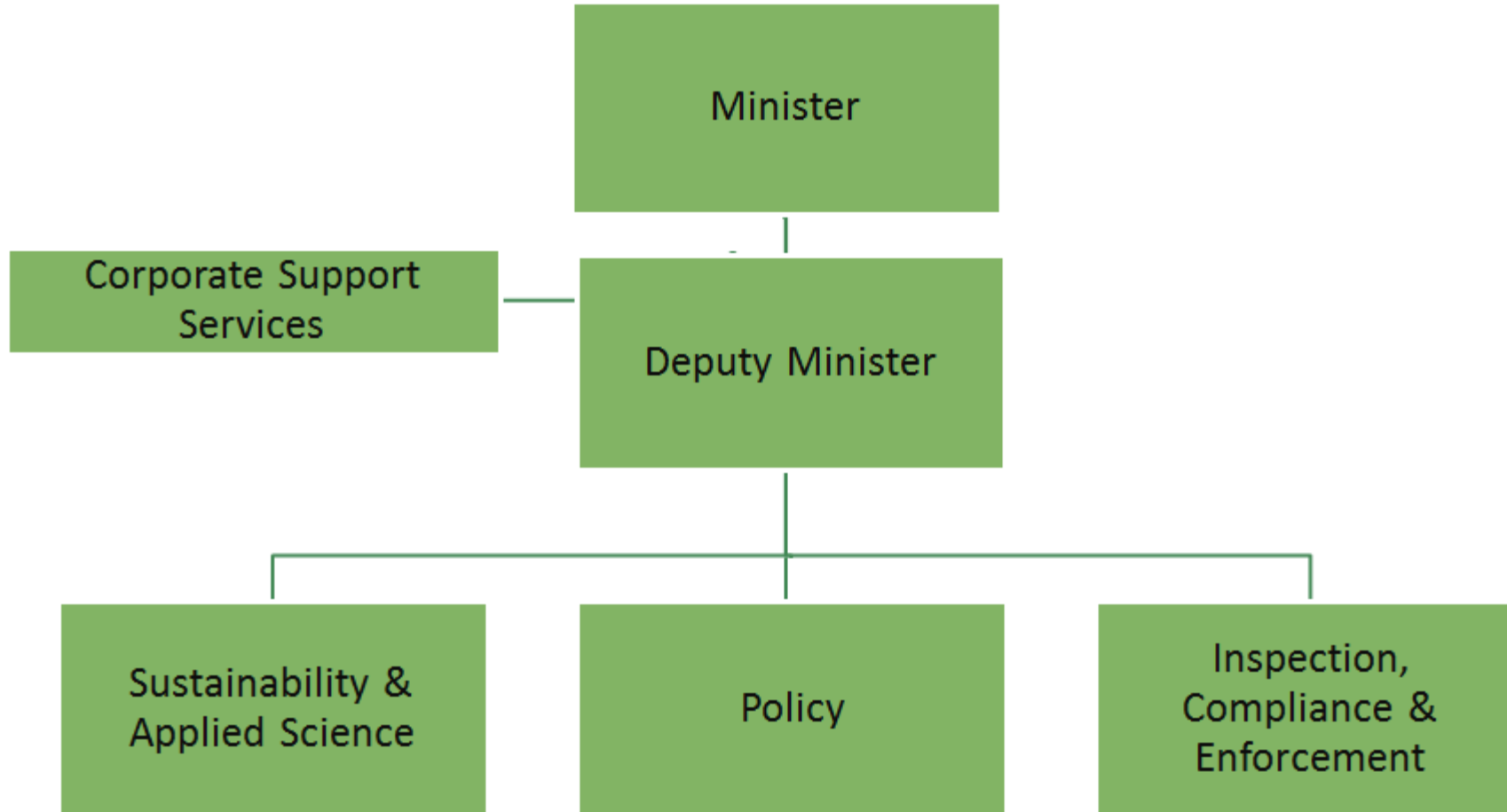


Nova Scotia Environment Inspection, Compliance and Enforcement

SEA FARMERS CONFERENCE AND TRADESHOW 2018
THURSDAY JANUARY 25TH 2018

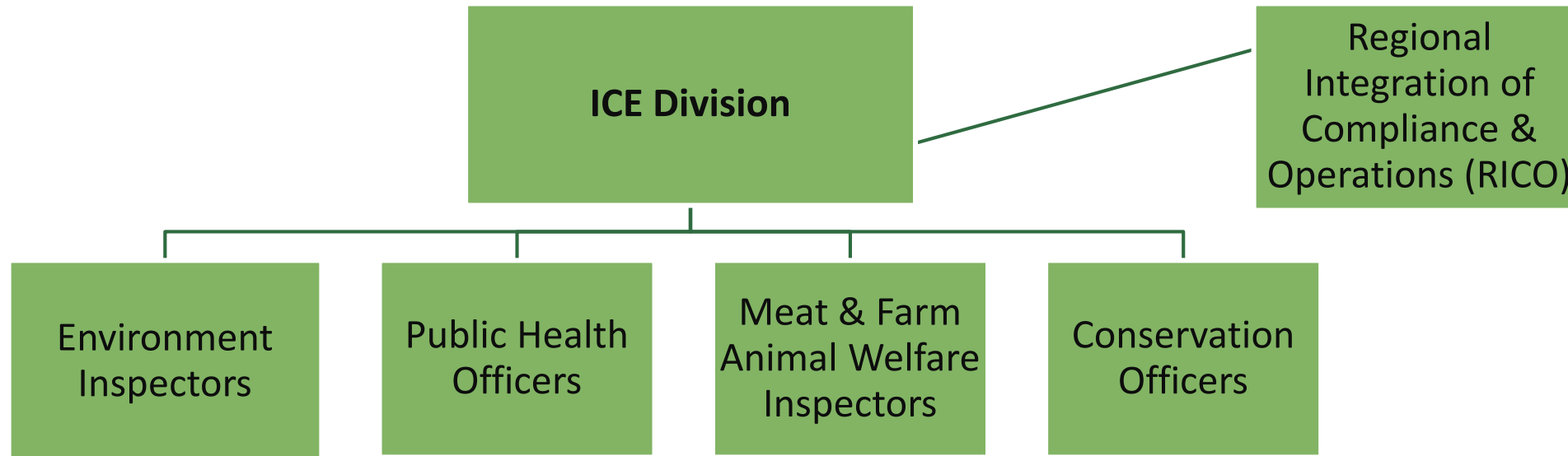


NSE Organizational Structure



NSE Organizational Structure

Inspection, Compliance & Enforcement (ICE)



ICE Division Legislative Responsibilities

Angling Act
Animal Protection Act
Beaches Act
Beaches and Foreshores Act
Canada Shipping Act (federal)
Conservation Easements Act
Controlled Drugs and Substances Act (federal)
Criminal Code of Canada (federal)
Crown Lands Act
Endangered Species Act
Environment Act
Firearms Act (federal)
Fish Harvester Organizations Support Act
Fisheries Act (federal)
Fisheries and Coastal Resources Act
Fish Inspection Act (federal)
Forests Act
Fur Industry Act
Health Protection Act
Liquor Control Act

Maritime Provinces Fishery Regulations
Meat Inspection Act
Migratory Birds Convention Act (federal)
Mineral Resources Act
Motor Vehicle Act
Non-essential Pesticide Control Act
Off-Highway Vehicles Act
Private Ways Act
Provincial Parks Act
Safe Body Art Act
Scalers Act
Smoke-free Place Act
Snow Sport Helmet Act
Special Places Protection Act
Tanning Beds Act
Tobacco Access Act
Trails Act
Wilderness Areas Protection Act
Wildlife Act



NSE Inspection, Compliance & Enforcement

- ▶ Since July 1, 2015, NSE has been responsible for compliance and enforcement of the Fisheries and Coastal Resources Act
- ▶ On October 26, 2015, DFA released the new Aquaculture License and Lease Regulations and the Aquaculture Management Regulations.
- ▶ In 2016, NSE combined the conservation and fisheries mandate into a single unit which is now enforced by 60 Conservation Officers across the province.
- ▶ DFA and NSE collaborate through a Cross Departmental Team
- ▶ DFA is responsible for lease, licensing, subject matter expertise, and administration of the legislation.
- ▶ NSE Conservation Officers carry out regular inspections of aquaculture sites and respond to public complaints and referrals from DFA
- ▶ All compliance and enforcement follows NSE's Compliance Policy.



Compliance Policy Objectives

- ▶ Delivering an effective, efficient and fair regulatory approach that is applicable across the aquaculture industry;
- ▶ Focusing our resources on the greatest risks;
- ▶ Evaluating the willingness to comply and risk to determine the level of response necessary to achieve compliance;
- ▶ Acknowledging and supporting the compliance continuum



Willingness to Comply

Refers to the an organization's or individual's demonstration of its intent to adhere to the Acts and Regulations

- Willingness to Comply
 - Exercising a high level of due diligence
 - Quickly reporting and addressing non compliance events
 - Cooperating with Officers
 - No compliance history
- Unwillingness to Comply
 - Repeated or past non compliance
 - Missing deadlines on Officer directives
 - No change in behavior or management of its operations
 - Deliberate attempt to hide information

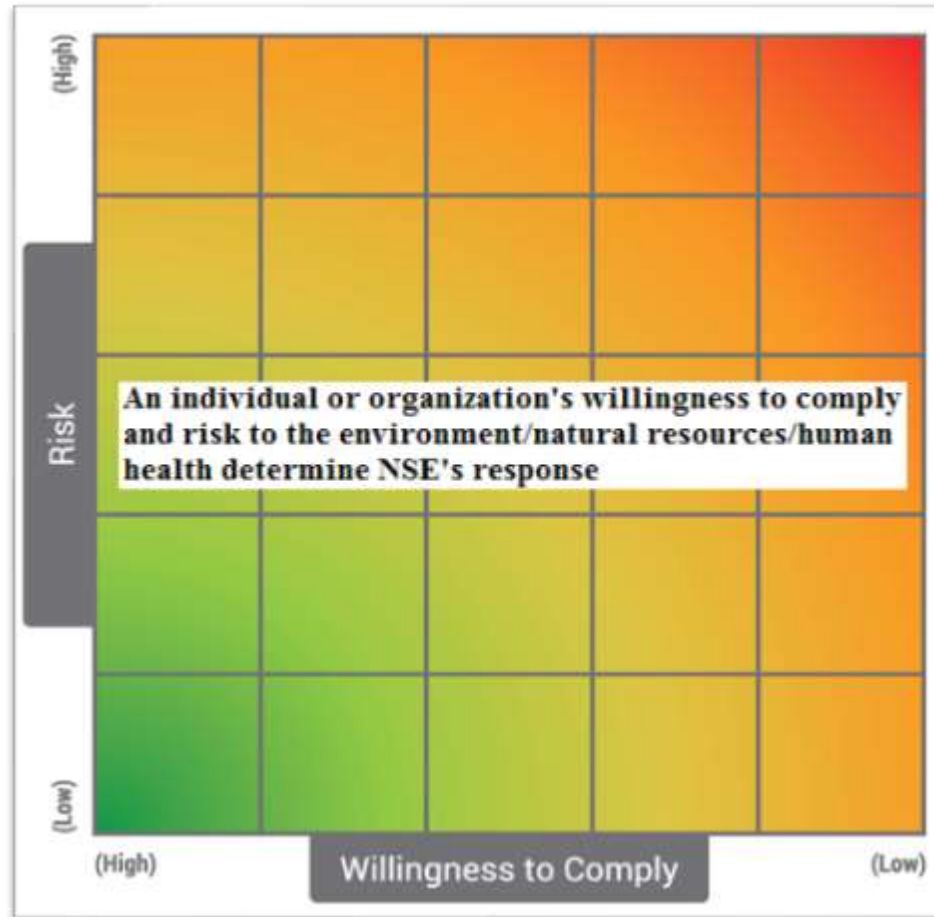


Risk

For Officers responsible for ensuring compliance with regulatory requirements, the key components of risk can further be defined by:

- the probability of a non-compliance event occurring, and
- the impact of the non-compliance on the Department's objectives of protecting the environment, our provincial resources and public health.

Approach to Compliance



Compel

Use regulatory and enforcement tools to increase compliance and discourage non-compliance.

Encourage

Support and promote excellence and responsibility that goes beyond just complying with the law.



Education Outreach & Compliance Promotion 2015-2017

Correspondence and communication regarding:

- ▶ site marking;
- ▶ scheduled re-alignment plans;
- ▶ applications for adjudicative or administrative amendments;
- ▶ submission of farm management plan

In the field:

- ▶ Company Visits
- ▶ On-the-Water Inspections



Areas of Focus for 2018

Inspections in 2017 found that a number of sites do not have proper markings and are operating either off-lease or over their lease size. Officers will be focusing on enforcing these items in 2018:

- ▶ Site Markings
- ▶ Operating Off-lease
- ▶ Farm Management Plans
- ▶ Compliance with conditions of all lease and licenses

Determining the Compliance Path



Determining the Compliance Path

- ▶ Officers must consider all of the evidence and information collected, and must consider the principles outlined in the Compliance Policy when deciding on the compliance path.
- ▶ Guided by policies and procedures, officers use their professional judgement, experience, and discretion to make decisions regarding the use of compliance and enforcement actions.

Compliance and Enforcement Tools

- ▶ Compliance Tools
 - ▶ Education
 - ▶ Officer Directives

- ▶ Enforcement Tools
 - ▶ Warning Reports
 - ▶ Summary Offence Tickets (SOT)
 - ▶ Long Form Information



Thank you!

