPA) and the Parks and Protected Areas Plan.

exception value per dollar spent on conservation, with Provincial investments in land trust efforts generating returns of over 300%.

With a limited Crown land base and many competing demands for that land, the importance of private land conservation in Nova Scotia will continue to grow. Increasingly, the Province will look to land trusts to help meet future conservation goals and commitments, and to meet the continued public expectation to protect wildlife and the landscapes and natural areas that define our province, that help drive our tourism industry, and that attract newcomers and bring Nova Scotians home. To enable land trusts to help government achieve its economic and environmental priorities, the Province must remove existing barriers to effective private land conservation.

2.0 Uncertainty, Risk, Minerals and Private Land Conservation

2.1 A Major Barrier to Effective Private Land Conservation

After a land trust has secured ecologically significant land, through donation, purchase or conservation easement, the land and the biodiversity it supports are still potentially at risk from the impacts of mineral exploration and development. This potential risk is a significant impediment to private land conservation.

The likelihood of actual conflict in use between mineral development and Land Trust Protected Areas is extremely low, with only 1,500 hectares of the current 320,000 hectares of active claim area overlapping with land trust properties (see Section 4.0 for more detail). However, the uncertainty of potential negative impacts from mining limits the irreplaceable conservation work land trusts can do, and is problematic for the mineral sector as well.

This issue poses a significant barrier to effective private land conservation, with ramifications for land trusts, landowners, funders, stakeholders and for the Province.

- **Natural values of protected areas are at risk**
Ongoing risk to the conservation values of the land is a problem in and of itself. The biodiversity and other natural values are not fully protected from potential impacts.
- **Landowner trust and engagement suffers**
Private land conservation is essential in Nova Scotia, yet it relies on voluntary participation by landowners. Landowners are reluctant to sacrifice considerable economic and personal benefits from their own land for the public good if the natural values remain at risk from mineral development. This uncertainty impedes conservation action by some landowners and the ability of land trusts to advance private land conservation effectively.
- **Public and private investment is at risk**
Significant time, money and work goes into identifying the private lands of greatest ecological value, protecting the lands and maintaining their conservation values through ongoing stewardship. Nova Scotians have demonstrated time and again that they treasure their protected areas. Citizens, businesses, foundations and all levels of government invest significantly in such conservation, and expect their natural values to be safeguarded. Land trusts are *entrusted* with protecting these lands against all forms of incompatible development and are accountable to the many stakeholders that make such work possible. The inability to guarantee protection against mineral development puts these accountabilities at risk, ultimately risking future investment in the province.
- **Provincial protected areas policy is inconsistent**
Land trusts' work is critical and complementary to nature conservation done by government, including Wilderness Areas and Nature Reserves. Land Trust Protected Areas, however, do not receive the

legislated protection against mineral exploration and development that provincial protected areas receive, creating inconsistency in policy.

- **Land Trust Protected Areas cannot be counted in national conservation reporting**
Lands owned and managed by land trusts do not meet international standards for protection because they have no formal protection from mineral development². The Province therefore cannot recognize these contributions in the national conservation areas reporting system. Nova Scotia's reputation benefits significantly from its conservation achievements, helping to position it as a progressive, clean, green, place to visit, live, work, and do business. Not being able to include Land Trust Protected Areas in national reporting means the Province loses out on these benefits and opportunities.
- **Requirements to protect American-owned lands are not being met.**
Some of Nova Scotia's most significant natural areas are owned by U. S. residents, many of whom are keen to protect their land. To receive tax benefits for their donations U.S. tax law requires that conservation easements are protected from any mineral development risk. The inability to provide such assurance poses a significant barrier to protecting these lands.
- **Loss of Land Trust Protected Areas benefits for the Province**
By discouraging private land conservation, the Province loses out on the most cost-effective conservation opportunities. It also loses opportunity to protect the many ecologically important sites, from endangered species habitat to the treasured coastline, which are predominantly in private ownership, as many landowners are reluctant to entrust their land to government. The positive benefits of such protected areas, for enhancing tourism, retaining and bringing new people and capital to the province, will not be fostered.

The government has long recognized the critical role of private land conservation in Nova Scotia and the challenges posed by this barrier. The government has also long encouraged land trusts and the government to work together towards resolution. Unfortunately the issue remains unsolved.

2.2 Rationale for a Legislated Solution

Current mechanisms to remove mineral development risk from Land Trust Protected Areas are neither feasible nor adequate. Land Trust Protected Areas can be granted Wilderness Area or Nature Reserve designation, which safeguards them from mineral development. Based on the large backlog of land trust properties awaiting designation, and the burden on government staff, this option would not be feasible for all land trust properties. Further, such designations impose other restrictions (such as banning hunting) which may oppose landowner or land trust objectives for the land. It would also create unnecessary duplication of effort with both government and land trusts required to take on a land management and stewardship burden for the same property. Most importantly, land trusts provide a complement to government protected areas options, filling the critical niche for landowners seeking a non-government alternative to protect our land. Requiring government designation of every land trust property would ultimately undermine land trusts, and eliminate a non-government alternative for conservation. Alternatively, under the current Act, the Minister may withdraw lands from mineral exploration for various purposes, but with Ministerial discretion to reverse the withdrawal, this option does not provide the certainty and longevity required to address landowners concerns, land trust accountabilities to supporters and stakeholders and international (IUCN) standards for protected areas.

² IUCN Resolution states that lands managed according to IUCN protected areas management categories I to IV must be legally protected from exploration and extraction of mineral resources. See <https://portals.iucn.org/library/efiles/documents/WCC-2nd-003.pdf> and http://cmsdata.iucn.org/downloads/iucn_advice_note_on_mining_in_wb_sites_final_060512_2.pdf

The issue of Land Trust Protected Areas being at risk from mineral development was first identified by the Private Land Conservation Enhancements Committee in 2004³. While action on this issue was recommended by the Committee, no solution has yet been put in place. Successive Ministers (Natural Resources and Environment) have recognized the need for resolution, and tasked the Nova Scotia Nature Trust and both departments with working together to find a legislative solution⁴. The Nature Trust has led such efforts for a number of years, consulting with government staff, conducting extensive research, exploring approaches in other jurisdictions and analyzing options for Nova Scotia. While a joint government/land trust recommendation has not yet been identified, this Mineral Resources Act review provides the ideal opportunity to find resolution.

3.0 Recommended Solution

3.1 Amendment to the Mineral Resources Act

The Mineral Resources Act currently allows for the Minister to withdraw lands from new exploration licenses for various purposes, such as temporary closures during the designation process for Wilderness Areas and Nature Reserves, and geoscience research. We are recommending a similar withdrawal concept for the purpose of conservation.

More specifically, we recommend amendments to the Act to enable the Minister to withdraw qualifying high value conservation land from the mineral development, subject to a balanced review of mineral and protected areas values:

1. Minor amendments to the Mineral Resources Act to enable the Minister (with Cabinet Approval) to withdraw lands from being subject to the granting of exploration licenses *and* special licenses and leases for government-approved Land Trust Protected Areas, and to enable related regulations.
2. Regulations to further define and limit such withdrawals, to outline associated criteria for lands eligible for application, timelines and process for review and approval, conservation organizations approved to apply for withdrawals, and the process for reversing withdrawals.

Specific wording recommendations for both the Act and Regulations, as well as sample forms for implementation are included in Appendices A, B and C.

Through numerous meetings with provincial government staff, managers, and directors, research and exploration of options for addressing this barrier in other jurisdictions, we have identified key factors which must be addressed to find a solution satisfactory both from the mining and the protected areas perspective, and from both a government and land trust perspective. Our proposed mechanism addresses all these

³ The Private Land Conservation Enhancements Committee was an inter-agency initiative led by the Nova Scotia Nature Trust with representatives from Department of Natural Resources, Nova Scotia Environment, Department of Finance, Service Nova Scotia and Municipal Services and the Nature Conservancy of Canada. The committee was set up by the Minister of Environment to identify the barriers to private land conservation and to make recommendations to government to address these barriers. Their final report was submitted in 2004 and included resolving the challenges presented by mineral development risk on Land Trust Protected Areas.

⁴ The Nova Scotia Nature Trust has long partnered with the Province in creating a positive, enabling climate for private land conservation through legislative changes, removing tax impediments, and creating tax incentives and funding opportunities. Success Ministers have encouraged continued joint efforts to find resolution to this barrier.

concerns. It will protect high priority conservation lands protected by nature conservation-focused land trusts. It will not open the door to massive areas of the province being closed down to mineral exploration and development.

In balancing the need for continued economic prosperity through mineral development and the need to protect our natural heritage, as well as ensuring ease of implementation, our recommended amendments address the following:

Withdrawals must be limited in their scope of application

- Limitation of eligible organizations
 - Open only to land trusts approved under the Regulations as Eligible Bodies (i.e. land trusts dedicated primarily to nature conservation and approved by Nova Scotia Environment and the Department of Natural Resources).
- Limitation of eligible lands
 - Open only to Government-approved lands. The lands must be protected by an Eligible Body through either fee simple ownership or conservation easement, and must be dedicated primarily to conservation of biodiversity and natural processes.
- Limitation of mineral rights impacted
 - Only applicable to the portion of the claim where it overlaps with the proposed property (not the entire claim)
 - Only applicable as long as the property remains a protected area. Should an area cease to be a Land Trust Protected Area (e.g. the land trust dissolves or a conservation easement is dissolved), the Minister, with approval of the Governor in Council, could re-open the land for mineral exploration.
 - Pre-existing mineral rights would not be affected.

Balance of mineral development and protected areas interests in the review and approval process:

- The application process should be balanced and fair
 - Managed jointly by Natural Resources and Environment. The two departments would strive to develop consensus recommendations on applications.
 - Department of Natural Resources staff would review applications for potential conflict with areas of high mineral including: the geological perspective (presence/absence); feasibility/practicality of mining; and the impact of the particular property in potential mineral development in the area (i.e. does a specific, small property, located at the edge of a claim actually impact the mining potential vs. a site at the core of a mineral hotspot etc.).
 - Nova Scotia Environment's review should ensure high conservation value and land protection standards.
- The application process would provide scope for individual applications to be turned down on the basis of high mineral potential, low conservation value, or low protection standards.
- There would be clear guidelines and a legislated process for application, approval and removal of a withdrawal.
 - Government review and approval process would have clear timelines to ensure it does not impede conservation success.
 - Applications would not be denied unreasonably. Clear criteria for acceptance and rejection would be developed.
 - Should an application be denied, the land trust would not be eligible to re-apply for the same land for five years, unless a material change in circumstances had occurred.
 - Applications should be reviewed and decided upon in an expeditious manner.
 - Granting of new rights on private conservation lands subject to a withdrawal application would be postponed until a decision was made on the withdrawal application.

Cabinet-level Approval:

- The requirement for Cabinet approval is included to provide certainty over time. Such commitment is required for national/international recognition as a protected area, to gain landowner support for voluntary conservation and to ensure accountability to the private, business and government investors in the conservation of the lands.

Safeguarded from mischievous applications and misuse:

- The proposed application process prevents abuse of the mechanism (e.g. groups using withdrawals to work against mineral development without true biodiversity conservation intent). The proposed process restricts application to government-approved land trusts meeting strict criteria that ensures the organizations are truly dedicated to nature conservation. It ensures the lands are ecologically important and being managed to IUCN standards for protected areas. Further, the proposed legislative amendments empower government to revoke the status of an organization.

Minimal workload on government staff:

- In crafting the recommended legislative amendments, careful thought has been given to keeping the process streamlined, simple and straightforward to implement, with minimal burden on staff or land trust time. Only a handful of organizations (biodiversity-focused land trusts meeting the legislated requirements) would be eligible to apply. The recommended application process for eligible bodies and for withdrawals is simple and straightforward. While there would be an initial backlog of Land Trust Protected Areas to review, the ongoing review and approval of properties on an annual basis would be limited (likely under 15).

4.0 Lessons Learned from Other Canadian Jurisdictions

Important insights for Nova Scotia can be gained by examining solutions put in place by two other jurisdictions in Canada. Manitoba has led the way on addressing the need for exclusions of mineral exploration and development on Land Trust Protected Areas. The Manitoba Mines and Minerals Act⁵ provides a general allowance for closures (withdrawal of Crown mineral right under Section 14). In addition, a Memorandum of Association has been signed with key land trust partners that defines tracks closures for conservation purposes with these specific organizations.

See http://www.gov.mb.ca/conservation/pai/mb_network/pdf/ncc_moa_amend_2009.pdf

Under the Memorandum, the Province agrees to ensure that no person engages in mining on the properties. The rights are withdrawn through Regulation or ownership of rights by the land trust. According to Nature Conservancy Canada staff in Manitoba, the process has been very successful. They have a good working relationship with partners at the Province, and all requests to date have been approved, encompassing 6,500 hectares of land.

While this model shows the feasibility and successful implementation of a withdrawal type mechanism for Land Trust Protected Areas, it has downfalls. The process is not clearly defined and articulated in legislation. It requires negotiation of separate agreements with each land trust organization, for each

⁵ The Manitoba Mines and Minerals Act, Section 14 allows the Minister, by order, to withdraw open Crown mineral land from exploration, staking out and lease. See <http://web2.gov.mb.ca/laws/statutes/ccsm/m162e.php>

protected area, creating a large burden on government and land trust staff. Also, the power to implement and to remove closures is vested with the relevant Minister, rather than provincial Cabinet. This does not provide the certainty required for land trusts, landowners and the many agencies, funders and partners for whom land trusts have obligations to protect our lands. Enshrining the solution in legislation and requiring Cabinet level approval would provide greater clarity, consistency and certainty for all parties over time.

The Quebec Mining Act⁶ also allows for exclusions of any prospecting or mineral development activities on lands withdrawn by Ministerial order for purposes including creation of parks, protected areas, ecological reserves, or biological refuges. To date, such withdrawals have not been used for Land Trust Protected Areas, but could be. Again, withdrawals can be reversed at the discretion of the Minister, minimizing the potential to truly address the barriers posed by mineral development risk to Land Trust Protected Areas.

The issue of mineral development risk in Land Trust Protected Areas has been recognized in other jurisdictions and efforts have begun to find solution, providing precedent and experience to build upon here in Nova Scotia. Yet we also have opportunity to show leadership, by creating the most effective solution in Canada. We are already emerging as a national environmental leader. We rank second in Canada in parks and protected areas commitments, we have created the most progressive property tax incentive program for private land conservation in Canada, and created the Nova Scotia Crown Share Land Legacy Trust, a funding model other jurisdictions seek to emulate. We have an opportunity to be bold and to create our own made-in-Nova Scotia solution.

4.0 Negligible Impacts on Mineral Development

Implementing this proposal would have negligible if any effect on the pursuit of mineral development in the province for several reasons:

Small size and extent of Land Trust Protected Areas

- Land trusts work exclusively on protecting private lands, which tend to be small in scale (average 80-100 ha, 200 – 250 acres).
- They focus only on the most ecologically significant lands, making a highly significant contribution in terms of biodiversity conservation, but not in overall area. Total Land Trust Protected Areas to date cover only 17,000 hectares.
- Land contemplated for withdrawal would be restricted to those of outstanding ecological significance, and protected to IUCN guidelines (categories I – III) by government-approved, nature conservation-focused land trusts.

Minimal overlap between Mineral Claims and Land Trust Protected Areas (see Figure 1)

- Land Trust Protected Areas make up a very small portion (17,000 hectares) of the 321,000 hectares under active claims.
- After 20+ years of active private land conservation, less than 1500 hectares of Land Trust Protected Areas overlap with active claims. This is less than 0.5% of the claim area
- The likelihood of conflict between a Land Trust Protected Area and the area of mining interest within that small area of overlap (i.e. within the 1,500 hectares) is minimal.

⁶ Under Section 304 of the Quebec Mining Act, the Minister may, by order, reserve to the State or withdraw from prospecting, mining exploration and mining operations any mineral necessary for purposes that the Minister considers to be in the public interest, including the creation of parks or protection areas; plant-life and wildlife conservation; and classification as an exceptional forest ecosystem or biological refuge under the Sustainable Forest Development Act. See http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/M_13_1/M13_1_A.html

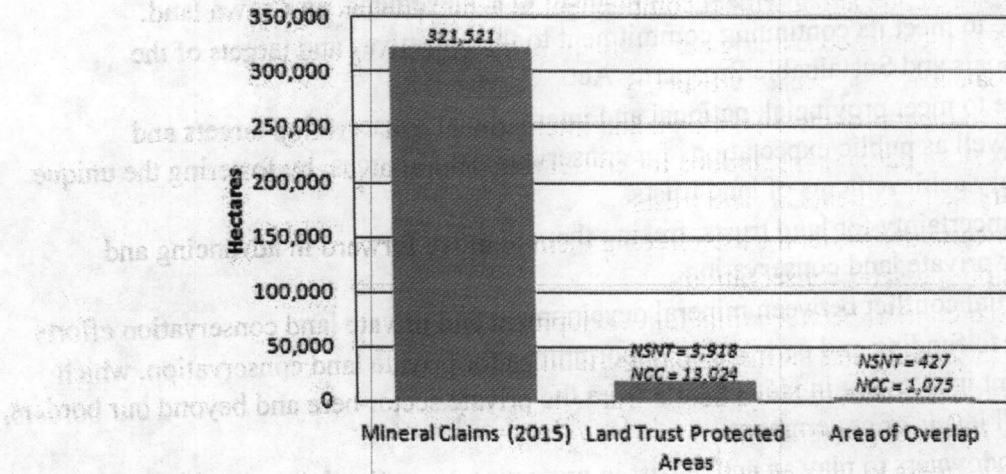
- The chances are even more remote that excluding mineral activity on one small property (or a portion of it) would impact development within the claim area (i.e. the likelihood is low that a particular 50 acre land trust property, perhaps at the edge of large claim area, would impact potential mineral development)

Balanced approach to decision making on withdrawals

- The approval process includes review of mining potential, so application for withdrawal on high value mining sites could be denied. These would be expected to be extremely rare circumstances.

Figure 1: Overlap between Mineral Claims and Land Trust Protected Areas

(April 2013 Mineral Claim Data)



5.0 Direct benefits to the mineral resource sector:

Implementation of the proposed amendments will achieve several important results:

- A transparent approval process for withdrawals, with safeguards against abuse, and limited scope of application for withdrawals.
- Balance between protected area and mineral interests. Where high mineral development potential exists, an application for withdrawal can be declined.
- Greater certainty for both land trusts and the mineral industry, with reduced potential for unanticipated conflict between mineral development and protected areas. All approved Land Trust Protected Areas would be automatically documented clearly on mineral claim mapping.
- Reduced potential for unanticipated conflict between mineral development and protected areas.
- Reassurance. Once all current Land Trust Protected Areas are reviewed and either approved or declined for withdrawal, industry members will be able to see the very limited overlap with areas of high mineral development potential.

6.0 Benefits for the Province

Implementation of the proposed amendments will achieve several important results:

- Demonstrate an exemplary success in moving towards the One Nova Scotia vision, cooperating and innovating to foster economic growth while sustaining environment.
- Further advance Nova Scotia's profile in Canada as a leader in environment and sustainable development.
- Ensure that all protected areas in Nova Scotia meet international guidelines and count towards national environmental reporting.
- Ensure consistent provincial policy on mineral development and protected areas.
- Enhance opportunity for private land conservation, the most cost-effective mechanism for land conservation in Nova Scotia and a critical complement to achievements on Crown land.
- Help the Province to meet its continuing commitment to the objectives and targets of the Environmental Goals and Sustainable Prosperity Act.
- Help the Province to meet provincial, national and international conservation targets and commitments as well as public expectations for conserving natural areas, by fostering the unique and complementary achievements of land trusts.
- Reduce a major uncertainty for land trusts, freeing them to move forward in advancing and enhancing further private land conservation.
- Reduce the potential conflict between mineral development and private land conservation efforts
- Remove a barrier to funding and partnership opportunities for private land conservation, which result in significant investment in Nova Scotia from the private sector here and beyond our borders, as well as from all levels of government.
- Enable private landowners to play an active part in protecting Nova Scotia's natural legacy

7.0 Conclusion

We are proposing a simple, straightforward, and easily-implemented solution for resolving the issues around risk of mineral development impacts on Land Trust Protected Areas. It addresses both mineral development and land conservation interests, offering a balanced, fair, and consistent mechanism for decision making. Implementation of our recommended solution will remove a major impediment to advancing private land conservation in Nova Scotia.

The Commission on Building our New Economy expressed hope that the Mineral Resources Act review will provide a modern and responsive legislative framework to promote sustainable resource management that is successful both economically and environmentally, and helps Nova Scotia to benefit more fully from our valuable resource base. We are proposing an effective mechanism to take more full advantage of natural resource benefits both through mineral development and protected areas. It makes good economic and ecological sense.

The Commission emphasizes that reaching the One Nova Scotia vision calls for boldness, innovation and collaboration. It requires us to "do things differently and to change old attitudes that limit our capacities to come together in common cause." We encourage the Province to take an exciting step in this direction, by making a change in the Act that is not solely in the interest of the mineral industry, but embraces the significant complementary opportunities we have to use our natural resources to build a better future for all Nova Scotians.

The Commission further encourages entrepreneurship and empowerment of Nova Scotians to take action to support our one economy. Land trusts are prepared to play an even more significant role in helping the Province to meet both provincial conservation commitments and goals, and public expectations around protecting Nova Scotia's biodiversity and special places. Land trusts are ready and able to help to protect the assets so critical to future economic prosperity. They are keen to continue leveraging significant investment in Nova Scotia, and providing a highly cost-effective partner in conservation. But first, the Government must first remove this barrier.

We hope the government will seize this opportunity to empower land trusts and private citizens to leverage even greater conservation benefit for the Province and its future.

APPENIDX A

Proposed Amendments to the Mineral Resources Act and Regulations

MINERAL RESOURCES ACT

Be it enacted by the Governor and Assembly as follows:

Definitions

1. Section 2 of Chapter 18 of the Act of 1990, the Mineral Resources Act, as amended by ...[*list of other Acts amending Chapter 18*] ..., is further amended by

(a) adding immediately after clause (f) the following clause:

(ff) "Eligible Body" means, for the purposes of this Act, a charitable land trust organization dedicated to biodiversity conservation and prescribed by Regulation under this Act.

(b) adding immediately after clause (i) the following clause:

(ii) "Land Trust Protected Area" means, for the purposes of this Act, any lot of land that is

(i) subject to a conservation easement that is primarily dedicated to the protection of biodiversity and natural processes, and is entered into in perpetuity within the meaning of the Conservation Easements Act, or

(ii) owned by an Eligible Body and primarily dedicated to the protection of biodiversity and natural processes;

Excluding any buildings or structures on the land and any of the land used in connection with those buildings or structures, and excluding any lands used or permitted to be used primarily for purposes other than the protection of native biodiversity and natural processes.

Withdrawal of lands and special licenses and leases

2. Chapter 18 is further amended by adding immediately after Section 22(9) the following heading and Section:

Withdrawals for Land Trust Protected Areas

22(A)(1) The Minister may, upon application by an Eligible Body prescribed by this Act and with the approval of the Governor in Council, withdraw Land Trust Protected Areas in the Province from being subject to granting of exploration licenses, special licenses and leases.

(2) Where any land, or part thereof, to which this Section applies, ceases to be Land Trust Protected Area, the Minister, with the approval of the Governor in Council, may re-open the land for granting of exploration licenses, special licenses and leases.

Regulations

Section 174, subsection 1 of Chapter 18 is further amended by adding immediately after (ac) the following clause:

(ad) respecting the withdrawal of Land Trust Protected Areas from being subject to the granting of exploration licenses, special licenses, and special leases.

REGULATIONS

Section 72(1) of the Mineral Resources Act Regulations made under section 174 of the Mineral Resources Act S.N.S 1990, c. 18, is amended by adding immediately after Section 72 the following Heading and Section:

72a

Ministerial Direction

- (1) For the purpose of subsection 22(A) of the Act, the Minister may, with the approval of the Governor in Council, direct that any lands within a Land Trust Protected Area are withdrawn from any new mineral exploration licenses, special licenses and leases.
- (2) A direction under subsection 22(A) must be given to the Registrar, who must then indicate on the appropriate claim reference maps that the area designated by the Minister is restricted from the activities specified by the Minister.
- (3) A direction issued by the Minister under subsection 22(A) may only be amended or rescinded by an Order-in-Council from the Provincial Cabinet.

Scope of Withdrawals

- (4) Withdrawals apply only to that section of a claim overlapping the Land Trust Protected Area.
- (5) For lands with existing active claims, the withdrawal comes into effect upon expiry of the current claim, or can be given up voluntarily before the claim's expiry date by the current claim holder.
- (6) Withdrawals remain in place as long as the lands remain a Land Trust Protected Area. If the lands are no longer a Land Trust Protected Area, the Minister, with the approval of the Governor in Council, may re-open the land for granting of exploration licenses, special licenses and leases. The withdrawal is removed from the claim reference map.

Designation as an Eligible Body

- (7) An organization may apply to the Minister to be designated as an Eligible Body.
- (8) An Eligible Body must meet the following minimal criteria:
 - (a) a land trust organization dedicated primarily to conservation of biodiversity and natural processes.
 - (b) registered as a Canadian charity (equivalent in the organization's jurisdiction).
 - (c) approved as an Eligible Body under Nova Scotia's Conservation Easements Act
 - (d) approved as an eligible recipient of Ecological Gifts (if a Canadian organization).
 - (e) in good standing with the Registrar of Joint Stock Companies (or equivalent authority in the organization's jurisdiction).
- (9) Applications are reviewed by Nova Scotia Environment and Department of Natural Resources staff, with joint recommendation to the Minister of Natural Resources.
- (10) If the Minister is satisfied that an organization has complied with these regulations, the Minister may approve the application and recommend to the Governor in Council that the organization be designated.
- (11) Approvals are granted by the Governor in Council.
- (12) Application for designation must be made on Form 20 and must include all requested information.
- (13) The applicant must be notified of the outcome of an application within 90 days of the application.

Revocation of Designation as an Eligible Body

- (14) A designation may be revoked and the organization's name removed from the relevant Regulation if the organization:
 - (a) fails to remain legally incorporated without purpose of gain for its members under legislation that requires that any profits or other benefits to the organization be used solely to promote its objectives.
 - (b) fails to maintain current registration and good standing issued by the Registrar of Joint Stock Companies (or equivalent authority in the jurisdiction in which the organization was incorporated or registered).
 - (c) amends its objects so that they are no longer directed to purposes that are beneficial to the public and no longer primarily directed toward the conservation of biodiversity and natural process.
 - (d) contravenes the Act or these regulations.

Application for Withdrawal under Section 72a

- (15) An Eligible Body may apply to the Minister for a withdrawal for a Land Trust Protected Area.
- (16) Application must be made on Form 21 and must include all requested information.
- (17) Application may be made in advance of the registration of a conservation easement or acquisition of land by the Eligible Body. The withdrawal comes into effect upon registration of the conservation easement or registration of the deed in the name of the Eligible Body.
- (18) Applications are reviewed by Nova Scotia Environment and Department of Natural Resources, with recommendations to the Minister of Natural Resources.
- (19) If the Minister is satisfied that an organization has complied with these regulations, the Minister may approve the application and recommend to the Governor in Council that the withdrawal be enacted and indicated on the claim reference maps.
- (20) Approvals for withdrawal are granted by the Governor in Council.
- (21) Withdrawals may not be unreasonably withheld. Should an application be denied, written explanation must be provided to the applicant. The Eligible Body may not re-apply on the same property for five years, unless a material change in circumstances had occurred.
- (22) The applicant must be notified of the outcome of an application within 90 days of the application.

Proposed Form 20 – Application for Designation as an Eligible Body

(pursuant to Regulation 72a of the Mineral Resources Act, S.N.S. 1990, c. 18, s. 2)

Name of Organization

Date application submitted

Contact name

Address

ss

Telephone

Email

Organization's Purpose/Mission

Is your organization a land trust primarily dedicated to protecting natural areas of ecological significance? Yes No Explanation _____

Attachments:

- proof that the organization has been legally incorporated without purpose of gain for its members under legislation that requires that any profits or other benefits to the organization be used solely to promote its objectives
- proof of current registration and good standing issued by the Registrar of Joint Stock Companies (or equivalent authority), designation as an Eligible Body under the Nova Scotia Conservation Easements Act, designation as an eligible recipient of Ecological Gifts (if Canadian), and designation as a registered charity in Canada (or equivalent)
- a copy of the objects and by-laws of the organization confirming that the objects are directed to purposes that are beneficial to the public, and primarily directed toward the conservation of biodiversity and natural process.
- description of the organization's stewardship and management program and evidence of its ability to manage lands to IUCN category 1 or 2 standards.
- a fee in the amount of \$25.00.

For Office Use Only:

Recommendation to Minister by Nova Scotia Environment and Department of Natural Resources staff

- Accepted by Minister Date: _____
- Approved by Cabinet Date: _____ O.I.C.# _____
- Rejected Date: _____

Explanation (if rejection):

- Applicant notified of decision Date: _____

In accordance with Mineral Resources Regulations 72a made under section 174 of the Mineral Resources Act S.N.S 1990, c. 18, c.2 please be advised that the applicant must be notified of the application outcome on or before 4:00 p.m. on _____ (90 days from the application date)

APPENDIX B

Proposed Form 21 – Application for Withdrawal

(pursuant to Regulation 72a of the Mineral Resources Act, S.N.S. 1990, c. 18, s. 2)

Name of Eligible Body

Date application submitted

Contact name

Address

Telephone

Email

Property Number(s)

Type of Protected Area Conservation easement held by applicant Land owned by applicant

Size of Protected Area: _____ ha.

Summary of Ecological Values of Protected Area and Rationale for Withdrawal:

Claim block(s) overlapping with the Protected Area:

- _____
Attachments: Property location map
 Aerial photo
 Copy of Conservation Easement (if applicable)
 Ecological description of property and management/stewardship plan overview

Signature of applicant

Date

For Office Use Only:

Recommendation to Minister by Nova Scotia Environment and Department of Natural Resources staff

Rationale/Statement of Facts

- Accepted by Minister Date: _____
- Approved by Cabinet Date: _____ O.I.C.# _____
- Rejected Date: _____

Explanation (if rejection):

- Applicant notified of decision Date: _____
- Registered on claims map Date: _____

In accordance with Mineral Resources Regulations 72a made under section 174 of the Mineral Resources Act S.N.S 1990, c. 18, c.2 please be advised that the applicant must be notified of the application outcome on or before 4:00 p.m. on _____ (90 days from the application date)

To: Law Amendments Committee, Province of Nova Scotia

From: Dr. Martin Willison, on behalf of Nova Scotia chapter of the Canadian Parks and Wilderness Society (CPAWS-NS)

Re: The Mineral Resources Act (DRAFT 2016-04-13).

Date: April 24th 2016

My name is Martin Willison and I speak on behalf of the Nova Scotia chapter of the Canadian Parks and Wilderness Society, known as CPAWS-NS. CPAWS is a national registered charity which is interested in protecting natural heritage through parks, nature reserves and other protected areas. We commonly work pro-actively with governments on these issues.

I am a retired Dalhousie University professor who held appointments in several faculties, notably the Faculty of Science (Biology Department) and Faculty of Management (School for Resource and Environmental studies). Among my several interests, I taught and conducted research in the subject area of nature conservation. As it happens, Bonnie Sutherland (who spoke before me) and Craig Smith (who will speak after me) were both students of mine and, if I remember correctly, they were also my teaching assistants. I respect both of them for their intelligence, honesty, and commitment to doing what is right.

The Nova Scotia Nature Trust and the Nature Conservancy of Canada have provided you with a detailed brief that includes carefully considered proposed amendments to the draft Mineral Resources Act and its associated Regulations which would allow the government to extend the potential withdrawal of granting of mineral exploration licenses, special licenses and leases to those protected areas for which approved land trusts have responsibility. This withdrawal of mineral exploration licenses and leases already applies to comparable classes of protected areas that are the direct responsibility of the crown (e.g. wilderness areas and nature reserves).

The Nova Scotia chapter of the CPAWS fully supports the proposal made by the Nova Scotia Nature Trust and the Nature Conservancy of Canada.

In this context it is important to understand the roles played by the Nova Scotia Nature Trust and the Nature Conservancy of Canada in the province's overall nature and biodiversity conservation strategy. Canada is signatory to the United Nations Convention on Biodiversity and has legal responsibilities at the federal and provincial levels to protect those components of the world's natural heritage that lie within their respective jurisdictions. Biodiversity is the essence of life itself and its protection is both a legal and a moral responsibility. To not do so would be both illegal and immoral.

Protected areas are the core of any biodiversity conservation strategy, and from the mid 1990s onwards the Province of Nova Scotia has done a relatively good job in establishing and managing protected areas to this end. Over the years I assisted with this process, taught my students about it, and spoke

enthusiastically at international scientific meetings about the sound scientific basis on which the province has been building its conservation strategy. I am therefore disappointed that this progress seems to have hit a 'speed bump' with the lack of response to the thoroughly reasonable proposals put forward in a timely manner by the Nova Scotia Nature Trust and the Nature Conservancy of Canada regarding revision of the Mineral Resources Act.

Some three quarters of Nova Scotia's lands are privately owned. The province has long recognized that the only way to achieve its own biodiversity conservation goals is to include nature reserves on private land within its overall conservation strategy. Indeed, when the province reports to the public on progress towards achieving its goals, it includes the Nature Trust's reserves in its reports as a special category. The government of Nova Scotia has repeatedly praised the Nature Trust for its work, and has often acted in partnership with both the Nature Trust and the Nature Conservancy of Canada in their work. Public funds have sometimes, but not always, been used for this purpose. This has been a very successful partnership and clearly reveals the respect that the province holds for these organizations.

There is a problem, however, and it's a problem recognized at the international level. The problem is that none of the nature reserves that are managed by the Nature Trust are recognized at the international level as having the highest level of nature protection. This is not because they are mismanaged in any way but only because the Nature Trust's nature reserves are technically open to mineral resource exploration and extraction. The province wants to be recognized as a place where people care about nature. The province wants to attract new residents and tourists who come here because this is a beautiful and caring region of the world. We need to match our legislative actions to those goals, and to do so in this case has virtually no cost.

I find it most remarkable that Section 2(2) of the draft legislation states:

"In administering this Act, the Minister shall consider the principles and goals referred to in the *Environmental Goals and Sustainable Prosperity Act*, which include the Mi'kmaq concept of *Netukulimk*."

There is no doubt in my mind that the amendment proposals put forward by the Nature Trust and Nature Conservancy do consider both the *Environmental Goals and Sustainable Prosperity Act* and the Mi'kmaq concept of *Netukulimk* and are fully consistent with them. To not accept these reasonable proposals appears contradictory to Section 2(2) of the draft Act.

I therefore respectfully request that the draft Act be amended accordingly.

Private Land Conservation and the Mineral Resources Act

Recommended Amendment to Bill 149 (April 2016)

The Issue and the Opportunity

Private land conservation, through the work of non-government land trusts, is widely recognized as making an irreplaceable contribution to biodiversity conservation and protected areas in Nova Scotia. Such conservation is also economically important in diverse ways from tourism and recreation to contributing to the quality of life so central in attracting and retaining people and capital to our Province. Land trust efforts, focused on private lands, are expected to play an even more critical role in the future.

Yet there is a barrier impeding our efforts. *All land trust protected areas are at risk of mineral development.* Such uncertainty limits our ability to achieve conservation. It also limits our ability as critical partners to the Province in meeting provincial and national environmental commitments, and meeting public expectations to protect natural areas. Land Trust Protected Areas cannot be counted in national environmental reporting, because unlike the Province's own protected areas, ours do not exclude mineral development, so do not meet international conservation standards.

At the same time, mineral development is an important economic activity for Nova Scotia. There is problematic uncertainty around access for the mineral industry, with potential conflict on land trust protected areas, causing potential delay and/or damage to the industry's public image. Resolving this uncertainty would benefit both land trusts and the mineral industry.

The Mineral Resources Act provides just such an opportunity. If amended as we recommend, a mechanism could be created to assess potential conflicts through a rational and supportable decision-making process, balancing mining and conservation interests, and addressing potential conflict in a cooperative, positive manner, *before* an actual conflict occurs.

The "Now or Never" report calls for bold, innovative approaches to expand economic growth while ensuring environmental sustainability. We encourage the Province to seize this opportunity to create such balance with the new Mineral Resources Act.

Recommended Amendment to the Mineral Resources Act

The Act allows for the Minister of Natural Resources to withdraw lands from mineral activity for various purposes such as research. **We recommend an amendment to allow the Minister to withdraw land for the purpose of conservation by designated ecological land trusts.** We recommend regulations (see Appendix 1) which ensure such withdrawals are limited in scope, safeguarded from abuse, subject to a balanced review of mineral and ecological conservation values, and managed through a transparent and fair process under the control of the Minister.

A Win/Win Proposition

Those who invest in mineral exploration and development look for Government assurance that there is certainty and efficiency of process related to access and development of minerals. Those who wish to conserve their lands or invest in conservation (citizens, business and all levels of government) require the same regulatory certainty that the lands they protect or invest in will be protected for future generations. Our recommendation provides such certainty for all, through due process overseen by the Minister.

Implementing the recommended amendment has negligible impact on the pursuit of mineral development for several reasons.

Likelihood of actual overlap in priority interests is low

- Land trust protected areas are highly important, but small, representing just 17,000 hectares out of 321,00 hectares under active claim)
- Overlap between such protected areas and active claims is less than 1500 hectares or 0.5%
- Likelihood of conflict within this small area of overlap is even more remote

Balanced approach to decision making on withdrawals

- Both conservation and mineral development values would be assessed
- Control and decision-making would remain in the hands of the Minister

Benefits for the Province

- A balanced approach to addressing potential conflict between mineral development and land trust efforts and greater opportunity for positive dialogue and cooperation
- Removal of impediment to private land conservation, which is the most cost-effective mechanism for land conservation in Nova Scotia, a critical complement to provincially-designated protected areas
- Ability to count land trust protected areas in national environmental reporting
- Consistent provincial policy on mineral development and protected areas (all Government Protected Areas have protection against mineral development)
- Increased certainty on land access for the mineral industry
- An exemplary success in moving towards the One Nova Scotia vision, cooperating and innovating to foster economic growth while sustaining environment
- Enhanced profile in Canada as a leader in environment and sustainable development

Conclusion

We have been asking the Province to remove the uncertainty and risk related to mineral development on land trust protected areas for almost 20 years. We have developed a simple, straightforward, and easily-implemented solution (see proposed amendments in Appendix 1) and the opportunity lies before us to implement this solution through the Mineral Resources Act. Our amendment provides a transparent, fair, and consistent mechanism for decision making, a balance between mineral and conservation interests, and removes a major impediment to advancing both mineral development and private land conservation in Nova Scotia. There is still opportunity for amendment. We hope you will help in making that happen, through the Law Amendments process and Third Reading of the bill.

The One Nova Scotia vision calls for boldness, innovation and collaboration. It asks us to “do things differently, to change old attitudes that limit our capacities to come together in common cause.” We hope that you, and ultimately the Province, will seize this opportunity to provide a modern and responsive legislative framework for mineral resources that is successful both economically *and environmentally*, and which helps to build a better future for all Nova Scotians.

Appendix 1

Proposed Amendments to the Mineral Resources Act and Regulations

ADDITIONS TO THE ACT:

Withdrawals for Land Trust Protected Areas

The Minister may, upon application by an Eligible Body prescribed by this Act and with the approval of the Governor in Council, withdraw Land Trust Protected Areas in the Province from being subject to granting of exploration licenses, special licenses and leases.

Where any land, or part thereof, to which this Section applies, ceases to be Land Trust Protected Area, the Minister, with the approval of the Governor in Council, may re-open the land for granting of exploration licenses, special licenses and leases.

Definitions

Eligible Body: A charitable land trust organization dedicated to biodiversity conservation and prescribed by Regulation.

Land Trust Protected Area: Land that is

- (i) subject to a conservation easement that is primarily dedicated to the protection of biodiversity and natural processes, and is entered into in perpetuity within the meaning of the Conservation Easements Act
- (ii) owned by an Eligible Body and primarily dedicated to the protection of biodiversity and natural processes;

Excluding any buildings or structures on the land and any of the land used in connection with those buildings or structures, and excluding any lands used or permitted to be used primarily for purposes other than the protection of native biodiversity and natural processes.

ADDITIONS TO REGULATIONS (Tied to new section of the Act)

Ministerial Direction

- (1) The Minister may, with the approval of the Governor in Council, direct that any lands within a Land Trust Protected Area are withdrawn from any new mineral exploration licenses, special licenses and leases.
- (2) Such direction must be given to the Registrar, who must then indicate on the appropriate claim reference maps that the area designated by the Minister is restricted from the activities specified by the Minister.
- (3) Such direction may only be amended or rescinded by an Order-in-Council from the Provincial Cabinet.

Scope of Withdrawals

- (4) Withdrawals apply only to that section of a claim overlapping the Land Trust Protected Area.

- (5) For lands with existing active claims, the withdrawal comes into effect upon expiry of the current claim, or can be given up voluntarily before the claim's expiry date by the current claim holder.
- (6) Withdrawals remain in place as long as the lands remain a Land Trust Protected Area. If the lands are no longer a Land Trust Protected Area, the Minister, with the approval of the Governor in Council, may re-open the land for granting of exploration licenses, special licenses and leases. The withdrawal is removed from the claim reference map.

Designation as an Eligible Body

- (7) An organization may apply to the Minister to be designated as an Eligible Body.
- (8) An Eligible Body must meet the following minimal criteria:
 - (a) a land trust organization dedicated primarily to conservation of biodiversity and natural processes.
 - (b) registered as a Canadian charity (equivalent in the organization's jurisdiction).
 - (c) approved as an Eligible Body under Nova Scotia's Conservation Easements Act
 - (d) approved as an eligible recipient of Ecological Gifts (if a Canadian organization).
 - (e) in good standing with the Registrar of Joint Stock Companies (or equivalent authority in the organization's jurisdiction).
- (9) Applications are reviewed by Nova Scotia Environment and Department of Natural Resources staff, with joint recommendation to the Minister of Natural Resources.
- (10) If the Minister is satisfied that an organization has complied with these regulations, the Minister may approve the application and recommend to the Governor in Council that the organization be designated.
- (11) Approvals are granted by the Governor in Council.
- (12) Application for designation must be made on Form 20 and must include all requested information.
- (13) The applicant must be notified of the outcome of an application within 90 days of the application.

Revocation of Designation as an Eligible Body

- (14) A designation may be revoked and the organization's name removed from the relevant Regulation if the organization:
 - (a) fails to remain legally incorporated without purpose of gain for its members under legislation that requires that any profits or other benefits to the organization be used solely to promote its objectives.
 - (b) fails to maintain current registration and good standing issued by the Registrar of Joint Stock Companies (or equivalent authority in the jurisdiction in which the organization was incorporated or registered).
 - (c) amends its objects so that they are no longer directed to purposes that are beneficial to the public and no longer primarily directed toward the conservation of biodiversity and natural process.
 - (d) contravenes the Act or these regulations.

Application for Withdrawal

- (15) An Eligible Body may apply to the Minister for a withdrawal for a Land Trust Protected Area.
- (16) Application must be made on Form X and must include all requested information.

- (17) Application may be made in advance of the registration of a conservation easement or acquisition of land by the Eligible Body. The withdrawal comes into effect upon registration of the conservation easement or registration of the deed in the name of the Eligible Body.
- (18) Applications are reviewed by Nova Scotia Environment and Department of Natural Resources, with recommendations to the Minister of Natural Resources.
- (19) If the Minister is satisfied that an organization has complied with these regulations, the Minister may approve the application and recommend to the Governor in Council that the withdrawal be enacted and indicated on the claim reference maps
- (20) Approvals for withdrawal are granted by the Governor in Council.
- (21) Withdrawals may not be unreasonably withheld. Should an application be denied, written explanation must be provided to the applicant. The Eligible Body may not re-apply on the same property for five years, unless a material change in circumstances had occurred.
- (22) The applicant must be notified of the outcome of an application within 90 days of the application.



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Recommended Amendments of the Mineral Resources Act, Bill 149 April 25, 2016

Good

- An engagement process will be required at the exploration phase (Section 44 of new Actⁱ). This is something we have been recommending for years now, and was also a key recommendation of the Natural Resources Strategy.ⁱⁱ
- Written permission from private property owners is required to go on land if any disturbance is to happen (Section 25 (3)) and verbal and / or written consent is required for non-disturbance access to land (Section 25 (2)).
- Reclamation is required for all projects. Lots of work done in this area of the new Act, probably as outcome of the May 2014 NS Auditor General's Report (<http://www.oag-ns.ca/sites/default/files/publications/2014%20-%20may%20-%20Ch07%20-%20Natural%20Resources%20-%20Mineral%20Resource%20Management.pdf>).
- Environmental Goals and Sustainable Prosperity Act and Mi'kmaq concept of Netukulimk are meant to be considered by the Minister in administering the Act.ⁱⁱⁱ
- Purpose of the Act no longer includes reference to "promote" "mineral resources management", although the term *encourage* remains.^{iv}

Good / Bad

The Act allows (but does not require) for the appointment of a commissioner or a board to settle disputes such as that which occurred regarding the Higgins' family land at the Moose River Gold Mine (this is good), but the Minister can still take land via a "vesting

order".^v In addition, the Minister still has too much discretion in granting surface access rights, Land Access (see Section 26 (2) in endnote v), no objective criteria for granting land access. This means a decision could be entirely political. An appeal can be made to the Supreme Court if a landowner has the means to do so, but this does require the ability to carry legal costs. While it is true that government is elected to make decisions, no one person is ever elected by any constituency as Minister of Natural Resources. Therefore, some objective criteria are required to guide Minister's decisions, and a straightforward appeals process is essential to provide fairness and transparency.

Bad

Maximizing Local Benefits and Recycling

Nothing in the Act requires examination of processing and recycling of minerals locally to maximize benefits to Nova Scotians.

Recommendation

Section 59 states that:

- (5) The Minister shall not accept an application for an exploration licence or mineral lease under this Section if, in the Minister's opinion, it would not be in the best interest of the Province to do so.

But how is the Minister to determine the "best interest" is being served? Regulations for applying for a mineral lease must include to requirement to lay out benefits to the province in terms of local processing and re-processing plans.

No increased transparency

We recommended that information regarding security bonds, inspections, etc. be made public via the Mineral Resources Registry. Not being able to know how much is held in security in case of a tailings breach and/ or for reclamation of a mine site causes stress to neighbours of the mine. Since they may bear the weight of any possible impacts, it is only fair that they be able to see what the securities are. Similarly, information regarding discharges levels, tailings etc. should be made public. This is not required under the new Act. In addition, attempts to circumvent FOIPOP Act – Administration, Section 18, 2(a)(c) and (d, which require a Ministerial order to disclose information, should be removed from the Act.

Recommendation

Remove portions of Section 18 and 140 of the Act allowing confidential information to be withheld, unless permitted by the Minister.

Section 18

18 (1) Upon payment of the prescribed fee, an interested person may, subject to subsection (2), inspect records of mineral rights and non-mineral registrations and records of names of mineral right holders and registrants and obtain copies of applications for mineral rights and non-mineral registrations by

(a) submitting a request in person at the office of the Registrar during office hours, with respect to records that are not filed in the electronic registry; or

(b) accessing the electronic registry.

~~(2) Notwithstanding the Freedom of Information and Protection of Privacy Act,~~

~~(a) departmental notations, other than the application number and date stamp, not forming part of a document;~~

~~(b) leases and other instruments or documents of a confidential nature and filed for information purposes only under Section 15 or 17;~~

~~(c) options; and~~

~~(d) financial information,~~

~~must be held in confidence by the Registrar unless the Registrar is directed to release the information by the order of a court of competent jurisdiction or by the Minister under subsection (3).~~

~~(3) Notwithstanding the Freedom of Information and Protection of Privacy Act, the Minister may direct that information that must be held in confidence under subsection (2) be released in connection with an order of a court respecting procedures under and provisions of this~~

~~Act or the regulations with respect to the information contained in the portion of the record ordered to be released, and upon such notice to the parties concerned as the Minister considers appropriate.~~

....

Section 140

~~140 — (1) — Notwithstanding the Freedom of Information and Protection of Privacy Act and except as otherwise provided in this Act and the regulations, all feasibility studies, financial data, mine and mill design studies, plans and equipment specifications in respect of a mine and information submitted under Section 70 are to remain confidential for the life of the relevant mineral lease or non-mineral registration.~~

~~(2) — Notwithstanding subsection (1), the Minister may release information referred to in subsection (1)~~

~~(a) — if, notwithstanding any enactment, there is a grave environmental danger involving the mine to which the information pertains; or~~

~~(b) — for the purpose of providing statistics regarding mineral production, employment, municipal taxes or economic impacts on the Province, if the statistics are general in nature and do not disclose financial or technical data that would result in undue financial gain or loss to the mineral right holder, the registrant or another person.~~

~~(3) — An assessment work report is confidential for two years from the date of submission, unless the exploration licence expires and is not renewed before the two-year period expires, in which case the report submitted and held in confidence may be released upon the expiry of the licence.~~

~~(4) — Notwithstanding subsections (1) and (3),~~

~~(a) — the mineral right holder or registrant may, upon application to the Registrar in writing, request an extension of the period of confidentiality granted under this Section, and the Registrar may grant such extension if satisfied that the application shows reasonable cause for the extension;~~

~~(b) — the period of confidentiality may be terminated if~~

~~(i) — the mineral right holder or registrant agrees to a release of the information, or~~

- ~~(ii) the mineral right or non-mineral registration is surrendered, cancelled or forfeited or has expired; and~~
~~(c) the Minister may use confidential information with the consent of the owner of the information.~~

Add to Section 15 of the Act:

- (2) The Registrar shall maintain an electronic registry for the purpose of this Act that is publicly accessible.

Establish a Common Reclamation Fund with Percent of Royalties

No common reclamation fund has been established to deal with issues related to abandoned mines and cases when companies can or will not pay for the consequences of an ecological disaster.

Recommendation

New Section be added to the ROYALTIES portion of the Act, stating that the Crown will establish a common reclamation fund to be created for making old mine sites safe and as a common emergency fund in cases where any future exploration license or mineral lease holder fails to pay for mine reclamation or disasters.

Land Trusts Still Open for Mining?

No provision to require that lands that are protect as part of land trusts are automatically withdrawn from mineral staking.

Recommendation

We support the NS Nature Trust & Nature Conservancy Canada's recommendation of the following amendment:

[SECTION] The Minister may, upon application by an Eligible Body prescribed by this Act and with the approval of the Governor in Council, withdraw Land Trust Protected Areas in the Province from being subject to granting of exploration licenses, special licenses and leases.

- (2) Where any land, or part thereof, to which this Section applies, ceases to be Land Trust Protected Area, the Minister, with the approval of the Governor in Council, may re-open the land for granting of exploration licenses, special licenses and leases.

Where "Eligible Body" is defines as "a charitable land trust organization dedicated to biodiversity conservation and prescribed by Regulation under this Act. "

The Act would also define "Land Trust Protected Area"

(ii) "Land Trust Protected Area" means, for the purposes of this Act, any lot of land that is

(i) subject to a conservation easement that is primarily dedicated to the protection of biodiversity and natural processes, and is entered into in perpetuity within the meaning of the Conservation Easements Act, or

(ii) owned by an Eligible Body and primarily dedicated to the protection of biodiversity and natural processes,

Excluding any buildings or structures on the land and any of the land used in connection with those buildings or structures, and excluding any lands used or permitted to be used for purposes other than the protection of native biodiversity and natural processes.

Oversight and Enforcement

The Section on PROSPECTING, MINERAL RIGHTS AND NON-MINERAL REGISTRATIONS, Section 69 (1) states "Every lessee shall keep in the Province records, accounts, correspondence and documents in which are entered a clear and distinct statement of ... (e) the quantity and analysis of tailings and waste discharges." In addition, there needs need government mandated and regular oversight, inspection and enforcement of compliance with this provision, performed by conservation officers at the Department of Environment. This issue needs to be specifically covered under ENFORCEMENT.

Recommendation

Under Section 124 and 125 of the Act, granting powers to officers to inspect mining operations should require frequency of inspections, on at least a quarterly basis.

Re-Naming the Act

No name change for the act seems like missed opportunity to be more comprehensive in their approach to Minerals to include Geological Resources. The Natural Resources Strategy recommended the Department provide "leadership in the collection and use of

earth science research and knowledge to benefit and protect Nova Scotians" (*The Path We Share: A Natural Resources Strategy for Nova Scotia 2011-2020*, p. 52).

Recommendation

Section 1 This Act may be cited as the ~~Mineral Resources Act~~ Geological Resources Act.

Ugly

The Quarry Loophole

There is no inclusion of pits and quarries under the new Act, meaning the 3.9 ha exemption from environmental assessment continues, as does the lack of coordination between departments of Natural Resources, Environment, and Transportation and Infrastructure when it comes to quarries. It also means no royalties on quarried materials, of particular concern for export quarries, where there can be few provincial benefits derived from non-renewable, quarried materials.

Currently, no department is taking the lead on dealing with the many issues which arise from quarries, such as their location, potential geohazards, water issues, inappropriate proximity to dwellings and communities, and quarry creep (See: *Lax environmental rules result in 'quarry creep'* <http://thechronicleherald.ca/opinion/1251852-lax-environmental-review-rules-result-in-%E2%80%98quarry-creep%E2%80%99>). This lack of clarity and coordination also means there is little research done on aggregate resources in the province, and crucial information, including information on groundwater, is routinely lost to the Department of Natural Resources, which is charged with assembling accurate information. It also means that there is no mechanism in place to ensure quarries properties are properly reclaimed. Government is also unable to ensure that Nova Scotians receive maximum benefit from aggregates quarried, particularly for export. Getting full value for our resource base is a key assertion of the Ivany Report ("the province is not realizing the full value of our asset base" - *Report of the Nova Scotia Commission on Building Our New Economy*, p. 66)

We recommend that *MRA* be modified to include pits and quarries. This change would create similar roles for the Departments of Natural Resources and Environment as currently exists for mines. DNR would take a leadership role in mapping aggregate resources and assessing geological impacts of quarries. Department of Environment would perform environmental assessments of quarries of any size. Royalties could be set, particularly for export quarries, so Nova Scotians get a fair return for the use of their resources.

Recommendation

Change Section 3 (INTERPRETATION AND APPLICATION) :

(v) "mineral" means a natural solid inorganic or fossilized organic substance or a substance prescribed to be a mineral, ~~but does not include~~

(i) ~~ordinary stone, building stone or construction stone,~~

(ii) ~~sand, gravel, peat, peat moss or ordinary soil,~~

(iii) gypsum,

(iv) ~~limestone, except that which is vested in the Crown, or~~

(v) oil or natural gas,

unless declared to be a mineral by the Governor in Council;

Land Use Planning Principles Still Shut Out of the Act

No balancing of the Crown rights to grant use of minerals in light of modern concepts of public consultation and land-use planning. No awareness of comprehensive land use planning, as is currently underway through the Open Space Initiative in Halifax. In other jurisdictions, the mining legislation incorporates land-use planning considerations and in Quebec, municipalities can zone areas as incompatible with mining (e.g. such as municipal watersheds). Section 213 of the NS Municipal Government Act requires that "A Department of Government of the Province, before carrying out or authorizing any development in the Municipality, shall consider the planning documents of the Municipality," but the new Act does not integrate this requirement into the Minister of Natural Resources' powers. We had recommended mechanism be incorporated in the new act to call for coordination between government departments & Mi'kmaq communities, and an opportunity for citizens to petition the Minister to withdraw lands from mineral extraction and exploration activities. Other jurisdictions such as Ontario, the Northwest Territories, and Quebec, have already integrated principles of land use planning into their Act. For instance, Quebec's amended its minerals legislation in 2013, giving municipalities the power to zone areas as "incompatible" with mining and/or give conditions under which mining could occur.

Recommendation

We have amended a proposal from EcoJustice for Ontario's *Minerals Act* to demonstrate what this could look like:

(Section) The Minister of Natural Resources or the Minister of Municipal Affairs may conduct a land use planning process to determine those areas where mining may be permitted.

[Section] The council of a municipality, a planning board, or an Aboriginal community may establish, within an official plan, those areas where mining may or may not be permitted.

(2) The council of a municipality, planning board, or an Aboriginal community shall notify the Minister of any areas to be withdrawn from further staking pursuant to a finalized official plan.

(3) After having received notification from a municipal council of lands to be withdrawn from further staking, the Minister shall withdraw the lands from further staking within twenty-four hours.

[Section] The council of a municipality, planning board, or an Aboriginal community may pass by-laws setting land use controls within areas established in an official plan as open to mining.

[Section] Where an area of is not currently subject to municipal organization, the land use planning will be carried out by the Departments of Natural Resources, Environment, and Aboriginal Affairs in consultation with Aboriginal governments.

[Section] Citizens may also petition the Minister to remove lands from mineral resource extraction.

ENDNOTES

ⁱ Section 44 of the New Act states:

44 (1) A licensee shall

(a) prepare and implement a stakeholder engagement plan, in the prescribed manner; and

(b) submit the plan if and as required to do so by the regulations or the Minister.

(2) Where the Registrar determines under Section 77 that a licensee has failed to comply with subsection (1), the Minister, or a person authorized by the Minister, may, on report from the Registrar, order the licensee to stop exploration, and the licensee shall stop exploration until the Minister, or the person authorized by the Minister, is satisfied that the licensee is in compliance with subsection (1), or the Minister, or a person authorized by the Minister, issues another order under Section 77.

(3) For greater certainty, an order may be issued under subsection (3) notwithstanding the time periods and other requirements set out in Section 77.

Section 77 states:

77 (1) Where the Registrar has reason to believe that this Act or a term or condition of a mineral right or non-mineral registration has not been complied with, the Registrar may

(a) investigate the matter and, where necessary, with or without notice, make or cause to be made an inspection of the premises and property;

(b) notify the mineral right holder or registrant of the non-compliance; and

(c) provide the mineral right holder or registrant with an opportunity, exercisable within such reasonable period as may be determined by the Registrar, to make representations to the Registrar.

(2) For the purpose of the investigation under subsection (1), the mineral right holder or registrant shall provide all relevant information required by the Registrar in the manner and at the time the Registrar requests.

(3) Where the Registrar is satisfied, after investigating under subsection (1), that this Act or a term or condition of a mineral right or non-mineral registration has not been complied with, the Registrar may require the mineral right holder or registrant to remedy the non-compliance within 30 days.

(4) Where the Registrar determines that the mineral right holder or registrant has not remedied the non-compliance within the period referred to in subsection (3), the Registrar shall

(a) refer the matter, with the Registrar's recommendations, to the Minister; and

(b) notify the mineral right holder or registrant of the referral.

(5) Upon referral by the Registrar, the Minister may

(a) declare a mineral right forfeited or a non-mineral registration cancelled for failure on the part of the mineral right holder or registrant to comply with this Act or a term or condition of the mineral right or non-mineral registration; or

(b) make such order or decision as the Minister considers just and equitable.

(6) Where the mineral right holder or registrant does not comply with an order or decision made under clause (5)(b), the Minister may declare the mineral right forfeited or the non-mineral registration cancelled.

(7) A mineral right holder or registrant whose mineral right has been forfeited or non-mineral registration has been cancelled under subsection (5) may, within 20 days of receiving notice of the forfeiture or cancellation, appeal the forfeiture or cancellation in the manner provided by Section 79.

(8) Subject to subsection (9), upon the forfeiture of a mineral right or cancellation of a non-mineral registration under subsection (5), the Registrar shall immediately post in the office of the Registrar or the electronic registry, as the Registrar considers appropriate, a notice of the forfeiture or cancellation and, upon the posting, claims included in such mineral right or non-mineral registration are, unless withdrawn from application, again open to application at a time set by the Registrar.

(9) Acceptance of an application referred to in subsection (8) is subject to the result of an appeal by a mineral right holder whose mineral right has been forfeited or a registrant whose non-mineral registration has been cancelled.

ii "A key Action in the Natural Resources Strategy is to

"Engage Nova Scotians in project planning and decision-making about mineral resource development that affects their communities. Where mineral resource development affects local communities, citizens will be engaged throughout the life cycle of the mining operation" - *From Strategy to Action: An Action Plan for The Path We Share: A Natural Resources Strategy for Nova Scotia*. p. 13

As part of the Overarching Goal of *Collaborative leadership*, the Strategy also requires that the Department of Natural Resources: "Include interested groups in planning and decision making about natural resources."

(*The Path We Share: A Natural Resources Strategy for Nova Scotia*, p. 13)

ⁱⁱⁱ (2) In administering this Act, the Minister shall consider the principles and goals referred to in the Environmental Goals and Sustainable Prosperity Act, which include the Mi'kmaq concept of Netukulimk.

^{iv} The previous Act states (Emphasis added):

The purpose of this Act is to support and **promote** responsible mineral resource management consistent with sustainable development while recognizing the following goals:

...

(b) encouraging, **promoting** and facilitating mineral exploration, development and production;

The new Act states:

The purpose of this Act is to support and facilitate responsible mineral resource management consistent with sustainable development while recognizing the following goals:

(b) encouraging and facilitating mineral exploration, development and production;

^v 22 (1) Notwithstanding anything in this Act, the Governor in Council may, if authorized by the regulations, appoint a commissioner or establish a board, in accordance with the regulations, to hear appeals of decisions made under this Act, as set out in the regulations.

(2) The Minister may delegate the Minister's authority under Section 26 to a commissioner appointed or board established under subsection (1).

Section 26 and other relevant Sections state:

26 (1) Subject to subsection (3), a mineral right holder or prospector who is unable to obtain consent of the owner or occupier of private lands required under Section 25 may apply, in the prescribed manner, to the Minister, after notice to the owner or occupier, for surface access rights to pass over or enter upon and work such lands.

(2) The Minister, in accordance with the prescribed process, may grant surface access rights, in writing, on such terms and conditions as the Minister determines, and may determine the amount of any compensation to be paid to the owner or occupier of the private land and the manner and time of such payment.

(3) The Minister may order the applicant for surface access rights to post security for payment of the compensation and may prohibit, pending the determination of the proceeding or until the compensation is paid or secured, further entry upon or work by the applicant or a legal representative or other person acting on behalf of the applicant.

(4) Where the Minister is satisfied that the owner or occupier of the private land cannot be identified, located or contacted, the Minister may grant surface access rights on the terms and conditions determined by the Minister.

(5) Where there are several owners or occupiers of the lands sought to be entered upon or worked and there are, in the opinion of the Minister, special difficulties in effecting service of any notice under this Section, the Minister may order substituted service in such manner as the Minister may determine.

(6) Subject to subsection 139(1), there is no appeal of the granting by the Minister of surface access rights, of the Minister's determination as to the amount of compensation, of any order for security or of any order, decision or ruling in respect of any of them.

(7) Where a licensee is delayed in the performance of work on land covered by the licence by refusal of the owner or occupier of the land to permit the licensee to enter upon or work the land and the Minister has granted the licensee surface access rights under this Section, the time within which the licensee is required to perform work under the licence is extended by a period equal to the delay resulting from the owner's or occupier's refusal to permit the licensee to enter upon or work the land from the date the licensee makes an application under this Section to the date the surface access rights are granted under this Section.

(8) The grant of surface access rights under this Section is a decision made by the Minister and may be filed with the Supreme Court of Nova Scotia under Section 138.

27 (1) Where a lessee requires land, or a right or interest in land, for a mine or any purpose connected with or incidental to a mine and no agreement can be made for the acquisition of the land or the right or interest in the land, the lessee may apply to the Minister for a vesting order.

(2) An application must include

(a) a statement that the lessee is the lessee under a certain lease;

(b) a statement that the lessee requires certain land or some right or interest in certain land, of which a plan and description is attached, for one or more of the purposes set out above in connection with the area covered by the lease;

(c) where the owner of the land is known,

(i) a statement that the lessee is willing to make an arrangement with the owner for the acquisition of the land, right or interest that the owner is unwilling to accept, and

(ii) information specifying the nature of the proposed arrangement and the price that the lessee is willing to pay;

(d) where the owner of the land cannot be identified, located or contacted,

(i) a statement that the owner of the land cannot be identified, located or contacted despite reasonable attempts by the lessee to do so, and

(ii) information specifying the attempts made by the lessee to identify, locate or contact, as the case may be, the owner, which information must be sufficient to satisfy the Minister that the attempts were reasonable; and

(e) a request by the lessee that the Minister make an order that the land or the right or interest in the land required by the lessee be vested in the lessee.

(3) Where required by the Minister, the application must be accompanied by a deposit in an amount as directed to cover the costs or expenses that may be ordered to be paid by the lessee to the owner.

(4) The Minister shall consider the application within the prescribed time and may, by order, vest in the lessee the land or the right or interest required by the lessee or such other right or interest as the Minister may determine.

(5) A vesting order issued by the Minister must be filed in the registry of deeds for the registration district in which the land to which the order relates is situate, and the filing thereof is deemed to be a deposit of expropriation documents under the Expropriation Act.

(6) Upon the filing of a vesting order by the Minister, the lessee named in the order is and is deemed to be the expropriating authority within the meaning of the Expropriation Act, and the land, right or interest that is vested is deemed to be expropriated.

28 In connection with the proceedings under Section 27,

(a) the Expropriation Act applies mutatis mutandis to the expropriation;

(b) notwithstanding Section 4 of the Expropriation Act, whenever the provisions of that Act conflict with the expropriation provisions of this Act, the expropriation provisions of this Act prevail;

(c) the lessee is deemed to be the statutory authority for the purpose of the Expropriation Act; and

(d) the Minister is deemed to be the approving authority for the purpose of the Expropriation Act.

Bill 149

Mineral Resources Act

Presentation to the Law Amendments Committee

Mining Association of Nova Scotia

April 25, 2016



Industry Overview

- ▶ 5500 jobs, mostly in rural areas
 - Down over 800 since 2008
- ▶ \$420 million in economic activity per year
 - Down \$80 million/year
- ▶ Ivany endorsement
- ▶ PWC tax/royalty analysis
- ▶ Fraser Institute survey
- ▶ Important industry but in need of help



Mineral Resources Act Review

- ▶ We support the review.
- ▶ Administrative, common sense overhaul of the Act.
- ▶ The Act simply needed to be modernized and brought into line with equivalent legislation in other provinces.
- ▶ Reduce red tape.
- ▶ Ivany highlighted need to “provide a modern and responsive legislative framework to support and promote sustainable mineral resource management.”



Examples of Common Sense Improvements

- ▶ Exploration licences to change to two-year renewal from annual
- ▶ Raise limit to begin mining production from two to five years
- ▶ Discontinuation of special licences and leases
- ▶ Consultation
 - Public engagement plans, a first in Canada
 - Written permission for disturbance exploration work
- ▶ Changes to reclamation and security to ensure up to date reclamation plans, appropriate levels of security and monitoring throughout the process
 - Companies are and should be responsible for reclamation costs



Protect Land *and* Jobs

Strike the right balance

- ▶ Nova Scotia plans to protect – remove from economic usage – over 13% of the province's land mass.
- ▶ Other Atlantic provinces:
 - NB 3.1%
 - PEI 2.8%
 - NL 4.6%



Out of step with neighbouring provinces and putting ourselves at an economic disadvantage.

Nova Scotians own Mineral Rights

- ▶ Mineral rights are owned by the Crown.
- ▶ Ensures all Nova Scotians benefit when minerals are removed from the ground and used to create jobs, and generate tax and royalty revenues.
- ▶ The change the groups are asking for is inconsistent with this fundamental principle.
- ▶ While cabinet would technically remain the ultimate decision-maker, the groups are effectively asking that the decision be largely delegated to them.
 - Clause 21 of their proposed legislative amendment makes this clear where it says "Withdrawals may not be unreasonably withheld."
 - Undermines cabinet's authority and largely hands it to unelected, non-governmental organizations.



Conclusion

We respectfully request that the legislature pass the new Act ASAP, and pass it without additional amendments.



Not Your Grandfather's Mining Industry

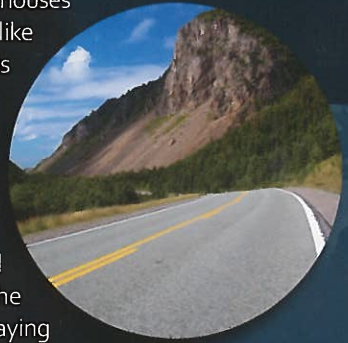


Today's mining and quarrying industry is a sophisticated, high tech business that is vital to our economy and way of life - and a very different industry than in the past.

Dig a little deeper. This is not your grandfather's mining industry.

Why Mining Matters

Mining and quarrying are vital to our economy and way of life. Mining contributes to everything in our daily lives, from houses to electronics to food production. You can't build things like homes, roads, schools and hospitals without the materials we take from the ground.

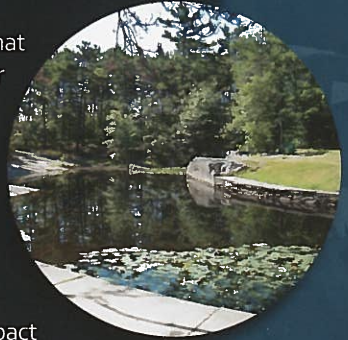


Jobs and Prosperity

Nova Scotia's mining and quarrying industry is a key creator of jobs and prosperity for Nova Scotians. It provides thousands of jobs, mostly in rural areas, and contributes hundreds of millions of dollars to the province's economy each year. Mining is the highest-paying natural resource industry and one of the highest-paying of all industries in the province.

Environment and Reclamation

Mining is an environmentally-responsible industry that makes temporary use of land, and then reclaims it for other purposes, such as natural space, recreational areas and commercial and residential development. For example, Point Pleasant Park, one of Nova Scotia's most beautiful natural spaces, contains over 50 former quarries, and shopping centre Dartmouth Crossing was built where several quarries used to operate.



We are committed to minimizing our environmental impact while working on a site, and then to reclaiming it in ways that maximize its use for communities.

Safety Culture

We believe the most important thing to come out of a mine is the miner, and our safety record reflects this. Injury rates in the mining and quarrying industry have been reduced 90% in the last 15 years, and are lower than other comparable industries.



Modern mining uses technology and knowledge to extract materials safely and ensure that our colleagues get home to their families each night. For more information, please visit:

www.NotYourGrandfathersMining.ca

Mining Association of Nova Scotia

Submission to Law Amendments Committee re: Bill 149 Mineral Resources Act

Tom Herman, Ph.D.

Professor Emeritus, Acadia University

Chair, Board of Directors, Mersey Tobeatic Research Institute

tom.herman@acadiau.ca mobile 902 670-3535

Premise: Private lands protected by land trusts for their extraordinary ecological value should be afforded the same protections from mineral exploration and development as public lands protected for the same purpose.

Proposed approach: Introduce an explicit and balanced legislative framework that recognizes both the value of private land conservation and the value of mineral development. This can be accomplished most simply by extending an existing mechanism in the Act that permits the Minister to withdraw lands from exploration licenses, to explicitly enable the Minister to withdraw ecologically significant Land Trust Protected Areas from mineral exploration and development.

Context:

- Nova Scotia is rich in biodiversity and landforms, with a long history of close relationships with our landscapes and seascapes.
- More than 70% of province is privately owned - this presents both obligation and opportunity for private landowners to act as stewards, and to actively protect aesthetically and ecologically significant places.
- If we as a province are to meet our obligations to conserve biodiversity and protect spaces and species-at-risk, we must engage private citizens on private lands. We can't do it on public lands alone.
- Presently less than 0.1 percent of our private lands are formally protected.
- As citizens we all share the obligation to celebrate and steward our heritage.
- That heritage not only forms the basis of our identity - it also provides an authentic approach to close the divide between environment and economy, and move forward into the "New Economy".

Concerns:

- Explicit acknowledgement of ecologically significant Land Trust Protected Areas is presently lacking in the proposed Act, and existing mechanisms for removal of such areas from mineral development (*e.g.*, applying for Wilderness Area or Special Place status) are unwieldy or potentially counterproductive, making these areas vulnerable.
- Proposed ministerial discretion for withdrawal of an area from mineral development (contained in the proposed Act) is neither sufficiently certain or long-lived to promote engagement of private landowners in conserving their lands.
- Despite little overlap at present between Land Trust Protected Areas and mineral claims, we face the prospect of encountering a circumstance of low probability but high negative consequence.

Where the rubber hits the road: If we extend this protection for ecologically significant areas from those in the public domain (protected under the Wilderness Areas Protection Act or Special Places Protection Act) to include those formally designated on private lands, will it unduly constrain or curtail mineral development in the province? I argue not. Why?

- A very small percentage of privately owned land is presently designated, and that percentage is never likely to be large.
- Very little overlap presently exists between Land Trust Protected Areas and mineral claims.
- Any concern over proliferation of land trusts and associated efforts to curtail development could be addressed by creating a register of government-approved conservation organizations in regulations accompanying the Act.
- Clear criteria for identifying eligible lands for withdrawal from exploration and development could be established in accompanying regulations, along with processes for review and approval, and for reversing withdrawals.

What do we all stand to gain?

- Shifting the level of authority for withdrawal from development from the Minister alone (as presently proposed) to Cabinet (for both withdrawal and removal from withdrawal) would encourage private landowners considering participation as well as satisfy requirements of national monitoring bodies assessing provincial conservation performance.
- Incorporating explicit involvement of both NSE and NSDNR in the assessment process would ensure a balanced and transparent consideration of both environmental and mineral development perspectives.
- Parallel processes for protection of ecologically important private and public lands would provide greater certainty, clarity and consistency for citizens and government alike.
- The 'New Economy' requires new rules, including greater collaboration, inclusion and transparency – this is already apparent in the more collaborative and inclusive interactions being promoted within provincial departments and agencies, and legislation needs to mirror that approach.
- We have already gained an enviable reputation across Canada for enlightened and progressive policy and legislation around environment and resources (*e.g.*, NS Endangered Species Act, Environmental Goals and Sustainable Prosperity Act).
- That same enlightened approach should be apparent in our policies, legislation and management of our mineral resources.

April 25, 2016

Nova Scotia Prospectors Association

**Presentation to
Law Amendments Committee
Bill 149 Mineral Resources Act
25 April, 2016**



PRESENTERS

- Mr. Matt Abel, President
- Mr. John F. Wightman, Executive Director



NSPA MANDATE

- We are a “not-for-profit” organization established to collectively promote prospecting in Nova Scotia.
- We hold regular monthly educational meetings through the winter months to educate and encourage new members and interested individuals to prospect for minerals using the latest exploration techniques.
- We conduct field trips and gold panning clinics in the spring, summer and fall to educate members.



Wild Cat

Why are Prospectors Important?

Over 1000 prospectors are registered in NS.

The majority of new mines are initially found by prospectors.

Prospectors generally live and work in rural areas. They know the community and rural values.

They are entrepreneurs and run small business in support of the rural economy.



Bill 149 – Mineral Resources Act

Why is it Important to the NSPA?

- The old MRA is 25 years old – it is outdated and contains clauses and regulations that place the NSPA member at a disadvantage to our counterparts in neighboring Provinces.
- It is the Legislation that governs our interaction with the public and facilitates our ability to conduct our business.
- It is critical to the NSPA that we get the new MRA right for the benefit of the NS economy.



Wild Cat

The NSPA Supports the new MRA

- We feel that the Government and officials in the Department of Natural Resources have done an excellent job in recognizing and correcting the deficiencies in the old Act in light of the reality of 2016.
- We are particularly pleased with the move to the 2 year staking environment. Less paper work – more field work.
- We look forward to the new Regulations which we hope will address our concerns with respect to: staking and assessment fees. Work credit for additional exploration expenses, regrouping fees and 2016 level credit for prospector per diems.



Wild Cat

However, a Major Concern

- The guiding Purpose of Act or “goal” in the present MRA is that in 1A (b) “encouraging, promoting and facilitating mineral exploration, development and production,”
- The new Act very unfortunately and unexplainably removes the word promoting.



Promote – Promoting the mineral industry in NS

- To further the growth or progress of.
- Actively encourage an activity or resource or commodity.
- Includes all the ways available to make a product or service known to and available to purchase by customers (investors).



Importance to Prospectors

- Prospectors do not have the financial means to “promote” their claims nationally.
- The Government through DNR has provided this promotional opportunity by travel, booth and poster assistance at major mineral trade shows. New mineral investment has occurred.
- The NSPA is concerned that future administrators of the MRA may, failing the inclusion of “promoting” in this new Act, not continue this level of “promotion.”



The Mineral Resources Act (1990) & (2016)

- The existing (1990) Mineral Resources Act, in its over-arching purpose, authorizes the Province to “promote” responsible mineral resource management.
- The new (2016) Act does not. It merely gives the Province the authority “facilitate” responsible mineral resource management.
- I feel it is essential that DNR be authorized by the Act to let the global mineral exploration industry know what Nova Scotia has to offer by promoting the Provinces mineral potential to the wider industry.



Request

- Madam Chair, I am here today to ask this Committee to replace the word “facilitate” in the over-arching purpose of the new (2016) Mineral resources Act with “promote” (both in Section 2 (1) and in Section 2 (1)(b)).



Acknowledgements

NSMIP Funding: 2013 - 2016

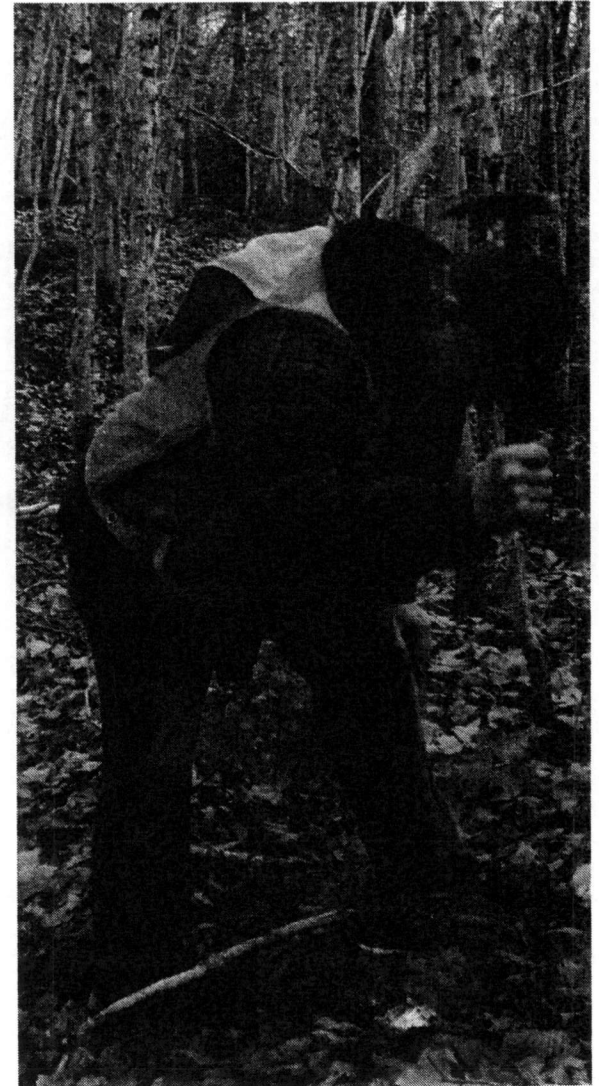
Travel Assistance to Conferences

Poster and Booth Space

New Prospector Training Course

Digital Mapping / GIS Training

Assistance from DNR Geologists



thank You

the End

Questions?



Wild Cat

Nova Scotia Crown Share Land Legacy Trust

Supporting the Protection of High-Conservation-Priority Lands in Nova Scotia

Trustees - Karen Beazley- Don McNeil - Dale Smith

Administrator
c/o Biology, LSC, Room 2080
Faculty of Science
Dalhousie University
1355 Oxford Street
PO Box 15000
Halifax, NS B3H 4R2
Email: NSCSLLT@DAL.CA
(902) 494-1059

To: Law Amendments Committee
Date: April 21, 2016
From: The Nova Scotia Crown Share Land Legacy Trust
Re: Bill 149

Background

- The Nova Scotia Crown Share Land Legacy Trust (NSCSLLT) was established by the Province in 2008 to fund the protection of some of the province's most ecologically significant, threatened, and irreplaceable areas on private land. The Trust was capitalized with a portion of the 2008 Crown Share Adjustment Payment, to the amount of \$23.44 million.
- NSCSLLT makes funds available to charitable, non-governmental land conservation organizations (land trusts) to secure lands of provincial conservation significance and protect them to high, internationally-recognized standards for protection (as set by the International Union for Conservation of Nature (IUCN) protected area Categories I, II, or III).
- Such lands are recognized as contributing to the Province's land protection goals.
- NSCSLLT is administered by three Trustees independent of government.
- Funds are made available on a matching basis, providing both an incentive and a lever for land trusts to increase their private-sector fundraising. Matching can occur through fund-raising and in-kind contributions by the applying organizations, landowners, and/or other donors. The requirement for matching makes the NSCSLLT contribution go much further than if funding were provided as a grant in the amount of the full cost of land securement. This requirement favours approaches that enable protection of land for less than fair market value purchase (e.g., through conservation easements, offers of property tax exemption, bargain sales, donations, and consents to protected area designations).

- The organizations eligible to obtain funds from the CSLLT are the Nova Scotia Nature Trust, the Nature Conservancy of Canada, and any other charitable, non-governmental, nature conservation land trusts designated as “eligible bodies” under the *Conservation Easements Act*.
- In order to be considered for securement using NSCSLLT funds, land must be determined to be a high priority for protection on the basis of conservation biology principles and current conservation planning work relevant to the province of Nova Scotia.
- Lands secured using NSCSLLT funds must be protected to standards for IUCN category I, II, or III protected areas either through ownership by an eligible organization, through permanent conservation easements, and/or through designation as a protected area under applicable legislation.
- Lands protected using NSCSLLT funds must remain in private ownership, and cannot become Crown lands due to the independent arm’s length relationship with the provincial government as set out in the indenture that established the NSCSLLT.
- NSCSLLT employs procedures for ensuring accountability in the management of Trust funds and in the protection of the lands to be secured.
- As of September 2015:
 - 65 land securement projects had been funded;
 - 6392 ha (0.12% of province) had been secured;
 - \$9,856,559 had been disbursed or approved for disbursement;
 - This contribution has enabled securement of a total of \$22,516,484 worth of high-priority conservation land in Nova Scotia;
 - Priority areas and properties include Atlantic coastal plain flora regions (Tusket and Medway River systems), Chignecto Isthmus, Musquodoboit River and Outer Estuary, Eastern Shore Islands, old and/or rare forest types, other rich coastal and estuarine habitats, St. Marys River, Cape Mabou, properties in or adjacent to protected areas, and properties in the Bras d’Or Lake watershed.

Issues with the new Mineral Resources Act

- IUCN standards for protected areas, including Categories I, II, and III, require exclusion of mineral exploration and mining development in order to achieve recognition for this standard of protection.

- Failure to provide for protection of NSCSLLT-funded land from mineral exploration and development through amendment of the Mineral Resources Act as recommended by the land trusts, will maintain an unnecessary contradiction and inconsistency in Provincial direction with regard to the protection of ecologically significant sites on private lands.
- Failure to provide for protection of NSCSLLT-funded land from mineral exploration and development is inconsistent with the Province's provision for including these provisions for Provincially-designated protected areas and parks.
- NSCSLLT understands that, when this concern has been raised in the past, the Ministers of Natural Resources and Environment have directed staff of both departments to work with land trusts to develop a workable process for closing certain private conservation lands to staking and mining. The process proposed jointly by the Nova Scotia Nature Trust and the Nature Conservancy of Canada in response to this direction and to the opportunity presented by the current review of the Mineral Resources Act includes checks and balances to ensure that both mineral potential and conservation values are objectively and fairly considered.
- Mineral closures would allow lands secured using NSCSLLT funds to be protected consistent with IUCN I, II and III standards.
- NSCSLLT has approved land securement projects with the expectation that, as had been directed by the Ministers, the issue of ongoing risk of mining on private conservation lands would be resolved.
- Without resolution of this issue, through amendment of the Mineral Resources Act to establish a closure process for protected private land trusts, NSCSLLT-funded protected properties, existing and future, will continue to be potentially at risk of exposure to future mineral exploration and mining initiatives and the Province will not be able to gain national or international credit for these protected properties.

April 22, 2106

To: Law Amendments Committee, NS Legislature

From: Chris Field

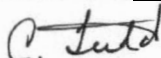
I'm writing as a concerned Nova Scotia resident about the Mineral Resources Act, Bill C149 currently under consideration by the Law Amendments Committee. About 10 years ago, along with my 6 brothers, we donated 33 acres of wilderness land in Purcell's Cove to the Nova Scotia Nature Trust. This land had been in our family since our grandfather, Captain Arnell had bought it in about 1920. Our land rises up over Purcell's Cove and has wonderful views overlooking Point Pleasant Park and Halifax Harbour. As a result of our donation, the Napier family donated their adjacent land to the Nature Trust so that Nova Scotians now have about 70 acres of protected wilderness very close to the urban core. This land contains Purcell's Pond which is widely used by many residents for swimming. The seven of us along with our extended family felt that by making this donation, we could ensure this beautiful ecologically important property is free from any future development above or below the ground.

Knowing that the lands we donated are not truly protected, that they could be expropriated for mineral development, is discouraging. While we trust and hope that such a scenario would never happen, this risk is no doubt a barrier for many landowners to protect their land as we have. Yet with over 70% of the province is privately owned, encouraging private land conservation is essential if we want to truly protect the rich diversity and beauty of Nova Scotia.

I understand the Nova Scotia Nature Trust and the Nature Conservancy of Canada have proposed an amendment to Bill C149 which puts in place the same safeguards that provincially protected Nature Reserves and Wilderness Areas currently enjoy. I have read their amendment and to me it seems to provide the sort of thoughtful approach we need in Nova Scotia to balance the need to develop economically and the need to protect our beautiful environment for future generations. As I age, I get immense pleasure watching my grandchildren enjoy the Captain Arnell Conservation Lands and to hear the pride they express that their family through the Nature Trust made this conservation possible.

In summary, I urge you to give serious consideration to the amendment to Bill C145 submitted by the Nature Trust and the Nature Conservancy. As other Nova Scotians and outsiders consider donating their land to the Nature Trust or Nature Conservancy, this amendment provides them with the safeguards that their land will be preserved in perpetuity. Such safeguards would allow landowners and land trusts to do even more to protect the unique natural legacy of Nova Scotia for generations to come.

Chris Field, [REDACTED] Halifax [REDACTED]



From: Graham Smith <[REDACTED]>
Sent: Saturday, April 23, 2016 9:17 PM
To: Office of the Legislative Counsel
Subject: Changes to the Mineral Resources Act

To: Law Amendments Committee

I would attend the Apr-25 meeting of the Law Amendments Committee if I were able. Please consider the following inputs as a summary of what I'd have said in person.

I am Director of the Sage Environmental Program and a retired Nova Scotia businessman. I respect the need to grow our economy, and the contribution that some mineral extraction projects can make toward this end. I also respect the integrity of natural places - they protect our water supplies, create wildlife habitat, and protect recreational opportunities for Nova Scotians. They also have an economic benefits such as tourism, which could be damaged by some mining activities.

My recommendation in regard to the Mineral Resources Act is that the Government accept the recommendations of the Nova Scotia Nature Trust and the Nature Conservancy of Canada to create a balanced, transparent process for evaluating ecological values and mineral potential on private conservation lands. As a minimum, the section on ministerial discretion to withdraw certain lands from mineral development should be expanded to include specifically conservation lands that have been brought under protection by conservation trusts. Preferably, the level of authority should reside with the Cabinet rather than the Minister. This would provide the certainty needed to meet international (IUCN) standards, so that our lands count towards national protection and biodiversity reporting.

These changes would have a number of other benefits. They would remove uncertainty for conservation groups, landowners and industry, provide consistent policy across government and help avoid future conflicts. From the conservation standpoint, lands that have been identified as suitable for protection, at significant public and private costs, would in reality become better protected. From the industry viewpoint, there would be greater certainty regarding development prospects for particular areas. The percentage of our province's area that is protected by trusts is small, so there would be little opportunity loss for the industry. Donors to the conservation trusts would be more certain that their donations would be legitimate in the eyes of revenue agencies. It would be a better situation all around.

Thank you for the opportunity to make input. I would be pleased to discuss this further if there were an opportunity.

Graham Smith

[REDACTED], Brookside, NS, [REDACTED]

Mobile [REDACTED]

Law Amendments Committee of the Government of Nova Scotia
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Dear Members of the Law Amendments Committee,

Thank you for receiving this written submission regarding Bill No. 149, Mineral Resources Act, which the Honourable Lloyd Hines, Minister of Natural Resources, introduced to the Nova Scotia Legislature. I hope this is not too late to be a part of your deliberations.

Every property that the Province of Nova Scotia, the Nature Conservancy of Canada and the Nova Scotia Nature Trust put into trust has a distinct character as well as abundant ecological treasures that have been preserved for all Nova Scotians today and, we hope, for many future generations. I am writing to you because I believe that any property placed in trust should be afforded permanent protection.

Our family has been privileged to own Great Island, in Medway Harbour, Queens County, for nearly 45 years. We lived on the island year round for almost 18 years and today our adult son has chosen to make Great Island his primary residence.

If you are willing "to listen" I would like to share a bit of our story that reflects the unique qualities of one particular trust property put under a forever-wild easement with the Nova Scotia Nature Trust in 2010. For our family, the story begins, as I have said, less than 45 years ago. But this is a land rich in history and as regards human activity, it may have begun many thousands of years ago.

Members of the area Mi'kmaq Nation were known to migrate down the Medway River to traditional summer fishing grounds on the island where even in the 70s Atlantic salmon were still caught in abundance. By the mid-80s, it was determined that acid rain had destroyed this river's salmon-supporting capability entirely. We witnessed this. The Medway had been a record-breaking salmon river in its day. We were also told that one particular part of the island had been a Mi'kmaq burial ground which the Nova Scotia Museum has explored, and elder settler residents of Port Medway told us of the olden days when the chanting of the Mi'kmaq could be heard as they journeyed down river by canoe, out into the harbour and across to the island. I myself have found two arrowheads in the area where the salmon had once run on their way to the river.

We have located seven wells on the island dating from the 1800s into the 20th century. These were at early settler dwelling locations (on 19th century "school maps"), at a logging camp site, where mainland residents stayed as they tended island sheep in season, near the homesite of one who the locals in the day called "a witch" (*her* well is square!). The list also includes two (one "hand bored" by a local resident for 75¢ / day) at the site of the illustrious Tuna Inn, established in the first decade of the 20th century to provide accommodation and charters for tuna fishing off the island into the Atlantic beyond. Zane Grey was said to have stayed at the inn and there are photographs of ladies in Edwardian dress upon rustic bridges that crossed the narrow fjords along the island's south coast where the inn was built.

In our time, we arrived with a unique geodesic dome (meant to be a greenhouse) that we had designed and built from scratch (over 50 translucent triangular panels to assemble, that looked like green wax). It became our initial residence (with a driftwood cabin and a \$10. secondhand wood stove inside). I was known for having cherry tomatoes growing in December after I pollinated the blossoms with an artist's paintbrush. The Dome was only supposed to last for seven years but miraculously, it is still standing to this day! We also constructed a solar still as an experiment to convert saltwater. Our home which we built with no power (and with the help of a friend) is passively solar heated (with a wood stove) and was featured in a CBC *Land & Sea* programme and various magazine and newspaper articles of the day. By the early 80s we had a small wind generator. While wind is still an option, our son installed two photovoltaics last June so that he can always work from the island if he chooses.

So many stories could be shared! The human adventures of island living could be a book in itself. The joys of nature another. Picture: 52 blue herons stalking in the flats below the house one October day; a *huge* silvery sunfish, single eyed and glaring as it floated one hot July (observed during a harbour crossing); an extraordinary luna moth resting on a second floor window; the Perseid Meteor Showers in the east each August; a trail of phosphorescent glow as our oars pull through summer's night waters; the aurora borealis.

People gravitated to Great Island—to get away from the hustle and bustle of everyday life—to be inspired by the flora and fauna in a range of habitats, the marine life, salt air, sound of surf pounding on Cherry Hill Beach, the peace. Once members of a local women's centre came out for a weekend retreat to problem-solve issues between their board and their employees. They were our guests. But the artists and groups of artists were particularly drawn to the island. Before long, “an informal artists-in-residence programme” had developed. Visual artists, playwrights, photographers, small theatre companies, authors, dancers, filmmakers, musicians—came and stayed with us in our home (what I good-humouredly called, “glorified camping”). They worked and created and ate at our table with no cost to them. The only rule was: “You have to eat what we serve!” This welcoming came naturally to us because we never really felt we *owned* this land. From the earliest days, it was for us a place always *to be shared*. We were stewards of the land rather than owners; we wanted the island to be accessible to all. *And it was*. People kayaked, canoed or motored out. They hiked, swam, picnicked, camped, clammed, snorkelled, picked up webs of muscles at low tide, gathered eight different kinds of berries in season, bird-watched, mushroomed. The local lighthouse keeper, his wife and family camped on one of the beaches every Labour Day weekend. They had 12 children and many more grandchildren. Quite an outing!

So as early as the the late 70s, having already recognized this role of stewardship in ourselves, we contacted a lawyer to explore our ability to preserve this land in its natural state forever, excluding the very small corner where we had built a home and out-buildings. The island is nearly 300 acres and we had altered the natural environment on less than three. We began to explore the possibility of setting up a trust that could help us do this. We got as far as discussions and having several people who agreed to be on a board, were we to succeed. Without the internet, neither we (nor the lawyer) had yet heard of the Nature Conservancy of Canada, which had acquired its first trust land in 1968 (Ontario) and had put its first Nova Scotian land under trust in 1971.

We had a child in 1985 and when our lad was almost ten we read about the formation of the Nova Scotia Nature Trust (NSNT). We contacted them to see if they would be interested in helping us fulfill our dream of preservation while allowing this island to be available for all Nova Scotians to experience, explore and enjoy as well. They were interested but it was too early for any decisive action at their end and we were adamant that no decisions about this land's future would be made from our end until our legal heir was in a position to understand and express his point of view. Throughout the 80s, a number of people (from Europe, Canada and the USA) had contacted us about purchasing the island, including a Californian who seriously offered us a million dollars! Maybe our son would prefer the money? It would be his right to choose. Thus, it was not until he was 22 that we broached the subject once again and he assured us that he shared our vision for the island and fully endorsed a trust arrangement. As a family, we agreed to contact the Nova Scotia Nature Trust. Three years later Great Island was under a forever-wild easement with NSNT.

We knew when we were negotiating this agreement that the Crown's mineral rights held precedence over any easement. Knowing the geology and the geography of the land, however, it seemed a long shot that anyone would choose to explore it let alone excavate. So we took a chance, wanting this special place to be as close as legally possible to being forever-wild during our lifetimes and also *publicly* accessible to others. What we also understood with much sadness, however, was that all land put in trust by others (aside from the province itself) would always be vulnerable to a potential threat under the Mineral Resources Act of Nova Scotia.

After sharing with you herein but a wee fraction of detail about the rich history and equally rich ecosystem of just one parcel of land in trust, can you imagine the wealth of heritage and bounty of ecological treasure that can be found in each of the others? Under the forever-wild easement we have with NSNT, no damaging equipment or vehicles of *any kind are even permitted on* Great Island. Not even a tree can be cut except to remove it from trails for safety reasons. Just think of the disruption that exploration and mining would wreak upon the entire eco-system. Can you understand the dismay of trust-land property holders who have consciously chosen to preserve and protect their land (severely reducing its value on the real estate market by doing so) while at the same time generously opening it up to Nova Scotians and tourists alike for rare opportunities and enjoyment? And yet they have no protection for these choices they have made.

Bill No. 149 *could* remove this threat. Could you see your way clear to do so? I wanted to take this opportunity to speak up for *all lands* put into “forever-wild easements” that lack the full force of the law because of the Crown's mineral rights. This is a built-in vulnerability that trust lands should not have to bear. I believe it is time to bring consistency and continuity to these lands in The Act. Could you recommend making “forever-wild easements” truly *forever*? This is a path that would put Nova Scotia at the forefront in Canada with regards to land preservation. Dare we become a Province of foresight?

Thank you, most sincerely, for reading this submission and for considering its contents as you discuss Bill No. 149.

S. J. Hauer



April 25, 2016

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Dear Minister:

I am writing to express my support for the Nature Conservancy of Canada and Nova Scotia Nature Trust and their proposed amendment to the Mineral Resources Act, currently before the Law Amendments Committee. Private land conservation, through the work of non-government land trusts, is widely recognized as making a significant and irreplaceable contribution to conservation in Nova Scotia.

Likewise, mineral development is recognized as an important economic activity and opportunity for Nova Scotia. However, the proposed Act, in not dealing with this issue so critical to these conservation organizations, both valued partners of the Province, leaves problematic uncertainty unaddressed that negatively impacts their ability to do good conservation work.

I have reviewed the materials provided to your Committee and believe the proposed amendment and suggested process to be balanced and fair. It would provide for transparent and defensible decision making, bring these private conservation lands with the same treatment as government protected areas (provincial Wilderness Areas and Nature Reserves have a similar withdrawal available to them) and reduce the potential for future conflict.

The "Now or Never" report calls for bold, innovative approaches to expand economic growth while ensuring environmental sustainability. I encourage the Province to seize the opportunity to create such balance with the new Mineral Resources Act by accepting the amendments proposed by Nature Conservancy of Canada and Nova Scotia Nature Trust.

Yours sincerely,

A handwritten signature in black ink that reads "Allan C. Shaw". The signature is written in a cursive, flowing style.

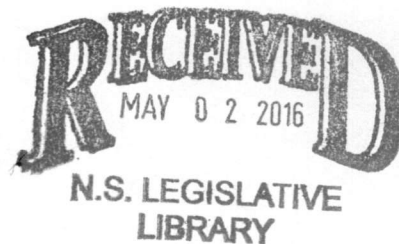
Allan C. Shaw, CM
Chairman
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LAW AMENDMENTS COMMITTEE

Red Room, Province House

Monday, May 2, 2016

12:00 Noon



Bill #149 - Mineral Resources Act

Deferred from previous meeting

Bill #154 - Halifax Regional Municipality Charter (amended)

Deferred from previous meeting

Bill #158 - Securities Act (amended)

No representation

Bill #160 - Blueberry Associations Act (repealed)

No representation

Bill #165 - Occupational Health and Safety Act (amended)

No representation

Bill #168 - Labour Standards Code

(amended)

No representation

Bill #161 - Service Dog Act

12:00 noon

1. Lisa Partridge
Paws Fur Thought
2. Kevin Johnson

Bill #162 - Elections Act (amended)

12:00 noon

1. Mark Coffin