



Gabriola Land & Trails Trust

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The Hon. David Eby
Minister of Attorney General
Email: AG.Minister@gov.bc.ca

Dear Minister Eby:

I am writing to you regarding the recent judgement by BC Court of Appeal overturning an earlier court decision that had enshrined the rights of anglers to cross private lands to access two provincially owned lakes near Merritt. The court decision makes it very clear that British Columbia currently lacks public access legislation that adequately defines the public's right of access in pursuit of legitimate recreation interests.

Although more than 90% of the land in British Columbia is provincially owned, there are many cases where the public has great difficulty utilizing public recreational assets when wilderness areas, lakes and rivers are only accessible via private land. The problems encountered by the Nicola Valley Fish & Game Club also affect recreationists in many other areas of the province, where large landowners are increasingly blocking the public from using or crossing private land. With a growing population of outdoor enthusiasts, there is an urgent need to find a lasting solution to this important issue. Gabriola Land and Trails Trust is concerned the recent BC Court of Appeal ruling will encourage private landowners to further restrict public access unless the Trespass Act is revamped and new public access legislation is put in place.

The issue of ensuring public recreational access over private land is complex. However, we believe it is time that the provincial government introduces robust "right-to-roam" legislation that enshrines public access rights, while also putting in place reasonable restrictions to address the legitimate safety, environmental stewardship, and liability concerns of private landowners. Many other jurisdictions in Canada and around the world have such laws in place, and these existing models can be used to develop similar legislation for BC. GaLTT joins with the Appeal Court judge in urging the government to take action quickly.

Yours truly,

Robert Brockley
President, Gabriola Land and Trails Trust

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