



To: Nova Scotia Law Amendments
Re: Bill 471, testimony of Shannon Arnold, Associate Director of Marine Programs at the Ecology Action Centre
Date: September 16th, 2024

Thank you for the opportunity to address the Committee on Bill 471.

I will primarily speak to the proposed amendments to the *Fisheries and Coastal Resources Act* and very briefly to the proposed amendments to the *Canada-Nova Scotia Offshore Petroleum Resources and Accord Implementation Act*

My name is Shannon Arnold and I am the Associate Director of Marine Programs at the Ecology Action Centre based in Halifax, Nova Scotia. I'm sure you are familiar with our organization - for over 50 years, the Ecology Action Centre has taken leadership on critical environmental issues, from biodiversity protection to climate change to environmental justice.

Our Marine Program supports sustainable fisheries and sea farming with the aim of keeping our coastal communities thriving with working waterfronts and our ocean ecosystems healthy for generations to come. We've been engaged in improving aquaculture policy for 20 years in NS and advocating for a provincial vision of a sea farming industry that prioritizes food sovereignty, independent farmers, and low impact, high value species of shellfish and seaweeds.

Myself, I have worked in the fisheries, aquaculture, and seafood worlds abroad and here Nova Scotia for more than 15 years. I am currently a member of the Aquaculture Regulatory Advisory Committee to the Minister of Fisheries and Aquaculture. For the last few years, my team and I at the EAC have run the Kelp Kurious support hub – a program to support the nascent and promising kelp seaweed aquaculture sector – helping new farmers and those farming shellfish already get started in kelp farming, working to build markets, doing applied research, offering training workshops and growing seedlings and kelp ourselves.

We are pleased to support the amendments to the Fisheries and Coastal Resources Act that Bill 471 proposes. For several years now, we have been calling for similar changes to be made – to right size the licencing processes for shellfish and seaweed sea farming.

Raising species like oysters, scallops, mussels and kelp seaweed is low impact and overwhelming done on small to medium farms by family sea farmers – perfect for our rural, coastal communities. Unfortunately, the current application process through the Aquaculture Review Board is far too onerous for these typically small, independent farmers who do not have the resources to meet the complex and lengthy requirements of the adversarial, court-like Review Board process. It is unnecessary for such low risk sea farming and is currently stopping many new, young farmers from even starting applications and taking years to get through for those that do. It is far easier for corporations with deep pockets and lawyers to navigate.





This reality has left us falling well behind our Atlantic neighbours like PEI, New Brunswick and Maine when it comes to production of these local, sustainable seafoods.

The market research we have undertaken and that of the national aquaculture association shows that Nova Scotia's shellfish and seaweed farming sector – **currently** producing 12 million dollars of seafood – **could be** realizing at least \$50-80 million in revenue from small family farmers – if given the right supports and less onerous red tape to navigate.

Bill 471 takes a critical first step by amending the Fisheries and Coastal Resources Act so new shellfish and marine plant sea farm applications proceed under the, still thorough, Administrative Review Process. This change was fully supported by the Minister's advisory committee during our participation in the Aquaculture Regulatory Review.

This is the right move – tackling a key barrier limiting what could be a thriving, regenerative sea farming sector for shellfish and seaweed. And, importantly, the administrative process still includes a rigorous assessment of impacts on marine ecosystems.

Once the amendments to the Act are passed, we urge the government to make the associated policy and regulation changes needed swiftly.

The new Ministerial scoping options and consultation processes introduced in Bill 471's amendments to the Act also go some way towards improving transparency and responsiveness in aquaculture licencing.

We are pleased with the amendment to add a 30-day public comment period at the outset of all new aquaculture applications. Currently, any comments and concerns are funneled through a proponent's own meetings and reports to the regulator. Public comment directly to the regulator does not happen until late in the application process. This late comment period feels tacked on at the end of a sometimes multiyear process when it is often too difficult to go back and make any meaningful changes.

Introducing a 30-day public comment period up front with comments going directly to the regulator should allow concerns, support and relevant information to be flagged early on. This addition also helps demonstrate that outside expertise and local knowledge is valued and needed when regulators are considering undertakings in our shared public waters.

Additionally, the new Ministerial options introduced by this Bill during the scoping phase of an aquaculture application means that our government can set out context-specific requirements that a proponent must meet before moving forward with their plans. This should mean greater opportunity to ensure large industrial farms with a higher risk profile are transparently consulting and that site-specific concerns can be addressed early. We caution though that the Ministerial discretion should not become a political tool or unnecessarily add hoops for small, low risk sea farms.



The amendment to the purpose of the act recognizing sea farming as part of the food system is also welcome, though we would prefer if the term 'food sovereignty' was incorporated. Food sovereignty should be a foundational principle for how we envision sea farming contributing as a sector to our province and why we allow the use of public and treaty waters for this purpose. There is growing interest in community restoration and food gardens of shellfish and seaweeds in our coastal waters and we hope this amendment can support such efforts.

As we welcome the long-awaited right sizing amendments we would like to also urge the government to implement other supports and changes needed to enable sustainable sea farming to flourish in Nova Scotia. Overhaul the Aquaculture Review Board for industrial aquaculture applications to create a straight-forward, yet rigorous environmental assessment process that respects community and civil society expertise. Introduce service standards for review times for all applications. Consider guardrails to protect, small independent farms from the forces of consolidation in the market by setting aside leases for new entrants and introducing owner operator protections similar to what we have in our wild fisheries. Invest in extension services, local applied R&D hubs and hatcheries, and create apprenticeships with small limited lease options for shellfish and seaweed farming. Such changes will compliment Bill 471 amendments to the Act and support good jobs and healthy communities.

With regard to Bill 471 proposed amendments to the *Canada-Nova Scotia Offshore Petroleum Resources and Accord Implementation Act* - I note that we are working closely with East Coast Environmental Law on offshore wind issues and support their proposed amendments and detailed comments presented earlier.

We are facing a climate crisis and offshore wind will likely play a critical role in in Nova Scotia and Canada's climate plans and energy transition. However, if offshore renewable energy is to deliver on the promise of a sustainable energy future for our region the government must ensure that equity, community benefits, and biodiversity protections are centred. If this new industry is pursued, there is an imperative to improve on industrial development of the past. As an environmental organization, we do not take lightly the potential social, cultural, and ecosystem impacts of offshore renewable energy and we urge the government to take more collaborative approach – more communication and work with all ocean users and communities will be needed than what we have experienced so far.

With that, I thank you for your time and I welcome questions.