Ecology Action Centre

Keeping the “Know” in Nova Scotia:

The facts about landowners’ rights in Nova Scotia

June 2025

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Disclaimer

The Ecology Action Centre is an environmental charity working on critical issues in Nova Scotia, from biodiversity loss, to climate change, to environmental justice. We are environmental advocates, not lawyers. We hope that this information will help inform and empower citizens, landowners and communities. But this information is not legal advice, nor should it be construed as such.

Laws and regulations related to property rights, expropriation and resource extraction are complex and subject to change, especially in the current political climate.

For specific legal guidance regarding your property and circumstances, please consult a legal professional.

What you own (and don't)

It's a common misconception that owning land in Nova Scotia means you own everything under the ground, including minerals, oil and gas. Whether you've saved for years to buy your own piece of land, or inherited a family property, you likely only own what's on or above the surface.

That's due to an important legal distinction between surface rights (who owns the land) and subsurface rights (who has the right to explore for and extract minerals, oil and gas).

Surface rights

Owning the surface rights enables landowners to refuse access to prospectors, mining companies and petroleum companies. However, the *Mineral Resources Act* and the *Petroleum Resources Act* give the provincial government the legal authority to then step in and grant access without the landowner's consent, as the Minister of Natural Resources did earlier this year at the behest of a lithium company (Grant, 2025; Henderson, 2025). For more, see What rights you have (and don't).

Subsurface rights

There are two main types of subsurface rights: mineral rights and petroleum rights.

Even though Nova Scotia is the unceded territory of the Mi'kmaq people, the vast majority of subsurface rights belong to the provincial government ("the Crown").

This colonial framework of laws and regulations often prioritizes private profit over reconciliation, public health and environmental well-being. Despite its many shortcomings, this is the system we have to contend with, and this document is intended to help you better understand and navigate this system. For more, see The true rights-holders.

What's at stake

Almost 70 per cent of Nova Scotia is privately owned, so increasing resource extraction in the province will unquestionably impact landowners and communities.

It's understandable for property owners to have concerns about possible disruption, damage to property, well water contamination, declining property values, lost income, loss of agricultural and forested land and environmental harm.

Even mineral and petroleum exploration can have serious and long-lasting impacts, as communities like Harrietsfield, Kennetcook and Tatamagouche know all-too-well.

Landowners do have rights, but they are limited. Having rights doesn't guarantee that those rights will always be respected.

Prior to the 1981 moratorium on uranium mining, there had been extensive exploration for uranium in Nova Scotia by prospectors and mining companies. This exploration included private land — sometimes without the landowners' permission or resulting in damage to private property (Province of Nova Scotia, 1985).

This unauthorized access was a significant point of contention, which sparked widespread outcry from Nova Scotians and galvanized rural property owners and municipalities to fight for a moratorium (and eventual ban) on uranium mining (Province of Nova Scotia, 1985).

What's at stake (continued)

For the first time in 44 years, uranium exploration and mining are back on the table due to An Act Respecting Agriculture, Energy and Natural Resources (Bill 6). Now that the provincial government has arbitrarily opened the province back up to both uranium exploration and mining and onshore fracking, it's more important than ever to understand your rights as a landowner.

What rights you have (and don't)

Under Nova Scotia law, landowners don't need to be consulted or notified before the government grants a licence for mineral or petroleum exploration (McGinty, 2022).

Even so, there are formal processes that prospectors, mining companies and petroleum companies are expected to follow, including when it comes to accessing private land. Understanding how the system works can equip you to better advocate for yourself and your community.

What rights you do have:

1. **You can refuse access to your land.**
   The holders of mineral and petroleum rights don't have an automatic right to go on your property.
2. **You can negotiate for access to your land.**
   If a company wants to explore, mine or drill on your land, they need to first negotiate with you for access.

What rights you have (and don't) (continued

This may involve compensation for the use of your land, inconvenience and any damage to your property.

3. **You can take your time.**
   You can request any offer in writing and take as much time as you need to review it. Neither the *Mineral Resources Act* nor the *Petroleum Resources Act* specify a time frame in which the landowner has to respond before the government steps in. For more about that process, see Surface access rights & the Province.
4. **You can potentially apply for an exploration licence**
   for your property's subsurface rights if there isn't an existing lease. For more, see Exploration licences & you.
5. **You can engage legal representation to help you navigate the system.**
   Retaining a lawyer can help landowners protect their surface rights, negotiate fair access agreements, and increase the chances of being adequately compensated for any inconvenience or damage.
6. **You can sue for damages incurred.**
   Section 135 of the *Mineral Resources Act* is explicit on this point: "Nothing in this Act limits or interferes with the right of any person to bring and maintain a civil action for damages occasioned by exploration or mining."
7. **You can test your well water to establish a baseline**
   for uranium, arsenic, and other contaminants.

What rights you have (and don't) (continued)

What rights you don't have:

1. **You don't have the right to compensation for the removal of minerals and petroleum resources.**
   These subsurface resources are the legal property of the Province, so any royalties that could be paid out from a mine or gas project would go to the Province.
2. **You don't have the right to explore for subsurface resources under your property without the appropriate licence from the provincial government.**
3. **You don't have the right to refuse access to a mineral or petroleum rights-holder if the Minister of Natural Resources or Minister of Energy has granted them access.**
   For more, see Surface access rights & the Province.
4. **In the unlikely occasion that the provincial government expropriates your land, you do not have the right to appeal the decision to expropriate your property.**
   However, judicial review could be available in very specific circumstances. For more, see Land expropriation and Judicial reviews.
5. **You don't have the right to prevent someone from accessing petroleum resources under your land if they have accessed it through another property.**
   The Ecology Action Centre has previously raised concerns that "in order to frack, companies do not require buy-in from all landowners in a region, since they can drill horizontally beneath un-leased properties," further eroding the landowners' control (Ecology Action Centre, 2014).

What the laws say about land access

The *Minerals Resources Act* and the *Petroleum Resources Act* **both require licence-holders (licencees) and lease-holders (lessees) to seek the landowner's permission to enter private land.**

Mineral Resources Act (section 25)

- Requires the licencee to obtain the landowner's written or verbal consent to enter private property
- Requires the written consent of the landowner for activities that will disturb the ground

Petroleum Resources Act (sections 12 and 24)

- Requires the holder of a petroleum right to seek the landowner's consent to enter upon private property to explore for or develop petroleum
- Requires the holder of a production lease or a coal gas agreement to obtain the written consent of the landowner before entering upon private property for any reason.

However, if a landowner refuses access to their property, or a landowner and a licencee cannot negotiate access, the Minister of Energy or the Minister of Natural Resources **may grant surface access rights (land access) against the landowner's wishes.**

This can be done according to Section 12 of the *Petroleum Resources Act* and Section 26 of the *Mineral Resources Act.*

What the laws say about land access (continued)

The provincial government is not required to grant this access, but it can choose to do so.

In January 2025, the Minister of Natural Resources used this provision in the *Mineral Resources Act* to grant an Australian mining company access to private land for lithium exploration when the company and the landowner didn't reach an agreement. In a press release, Continental Lithium called the Province stepping in to grant this request a "visionary approach" (Grant, 2025).

Surface access rights & the Province

Requests concerning mineral rights and mining:
Section 15 of the Mineral Resources Regulations requires the Minister of Natural Resources to "provide the owner or occupier of the land with written notice of an application" for surface access rights. The notice must inform the landowner/occupier that a request for surface access rights has been made and that they (the landowner/occupier) have 30 days to respond in writing, either granting their consent or explaining "why no consent should be given."

Surface access rights & the Province (continued)

Section 26(6) of the *Mineral Resources Act* is explicit: "There is no appeal of the granting by the Minister of surface access rights, of the Minister's determination as to the amount of compensation, of any order for security or of any order, decision or ruling in respect of any of them." For more, see Judicial reviews.

To further complicate land access, the Private Ways Act also allows prospectors and mining companies to apply for rights of way across private land in order to access their mines or quarries.

In March 2025, Part IX of An Act Respecting Government Organization and Administration (Bill 1) amended the Private Ways Act, thereby changing the process of applying for a right of way. An owner or leaseholder who requires access across private land, exclusively for the purpose of certain activities — including mining or quarrying — must still try to secure that landowner's consent. However, should that attempt fail, the mine/quarry owner or leaseholder would make an application to the Supreme Court of Nova Scotia, rather than petitioning the Governor in Council (i.e., the provincial cabinet), as occurred under the previous version of the Act.

Requests from petroleum rights holders:
There is an official process for notifying landowners when a petroleum rights holder has requested a ministerial order granting access to private land.

Surface access rights & the Province (continued)

Section 21 of the *Petroleum Resources Act* stipulates that the Minister of Energy "shall give notice in writing to the persons affected thereby of not less than fourteen days, or such other period as the Minister considers appropriate in the circumstances, specifying the nature of the order proposed to be made."

Within the period specified in the notice, the landowner can submit a written request for a hearing. The Minister will then "appoint a time and place for a hearing and give notice thereof of not less than seven days, or such other period as the Minister considers appropriate in the circumstances, to the person who requested the hearing."

At such a hearing, the landowner may "make representations and introduce documents and witnesses." Ultimately, the Minister "shall make the order on the merits of the matter as the Minister considers them" (*Petroleum Resources Act*, 1989).

Land expropriation

While rare, there have been instances of land expropriation for the purposes of natural resource extraction in Nova Scotia. The provincial government and several municipal governments have the authority to expropriate land in Nova Scotia (Province of Nova Scotia, 2014b).

In 2012, the Nova Scotia government expropriated part of the Higgins' Christmas tree farm in Moose River for the Touquoy gold mine, a project owned by a subsidiary of the Australian company, St. Barbara Limited (CBC, 2014; Baxter, 2018a).

The land had belonged to the Higgins family for more than 120 years.

"It says to Nova Scotia landowners that a mining company can just come along and take away your land because it wants to," said Cleve Higgins. He pointed to the *Mineral Resources Act*, the *Petroleum Resources Act*, and the Pipelines Act, all of which allow the government to expropriate private land at the request of a private company. "These extractive industries have a special status in the Nova Scotia legal system, with privileges that are granted to no one else," said Higgins. "A real respect for the land and landowners' rights demands an end to these expropriations" (Brubaker, 2014).

In October 2013, the Municipality of the District of Guysborough expropriated Fogarty's Cove, which had been in the Fogarty family since 1858 (Baxter, 2018d).

Land expropriation (continued)

U.S.-based Vulcan Materials Company wanted the Fogarty's land to construct the (as-yet unbuilt) Black Point aggregate quarry, while the Fogartys had hoped it would be protected as a Wilderness Area.

"Six days before the municipal council meeting at which the decision to expropriate was to be made, James [Fogarty] received an invitation to attend the meeting," wrote Elizabeth Brubaker. "He did so, spoke for about ten minutes, and was asked no questions before the unanimous vote was taken to expropriate his land" (Brubaker, 2014).

Brubaker highlighted a concerning trend in which "expropriation in the province increasingly serves private purposes, helping international resource development companies acquire land at reduced prices."

Under sections 27 and 28 of the *Mineral Resources Act*, when the Minister of Natural Resources makes an order to vest lands in the holder of a mineral lease (i.e., transfers ownership of private land from the landowner to the lessee/lease holder), then the vesting process is effectively an expropriation:

> *"Upon the filing of a vesting order by the Minister, the lessee named in the order is and is deemed to be the expropriating authority within the meaning of the Expropriation Act, and the land, right or interest that is vested is deemed to be expropriated."*

Land expropriation (continued)

It would be governed by the Expropriation Act. Notwithstanding Section 4 of the Expropriation Act, the expropriation provisions of the Minerals Act will prevail whenever the provisions of the two Acts conflict.

Similarly, sections 24 and 25 of the *Petroleum Resources Act* state that when the Minister of Energy makes an order to vest lands in the holder of a production lease or coal gas agreement (i.e., transfers ownership of private land from the landowner to the lease/agreement holder), then the vesting process is effectively an expropriation.

It would be governed by the Expropriation Act, except where the provisions of the Expropriation Act conflict with the expropriation provisions of the *Petroleum Resources Act* (in which case, the latter would prevail).

Under Nova Scotia law, landowners cannot appeal government expropriation of their land.

When Nova Scotian laws give the provincial government clear authority to expropriate private land, and when the government chooses to use that authority, there are limited reasons why a court could overturn the government's decision.

Land expropriation (continued)

When a government chooses to expropriate land, it must follow all applicable legal processes, and the purpose of the expropriation must be in line with the laws that empower the expropriation.

It follows that if the government of Nova Scotia expropriates land without following all applicable legal processes, or if the government expropriates land for a purpose that is not in line with applicable laws like the *Mineral Resources Act* and the *Petroleum Resources Act*, then it may be appropriate for a court to overturn the decision.

Judicial reviews

A judicial review is a legal proceeding in which an applicant asks a court to review the lawfulness of a decision made by a governmental authority. In most judicial review proceedings, the court will consider whether the decision was reasonable under the circumstances and procedurally fair. In this context, "reasonableness" and "procedural fairness" are nuanced legal concepts that have been shaped by numerous decisions by Canada's courts.

> *During judicial review, a judge's role is to oversee and evaluate a decision that has already been made. The judge typically assesses whether the decision was unreasonable or procedurally unfair.*

Judicial reviews (continued)

> *A decision is considered reasonable if it aligns with relevant law and policy [...] Procedural fairness concerns the process through which the decision was reached. Procedural fairness is context dependent but may include access to counsel, or the right to respond. - Path Legal, n.d.*

If someone wants to challenge a decision that governmental authorities have made through a judicial review proceeding, the judicial review must be filed within 25 days after the day the decision was communicated to that person, or six months after the day the decision was made, whichever is soonest.

Even though the *Mineral Resources Act* provides no rights of appeal for ministerial decisions to grant surface access rights, determine the amount of applicable compensation, make orders for security, or make other decisions or rulings concerning surface access rights, these ministerial decisions are subject to judicial review. In a judicial review, the court would examine whether the minister's decision was "reasonable" under the circumstances and procedurally fair.

Judicial review could be available as a way of challenging the government's expropriation of your land if you believe that the government failed to meet any legal requirements that apply to the expropriation, or if you believe that the government expropriated the land for reasons that aren't envisioned by the Mineral Resources Act or *Petroleum Resources Act*, as the case may be.

Judicial reviews (continued)

To determine whether a judicial review proceeding is an option for you, and to assess the potential pros and cons of going to court, it is always a good idea to consult a legal professional.

Exploration licences & you

While the provincial government owns the overwhelming majority of subsurface rights in Nova Scotia, some historical deeds explicitly stated that mineral rights were conferred to the property's owner.

Assuming that your property is not one of these rare exceptions, you may have the option to apply for those mineral or petroleum rights. Whether this option is available to you depends first and foremost on existing licences and leases. See below: Can there be more than one licence or lease for the same property?

There are many factors that can complicate securing (and maintaining) rights to explore your subsurface minerals as a layperson. These include (but are not limited to):

- financial limitations or barriers to entry
- lack of technical expertise
- level of required work and reporting
- struggling to understand the regulatory framework
- difficulty remaining eligible for licence renewals

Exploration licences & you

- trouble using the province's GIS mapping software (NovaROC)
- professional reporting standards
- Environmental Assessments and environmental regulations
- lack of specialized machinery and equipment

Mineral exploration licences

In Nova Scotia, you do not need to be a prospector to apply for an exploration licence, but there are a number of conditions that must be met to both receive and renew said licence (Department of Natural Resources; *Mineral Resources Act*, 2016). Landowners could benefit from hiring geological consultants or legal counsel to help them navigate this process.

Exploration licences are issued by the Department of Natural Resources through the online registry (NovaROC). Each exploration licence can cover up to 80 adjacent claims.

Section 3(d) of the Mineral Resources Act defines a claim as "40 acres or 16.188 hectares, more or less, applied for or held in accordance with this Act."

Exploration licences & you (continued)

A mineral exploration licence is different from a mineral claim. Think of it this way: A mineral exploration licence is your authorization — it's sort of like a fishing licence. It's an official document, issued by the government, that specifies what type of activity you're allowed to engage in, within what geographic area and for how long. You need to apply, pay a fee and follow the regulations.

You could think of a mineral claim, on the other hand, as a precise geographic zone where you're allowed to fish. Except in this case, you would have an exclusive right to that area, at least for a set period of time.

The provincial government is clear: "Applications will not be accepted for any [mineral] claim [...] already held under licence, permit or lease" (Nova Scotia Department of Natural Resources, 2008).

Individuals can apply for a mineral exploration licence for a nominal fee (currently $10 per claim in Year 1, with an increasing fee structure). The more significant costs come from the annual fee per claim and the mandated assessment work.

This is defined in section 3(a) of the *Mineral Resources Act* as: "bona fide work that meets the prescribed requirements and is undertaken to prove the existence, extent and value of a mineral deposit and to report in an assessment work report for work credit."

Exploration licences & you (continued)

This assessment work is necessary to keep the mineral licence active. The Mineral Resources Regulations breaks down the types of work and their associated work credits. The licencee is also required to detail these in an assessment work report. If the licencee cannot perform enough exploration to meet the annual threshold, they can opt for "payment in lieu" of assessment work. However, this option is only available if "no payment in lieu has been made in any of the previous five terms of the licence" (*Mineral Resources Act*, 2016).

There are a number of terms and conditions for which the lessee is liable, including those related to reclamation, safety, and royalties (*Mineral Resources Act*, 2016).

Mineral exploration licences expire two years from the date of issue, unless renewed according to Sections 47 and 48 of the *Mineral Resources Act*. Unless otherwise provided in the Act, the Registrar will renew an exploration licence if the licencee files an application for renewal that meets the requirements, pays the fee, and meets one of the following conditions:

(i) the licensee has performed the required assessment work in a manner acceptable to the Registrar and has filed the assessment work report in a form acceptable to the Registrar,
(ii) the licensee has sufficient work credits,
(iii) the licensee provides the required payment in lieu of assessment work on or before the day upon which the exploration licence is due to expire

Exploration licences & you (continued)

The legal expectation is that the holder of a Mineral Exploration Licence (the licencee) or a Mineral Lease (the lessee) will actually explore for mineral resources and do so effectively.

For instance, if the Province deems that a lessee (lease-holder) is conducting "inefficient mining," the Minister of Natural Resources can order an inspection and order changes to improve the operation of the mine (*Mineral Resources Act*, 2016). Under section 80 of the Act, "the lessee has 30 days from the date of service of the notice to comply with the order, or such further time as may be provided in the order." If these are not followed, the Minister can "declare the lease forfeited" (*Mineral Resources Act*, 2016).

But what is "inefficient mining?" Under section 80(1) of the *Mineral Resources Act*, it could mean "the extraction or recovery of a mineral by a lessee in a manner that, in the opinion of the Minister, unduly affects the ability of the mineral deposit to be mined" or "produces less than an optimum recovery of minerals."

For more information on mineral exploration licences, you can contact the Registrar of the Registry of Mineral and Petroleum Titles.

Exploration licences & you (continued)

Petroleum exploration licences

The *Petroleum Resources Act* is intended to facilitate onshore petroleum-resources management, including "encouraging and facilitating petroleum exploration, development and production."

The price of petroleum exploration is exorbitant, making it an unlikely option for landowners: "Exploration is high risk and expensive, involving primarily corporate funds. The cost of an unsuccessful exploration, such as one that consisted of seismic studies and drilling a dry well, can cost $5 million to $20 million [USD] per exploration site, and in some cases, much more" (Burclaff & Ratner, 2005).

Section 42 of the Petroleum Resources Regulations stipulates that the applicant for an exploration agreement must submit a statement to the Minister, including enough information for the Minister to judge "the technical capability of the applicant and the applicant's experience in the exploration, production and transportation of petroleum, including the applicant's past experience in Nova Scotia or in other areas that pose similar technical problems" as well as "information sufficient to enable the Minister to judge the financial capability of the applicant."

Exploration licences & you (continued)

Section 46 of the Act states that the Minister may also require "any person with whom he intends to enter into an exploration agreement to furnish bonds in a form satisfactory to the Minister in such amounts as the Minister may deem appropriate to ensure performance of obligations under the Act, these regulations and the exploration agreement." If the agreement holder does not fulfill the obligations, the bond will be forfeited.

Can there be more than one licence or lease for the same property?

Mineral resources:

A mineral licence provides the exclusive right to "search and prospect for minerals within an area designated in the licence" for a set period of time (*Mineral Resources Act*, 2016).

Similarly, a mineral lease gives the holder the exclusive right to "all or specified minerals in or upon the leased area for the term of the lease, subject to the payment of royalties and compliance with this Act and the regulations" (*Mineral Resources Act*, 2016).

Can there be more than one licence or lease for the same property? (continued)

Petroleum resources:

Section 13 of the Act states, "The holder of an exploration licence has a non-exclusive right to explore for petroleum in the manner prescribed and specified in the licence" (*Petroleum Resources Act*, 1989).

Conversely, petroleum leases are exclusive.

Mineral rights and petroleum rights are distinct legal categories, governed by different legislation, so the provincial government could grant exploration licences for both in the same area.

Existing claims are available through NovaROC, Nova Scotia's Registry of Claims, an online government database of the licences and leases the government grants for mineral and petroleum exploration and extraction.

The true rights-holders

What is a rights-holder? In the colonial context of mining or petroleum licences and leases, a rights-holder may refer to the provincial government, or an individual or company that has been granted permission to explore for or extract subsurface resources.

The true rights-holders

In the context of our treaty obligations, however, rights-holders are determined not by capitalistic systems or government approvals, but by the Mi'kmaq's inherent and legally protected rights to their unceded territory.

The centuries-old Treaties of Peace and Friendship cemented the Mi'kmaq's rights to "their lands, resources, and self-governance" (L'nuey, n.d.). These rights have been reaffirmed by the Constitution Act, 1982, and the Supreme Court of Canada (Government of Canada, 1982; L'nuey, n.d.).

The United Nations Declaration on the Rights of Indigenous Peoples is clear that governments have a responsibility to "consult and cooperate in good faith" with Indigenous Peoples "in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them" (United Nations, 2007).

Yet the Nova Scotia government failed to consult Mi'kmaw communities and leadership before tabling An Act Respecting Agriculture, Energy and Natural Resources (Bill 6), which lifted the ban on uranium mining and the moratorium on fracking.
We are deeply troubled that the government chose not to consult the Mi'kmaq before tabling a bill of this magnitude.

The true rights-holders

“Decisions are being made about the lands and waters in the unceded and traditional territory of the Mi'kmaq, without any real consideration of the Rights holders," wrote the Assembly of Nova Scotia Mi’kmaw Chiefs in a media release challenging the provincial government’s actions on fracking.

The provincial government confirmed at the May Natural Resources and Economic Development Committee Meeting that it is limiting consultations with the Mi’kmaq to a project-by-project basis (Nova Scotia Legislature, 2025). We feel this is insufficient and insulting.

Kwilmu’kw Maw-klusuaqn Negotiation Office (KMK) works on behalf of the Mi’kmaq of Nova Scotia in discussions with the provincial government. Patrick Butler, Senior Energy & Mines Advisor with KMK, revealed that their organization is “learning about a lot of these decisions second-hand," not from the government (Canadian Press, 2025). "We’re finding out about these developments through the news, with no direct notification to our office.”

“As Constitutional Rights Holders... we expect to be a part of early discussions - before decisions are made. We should not hear about important developments that Nova Scotia is making from the evening news," said Chief Tamara Young of Pictou Landing First Nation (Campbell, 2025).

The true rights-holders

This shows a profound and ongoing failure to respect and meaningfully engage with the Mi'kmaq—the legally recognized rights-holders of this province—on issues that impact them and their traditional territory.

The Mi'kmaq have been disproportionately impacted by the harms of resource extraction in Nova Scotia, yet their concerns are regularly and systemically ignored.

Reimagining the current system and values offers untold opportunities for all people. L'nuey explains that recognizing Mi'kmaq Rights is vital to building a future where everyone thrives:

"Mi'kmaq Rights are not just about justice for one community—they are about creating a foundation of equity, fairness, and sustainability for all. Upholding these rights ensures the protection of the land and resources we all depend on, strengthens community well-being, and contributes to reconciliation—a necessary step toward healing past wrongs. Reconciliation is about more than acknowledgment; it's about action."

References

- Al-Hakim, A. (2019, August 13). Harrietsfield residents 'angry' over option to pay $26,000 per household for clean water. Global News. Retrieved from globalnews.ca/news/5759061/harrietsfield-angry-clean-water/.
- Assembly of Nova Scotia Mi'kmaw Chiefs. (2025, March 28). Mi'kmaw Chiefs fight Nova Scotia's stance on hydraulic fracturing. Kwilmu'kw Maw-Klusuaqn. Retrieved from mikmaqrights.com/?p=4254.
- Baxter, J. (2018a, May 16). Fool's gold: Nova Scotia's myopic pursuit of metals & minerals (part 1). Halifax Examiner. Retrieved from halifaxexaminer.ca/government/province-house/fools-gold/.
- Baxter, J. (2018b, May 23). Fool's gold: Nova Scotia's myopic pursuit of metals & minerals (part 2). Halifax Examiner. Retrieved from halifaxexaminer.ca/government/province-house/fools-gold-2/.
- Baxter, J. (2018c, May 30). Fool's gold: Nova Scotia's myopic pursuit of metals & minerals (part 3). Halifax Examiner. Retrieved from halifaxexaminer.ca/government/province-house/fools-gold-3/.
- Baxter, J. (2018d, June 13). Fool's gold: Nova Scotia's myopic pursuit of metals & minerals (part 4). Halifax Examiner. Retrieved from halifaxexaminer.ca/government/province-house/fools-gold-4/.
- Baxter, J. (2025, June 3). Premier Houston's government is promoting uranium exploration and mining, and the frenzy of laying claim to Nova Scotia has begun. Halifax Examiner. Retrieved from halifaxexaminer.ca/economy/natural-resources/mining/premier-houstons-government-is-promoting-uranium-exploration-and-mining-and-the-frenzy-of-laying-claim-to-nova-scotia-has-begun/
- Brown, M. and Schnare, K. (2017, August 3). The Contaminated Village of Harrietsfield. Presentation to the Environment & Sustainability Standing Committee Halifax Regional Council. Retrieved from halifax.ca/media/36981.

References (continued)

- Brubaker, E. (2014, September 18). Corporate bullying: Expropriating for private purposes in Nova Scotia. Environment Probe. Retrieved from environment.probeinternational.org/2014/09/18/corporate-bullying-expropriating-for-private-purposes-in-nova-scotia/.
- Burclaff, N., & Ratner, M. (2005). Research guides: Oil and gas industry: A research guide: Upstream: Production and exploration. Upstream: Production and Exploration - Oil and Gas Industry: A Research Guide - Research Guides at Library of Congress. guides.loc.gov/oil-and-gas-industry/upstream
- Campbell, F. (2025, May 31). Uranium exploration raises concerns of N.S. government overreach. The Chronicle Herald. Retrieved from saltwire.com/nova-scotia/uranium-exploration-raises-concerns-of-n-s-government-overreach.
- Canadian Association of Physicians for the Environment. (2025, February 19). Nova Scotia Doctors Warn of Health Risks from Fracking and Uranium Mining. Retrieved from cape.ca/press_release/nova-scotia-doctors-warn-of-health-risks-from-fracking-and-uranium-mining/.
- CBC. (2014, February 27). Higgins family loses final appeal against gold mine. Retrieved from cbc.ca/news/canada/nova-scotia/higgins-family-loses-final-appeal-against-gold-mine-1.2553610.
- Doucette, K. (2025, May 28). Nova Scotia landowners can say no to uranium exploration on their properties: deputy. The Canadian Press. Retrieved from thecanadianpressnews.ca/environment/nova-scotia-landowners-can-say-no-to-uranium-exploration-on-their-properties-deputy/article_f91d61c5-3724-5b5a-82bc-61a6f666e5c8.html.
- Ecology Action Centre. (2014, April). (rep.) Keep it In the Ground: The Impacts of Fracking in Nova Scotia. Retrieved from ecologyaction.ca/sites/default/files/2022-06/2014SubmissionProvincialFrackingReview.pdf.

References (continued)

- Grant, T. (2025, February 7). Nova scotia steps over private landowner to allow for lithium exploration. CBC. Retrieved from cbc.ca/news/canada/nova-scotia/continential-lithium-private-land-access-mining-exploration-1.7453739.
- Henderson, J. (2025, February 5). Province greenlights lithium exploration project in Yarmouth County. Halifax Examiner. Retrieved from halifaxexaminer.ca/environment/province-green-lights-lithium-exploration-project-in-yarmouth-county/.
- L'nuey. (n.d.). Peace & Friendship Treaties. lnuey.ca/education/
- McGinty, C. (2022, July 18). Mineral and mining rights in Nova Scotia. Cox & Palmer. Retrieved from coxandpalmerlaw.com/publication/mineral-and-mining-rights-in-nova-scotia/.
- National Research Council, Committee on Uranium Mining in Virginia, Committee on Earth Resources, Board on Earth Sciences and Resources, & Division on Earth and Life Studies. (2012). Uranium mining in Virginia: Scientific, technical, environmental, human health and safety, and regulatory aspects of uranium mining and processing in Virginia. National Academies Press.
- Nova Scotia Department of Mines and Energy. (1989). Mineral Rights, Landowners, and Mineral Exploration. Province of Nova Scotia. Retrieved from novascotia.ca/natr/meb/data/pubs/ic/ic02.pdf.
- Nova Scotia Department of Natural Resources, Registry of Mineral and Petroleum Titles. (2008). A Guide to Mineral Exploration Legislation in Nova Scotia. Retrieved from novascotia.ca/natr/meb/data/pubs/ic/ic58.pdf.
- Nova Scotia Legislature. (2025, May 27). Natural Resources and Economic Development Committee Proceedings. YouTube. youtube.com/watch?v=PQ4rvBhSBHg

References (continued)

- Nova Scotia Supreme Court. (2024). How to File a Judicial Review. Retrieved from courts.ns.ca/sites/default/files/forms/NSSC%20Civil/NSSC_Judicial_Review_Instructions_January_2024.pdf/.
- Path Legal. (n.d.). Judicial Review. PATH Legal Inc. Retrieved from pathlegal.ca/legal-services/judicial-review#:~:text=During%20judicial%20review%2C%20a%20judge's,with%20relevant%20law%20and%20policy.
- Province of Nova Scotia, Geosciences & Mines. (n.d.). NovaROC. novaroc.novascotia.ca/novaroc/
- Province of Nova Scotia. (n.d.). Private Land Conservation. novascotia.ca/nse/protectedareas/privateconservation.asp
- Province of Nova. (n.d.). Prospector Registration. Province of Nova Scotia. novascotia.ca/sns/paal/dnr/paal146.asp#:~:text=A%20prospector%20must%20have%20the,any%20surface%20disruption%20is%20contemplated
- Province of Nova Scotia. (1985). Report of the Commission of Inquiry on Uranium. Retrieved from novascotia.ca/natr/meb/data/pubs/ofr/ofr_me_612.pdf
- Province of Nova Scotia. (1989a). Expropriation Act. Retrieved from: nslegislature.ca/sites/default/files/legc/statutes/expropriation.pdf.
- Province of Nova Scotia. (1989b). Petroleum Resources Act (revised). Retrieved from nslegislature.ca/sites/default/files/legc/statutes/petroleum%20resources.pdf
- Province of Nova Scotia. (1989c). Private Ways Act. Retrieved from canlii.ca/t/lflg.

References (continued)

- Province of Nova Scotia. (2014a). An Act to Amend Chapter 342 of the Revised Statutes, 1989, the Petroleum Resources Act. Retrieved from nslegislature.ca/legc/bills/62nd_2nd/3rd_read/b006.htm.
- Province of Nova Scotia. (2014b). Expropriation Procedures Regulations made under subsections 7(4), 9(2) and 11(6) and Section 66 of the Expropriation Act. Retrieved from novascotia.ca/just/regulations/regs/exproreg.htm.
- Province of Nova Scotia. (2014c). Mineral Resources Act Review. Retrieved from novascotia.ca/natr/meb/legislation-review/pdf/minerals-act-review.pdf.
- Province of Nova Scotia. (2015). Petroleum Resources Regulations made under Section 27 of the Petroleum Resources Act. Retrieved from novascotia.ca/just/regulations/regs/PR-PetroleumResources.htm.
- Province of Nova Scotia. (2016). Mineral Resources Act. Retrieved from nslegislature.ca/sites/default/files/legc/statutes/mineral%20resources.pdf.
- Province of Nova Scotia. (2018). Mineral Resources Regulations made under Section 156 of the Mineral Resources Act. Retrieved from novascotia.ca/just/regulations/regs/mrregs.htm.
- Province of Nova Scotia. (2025a). An Act Respecting Agriculture, Energy and Natural Resources. Retrieved from nslegislature.ca/sites/default/files/legc/PDFs/annual%20statutes/2025%20Spring/c004.pdf.
- Province of Nova Scotia. (2025b). An Act Respecting Government Organization and Administration. Retrieved from nslegislature.ca/sites/default/files/legc/PDFs/annual%20statutes/2025%20Spring/c008.pdf

References (continued)

- Simpson, J. (2017, November 12). The legal landscape: A guide for woodland owners in Nova Scotia. Juniper Law. Retrieved from juniperlaw.ca/blog-in-law/the-legal-landscape-a-guide-for-woodland-owners-in-nova-scotia.
- United Nations General Assembly. (2007). (publication). United Nations Declaration on the Rights of Indigenous Peoples. RES/61/295 Retrieved from un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf.
- Wheeler, D. et al (2014). (rep.). Report of the Nova Scotia Independent Panel on Hydraulic Fracturing. Sydney, Nova Scotia. Retrieved from energy.novascotia.ca/sites/default/files/Report%20of%20the%20Nova%20Scotia%20Independent%20Panel%20on%20Hydraulic%20Fracturing.pdf.
- Willick, F. (2019, February 1). Province to spend $15k to cap arsenic-leaking drillhole. CBC. Retrieved from cbc.ca/news/canada/nova-scotia/province-to-cap-arsenic-leaking-drillhole-warwick-mountain-1.5000414#:~:text=The%20province%20is%20planning%20to,not%20to%20cap%20the%20hole.
- Willick, F. (2025, May 26). 'Very disheartening,' says resident whose property could be explored for uranium. CBC. Retrieved from cbc.ca/news/canada/nova-scotia/residents-properties-uranium-exploration-1.7540936.