

Follow-up to December 11, 2017 Meeting and Discussion

Note: Below is a copy of the initial request (of November 30th) for a meeting and accompanying background information and corresponding recommendations, with three additional recommendations added. These were made verbally on December 11th, and are included at the end of the e-mail and set apart by italics.

Mr. Lahey,

I am following up on the November 23rd news release regarding the independent forest review to request a meeting to discuss comments and recommendations as advanced below and in the attachment.

The attached opinion piece was submitted some time ago to the Chronicle Herald and managed to find its way, in slightly modified form, onto the editorial page this past Tuesday, November 28th.

The link to the Herald's version is immediately below, along with several other pieces on similar subject/theme that have been submitted over the past 5 years or so ... all part of the extensive record of concerns that preceded and now follows the natural resources strategy review process of several years ago.

- Government overhaul key to forestry reform (November 28, 2017)
<http://thechronicleherald.ca/opinion/1524382-opinion-government-overhaul-key-to-forestry-reform>
- Crown land usage: Recreation vs. logging (April, 2017)
<http://thechronicleherald.ca/opinion/1461957-opinion-crown-land-usage-recreation-vs.-logging>
- Push reset button on N.S. forestry policy (July, 2016)
<http://thechronicleherald.ca/opinion/1378890-opinion-push-reset-button-on-n.s.-forestry-policy>
- Balance or baloney? (December, 2014)
<http://thechronicleherald.ca/letters/1258784-voice-of-the-people-dec.-22-2014>
- DNR reform won't come from within (October, 2014)
<http://thechronicleherald.ca/letters/1244028-dnr-reform-won-t-come-from-within>
- Restructure and renew natural resources department (August, 2012)
<http://thechronicleherald.ca/opinion/121700-restructure-and-renew-natural-resources-department>

Note: Published headlines and contents may vary from submitted versions, due to discretion of editorial staff.

The focus of the many who have advanced concerns generally has been on forestry practices, including clearcutting, whole tree harvesting, annual allowable cut (i.e. absence thereof), chemical spraying and biomass, as well as the dominant influence of the forestry industry over decisions taken by the Department of Natural Resources.

A central point that I have attempted to raise is that the debate swirling around forestry issues, legitimate though these issues may be, has obscured consideration of the role and responsibility of government (principally through the Department of Natural Resources) for the stewardship of Crown land as an important public asset that must be managed with care and caution (i.e. emphasizing sustainably) to support a wide variety of uses deemed to be in the public interest. In general terms, these range from biodiversity protection and provision of ecosystem services to outdoor recreation, nature tourism and commercial resource use, including forestry.

Instead, forestry enjoys an elevated status as the default use of Crown land – Nova Scotia’s public lands are being treated as a resource presumed to be available primarily for exploitation by the forestry industry.

Nowhere is this point underlined more emphatically than in the Province’s *Crown Land Act* (1989) itself. The first two of the four statements of purpose refer only to forestry, whereas the third purpose statement references wildlife and outdoor recreation in a secondary way (i.e. as considerations to be addressed in the forest management planning process). The fourth purpose statement, in addressing effectiveness regarding administration and management, is neutral.

An equally compelling illustration is provided by the Natural Resources Strategy (2011). The resources strategy has been represented as addressing the four primary areas of responsibility of the natural resources department – forests, minerals, biodiversity and parks. Crown land was not given the same emphasis and is mentioned only incidentally or in passing in the referenced sections.

The one exception is the recommendation in the ‘Provincial Parks, Trails, Beaches and Protected Areas’ section of the Phase II report (April, 2010) as part of the natural resources review process – refer to: <https://novascotia.ca/natr/strategy/pdf/phase2-reports/Parks.pdf>, Pages 9 and 17-18.

Excerpted from Page 9

- *The Department of Natural Resources should undergo a fundamental reworking, restructuring and renaming to emphasize a reorientation of the department toward land stewardship, biodiversity conservation, protection of provincially significant natural and cultural heritage, and an integrated approach to ecosystem-based management, particularly for parks and protected areas, and on Crown lands.*

Excerpted from Pages 17-18

- *A comprehensive land use planning process should be established for Crown lands, which recognizes the full range and legitimacy of land and resource objectives that apply, includes provision for effective public and stakeholder input, and leads to a clear articulation of the intended role(s) of respective Crown land blocks and parcels. This process should adopt an ecosystem-based approach and give primary consideration to land stewardship and biodiversity conservation.*

- *A land use planning function should be established within the Department of Natural Resources, which is separate and apart from, but closely linked with, the various resource and program sectors with interests in Crown land (i.e., minerals, forestry, biodiversity, outdoor recreation, nature-based tourism, parks and protected areas).*

- *Provincial statements of interest should be expanded to give direction to the identification and protection of lands and resources of provincial significance as potential parks and protected areas, recreation and scenic resources, and lands of importance for biodiversity conservation and provision of ecosystem services.*

• *A provincial land use plan or framework should be developed for Nova Scotia, which would identify lands and resources of provincial significance and establish open and transparent consultation and decision-making processes to achieve a balanced approach to protection, use, and development.*

It goes without saying that these recommendations were neither well received, nor were they acted on.

The points made in the recent opinion piece essentially adapt previously-expressed opinions and recommendations to the mandate of the independent forest review effort, or at least to my understanding of what the mandate is or perhaps to where I hope it may evolve.

Specifically, these are as follows:

- Consolidate responsibilities for Crown land, biodiversity, wildlife, provincial parks and protected areas within one department with a mandate for stewardship of Nova Scotia's natural capital assets. Under the current structure, the obvious candidate would be an expanded environment department, but a more comprehensive restructuring of government could present other options as well.
- Revise (and update) the *Crown Land Act* so that its purposes and contents reflect the collective stature of these lands as a highly-valued public asset – rather than, as currently is the case, a resource presumed primarily available for exploitation by the forestry industry.
- Establish a comprehensive and transparent management planning process to coordinate uses of Crown land recognized as being in the public interest. Broadly speaking, these range from biodiversity protection and provision of ecosystem services to outdoor recreation, nature-based tourism and commercial resource activities, including forestry.
- Ensure that forestry and any other land uses encouraged or permitted on Crown land are planned and managed according to best practices. The intent should be to demonstrate and exemplary standard of stewardship and, by so doing, to establish the credibility and legitimacy needed to support the encouragement and/or regulation of sustainable land use practices across Nova Scotia.
- Establish ecosystem-based guidelines and standards to direct forestry activities where permitted on Crown land in accordance with approved Crown land use management plans.
- Recognize the role and appropriateness of government in promoting and enabling the forestry industry, and assign related responsibilities to a restructured natural resources department or to another department or agency of government with an economic development or industry support mandate.

Additional Content-related Recommendation (provided verbally on December 11, 2017)

- *Include forestry as an undertaking to be addressed through the Province's environmental assessment legislation and regulations.*

Process-related Recommendations (provided verbally on December 11, 2017)

- *In the interests of transparency and of demonstrating integrity of process, make the interim report available for public and stakeholder information and comment – as a minimum, interim report should be made available to those organizations and individuals who invested in the process by providing input.*
- *Provide clarity regarding the role of the team of experts, and a record of their respective contributions – What is the nature and extent of their involvement? How will their input be made? How much time are they expected to devote to the review process? Will they review all submissions received? How will the interested public and stakeholders have opportunity to see the expert input provided?*

Regards and thank you,

Dale