

**An Act Respecting the Generation of Electricity from Marine Renewable Energy Resources**  
**Plain Language Overview**  
**April 29, 2015**

**The Act will:**

- Govern the development of marine renewable energy resources—including waves, tidal range, in-stream tidal, ocean currents, and offshore wind—in designated areas of the Nova Scotia offshore.
- Establish two “Areas of Marine Renewable Energy Priority” for Nova Scotia—within a part of the Bay of Fundy and Cape Breton Island’s Bras d’Or Lakes, with the authority to identify additional areas through regulation.
  - Deployment of marine renewable energy generators will be prohibited in these areas without authorization from the Minister of Energy through a permit or a license.
- Designate “Marine Renewable Electricity Areas” (MREA), smaller geographic areas within areas of priority. The Act establishes one MREA—the Fundy Ocean Research Center for Energy (FORCE) Crown Lease area. The Ministers of Energy and Natural Resources can designate additional MREAs through regulation.
  - An MREA identifies the specific size and types of generators that can be used, and an area will only be designated after significant research and consultation.
- Establish a licensing and permitting regime for the deployment of marine renewable energy generators.
  - Within the areas under the Act, grid connected generators will require a license. Licenses will be granted by the Minister of Energy in MREAs through a competitive application process.
  - Permits will be granted for the construction or operation of related infrastructure such as cables, and for non-grid connected generators deployed for testing purposes.
- Provide authorities to ensure the safe and responsible construction, installation, and operation of marine renewable energy projects.
- Allow the Minister of Energy to establish programs, processes, and initiatives to support the administration of the Act, including the development of research and data-sharing programs.

**Mechanisms for Existing Approvals**

- Based on existing government approvals, the Act includes the ability to grant:
  - A permit to FORCE; and
  - Licenses to the four subtenants at the FORCE site —Minas Energy, Black Rock Tidal Power, Atlantis Operations, and Cape Sharp Tidal Venture.

**Impacts of this Act**

- The Act provides for the responsible, efficient, and effective development of Nova Scotia’s marine renewable energy resources.
- The Act requires Government to undergo an in-depth consultation effort prior to the identification of MREAs.

- A license or permit under this Act would eliminate the need for a lease of Crown lands or other authorizations under the *Crown Lands Act*.
- Once a MREA is established, no leases or other authorizations under the *Fisheries and Aquaculture Act* will be granted within that area. An MREA could be amended by Cabinet to exclude a specified area, if it does not impact licenses already issued under this Act.

### **Regulations to be developed under the Act**

- The Act provides authority to develop regulations detailing:
  - Requirements respecting the form and function of Strategic Environmental Assessments;
  - Additional requirements for the designation of Marine Renewable Electricity Areas;
  - Additional details regarding licensing and permitting, including application requirements, terms and conditions, and processing of applications; and the establishment of cost, fee and royalty regimes.