

HANSARD

NOVA SCOTIA HOUSE OF ASSEMBLY

COMMITTEE

ON

PUBLIC ACCOUNTS

Wednesday, March 10, 2021

Video Conference

**Forest Management and Protection -
November 2015 Report of the Auditor General, Ch. 6**

**Species at Risk: Management of Conservation and Recovery -
June 2016 Report of the Auditor General, Ch. 3**

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Public Accounts Committee

Keith Bain (Chair)
Hon. Gordon Wilson (Vice-Chair)
Hon. Karen Casey
Hon. Leo Glavine
Bill Horne
Rafah DiCostanzo
Tim Halman
Lisa Roberts
Susan Leblanc

[Hon. Gordon Wilson was replaced by Hon. Ben Jessome.]
[Hon. Karen Casey was replaced by Hon. Tony Ince.]

In Attendance:

Kim Langille
Legislative Committee Clerk

Gordon Hebb
Chief Legislative Counsel

Andrew Atherton,
Assistant Auditor General

Angela Provoe,
Audit Manager

WITNESSES

Department of Lands and Forestry

Paul LaFleche,
Deputy Minister

Gerald Post,
Acting Executive Director - Renewable Resources Branch

Chris Bailey,
Director Resource Management - Renewable Resources Branch

Bob Petrie,
Director Wildlife Division - Renewable Resources Branch



HALIFAX, WEDNESDAY, MARCH 10, 2021

STANDING COMMITTEE ON PUBLIC ACCOUNTS

9:00 A.M.

CHAIR
Keith Bain

VICE-CHAIR
Hon. Gordon Wilson

THE CHAIR: Order, please. We'll call the meeting of the Public Accounts Committee to order. My name is Keith Bain. I'm the Chair of the Standing Committee on Public Accounts.

Just a few reminders before we start. The witnesses should keep their videos on during the meeting. This is particularly important to ensure quorum and when voting. Keep your microphones muted until it's your turn to speak. Wait until I, as Chair, recognize you before you unmute your microphone. You can indicate your wish to speak by raising your hand and waving it to me. Just a constant reminder to put your phones on silent or vibrate.

With that, we'll have the committee members introduce themselves. We'll begin with Minister Jessome.

[The committee members introduced themselves.]

THE CHAIR: Thank you. As well, we also have representatives here for the Auditor General's Office, along with Legislative Counsel, Legislative Television, and so on. We also have representatives from each caucus to help out the members as we move along.

On today's agenda, we have officials from the Department of Lands and Forestry to discuss Forest Management and Protection, the November 2015 Report of the Auditor General, Chapter 6; and Species at Risk: Management of Conservation and Recovery, 2016 Report of the Auditor General, Chapter 3.

With that, we'll ask the presenters to introduce themselves. We'll begin with Deputy LaFleche.

[The witnesses introduced themselves.]

THE CHAIR: Right now, we'll invite Deputy LaFleche to make his opening remarks.

PAUL LAFLECHE: Thank you for the opportunity to speak today and answer your questions on two important topics. The management of our Crown lands and the protection of our species at risk are at the core of what the Department of Lands and Forestry does. In 2015 and 2016, the Auditor General provided constructive recommendations to the department on both of these topics.

The 2015 report focused on forest management and protection. Taking place around the halfway mark of the department's 10-year Natural Resource Strategy, the Auditor General's recommendations focused on ensuring proper monitoring, evaluation, and transparency were in place related to the management of Crown land forests.

The 10-year strategy recognized that we need to move in a new direction and shift how we think about our natural resources and how we manage them. The Auditor General's recommendations provided valuable feedback on how to improve processes and ensure that proper reporting was in place around the action items in the strategy.

These recommendations have been integrated into our policies and planning. One example is the Crown land monitoring program that was implemented in the Fall of 2016. This program outlines requirements for monitoring the forest operations conducted by licensees on Crown land across the Province of Nova Scotia. The program verifies compliance with regulations, policies and standard operating procedures related to occupational health and safety and environmental standards.

The core principles of the Auditor General's recommendations, including those related to reporting evaluation and transparency, continue in our department's work, even as the Natural Resources Strategy concluded and the independent review of forest management by Professor Bill Lahey was introduced.

Professor Lahey's report and recommendations provided a blueprint for the next evolution in the province's management of public lands. This report is built on the core

principles of the previous strategy and recommended putting biodiversity first in our planning and management of our forests through the introduction of ecological forestry.

These efforts are focused in three key areas: conserving biodiversity, nurturing healthy forests, and supporting sustainable industry. Ecological forestry represents a historic shift in how our public lands are managed. It is, in fact, changing how we think about our forests while maintaining a sustainable forest industry, and it positions Nova Scotia as a world leader in protecting biodiversity in maintaining healthy forests.

Nova Scotia is adopting Professor Lahey's triad approach to ecological forestry. This model consists of three types of zones: conservation areas, areas that focus on ecological goals with some harvesting - these are known as ecological matrix zones - and the third area, areas of high-production forestry.

Work is well under way to revise programs and policies to align with this new triad model of ecological forestry management, as recommended by Professor Lahey. One significant piece of this work has been revising the Forest Management Guide, which is now called the Silviculture Guide for the Ecological Matrix. This was a significant undertaking for the Department of Lands and Forestry. The guide is a complex technical document used by the sector on the ground to guide harvesting on our Crown land.

An initial draft guide was taken through targeted stakeholder consultations with a wide variety of organizations and individuals. Around 900 pieces of feedback from stakeholders needed to be carefully reviewed and considered by the Department of Lands and Forestry staff and external experts before being incorporated into the new draft. New iterations of the draft then had to be reviewed by staff to ensure that changes in one sector were reflected throughout and did not have unintended consequences in another sector. The draft guide was provided to the public for consultation and this period closed on February 19th. The draft guide also included an explanation of what's new in it and what we heard - documents from the stakeholder consultations.

I would like to take a moment to thank all of the staff who worked so hard to bring the new guide to its current form. This new Forest Management Guide will greatly reduce clear-cutting on Crown lands. For example, under the current existing Forest Management Guide, harvests conducted between 2015 and 2019 in our Acadian forests resulted in 49 per cent of the area harvested being clear-cut. In contrast, under the new silviculture guide, those same harvests would be expected to result in less than 10 per cent of the harvested area being clear-cut.

With respect to retention, using the above example, under the new guide, at least 20 per cent of the trees in each stand would be retained and approximately three-quarters of the area harvested would have more than 50 per cent of the trees in each stand retained.

I should note that the interim forest management guidelines remain in place throughout this process. These measures have reduced the number of clear-cuts approved by the department on Crown land considerably while the ecological forestry model is being implemented.

This work is not being done in isolation, as the overall new model represents a triad approach with three legs working in concert, of which the silviculture guide is only one. Similar consultations were held to develop and finalize the criteria for the high-production zones of the triad.

A draft report on the High-Production Forestry Project has been completed by the project teams. It outlines site selection criteria for high-production forestry sites on Crown land. It also highlights feedback received during the public engagement process in 2020. We anticipated what we finalized and released early this year with implementation to shortly follow.

[9:15 a.m.]

The Province remains committed to adopting all of Professor Lahey's recommendations, which continue to be endorsed by voices in both the forestry sector and environmental groups. Meanwhile, the monitoring program continues to operate even as these new management practices are being implemented.

I'd like to now move to species at risk. Closely aligned to goals of ecological forestry is the species at risk recovery program within the department covered in the 2016 Auditor General Report. The department has made updating the species at risk program a priority, guided by the recommendations of that 2016 Auditor General Report.

While efforts were already underway, this was further reinforced by a recent court decision related to the progress on six species in particular. Species at risk include any plant, animal, or other organism which faces imminent danger of disappearing from the province or globally, or species that are more likely to disappear if threats and vulnerabilities are not addressed. They are legally protected under the provincial Endangered Species Act or the federal Species at Risk Act.

Helping a species recover requires the combined efforts of the department's staff, academia, community groups, landowners, and other engaged citizens. Key features of the Province's approach to species at risk involve establishing recovery teams for each species, developing recovery plans for endangered, threatened, and vulnerable species, identifying core habitat and special management practices to protect species and the ecosystems in which they live, and also research and monitoring to assess our progress and determine next steps.

There are currently 63 endangered, threatened, and vulnerable species at risk in Nova Scotia under Nova Scotia legislation; 53 of them are also listed under the federal Species at Risk Act. This includes 33 endangered species, 13 threatened species, and 17 vulnerable species. These species include 21 plants, 17 birds, 6 mammals, 8 invertebrates, 6 lichens, 4 amphibians and reptiles, and 1 fish species.

Significant progress has been made to address the issues raised by both the Auditor General and the court. The Department of Lands and Forestry is currently transforming its species at risk program, including refreshing its recovery teams and advancing its recovery planning activities. Improvements will meet requirements in the Endangered Species Act, increase efficiency and effectiveness, and also introduce performance measures.

Today, recovery teams are in place for all species and we are making significant progress. Plans have been completed for all but one of the remaining species that falls solely under the Nova Scotia provincial government's responsibility. These recovery plans are reviewed every five years and updated accordingly.

Recovery planning is complex. It requires specialized expertise. Developing recovery plans depends on several factors, including availability of recovery team members, who are themselves mostly volunteers with their own professional obligations. We have a passionate group of departmental staff and external partners, and I would like to thank everyone who volunteers their time and their expertise to help the province develop and implement these recovery plans.

We are also changing the way we engage with stakeholders with regard to species at risk. In February and March 2020, the department held three regional inaugural recovery action forums with conservation practitioners and engaged citizens, encouraging partnerships to address recovery priorities and threats to species. While there has been progress in the area, we all know that there is more work to be done. We look forward to continuing this good work with our partners and putting in place all the plans to help these species recover.

I want to thank you for the opportunity to provide an update on the current status of these key priorities for the department. They support the core functions and mandate of the department and are reflected in everything we do. Myself and the three team members here will now be happy to take your questions. Thank you, Mr. Chair.

THE CHAIR: Before we begin, I wanted to ask another member of the committee to introduce themselves. Mr. Glavine.

HON. LEO GLAVINE: Leo Glavine, MLA, Kings West.

THE CHAIR: Thank you very much. What we'll do now is go into the first round of questioning. Twenty minutes for each caucus. Before we begin, I want to remind the

members to indicate to whom their question is going. It makes it a lot easier. With that, we'll begin. First 20 minutes to the PC caucus. Mr. Halman.

TIM HALMAN: Good morning. Congratulations, Deputy LaFleche, on your new position. Welcome, Mr. Bailey, Mr. Post, and Mr. Petrie. Thank you for your ongoing work to support Nova Scotians.

Yesterday, the government delivered its priorities through the Speech from the Throne. On Page 13 of that Throne Speech, it indicates: "In the forestry sector, my government will accelerate the implementation of the recommendations of the report of Professor William Lahey to adopt ecological forestry principles, placing protection of the ecosystem and biodiversity in the forefront of forest management practices." Again, that's on Page 13 of the Speech from the Throne.

As we all know, Professor Lahey's report was released in August 2018. Nova Scotians want to know why that report has been gathering dust going into almost three years.

My question is for the deputy minister. When will all the recommendations of the Lahey report be implemented?

PAUL LAFLECHE: I should note that I've just been in this job for seven days, and I didn't get released from my old job, so I'm studying quickly here. I've met already twice with Mr. Lahey, and I have a mandate as well as Minister Porter has a mandate from the Premier to implement this report.

There's a lot of background work that had to be done, and I'd like to allow Mr. Gerald Post, who has been here through that to explain what has been done over the past years, which will result in hopefully a more - sorry, I'm translating in my head here - a quicker implementation in terms of public visibility going forward.

THE CHAIR: Mr. Post.

GERALD POST: Thank you. Since the Lahey report was introduced in August 2018, we actually moved very quickly to digest what Professor Lahey was saying in terms of our forest management, and in December 2000 introduced immediate measures to introduce interim retention guides.

I should explain what the guides are. We operate, in the forest industry, a very highly technical assessment process that looks at what conditions exist on the forest floor. We look at the veg types, what kinds of trees are here, what species, what mixture. As you know, the Acadian forest is a variety of hardwood and softwood species. Harvests are done for particular purposes. There are different markets for different species so when a harvester looks at a piece of forest, they have to really understand what's there.

We also have to understand the landscape that we're working on - the topography. Is it shallow soil? Is it rocky soil? Is it deep soil with great production capacity? All of that assessment by professional foresters on the ground is guided by what we call the forest management guide. It looks at all those factors, puts them through a series of decision keys, which help us determine what the appropriate harvest is.

The interim retention guide very quickly said whenever we see a harvest recommendation that says you should do a particular kind of heavy removal or clear-cut, if you will, we will not go any less than a 10, 20 or 30 per cent retention - meaning the number of trees that are left on that particular harvest site are increasing. That was done, as I said, very quickly in December 2018 so implementation of the Lahey recommendations was very well under way since that point.

The Forest Management Guide that I described - we pulled together a team of professional foresters, academics . . .

TIM HALMAN: Mr. Chair, if I may. I do have questions on the silviculture guide, but I'm not there yet, so I'd like to redirect the question. When will the Lahey report be implemented?

GERALD POST: As I was saying, the Lahey implementations are in progress. That is only one example of the many recommendations. As you know, he made 45 recommendations. The department is working diligently through each of those in a triage kind of system that says, initially what do I need to understand about the forest I'm looking at so that I can make informed decisions that are in line with what Professor Lahey was suggesting?

As I was saying about the guide, that team initially starts with what Professor Lahey is saying specifically about what we call the matrix. As you know there are three legs of his recommendation: a protected zone, a high production zone, and then the majority of our Crown land would be in that centre section called the ecological matrix.

How to interpret what happens within that matrix began very quickly. It involves looking at the key tenets of Professor Lahey's comments, which were to think of the forests in terms of its biodiversity values first. It doesn't mean we can ignore the other values like economic development and/or social values that we get out of our forests, but we have to think about biodiversity first. That had to be incorporated into the decision process that professional foresters use on the ground. As I said, that work has been under way. It's very complicated.

TIM HALMAN: Mr. Chair, if I may.

THE CHAIR: We'll let Mr. Halman ask a further question and maybe you can expand it from there.

[9:30 a.m.]

TIM HALMAN: My takeaway from the first question is hopefully there will be a quicker implementation. You mentioned the Forestry Management Guide, the silviculture guide, and I appreciate your description of that. What organizations were consulted in the Forest Management Guide?

GERALD POST: The initial draft of the Forest Management Guide was released about a year ago. Extensive consultations were held with invitations from the public. We received comments from organizations like the Ecology Action Centre, the Mersey Tobeatic Research Institute, Forest Nova Scotia, private landowners, industrial interests as well. It was a very broad spectrum of comments that were received. Those were brought back into the committee process and reviewed by the team. Those suggestions have been incorporated, and we are hopefully ready to introduce that guide very soon, early in this year.

TIM HALMAN: Can you provide a more specific date as to when the guide will be released?

GERALD POST: I don't have a specific date. I'm not sure of what that date is. It's in the final stages of drafting and editing at this point, but we hope to have it introduced very soon.

The Lahey report is a living document. It's a process that is ongoing, and what I described in terms of the guide is only one aspect of it. There are 10 active teams looking at various aspects of what Professor Lahey described, and they are all interconnected. To look at one in isolation like the guide isn't really appropriate. You need to consider all the various interactions of things like understanding natural disturbance regimes, understanding how we interact in terms of protected areas, and how we deal with some of the biodiversity features inside that ecological matrix, because you can't look at one on its own.

TIM HALMAN: The Office of the Auditor General is on record stating that the Department of Lands and Forestry has struggled with transparency, so along that line, because there have been issues with transparency, do you feel that there is stakeholder trust that's been earned through the process of developing the Forest Management Guide?

THE CHAIR: Before we go further, Mr. LaFleche, we're hearing your voice coming over Mr. Post's video. We have to be cautious, I guess.

PAUL LAFLECHE: I apologize there.

THE CHAIR: Mr. Post.

GERALD POST: Sorry, could you repeat the question?

TIM HALMAN: The Auditor General has indicated that there have been issues with transparency within the Department of Lands and Forestry. It's well-documented. It's well-noted in the audit. To that end, Mr. Post, do you believe that the stakeholder consultations that have taken place - do you think those stakeholders are confident in what's been developed here in the Forest Management Guide, within the context of the transparency issues within the Department of Lands and Forestry?

GERALD POST: The department has done a number of things since the Auditor General's report to work on those transparency issues. I think most notably, I would look to the inclusion of academics and experts on our design committees and our processes, and to the number of consultations that we've had, particularly around the Lahey report, with the public, beginning in June of 2019.

A large, multi-faceted consultation held in Bible Hill with representatives from most organizations that would have been at the time critics of that transparency. Those consultations have continued in smaller formats, and we've also made efforts to spread those consultation venues around the province to give people a chance in the western part of the province and in Cape Breton to attend a session locally in their own neighbourhoods.

I'd also point to a major effort that the department made about a year ago to hold species at risk forums across the province, as well. This invited a wide range of stakeholders and public to come in and have heart-to-heart discussions and offer their comments on various aspects of species at risk programming.

TIM HALMAN: Is the department planning on making any legislative or regulatory changes to the Crown Lands Act?

PAUL LAFLECHE: I believe Premier Rankin committed to looking at that. There is a recommendation - Recommendation No. 19, I believe it's called - if I'm wrong, I stand corrected - whereby Professor Lahey indicated that he would like to see the purpose clause of the Crown Lands Act changed to reflect other things in forestry such as biodiversity, recreational activities, and so on.

I can't speak to what my minister might be doing in the near future. We have taken note of that. That is one of the things that I know that the Premier and the minister would like to implement as quickly as possible.

TIM HALMAN: To that end, deputy, and with respect to the purpose clause - obviously, preliminary work needs to be done on that. What consultations will you seek for any potential changes to the Crown Lands Act?

PAUL LAFLECHE: Just give me a minute here. I know the consultations have been done in the last seven days since I've arrived. I'm just going to check what has been done prior to that.

To my knowledge, before I arrived last week, there were no consultations on the wording of the purpose clause. There were consultations on the intent of Professor Lahey's recommendation. I see Mr. Hebb up there - he would be one of the people in charge of helping us draft the wording.

As you know, the consultations will be held with the legislative members in session on the wording. There have been consultations and discussions and we have full indicated support for the intent of Mr. Lahey's Recommendation No. 19.

TIM HALMAN: As you no doubt are aware, the report from Mr. Lahey suggested a process like environmental assessments to be carried out on potential Crown land forests' managed operations. Has the department moved towards an assessment process and have any consultations occurred on that assessment process?

GERALD POST: The committee has struck a team that has been working diligently on that environmental assessment process. I believe what Mr. Lahey suggested was an EA-like process. You understand, the environmental assessment process has a very specific format to it in terms of industrial assessments. It's somewhat different in the forest sector, but the committee has done a wide jurisdictional review, looking at how mechanisms have been developed in other places like Ontario, British Columbia and in parts of the U.S. to enable the public to have active and meaningful input into those decisions that will happen on Crown land.

We've taken that information and we have developed a process. Again, it's in the draft stages now. It will be presented in the form of what we call a sustainable forestry plan. The overall process of planning looks at, of course from a landscape perspective, a 100-year view of how the vegetation changes over time.

More specifically in terms of planning, we need to look at what's going to happen in a 20-year time frame, which is - the time frame that is important for regeneration and regrowth of forests after a particular kind of harvest, whatever that might be. What's more important for forest professionals on the ground is, what do I need to do in the next two to five years.

Those three processes come together in that sustainable forestry plan. In the process of issuing licences to operate on Crown land, that process will have to be vetted and made public. Concerned citizens and interests will have an opportunity to comment on those three levels of planning on that forest that is happening in their area of concern.

That, as I said, is in draft stage now as well. We're in the final stages of seeing where those planning processes line up with some of the other information that we need to be aware of. As you know, Professor Lahey talked about - mentioning old growth forests. He talked about biodiversity values, and he talked about the interaction with the need for fibre from an industrial perspective as well. All of those things will be incorporated and open for comment in that environmental assessment process.

THE CHAIR: The time for the first round of questioning from the PC caucus has expired. We'll now go to the NDP caucus. Ms. Roberts.

LISA ROBERTS: Thank you all for being here. Just before I start, these Auditor General recommendations do go back to the Natural Resources Strategy, which was to cover the period of 2011 to 2020. I noted the deputy's words that the Natural Resources Strategy concluded. It may have concluded in that it kind of ran out the clock, but it certainly wasn't completed.

As we talk about more consultations, I guess I would remind anyone in the public listening that the consultations on the natural resources strategy, which was not completed, included at least 2,000 citizens going back to 2010 and voluntary planning. I think many people who have remained frustrated are looking for action, which includes the completion of the Auditor General's recommendations that go back to 2015-16.

To take it up to 2020 in October, we wrote to Minister Mombourquette, who was at that time the Minister of Lands and Forestry, to ask him to pause all even-aged harvesting on Crown land until key milestones of the Lahey review had been reached. Since then, the forest coalition has also called for a pause. In fact, we found out that prior to our caucus writing, that fully seven - approximately half of the minister's advisory committee - had written to ask for a pause on even-aged harvesting on Crown lands until significant change had been made in alignment with the Lahey review.

The letter from those members of the minister's advisory committee expressed concern for the number of future harvests that have already been approved. Quoting from that letter:

"At the minister's advisory committee meeting on the 19th of October 2020, Marcus Zwicker reported that mills in the WestFor consortium in southwest Nova Scotia currently have five years of harvest plan approvals in place. This means the practices that Lahey rejected will remain the dominant treatment on forested Crown lands for many years after the government accepted the recommendation of the independent review of forest practices in Nova Scotia."

My question to the department is: have you considered a pause on even-aged harvesting given these widespread concerns?

PAUL LAFLECHE: I'll just get to the first point about the Natural Resources Strategy. As we understand it, with the release of the independent forest practice review by Professor Lahey in August of 2018, we made a commitment to the Auditor General to integrate the work of the Natural Resources Strategy commitments into our implementation of the Lahey review. One has in fact encompassed the other, so the citizens don't have to worry that the Natural Resources Strategy commitments are not being completed. They are being completed as part of the Lahey review, as that has sort of superseded the components of the original strategy that are in the same Venn diagram area.

As for the question, I believe I'll let Gerald Post answer the question with respect to the commitments to forest harvesting.

GERALD POST: As I said earlier, the Interim Retention Guide introduced in 2018 dramatically reduced the amount of harvest that would be done where all trees are removed. At that time, when I look back to 2018, up to 7,200 hectares of Crown land were planned to be harvested with up to a 5 per cent retention or 5 per cent of the trees left.

In 2019, after one year of the Interim Retention Guide, that number of approved harvest was less than 1,000 hectares. A fairly dramatic decrease, to the point where it's only 8 per cent of the harvests that are done on Crown land would be at that level. The levels . . .

LISA ROBERTS: If I might just interject to clarify for a moment, please. Harvests completed using the interim guidelines would still not meet the measure of ecological forestry, as I understand. They would require retention of somewhere in the range of 10 to 20 per cent, whereas an ecological harvest typically, as I understand, would retain more than 50 per cent of the standing forest, depending on the conditions.

In fact, Lahey observed in his review that clear-cutting is more than a methodology. This is a quote: "It's a business model, a mindset, and Lahey offered a new paradigm of ecological forestry which would involve both harvesting, but also really placing value on the forest ecosystem from which that harvest is extracted."

My question is, does your department plan to increase monitoring to ensure that the guides are being applied through the lens of ecological forestry with a much higher bar than just those interim guidelines?

GERALD POST: Yes, as I was saying, the levels of retention moving forward have increased the number of retentions at the 20 per cent level, at the 30 per cent level, at the 40 per cent level. Those factors have all increased with the introduction of the interim guide.

With the full implementation of the Silviculture Guide for the Ecological Matrix, those types of harvests will increase even more, keeping in mind Professor Lahey's tenet that biodiversity is the first consideration that we have when we go into the forest to look at what kinds of harvests are appropriate.

As to the monitoring, we have implemented monitoring programs in the past number of years, actually, in relation to comments from the Auditor General and have continued to build on that process of tracking harvests and reporting on harvests after they were done.

It's important to keep in mind, as well, that when we're talking about the guides, this is a planning process that happens sometimes two to three years before an actual harvest. Once that professional assessment is done on the forest floor, a certain number of things have to take place before you can actually do a harvest. In some cases, roads need to be built, various planning activities in terms of coordination of harvest and market conditions and those sorts of things. A harvest approved in 2018 may not have actually happened yet, so there is a bit of a lag, as we see the reports of harvests coming in throughout 2020.

Those numbers are just coming in now as the final year-end reporting is happening. We see ever-increasing levels of retention across the board on harvests.

LISA ROBERTS: Again, just to clarify, currently-approved harvests that may happen in 2021 or in 2022, because of that lag, will they be meeting the new standard of the Forest Management Guide? Will they be meeting the interim or will they only be meeting the interim guidelines or the standards that were in place when those harvests were initially approved, if they were, for example, approved before the interim guidelines even?

GERALD POST: Anything approved since 2018, when the Interim Retention Guide was introduced, is planned according to that interim directive. That is very much in keeping with what the draft of the new guide says, but until that's finalized and put into place from a planning perspective, I can't speak to whether or not it's fully aligned with the interim guide.

LISA ROBERTS: Again, because the interim guide falls short of ecological forestry, once the guide is approved, will a harvest that takes place in 2022 after that guide is released - will that follow the new guide standards if it is not in a high-production forestry area?

GERALD POST: Harvests that are planned with the Silviculture Guide to the Ecological Matrix will be conducted according to the directives in that guide. It's important to remember, as well, that Professor Lahey described a wide range of things that need to happen and may happen on the forest floor in terms of biodiversity. All of those things are incorporated into that guide process, but depending on the conditions that you see on the

forest floor as a professional, there is still room within that matrix for heavy harvesting. It is vastly reduced, but it is still there.

LISA ROBERTS: I'd like to move to the subject of species at risk and focus on the mainland moose, since many see the species as emblematic of the government's conflicting values around supporting intensive forestry and protecting species at risk. I particularly want to focus on the identification of core habitat. This has been a gap in protection for this animal, which was listed as an endangered species following a status report in 2003. Of course, in a recent court decision, Justice Brothers identified this as one area in which the government had failed to meet their legal duties under the Endangered Species Act.

We have written twice to the Minister of Lands and Forestry on this subject as a caucus and had some response from the minister. In a January 11, 2011 letter, the minister said that the department was working on identifying core habitat for mainland moose. Working on identifying core habitat, which was required to be identified following its identification as an endangered species in 2003.

Can you tell me when the department is required to have potential core habitat identified after a species is listed as endangered?

PAUL LAFLECHE: I'm going to ask Bob Petrie to address those questions on species at risk and the mainland moose.

BOB PETRIE: Core habitat is required to be identified within a recovery plan that is due within one year of listing an endangered species. For mainland moose, the difficulties that are inherent in understanding the population distribution and occurrence for such a wide-ranging species have been a challenge, both for departmental staff and for the recovery team.

The recovery team, I am pleased to say, is actively making progress on that now. In the meantime, and back to as far as 2012, we knew we had to implement changes to habitat management practices, particularly as it pertained to forest management, and that's when we introduced special management practices for mainland moose, which did identify at that time what we called concentration areas. These were the areas of the province that, based on our existing data observations and sightings and surveys, these were the areas of the province where we believed we knew mainland moose to occur more often than not. Mainland moose are distributed across the landscape.

LISA ROBERTS: I appreciate that answer. However, we have had some very recent evidence, including photos of moose tracks in an area where there is approved intensive harvesting, that is in the Silver Lake area adjacent to the Tobeatic wilderness area. I struggle to accept that there has been no core habitat identified, given that the precautionary principle is written into the Endangered Species Act. The Act recognizes

that a lack of full scientific certainty must not be used as a reason for postponing measures to avoid or minimize the threat of the species at risk in the province.

Do you know when the department will be providing an official update on how it is meeting the legal obligations to the mainland moose, as just one of the species at risk?

BOB PETRIE: We have refreshed all of our recovery teams for species at risk over the past couple of years, including mainland moose, and for the past year or so, the moose recovery team has been focused on core habitat as one of its core missions. They have completed a review of the recovery plan to ensure the plan was up to date, and they are actively working on core habitat identification now.

That has entailed quite a bit of analysis, creating new data sets from our forest harvest data, a considerable amount of discussion at the recovery team, and deliberations on what constitutes core habitat? Is it for moose to take shelter during the hot summer? Is it for them to have their calves? Is it for feeding? Or what combination of all of the above? We are very close to a recommendation on core habitats in consideration of all that.

[10:00 a.m.]

LISA ROBERTS: It does strike me that had we made more significant progress on the Natural Resources Strategy, that some of these questions wouldn't be quite so fraught - because ecological forestry practices fully implemented would allow a better balancing of those different values on the landscape.

Really quickly - because I'll have more questions when we come back in the second round - protected areas are one of the most important strategies for stemming biodiversity lost. However, efforts in getting to what are seen now as the adequate protection for adequate landscape have been stymied in Nova Scotia by the decision to treat the Liberal government's target of 13 per cent as a cap over the last eight years, resulting in very slow progress towards protecting 152 areas that were identified in the 2013 Parks and Protected Areas Plan.

What is the department's plan for aligning its goals with the 17 per cent standard, which is now being talked about globally, or even the 30 per cent that is being talked about for Canada?

BOB PETRIE: We are actively involved in those discussions at the national level around national goals and targets. We're pleased to be zeroing in on that 13 per cent target for Nova Scotia.

I think as Mr. Post has mentioned, our pursuit of ecological forestry - and particularly management of the matrix using an environmental assessment-like process, focusing on outcomes is going to be one of our primary vehicles for managing the forest

and for species at risk going forward. That will need to be in consideration of core habitat as it is identified for moose and other species.

THE CHAIR: The time for the NDP caucus has expired. We'll go to the Liberal caucus and Mr. Jessome.

HON. BEN JESSOME: I hope everyone is having a good morning so far. I was hoping that perhaps we could chat a little bit about some of the distinctions between the 10-year Department of Natural Resources strategy being referenced and the present Lahey report. There has been an indication that the Lahey report encompasses much or most of what the former DNR strategy would have outlined.

I'm wondering if we could add some context to the conversation today that would outline some of the particular distinctions and improvements, rather than some of the goals that have been there since the strategy with the former DNR strategy was established.

GERALD POST: Yes, the forest strategy laid out a number of processes that spoke to how we plan and manage our forests. A couple of key pieces of that, in terms of implementing for the department, were the development of the guide I spoke of earlier - the Forest Management Guide.

With the reception from Professor Lahey's report, we very much built on what the forest strategy was moving towards anyway. Professor Lahey paid particular attention to the biodiversity aspects of what our forests offer, and in essence, he said as forest professionals, you should look at what biodiversity values are there first and foremost. If we protect and build on those biodiversity values in planning our forests, it will provide a wide range of benefits for everyone. For instance, thinking about walking into the forest with that planning process I described earlier, our forest professionals are being pointed towards what trees can I leave, as opposed to what some might think would be what trees could I harvest.

There are a number of reasons why I would want to leave trees for biodiversity values. They might be standing deadwood, if you will, perfect habitat for birds like woodpeckers. They might be trees that have either blown over or because of age broken off in a windstorm and provide some biodiversity values on the ground - cover for small animals like lynx or rabbits or martens. They might be areas where a tree has blown over and the uprooted roots form a bit of a cave or a hollow for animals to create a den in - all of those kinds of things our foresters are being trained or reminded, I should say, to look for on that first entry into the woods.

That is very much in keeping with what the forest strategy said. Professor Lahey built on some of those concepts and said if we look first at maintaining biodiversity, we will then have a more stable and reliable supply of fibre to feed industrial interests. Things like generating timber for sawmills to produce lumber also generates wood chips. Wood

chips are a by-product of that industrial process. They provide downstream economic opportunities for further processing as well. The economic value in terms of our economy is protected by ensuring that the forests are healthy and producing valuable timber for the long term. That's a key to that planning process that we look at.

The other things that Professor Lahey really honed in on in his triad approach were to think of what special or protected places within our province need to be preserved, so that protection leg of the triad is very important. In terms of understanding the need for fibre from an industrial standpoint, he also reminded us in his report that the supply of fibre will have to be met by a more intensive management on what he's called high-production forestry sites. The sites, in terms of where high production can happen, are relatively known. We need good nutrients, we need adequate drainage, we need sites that aren't overly exposed to wind damage, those sorts of things.

If we manage those sites for maximum production, if you will, that route relieves a lot of pressure on other parts of the forest. Inside the ecological matrix, Professor Lahey also acknowledged that when we take off less wood, we leave more wood, we spend more time in terms of the selection of the trees or groups of trees that we choose to utilize. The cost of that fibre increases. He was very much speaking about a balance of protecting biodiversity and being cognizant that life still has to go on from an industrial perspective, as well.

The full implementation of that 10-year strategy continues. It's very much in line with what Professor Lahey was speaking about. It's still very much a core piece of what the department has been working towards.

BEN JESSOME: It's clear that there's an effort to make a balanced approach to the industry, to the protection of species, et cetera. In that example at one point, you referenced a look at how to support the industry to stay sustainable.

I believe it was Deputy LaFleche who made a comment related to the silviculture guide being more robust in terms of handling clear-cutting. It balances the ability to take into consideration industry while enabling a more robust structure around clear-cutting throughout the province.

The subject of both clear-cutting and industry support is certainly something that I hear about from time to time. In that spirit, I understand that there were some fairly in-depth consultations that took place as the Lahey report was established. There was some back and forth with the department. There were - I think the number that was referenced was 900 - submissions that came in to help us shape that report.

Could I get some commentary on the characteristics of those individuals who were brought in, in demonstrating, hopefully, that there were both sides of the conversation that were involved in the formation of that report?

GERALD POST: The consultations on the Lahey report were, as Deputy LaFleche mentioned, quite extensive. There were a lot of comments received. I'll speak back to one of the first major consultations we did in a workshop format after the Lahey report - I believe it was in June of 2019 - where we brought together close to 120 people to the Agricultural Campus of Dalhousie in Bible Hill.

We went through a workshop process that included woodlot owners, NGOs, representatives of various interest groups, private landowner cooperatives, industry, the sawmilling folks, forest contractors, and the folks who invest in equipment to operate in the woods.

We had a very extensive facilitated process where everybody received an opportunity to move around a series of small discussion groups to digest what Professor Lahey was saying and to offer their comments on how they thought we should make adjustments and how we should go about implementing his report. Those comments were followed up.

[10:15 a.m.]

I think a couple of key pieces on consultation were that the department can't do this on its own. The department has a very competent, professional staff in terms of forest planners and forest operators and forest professionals, but we heard very clearly that we need to incorporate knowledge from outside the department - knowledge with some credentials in the areas of environmental planning and landscape analysis and wildlife management.

We've reached out to folks at Dalhousie University. We've incorporated a number of other universities. We have representatives from MUN, the University of Ottawa. We have some professionals from UNB, professionals from Maine. Some of these outside advisors are actually members of Professor Lahey's review team so they're bringing first-hand knowledge of what Professor Lahey was referring to as he was making suggestions to us.

These folks - there are eight or nine of them - have been incorporated into the 10 teams that I spoke of earlier, highly specialized teams that are looking at aspects of how high production forestry should work, looking at how that silviculture guide should be developed and how it should be interpreted and implemented. They're looking at the science and informing the science that we referred to in terms of understanding what nature does and the natural disturbance regimes have been spoken about quite a bit.

Understanding that when nature blows a hurricane through and blows trees over, it doesn't destroy all the trees all the time. We would very much take that piece of science and incorporate it into how we would plan a harvest. The professionals, the geologists, the

climate scientists feed into that knowledge on a committee type of approach to help inform the path that we lay out in these guides for professionals to follow on the ground.

BEN JESSOME: That's helpful. I come from a community where presently there is a great deal of positive engagement and advocacy through an organization called the St. Margaret's Bay Stewardship Association - periodically get to be back and forth. My district kind of borders the area that they look to most specifically. I'm pleased to have an open door and an ability to engage with that organization that is doing good work and certainly helping us make our plans robust and stay accountable for the protection side of things.

I will also say that historically, Hammonds Plains-Lucasville is a community that was developed with forestry and barrel-making, for example, as part of the fabric of the economy in our community. It's important that we balance productivity on both sides, from an environmental, as well as an industry perspective. I'm mindful of that, based on connections to my home community.

I would like to perhaps wrap up here. I would say I've heard from a couple of people - not a tremendous amount of people - related to what's being done with the Lahey report. A couple of our members have alluded to it today, but it's clear that there is active work that has been taking place since 2018. What is the department's communication strategy? How do you intend to promote the work that is going on at the department so that all Nova Scotians have an affirmation that this important work is taking place? I don't mean to suggest that the work isn't taking place, because I understand it clearly to be. I'm wondering what the communication strategy is to let Nova Scotians know what's going on.

PAUL LAFLECHE: A lot of work has been done in the last two and a half years, a lot of it is prep work, it's consultation, it's background work, and that will result in a lot of things coming out in the near future. It's a lot like designing an automobile, where you have to do a lot of work before the automobile launches, but we are about to launch many things.

Minister Porter has met with Professor Lahey already and I have met with Professor Lahey twice. We're working with Professor Lahey and staff here on producing sort of a matrix of action items that can come and look at each of the recommendations and go through them. Not all can be implemented immediately. Some of them are, as Mr. Post said, part of a living document that need to be implemented over a longer period of time. It's not about instantly pushing a button and the engine starts. Some of the recommendations will come to fruition quickly and others will be implemented continuously over a long period of time.

We hope to have a - I hesitate to even use this word - my daughters just came home yesterday with one of these, a report card. We hope to produce something along those lines, don't quote me on that exact item, where we show where we are at each item in the Lahey report in the near future. As we go through each of the recommendations, we'll be

articulating to the public that a recommendation has been done, is in progress, what work has been done if it's in progress, how much longer it will take, et cetera.

I appreciate that in the last two and a half years, a lot of the internal work was communicated to stakeholders, the environmental stakeholders, the forestry stakeholders, and other interested people in the community, but it wasn't perhaps communicated to the broad public. We want to do a better job at that and ensure that everyone can see how this exciting report is being implemented that will guide us towards a very much better spot in terms of our forests in Nova Scotia and in terms of the industry in Nova Scotia and its profitability.

THE CHAIR: The time for the Liberal caucus has expired. We'll go now to the second round of questioning. Seven minutes for each caucus, and we'll go to the PC Caucus. Mr. Halman.

TIM HALMAN: Since we're talking about report cards, the report card is out on the government's performance with the Endangered Species Act, and it's not very good. It looks like the government is failing to meet the expected outcomes of the Endangered Species Act. I look at the CTV News article from June 2020, where there was a court ruling from Justice Christa Brothers that indicated that there is a chronic and systemic failure to implement action required under the Act. Of course that Justice was speaking about the Endangered Species Act.

We know the department received a judicial ruling and that they failed to meet certain statutory duties, so my question is for Mr. Post. Prior to that ruling, what, if any, direction was given by the former Minister of Lands and Forestry to meet these obligations?

THE CHAIR: You're directing your question to Mr. Post, and then we'll get back to Mr. LaFleche. Mr. Post.

GERALD POST: I think it would be more appropriate for Mr. Petrie to address that question, Mr. Chair.

THE CHAIR: Mr. Petrie.

BOB PETRIE: We know implementing the Act has been challenging. I'm pleased to say that we've made a great deal of progress over the past couple of years. You referenced the judicial review. There were six orders that came out of that judicial review, and I'm happy to say that we have completed three of those orders already and are actively making progress on the remainder.

Most of our species have current plans in place, and we are working on cleaning up the remainder. In fact, only one species that's solely under Nova Scotian jurisdiction remains without a plan. We've got a good solid draft for that.

Your question was what previous direction had been given concerning implementation of the Act?

TIM HALMAN: Prior to the ruling, Mr. Petrie, what direction was given by the minister to meet the obligations under that Act?

BOB PETRIE: Prior to the ruling, the direction or guiding instructions were really focused by the Auditor General's review. That was the focus of our implementation. It was to address the items in the Auditor General's review. I think it has been a standing instruction of every leadership administration in this department to work on that. We've been actively making really good progress there.

Since the judicial review occurred, clearly we've shifted priorities somewhat to give serious attention to the instructions of the court in that regard. Like I said, we've completed three of those six orders and are expecting completion on the remaining three in the near future.

TIM HALMAN: To be clear, these obligations were not a priority for the department under the leadership of the former minister, and now Premier of Nova Scotia?

BOB PETRIE: No, the Endangered Species Act has been a focal priority of this department for as long as I have been working here.

TIM HALMAN: In your previous answer, you indicated that the guiding instructions were guided by the Auditor General. Anyone would think that the directives come from the minister.

Again, under the previous minister's leadership, what directives were issued to ensure that the regulations of the Endangered Species Act were being followed out?

BOB PETRIE: Like I said, the direction for implementing the Endangered Species Act has been focused by the Auditor General. The recommendations of the Forest Practices Review, Professor Lahey also indicated full implementation of the Endangered Species Act. That has been our focus as guided by previous ministers and deputies.

Full implementation of the Act involves a great deal of work. There are 63 listed species, each of which requires different work. Clearly, we have had to select priorities within that sphere of work. Implementing the Act has been our focus. We have completely refreshed our species at risk team and, in fact, expanded that team in recent years from three staff to seven staff focused on species at risk at the moment.

As part of our program refresh, we rebooted our recovery teams for every species and have had more focused facilitation for the work of those teams. More of our species have valid recovery plans in place now and there are more coming all the time. The implementation of the Act has been a key focus and priority of this department.

TIM HALMAN: If the priorities were not determined by the minister, how were they determined?

BOB PETRIE: The Act, in its legislative obligations, has the effect of setting priorities for us. There are legal obligations under the Act and that's what we've been working hard to complete - complete recovery plans and complete core habitat identification.

At the same time as we're doing that, we are integrating the species at risk considerations into the products being produced under the Forest Practices Review into the tools that support ecological forestry and the environmental assessment process design. It permeates beyond the focused work of developing recovery plans and facilitating recovery teams into finding core habitat.

Integration of species at risk into other elements of our business has been a great focus, particularly in recent years . . .

[10:30 a.m.]

TIM HALMAN: It's fair to say the minister wasn't heavily involved with this file. That's what's being said here?

THE CHAIR: Order. The time has expired for the PC Caucus. I apologize for that. It'll go now to the NDP Caucus for seven minutes. Ms. Roberts.

LISA ROBERTS: I want to return to protected areas for a moment, which of course are important for both endangered species and for climate change, for many different things. As part of the Natural Resources Strategy, the Parks and Protected Areas Plan detailed more than 150 areas that awaited official protection.

My question for the deputy minister: Is there anything to prevent another Owl's Head from happening? For example, Herring Cove Provincial Park Reserve is a site that many people would assume is fully protected but, in fact, has also not gone through the full designation process like the former Owl's Head Provincial Park. Is there anything that prevents it from being quietly delisted if there were economic interests at play that the government chose to listen to?

PAUL LAFLECHE: I just need to point out that the government recently announced its intent to protect 20 more sites, which will bring the province to the 13 per

cent goal in the near future. This is an ongoing file for government and Professor Lahey has some things to say about that. We'll be looking at what he said and implementing that report.

In terms of Owl's Head, I may be wrong - I'm just here, but my understanding was it was under a judicial review, so I do not want to comment on Owl's Head at this time.

LISA ROBERTS: My question was actually whether other sites that also have not been fully designated could be vulnerable to a similar series of events as in the case of Owl's Head, such as Herring Cove Provincial Park, but given that I only have a few minutes, I'll go on to my next question.

You mentioned a report card related to the Lahey review. However, the Lahey review itself promised an independent evaluation after one year. It's now year three of implementation. Do you know when we can expect the independent one-year evaluation from Professor Lahey and people working with him?

PAUL LAFLECHE: The good news is that Professor Lahey has been engaged to deliver an assessment of his own report. He will be delivering that in the near future. When I say the near future, I'm hopeful it will be sometime this Spring - noting that Spring hasn't quite commenced, even though it might be a nice day out.

LISA ROBERTS: I'd like to take my last couple of minutes just to narrow in on one point in the Natural Resources Strategy, which again was concluded, but not in my view completed. *The Path We Share* talked about managing the province's public carbon resource in terms of the role of actually the land in holding carbon as part of our contribution to mitigating climate change. Is your department tracking what amount of carbon our forests are storing and how harvest plans impact this?

GERALD POST: We are very much involved in climate change analysis and adaptation, and of course carbon storage, carbon sequestration is a very big part of that. We actually have a person on staff who has expertise in that area. He has a Ph.D. focusing his work on climate change initiatives. He represents the department on a number of cross-jurisdictional committees that look at all issues around carbon: how the forest stores carbon, how trees react, how carbon stores underground.

That group also looks at how we might adapt our planning systems to accommodate for climate change. Perhaps if you think of species moving as climate warms, we might expect some species that are normally in southern climates moving their way north, so we're involved in an active research project with the Canadian Forest Service with the University of New Brunswick and with folks at Dalhousie University to look at how that might happen.

LISA ROBERTS: Because my time is short, I'd love to hear more about the actual results of that at some point. To your knowledge, has there ever been a life cycle analysis done of burning biomass for energy in your department, and if so, could that analysis be shared with the public in terms of whether burning biomass should be classified as renewable energy?

GERALD POST: As you know, carbon accounting in terms of life cycle analysis for renewable energy follows international standards. Those international standards are established by protocols that Canada has agreed to. Our province is certainly in line with those accounting methodologies.

We have certainly studied how those various accounting processes work. I'm not aware of any formal reports, if you will, looking at carbon accounting specifically in Nova Scotia, but more review and analysis of how that accounting has been done at the international level. As you know, most of that work has come out of Europe. To my knowledge, not a specific one based in Nova Scotia.

THE CHAIR: Order, please. The time for the NDP caucus has expired. We'll go again to the Liberal caucus. Mr. Jessome.

BEN JESSOME: I completely agree with Ms. Roberts around her focus on embedding evaluation and accountability into the progress as we go forward. I'm just wondering in relation to the Lahey report and its 45 recommendations, I appreciate that there's a lot to look at there, but in terms of embedding accountability and metrics into our progress as we go forward, can somebody speak to that as an embedded principle on a go-forward basis?

GERALD POST: One of the challenges, as just previously stated, is in measuring carbon, particularly when the studies that we've looked at indicate that a great deal of the carbon stored in our forest is actually stored below ground. It's in roots and carbon embedded in soils. One of the challenges that Professor Lahey spoke to was to provide an opportunity for private landowners to take advantage of carbon that is stored on their property, so the first step in trying to enable that is to accurately estimate how much carbon is there.

The second challenge is determining a protocol that would be appropriate. If I determine how much carbon is here now and we do come up with a funding mechanism through some sort of trading system, what audit and testing protocols would need to be in place to ensure that I haven't moved the carbon? It's an open market, if you will, but the market needs a mechanism to determine whether or not I've lived up to my end of the bargain.

There are a number of trading systems that have evolved, but they are very large in scope - thousands of tonnes of carbon. That's a scale that private woodlot owners - my

little woodlot just simply doesn't have enough carbon to actively participate in that market. Part of what Professor Lahey discussed and suggested was to look at opportunities where we might amalgamate carbon at a group level.

There are some groups within the province - some forest management co-ops - that are very interested in this concept, as well. I'm not sure how far they've gone in determining the market capacity, if you will, for their combined carbon. Those are all topics that the department is very interested in as well.

THE CHAIR: Mr. Jessome, we have about a minute and a half left.

BEN JESSOME: Okay, that's fine. Thank you for that response. I'll close by saying that personally, I approach these conversations humbly and I rely a lot on the work that the departments and the experts and the special interest groups and stakeholders across the province put together.

I respect the ongoing work in terms of successive people, successive ministers, successive governments - there's a lot of attention to this type of work. We can't rest it on the shoulders of one individual. I will say that I'm proud to hear that the Premier and the new minister are focused on making the implementation of the Lahey report a priority. I think that needs to be made clear to all Nova Scotians. Thank you.

THE CHAIR: That concludes questioning for this morning. We want to thank everybody for participating.

We'll turn the floor over now to Mr. LaFleche, if he'd like to make some closing remarks.

PAUL LAFLECHE: I do, indeed. I think it's important to recognize all of the progress we've made towards implementing the Lahey report and the Natural Resources Strategy and the work of the staff. The staff have been excellent. I've only been here seven days, but I've seen the dedication of the staff to this and their work with the stakeholders. I've already met many of the stakeholders out there and if weren't for the stakeholders on all sides of the equation, we would not be making the progress we are.

I want to point out that one of the reasons we're here is because of the Auditor General's work. It's really good work on two different audits. I will be back here on April 14th, as well as my twin brother from the Department of Transportation and Active Transit who is coming back with me - so you'll see me twice - due to another Auditor General Report on contaminated sites.

One of the people who has been key in our relationship with the Auditor General over many, many years has been Terry Spicer. Terry's not here today - Andrew is here in his place - but Terry's retiring shortly, so I think it's important that the committee recognize

Terry's long service to Nova Scotia and the fact that he has been so good to work with for all of my colleagues and myself. Thank you.

THE CHAIR: Thank you, Mr. LaFleche. You stole my thunder. I was going to conclude with that at the meeting as well. You've said it very well.

On behalf of the Public Accounts Committee and, indeed, all committees throughout the Legislature, we want to thank Terry for a job well done and wish him all the best in the future.

With that, we want to thank the witnesses once again for appearing this morning. You are now free to leave the meeting.

Just under committee business, folks, if we could for a few minutes. I don't think we need a recess, do we?

TIM HALMAN: Mr. Chair, before we get to that business, may I introduce a motion?

THE CHAIR: Go ahead, Mr. Halman.

TIM HALMAN: Members of this committee will be familiar with this motion. On September 28th of 2018, this committee embarked on an experiment. The Liberal caucus resolution that all agenda items for the Public Accounts Committee be set through the Auditor General narrowed the committee's scope and decreased the effectiveness and relevance of the committee.

Together with the decrease in the number of meetings, these changes have not served Nova Scotians well nor have they served our system well. At this time, Nova Scotians expect more accountability and transparency from those who represent them, not less. They expect standing committees to deal with issues that impact their lives, not only issues that the Auditor General has examined.

It is for these reasons that I propose the following motion. I move that the Standing Committee on Public Accounts returns to weekly meetings. In addition to the Auditor General reports, committee meetings examine topics brought forward by all three caucuses and agreed to by the subcommittee and the entire committee.

Just some quick remarks on that. The Premier has indicated that he's committed to more transparency and collaboration. There is a lot of aspirational language being used. I see this now as an opportunity to take those aspirational goals - which I know we all agree to - and translate them into action. Here we have the Public Accounts Committee. Its mandate is to examine the expenditures. It is to examine the execution of public policy and

to examine the reports of the Auditor General. There has to be a balance between those three, and we haven't had that balance since the Fall of 2018.

The Premier himself was a member of this Public Accounts Committee a few years ago and I'm hoping he has an appreciation of the role it plays in holding government accountable and ensuring government is transparent with how it manages the public purse and with how it manages the execution of public administration.

THE CHAIR: Comments? Ms. Roberts.

LISA ROBERTS: I would certainly speak in favour of this motion. I think some of us have had the opportunity to take some training with other public accounts committees from other jurisdictions through a national organization that does basically professional development with public accounts committees.

One thing that I often return to is how important cross-Party collaboration is in the context of actually holding the administration of government to account, which is the goal of public accounts committees. One aspect of that is that changes to the committee and to how the committee operates really ought to be arrived at through conversations in the committee.

What we saw with the changes that were made a year and some ago was an absolutely unilateral change to a very longstanding practice in Nova Scotia, where the Public Accounts Committee, yes, typically worked very closely with the Auditor General and would call committees that had been examined by the Auditor General's Office, but also was free to suggest other topics. Those topics sometimes came to the committee as well, such that often there were typically between 20 and 26 meetings a year.

We have now been reduced to only 12 meetings a year, exclusively on Auditor General Reports. I think that serves Nova Scotians poorly and I do hope that with the change of tone from the Premier that this committee's ways of operating might also reflect, exactly as Mr. Halman said, a more collaborative and transparent approach.

BEN JESSOME: I would just suggest that perhaps that's based on opinion. It's my present opinion that we have a robust system that enables accountability and structure. We have stood up a separate Health Committee that does provide an additional level of focus on health-related subjects that have traditionally ended up at the Public Accounts Committee in my experience.

While I can't speak on behalf of the Premier, what I will say is today I think that I appreciate the level of engagement that our present structure enables. I don't have feedback from constituents to the contrary and will not be supporting a motion at this time to revert from what I believe has been progress and has enabled productivity throughout our committee structure in its entirety.

On behalf of the Liberal caucus, I'll not be supporting this motion.

TIM HALMAN: Mr. Chair, if I may.

THE CHAIR: Mr. Halman.

TIM HALMAN: I want to provide to the Liberal Caucus a very sobering thought. You are members of a government where the Legislature has not sat in a year - in 364 days - to have a serious, meaningful, in-depth debate. The assertion that there's enough accountability and transparency defies that fact. We are the only province in Canada whose legislature hasn't sat in a year.

We have a new Premier who has indicated he wishes to see more collaboration, he wishes to see more transparency. Let's get Public Accounts back to where it once was, with weekly meetings along with topics outside of the Auditor General's report.

This is an opportunity for all three parties to work together. It's an opportunity for the new Premier to signal in a real meaningful and tangible way that he's prepared to truly commit himself to more transparency and accountability. The opportunity is right here in front of all of you.

With those few words, Mr. Chair, I call for a recorded vote.

THE CHAIR: A recorded vote has been called for. Mr. Jessome.

BEN JESSOME: I would just like to affirm that I don't speak on behalf of the Premier, so I'm not going to put words in his mouth. We were in a unique situation in February when we passed our budget. We didn't have to sit to pass our budget immediately. There was a decision made to prorogue the House in the Fall. The commentary that I've heard from my constituents has been, government, please focus on addressing the pandemic, and at no point in time have I had constituents say, we want to prioritize politicians getting in a room to argue with each other about . . .

THE CHAIR: Order, please. I think what's happening here, we're straying from the motion, so I'll go back -

BEN JESSOME: With respect, Mr. Chair, he can give a speech, but I can't respond to it?

THE CHAIR: You did respond. You had responded similarly the first time you talked about it.

BEN JESSOME: He did a rebuttal.

THE CHAIR: Ms. Leblanc.

SUSAN LEBLANC: I'm just worried about time. I'm wondering if we can go to that recorded vote.

BEN JESSOME: I'm done.

THE CHAIR: We'll now do a recorded vote. I'll go by the list that's provided to me.

YEAS

Tim Halman
Lisa Roberts
Susan Leblanc

NAYS

Ben Jessome
Tony Ince
Leo Glavine
Bill Horne
Rafah DiCostanzo

THE CHAIR: The motion is defeated.

Moving on with the agenda, we have some correspondence that everybody has received. The first is a Sandra Ball email dated February 27, 2021: Response from the Department of Health and Wellness with the information that was requested from the February 10th meeting. Also, the Department of Lands and Forestry letter dated March 3rd to the Chair from Deputy LaFleche and the response that he got. Everybody has had that.

Mr. Halman.

TIM HALMAN: Just with respect to the letter from the Deputy Minister of Health and Wellness, I just want to push back a little bit on that. I just want to raise the issue about that letter that he's indicated that wait times for home care were available online through the portal. An MLA colleague of mine called Continuing Care this morning to confirm that, according to them at Continuing Care, there are no wait times for home care published online.

I'd like to suggest to the committee that we write back to the Deputy Minister of Health and Wellness to provide the statistics to this committee as they're apparently not available online.

THE CHAIR: All those in favour? Contrary minded? Thank you.

The motion is carried.

We'll ask the clerk if she could do that for the committee. The final item of business is the 2020 annual report. That's been circulated to all committee members as well. No changes have been received by the clerk.

Mr. Jessome.

BEN JESSOME: So moved.

THE CHAIR: Ms. Roberts.

LISA ROBERTS: Seconded. If required.

THE CHAIR: All those in favour? Contrary minded? Thank you.

The motion is carried.

That concludes our business for the day. Just a few more reminders that our next meeting will be on April 14th with an in-camera briefing at 8:30 a.m. and Public Accounts public meeting from 9:00 to 11:00 a.m.

The witnesses will be the Department of Transportation and Active Transit, the Department of Energy and Mines, the Department of Lands and Forestry, and Nova Scotia Lands Inc. concerning the 2020 Report of the Auditor General, *Government-wide: Contaminated Sites*.

If there is no further business to come before the committee, I want to thank everybody and we stand adjourned.

[10:57 a.m. The committee adjourned.]