

PEOPLE IN PLACES CONFERENCE 2011

Workshop: A Coastal Act for Nova Scotia: To Advise or Regulate?

Wednesday, June 29th, 1:30-2:55

Organizers:

Karen Traversy (Coastal Coalition)

Ashley Sprague (Ecology Action Centre)

Geoff Le Boutillier (St. Margaret's Bay Stewardship Association)

Presenters:

Robert Capozzi (New Brunswick Environment)

Shelley Porter (Bras d'Or Lakes Collaborative Environmental Planning Initiative)

Rapporteur: Chris Burbidge

WORKSHOP: A Coastal Act for Nova Scotia : To Advise or Regulate ?

Panel Discussion Presentation

- Karen and Ashley intro
- agenda on slide
- panelists 10 min.
- Ashley Sprague
 - ↳ need for improved coastal mgmt.
 - ↳ some mun. have no LUP
 - ↳ permits being issued for development in hazardous areas
 - ↳ safety & \$ issues
- ECA + Coalition recently released film
 - ↳ concerns + advice from coastal communities
 - ↳ want prov. leadership
- Prov. Coastal Strategy
 - ↳ might not be strong enough
- ① - Panelists - Rob - NB Env., Coastal and Marine Planner

Pres: Why manage activities...

- ↳ outlines how they presented need for Coastal policy

Tools and Implementation

- ↳ sig. wetlands - all coastal wetlands and in St. John River floodplain/basin
- ↳ development triggers EIA
- ↳ designation order potentially under Clean Env. Act.
- ↳ GEONB tool → zoom in on their property to see if there is prov. sig. wetland
- ↳ Area A - immediate area
 - dune - landward limit
 - coastal river 20km to head of tide

Area B -

(2)

- Key - good mapping product to policy
- Area B - development essential access to coast
- The Issues
 - ① loss of habitat / biodiversity
 - ② salt water intrusion
 - ③ flooding & erosion → got attention of leaders & policy-makers

- message: No development in the wrong place but right place
- showed examples of development in the wrong place
 - ↳ Infrastructure at Risk
 - ↳ new road → prov. \$
 - ↳ showed area
- get info. and forecast mapping out to the public
 - ↳ offer right info, threats and options
- France - coastal park
 - #3 tourism destination

Infrastructure Dev. Guidelines

- ↳ 2m above OHHM - bump up to 3m
- previous forecasts too conservative

The Potential

- #3 - have the capacity now
- once public infrastructure (water & sewer) goes in → development will follow → one strategy

Message: informing residents, buyers and municipalities

- GEDNB. Ques.: all ieg. wetlands → can punch in property #
 - mun. → send proponent to NBEINV, if it appears a regulated development

③

engagement

- present policy to stakeholders

① Did comm. contribute to the development of the policy?

↳ Not really, in-house (gov't.) realization that they needed a policy

- all Ministries must respect

② Seawall connection?

↳ goes to low-tide parallel
↳ beyond goes to marine resource plan for coast

↳ involving others (e.g. DFO)

③ Challenges: Moving from policy & guidelines to legislative level?

- direction of policy tied to existing legislature

- realities at work trying to derail regulations

↳ mun. and planning commissions

↳ recent events = support

④ Shelley Porter - CEPI

- CEPI = need for planning

- went to senior planning

- launch of "Spirit of the Lakes Speaks"

- debate about whether it's a lake

↳ estuary (actually)

↳ animals from North and from Gulf Stream

- did some mapping - report showing where erodible soils are

- erosion - larger storms, less ice cover, different winds

- gravimad - eroding

↳ input to Mi'kmaq - engineering solution

- get all the best people together for best product ~~but~~ - but takes time
- Dr. Albert Marshall from Eskasoni
 - ↳ has done great work
 - ↳ using TEK (Mi'kmaq EK) & best contemporary knowledge

The Spirit of the Lakes Speaks

- ↳ great food
 - ↳ everyone invited
 - ↳ entertainment
 - ↳ include David Harris
- ② How will CEPI relate to prov. initiative?
- ↳ Chiefs found so much overlap & gaps in jurisdiction
 - ↳ dept. passing the buck
 - ↳ problems continued
 - ↳ complaints ignored → people gave up
 - ↳ depend on lakes but have control over almost none of it
 - ↳ approach of CEPI - mgmt process

Shawn Fugate - called to Governor's Office

③ What Would a NS Coastal Act Include?

Ashley Sprague

- ↳ Coastal Coalition proposing Coastal Act
- principles
- responsibilities
- effective coastal planning & mgmt
 - ↳ outline what can and can take place
- concern that aquaculture not included

- Open up for Questions
- ② What role would the community boards play?
 - ↳ development applications trigger community led review
 - ↳ at least rec. on whether it should proceed
 - ↳ advise on matters of policy
 - ↳ outreach and education
 - ToR considering how to advise all levels of gov't (S.M.B. example)
 - hardware access ~~to~~ of boards to all levels of gov't.
 - Halifax Watershed Advisory Board
 - ↳ serves as model
 - concept grows out of identified gap - community input on development decisions
 - only access now is conflict (eg. recent aquaculture)
 - concept is not refined but pilot for enabling community input
- ③ Draw on Rob's experience
 - ↳ NB separate land + marine
 - ↳ why?
 - ↳ reasons: planners saw it as LUP issue,
 - maybe didn't have foresight to include marine ~~env~~ environment
 - ④ bullet is critical for NS
 - ↳ "Clearly define who's responsible"
 - ↳ ensure other dept. in line with legislation
 - potential of advisory of council
 - ↳ opportunity b/c Act isn't created yet
 - in NB it's already laid out

6

- marine policy may have council
- ① to Act supposed to be complementary to the Coastal Strategy or is it in response to an Act
 - TOR / scoping for coastal strategy is confined to 6 issues
 - WWH - Governance
 - Act would be much broader scoping

② - concept of Act from members of the Coastal Coalition

- ↳ see act as a solution

- one mechanism for dealing w. governance aspect of Strategy

③ UK Marine and Coastal Access Act

- ↳ aligning with EU Marine Planning
- challenge jurisdictions don't align
- long list of stakeholders in the UK

④ Role of communities in UK process

- ↳ provision for public engagement
- ↳ Act can about quickly
- ↳ lots of public feedback opportunities
- Marine Spatial Planning process → has started with public engagement

⑤ CEPI Planning cycle (Spirit of Lakes Speaks doc.)

- ↳ was supposed to be grassroots
- ↳ people will go to CEPI b/c not gov't. (lack of trust) with concerns
- ↳ ENV. complaints protocol in development
- ↳ large + diverse steering committee

740

⑥ 2 aspects:

- ↳ Coastal acts → regulatory gaps
 - ↳ existing legislation ineffective
- David: Northumbria Stat. working on

- policy gap analysis
- outcome of mgmt gaps in coastal & marine env.
 - ↳ address collaboratively (all levels of gov't.)
 - also analysis in development of Coastal Strategy and the Climate Change Plan
- Karen - have hope that responsibilities will reside in one dept.
- ↳ coordinate response to issues and work with communities ^{+ ENGOs}
 - ↳ gov't. should convene meetings not comm. + ENGOs.
 - ↳ pleased with M.O.U. despite silo of issues

④ Watershed Board

- ↳ interest of integration: if board has major change, is it not a good starting point?
- ↳ with coastal component
- want to expand board or create ^{new} one?
- include more levels of gov't to address marine and land issues
- WCA Mgmt Board
 - ↳ geography expands several watersheds
 - ↳ provide info. on how it works
- * Coastal Act brochure online