



March 25, 2019

Standing Committee on Law Amendments  
Office of the Legislative Counsel  
CIBC Building  
802-1809 Barrington Street  
PO Box 1116  
Halifax NS B3J 2X1  
Phone Number: 902-424-8941

Email: [Legc.office@novascotia.ca](mailto:Legc.office@novascotia.ca)

**Subject:** BILL NO. 116 - *Biodiversity Act*

To the Standing Committee on Law Amendments,

The Nova Scotia Nature Trust (Nature Trust) is pleased to submit this letter to the Law Amendments Committee containing comments associated with Bill No. 116 - *Biodiversity Act* (the Act).

The Nature Trust is a private land conservation organization dedicated to protecting the province's outstanding natural legacy. Since it was formed in 1994, the Nature Trust has protected over 11,000 acres of land within Nova Scotia, including some of the province's most biologically diverse and sensitive habitats and we continue to identify and work towards the securement of ecologically important lands across the province. The conservation of the province's natural biodiversity is a fundamental component and goal of our efforts. Working in partnership with landowners, local communities, other conservation organizations and all levels of government we protect and steward ecologically significant lands. Protection is accomplished most often through donation, purchase, or conservation easement. Once a property is secured, we commit to steward the land in perpetuity. Stewardship includes monitoring and mitigating potential impacts to its biodiversity values. These efforts are enhanced by a network of conservation experts and passionate, knowledgeable and enthusiastic local stewardship volunteers.

The Nature Trust commends the province for the introduction of a *Biodiversity Act* that will strengthen existing efforts to conserve Nova Scotia's wild species, habitats, and ecosystems. The Act enables greater protection for biodiversity by introducing new Ministerial powers and duties; clarifying the roles, responsibilities, and powers of conservation officers and other personnel; providing for greater enforcement; clarifying offences and penalties; and allowing for the development of associated regulations. The proposed Act allows for greater protection of biodiversity by introducing tools such as the use of biodiversity management zones and by addressing threats to biodiversity, including invasive species, pathogens, and disease.



With almost 70% of Nova Scotia being privately-owned, the role of conservation on private lands is extremely important for maintaining our province's biodiversity. Although encouraged by the potential of the *Biodiversity Act*, we believe that the Act may be strengthened by a greater acknowledgement of the role that privately-owned lands have on the province's biodiversity; including that of land trusts and individual land owners in the stewardship of their land. Ensuring long-term financial support for the protection of privately owned lands within Nova Scotia is of concern considering that the indenture for the Nova Scotia Crown Share Land Legacy Trust (established in 2008 to provide funds for the securement and protection of ecologically significant, threatened and irreplaceable natural areas on private lands in Nova Scotia) will expire on March 31, 2023. Within the same context, biodiversity protection through the stewardship of privately owned lands could be enhanced through the use of incentives for voluntary engagement. Improved protection of Nova Scotia's biodiversity may also benefit through further assessment of the relative threats to biodiversity; including land use and the release of chemicals and other deleterious substances to the environment that are not explicitly addressed in the Act.

The relationship of the *Biodiversity Act* with other existing statutes including, but not limited to, the *Wilderness Protection Act*, *Endangered Species Act*, *Conservation Easements Act*, and the *Wildlife Act* should be clarified. In addition, the Province should consider the need to amend existing statutes as a consequence of this Act.

The development of accompanying regulations will be critical to ensure the appropriate monitoring and enforcement of the Act and should be advanced under a program of meaningful and timely public consultation. In consideration of the above, the Nature Trust respectfully suggests that the following revisions to the Act be considered by the Law Amendments Committee:

Section 7 (i):

- Amend wording to include "land securement and stewardship" such that the Minister may "provide funding and other support for biodiversity-related research, investigation and monitoring; as well as land securement and stewardship".

Section 46 (1)

- Add an item such that the Governor in Council may make regulations "respecting the role of land securement and stewardship on private lands for protecting biodiversity".

Thank-you for the opportunity to provide comments on the *Biodiversity Act*. We look forward to continued engagement with the Province during development of applicable regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross Firth".

Ross Firth  
Director of Conservation