

## Consultation Session Purpose

The Department of Lands and Forestry wants to hear from you as a biodiversity stakeholder to support our next steps on the recently introduced Biodiversity Act and its implementation. The Department is hosting five regional sessions across the province with the objectives to:

- Share more about the Act’s purpose and tools and address your questions and concerns.
- Hear from stakeholders on your priorities for action under biodiversity legislation.
- Gather input on next steps to guide us as we move forward with developing regulations.

These sessions build on previous consultations that informed the Act when introduced in the Legislature in Spring 2019. We committed to further consultations to foster awareness of the Act and to seek input on priorities for regulations in the future. We are also consulting with the Mi’kmaq of Nova Scotia through a parallel process. The Biodiversity Council has played an advisory role on the Act since its inception in May 2018, and will continue to play an active role going forward in advising, setting priorities and developing regulations.

## Agenda

1. Opening remarks  
Questions and Answers
2. L&F Biodiversity expert presentation on the key concepts of the Act  
Discussion, Questions and Answers
3. Break
4. Break-Out Sessions – three questions (see below), 20 minutes each
5. Closing remarks

## We want to hear from you

Through facilitated break-out sessions, participants will be asked for input on:

1. Which biodiversity challenges do you see as the most pressing for priority action under the act?
2. How do you see yourself engaging in next steps, including regulation development?
3. How can we work together to build biodiversity awareness?

Feedback can also be submitted by email to: [StratPolPlanning@novascotia.ca](mailto:StratPolPlanning@novascotia.ca). Input received **by July 29, 2019** will be included in a summary report of what we heard, which will be shared with participants and posted on our website (<https://novascotia.ca/natr/biodiversity/>) by August 12.

To support your engagement in these sessions, the following presents a high-level overview of the Biodiversity Act.

## Biodiversity Act – Overview

Biodiversity legislation will establish a provincial mandate for biodiversity. This will help improve the conservation of our ecosystems, wild animals, and plants for future generations. The recently introduced Biodiversity Act is intended to provide a foundation to manage and adapt to present and future biodiversity challenges and opportunities. It will become a toolkit for biodiversity management, and it sets the stage for regulations that need to be developed. It will help manage risks such as invasive species, or ecosystem loss and diseases, and gives Government authority to act where there are threats or where opportunities for sustainable use of biodiversity exist. It will provide tools for conservation that are more flexible for government and landowners to customize the right approach at the right time in the right place.

## Canadian Goals and Targets for Biodiversity

In 2015, Canada's federal, provincial, and territorial governments released the 2020 Biodiversity Goals and Targets for Canada in response to the United Nations Convention on Biological Diversity's Strategic Plan for Biodiversity 2011-2020 and its global Biodiversity Targets. This suite of four goals and 19 targets reflects Canada's context and priorities for biodiversity conservation and articulates the ways in which Canada will contribute to the achievement of the global targets.

Specifically, the proposed Biodiversity legislation for Nova Scotia helps address the following priorities:

- Ensure that species that are currently secure remain secure - in other words keeps common species common
- Apply ecosystem-based approaches to conservation
- Manage alien and invasive species
- Develop more innovative mechanisms for conservation and sustainable use


These are examples of how the proposed Act helps us advance some of the 19 national targets. The proposed Act also allows for us to establish and adopt targets and goals specific to Nova Scotia.

## The NS Biodiversity Act

The purpose of the proposed Biodiversity Act is to provide for an integrated framework of legislation that supports the stewardship, conservation, sustainable use and governance of biodiversity in Nova Scotia. The Act works with all Government departments within their related mandates to achieve the purpose of the Biodiversity Act.

The Biodiversity Act acknowledges the following principles and statements which comprise the **preamble**:

- Biodiversity is essential to healthy and productive ecosystems and is therefore essential to human well-being;
- The conservation and sustainable use of biodiversity is interconnected with sustainable prosperity, a healthy environment, vibrant thriving communities and a strong competitive economy;



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- Biodiversity and its sustainable uses are valued by Nova Scotians as important parts of the environment, heritage and economy of Nova Scotia;
- An ecosystem approach that involves the integrated management of land, water and living organisms, promotes conservation and sustainable use of biodiversity and recognizes that humans are an integral part of ecosystems will strengthen land-use planning and natural resources management;
- Programs, policies and protective measures for biodiversity enable the Government of Nova Scotia to maintain and restore the diversity of genes, species and ecosystems, ensuring healthy ecosystems and the provision of ecosystem goods and services;
- The conservation and sustainable use of biodiversity is a complex, crosscutting imperative that necessitates cooperation and collaboration among all sectors and is therefore a shared responsibility of all levels of government, non-government organizations, the private sector, the Mi'kmaq of Nova Scotia and all other Nova Scotians;
- Biodiversity must be managed for the benefit of present and future generations, which is in keeping with the Mi'kmaq concept of *Netukulimk*, defined by the Mi'kmaq as the use of the natural bounty provided by the Creator for the self-support and well-being of the individual and the community by achieving adequate standards of community nutrition and economic well-being without jeopardizing the integrity, diversity or productivity of our environment;
- Several Government departments and legislation such as the Wildlife Act, Endangered Species Act, Environment Act and the Wilderness Areas Protection Act play key roles in the conservation and sustainable use of biodiversity in Nova Scotia but do not address all aspects of conservation and sustainable use;
- Nova Scotia is therefore committed to a complete, holistic, integrated legislative framework that provides for all aspects of the conservation and sustainable use of biodiversity.

## Application on Lands in Nova Scotia

The focus of this Act is to put in place a legal framework to address current and new problems related to biodiversity. The protection of biodiversity is the responsibility of everyone, including private landowners. Given that over 65% of land in Nova Scotia is privately owned, participation by private landowners is essential to protect biodiversity, manage future threats, and act on opportunities. The proposed NS Biodiversity Act applies to all lands.

## Biodiversity Management Zones

Collaboration is at the forefront of establishing Biodiversity Management Zones. Biodiversity Management Zones are an area of land managed for a set time period to support the conservation or sustainable use of specified biodiversity values. This flexible tool can be applied to Crown lands, and to private lands with the consent of landowners. This tool allows government to proactively establish and negotiate any restrictions or encumbrances on the use of the private lands with the landowners in advance. Agreements with landowners could consider compensation.



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Potential Applications of Biodiversity Management Zones include:

- For biodiversity conservation purposes such as the time-limited protection of a seabird breeding colony on an island. Existing or new activities like tourism and camping can continue, but with specific conditions to manage threats to native ecology. Access to specific parts of the island could be limited at certain times of the year to avoid disturbing nesting birds or sensitive plant communities.
- For sustainable use of biodiversity, such as for the commercial harvest of edible plants. Wild plants in Nova Scotia are increasingly used in the local food market and harvested without management. A Biodiversity Management Zone could be employed to manage certain overly used sites to regulate harvest and to promote use at sites where the plant is secure.

### Protection of Biodiversity

The Biodiversity Protection Order is a measure in the Act that could be used anywhere in Nova Scotia for urgent, temporary situations when someone is contravening the Act, or is about to, and Government needs to take action to stop the activity. A Biodiversity Protection Order could be issued to:

- prevent the import, selling or distribution of an invasive species that may not yet be listed in a regulation,
- prevent the intentional destruction or disturbance of a rare ecosystem or a habitat which would be identified using a transparent, science-based process,
- order the destruction of infected and diseased wildlife.

### Regulations for the Conservation and Sustainable Use of Biodiversity

This Act will enable Government to develop regulations that are specific to priority issues and threats to biodiversity in Nova Scotia. Regulation development and subsequent substantive changes will be done in consultation with the public, including landowners and other stakeholders. The Department has heard that invasive species is a priority area for regulation. Other regulatory priorities could include wildlife health and disease, ecosystem management and alternative uses of biodiversity. These July 2019 sessions aim to hear biodiversity stakeholder feedback on priority areas for regulation and action under the Act.