

with that which exists in the inland provinces, where there has not been a double licensing requirement for aquaculture, since the administration of inland or freshwater fisheries has already been delegated to the provinces.

The Agreements also provide for the creation of joint (federal and provincial) Aquaculture Coordinating Committees to implement the MOUs. In Nova Scotia, the industry is given formal representation on the committee but this is not the case in the agreements signed with the provinces of Quebec and Prince Edward Island. In New Brunswick, an Aquaculture Coordinating Committee established since 1985 has federal, provincial and industrial representation. The MOU being negotiated with the BC provincial government should provide for direct industry representation.

One of the first tasks undertaken as a result of the Nova Scotia MOU was the drafting of the federal regulations for inclusion in the Nova Scotia Regulations under the *Fisheries Act*. The Department of Fisheries and Oceans initially hoped that the Nova Scotia regulations would serve a model of federal regulatory requirements in provinces entering into an aquaculture development agreement with the federal government.

The Committee notes that the federal/provincial negotiating process that was to establish federal regulatory requirements for aquaculture in Nova Scotia is at present stalled. This is due to the provincial government's reluctance to have the Department of Fisheries and Oceans exercise its mandate by approving all aquaculture applications which, because of their location, could pose a significant danger to the conservation and protection of wild fish, its habitat and its health or represent a fisheries product inspection problem. The implication of this situation is that the provincial government wishes to be the sole judge of whether federal concerns are addressed, while the federal government wishes to ensure its legislative responsibilities are achieved.

In short, while the federal government endorses the concept of a single licensing/leasing authority administered by the provincial authorities, this can only be readily accomplished by implementing an inter-agency referral process whereby all federal and provincial agencies, with a legislative mandate relevant to aquaculture development, will be able to review and provide comment on each application within a reasonable period of time. In cases where unacceptable interferences would result with fisheries resource conservation and protection, fish habitat, etc. the Department of Fisheries and Oceans would not approve the application and no license would be