

For those who don't know me my name is Barry Barnet and I am here today representing the All-Terrain Vehicle Association of Nova Scotia. I have been the executive director for ATVANS for nearly ten years and before that I served as MLA for Sackville Beaver Bank holding various cabinet positions.

ATVANS represents the organized responsible ATV sector in Nova Scotia through 42 member clubs with nearly 5000 individual members. ATVANS is the third largest ATV federation in Canada. Our clubs and members ride on, manage develop and maintain multi use trail on both public and private lands in all areas of Nova Scotia.

Our association, through our clubs, hosts nearly 100 riding events annually, facilitates rider training, builds and maintain trails, helps to promote safe responsible ATV use through our volunteer trail patrol program and providing safe/responsible use information to all riders.

ATVANS has a multi-year strategic framework that helps guide our future direction. A key feature embedded within our framework is to support the development of an interconnected trail system. To this end we have worked closely with various government departments to assist us in this endeavour. The provisions in this bill will help us move toward achieving our goal. Together with government and our partners we have made great progress and we fully expect to complete our system in the not so distant future.

We believe in and support the government's goal of 13 percent protected wilderness land in Nova Scotia however, we also believe this can be achieved without drastically impacting existing trail use where appropriate. We believe government has listened to our members and others when adding candidate wilderness protected areas in recent years. We thank staff at the Department of Environment for their support and understanding.

The provisions within in this bill that allow for ministerial approval to support connectivity through the Ogden Round Lake wilderness area has been a long standing local concern in Guysborough County. The Partipique River Wilderness area will provide north south access between Colchester and Cumberland County on a long established trail. Although I don't speak on behalf of the snowmobile federation I know this is seen as great news by their members.

Our members are concerned about the ecology of Nova Scotia and understand and respect the fact that we cannot ride everywhere. It is important to point out that because of mobility issues many of our members would never be able to enjoy much of the beauty of our great province if it were not for ATV use.

The sport of ATVing in Nova Scotia is an important economic driver in our economy. A study published by Nova Insights Inc. in 2015 indicates that \$160, 000,000 dollars in direct spending annually comes from our sport alone.

Much of this in rural Nova Scotia.

We encourage the committee and legislature to support this bill not just because of the impact on the economy and mobility concerns but also and most importantly to support the way of life in Nova Scotia while protecting the environment. We believe this bill has the ability to provide the correct balance needed to achieve both.

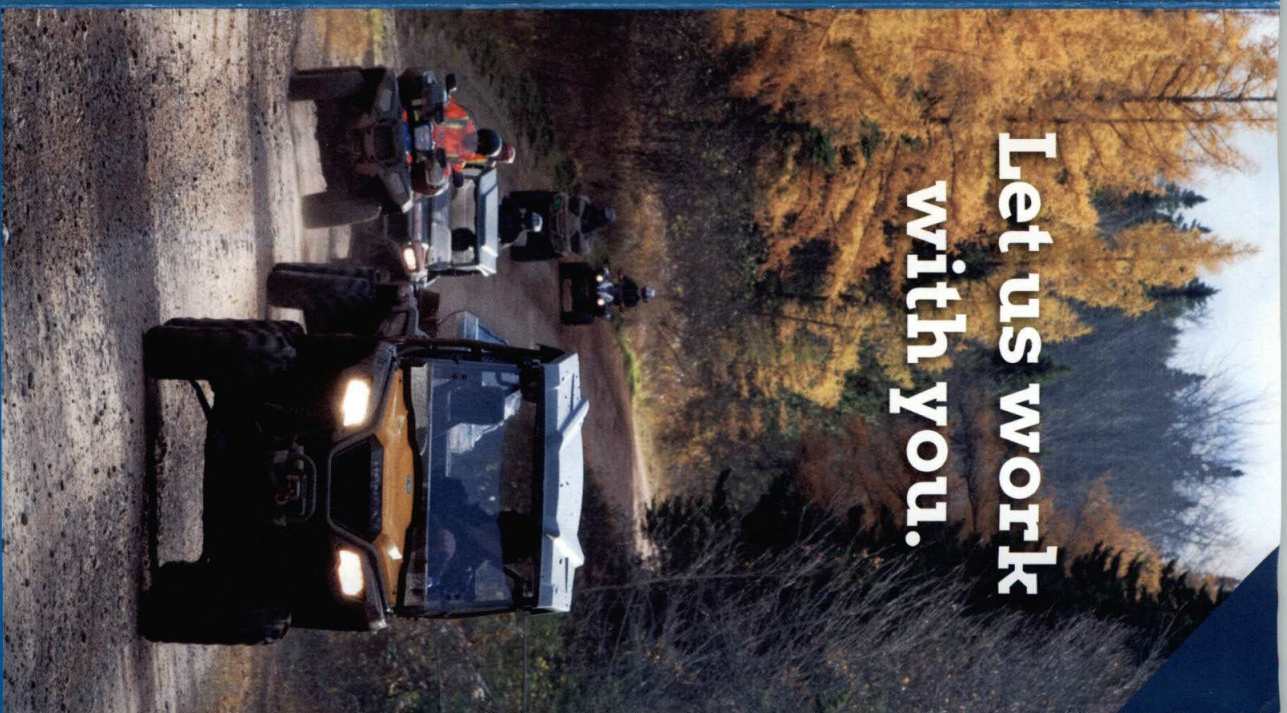
IT IS NOT JUST
ABOUT OUR SPORT.
IT IS ABOUT THE
TRAIL AND THOSE
THAT USE IT.

Be part of the trails community.
Let everyone enjoy the trail using
the method of their choice.



A first rate trail system can only
be created by people who care
for each other.

Let us work
with you.



TRAIL ETIQUETTE

IT'S ALL ABOUT
RESPECT



ATV Association of Nova Scotia

www.atvans.org

Phone: 1-877-288-4244

execdirector@atvans.org



ATVANS
ATV ASSOCIATION OF NOVA SCOTIA

www.atvans.org

RESPECT THE COMMUNITY

- Respect others' property. Ride quietly when around houses, campgrounds, and other non-riders. Keep the rpms and speed low and steady. ATVs must have approved spark arrestors.
- Keep speed below 20 K.P.H. when traveling within 30 m (100') of a non motorized user or a home and in particular watch for Kids and animals.
- Avoid creating excessive dust and noise when riding in a community or Camping area.
- Do not operate vehicle in a careless way that may endanger people or property.
- Always be courteous to other people.
- Stay on the trail. Respect private property.
- Be a "steward" of the sport, the way you portray yourself is the way you portray the sport.

**IF YOU CAN PACK
IT IN, PACK IT OUT.**

RESPECT THE TRAIL

- Be part of the Trails Community; respect the experience of other users if you want them to respect yours.
- Yield the right of way to hikers, bikers, and horses. When passing horses stop your vehicle. Take off your helmet and calmly say hello. Avoid any sudden movements. Let the horse pass. Or if passing a horseback rider, alert the rider to your presence by calmly calling out you wish to pass.
- Keep your speed down to avoid making dust when passing other trails users.
- When in a group, make sure you are not blocking the trail for other users.
- People traveling downhill should yield to those traveling uphill.
- Let others know you are approaching them, especially if from behind.
- If people announce themselves from behind you, move over to the right to make sure they have enough room to get by.
- Keep to the right side of the trail to avoid oncoming trail users.
- If you take your dog, make sure you can control them.
- Keep to marked trails and tracks and resist the urge to establish new ones without proper planning and authority.
- Park ATV and walk to sensitive, historic, scenic, and cultural areas.
- Participate in trail maintenance.
Give back to your trails.

RESPECT THE ENVIRONMENT

- Respect all wildlife; after all, it is their home.
- Respect the Environment as a whole. We want the next generation to be able to enjoy it as we do.
- As should everyone, clean up after yourself. Don't litter.
- Clean-up the mess left by others who have no respect for the environment.
- Get out of sight of the trail and use proper sanitary procedures when needed.
- Avoid damage to the environment. Protect both the land and the water.
- Stay on the established trail, no shortcuts and avoid trail braiding and widening.
- Be aware, our wetlands are important and sensitive areas benefit both wildlife and people.
- Use existing bridges and structures to cross streams.
- Do not spin your tires as it dislocates the soil and can cause drainage issues.
- Follow the Environmental Stewardship Guidelines.

Promote our sport. Take time to talk to the people you meet about your outdoors experiences. Know your limits. Ride within your abilities, in a controlled manner using common sense. Treat others the way you would like to be treated if the situation were reversed. But most of all, have fun!

**IT'S ALL ABOUT RESPECT
RESPECT OUR SPORT**

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,

Donnie Lushington

President, Lays Lake Outdoor Association

Donnie.l@ns.sympatico.ca

Presentation to law Amendments Committee
concerning Bill 163
October 7, 2019

Philip Connolly
Roger Porter

Law Amendments, Monday, October, 7, 2019. Bill 163

Mr. Chair, Members of the Law Amendments Committee,

Thank you for the opportunity to appear before this committee, the only one of its kind in the whole of this country. We need to guard our democracy jealously, and this committee provides a valuable venue for citizens to make their views known.

My name is Roger Porter and my colleague is Phillip Connolly. It has been 10 years since we last presented here, and, today we speak to the very same subject as we did then, but this time in a much different and satisfying light.

We are addressing and supporting Bill 163, in its entirety, and specifically, Item 5, (2), Subsection 23(4C), (a) through to (e), the Grant Lake-Ross Lake trail.

We commend Premier Stephen McNeil, the Minister of Environment, The Honorable Gordon Wilson, his staff, especially Mr. Peter Labor, and the Minister of Transportation Infrastructure and Renewal, the Honorable Lloyd Hines, for bringing this forward. In addition, we commend Mr. Raymond Plourde and staff of the Ecology Action Centre for their cooperation and understanding.

The long existing connector Grant Lake-Ross Lake Trail in the Ogden Round Lake Wilderness Area, when brought up to standard, will have a dramatic effect on wilderness access and enjoyment, in addition to a very positive effect on the economy of Eastern Nova Scotia. Also, the Trans Canada Trail can now be completed.

It is our desire to work with NSE, and the other stakeholders to upgrade this trail that has existed for generation. We assure you there will be no shortage of help.

As we reach the autumn, perhaps winter, of our lives we look back on our successes and failures. Although this may not seem like much to some, considering the effort and time involved, we must consider the designation of this trail among our major achievements.

Once again, **thank you**, and we will be celebrating with music, refreshments and song for God knows how long in Guysborough County, District Two, when this Bill is proclaimed into law.

Respectfully Submitted,

Philip Connolly and Roger Porter
Representing the citizens of Guysborough County