

# Researching the Role of Communities in Integrated Coastal Management in Nova Scotia



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<sup>1</sup> The *Changing Tides – Taking Action on Coastal Management Plan for Nova Scotia* Workshop was held November 5-7<sup>th</sup>, 2004 at Corwallis Park, Annapolis Basin, NS.

# Executive Summary

## *Background*

Recent threats posed to Nova Scotia's coastal and marine environments have prompted community groups to get involved in coastal planning issues. Coastal communities have continually voiced concern, yet there is no recognized process through which communities can have their concerns and initiatives recognized.

Many countries, including Canada, have recognized the merits of integrated coastal management (ICM). Its principles are founded on the coordination of governments and community input in coastal planning. Despite comprehensive legislation that attempts to conserve ecological processes and threatened resources in Canada's oceans, degradation of the national coastal system continues. The majority of coastal regions in Nova Scotia remain unrepresented in the province's protected area network and most do not meet minimum protection standards. Although well promoted in theory, the application of ICM has not materialized in the everyday practice of governments in Nova Scotia.

The value of encouraging communities to develop conservation measures of their own accord, rather than being forced to do so, is widely recognized. Yet in planning, cooperative management and public participation are repeatedly neglected. This research sought to identify where "bottom-up" approaches to coastal planning, which combine scientific and traditional knowledge of users and focus on the direct involvement of stakeholders during the planning process, are integrated and recognized in existing legislative framework and practices of government.

At the government level, the notion of ICM is fraught with jurisdictional problems. Although ICM is well promoted under federal, provincial and municipal programs, many departments in Nova Scotia are lacking the resources to fulfill individual policy mandates, making inter-departmental cooperation and community involvement difficult to achieve. Efforts to coordinate communities and government in the past have not materialized, rather ICM initiatives have appeared in the form of pilot projects across the province. Many pilot projects have strong elements of public participation but they are in their infancy. What is lacking are guiding principles for ICM and a framework which outlines a process where communities can engage in coastal planning issues. In the current framework of ICM, communities are left hanging, passed on from one government to another and are provided with little information on how to address coastal conflicts in their communities. The result? Communities are without a voice or an avenue to move forward.

### *The Research*

The purpose of this study was to explore government commitment to integrated coastal planning and the current process of community participation under the existing policy framework, identify challenges to this approach and seek input for recommendation that would aid in the development of a collaborative approach to coastal planning in Nova Scotia. A total of twelve representatives from non-government organizations (NGOs), federal, provincial and municipal governments took part in the research. Participants were selected from NGOs and government departments that are currently involved in coastal planning initiatives and have legislative responsibility for coastal planning under the existing legislative framework. Community perspectives related to ICM were documented at the *Changing Tides* workshop held in Corwallis, NS in November 2004<sup>2</sup>.

This report captures the thoughts and ideas of those who took part in the research and those who attended the *Changing Tides* workshop. It does not reflect the voices of all those participating in ICM across Nova Scotia. Rather, this report is meant to serve as a discussion document relevant to those communities in Nova Scotia and beyond that are searching for a voice in coastal planning and management issues.

### *Key Challenges*

The key challenges to Integrated Coastal Management in Nova Scotia included:

1. Institutional capacity for ICM
2. Jurisdictional disconnect
3. Unclear leadership responsibilities
4. Time and resources required for ICM and public participation
5. Lack of political will
6. Government preparedness to include communities in ICM
7. Ill coordination of political pressure from stakeholders and communities: Creating a movement
8. Community as advisory groups are not recognized
9. Not-in-my-backyard (NIMBY) syndrome

### *Recommendations*

Recommendations were developed based on participant input, ideas expressed at the *Changing Tides* workshop and from reports and literature that addresses ICM. Recommendations included:

1. Build institutional capacity within government: Address middle management issues

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<sup>2</sup> The *Changing Tides – Taking Action on Coastal Management Plan for Nova Scotia* Workshop was held November 5-7<sup>th</sup>, 2004 at Corwallis Park, Annapolis Basin, NS.

2. Improve communication and jurisdictional confusions: Establish a multilateral secretariat.
3. Develop a Provincial Statement of Interest (PSI) and empower municipalities to get involved in coastal planning
4. Develop a process of community participation in ICM
5. Clarification of the role of Regional Development Authorities
6. Community capacity building
7. Promote government as facilitators
8. Realization of the role of NGOs
9. Funding for government restructuring

Much of the conflict surrounding coastal issues has been set in a negative light. However, conflict and crisis are often necessary to bring about desirable changes. With this in mind, conflict can be positive if it sharpens the debate so that choices become more apparent. Adversity has the potential to bring coastal users and communities together to find solutions to local problems. The cooperation among community members must be viewed as an opportunity to begin discussions on planning issues that will determine the future of coastal communities.

In light of the proposed commitments under *Canada's Oceans Strategy* and supporting documents that focus specifically on integrated management and collaboration, it is clear that there is a need for a better understanding about how these principles are applied in practice. There needs to be a process that engages government departments, NGOs and community groups in a coordinated approach to coastal planning.

# 1. Introduction

## 1.1 Coastal Planning

Planning is a process for determining what is to be achieved in the future, and to clarify the steps required to get there. It examines a range of possible options and explores the limitations. Similarly, coastal planning includes the development of strategies and policies specific to the character of the coast, its resources and uses, ultimately providing a framework for decision-making.<sup>3</sup> The application of planning marine and coastal environments is in its infancy. The field of planning has typically been limited to management of land use in terrestrial environments. Contemporary coastal planning is made up of elements of urban/town planning and regional development, protected areas (conservation) planning, strategic environmental planning, resource planning and marine planning.<sup>4</sup> As the concept of planning is being adopted in marine and coastal environments, greater emphasis is being placed on the role of planning, the planning process, the role of a coastal planner<sup>5</sup> and the application of planning tools such as zoning.<sup>6</sup>

## 1.2 The Growing Interest in Coastal Planning in Nova Scotia

The need for management of human activity in marine and coastal environments is the result of increasing pressure of development around use and access to natural resources along the coastline. Current issues affecting Nova Scotia's coastline include:

- Threats to coastal development posed by the impacts of climate change (increase in number of storms, erosion of shorelines, flooding and sea-level rise);
- Increase in uses of coastal areas (e.g. tourism, aquaculture, coastal trails, ATV use, housing, fishing, blood worm harvesting);
- Decline of marine ecosystems caused by infilling of salt-marshes, dunes, and beach areas;
- Pollution generated from land based human activity in the watershed (pesticides sewage and other pollutants carried to ocean through waterways);

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<sup>3</sup> Kay R. and J. Alder. 1999. *Coastal Planning and Management*. Spon Press: New York, NY: 63

<sup>4</sup> Stewart, P.L., R.J Rutherford, H.A. Levy and J.M Jackson. 2003. *A Guide to Land Use Planning in Coastal Areas of the Maritime Provinces*. Canadian Technical Report of Fisheries and Aquatic Sciences No. 2443. Oceans and Environment Branch, Maritimes Region, Department of Fisheries and Oceans Canada. Dartmouth, NS.

<sup>5</sup> TeKamp, M. 2004. *Defining the Role of the Coastal Planner in Nova Scotia*. Unpublished Thesis. School of Planning, Dalhousie University. Halifax, NS.

<sup>6</sup> Doherty, P. 2003. *Ocean Zoning: Perspectives on a New Vision for the Scotian Shelf and Gulf of Maine*. Ecology Action Centre: Halifax, NS.

- Non-resident land ownership;<sup>7</sup>
- Decline in access to the coastline;
- Increasing pressure for coastal development (e.g. quarries, businesses, residential uses);
- Pressures from oil and gas development.

These issues have continually been the focus of a number of conferences, community meetings and political debates and have emphasized the need for better community and government coordination to regulate coastal development.

### 1.3 Integrated Coastal Management

Integrated coastal management (ICM) has become the standard approach to coastal planning and management practiced throughout the world. With the government realization that it is not environmentally or economically sustainable to use hard intervention approaches for coastal protection, the practice of ICM has become more widely accepted. Hildebrand defines ICM as:

A multi-disciplinary process that unites levels of government and the community, science and management, sectoral and public interests, the preparation and implementation of a program for the protection and the sustainable development of coastal resources and environments. The overall goal of ICM is to improve the quality of life of the communities that depend on coastal resources as well as providing for needed development (particularly coastal-dependent development) while maintaining the biological diversity and productivity of coastal ecosystems.<sup>8</sup>

ICM has been adopted to help regional governments and local administrators to better integrate sectoral management activities undertaken in coastal and watershed areas.<sup>9</sup> Wescott emphasizes that the success of ICM hinges on “clearly stated objectives for coastal planning at the state and national levels and a clearly identified lead agency for state coastal planning”.<sup>10</sup> He states that a clear Government Coastal Strategic Plan combined with a process that engages community participation in direct decision making at all stages of the planning process appears to be the most appropriate model for coastal planning.

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<sup>7</sup> Voluntary Planning Task Force. *Non-Resident Land Ownership in Nova Scotia*. Final Report (December 2001). Available at: <http://www.gov.ns.ca/vp/nonres/index.htm>. Accessed 08Nov04.

<sup>8</sup> Hildebrand, L. 2002. *Integrated Coastal Management: Lessons Learned and Challenges Ahead*. Discussion Document for Management Shared Water/ Coastal Zone Canada 2002 International Conference, Hamilton, Ontario Canada June 23-28, 2002. p.3

<sup>9</sup> Capobianco, M., Caputti, P. and Paolo de Girolamo, D.C. 2003. Integration of Sectorial Management Activities in the Coastal Zone of the Regione Abruzzo, Italy: The Case of RICAMA. *Coastal Management* 31: 175-185.

<sup>10</sup> Wescott, G. 2004. The Theory and Practice of Coastal Planning: Linking Strategic Planning to Local Communities. *Coastal Management* 32:95-100. p.99

It is recognized that all levels of government are important stakeholders in coastal planning. They have a primary role the development of policy and legislation, consultation, regulation and enforcement.<sup>11</sup> Kay and Alder state that in organizing government to develop and implement coastal management the focus should not be on how institutions are arranged, rather it should be on what is achieved through institutional arrangements.<sup>12</sup> Roles and responsibilities for coastal management exist at different levels of government. Often it is this complex web of roles and responsibilities that motivates the developing of coastal management systems. When examining coastal management governance Kay and Alder maintain that the focus should be on how coastal management activities are controlled. When using this method there are typically two types of governance produced:

- *Networked*: existing government sectors and institutions remain. No new specific coastal management legislation is enacted. Sector coordination is improved through networking of existing legislation and policies;
- *Legislative*: new specific coastal management legislation is enacted. This legislation can have a variety of purposes. New institutions or the enabling of existing ones are enacted.<sup>13</sup>

Collaborative management in marine and coastal areas was developed in the 1980s. The practice evolved from advances in protected areas management, rural development and fisheries. The term implies that all stakeholders are involved in the management of resources. The goal of management is to achieve mutual consensus among the majority of stakeholders on available options. This approach focuses on balancing conservation needs with the socioeconomic needs of community. This method has advanced community involvement in management of land-based protected areas, specifically in agriculture and forestry projects. Relative to land areas, community involvement in management of marine and coastal areas has lagged behind. This has been attributed to the difficulty of managing shared resources with multiple uses.<sup>14</sup>

#### **1.4 Community Participation in Integrated Coastal Planning**

The value of community involvement in coastal planning and management is widely recognized. Research has shown that local communities must play an active role in protected areas planning and management if marine conservation initiatives are to succeed. In order to attain support from local communities, social, cultural and economic considerations must be incorporated in conservation

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<sup>11</sup> Stewart et. al. 2003.

<sup>12</sup> Kay and Alder 1999

<sup>13</sup> Kay and Alder 1999:77

<sup>14</sup> Kay and Alder 1999

initiatives.<sup>15 16 17</sup> If these concerns and related perceptions are not considered in efforts to protect marine biodiversity and resources, there is little hope for meaningful action.<sup>18</sup> Resource users and communities who take part in the development of coastal plans more readily understand the objectives of the protection and perceived benefits. Public support will better be achieved through the understanding of the motivations behind conservation initiatives. Community involvement and participation is considered beneficial to the process because it creates support for conservation through communication and education. Kay and Alder maintain that coastal dwellers and users are knowledgeable about local resources and can provide critical socioeconomic information needed to make allocation decisions. Also, community participation appears to be to be most effective when communities are organized and have the necessary skills base.<sup>19</sup>

Conservation management, on land or water, depends on the support and cooperation from users and others who influence activity in the area. Community-based planning is an approach that invites the community to become an integral part of its future. By working together to determine a common future, the participants become better linked to the community. Because the community creates the plan, they have a feeling of ownership and responsibility toward it. As a result, the members of the community are more likely to support and enforce regulations they establish, and have an inherent desire to see the plan implemented.<sup>20</sup> Without support of the community, enforcement becomes difficult and costly.

In Nova Scotia there is a tradition of subsistence land use and a resource-based economy.<sup>21</sup> Fenton *et al.* maintain that communities in Atlantic Canada are well aware of protected area concepts.<sup>22</sup> Unfortunately, anger and resentment still run high in some communities where people have come to equate protection with

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<sup>15</sup> Kelleher, G. and Kenchington, R. 1990. Draft policy for marine conservation and guidelines for the establishment of marine protected areas. In R. Graham (ed.).1990. *Marine Ecological Areas in Canada: Perspectives of the Canadian Council on Ecological Areas Task Force on Marine Protected Areas*. Canadian Council on Ecological Areas, Halifax, NS: 119-177.

<sup>16</sup> Donnelly, K. 1994. Community-Based Planning for the Coastal Zone. In: P. G. Wells and P. J. Ricketts (eds.), *Coastal Zone Canada 94', Cooperation in the Coastal Zone: Conference Proceedings*, Coastal Zone Canada Association, Halifax, NS.

<sup>17</sup> Fenton, D., Macnab, P., Simms, J., and Duggan D. 2000. *Developing Marine Protected Area Programs in Atlantic Canada- A Summary of Community Development and Discussions to Date*. Unpublished Document for publication in Conference Proceedings of the Science and Management of Protected Areas IV held at University of Waterloo, May 14-29, 2000..

<sup>18</sup> Vanderlinden, L. and Eyles J. 2000. Public perspectives on biodiversity: Models and a case study. In S. Bocking (ed.) *Biodiversity in Canada: Ecology, Ideas, and Action*. Broadway Press Ltd. Peterborough, ON: 237-273.

<sup>19</sup> Kay and Alder 1999

<sup>20</sup> Donnelly 1994

<sup>21</sup> Beazley, K. 2001. Why should we protect endangered species? Philosophical and ecological rationale. In K. Beazley and R. Boardman (eds.). 2001. *Politics of the Wild; Canada and Endangered Species*. Oxford University pp.1-9.

<sup>22</sup> Fenton et. al. 2000

complete exclusion zones where traditional activities are curtailed and access is restricted.

It would appear that community involvement in planning seems logical, but the actual process is time consuming, potentially exhausting and risks delaying much needed protection of marine resources. At present, most resources required for coastal and marine conservation are directed toward research and jurisdictional complexities involved in the planning process. Often the most essential component of coastal planning, the human element is typically overlooked.

## 1.5 The Issues

Like many other coastal areas around the world, Nova Scotia's coastline is under significant pressure from development. Its coast is characterized by a large number of administrative laws that have been introduced to respond to different challenges. These laws address sectorial issues on national, regional and local scales. Most of the laws function in isolation of one another, thus separate codes of law exist for matters such as land-use, local government, flood prevention, water management, nature conservation, shipping, ports, fisheries, recreation, minerals and coastal defense.<sup>23</sup> The need for better coordination between government legislation and departments in the coastal zone and better collaboration with communities to support the development of coastal plans was recognized in a government document entitled *Coastal 2000*, produced 10 years ago.<sup>24</sup> Although filled with progressive ideas ICM ideas, this document never materialized into integrated coastal planning approaches.

Communities are faced with developments that threaten the health of ecosystems and coastal values with no forum or process to participate in the planning and development of coastal areas in their communities. Unwanted consequences linked to uncontrolled development suggest that we adopt a more comprehensive approach to planning that addresses human activity and related impacts on a watershed scale. In the absence of planning, development in many regions of Nova Scotia will continue to occur on an *ad hoc* basis.

A recent workshop specifically focusing on coastal zone planning in rural Nova Scotia, demonstrated that "Nova Scotia communities have a growing awareness that our coastal areas need consideration and protection".<sup>25</sup> At this Rural Policy Forum citizens called for 1) the opportunity to give their voice in the decision making process; and 2) to understand and have a comprehensive framework and process in which they can participate and have their voices heard

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<sup>23</sup> Copobianco et. al. 2003:178

<sup>24</sup> Nova Scotia Department of Environment and Nova Scotia Department of Fisheries. 1994. *Coastal 2000*. Nova Scotia Department of Environment and Nova Scotia Department of Fisheries Halifax, Nova Scotia.

<sup>25</sup> Barr, T. and Shookner. 2004. *RCIP Rural Policy Forum Report*. Unpublished Proceedings of the RCIP Policy Forum held February 26-28, 2004. Truro, NS: Rural Communities Impacting Policy Project. p.40

regarding coastal issues.<sup>26</sup> In an attempt to address such issues, the *Changing Tides* workshop (a community-driven initiative) brought together community, stakeholders, academics and government interests to begin a bottom-up approach to tackle the elephant of integrated coastal zone planning.<sup>27</sup>

## **1.6 The Research**

This research was undertaken as an independent research project in partial fulfillment of a Master of Planning at Dalhousie University. The research topic, coastal zone planning, was identified at a Rural Policy Forum<sup>28</sup> workshop held in February 2004 as a key issues affecting rural communities in Nova Scotia. The research began in September 2004 and was completed in December 2004.

To address coastal planning conflicts, groups and coalitions have formed to coordinate community interests. Through voluntary measures, communities have engaged in asset mapping and site mapping (e.g. identifying fishing grounds, wildlife areas, areas of social-cultural significance). These efforts provide an essential foundation for coastal planning. However, it is unclear how these community efforts are recognized in the planning process under the existing policy framework. This research explored governments' commitment to integrated coastal planning and searches for a framework or process that allows communities to be part of the planning process.

In the interest of building healthy and sustainable communities and with the pressures of coastal development in the province mounting, it is important to begin to think seriously about the role of communities in coastal planning. It is hoped that the findings from this study will be relevant to those communities in Nova Scotia and beyond that are searching for a voice in coastal planning and management issues.

## **1.7 Organization of the Report**

Section two illustrated the methods used in this research. Section three provides a brief overview of integrated coastal planning in theory and practice. Section four explores the role of public participation in planning. Section five outlines government commitment to the principle of ICM in policy and planning documents. Section six examines proposed approaches to ICM and models applied in Nova Scotia. Section seven presents the challenges of ICM in practice as identified by participants. Section eight provides recommendations and section 9 presents concluding remarks. Portions of the literature review are presented throughout the report to provide a context in which the findings can be interpreted. Recent initiatives regarding ICM that were referred to during the course of the interviews are included throughout the body of the text.

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<sup>26</sup> Ibid.

<sup>27</sup> The *Changing Tides – Taking Action on Coastal Management Plan for Nova Scotia* Workshop was held November 5-7<sup>th</sup>, 2004 at Corwallis Park, Annapolis Basin, NS.

<sup>28</sup> Barr and Shookner 2004

## 2. Methods

### 2.1 Study Design

The main purpose of this study was to explore government commitment to integrated coastal planning and the current process of community participation under the existing policy framework, identify challenges to this approach and seek input for recommendations that would aid in the development of a collaborative approach to coastal planning in Nova Scotia. Informal communication with twelve representatives from NGOs, municipal, provincial and federal governments was conducted throughout the months of September to November 2004. Participants were selected from non-government organizations and government departments that are currently involved in coastal planning initiatives or have a legislated responsibility regarding coastal planning under the current legislative framework.

A total of twelve people took part in this research. The study design consisted of eight face-to-face interviews, one telephone interview, and three email communications with participants. Each interview was a maximum of one hour. The interviews explored the participants' experience, knowledge, ideas and political views toward the interface between community and government in the existing applications of coastal planning under the current legislative frameworks. In addition to the twelve interviews, various community perspectives were documented from the Coastal Coalition workshop entitled "*Changing Tides*".<sup>29</sup>

### 2.2 Literature Review

A preliminary literature review was conducted during the early stages of the project with a review of policy documents, legislation, reports, theses and academic journals. As the interviews progressed I collected additional background information and reviewed documentation of recent coastal planning developments as provided by participants.

### 2.3 Sample Selection

Attempts were made to achieve a sample size of sixteen; four from each municipal provincial, and federal levels of government. The participants were chosen from a list of departments that have been identified as having some role in coastal planning through existing reports and documentation. The snowball technique was then used to identify others who were involved in coastal planning initiatives with communities in the province.

### 2.4 Interviews and Contacts

Based on the nature of this research, a qualitative method of data collection was considered the best approach to explore the opinions and views of

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<sup>29</sup> The *Changing Tides – Taking Action on Coastal Management Plan for Nova Scotia* Workshop was held November 5-7<sup>th</sup>, 2004 at Corwallis Park, Annapolis Basin, NS.

those that were directly involved in coastal planning and the application of existing legislation.

The interview survey consisted of loosely structured open-ended questions administered either in person, over the telephone or via email (Appendix one). The questionnaire provided a general guide for the interviews, however the questions were slightly altered depending on the participants' level of experience with ICM. In addition to the interviews, community perspectives and an actual community participation process were documented at a three day *Changing Tides* workshop held in Cornwallis, NS.<sup>30</sup>

## 2.5 Data Analysis

Interview data was documented in a field journal. Themes were identified through a review of field notes collected during the course of conversations with participants. The research also includes a review of reference material provided by participants and documentation of the views expressed at the *Changing Tides* workshop.<sup>31</sup>

## 2.6 Limitations

Initially, I had planned to conduct sixteen face-to-face/telephone interviews with representatives from community groups, NGOs and municipal, provincial and federal governments. However, much time was consumed reviewing existing legislation and the reference material provided by participants. Also, this research was conducted at a time when government employees were traveling to attend coastal planning workshops and forums.

The change of interview methods in regard to gaining the community perspective (from personal interviews to documentation of community perspectives at the *Changing Tides* workshop) was a result of the timeliness of the workshop which fit the objectives and intentions of this research. It is recognized that the issues, opinions and recommendation proposed in this report are drawn from a small sample size and do not represent those of all communities, governments, and NGOs across the province.

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<sup>30</sup> The *Changing Tides – Taking Action on Coastal Management Plan for Nova Scotia* Workshop was held November 5-7<sup>th</sup>, 2004 at Cornwallis Park, Annapolis Basin, NS.

<sup>31</sup> Ibid.

## 3. Integrated Coastal Planning/ Management

### 3.1 Integrated Coastal Management Defined

ICM can include the planning and management of just the ocean-side or just the landward side of the coastal zone (or even simply the inter-tidal area). Integrated coastal zone management (ICZM) requires that management and planning include a zone comprised of 1) coastal and estuarine waters, 2) the adjoining and complete inter-tidal area, and 3) the supra-tidal coastal lands. Sorenson specifies that the coastal lands should extend inland to at least the maximum highest tide and include directly connected coastal environment such as wetlands and dune systems (see Figure 1).<sup>32</sup>

The coastal zone is an area that acts as the interface between land and sea. It comprises inshore waters and intertidal areas as well as extensive tracts of land. Coastal planning involves management of the land and human activities influenced directly by the ocean and watersheds that drain into coastal areas. Since watershed can extend more than 50 kilometers from the coast, planning that focuses on conservation in the coastal zone is particularly comprehensive in provinces such as Nova Scotia.<sup>33</sup>



Figure 1: Coastal Zone<sup>34</sup>

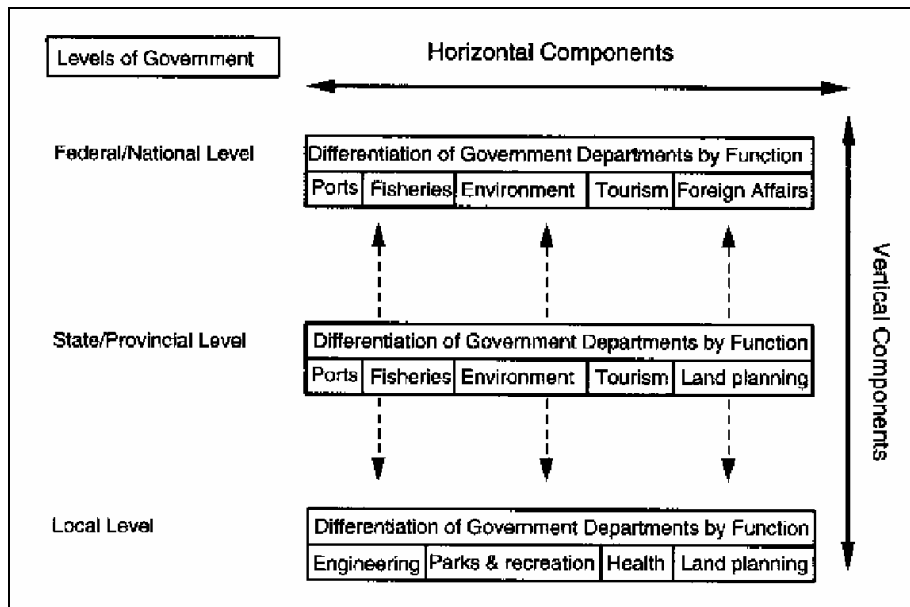
One of the most valuable lessons learned from the history of ICM is that horizontal and vertical integration in government is critical if coastal systems are to be efficiently and effectively planned and managed (see figure 2).<sup>35</sup>

<sup>32</sup> Sorensen, J. 2000. *Baseline 2000 Background Report: The Status of Integrated Coastal Management as International Practice*. (April 2/2000). Harbor and Coastal Center, Urban Harbors Institute, University of Massachusetts, Boston, Massachusetts. p.1-3

<sup>33</sup> Stewart et al. 2003:4

<sup>34</sup> Stewart et al. 2003:4

<sup>35</sup> Sorensen 2000: 2-1



**Figure 2:** Horizontal and Vertical Integration<sup>36</sup>

ICM is practiced all over the world and is now a part of the rhetoric for sustainable development. Practitioners in all nations have noted from experience that ICM is a “very long and tiring swim against a continuous current of political and socioeconomic interest with short-term visions strongly tending to protect the status quo”.<sup>37</sup> The core idea of organizing government efficiently and effectively to deliver a coastal program is focusing the activities of many different government sectors in an integrated manner. This is not easily accomplished when the majority of governments are established along sectoral divisions and the responsibility for delivering services and functions is assigned to different government agencies.<sup>38</sup>

Cicin-Sain and Knecht maintain that any proposed initiative in the public sector will likely face barriers to acceptance and implementation.<sup>39</sup> They identify four common kinds of resistance including bureaucratic inertia, turf protection, ideological opposition, and opposition from economic interests (see Table 1). ICM can be seen by some government agencies as altering the existing power balance. This makes the probability for opposition to ICM programs relatively high. To counter such opposition, Cicin-Sain and Knecht recommend the development of a well-written, well-reasoned document, which clearly indicates what ICM is and what it is not. Also the participation of agencies with important sectoral management authority in coastal and ocean areas is vital to a program’s success. With this in mind, it is recommended that a team representing all

<sup>36</sup> Kay and Alder 1999:76

<sup>37</sup> Sorensen 2000:8

<sup>38</sup> Kay and Alder 1999:72

<sup>39</sup> Cicin-Sain, B and R. W. Knecht. *Integrated Coastal and Ocean Management: Concepts and Practices*. Island Press: Washington, DC.

involved or affected agencies be established right from the beginning. This team would then be able to make collaborative recommendations on the institutional aspects of the ICM program, including the nature and operation of how collaboration is to occur.

**Table 1 : Barriers to Initiation of ICM** <sup>40</sup>

***Bureaucratic Inertia:*** Resistance to change of any sort.

***Turf:*** Opposition to changes seen as competing with or threatening an agency or resource base.

***Ideological Opposition:*** Based on fundamental difference, such as opposition to larger government.

***Opposition from Economic Interests:*** Tied to existing patterns of ocean and coastal use that are benefiting from the status quo.

### 3.2 Integrated Coastal Planning in Practice

Internationally, new approaches to coastal zone planning have sought to clearly define the different roles of government.<sup>41</sup> In New Zealand, the review of existing resource legislation led to the development of the *Resource Management Act*, which specifies a new arrangement between different levels of government:

- *National level:* Broad policy formulation and decision-making on matters of major significance to the coastal or the nation as a whole. Integration at a policy level with other sectors;
- *Provincial level:* Detailed planning for coastal and inland waters and broad level guidance for the management of the coastal land. Integration at a planning level with other sectors;
- *Local level:* Detailed coastal land-use planning.<sup>42</sup>

In the United States, approximately ten of the state coastal zone management programs require local governments to prepare a local coastal plan based on state guidelines.<sup>43</sup> Maine is a leader in coastal land conservation that is recognized for incorporating citizen involvement, non-profit conservation organizations and a

<sup>40</sup> Cicin-Sain, B and R. W. Knecht. 1998. *Integrated Coastal and Ocean Management: Concepts and Practices*. Island Press: Washington, DC: 128

<sup>41</sup> For an overview of international coastal management initiatives see B. Hoff. 2004. Interim Report – Sustainable Coastal Strategy Coalition. Tourism Industry of Nova Scotia. Halifax, NS.

<sup>42</sup> OECD. 1993. *Coastal Zone Management: Integrated Policies*. Paris: Organization for Economic Cooperation and Development:34

<sup>43</sup> Sorensen 2000: 2-1

variety of state laws and programs focusing on the coast. Maine's State Planning Office coordinates the Coastal Zone Management Program, a federal program which provides funding and policy guidance to participating coastal states on policy and management issues. The program coordinates the development of marine policy issues facing the state of Maine. Federal and state agencies and interested citizens work together with the guidance of the coastal program to resolve conflicts and develop policy. The local land-use plans address natural resource protection and are developed by each municipal government with technical assistance from the Office of Comprehensive Planning. A strong conservation tool in Maine is the Shoreland Zoning Law implemented at the local government level in coastal towns. This law regulates land-use activities along the coastline that are overseen by the Department of Environmental Protection.<sup>44</sup> Similarly, California's 73 local jurisdictions that border the coast have a legal obligation to prepare Local Coastal Plans (LCPs). LCPs must be approved by the (state-wide) California Coastal Commission before implementation is delegated to the local jurisdictions.<sup>45</sup>

Recognizing that pollution in terrestrial and marine environments does not follow political or jurisdictional boundaries, recent conservation initiatives have begun to approach planning on a watershed scale. The Gulf of Maine is recognized as one of the world's most productive water bodies. The deterioration of the health of coastal ecosystems poses a risk to the ecological integrity and productivity of the Gulf of Maine including the Bay of Fundy. The Gulf of Maine Council on the Marine Environment, created in 1989 consists of representatives appointed by the Governors of Massachusetts, New Hampshire and Maine and the Premiers of New Brunswick and Nova Scotia. The Council provides a framework to promote trans-boundary and regional cooperation on ocean and coastal policy between and among the US states and the Canadian Provinces. Their mission is to "maintain and enhance environmental quality and allow for sustainable resource use by existing and future generations"<sup>46</sup>.

New Brunswick's Coastal Policy regulates the type and location of development in or adjacent to, the coastal zone. The policy defines zones of varying degrees of sensitivity and ecological significance.<sup>47</sup> Although this policy has zoning implications, it has yet to incorporate mitigation measures addressing upstream pollution sources and their effects on marine and coastal ecosystems.

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<sup>44</sup> Tyler, H. R. Jr. 1994. *Marine areas conservation: A North Atlantic perspective. Proceedings of a Workshop hosted by the Australian Nature Conservation Agency and Supported by UNESCO.* Caberra. Available at: <http://www.deh.gov.au/coasts/mpa/nrsmpa/paradigm/tyler.html>. Accessed 28 March 2004.

<sup>45</sup> Sorenson 2000:3-10

<sup>46</sup> Testimony of Tom Skinner Assistance Secretary for Coastal and Marine and Director of the Massachusetts Office of Coastal Zone Management. Testifying as Chair of the Gulf of Maine Council on the Marine Environment on Ocean Policy Panel on Regional Coordination of Ocean Policy. Boston, Massachusetts. July 24, 2002.

<sup>47</sup> Government of New Brunswick. 2002. *New Brunswick Coastal Policy.* The Sustainable Planning Branch, NB. Department of the Environment and Local Government, Fredericton, NB. Available at: <http://www.gnb.ca/0009/0371/0002/Coastal-E.html>. Accessed 28 March 2004.

## 4. Citizen Participation in Planning

### 4.1 The Necessity for Public Participation in ICM

Citizen participation is regarded as a key component in the planning process. Generally, planners accept that the principles of public participation are important to producing long-lasting, effective plans.<sup>48</sup> Many states and provinces have mandated citizen involvement in planning. However, research has shown that the choices made by planners can affect the level of citizen involvement achieved in the actual development of the plan.<sup>49</sup> Some planners and politicians measure the success of a program by the number of participants, however citizens are growing increasingly disillusioned with a process that takes up much of their time while making little difference in the quality of their everyday lives.<sup>50</sup>

Gilman states that intervention strategies for ocean and coastal management should begin with direct involvement of all interest groups at the earliest stage of the project. The degree of involvement depends on the social and economic context of the site. Higher levels of participation tend to occur in the planning and implementation of management interventions at rural sites in comparison to urban areas where there are more environmental and social complexities.<sup>51</sup>

The importance of public participation and consensus building cannot be underestimated. Although many resources are devoted toward resolving the complex webs of jurisdiction and institutional capacity regarding ICM, Cicin-Sain and Knecht illustrate that the overarching objective of ICM is to ensure that the coastal and ocean areas serve users and the public in an equitable and sustainable way.<sup>52</sup> They argue that users and the public should be brought into the ICM process early for the following reasons:

- The input of those who use and rely on the use of the coastal zone is of great importance in the design of the ICM process. Users have valuable insights regarding management needs and the economic opportunities the ICM program addresses.
- Support of the coastal resource users for the development and implementation of an ICM program is critical to its success.

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<sup>48</sup> Brody, S.D., D.R. Godschalk and R.J. Burby. 2003. Mandating Citizen Participation in Plan Making: Six Strategic Planning Choices. *Journal of the American Planning Association*. 69(3) 245-264. p.261

<sup>49</sup> Brody et. al. 2003

<sup>50</sup> MacGregor, S. 2000. Fiddling While Rome Burns? Sustainable Communities and the Politics of Citizen Participation. *WE International*. 48/49: 21-24.

<sup>51</sup> Gilman 2002:383

<sup>52</sup> Cicin-Sain and Knecht 1998:129

- Increasingly, governments are finding it necessary to develop private-public partnerships to fully accomplish the goals of their resource management programs. This is especially true with economic development initiatives related to coastal and ocean resources such as those that might be included in an ICM program.<sup>53</sup>

#### **4.2 Traditional Planning and the Struggle of Power Redistribution**

In traditional planning processes, government bureaucrats and elected officials make decisions on behalf of the communities they represent. If communities are unhappy with a decision, their recourse is to remove the elected representative at the next election. This process, which only allows communities to vote every three to five years, gives community members a limited ability to influence decision-making on a wide range of issues.

One of the challenges in moving forward with ICM is recognized by Hildebrand who states: “there is relatively little decentralization of power to lower levels of governance, particularly the local communities and/or resource users who usually determine the success or failure of sustainable development efforts.”<sup>54</sup> Participation without redistribution of power is an empty and frustrating process.<sup>55</sup> Organizations that use citizen participation to enhance planning practices should focus on the degree to which participants are empowered to make decisions. Participation without some degree of power implies tokenism and may inhibit efforts to develop consensus around planning issues.<sup>56</sup> The challenge in providing mechanisms for communities to have a say in their future is that politicians often perceive their mandate as elected officials is jeopardized.<sup>57</sup>

#### **4.3 Community-based Approaches to Planning**

Community-based planning, collaborative planning and co-management gives people more power and responsibility to determine the future. These approaches do not replace the need for elected officials and bureaucrats; they are in-essence complementary, providing concrete, publicly acceptable plans from a

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<sup>53</sup> Cicin-Sain and Knecht 1998:130

<sup>54</sup> Hildebrand, L. 2002. Integrated Coastal Management: Lessons Learned and Challenges Ahead. Discussion document for Managing Shared Water. Coastal Zone Canada 2002. International Conference. Hamilton, ON (June 23-28, 2002):7

<sup>55</sup> Arnstein, S. 1969. A Ladder of Citizen Participation. *Journal of American Institute of Planners*. 35:216-224.

<sup>56</sup> Julian, D.A., T.M. Reischl, R.V Carrick, and C. Katrenick. 1997. Citizen Participation – Lessons from a Local United Way Planning Process. *Journal of the American Planning Association* 63(3): 345-354 (p.345)

<sup>57</sup> Donaldson, C. 1994. An unholy alliance: Working with Coastal Communities, A practioner’s perspective, p.696-706. In P. Wells and P. Ricketts, Coastal Zone Canada ’94, Cooperation in the Coastal Zone: Conference Proceedings. September 20-23, 1994. Halifax, NS: Coastal Zone Canada Association.

broad-based community perspective. With community-based approach, it is the process of planning, rather than the concept of planning that changes.<sup>58</sup>

Co-management, can be broadly defined “as systems that enable sharing of decision-making power, responsibility and risk between government and stakeholders.” In the context of the ocean, “it is an arrangement by which responsibility for resource management and ocean stewardship is shared between government and stakeholders who are applying an integrated approach to management with the objective of maintaining the ecological integrity of the oceans”<sup>59</sup>

Co-management offers many potential benefits including the facilitation of a change in the roles and the relationships between governments, the direct users of the ocean resource and the broader public. This type of process may be able to avoid the fragmentation inherent to traditional regulatory management. Co-management, until recently, has not been a part of policy frameworks in Canada, therefore experience with this approach is limited. Successful co-management regimes have several things in common, a strong supporting institution, effective engagement of stakeholders, and capacity-building mechanisms.<sup>60</sup> In 1998, the National Round Table of the Environment and the Economy produced a document entitled *Sustainable Strategies for the Oceans: A Co-Management Guide*. This guide stipulates that the success of this approach depends on:

- A competent and trusted supporting institution charged with the implementation of the co-management program;
- Institution regulations supported by funds to operate;
- Identification and consideration of stakeholders’ economic, environmental and social values and aspirations;
- Room for voluntary action;
- Incentive for stakeholders;
- Broadly based stakeholder consultation complemented by effective public consultation;
- Development of capacity within people, communities, governments and other organizations to recognize, document and resolve their own problems.<sup>61</sup>

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<sup>58</sup> Donnelly, K. 1994. Community-based planning for the coastal zone. pp.508-513. In P. Wells and P. Ricketts, Coastal Zone Canada '94, Cooperation in the Coastal Zone: Conference Proceedings. September 20-23, 1994. Halifax, NS: Coastal Zone Canada Association.

<sup>59</sup> NRTEE. 1998.. Sustainable Strategies for Oceans: A Co-Management Guide. The National Round Table on the Environment and the Economy: Ottawa, ON. xvi

<sup>60</sup> NRTEE 1998:xv

<sup>61</sup> NRTEE 1998:xv

Collaborative and community-based management are recognized as effective mechanisms to help address coastal problems at the local level. These types of approaches can assist in integrating environmental and resource management activities into people's everyday lives. A sense of stewardship and responsibility for management is achieved when a community is given the opportunity to make resource decisions that affect their lives.

Although governments are often aware of collaborative and community-based management benefits, the challenge is to facilitate these forms of management.<sup>62</sup> Fiske indicates that "it has become common knowledge among planners that successful planning must involve local people in a substantive, interactive manner".<sup>63</sup> However, there is a tendency for government agencies to apply terms like "community participation" and "co-management" loosely, without full recognition of what such an approach entails in practice.<sup>64</sup> The importance of community participation is known, effective methods to include community groups in marine conservation initiatives are not.

Arnstein maintains that if the planning profession is serious about involving citizens in planning, then the provisions for public participation should be rewritten to strengthen programs.<sup>65</sup> These actions are in the power of the planning profession and can make a difference in ensuring authentic participation, as well as increasing public understanding and support for planning.<sup>66</sup> Hildebrand maintains that capacity building at the community level takes time and requires long-term commitment of ICM practitioners with local stakeholders to ensure that there is ownership over the planning and management arrangement. This process allows the community to better understand why their local ICM effort is in the best interests of their families and communities.<sup>67</sup>

#### **4.4 Other Partners in the Process**

Non-government organizations (NGOs) are active at the national and subnational levels. They are known to facilitate the adoption of ICM programs. NGOs lobby for certain priorities to be addressed on various issues and they often make the effort required to move an issue to the top of an agenda. Their involvement early in the development of an ICM plan can allow government to

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<sup>62</sup> Kay and Alder 1999: 137

<sup>63</sup> Fiske, Shirley J. 1991. Sociocultural Aspects of Establishing Marine Protected Areas. *Ocean & Coastal Management* 18(1992) 25-46. p.40

<sup>64</sup> Walters, B. B. and Butler, M. 1994. Should We See Lobster Buoys in a Marine Park? In *Marine Protected Areas and Sustainable Fisheries*. In N. L. Shackell and M. Willison 1995. *Marine Protected Areas and Sustainable Fisheries*. Wolfville, Nova Scotia: Science and Management of Protected Areas Association. Centre for Wildlife and Conservation Biology at Acadia University: 205-214.

<sup>65</sup> Arnstein 1969

<sup>66</sup> Brody et al. 2003:261

<sup>67</sup> Hildebrand 2002: 9

test the political acceptability of a plan. Their support and involvement can be pivotal in securing approval of a plan.<sup>68</sup>

Trust and confidence in government has been identified as a major obstacle for marine conservation.<sup>69</sup> NGOs can play an important role in promoting community involvement in the establishment of coastal protection programs. NGOs can function as a liaison between government and community groups, which in some cases results in more effective communication and action. NGOs are often well received by the public as they typically work closely with community groups. For example, environmental NGOs can play a catalytic role by conducting information sessions in coastal communities.<sup>70</sup> Individuals and communities who want to be involved in protecting the marine environment are often amazed by the lack of institutional support and legal frameworks.<sup>71</sup> They often turn to NGOs for guidance, additional information and financial support.

#### **4.5 Non-Government Coastal Planning Initiatives**

As mentioned above NGOs are key players in the development of integrated coastal plans. Hoff outlined some key non-government groups and initiatives identified in the Tourism Industry Association of Nova Scotia's Sustainable Coastal Tourism Strategy:<sup>72</sup>

**The Gulf of Maine Council on the Marine Environment (GOM)** is a powerful organization with representation from both American states and Canadian provinces adjacent to the Gulf of Maine (from Massachusetts to Nova Scotia). This organization has created a network of government and non-government individuals and organizations that have united over their concern with the quality of the coastline and marine environment in the Gulf of Maine. With representation by individuals within government, industry and other organizations and agencies, the Council is involved in research, organizes conferences and public education, forms stakeholder partnerships, performs environmental monitoring and supports initiatives to promote a healthy Gulf. Specific on-the-ground efforts include a number of salt marsh reclamation projects

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<sup>68</sup> Cicin-Sain and Knecht. 1998:143

<sup>69</sup> Fenton, D., Macnab, P., Simms, J., and Duggan D. 2000. Developing Marine Protected Area Programs in Atlantic Canada- A Summary of Community Development and Discussions to Date. Unpublished Document for publication in Conference Proceedings of the Science and Management of Protected Areas IV held at University of Waterloo, May 14-29, 2000.

<sup>70</sup> Fenton et al. 2000

<sup>71</sup> Wernick, B. 1994. Community-Based Planning of Marine Protected Areas: The Role of Environmental Non-Government Organizations. In *Coastal Zone Canada '94, 'Cooperation in the Coastal Zone': Conference Proceedings*, Volume 2, In P.G. Wells and P.J. Rocketts. Coastal Zone Canada Association, Bedford Institute of Oceanography, Dartmouth, Nova Scotia, Canada

<sup>72</sup> The following text and references were taken directly from B. Hoff's (November 2 2004). Interim Report prepared for The Sustainable Coastal Strategy for Tourism. Halifax, NS.

and a comprehensive seabed-mapping program for the entire Gulf.<sup>73</sup>

**The Bay of Fundy Ecosystem Partnership (BoFEP)** is similar in approach to the GOM but represents the interests of New Brunswick and Nova Scotia. Their efforts have focused on coordinating multiple coastal and ocean management efforts, from water quality monitoring to full ecosystem assessment of the Bay.<sup>74</sup> Membership includes community groups and individuals, both government and non-government.

**The Atlantic Coastal Action Program (ACAP)** is included in non-government initiatives because of the grassroots nature of each individual ACAP program. While supported by Environment Canada (EC), initiatives are carried out by local community members. The programs are a successful example of working community involvement in coastal management. Additionally, when EC funding runs out, the groups involved will again be self-supporting.

**The Clean Annapolis River Project (CARP)** is a program supported by ACAP. One of the most successful ACAP-supported project, CARP has been in existence since 1990 and supports a wide variety of initiatives, including watershed and coastal management, community education, pollution prevention and water quality monitoring.<sup>75</sup> ACAP programs such as CARP are expected to lay the groundwork for community involvement in improving the quality of the environment.<sup>76</sup>

**Coastal Communities Network (CCN)** is an organization dedicated to promoting sustainable development within Nova Scotia's coastal and rural communities.<sup>77</sup> CCN represents many coastal and rural community organizations. CCN has recently published a report entitled "Between the land and the sea: the social and economic importance of wharves and harbours in Nova Scotia." This report highlights the changing nature of coastal communities and the need for action to be taken to protect these

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<sup>73</sup> Gulf of Maine Council on the Marine Environment. 2004. <http://www.gulfofmaine.org/>. July 18, 2004.

<sup>74</sup> Bay of Fundy Ecosystem Partnership. 2004. <http://www.bofep.org>. July 19, 2004.

<sup>75</sup> Clean Annapolis River Project. 2004. <http://www.annapolisriver.ca/mission.htm>. August 3, 2004.

<sup>76</sup> Robinson, Guy M. 1997. "Community-based planning: Canada's Atlantic Coastal Action Program." *The Geographical Journal* 163, 1: 25-37.

<sup>77</sup> Coastal Communities Network. 2004. <http://www.coastalcommunities.ns.ca/>. August 4, 2004.

communities and manage the coastal zones in which exist and upon which they rely.<sup>78</sup>

**Canadian Climate Impacts and Adaptation Research Network (C-CIARN)** is a national organization with an Atlantic branch that provides a forum for researchers to coordinate research and develop strategies to ameliorate the effects of global climate change.<sup>79</sup> A recent conference dealt with the effects of climate change on coastal trail infrastructure and other tourism resources.

**Coastal Zone Canada Association (CZCA)** is a national organization that supports sustainable management and conservation of Canada's coast. Every other year, CZCA hosts a conference that serves to bring together coastal managers, researchers and planners from all over the country.<sup>80</sup>

**Oceans Management Research Network (OMRN)** is a nationwide interdisciplinary forum with a mandate to bring researchers, managers and policy makers together to provide timely and innovative information concerning oceans management.

**Atlantic Coastal Zone Information Steering Committee (ACZISC):** An information sharing and networking organization devoted to integrated coastal and ocean management. In partnership with the Oceans Institute of Canada, ACZISC periodically commissions comprehensive analyses of the economic value of coastal and ocean resources for each of the Atlantic Provinces. The ACZISC website also serves as a valuable resource for coastal management research and initiatives, and a monthly email newsletter serves to communicate current events and issues in coastal management.<sup>81</sup> Membership includes representatives from the Department of Fisheries and Oceans, Environment Canada, Department of Aquaculture and Fisheries, C-CIARN and other agencies and organizations involved in coastal management.

**Bay of Fundy Tourism Partnership:** An organization that supports and promotes the development of the Bay of Fundy as a global destination for sustainable, high quality nature Tourism.

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<sup>78</sup> Coastal Communities Network. 2004. "Between the land and the sea: The social and economic importance of wharves and harbours in Nova Scotia." Pictou, Nova Scotia.

<sup>79</sup> Canadian Climate Impacts and Adaptation Research Network. 2004. <http://www.dal.ca/~cciarn/>. August 3, 2004.

<sup>80</sup> Coastal Zone Canada Association. 2004. <http://www.czca-azcc.org/English.htm>. July 17, 2004.

<sup>81</sup> Atlantic Coastal Zone Information Steering Committee. 2004. <http://www.dal.ca/aczisc/>. June 23, 2004.

The program is supported by tourism operators as well as government agencies such as the Atlantic Canada Opportunities Agency (ACOA).<sup>82</sup> While the key objective is to increase tourism revenues, this partnership supports sustainable tourism use of the coastline in the Bay of Fundy and promotes inter-provincial dialogue concerning responsible use of the coastline.

**Southern Gulf of St. Lawrence Coalition on Sustainability (SGSLCS):** A coalition that includes membership of all maritime provinces and Quebec that supports the sustainable use of the Southern Gulf of St. Lawrence ecosystem and its communities.<sup>83</sup>

**Nova Scotia Nature Trust (NSNT), Nature Conservancy of Canada (NCC):** These organizations work to protect land from development through land purchase or conservation easement agreements.<sup>84, 85</sup>

**Nova Scotia Coastal Coalition:** This newly formed organization has brought together a number of organizations from throughout Nova Scotia to pressure the provincial government for better coastal management strategies. Organizations involved include small local groups such as the Kingsburg Coastal Conservancy and larger groups such as the Coastal Communities Network, which in turn represents many smaller community groups. The Tourism Industry Association of Nova Scotia has played a strong role in the development of this group through its business-oriented perspective.

**Genuine Progress Index Atlantic (GPI Atlantic)** is a non-profit research organization committed to developing a new measure of progress that includes sustainability, well-being and quality of life. The research of GPI Atlantic is concerned with the entire economic costs of various issues and has determined the value of Nova Scotia's water resources and the cost of its degradation, the long-term value of the Halifax Harbour clean-up and the actual value of Nova Scotia's fisheries.<sup>86</sup>

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<sup>82</sup> Bay of Fundy Tourism Partnership. 2004.

<http://www.bayoffundytourism.com/welcomepage.htm>. July 9, 2004.

<sup>83</sup> Southern Gulf of St. Lawrence Coalition on Sustainability. 2004. <http://www.coalition-sgsl.ca/main/en/about.html>. July 23, 2004.

<sup>84</sup> Nova Scotia Nature Trust. 2004. <http://www.nsnt.ca/>. July 17, 2004.

<sup>85</sup> Nature Conservancy of Canada. 2004.

[http://www.natureconservancy.ca/files/frame.asp?lang=e\\_&region=1&sec=welcome](http://www.natureconservancy.ca/files/frame.asp?lang=e_&region=1&sec=welcome). July 17, 2004.

<sup>86</sup> Genuine Progress Index Atlantic. 2004. <http://www.gpiatlantic.org>. June 24, 2004.

**The Tourism Industry Association of Nova Scotia** is a membership-driven organization that acts as an advocate for tourism in Nova Scotia. TIANNS has taken ownership of recommendation 3 of the *Vision for Tourism* and has led the process to develop a Sustainable Coastal Strategy for Tourism.

# 5. Jurisdictional Framework for Coastal Planning in Nova Scotia

## 5.1 The International Policy Context

Coastal planning is important because the coastal zone is the primary area for human settlement. This issue was formally recognized in 1995 when more than 100 nations, including Canada, joined in adopting the Global Programme of Action for the Protection of the Marine Environment from Land Based Activity (GPA). This program builds on the 1985 Montreal Guidelines for the Protection of the Marine Environment against Pollution from Land-based activity and urges governments to develop national, sub-regional, and regional programs to address marine degradation.<sup>87</sup>

## 5.2 Federal Commitment to ICM: Canada's Ocean's Act

Canada's 1997 *Ocean's Act* states that the Minister of Fisheries and Oceans is to lead the development and implementation of a national strategy for oceans management based on the principles of 1) sustainable development; 2) integrated management of activities in estuaries, coastal and marine waters; and 3) the precautionary approach (a commitment to err on the side of caution). The *Act* assigns a leadership role to the Minister of Fisheries and Ocean in the stewardship of Canada's Oceans and the development of a national strategy for the management of all activities in or affecting estuaries, coastal and marine areas.<sup>88</sup> Its approach is based on the premise of collaboration and co-operation, and respect for assigned constitutional and legislative responsibilities. The *Act* also provides the Minister with some basic authority and management tools to be used in the context of coastal planning, including the development of integrated coastal zone management plans. However, the *Act* does not define who will develop the coastal plans and how they will be recognized. It also does not clearly define the roles of different levels of government and coastal communities in the development of integrated management plans.

*Canada's Ocean Strategy* supports the principles under the *Oceans Act* and was developed to provide a new strategic management framework to involve all levels of government and interests to work together to achieve common goals.<sup>89</sup> The strategy addresses oceans governance, stating that the federal government "will develop, support and promote activities to establish institutional governance mechanisms to enhance coordinated collaborative decision-making

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<sup>87</sup> Pederson, J. & D. VanderZwaag. 1997. Sustaining Resources in the Gulf of Maine: Toward Regional Management Actions. Working Paper. Global Programme of Action Coalition for the Gulf of Maine.

<sup>88</sup> Government of Canada. 2002a. Canada's Ocean Strategy. Ottawa, ON: Fisheries and Oceans Canada. p.6

<sup>89</sup> Government of Canada 2002a:7

across the federal government and with other levels of government”.<sup>90</sup> It recognizes that the federal government has responsibilities for the stewardship and management of Canada’s oceans and resources and emphasized the roles and responsibilities for provincial, territorial and local governments. Provinces are responsible for provincial lands, the shoreline and specific seabed areas. Municipalities are responsible primarily for land-based activities affecting the marine environment.

Canada’s Ocean’s Strategy recognizes the importance involvement of coastal communities in ocean planning and management stating that:

Canadians have expressed a desire to be more engaged in ocean management. The Strategy offers Canadians the opportunity for greater and more direct involvement in policy and management decisions that affect their lives. Coastal communities will be actively involved in the development, promotion, and implementation of sustainable ocean activities, as integrated management planning will offer this kind of direct opportunity. In this way there is a more viable planning process, associated action relevant to the area, and there is “on the ground” expertise and capacity for implementation, monitoring and compliance promotion.<sup>91</sup>

The *Strategy* outlines the overall strategic framework for Canada’s ocean-related programs and policies. The central governance mechanism of the Strategy is to apply the principles of the *Oceans Act* through integrated management and collaboration, stating:

At the heart of ICM is a commitment to citizen engagement in the broadest sense, including all levels of government, Aboriginal groups, corporate and sectoral interests, community interests, non-governmental organizations, and Canadians generally. The overall objective is to create governance mechanisms that foster a greater involvement of the people most affected by the decisions.<sup>92</sup>

The Strategy also proposes the implementation of a program of Integrated Management Planning by means of establishing advisory bodies to balance the opportunities for conservation and protection of ecosystems while providing opportunities for creating economic wealth in ocean related activities and coastal communities. This approach is to be based on the principles of conflict management, collaboration, flexibility, transparency and collaboration while

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<sup>90</sup> Government of Canada 2002a:19

<sup>91</sup> Government of Canada 2002a: 8

<sup>92</sup> Government of Canada. 2002. *Canada’s Ocean Strategy: Policy and Operational Framework for Integrated Management of Estuaries, Coastal and Marine Environments in Canada*. Fisheries and Oceans Canada, Ocean Directorate: Ottawa, ON. p.11

recognizing constitutional and departmental authority as well as Aboriginal treaty rights. It maintains that institutional arrangements will facilitate the sharing of information, consultation with stakeholders, participation in the planning process including the design, implementation, and monitoring of coastal and oceans management plans. With this approach, partners who enter into agreements on ocean and coastal management plans do so with specific responsibilities, powers and obligations. The Framework proposes an integrated management body (IMB) illustrated in Figure 3, comprised of government and non-government interests in a given location.<sup>93</sup> The IMB is to be composed of members of government departments and NGOs. They are to represent the interests of a specified ocean area while maintaining a commitment to the integrated management process. As the integrated management plan matures, the value of the process should inspire others to get involved. In areas of light use and impact, the IMBs would focus on information and consulting with local interests. In these instances the IMB would focus on information sharing and establishing collective visions, goals and objectives for the management area.

The governance model proposed by Fisheries and Oceans Canada defines an integrated management process outlining the role of federal, provincial, territorial and regional authorities, aboriginal organizations and communities, industry, resource users, non-governmental organizations and the academic, science and research communities. With regard to the role of community groups DFO states:

In Coastal Management Areas, local community groups and individuals will play essential roles in helping to understand the management area and issues, ensuring that the planning process and associated actions are relevant to the area and providing “on the ground” expertise and capacity for plan implementation, monitoring and compliance promotion.<sup>94</sup>

The role of Fisheries and Oceans Canada is to be a provider of scientific knowledge about the marine environment and facilitator for integration of scientific, social and traditional knowledge. This arrangement may also involve the delivery of federal or other programs to be delivered by local authorities. Integrated management is recognized as a means of information sharing and improving the understanding among communities, interested parties and government representatives. The information promotes a greater understanding of:

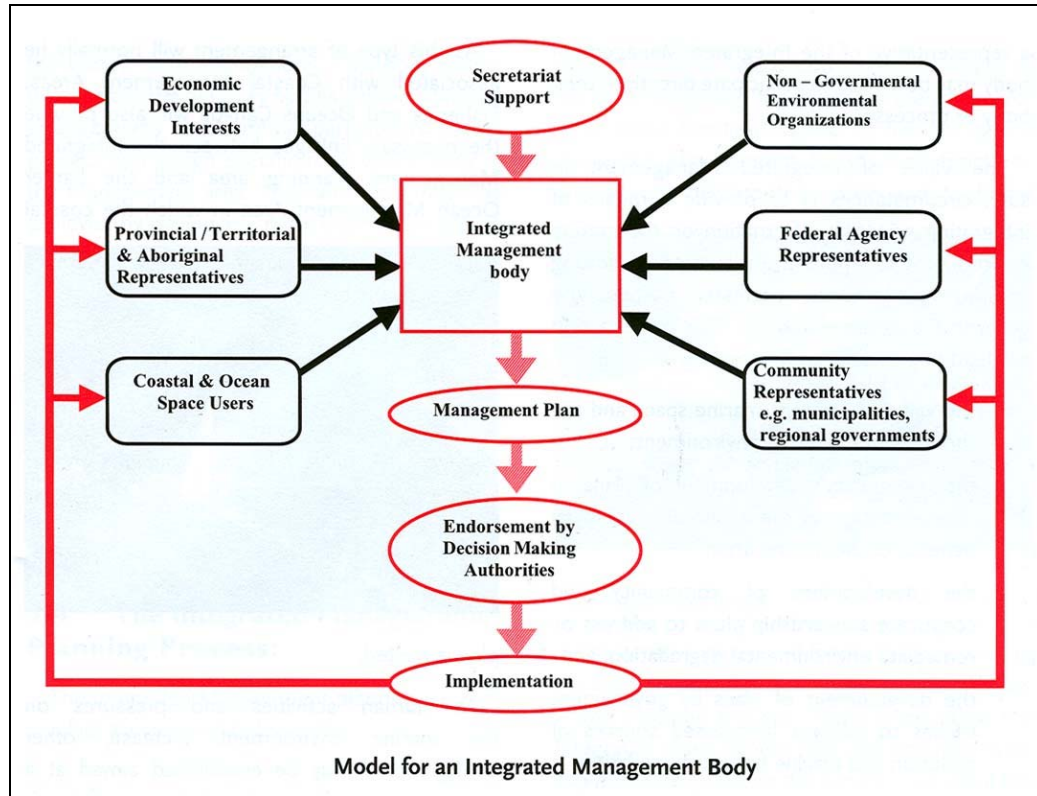
- The value of adjacent marine space and the threats to the marine environment

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<sup>93</sup> Government of Canada 2002a

<sup>94</sup> Government of Canada 2002b: 13

- The community's development of plans to take advantage of the economic and social benefits of the marine area;
- The development of community and corporate stewardship plans to address or remediate environmental degradation; and the development of plans by government bodies to address land-based sources of pollution and marine habitat degradation.<sup>95</sup>



**Figure 3:** DFO Model for an Integrated Management Body<sup>96</sup>

Following these publications, the DFO published a report “*A Guide to Land Use Planning in Coastal Areas of the Maritime Provinces*”,<sup>97</sup> The report recognizes that land-use planning is an essential element in the integrated management of Canada’s coastal zone. The guide was developed to assist in coastal land use planning. It stipulates that community participation can assist coastal management and planning through means of collaborative and

<sup>95</sup> Government of Canada 2002b: 22

<sup>96</sup> Government of Canada. 2002b. *Canada's Ocean Strategy: Policy and Operational Framework for Integrated Management of Estuarine, Coastal and Marine Environments in Canada*. Ottawa. ON: Fisheries and Oceans Canada. p.21

<sup>97</sup> Stewart et al. 2003

community-based management approaches to address local coastal problems.<sup>98</sup>  
Principles for land-use planning in the coastal zone included:

- Planning activities should occur within the broader context of collaborative approaches to coastal management, including the use of inclusive and transparent planning, advisory and decision-making processes involving all interested and affected parties;
- Land-use planning should, where ever possible, follow an integrated approach, in which planning activities are always considered together with other issues, concerns or activities. Integrated approaches should be included in planning strategies and other formal planning mechanisms;
- Planning in coastal areas should consider not only the coastal zone, but also adjacent lands that form the coastal watershed, and should consider, or be based on, watershed wherever possible;
- At a minimum, land-use plans should institute buffer zones adjacent to the coast and to surface waters to allow special control of activities;
- Land-use planning should be use the precautionary approaches to “err on the side of caution” when measures potentially affect the natural environment or human uses of land. Precautionary approaches can reduce the cost of corrective measures at a later date;
- Short and long-term planning and development goals should be considered.<sup>99</sup>

### **5.3 The Role of the Government of Nova Scotia in ICM**

The NS Department of Environment and Labour (NSDEL) has authority to manage watercourses and specify buffer zones for coastal and riparian areas under the *Environment Act*.<sup>100</sup> Watercourses as defined by the *Act*, refer “to the bed and shore of every river, stream, lake, creek, pond, spring, lagoon or other natural body of water, and the water therein, within the jurisdiction of the Province, whether it contains water or not, and all ground water”<sup>101</sup>. Watershed, as defined by the *Act* is specified as “the area drained by, or contributing to a stream, lake or

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<sup>98</sup> Stewart *et al.* 2003

<sup>99</sup> Stewart *et al.* 2003: 4-5

<sup>100</sup> Timmer, D. 2002. Watershed Management – Annapolis Valley. Guelph Water Management Group, University of Guelph. Available at:

[http://www.uoguelph.ca/gwmg/wcp\\_home/Pages/A\\_ia\\_wm.htm](http://www.uoguelph.ca/gwmg/wcp_home/Pages/A_ia_wm.htm)

<sup>101</sup> *Environment Act*. R.S.N.S 1994-95, c. 1, s. 1. s.3(be)

other body or water”<sup>102</sup>. The *Environment Act* takes precedence over all other provincial legislation.

Section five of the *Act* specifies that municipal bylaws can provide for protection measures that are in excess of those specified in the *Act*. This clause is unique to the province of Nova Scotia. It allows municipalities the ability to specify more strenuous conservation measures if deemed necessary.<sup>103</sup> Under the *Act*, the Nova Scotia Department of Environment and Labour (NSDEL) is charged with tasks which include: the promotion of sustainable development and pollution prevention; establishment and administration of policies and programs pertaining to the protection and stewardship of the environment; promotion and rehabilitation of degraded areas of the environment; and consultations with, and the coordination of activities with other departments, government agencies, municipalities and other persons.<sup>104</sup> These provisions imply that the Province can develop policies for protection of the environment, such as coastal areas under a framework of integrated planning and management.

The notion of integrated coastal planning is not a new concept for the Province. In 1994, Nova Scotia prepared a plan entitled *Coastal 2000*. This plan articulated a number of objectives with regards to integrated coastal area management addressing municipal and industrial non-point pollution sources by the year 2000.<sup>105</sup> In *Coastal 2000*, the provincial government’s role as a facilitator and promoter of community-based action was emphasized. It recognized the role of the Departments of Fisheries and Oceans as the lead coordinator of the initiative.<sup>106</sup> Integrated management served as the foundation to *Coastal 2000*. The program objectives were to be met through partnerships among community organizations, private businesses, the academic community, and all three levels of government stating:

Not only does Coastal 2000 address the breadth and complexity of coastal management in an innovative way, but also it proposes an administrative and legislative structure that will ensure that an integrated, cross-sectoral and multi-disciplinary policy is implemented. It will also ensure that we reach out beyond the traditional boundaries of decision-making and develop a truly meaningful, community-based approach to managing our coastal resources and environments.<sup>107</sup>

One of the goals outlined in the strategy was to define the institutional framework and responsibility for coastal zone management. Its objectives included 1) the simplification of approval processes for projects in the coastal zone; 2) reduction

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<sup>102</sup> *Environment Act*. R.S.N.S 1994-95, c. 1, s. 1. s.3(bf)

<sup>103</sup> *Environment Act*. R.S.N.S 1994-1995 c1 s.5

<sup>104</sup> *Environment Act*. R.S.N.S 1994-1995 c1 s.8(2)

<sup>105</sup> Nova Scotia Department of Environment and Nova Scotia Department of Fisheries. 1994

<sup>106</sup> Nova Scotia Department of Environment and Nova Scotia Department of Fisheries 1994:3

<sup>107</sup> Nova Scotia Department of Environment and Nova Scotia Department of Fisheries. 1994:3

of legislative duplication, jurisdictional overlap and resolution of transboundary impacts; and 3) improvement of intragovernmental cooperation and coordination.<sup>108</sup> As part of this structure, an intergovernmental committee comprised of senior federal and provincial government representatives, and NGOs selected on the basis of expertise, knowledge and leadership in their own field was proposed.<sup>109</sup> The *Coastal 2000* program never materialized. It is unclear whether its goals were too lofty or its objectives were contradictory or demanded too much accountability.<sup>110</sup>

Following the unveiling of the *Ocean's Act* in 1997, a federal document entitled "*The Role of the Provincial and Territorial Government in the Oceans Sector*" was published. Its purpose was to contribute to a broader understanding of the Canadian legislative framework required for the management of ocean activities.<sup>111</sup> In reference to the province of Nova Scotia, the document stated:

Integrated resources management and coastal planning initiatives are taking on a high profile and will become integral to Nova Scotia's activities in the oceans sector.<sup>112</sup>

Yet, in seven years time the province and other governments and communities are struggling to move forth with coastal planning.

### *Provincial Statement of Interest: Partial Authority to Impose development of Coastal Plans*

Unlike states such as Maine and California and provinces such as New Brunswick, Nova Scotia cannot require that municipal governments prepare coastal plans. With the province being divided into 55 municipal units, all lands are incorporated under the jurisdiction of municipal governments. Approximately 85% of the population and about 45% of land mass is covered by municipal plans (see Figure 4).

Although provincial authority requiring municipalities to develop plans initially appeared in the earlier versions of the Municipal Government Act (MGA), this power eventually disappeared from more recent versions of the MGA.<sup>113</sup>

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<sup>108</sup> Nova Scotia Department of Environment and Nova Scotia Department of Fisheries 1994:25

<sup>109</sup> Nova Scotia Department of Environment and Nova Scotia Department of Fisheries. 1994:26-27

<sup>110</sup> Hoff 2004

<sup>111</sup> Fisheries and Ocean Canada. 1997. *The Role of the Provincial and Territorial Government in the Oceans Sector*. Ottawa, ON: Minister of Public Works and Government Services Canada.

<sup>112</sup> Fisheries and Ocean Canada. 1997:31

<sup>113</sup> Newbould, P. Presentation prepared for the Changing Tides- Taking action on a coastal management plan for Nova Scotia. Corwallis, NS, (November 5-7, 2004). Coordinator of Municipal Planning for the Province of Nova Scotia, Department of Municipal Affairs.

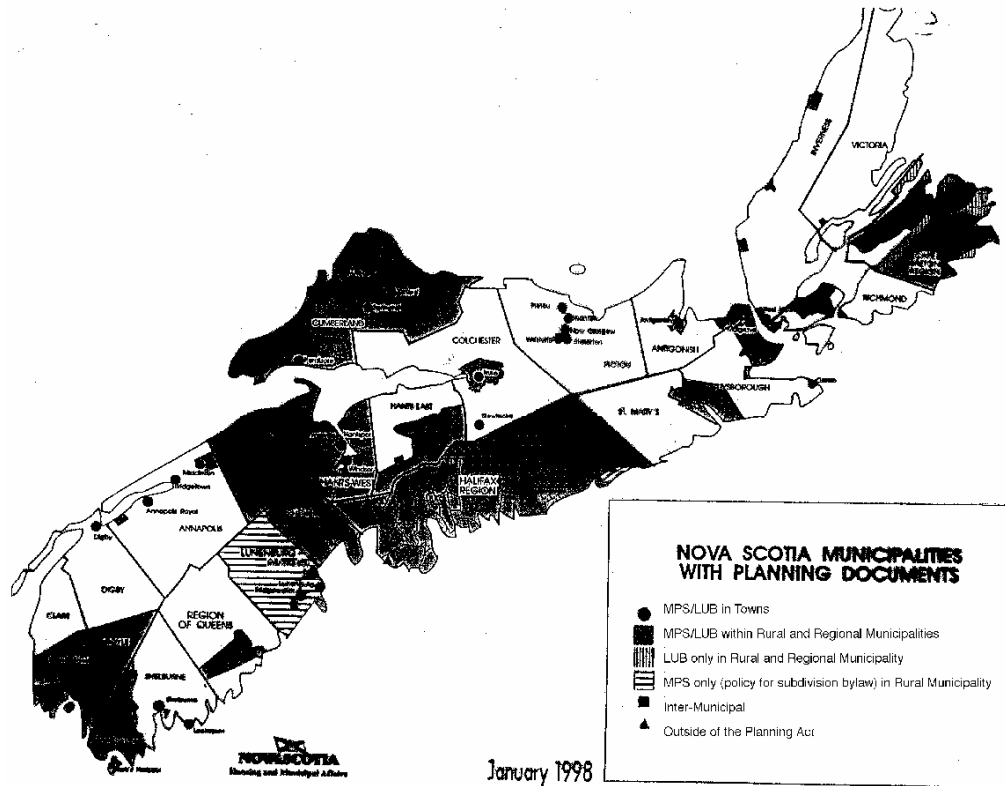


Figure 4: Nova Scotia areas with municipal plans <sup>114</sup>

Under the MGA, a provision exists so that the provincial government can develop SPIs. These statements “serve as guiding principles to help provincial government decisions, municipalities and individuals in making decisions regarding land use”.<sup>115</sup> They support the principles of sustainable development, address issues that are of recognized importance in the province and address issues of growth in communities. Currently the Province has statements of interest for 1) Drinking Water Supply; 2) Flood Risk Areas; 3) Agricultural Land; 4) Infrastructure and 5) Housing. Upon adoption, the Minister may request that a council adopt or amend its planning documents so that they are consistent with a SPI. In cases where development is inconsistent with a SPI, the Minister may, if warranted, establish an interim planning area to protect provincial interests. In these cases, certain classes of development may be regulated or prohibited, and issuing of licenses may be suspended.<sup>116</sup> Under these provisions, the Province could develop a SPI regarding coastal areas. However, councils without planning documents, which comprise of 55% of the province would have only to follow the provision under the Provincial Building Code. Essentially this means that the

<sup>114</sup> Ibid.

<sup>115</sup> Province of Nova Scotia. 2004. Land Use Planning: Provincial Interest Statements. Available at: <http://www.gov.ns.ca/snsnr/muns/plan/provint/intro.asp>. Accessed 01 Nov 04.

<sup>116</sup> *Municipal Government Act*. R.S.N.S 1998 s.193, 198

province has no authority over coastal planning activities in these regions unless activity triggers provisions for environment protection under the *Environment Act*. Without changes to the MGA with regard to authority over municipal planning, community capacity building in ICM is an absolute necessity.

### *Nova Scotia's Commitment to Community Based Coastal Planning*

The provincial government is committed to the promotion of environmental stewardship. The Department of Environment states; “community planning is integral to effective environmental management”. To engage communities and increase capacity for local planning the government has contributed to the development of coastal maps to be used as a planning tool.<sup>117</sup> The Department supports the idea of active communities, where Nova Scotians take charge of the environment. This is to be promoted and implemented through collective efforts with commitment from individuals, communities, businesses and governments. In this role the Department identifies itself as a facilitator, manager, and leader to focus human activities on environmental protection. Through their work with communities and other government departments, the Department contributes to the protection of rivers, lakes, waterways and watersheds to prevent pollution.

Similarly, the Department of Economic Development has developed principles to guide the government's work with communities as a foundation for its proposed Community Development Policy. The proposed policy maintains that sustainable community development works best when community and government work together to ensure 1) respect for local values; 2) sustainability; 3) social inclusion; 4) horizontal and coordinated approach; and 5) transparency and accountability.<sup>118</sup>

### **5.4 Municipal Capacity for Integrated Coastal Planning**

There is no explicit authority over matters relating specifically to environmental protection in the Constitution. The *Constitutional Act* (1867) separates powers that can be exercised by different levels of government. It gives exclusive authority to the Parliament of Canada to all matters regarding the public debt and property, navigable waters, National parks, sea-coast and inland fisheries. In each province the Legislature may make laws in relation to matters regarding the exploration, development, conservation and management of non-renewable natural resources, forestry resources, management and sale of public lands, property and civil rights, and all matters of merely local or private nature of the Province. Municipalities have no status under the Constitution as they are created and assigned powers by the provinces. The *Municipal Government Act*<sup>119</sup>

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<sup>117</sup> Nova Scotia Department of the Environment. Nova Scotia Counts. Department of the Environment Outcome Measures 199-97. Available at: <http://www.gov.ns.ca/enla/ecs/outcom96.htm> Accessed 20Nov04

<sup>118</sup> Province of Nova Scotia. (September 2003). *A Discussion Paper on Community Development*. Halifax, NS. p.8

<sup>119</sup> *Municipal Government Act* R.S.N.S 1998, c.18

and the *Environment Act*<sup>120</sup> defines the environmental jurisdiction of municipalities in regard to environmental matters.<sup>121</sup>

Section 170(2) of the *Municipal Government Act*<sup>122</sup> specifies that in addition to the powers conferred in the *Act* or any other *Act* of the Legislature, a municipality may provide by-laws “for matters incidental or conducive to the exercise of the specified powers”. In regard to planning, section 171 (1) states that these measures include the power to license, regulate and prohibit. The *Act* also states that the council can make bylaws for a number of municipal purposes including the health, wellbeing and protection of persons. The role of the municipality in regards to environmental matters is further recognized by the *Environment Act*<sup>123</sup> which stipulates that a municipal bylaw can provide conditions for the protection of the environment that are in excess of those specified in the *Act*. However, in all cases municipal planning documents must be consistent with and comply with the regulations of the Province.

### *Ability to Regulate in Coastal Environments*

Municipalities only have jurisdiction over land use, but not jurisdiction over surface waters. They have the authority to protect watercourses and regulate the location and density of development within municipal boundaries through zoning bylaws. Under the MGA a watercourse is defined as “a lake, river, stream, ocean or other body of water”.<sup>124</sup> Any development affecting fish habitat would fall under the jurisdiction of the Department of Fisheries and Oceans under the *Fisheries Act*. However, a municipal planning strategy may include statements with reference to:

- protection, use and development of lands within the municipality, including the identification, use and development of lands subject to flooding steep slopes, lands susceptible to subsidence, erosion, or other geological hazards, swamps, marshes or other environmentally sensitive areas.<sup>125</sup>
- retention of trees and vegetation for the purpose of landscaping, buffering, sedimentation or erosion control.<sup>126</sup>

These provisions run contrary to popular belief in that municipal governments *can* impose development provisions in sensitive areas, impose buffers and use zoning

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<sup>120</sup> *Environment Act* R.S.N.S 1994-95, c.1

<sup>121</sup> Tam. L. 2003. Perceived Governance Affecting Ecosystem Planning Approaches: An exploratory case study of the Regional Planning Process of Halifax Regional Municipality. Unpublished Thesis. Halifax, NS: School for Resource and Environmental Studies, Dalhousie University.

<sup>122</sup> *Municipal Government Act* R.S.N.S 1998, c.18

<sup>123</sup> *Environment Act* R.S.N.S 1994-95, c.1 s.5

<sup>124</sup> *Municipal Government Act*, R.S.N.S. 1998 s. 191(r)

<sup>125</sup> *Municipal Government Act*, R.S.N.S. 1998 s. 224 (c)

<sup>126</sup> *Municipal Government Act*, R.S.N.S. 1998 s. 224 (f)

for the protection of watercourses, which, under the stated definition includes coastal areas.

### *Ability to Coordinate Coastal Plans on a Watershed Scale*

Although municipal governments are limited in their ability to work at a watershed scale, the *Municipal Government Act* allows municipalities to have joint planning strategies. The *Act* allows for two or more municipalities to establish joint planning advisory committees.<sup>127</sup> Furthermore, the *Act* allows for the development of specific area plans under the direction of one or more citizen advisory planning committees to advise the government planning advisory committee or the government joint planning advisory committee on planning matters affecting a specific area.<sup>128</sup>

Another possibility presented in the *Act* is the ability for councils from two or more municipalities to adopt a mutually binding inter-municipal planning strategy. Municipal planning strategies can also provide for the preparation and adoption of a secondary planning strategy, which might apply to a specific area or areas of a municipality. The secondary planning strategy allows specific issues to be addressed with respect to a particular planning area, which may not have been adequately addressed in municipal planning strategy.<sup>129</sup> What these provisions imply is that the potential exists municipal councils to create development guidelines for watershed and coastal areas.

### *ICM in Nova Scotia's Municipalities*

#### **Halifax Regional Municipality**

Commitment to integrated management and protection of coastal areas is apparent in the Halifax Regional Municipal (HRM) Regional Plan. HRM recently undertook a regional planning process that included wide public consultation in order to guide physical growth over the next 25 years. The goals and objectives outlined in this regional planning process indicated the need for management at the watershed level, the protection of habitat and natural resources, public access to water and coastal areas, and the protection of areas of regional significance (Table 2):

#### **Table 2: Provisions for coastal conservation under HRM's regional plan**

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<sup>127</sup> *Municipal Government Act*, R.S.N.S. 1998 s. 200(1,2)

<sup>128</sup> *Municipal Government Act*, R.S.N.S. 1998 s. 201(1,2)

<sup>129</sup> *Municipal Government Act*, R.S.N.S. 1998 s. 215-16

**Goal 1.2: Ensure waste discharges of all types do not exceed the carrying capacity of the natural environment (including land, air and water).**

*Objectives:*

1. Use watershed and sub - watershed planning to ensure the preservation of water quality by considering the cumulative impacts of development during planning and development approval processes.
2. Develop regional policy and regulations for sedimentation and erosion control.
3. Identify and protect lands which are inappropriate for extraction of mineral resources, to prevent fragmentation of development, minimize conflicting land uses, and protect public safety.

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**Goal 1.6: Maintain water quality to support drinking water, recreation, fish and wildlife habitat, and natural beauty and to protect the natural function of estuaries, rivers, streams, lakes, flood plains and wetlands.**

*Objectives:*

1. Require undisturbed buffers of vegetation along watercourses are maintained in new developments, to minimize the effects of erosion, protect shorelines, and maintain recreational and habitat value.
2. Consider the cumulative impacts of development on an entire watershed. (watershed management plans are supported by and are consistent with community based planning strategies)
3. Implement Best Management Practices for Stormwater Management in new developments (maintain pre-development hydrological conditions, minimize land disturbance, preserve and utilize natural drainage systems, promote groundwater re-charge, and avoid erosion)
4. Coordinate water resource management activities with Provincial and Federal Agencies and with adjacent municipalities with shared watersheds.
5. Map and Zone land which is located in flood risk areas (including areas subject to coastal inundation, wetlands, and geo-hazard areas), to ensure that only appropriate development occurs within these areas, and that development is prohibited in flood risk areas with sensitive or significant eco-systems.
6. Ensure that coastal zone management is coordinated with the federal and provincial governments and community stewardship groups to protect coastal areas such as beaches, salt marshes and other significant coastal eco-systems. (Reduction in areas closed to shellfish harvesting, implementation of coastal conservation zones)<sup>130</sup>

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<sup>130</sup> Halifax Regional Municipality. 2004. Regional Planning Goals and Objectives. Available at: <http://www.halifax.ca/regionalplanning/RegionalPlanning/Principle1.html>. Access 23Nov04.

HRM has also committed to public involvement in the planning process. Goal 7.4 of the Regional Plan aims to “engage citizens in an ongoing dialogue through education, promotion and public debate on regional and local issues”. The objectives for goal 7.4 state:

- Achieve a high level of satisfaction from members of the public in the quality and timeliness of information that was provided for major decisions;
- Increase the use of innovative public participation tools where appropriate, such as visual preference surveys, design workshops, 3-D modelling and web-based communication;
- Increase level of volunteer participation and public consultation in HRM initiatives;
- Confirm public general understanding and support through routinely undertaking surveys to determine public awareness levels.

### **The Municipality of Queens**

The Municipality of Queens is also developing a regional land use planning strategy that includes a public participation program. A lack of planning in the area has increased the need for public consultation to develop support for land use and development guidelines. The process has revealed a high level of concern for the environment among residents, particularly with regard to the coastline. Upon completion of the public participation program, the planning staff will be responsible for making suggestions about how certain activities will achieve the vision and objectives identified by the committees. For example adopting measures such as building setbacks along rivers, coastal wetlands and the coastline.

### **The Municipality of the District of Chester and the Town of Mahone Bay**

The Municipality of the District of Chester and the Town of Mahone Bay have adopted land use planning designations to address waterfront development and private water-lot ownership. The municipal plan provides regulations regarding density and scale of development, as well as minimum setbacks from the high-water mark (15m or 50ft). For example, the bylaws for Chester’s waterfront include the designation of a Water Access Area from the mean high-water mark out 61meters (200ft) seaward and a Waterfront Residential Area.<sup>131</sup> The regulations also allow for regulatory measures to be imposed at the level of local government. However these measures are perceived as radical and are being challenged by private land owners on the grounds that the regulations are *ultra*

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<sup>131</sup> Municipality of the District of Chester. 2004. “Revised secondary planning strategy and land use by-law.” Chester, Nova Scotia.

*virus*, meaning they do not fall under the authority of the municipal government.<sup>132</sup>

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<sup>132</sup> Geoffery MacDonald. Planning Director, Municipality of the District of Chester. August 5, 2004. Personal Communication in Hoff 2004

## 6. Coordination Among Governments

### 6.1 Proposed Institutional Arrangements for ICM

In order to achieve a truly integrated approach to coastal planning, some have argued for a new model that uses a secretariat to coordinate and facilitate institutional arrangements.<sup>133</sup> In this capacity the secretariat would also act as a central access point for communities to gain information on government programs and funding. This approach is being considered in the context of the proposed Community Development Policy in Nova Scotia. The purpose of the policy is to guide the provincial government departments in their work with communities. In other words, the purpose is to define the government role in supporting communities in their efforts for sustainability.<sup>134</sup> Research on this issue suggests that communities need easy access to government services.<sup>135</sup> To help put this into action, the province has developed a Community Development Lens as a tool to raise awareness and consideration of the possible impacts on communities related to departmental activities and outcomes. Similarly a Community Development Action Plan was developed to clarify the role of government, the methods of coordination and collaboration within provincial government departments and agencies and with other orders of government, the establishment of a community development secretariat, capacity building for civil servants, and a commitment to reporting and accountability.<sup>136</sup>

Some argue that there is need for an overarching coastal policy that would specifically address institutional arrangements. The policy would prescribe buffer zones and development provisions to aid in the protection of coastal resources.<sup>137</sup>

<sup>138</sup> <sup>139</sup> However, current research on the topic has suggested that Atlantic Canada does not require a legislative framework for the successful implementation of ICM plans and strategies. Rather, institutional arrangements and coordination at the political level appears to be most appropriate to bring together the multi-

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<sup>133</sup> TeKamp 2004

<sup>134</sup> Government of Nova Scotia. A Discussion Paper on Community Development. September 2003.

<sup>135</sup> Weiss Reid, J. 2004. Investigation Healthy and Sustainable Community Development in Nova Scotia. The Atlantic Health Promotion Research Centre, the Coastal Community Network and the Rural Communities Impacting Policy (RCIP) Project, Halifax, NS.

<sup>136</sup> Bryant, C. Handout for power point presentation during RCIP policy work team September 22, 2004 . Halifax, NS.

<sup>137</sup> Rierden, A. As quarry conflict makes clear, Nova Scotia needs a coastal policy. Gulf of Marine Times. Winter 2003. Available at: <http://www.gulfofmaine.org/times/winter2003/editorsnotes.asp>. Accessed 16Nov04.

<sup>138</sup> Bowron, T. 2003. Lack of Coastal Planning Leads to Increased Risk of Flood Damage. Ecology Action Centre. (April 16, 2003) Available at: <http://www.ecologyaction.ca/news/105049931372097.html>. Accessed 25Nov04.

<sup>139</sup> Ecology Action Centre. Keeping the coasts clear – Plan needed to protect habitats, regulate development (August 5, 2004). Available at: <http://www.ecologyaction.ca/news/109173524151787.html>. Accessed 20Nov04.

disciplinary perspectives and an eventual inter-sectoral approach to ICM. For example, Murphy proposes that an Atlantic Region Integrated Coastal Management Advisory Board, representing federal, provincial and municipal government, industry, community and aboriginal interests may be a required arrangement. The board could “serve as a conflict resolution entity” to remove perceived jurisdictional conflicts among departments.<sup>140</sup> Similarly, a report published by Voluntary Planning proposes the development of an agency to work on behalf of communities.<sup>141</sup> This agency would undertake a number of tasks with regard to research, assessment, liaison and funding (Table 3).

**Table 3: Voluntary Planning’s recommendation regarding a model for coastal zone planning**

Establish or designate an agency at arms length from government (referred to as "the Agency") to advise on land use planning and policy with a particular emphasis on the coastal zone. This should involve ongoing consultations with citizens.

In so far as planning is concerned, the mandate of the Agency should include but not be limited to the following:

- (a) to develop a provincial interest statement on coastal coordination and planning which would offer guidance from the province to municipalities on this issue
- (b) to conduct an access audit of prime recreational areas and then to develop a long-term access strategy for the benefit of both citizens of and visitors to the province
- (c) to take a lead role in completing a study on current Crown land assets and usage and then to design a plan that results in greater public enjoyment of these important resources

We are proposing that this Agency would also spearhead the acquisition of additional lands, or assist other groups in making such acquisitions, once a Right of First Refusal mechanism has been put in place. These duties are described in recommendations 8 through 10.

- 8. Working with and on behalf of communities, the Agency should be responsible for identifying and exercising a Right of First Refusal for properties deemed essential to the quality of life and well being of the province.
- 9. The Agency should be responsible for seeking private funding for the purpose of either directly acquiring land or conservation easements to be held in the public domain, or providing assistance to other community organizations wishing to do so.
- 10. The Agency should also be provided with fixed funding mechanisms to support both its own efforts and those of other conservancy groups.

<sup>140</sup> Murphy, M. 2000. Canadian Integrated Coastal Planning and Management: Initiatives for a Collaborative Approach between Government and Communities. Unpublished research paper prepared for the degree of Master in Marine Management at Dalhousie University. Halifax, NS.

<sup>141</sup> Voluntary Planning Task Force. Non-Resident Land Ownership in Nova Scotia. Final Report (December 2001). Available at: <http://www.gov.ns.ca/vp/nonres/index.htm>. p.14-16

*Coastal 2000* proposed a framework for the implementation of ICM, which included a province-wide model involving three groups: a Coastal 2000 Community Group, a Regional Representatives Group, and an Intergovernmental/Interdisciplinary Committee (see Table 4). Each group would be responsible for specific components of coordination and planning and would then work together to deliver the goals of *Coastal 2000*.

**Table 4: Institutional framework proposed under the Coastal 2000 plan**

**(1) Coastal 2000 Community Group** to be defined by the community, and will include any coastal community in Nova Scotia interested in pursuing the objectives of Coastal 2000. The role of the Community Group is to initiate activities by establishing a committee of individuals:

- to represent community sectors, including private sector (industry, small business, business/resource development groups), the academic community, environmental organizations, native communities, and the general public;
- to identify community aspirations and priorities, and identify resource needs;
- to draft management plans with defined program goals, targets, measures of achievement, and assigned roles and responsibilities for community members;
- to implement and monitor the plan; and
- to evaluate program success from the community perspective.

**(2) Regional Representatives Group** will consist of regional personnel from the Departments of Fisheries, Environment, Agriculture, Economic Development, Natural Resources, Municipal Affairs, Education, and the Sport and Recreation Commission, and may include the Federal Departments of Environment and Human Resources. Members of this group will draw upon appropriate governmental expertise to ensure the Coastal 2000 community groups can carry out their work plans. The role of this committee will be to assist the Community Group to:

- provide a single contact for federal/provincial government services relating to coastal zone management (eg. access to information networks and data banks; to expertise in coastal zone management, resource development, innovative technologies and research development; and training and educational programs);
- coordinate government response to community initiatives (eg. assess requirements for resource/technical support; provide access to government programs, advice, and information);
- identify potential funding sources for community initiatives;
- help establish essential partnerships among provincial departments, federal partners, and the Coastal 2000 community group.

The Regional Representatives Group will liaise with the Coastal 2000 Community Group and the Intergovernmental/Interdisciplinary Committee to monitor program implementation from a government standpoint, and to maintain the essential contact and communication link with the Community Group.

**(3) Intergovernmental/Interdisciplinary Committee** will consist of senior federal and provincial government representatives, and non-government representatives selected on the basis of expertise, knowledge and leadership in their own field (eg. coastal zone management, community development, marine ecology, resource development and business development). Regional representatives will be aware of what is current and novel in coastal

zone management. Members of this committee will function in an advisory capacity for the implementation of Coastal 2000, as follows:

- Identify opportunities for increased cooperation to enable government to respond more effectively to community needs. This may include breaking down communication, administrative or process barriers, and avoiding duplication that may impede the progress and success of Coastal 2000.
- Identify opportunities for inter/intragovernmental cooperation through both informal and formal means (eg. through development of mechanisms to resolve conflicts involving users of coastal zone resources; to simplify approval processes for projects in the coastal zone; to develop a strategic approach for data and information management on coastal zone resources; devise federal/provincial agreements, partnerships or memoranda of understanding on coastal zone management issues; begin to resolve questions of jurisdictional responsibility, overlaps and gaps in coastal zone management).
- Develop specific policies on management issues related to resource use, coastal issues/development, etc. (eg. erosion protection, and sand dune restoration).
- Encourage innovative approaches to community management, resource development, and application of technology and research findings.
- Integrate national and international perspectives on coastal issues, policies, and resource development plans and strategies.

**Linkages:** The Regional Representatives Group and the Community Group will work in partnership with community organizations and government departments who are involved in coastal zone issues and resource development programs.

## 6.2 Coordination among the Provincial and Municipal governments

It is recognized that municipalities and the province have overlapping jurisdiction, which leads to confusion and the delivery of disjointed initiatives. In 2003, a report entitled *Effective Relationships* addressed the importance of coordination among provincial and municipal governments. It was recommended that the Union of Nova Scotia Municipalities (UNSM) and the Province establish an agreed upon set of principles to govern their relationship. The report outlined the perceived benefits of better relations, including better planning and greater efficiency in the delivery of public services.<sup>142</sup> The report also recommended actions to strengthen the relationship between the provincial and municipal governments. Possible guiding principles for action included 1) an agreement between both parties; 2) a piece of legislation; 3) and amendment to the Canadian Constitution. It was recommended that guiding principles should take the form of a memorandum of understanding (MOU) between the UNSM and the Province. The MOU would require that parties review the principles in one year. At that

<sup>142</sup> UNSM. 2003. Final Report: Guiding Principles for an Effective Relationship. Union of Nova Scotia Municipalities. June 2003. p.4. Available at: <http://www.gov.ns.ca/snsmr/muns/relationship/default.asp>. Access 01Nov04.

point there would be an evaluation as to whether the principles had become sufficiently established to warrant legislation”.<sup>143</sup>

### **6.3 From Theory to Practice: Integrated Management Models**

There are currently on-going coastal planning projects across Nova Scotia. The following initiatives are those that were discussed or referenced during the course of the interviews and at the *Changing Tides* workshop.

#### *Bras d’Or Lakes*

The application of ICM has seen progress in the Bras d’Or Lakes. Success to date has been attributed to a local First Nations band that have taken the lead in the development of a management plan for the area. To date, the initiative has been successful in engaging provincial, municipal and regional bodies in the development process. Currently the Department of Fisheries and Oceans (DFO) is looking at public participation approaches that might be best for this area.

#### *Eastern Scotian Shelf Integrated Management Initiative*

The Eastern Scotian Shelf Integrated Management (EESIM) Initiative serves as a model for integrated management. The ESSIM planning process includes a broad range of interests, including government, First Nations, ocean industry and resource users, environmental conservation groups, coastal communities, and university researchers. The Oceans and Coastal Management Division (OCMD) of DFO functions as the ESSIM Forum Secretariat for developing a collaborative management approach and planning process. In this capacity, the Secretariat works with the communities of interest including fisheries sector, conservation interest and the oil and gas industry to support participation in a future multi-stakeholder planning process.

The Secretariat has been working with federal and provincial partners through the Federal-Provincial ESSIM Working Group. This working group provides operational support and coordination for the process. The development of a senior intergovernmental committee to coordinate higher level policy and regulatory input to the initiative is also being developed. Within the Department of Fisheries and Oceans, the Secretariat works together with departmental sectors, such as Science, Coast Guard and Fisheries Management to develop capacity, expertise and action for integrated ocean management. The secretariat also provides input to regional and national ocean-related policy and programs, including the development of frameworks for ecosystem objectives, marine environmental quality, and marine protected areas planning.

Of particular relevance to the ESSIM initiative is the Gully Marine Protected Area (MPA) proposal, which is currently undergoing its final stages for designation under the *Oceans Act*. The Gully MPA planning process took place during the 1990s. Integrated management of activities in the larger Eastern Scotian Shelf surrounding and affecting the Gully will play a significant role in

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<sup>143</sup> UNSM. 2003:12.

meeting the conservation and management objectives for the MPA.<sup>144</sup> DFO is currently hosting public forums to discuss the ESSIM project. In order to reach the public, discussions are being held twice a day, posters advertising the initiative are being circulated, notices have been aired on local radio stations and open invitations have been posted in local papers.

Despite these efforts the roles and responsibilities of the provincial government under this initiative are not clear. Also it is thought that the process is generally focused on the offshore. For this reason, there has been limited discussion regarding the implications and role of coastal communities (unless they are currently fishing in the off-shore) in this process. To its credit, the initiative is in its infancy and as the process moves forth and the results of the consultations are made public, there may be some lessons learned regarding both the public participation process and how to overcome the jurisdictional challenges for government.

### *Mabou Harbour Coastal Management Planning Committee*

The Mabour Harbour Coastal Management Planning Committee have been together for approximately one year. Under the leadership of volunteers, community members and stakeholders have met to discuss ICM for Mabou Harbour. The plan was in response to the reopening of the harbour to aquaculture. Upon reopening, the community wanted to ensure their ability to influence planning and management of existing and new uses of the harbour. The planning committee worked together to develop a long-term plan. The Department of Fisheries and Oceans (DFO) was invited to facilitate the process where they participated as ex officio members. Community members contributed expertise for planning while DFO clarified provisions under the *Oceans Act*. The provincial and federal government provided funding to allow the planning committee to hire students to the necessary research. The planning committee has since developed partnerships with various universities, and has familiar relationships with municipal planners. Although the federal *Oceans Strategy* has an offshore focus, the community chose to be proactive by developing a plan in anticipation of other developments in the offshore. This initiative serves as an example of community-based planning, however there are still issues of formal recognition of the plan that remain unclear.

### *Atlantic Coastal Action Program*

The federal Atlantic Coastal Action Program (ACAP) was one of the Green Plan initiatives that demonstrated the effectiveness of a community-based approach to identifying and addressing environmental issues. The initiative aimed to involve all stakeholders interested in the environment. Communities were defined on the basis of watershed boundaries rather than by municipal or other

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<sup>144</sup> Eastern Scotian Shelf Integrated Management (ESSIM) Initiative. A Strategic Planning Framework: A Discussion Paper prepared for the ESSIM Forum. January 2003. ESSIM Forum Secretariat 11

boundaries. Stakeholders were encouraged to form partnerships where they could work together with others to develop plans. The ACAP sites followed a consensus model for decision-making that required open discussion and understanding of the many variables to be considered. The program began in 1991 and now operates in 13 communities in the four Atlantic Provinces. These sites represent the diversity of coastal communities with each site being unique with regards to environmental issues, population base, size of watershed, industrial base, land uses, urban/rural split, resources and tax base.

Lessons learned from the ACAP program include a variation in the ability to achieve coordination among different departments and levels of government. The most frequently under-represented groups in the 13 sites were business/industry, municipalities, and provincial governments. Stakeholders were typically volunteers with limited technical expertise, These volunteers had great knowledge of the local community and they brought a dedication to ACAP which translated into a willingness to work hard and to make use of personal networks to bring about change. ACAP participants recognized the importance of working cooperatively. A number were able to take a broader perspective on environmental issues realizing that they share concerns with other ACAP sites and organizations within larger geographic areas. Participants in ACAP have encountered difficulties:

- The projects faced reduced funding for research. Environment Canada (EC) struggled to find a balance in its role as a stakeholder and principal supporter through its contributions of core funding, project funding and in-kind support;
- Often the priorities of the sites and EC did not always coincide placing EC staff in difficult positions;
- The governance model for the program was vaguely defined, which led to misunderstandings regarding the roles of the different participants.<sup>145</sup>

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<sup>145</sup> S.B Moir Consulting. Lessons Learned Atlantic Coastal Action Program. A report prepared for Environment Canada. June 1997. Available at: <http://atlantic-web1.ns.ec.gc.ca/community/acap/default.asp?lang=En&n=D2574285-1> Accessed 27Nov04

## 7. Findings: Challenges of ICM

Despite commitments from government and rising community interest in coastal planning, the application of ICM is in its infancy. Through discussions with various government department officials and representatives from different NGOs, the following challenges were identified regarding the difficulty of ICM in practice.

### 7.1 Institutional Capacity for Integrated Coastal Management

- Integrated planning and management requires action at the local (ground) level. However, it also depends on provincial commitment, which is currently lacking.
- There is limited capacity to coordinate and collaborate coastal planning issues at the provincial level. There has been some attempt toward the development of a provincial *Oceans Network* to coordinate oceans planning and management among provincial departments. However, this initiative has received mixed response from departments who are struggling to meet independent mandates. To date, limited resources have been devoted to this initiative.
- There is no existing structure that defines how collaboration is to occur between federal, provincial and municipal governments. Although the *Oceans Act* specifies the development of integrated management plans, collaboration and the development of plans is a lengthy process.
- Limited institutional capacity exists to take initiative at the municipal level. Many municipal planners are not familiar with coastal planning issues and have limited understanding of coastal areas. There are many tools that can be used with regard to land-use, development provisions and set-backs. However, many municipalities are not equipped with the know-how or the resources to get involved in coastal planning.
- There is conflicting jurisdiction at national and provincial levels. It is important that governments are clear as to their role in the coastal zone. This requires coordination between departments in practice. ESSIM has taken 5 years to address these issues and is still addressing them today.
- There is a disconnect between the commitment and responsibilities of those working at the local level, middle management and higher-levels of government. It appears that the initiatives get lost at the middle management level of the provincial government. When plans are developed at the local level, it is difficult to get the commitment of middle

management to recognize them. It appears that as integrated plans move from the local to a legislative plan, the issue of jurisdiction and enforcement again become a major challenge for middle management - who are essentially accountable for the legality and administration of the plan.

## **7.2 Jurisdictional Disconnect**

- Coastal management has been viewed as provincial and/or federal jurisdiction. There are many municipalities who believe that coastal planning is out of their jurisdiction.
- Under the *Municipal Government Act*, the Minister is required to ensure that municipalities conform to provision of a Provincial Statement of Interest (PSI). This allows municipalities to make coastal land-use decisions within their jurisdiction. However, the Minister has yet to draft a PSI regarding coastal protection and has limited authority to require that municipalities without plans adopt a coastal plan.

## **7.3 Unclear Leadership Responsibilities**

- Leadership is required to move forth with coastal planning. The *Oceans Act* provides a framework for coastal planning, however it is still unclear as to how this proposed model is to take effect on a provincial scale.
- It is unclear who is to lead (provincial government or municipal government) the ICM process and who is responsible for facilitation. This leads to frustration both internally within provincial departments and among municipalities addressing coastal issues. In turn, this often leads to challenges with regards to jurisdictional issues. Provincial commitment and leadership is lacking and is absolutely necessary for coastal plans to succeed.

## **7.4 Time and resources required for ICM and public participation**

- The focus of federal initiatives has been on the development of pilot sites. Government thinks that it is important to do a good job in some areas rather than to do a sub-standard job and cover a larger area.
- There is no funding available for development of integrated management structures or plans at the government or local levels. In Maine, the Federal government contributes funds for the development of coastal plans. Although in Canada there is some in-kind support available to community groups from the Federal government under Memorandums of

Understanding, used in areas such as the Bras d'Or Lakes, there are little resources available to contribute to the lengthy amount of time to required to build capacity at the institutional and government level.

- Communities need seed money to build capacity for coastal planning.
- Many resources have been allocated toward the development of the *Ocean Act Strategy*. However, there needs to be resources devoted toward the actual development of plans.
- Coastal planning needs to unfold in a cost-effective manner. If there are no resource savings involved, it is unlikely to get buy in from government departments.
- The financial and time investments required by government to develop coastal plans by means of a public participation program are substantial. Without financial support or resources to contribute, government will only be able to address small scale projects.
- In the wake of increased commitments to integrated coastal planning and the growing number of individuals, NGOs, communities and government departments disenchanted with the current framework of integrated coastal planning the pressures to take action (rather than to publish more studies and theoretic approaches) to take action.

### **7.5 Lack of political will**

- The Province is capable of developing a Statement of Provincial Interest of principles regarding coastal development and conservation under the provisions of the *Municipal Government Act*. The coast is the life-line of many communities and therefore coastal areas should be declared an issue of provincial interest. There have been numerous discussions regarding ICM, however without provincial commitment to the process there will be no momentum. There is no lack of community participation – there is lack of political will.

### **7.6 Government preparedness to include community participation in ICM in practice**

- Governments must recognize that communities have to be included in coastal planning as ICM is not simply habitat planning. Federal programs should be more proactive and should be planning and anticipating responses to growing pressure on the coastline.

### **7.7 Lack of coordination in lobbying government: Creating a movement**

- There is need for a community voice that can clearly represent the wants and needs of communities regarding coastal planning. Up until recently, communities have been addressing coastal crises on an *ad hoc* basis. There is a need for a coordinated voice to create political pressure to move forth.

### **7.8 Community as advisory groups are not recognized**

- The *Municipal Government Act* has special provisions for the development of advisory groups where communities could work with councils to address coastal issues. Also, councils are able to work together to develop plans for specific areas. These options are not utilized.

### **7.9 The Not-In-My-Back-Yard (NIMBY) syndrome**

- There is a perception that communities are getting involved in coastal planning so that they maintain sole access to community resources, and keep development out. Many community complaints regarding the coastline stem from the objection to new development in the area or the rejection of outsider access to resources.

## 8. Recommendations

These recommendations are based on participant results of the interviews and the information presented at the *Changing Tides* conference. They are presented in no particular order.

### **8.1 Build institutional capacity within government: Address middle management issues**

Address the disconnect between the commitment and responsibility of those working at the local level, middle management and higher levels of government.

### **8.2 Improve communication and address jurisdictional confusion: Establish a multilateral secretariat**

Devote more resources toward the development of a provincial Oceans Network to act as a link between provincial departments regarding coastal planning issues. The Oceans Network could act as an access point to provide interested parties with information regarding applicable policy, jurisdictional issues and reference documents to those interested in coastal planning. The establishment of a multilateral secretariat will make efficient use of government resources by reducing jurisdictional confusion.

### **8.3 Develop a provincial statement of interest (PSI) and empower municipalities to get involved in coastal planning**

The province must develop a PSI with regard to coastal conservation and protection to guide development on the coastline in Nova Scotia and in watersheds. Access Nova Scotia needs to act as an information source to promote and aid municipalities attempting to develop or address coastal planning issues. Access Nova Scotia also need to promote and empower NS municipalities to take control over coastal development issues and allow for communities to decide local land use solutions that support provincial and federal initiatives.

### **8.4 Develop a process of community participation in ICM**

In-depth documentation of existing models of ICM needs to occur. This would aid in government and community capacity-building and would also allow communities to share information regarding different approach and processes.

### **8.5 Clarification of the role of Regional Development Authorities**

With a mandate to support community development and provide seed money for community development projects, Regional Development Authorities are good candidates to help facilitate community-based coastal planning.

## 8.6 Community capacity building

The three step response proposed by Williams is appropriate in the context of integrated coastal planning:<sup>146</sup>

*1. Develop collective capacities to address big picture realities and to speak with a unified voice for rural people.*

In this capacity the Coastal Coalition and its partners form a collective voice that come together to address the issues.

*2. Develop and communicate a clear picture of the nature, scale and trajectory of the crisis.*

Many academics, government departments and communities have identified problems with the current framework for coastal planning. However, until recently these groups have not worked together to address these issues. The Coastal Coalition and its partners must work together, pool resources and identify problems and knowledge gaps. This is exactly what the Coastal Coalition was doing at the November workshop in Cornwallis.

*3. Translate the active participation of rural communities and the emerging knowledge about the nature and scope of the rural situation into positive and timely changes in the policies that are most important for rural communities.*

When all interested parties are eventually at the table, there should be efforts to make recommendations for policy change or the development of new policy to specifically address coastal issues.

## 8.7 Promote Governments role as facilitators

It is very clear that the public needs to be constantly updated and informed about their role in marine protection.<sup>147</sup> Communities must be informed to be able to make responsible decisions: “Information is empowerment and the more people have, the better able they are to make up their own minds about what is important”.<sup>148</sup> Cooperation and shared responsibility in marine conservation is critical. The future success of ICM initiatives will depend on the ability of protected area agencies to forge and encourage the development of mutual

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<sup>146</sup> Williams, R. 2004. Untitled discussion paper focusing on a rural policy overview for Nova Scotia. Unpublished document prepared for RCIP Project, AHPRC and CCN. Halifax, NS: Praxis Research.

<sup>147</sup> Underwood, C. 1998. Getting the Message Out. In *Linking Protected Areas with Working Landscapes Conserving Biodiversity Proceedings of the third International Conference on Science and Management of Marine Protected Areas 12-16 May 1997*, in N. Munro, and M. Willison. 1998. Nova Scotia: Science and Management of Protected Areas Management: 51-56.

<sup>148</sup> Underwood 1998: 52

cooperation and trust with customary users, stakeholders and a variety of government agencies.<sup>149</sup>

### **8.8 Realization of the Role of NGOs**

The role of NGOs as facilitators and key players in working with communities has been recognized in the literature and by the province of Nova Scotia. NGOs serve as good mediators between government and communities, yet their role has been underutilized.

### **8.9 Funding for Government Restructuring**

Under the *Oceans Act*, the federal and provincial governments must develop a funding arrangement similar to the state of Maine and the US Federal government to ensure that there are adequate resources dedicated to the development of capacity at the provincial level. This will allow the provincial government to address ICM more effectively.

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<sup>149</sup> Graham, R. and Payne, R. 1990. Canadian Marine Ecological Areas. In R.Graham. 1998. *Marine Protected Areas In Canada: Perspectives of the Canadian Council on Ecological Areas Task Force on Marine Protected Areas*. Halifax, NS: School for Resource and Environmental Studies: 63-92.

## 9. Concluding Remarks

### 9.1 Conflict and Action at the Community Level

Much of the conflict surrounding coastal issues has been set in a negative light. However, Hanson argues that conflict and crisis is often necessary to bring about desirable changes, and that without “creative tension” business would continue as usual. With this in mind, conflict can be positive if it sharpens the debate so choices become more apparent.<sup>150</sup> In the of the town of Little River, NS, the site of a proposed quarry development has brought together a coalition of local residents, including native and non-native fisherman who just two years ago fought battles over lobster resources in St. Mary’s Bay. The site has also forged new bonds between summer residents and those who have been in the area for generations.<sup>151</sup> The cooperation among community members must be viewed as an opportunity to begin discussions on planning issues that will determine the future of their coastal communities.

In Kingsburg Beach, coastal development has brought together a province-wide coalition of local residents, NGOs and others to discuss the implications of uncontrolled development in coastal areas. This process has shed light on the general lack of municipal guidelines and coastal policy to guide coastal and inland development that affect the marine environment in Nova Scotia.

In light of the proposed commitments under *Canada’s Ocean Strategy* and supporting documents that focus specifically on integrated management and collaboration, it is clear that there is a need for a better understanding about how these principles are applied in practice. There needs to be a process that engages government departments, NGOs and community groups in a coordinated approach to coastal planning.

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<sup>150</sup> Hanson 2001:8

<sup>151</sup> Toughhill, K. 2003. Digby Neck on the Line. Planned Quarry Threatens a Scenic Nova Scotia Area: Opponents say Fishing and a Way of Life under Siege. *Toronto Star*. July 26, 2003. Available at: <http://www.angelfire.com/ns2/quarry/Docs/Torontostar.html>

## Appendix 1: Questionnaire for Interviews

- 1) Does your organization have a mandate to engage in coastal planning? Explain.
- 2) What is your role in coastal planning?
- 3) Do you believe Nova Scotia needs coastal planning/coastal plans? Explain
- 4) How do you think coastal planning should proceed in the region?
- 5) Do you work together with other government agencies, NGOs, RDAs or community groups?
- 6) Are you aware of the policy framework in which ICM and management is coordinated and facilitated?
- 7) What does integrated coastal management mean to you as an organization?
- 8) In your opinion, are there any challenges to the current framework of ICM?
- 9) Who should be involved in coastal planning? Why?
- 10) Does your department/organization follow any process to engage communities in ICM?
- 11) From your experience with coastal planning, how do communities, governments and NGOs work together to address coastal issues? Are there any problems with this method or approach?
- 12) Can you suggest any recommendations for a more collaborative approach to coastal planning?
- 13) Can you suggest some policy recommendations that would aid your organization in moving forth on coastal planning issues?