

March 26, 2019

RE: Bill 116 – Biodiversity Act

Dear Committee Members:

Thank you for the opportunity to provide written comment further to my presentation to Law Amendments Committee on Monday March 25 2019.

As Vice Chair of the Mersey Tobeatic Research Institute, I represented the interests of our board and members with respect to improving the conservation of biodiversity and sustainable use of natural resources. I also note that I am a faculty at NSCC, and father of three children and have a direct interest in seeing strong and effective law on this important topic.

I would like to highlight suggestions within 3 main themes that are largely absent in the bill: Restoration; Research; and Reporting.

Restoration

One of the emerging aspects of biodiversity conservation is the repair or restoration of habitats, ecosystems or species

. The bill is largely silent on restoration, and this should be changed by adding a new clause to section 13 which discusses inventory and assessment.

Section 13(2) would directly address restoration capturing language to pilot, establish and maintain restoration efforts for species, habitats or ecosystems that have been heavily affected or where significant biodiversity has been lost. Adding this ability to the powers of the Minister could lead to significant improvement and there are numerous Crown lands to use as pilot sites, as well as species to recover and/or re-establish.

Research

Section 15 outlines how the Minister may issue permits, and there is one major omission.

Add a research license program to the bill so that a co-ordinated program for encouraging, approving and organizing research can be established.

The committee need not look further than the Wilderness Areas Protection Act for a model program

. Ideally this inventory or registry could be accessible to DLF in its decision making as well as to other departments, researchers, and the public

. Revenue to sponsor and support research should be derived from fines and penalties of the bill. By establishing a dedicated Biodiversity Research Fund from

finances and penalties that result from enforcement of the bill, the legislation can self-fund a strong research and monitoring program.

Reporting

Section 14 outlines limited provisions on data sharing, and providing a state of biodiversity report every 5 years.

It appears that the bill involves the Minister establishing new mechanism to share data, where there is already an excellent system of data sharing across the Atlantic region provided by the Atlantic Canada Conservation Data Centre (14(1)). On the matter of public reporting, it could be more frequent and the first state of biodiversity should be released within 2 years, not 5 years of this new Act being proclaimed (14(2)).

In addition, a new clause (14(3)) could be added to improve the public engagement with reporting, to effectively benefit from "citizen science" and allow for the public, NGOs, woodlot owners, industry and others to report biodiversity indicators, events or occurrences to government

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Thank you for the opportunity to present these suggestions. Please consider them in amending the bill to reflect the input you have received.

Sincerely,

Leif Helmer

Vice Chair, Mersey Tobeatic Research Institute