



BILL NO. 163

Government Bill

*2nd Session, 63rd General Assembly
Nova Scotia
68 Elizabeth II, 2019*

**An Act to Amend Chapter 27
of the Acts of 1998,
the Wilderness Areas Protection Act**

CHAPTER 39
ACTS OF 2019

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
OCTOBER 30, 2019**

The Honourable Gordon Wilson
Minister of Environment

*Halifax, Nova Scotia
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**An Act to Amend Chapter 27
of the Acts of 1998,
the Wilderness Areas Protection Act**

Be it enacted by the Governor and Assembly as follows:

1 Clause 3(k) of Chapter 27 of the Acts of 1998, the *Wilderness Areas Protection Act*, is amended by striking out “and” in the second line and substituting “, boats and other”.

2 (1) Subsection 8(3) of Chapter 27 is amended by

(a) adding “and the *Crown Lands Act*” immediately after “*Act*” in the fourth line; and

(b) adding “and Section 39 of the *Crown Lands Act*” immediately after “*Act*” in the fifth line.

(2) Clause 8(4)(a) of Chapter 27 is amended by adding “and the *Crown Lands Act*” immediately after “*Act*” in the second line.

3 (1) Subsection 11(3) of Chapter 27 is amended by

(a) striking out “and (8)” in the first line and substituting “, (8) and (9)”.

(b) striking out the comma at the end of clause (d) and substituting a semicolon; and

(c) adding immediately after clause (d) the following clause:

(e) determine the name by which a designated wilderness area is to be known,

(2) Subsection 11(6) of Chapter 27 is amended by striking out “or (d)” in the second line and substituting “, (d) or (e)”.

(3) Section 11 of Chapter 27 is further amended by adding immediately after subsection (8) the following subsection:

(9) A socio-economic analysis of the impact of the designation of a wilderness area must be prepared, completed and made available to the public for every area proposed to be designated as a wilderness area on Crown land after this Act comes into force, and, for greater certainty, this subsection does not apply to an additional area of Crown land added to a wilderness area if that additional area has been given to the Crown by a private landowner.

4 Subsection 15(4) of Chapter 27 is repealed.

5 (1) Subsection 23(2) of Chapter 27 is amended by

(a) striking out the period at the end of clause (b) and substituting a semicolon; and

(b) adding immediately after clause (b) the following clause:

(c) designate, construct, manage and maintain such parking areas as are, in the opinion of the Minister, required for wilderness recreation or for the management or use of a wilderness area, and upon which vehicle and bicycle use and operation is permitted.

(2) Subsection 23(4C) of Chapter 27, as enacted by Chapter 30 of the Acts of 2009, is amended by

(a) striking out the period at the end of clause (c) and substituting a semicolon; and

(b) adding immediately after clause (c) the following clauses:

(d) Grant Lake–Ross Lake Connector Trail, Ogden Round Lake Wilderness Area;

(e) Dominique Meadow Brook–Fountain Lake Connector Trail, Portapique River Wilderness Area.

6 Subsection 25(1) of Chapter 27 is amended by striking out “the governing legislation and associated policies” in the last two lines and substituting “this Act or the legislation under which the interest was issued”.

7 Chapter 27 is further amended by adding immediately after Section 26 the following Section:

26A Where

(a) privately owned land is partially surrounded by or is adjacent to a wilderness area;

(b) there is no reasonable alternative for lawful access by land to such privately owned land; and

(c) in the opinion of the Minister, use of the access would have a minimal environmental effect on the wilderness area,

the Minister may issue a licence to the owner of the land allowing for such limited access, with or without conditions, as the Minister considers appropriate and the access must be carried out consistent with any applicable management plan.