

## **Biodiversity Act - Bill 4**

### **Submission to Law Amendments Committee**

Respectfully submitted by Karen Beazley, Halifax Regional Municipality, March 29, 2021

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Thank you for the opportunity to comment on Bill 4.

I am speaking for myself and also on the behalf of the Dalhousie University's School for Resource and Environmental Studies, Halifax, Nova Scotia.

Biodiversity is a short form for the diversity of life (plants and animals) and the lands and waters on which they depend. In totality, it makes up the ecological system that supports life on earth (air, water, soil, plants, animals, pollinators, the bacteria that decomposed things after they die). Life on earth, including human life, is not possible without it. Without a healthy, biologically diverse system, there would be no economy, no education system, no health system, no mining, no forestry, no resources. A strong economy is dependent on sustainable ecosystems.

Globally, interdisciplinary panels of experts have determined that precipitous declines in biodiversity are threatening the biospheric integrity of the planet. Experts have determined that we are currently at risk of collapse, at or beyond the planetary limits of the earth's life supporting system. Life on earth is currently threatened. Immediate and transformative actions are needed to stem the declines. Biodiversity collapse and climate change are twin crises, representing emergencies for humanity.

Nova Scotia is not immune to this crisis and must be part of the solution. For example, as of 2017, 71 species were listed as endangered in Nova Scotia. Five of these are now globally extinct and three no longer exist in the province. Populations of many other species are in decline, yet not officially listed. Mature and old forests have been reduced to tiny fractions of what they used to be; wetlands and coastal ecosystems are similarly threatened. The primary cause is human developments and activities, and now accelerated by climate change and invasive species.

A Biodiversity Act – Bill 4 - is a crucial first step in addressing serious declines in biological diversity in Nova Scotia. It is needed to maintain and restore our ecological life support system. It is needed conserve species and ecosystems before they reach the point of being critically endangered status and thus expensive and near impossible to restore or recover.

The Biodiversity Act was first introduced and died on the order table, pending further refinement through public consultation. It has now been introduced for the second time, incorporating input from landowner consultations. It had important new changes, primarily that the government would implement a collaborative approach with landowners, require consent of private landowners before including their property in a biodiversity management zone, and provide compensation in exchange for landowners' efforts.

As of March 23, it is our understanding that the Premier seeks to institute changes to the Bill that rectify and clarify its intent. We support any necessary changes for clarification.

We also consider it is important to: 1) retain biodiversity emergency orders, which would grant the province the right to intervene on private land in emergency situations where the act was being contravened; 2) retain offences and fines; and 3) apply to all lands, not solely to Crown lands. Changes to these components would represent significant weakening of the act. Crown land comprises less than 30% of the province. Biodiversity cannot be retained and recovered by provisions that apply only to 30% of the land. These three elements represent provisions that are

crucial to achieving the objectives of the act, and thus changes should not be made to remove or restrict them to Crown lands.

Safeguarding biodiversity is crucial for all of humanity, for every citizen in Nova Scotia. It is for the broader public good. It is above and beyond private and corporate interests and private property rights. As with other public benefits, sometimes the public good needs to take precedence over personal and private interests. We recognize this in provisions in many other acts, where expropriations, exemptions and limitations are imposed to protect and provide for the public good. We do this in expropriating lands for building roads, in making decisions in environmental assessments, in allowing mining and associated explorations on private properties. We argue that there is no higher public aim than maintaining our life support system, and that some limitations on private rights and interests are warranted in doing so.

Accordingly, we acknowledge the importance of the Biodiversity Act and support the Bill in principle. We urge, however, that changes not extend beyond clarifications. Specifically, we urge that the three aforementioned crucial elements be retained and not removed.

Thank you.

Submitted by Dr. Michelle Adams, Director, and Prof. Karen Beazley, on behalf of the School for Resource and Environmental Studies, Dalhousie University

March 26, 2021, Halifax