

Re: Proposed Biodiversity Act

Dear Members of the Law Amendment Committee,

I am writing you this letter to share my thoughts and concerns on the topic of the Proposed Biodiversity Act (Bill 4). I came to know the Biodiversity Act through my profession as a professional forester and blueberry farm manager, but I am writing this letter from my family perspective as a rural Nova Scotian. I enjoy rural life and downtime in the outdoors by camping, hiking, and dirt biking with my wife and 3 sons.

Stakeholder engagement:

From the onset of the first version of the Biodiversity Act (Bill 116), consultation has failed to reach and engage all stakeholders. While many that use the Forests in some way for their profession seem to be aware of the Act, most Nova Scotians are oblivious to the potential impacts of this Act. I have an example of this on both sides of my family. My parents and my wife's parents both hold land and use it for recreational walks, gardening, firewood, income from blueberries and forest products, and to live on. Neither set of parents realized there was a Biodiversity Act until it was in the first reading and it made the news. They were very upset at the thought of potentially having limitations placed on their land or being fined for unknowingly hurting an organism defined in the Act. Obviously they were not involved in any consultation.

Thinking of hiking, camping, and atv use, have all stakeholders been consulted properly? I believe the Public perceives this to be a mainly a Forestry issue, when in fact it affects anyone that uses land for any purpose, and especially those of us that live and play in rural areas. Adding a Biodiversity Management Zone could potentially cut off or fragment hiking trails to waterfalls, atv trails, or limit activities in Provincial Parks and Beaches. Adequate consultation has not been provided to all stakeholders.

Looking at where we are at now, I would say the trend is continuing. In a recent release from the Premiers Office (March 23, 2021) the scope of the Act is limited to Crown Land, and Private Land on a Voluntary basis. While this is a step in the

right direction at the time this letter is written there are no details on how the voluntary agreement would work, in fact the revised Act has not been published at all. At present we are at Law amendments, proceeding along the path to pass this Bill, and the latest version of the Act has not been made public. What is the rush? Why not take time to let Nova Scotians read and fully understand the proposed Act and its implications. If the authors of the proposed Act were more transparent, and provided details, Regulations, and education there may be more participation/buy in and less fear of worst case scenarios.

Potential Alternative to a Biodiversity Act:

I think as a potential alternative to creating a new Act to protect Biodiversity we should consider amending and adding Regulations to existing Acts that govern what takes place on land and water in Nova Scotia. We currently have over 18 Acts that regulate what we do on land in Nova Scotia, including: the Beaches Act, Conservation Easement Act, Crown Lands Act, Endangered Species Act, Environment Act, Expropriation Act, Forest Enhancement Act, Forest Act, Private Ways Act, Protection of Property Act, Provincial Parks Act, Trails Act, and the Wilderness Areas Protection Act. In addition to that, there are Acts that control what we do around brooks, lakes, and oceans, such as the Water Act, Coastal Protection Act, Fisheries Act, and Oceans Act.

In section 2) of the proposed Biodiversity Act the purpose states that the Act is to provide for the stewardship, conservation, sustainable use and governance of biodiversity in the Province. I think this is a noble goal and one that we should strive to achieve as a Province, but I wonder could it be done by adding to Regulations or modifying Acts we currently have in place. This may also address the issue of stakeholder engagement as it would involve a wide range of stakeholders that may be affected by the aforementioned Acts.

It is my understanding that there are changes tabled for the Crown Lands Act at this time. I would suggest that the Department of Lands and Forestry consider shelving Bill 4, but take the purpose of the proposed Act and apply it to existing legislation, similar to changes being made to the Crown Lands Act.

It is my wish that:

- 1) The Department of Lands and Forestry consider shelving the Biodiversity Act and amending existing legislation to reflect the protection of Biodiversity in the Province.
- 2) If 1) is not possible, the Biodiversity Act should be amended with the most recent changes, including Regulations, and provided to all stakeholders in its entirety for review and feedback before going forward to the Third Reading of the Bill.

Sincerely,

D. Jason Stewart

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