

To Members of the Law Amendments Committee
March 29, 2021

Thank you for allowing me to appear before you today representing Large Private Non Industrial Landowners

I am addressing the Biodiversity Act, Bill 4 and the general scope of proposed changes announced by Minister Porter and Premier Rankin as well as concerns we provided as private landowners. With the broadness and vagueness of this Act it is difficult to understand and evaluate.

With this new Act we appreciated the changes to the Biodiversity Management Zone as detailed in Clause 16 that reflected additions we had requested. However, it was still unclear as to whether a landowner (such as myself) could refuse an agreement if it was initiated by Lands and Forestry. We appreciate that Minister Porter announced these zones will be totally voluntary and expect you will support an amendment to the section on Biodiversity Management Zones to include this.

All wording in this Act needs to be reviewed so it reads clearly that private land falls under NO part of this Act except as relates to Biodiversity Management Zones and then only when a landowner signs an agreement.

Biodiversity Emergency Orders and Offences and Fines were still too heavy handed and Conservation Officers had too much power under Bill 4. It suggests that a person is guilty of an offence immediately and subject to a fine of \$500,000; this again is extreme and would allow officers to act without discussion or investigation. We asked for more clarity of what a Biodiversity Emergency Order would be used for and how it would be managed with private land owners. That there needed to be methods for restoring land and compensation of our forest crops that might be damaged as a result of an order to get rid of unwanted pests, pathogens or invasive species.

We wanted more clarity for Offences and Fines. We didn't want to go to jail or be given a ticket for a fine as a result of unintended consequences, an act by someone who had access to our land or from people who feel they have the right to go wherever and whenever they want and do whatever they want.

Please understand we have NO feasible way to protect ourselves from third party damage or entry to our property. For example, it would take 5 kms of fence to go around a 100 acre woodlot.

We continue to put the message out that we as woodlot owners practice sustainable forest management and have been family landowners for generations. We want the

government, including yourselves, and the public to understand what it means to be a woodlot owner and as such our Private Landowner Rights are of utmost importance to us and we need them to be respected.

Therefore, we support the removal of the sections on Biodiversity Emergency Orders and Offences and Fines and removal of any related wording in the Act.

Focusing this Act on Crown Land only is the right and just thing to do and will avoid landowners having to consider further action to maintain control of our land.

Who landowners are, has changed over the last few decades. For some of us, our fathers worked with Lands and Forests but with changes to the department they were told the advise of educated staff had to be taken over themselves even with all the years of experience they had. So we were sent to college and as a result we are educated, experienced and knowledgeable. There is one thing many of us have that most of the scientists and experts government retains don't have; which is a long term knowledge of and a relationship with our woodlots. We feel there is a need to build a better relationship between Lands and Forestry and landowners and we have been working to do that and are very willing to continue to grow mutual respect, and collaborate in developing and growing programs.

We ask for and were included in the Claus 54 (2) for making and amending regulations for the Act. We would like to suggest the regulations include a committee of Lands and Forestry staff and landowners only to develop the guidelines and agreement for Biodiversity Management Zones. I personally do think there will be landowners who will enter into these agreements if they are written in the spirit of cooperation and respect they need to be.

We know the members of this committee are all people of integrity, knowledge and understanding. We are willing to place our trust in you, Minister Porter, Premier Rankin and his cabinet to make all the necessary changes to the Act. This includes those sections of the Act as mentioned in general terms by Minister Porter and supported by the Premier. It also means reviewing the entire Act to be sure the wording and the intent is clear and consistent throughout the Act.

This is another learning experience for us and we look to your leadership. As always we want to offer any assistance from ourselves that may be appropriate as you work through Amendments to Bill 4.