

From: Christina [REDACTED]
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To: Office of the Legislative Counsel
Subject: Bill 4 - Law Amendments submission

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March 29, 2021

Bill 4 – Law Amendments submission:

Honourable Members of the Nova Scotia Legislature:

1. Bill 4 is too broad and paternalistic. In granting the Minister of Lands and Forestry the power and discretion to intervene, restrict, prohibit, and otherwise assert control in relation to any activity on any land which supports any living organism anywhere in the Province, and to do so by use of “any measure”, Bill 4 is a prime example of Government overreach. Bill 4 plainly grants the Minister excessive authority and discretion, beyond that which is reasonable and necessary to achieve improved biodiversity in Nova Scotia. Furthermore, the fact that Bill 4 grants equally extensive and substantive authority in relation to private lands as it does in relation to public lands is shocking. This Government has no mandate to undermine the utility and value of private lands and to infringe on the inherent right of private landowners to benefit from and steward natural resources on their own properties. There are too many permissive clauses in this Bill, allowing the Minister to make too many decisions for Nova Scotians, rather than empowering and supporting Nova Scotians in becoming the principal drivers and stewards of biodiversity.
2. Bill 4 is weak as regards stakeholder input and Government accountability. I urge the Honourable Members to consider instituting under Bill 4 a multi-stakeholder advisory body and a biodiversity ombudsperson as instruments by which the Minister could benefit from continual, constructive input from public, Aboriginal, commercial, and private interests on the one hand, and Nova Scotians could benefit from rigorous scrutiny of the Minister’s actions on the other hand.
3. Bill 4 lacks a coherent aim and proportional enforcement regime. I understand that since second reading our Government has back-tracked on Bill 4’s provisions to invoke heavy fines for violations of the Biodiversity Act, if enacted. Given that one of the greatest threats, if not THE greatest threat, to biodiversity in this Province is the unrelenting clear-cutting of vast tracts of forest on public lands by and for the benefit of commercial interests, unabashedly facilitated by this Government, it is shameful that Bill 4 does not impose on the Minister of Lands and Forestry responsibility to rein-in clear-cutting. Furthermore, Bill 4 should provide incentives to industry and private landowners to undertake ecologically responsible and sustainable selective tree harvesting to serve biodiversity. At the same time, “the stick” of heavy fines as a deterrent to commercial abuses on public lands should be maintained.

All of which is respectfully submitted,

Ms. Christina Lazier, Esq.

