

To Whom It May Concern;

Re: Bill 163

Submitted on behalf of Lays Lake Outdoor Association

Clause 3 section C allows motorized access by the minister in two new protected areas. While we applaud this increased access, this arrangement does not help the majority of OHV users. Current trails under the same circumstances are only being open to select OHV user groups. Monies from all OHV users are being used to build and maintain the trails under the current legislation but access is restricted to a selected group of OHV users. The trails should be open to all OHV users that are regulated to contribute to the fund and not just specific clubs. We would like to see Bill 163 require these two new trails and other existing trails under similar management structures within Protected Areas be made open to all legally registered and insured users of the type of vehicle suitable for the existing trail. For example snowmobiles or ATVs. As it stands today access to similarly managed trails are limited to a very low percentage of legally operated machines. Only 11% of the legally registered atv's and side by side's are allowed to use any of the current trails in protected areas under this arrangement.

Currently, Anglers or Hunters who use an ATV to access remote areas and haul our canoes to lakes must purchase insurance, register our ATVs, and purchase a fishing, hunting or trapping license and we still do not have access to certain trails within protected areas. Alternatively, an ATVANS member who also hunts and fishes does have OHV access. We should not be forced to join a group that does not align with our personal beliefs or values so we can access a trail that we as Nova Scotians are legislated and regulated to pay for. Our fishing/trapping/hunting license could easily be valid as a permit to access the trail for the time frame on that particular license. This could be done by changing Section 23 paragraph 4a of the current Act to include "motor vehicle". This would also give the Minister a tool by which to address existing access issues previously not addressed or overlooked by the consultation process.

Currently the Department/Minister of Environment requires that we must be a member of one of 3 specific OHV groups in order to use the trails in question.

- 1) Where does the Act allow or require this?
- 2) Where does it require additional insurance over and above what is required to be a legal OHV operator in order to ride on a trail in a protected area?
- 3) Excluded corridors managed by the Department of Lands and Forestry within protected areas do not need any of these extra requirements placed on users. Why has the Department of Environment made these requirements when other government departments have not?
- 5) Why is Environment forcing all OHV users to join one of three OHV groups to use crown lands protected by the Wilderness Protection Act?

Section 3, subsection 3-9 states that no socio economic study is needed for additions being given to the crown by private owners. If a community group is traveling across private land to access a lake for

recreational purposes such as fishing, there are no avenues for this group to have stakeholder input into possible closure of trails within the private parcel added to or designated as protected area? This section should require signage to be posted prior to designation with contact info so stakeholders can have input for all proposed new areas to be designated or added, whether private or crown. It is our understanding that the current legislation requires notification only via newspaper. This is an antiquated form of communication and should be changed to include social media or other more modern communication methods of making the public aware so as to better provide a more accurate picture of current stakeholder input. Doing this will provide better stakeholder buy in for the long term thus making the designation more sustainable.

Section 7 refers to access for specific landowners abutting designated protected areas. This is basically unenforceable in the real world. This is currently the single most abused section of the current act. It has created private nature reserves for the lucky few with land holdings near or in protected areas and has given these landowners the potential for personal financial gain. To our knowledge, the Department of Environment has not issued any permits with any landowners under this clause. The reality is that if someone currently owns land abutting or within a protected area they are being allowed to give verbal permission to whomever they chose to allow motorized access to their property which almost always includes access to or through areas that are otherwise closed to public motorized use. There is no reasonable way for an enforcement officer to enforce this clause as it stands today. The only practical option here is that if the trail is open to some users (landowners) it should be open to the public. After all, it is public lands and in most cases paid for by the public. The other option is to close the trail to all users.

Section 1 adds "boats" to the definition of "structures or facilities". According to Section 17, subsection 2b this would make boats a prohibited item with a protected area. This would negatively impact many anglers and in most cases effectively shut down any form of fishing within protected areas. This would also prevent the use of canoes and kayaks within protected areas based on their definition as a "boat". This clause should not be added to the current wilderness protection act as it will result in a major negative impact to recreational and traditional boaters.

Thank you,

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