

Dear Mr. Fournier,

Please note my input from the Renewable and Electrical Energy Division of Natural Resources Canada regarding the question posed in the Regulatory Issues section of Nova Scotia's discussion paper, Marine Renewable Energy Legislation for Nova Scotia.

Question: Which regulatory model would be most effective for Nova Scotia: cooperation, collaboration, integration, or other approach?

Nova Scotia has exclusive jurisdiction over the development and management of sites and facilities for the generation of electrical power within the boundaries of their respective provinces and consequently the Government of Nova Scotia is best suited to determine the most effective regulatory model for marine renewable energy development in Nova Scotia.

Conversely, the Government of Canada has exclusive legislative jurisdiction and ownership of lands and natural resources in offshore areas outside provincial boundaries. In Canada, there is the potential for many marine renewable energy projects to be situated in areas outside of the boundaries of a province, in marine areas under federal jurisdiction. In these circumstances, the federal government would be responsible for making decisions regarding access to the resource, development rights, economic rents, and other issues.

Regardless of where a marine renewable energy project is situated, a number of federal and provincial regulatory approvals would likely be required. Given both government's respective jurisdiction in the offshore and the need for federal and provincial regulatory approvals pertaining to marine renewable energy projects, on-going collaboration between provincial governments and the Government of Canada will be essential in the design of effective and efficient regulatory regimes.

Regards,
Jon

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