



September 21, 2023

The Ecology Action Centre's High-level Comments on Recommendations for Changes to Nova Scotia's Environmental Assessment Process

The Province of Nova Scotia has announced public consultation on the modernization of the environmental assessment (EA) process. The deadline for comments is October 6th.

The EA process guides certain proposed industrial projects and helps to identify and evaluate the potential environmental impacts and harms of these projects. Proposed projects for wind farms, hydrogen production, quarries, and mines go through this process.

The last major update of the EA process was in 2008. However, fighting the twin crises of climate change and biodiversity loss were *not* top of mind back then. Things are different now and we need an EA process that will meaningfully prioritize protecting and conserving the environment and human health over short economic gains of corporations.

Through their commitments in the [Environmental Goals and Climate Change Reduction Act](#), the Government of Nova Scotia will modernize the EA process taking into consideration: cumulative impacts, diversity, equity and inclusion, independent review, Netukulimk, and climate change.

Ecology Action Centre has been responding to, and thinking about, the Nova Scotia environmental assessment process for many years. EAC also hears from, and supports, communities navigating the EA process. This process does need modernization, but beyond just the categories government has committed to.

Ecology Action Centre has the following recommendations for government to include in an updated EA process for Nova Scotia:

- The public comment period for EAs should be extended from 30 days to 60 days. EAC has repeatedly heard and experienced that 30 days is too short a time to read, understand, and comment on the extensive, technical documents that come with EAs.

- Public participation funding should be available to support community involvement in EA processes. The Province can look to the Impact Assessment Agency of Canada who already has this support for communities engaging with federal EAs through their Participant Funding Program (PFP).
- Proponents submitting projects through the EA process should be required to assess cumulative effects in their reports. In addition, cumulative effects should be a factor that informs ministerial decision making.
- Proponents submitting projects through the EA process should be required to assess climate change considerations in their reports. In addition, climate change considerations should be a factor that informs ministerial decision making.
- EAs should take into account the potential for disproportionate adverse impacts on Indigenous and racialized communities, and should also take into account other relevant and intersectional identity factors such as gender. These issues of distributional equity should be added to the factors that must inform ministerial decision-making.
- *netukulimk* should be a guiding principle in all aspects of the EA process – the work done by proponents, work done by governments, community input, and decisions by the Minister. The government should work closely with Mi'kmaq governments, organizations, experts, knowledge holders, and communities to determine what this should look like.
- When approving project proposals, the Minister should include in the publicly available Minister's Decision how the project aligns with goals under each of the five themes of the EA modernization (i.e., cumulative impacts, diversity, equity and inclusion, independent review, Netukulimk, and climate change).

We encourage Nova Scotians to engage in this public consultation, and welcome amplification of the recommendations listed above in your own comments.

Please visit the government's [Environmental Assessment Engagement](#) webpage to submit responses. Comments can also be sent to eamodernization@novascotia.ca or phone messages can be left at 902-424-0991.

The Ecology Action Centre will release a more detailed final version of our submission closer to the October 6th deadline.