

August 22, 2024

To:

the Right Honourable Mr. Bruce Ralston - Minister for Forests
and

the Right Honourable Mr. Nathan Cullen - Minister of Water, Land and Resource
Stewardship

Dear Minister(s)

Re: Access to Vancouver Island forest lands

We would like to thank Minister Cullen and his associates for taking the time to respond to the concerns of the "**Open the Gates**" organization (letter received on August 15 2024 – **File 10497-01; Reference: 279045**)

As you are aware, **Open the Gates**, is a community organization that advocates for improved recreational access opportunities to the vast and unique wilderness areas of Vancouver Island. Over the last ten years, an ever-expanding network of gates is restricting the citizens of Vancouver Island from accessing the backcountry for recreational activities.

The amount of land that is now behind locked gates comprises almost 1/5 of the entire Vancouver Island land mass.

This situation is a direct result of the historical E&N land transfer agreement of the 1800s. As stated in your letter of August 15, "*Southern Vancouver Island, extending from Sooke to Campbell River, has a substantial amount of privately owned forest land, including the "E&N" lands. Most of this land is voluntarily managed under the regulations of the Private Managed Forest Land Act.*"

The **Open the Gates group** was organized to voice the concerns of the citizens of Vancouver Island and to raise awareness of this situation amongst our political representatives in Victoria. Although our first meeting was December 2022, we already have a membership of over 1800 citizens, and our numbers are growing daily. We are in the process of preparing a signed petition to be presented to government once we exceed 10,000 signatures. We are also planning a media campaign to expose this issue to all citizens of the island, province, and beyond.

At this time, we would like to take the opportunity to respond to the letter of August 15, signed by Mr. Doug Kelly, Director of the Forest Tenures Branch.

There are three critical points raised by Mr. Kelly that we would like to bring in to question, as we feel they are inaccurate or misleading.

1. *"The provincial government has no legislated authority to direct private landowners to provide public access to their land."*

We wish to dispute this statement on the following grounds. As you are aware, the lands in question are not owned by private landowners. In 2011 they were acquired by two Canadian Pension Funds (the BC investment management Corporation or bcIMC and the Public Sector Pension Investment Board). According to the BC Public Sector Pension Plans Act...."The BC investment management corporation is an agent of the government" and has a single shareholder, the BC Minister of Finance. Likewise for the Public Sector Pension Investment Board.

Thus, as ultimate owners, the provincial government has full authority to provide public access to the land.

This will be a key component of our media campaign to raise awareness with current and future pension fund members, their families and to the broader public.

2. *"Most of this land is voluntarily managed under the regulations of the Private Managed Forest Land Act."*

For the same reasons described above in point 1, we would like to challenge the legal validity of the Private Managed Forest Land Act. This Act was established when the lands in question were indeed privately owned. Because the lands are now owned by Pension Funds which are themselves legally described as 'Agents of the Government', the Private Managed Forest Land Act presents a number of conflicts of interest for the government owners and is no longer applicable. Thus it needs to be revised or abolished.

This will be a key component of our media campaign to raise awareness with the broader public.

3. *"It is my understanding that Mosaic routinely provides daytime access to the public for as much of their private land as possible"*

As you are aware, Mosaic Forest Management is a contractor that is currently managing the forestry business on the lands in question, under the direction of the current owners (the Pension Funds and ultimately the Minister of Finance). Mosaic Forest Management are the ones responsible for erecting the gates and thus restricting access. Your assertions that Mosaic provide daily access opportunities is misinformed. The access that Mosaic grants is but a tiny fraction of the roads and lands that they manage and access (when granted) is restricted to weekends and daylight hours only. Mosaic's interactive Recreational Access map, which is referred to in your letter, shows a total of 33 gates. In actuality, there are hundreds, if not thousands of locked gates in those areas of Vancouver Island that are managed by Mosaic Forest Management. There are countless lakes, rivers, hiking trails, regional

parks, and mountain tops that are currently behind gates and thus inaccessible. When people do venture into the backcountry, they often find themselves 'locked in' when they return to a gate, creating a potentially dangerous situation for many. There are now a plethora of social media sites that are dedicated to sharing information regarding gates that block recreational access, and many posts quickly devolve into citizens voicing anger and frustration with the current situation. **Open the Gates** aims to be voice of those citizens.

Mosaic Forest Management also claims that joining a recreational club can foster improved access to gated areas, and they provide a list of clubs with access agreements. However, experience with Open the Gates members is that this is largely a sham and that an 'Old Boys Club' mentality is rampant, with a few individuals having exclusive access while the vast majority are locked out.

In summary, we hope that the Minister of Forests and Minister of Water, Land and Resource Stewardship will recognize the misconceptions regarding the current situation regarding recreational access on Vancouver Island. **Open the Gates** plans to have an extensive media campaign in the coming months and we plan to make some of the above misconceptions key components of that campaign. Our membership is growing rapidly and we hope that our concerns will be heard by both our local elected representatives and our current elected Ministers of Forests and Water, Land and Resource Stewardship. We plan to be particularly active in the period preceding the upcoming provincial election to make this an election issue.

We continue to hold the hope that a way forwards from the current situation can be found. We look forward to further correspondence.

Regards,
Open The Gates group

www.openthegates.ca
www.facebook.com/groups/openthegates.ca/