

# Nova Scotia's New Regulatory Framework for Aquaculture: A Balancing of Interests or a Missed Opportunity?

Aaron Ward, Ecojustice



# Overview

1. Aquaculture in Nova Scotia
2. Regulatory Review Process
3. The New Regulatory Framework
4. Regulation in Action

# Aquaculture in Nova Scotia: The Pros

- \$60 Million (1)
- 600 Jobs (1)
- 80% of revenues from Salmon (2)
- 2016 Senate Report: Double aquaculture production across Canada (3)
- NS Gov't invested \$2.8M in aquaculture research and expansion in 2016 (4)



# Aquaculture in Nova Scotia: The Cons

- Anoxic conditions created by waste feed and fecal matter
  - Water Pollution via chemicals
  - Impacts on wild salmon populations
  - Health of the farmed fish
  - Impacts on other wild species including lobster
  - Lack of social license in many communities
- (5)



# The Regulatory Review Process



# The Regulatory Review Process

## A New Regulatory Framework for Low-Impact/High-Value Aquaculture in Nova Scotia

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The Final Report of the  
Independent Aquaculture Regulatory Review for Nova Scotia  
[The Doelle-Lahey Panel]

2014



# The New Regulatory Framework

- 1) The ***Fisheries and Coastal Resources Act, SNS 1996, c. 25*** (as amended; “FCRA”)
- 2) The ***Aquaculture License and Lease Regulations, NS Reg 347/2015*** (“ALLR”)
- 3) The ***Aquaculture Management Regulations, NS Reg 348/2015*** (“AMR”)

# The New Regulatory Framework



# The New Regulatory Framework

## **Aquaculture Regulation in the Post Doelle-Lahey Era: An Analysis of Nova Scotia's New Regulatory Framework**

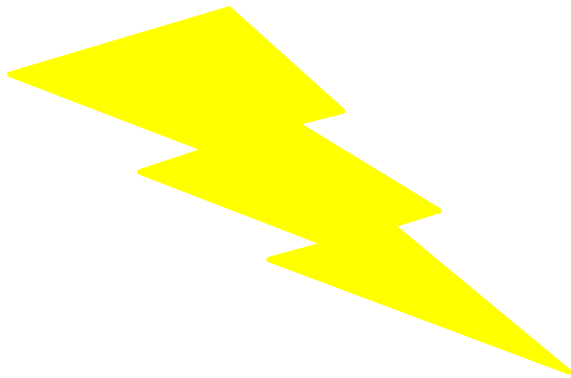
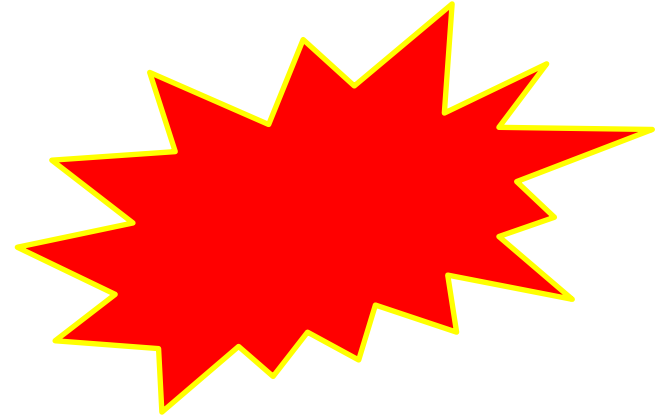
**Authors: Lisa Mitchell and Aaron Ward  
November 12, 2015**



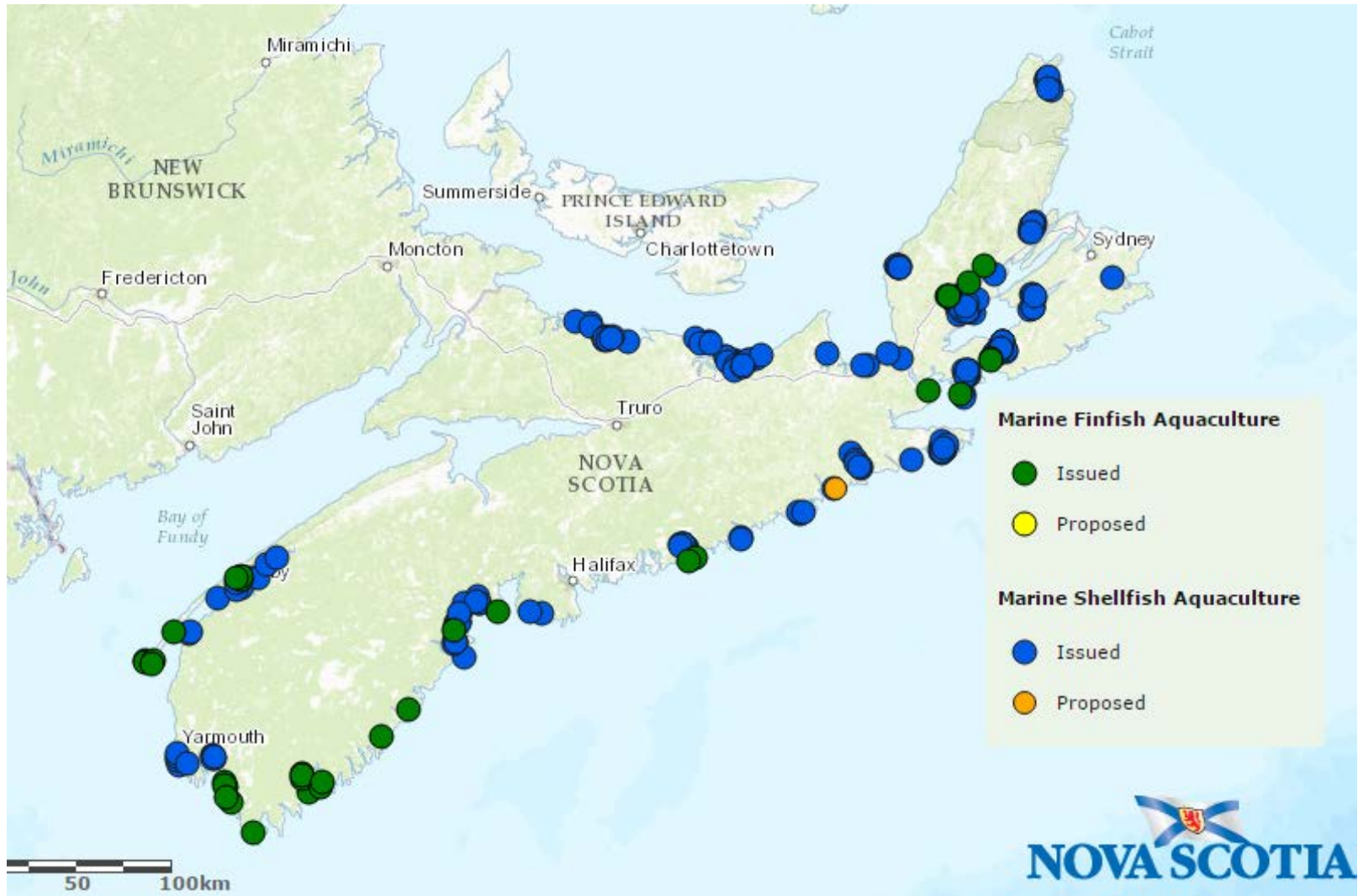
# The New Regulatory Framework

The Good	Missed Opportunities
	Green, Yellow, Red classification
Pre-application scoping process	Minister retains significant discretion
Public adjudicative hearings	Only applies to certain applications
More public information	Still discretionary, amendment to FOIPOP
Enhanced enforcement	No public appeal (6)

# The New Regulatory Framework



# Regulation in Action



# Conclusion



# Citations

- 1) <http://novascotia.ca/fish/aquaculture/>
- 2) Nova Scotia's Aquaculture Strategy: Creating Sustainable Wealth in Rural and Coastal Nova Scotia, at page 5: [www.gov.ns.ca/fish/NS-Aquaculture-Policy.pdf](http://www.gov.ns.ca/fish/NS-Aquaculture-Policy.pdf)
- 3) Senate Standing Committee on Fisheries and Oceans: Volume Three – An Ocean of Opportunities: Aquaculture in Canada, at page 13:  
[http://www.parl.gc.ca/content/sen/committee/421/POFO/Reports/2016-06-22\\_POFO\\_AquacultureVolume3\\_Final\\_E.pdf](http://www.parl.gc.ca/content/sen/committee/421/POFO/Reports/2016-06-22_POFO_AquacultureVolume3_Final_E.pdf)
- 4) Nova Scotia Government Invests \$2.8M in Aquaculture Research, Expansion:  
<http://www.cbc.ca/news/canada/nova-scotia/nova-scotia-aquaculture-investment-1.3666980>
- 5) Meinhard Doelle and Bill Lahey, A New Regulatory Framework for Low-Impact/High-Value Aquaculture in Nova Scotia, 2014:  
[http://novascotia.ca/fish/documents/Aquaculture\\_Regulatory\\_Framework\\_Final\\_04Dec14.pdf](http://novascotia.ca/fish/documents/Aquaculture_Regulatory_Framework_Final_04Dec14.pdf) at p. 7-35
- 6) Lisa Mitchell and Aaron Ward, Aquaculture Regulation in the Post Doelle-Lahey Era: An Analysis of Nova Scotia's New Regulatory Framework, 2015: <http://www.ecelaw.ca/item/140-analysis-of-nova-scotia-s-new-aquaculture-regulatory-framework.html>





Aaron Ward

[award@ecojustice.ca](mailto:award@ecojustice.ca)

Website: [www.ecojustice.ca](http://www.ecojustice.ca)