

SOLUTION PATHS : TOWARDS REDUCING THE CONFLICTS ASSOCIATED WITH THE RECREATIONAL USE OF OFF-ROAD VEHICLES

1.0 INTRODUCTION

This paper is the product of an extensive research and public consultation process conducted between October 2006 and March 2007 on behalf of the Ontario Ministry of Health Promotion (MHP). It is intended to provide options for consideration by the Ministry in the effort to establish appropriate policy and regulations that will mitigate the conflicts and issues associated with the recreational use of off-road vehicles in Ontario.

The consultant was asked to provide the Ministry with "A roadmap to a more supportive legislative environment for management of trails in Ontario." The recommendations presented here in were developed from an examination of similar issues and responses in nine jurisdictions across North America and subsequent discussions with key stakeholders which emerged from that research. Our proposed recommendations reflect the most suitable options to address the issues in question.

Ontario is a diverse Province with distinct regional variation in resources, population, and recreational needs and opportunities. Conflicts experienced today will be exacerbated by the increased demand for outdoor recreational opportunities and the projected increase in the number of off-road vehicles over the next ten years. There is no simple solution which will address all conflicts. Resolution of conflict will take time and require patience by stakeholders. Our proposed recommendations enable this first step in the process... a path forward. Refinements may be required to any of the proposed solutions to address regional circumstances.

2.0 BACKGROUND

The Ontario Government has recently approved the *Ontario Trails Strategy* which envisions a "world-class system of diversified trails, planned and used in an environmentally responsible manner to enhance the health and prosperity of all Ontarians." The government is currently reviewing the legislative framework affecting trails and anticipates creation of a more supportive legislative environment for planning, managing, promoting and using trails in Ontario.

The *Ontario Trails Strategy* is a framework around which the Province will develop its vision of a world class system of diversified trails, planned and used in an environmentally responsible manner.

Trails provide many opportunities for local recreational activities and serve as an economic stimulus for many communities to attract thousands of tourists seeking places to experience Ontario's natural environment. However, issues relating to conflicts arising from recreational use of off-road vehicles (ORVs) impact directly on the vision of the Trails Strategy, and could have economic and social implications for the entire Province.

The *Ontario Trails Strategy* reflects an extensive consultation and consensus building process among divergent interest groups. However, while consensus was achieved on many issues, concurrence could not be achieved on all matters including: the appropriate lead governance body, user fees, motorized access and appropriate standards or guidelines. Regional differences influenced perspectives. The consultation process also indicated that in Ontario, as in other Canadian and North American jurisdictions, there are growing conflicts associated with recreational use of off-road vehicles.

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Following release of the *Ontario Trails Strategy*, the Ministry of Health Promotion commissioned a study of the issues. The consultant was required to:

1. Confirm the conflicts and key issues arising from the recreational use of off-road vehicles
2. Propose options for consideration that will mitigate these conflicts and issues.

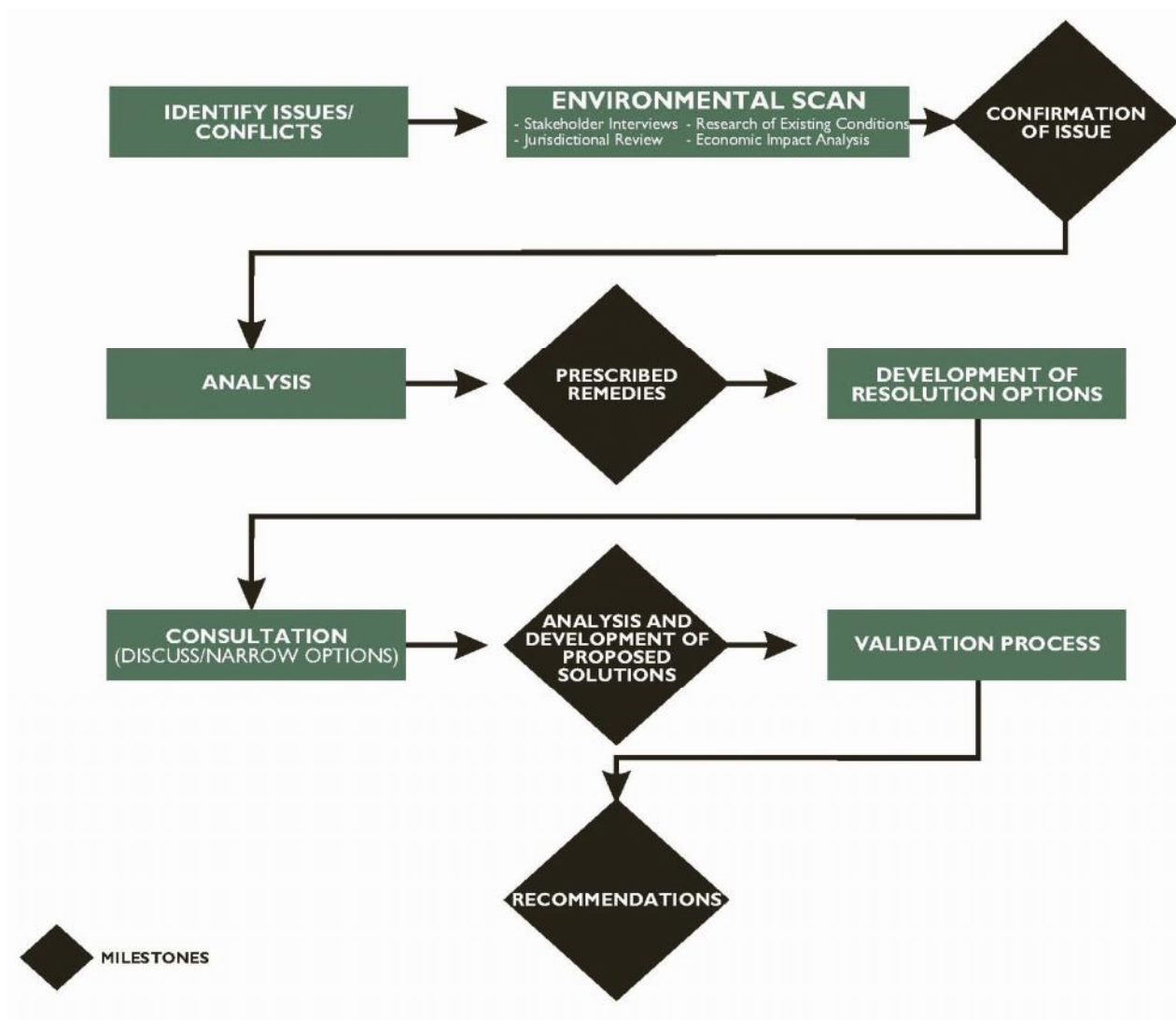
The findings and recommendations will provide a foundation for development of new policies to address facility planning, development and maintenance, public safety, awareness and education, monitoring and enforcement.

Note: *While the general parameters of the study directed the consultant to address off-road vehicles (ORVs), it became apparent early in the study process that the focus of attention is clearly upon ATVs, and to a lesser extent, off-road motorcycles. As a result, this paper and the recommendations contained herein is focussed on recreational use of ATVs.*

3.0 STUDY METHODOLOGY

Our team developed a conflict resolution model and approach for this assignment. The model describes our approach to understand the issues, engage key stakeholders and develop practical solutions. **Figure 1** depicts the conflict resolution process in detail.

Figure 1: Conflict Resolution Model



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Identification of Issues

During the development of the *Ontario Trails Strategy*, the Ministry of Health Promotion conducted an extensive public consultation program during which a number of conflicts had been identified between:

- **Motorized ORV users and public and private land owners** about:
 - Use and availability of publicly owned and controlled lands such as crown lands, provincial parks, conservation reserves, municipal lands, and county forests.
 - Use and availability of private land designated (e.g. agricultural and mine sites) for ORV recreational use.
 - The impact of ORV uses on remote tourism operators.
 - The use of ORVs in proximity to cottages and other habitation.
 - The use of ORVs on active Forest Roads.
 - The economic value of ORV use relative to other recreational activities.
 - How to encourage and enforce responsible ORV use
- **Motorized and non-motorized recreational trail users** regarding:
 - Motorised and non-motorised use of existing and future trails.
 - The best way of sustaining funding for trail development, management organizations, and maintenance.
 - The value of motorised, recreational activity relative to non -motorised, recreation trail activities
- **ATV users and snowmobile users** regarding:
 - Trespassing and using snowmobile trails during winter and off season.
 - The relative lack of dedicated ORV trails and parks.
 - The organization and leadership of motorised ORV users.
 - ORV and trail use by hunters and anglers and for essential transportation and occupational purposes.
- **ORV users and environmentalists/conservationists** regarding:
 - The degree of erosion, watershed damage, impacts on environmentally sensitive areas, parks and protected areas and fish and protection, wildlife and habitat protection and sustainability affected by ORV use
- **Motorised recreation organizations and public health professionals** regarding the best ways to ensure:
 - Injury prevention.
 - Responsible behaviour.

An initial Ministry of Health Promotion analysis indicated that there are a number of structural factors underlying these conflicts:

1. Ample evidence suggests the growth of ORVs is long-term. Study estimates indicate ATV vehicular growth occurring at 16% per annum for the period 2002-2005 while the equivalent for snowmobiles for the same period has essentially levelled off.
2. The existing ORV trail system in Ontario is limited relative to that of the snowmobile trail system.

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3. Ontario's ORV clubs and associations have limited resources and capacity to organize in large numbers.
4. ORV related social costs (e.g. costs associated with ORV-related injuries) are significant and growing.
5. The role of the Government of Ontario in ORV planning and trail management has been more limited than that of other Canadian provinces with similar terrain, climate conditions and user patterns.

The Ministry's preliminary work also indicated that the growing levels of conflict are generally proportional to:

- The increase in numbers of motorized vehicles;
- Increasing popularity of motorized vehicles ;
- Increasing pressure on public open space and access ;
- Clashes in values related to land use, conservation ethics, economic opportunities, recreational behaviours; and
- Safety concerns, particularly for young people.

3.1 Environmental Scan

To validate the conflict issues associated with the recreational use of off road vehicles, we conducted an "environmental scan" to acquire base data from which later elements of the study would derive. We collected information about Ontario's ATV / ORV community from numerous sources and commenced similar Web-based research on other North American jurisdictions.

For each of the jurisdictions, we examined in detail:

- Industry trends;
- Key economic data;
- Relevant legislation; and
- Sources of funding and the framework for distribution.

Appendix ___ to this report contains a selected bibliography of articles and studies related to management of off-road vehicles in Canada and the USA over the past several years. These readings became a base for our examination of the state of the art on policy and regulations related to off-road vehicles.

3.1.1 Definitions and Regulatory Frame in Ontario

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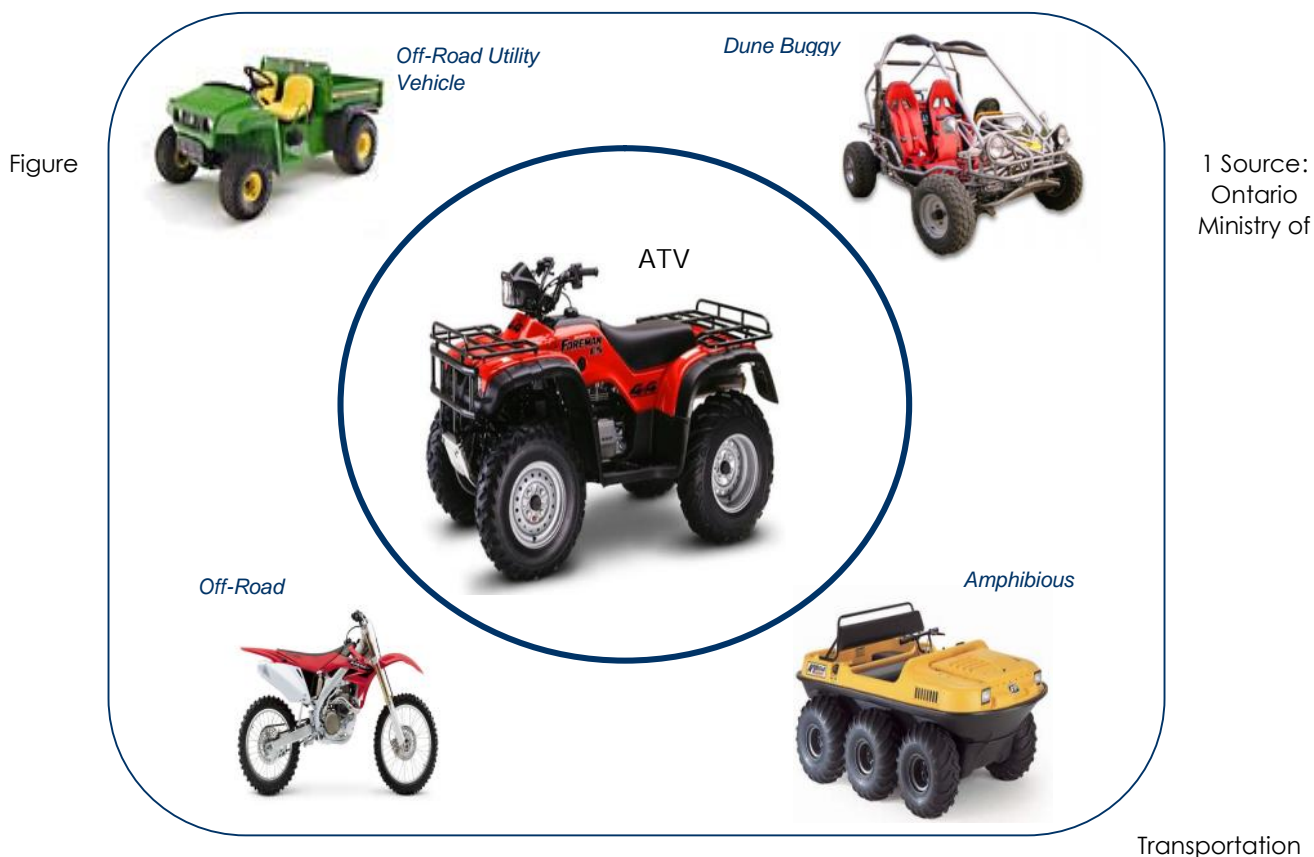
The Ontario Ministry of Transportation, as stated in the Off-Road Vehicles Act, defines an off-road vehicle as:

1. Vehicles that use non-muscular (i.e. motorized) propulsion and have three wheels or less ; or
2. Vehicles that have three or more wheels prescribed by regulation.

The Off-Road Vehicle Act's definition results in all terrain vehicles, dune buggies, specialized utility vehicles and specific motorbikes to be considered off-road vehicles, while motorcycles in rallies sponsored by a motorcycle association are not categorized as such.

Figure 2 illustrates those vehicles defined as off road vehicles in Ontario.

Figure 2: Off Road Vehicles Defined in Ontario



Two pieces of legislation govern ORV use in Ontario. The Off-Road Vehicles Act generally governs ORVs operating off roads while the Highway Traffic Act governs on-road usage. The following chart is a summary of the key requirements of the current legislation.

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Requirement	Location	
	Designated Provincial Highway Shoulders and Municipal Roads if By-Law Enacted ¹	Off-Road
Type of Vehicle	Only ATVs that meet certain requirements including having four wheels and meeting federal safety standards and American National Standards Institute/Specialty Vehicle Institute of America (ANSI/SVIA) standards	ATVs, dune buggies, amphibious vehicles, dirt bikes etc.
Licensing	Valid Class G2/M2 or higher.	No licensing required.
Registration	Permit and numbered plate required. One time registration only.	Permit and numbered plate required. One time registration only.
Minimum Age	16 years of age required for G2 or M2 licence.	Minimum of 12 years of age unless operating the vehicle on land occupied by the vehicle owner or closely supervised by an adult.
Safety Equipment	Driver must wear helmet.	Driver and passenger must wear helmet, however it is not required if the driver is operating the vehicle on land occupied by the vehicle owner.
Insurance	Insurance required.	Insurance required, except when vehicle is driven on land occupied by the vehicle owner.
Rules of the Road	No passengers. Drive in same direction as traffic. Drive on shoulder. Speed limit 20 km/h (where speed is 50 Km/h or less). Speed limit 50 km/h (where speed limit is over 50 km/h).	Must drive with due care and attention and with reasonable consideration for other persons.
Vehicle Equipment Standards	Head lights, tail lights, working brakes, reflectors, low-pressure bearing tires. Width and weight restrictions apply.	

3.1.2 General ORV data

¹ Source: Ontario Ministry of Transportation Discussion Paper November 2006

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Very few studies have been able to determine the exact number of ATVs and ORVs in Ontario because:

- Sales and registration figures for some vehicle are not maintained;
- An estimated 50,000 ATVs are not registered in Ontario. Owners of ATVs in the remote North are not required to register their vehicles; and
- Some units are purchased in other jurisdictions.

The 2004 Ontario Road Safety Annual Report indicates that there were 232,200 ORVs registered in Ontario in 2004 with an annual growth rate of 11% (reported by MTO as 10%).

Recent data published in December 2006 by the Canadian Off-Highway Vehicle Distributors Council (COHV) indicated that Canadians spent \$3.3 billion in 2005 on activities involving 975,000 operating ATVs. The study also showed that the ATV fleet in Ontario accounted for nearly 300,000 units (292,479) in 2005 and that sales are projected to grow annually at 5.86% until at least 2010. The report also indicates that 66% (193,036 units) of the ATV fleet appears to be used for recreational purposes.

The number of ATV units reported in Ontario does not indicate the full impact of use since, one unit will often be used by a number of different people within the same group or family over the course of a day or weekend. Some studies have used factors between 1.6 and 4.08 to estimate the number of users and the participation rate in ATV recreational activity. Applying these factors in Ontario suggests the user rate ranges from 308,857 to 787,586, based on the 2005 values for recreational ATVs in the Province.

The Canadian ATV Distributors Council uses a factor of 3.1 people per machine to calculate user rates. Based on this calculation, they estimated that nearly 600,000 people used ATVs in Ontario in 2005.

If the COHV growth projections are true, Ontario should expect to face increased demand for facilities to support over a quarter of a million (256,000) recreational ATVs before 2010 and a doubling of current numbers by 2020. Actual participation in ATV recreational activity will be significantly higher.

3.1.3 Demographics of ATV users

ATV Rider Profile

There has not been a comprehensive Canadian survey of ATV users however, anecdotal evidence suggests that the general characteristics of riders in Ontario closely match the profile of users in other jurisdictions. A 2005 survey in Quebec indicates that a large number of ATV users are male (60%) between the ages of 18 and 44 and are employed in blue collar / technical occupations. The study also reported that 25% of ATVs in Quebec are from the Montreal urban centre.

In the USA, a 2003 Consumer Product Safety Commission report indicated that seventeen percent of ATV drivers are under 16 years of age but that the majority of riders are males aged 17 to 45.

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A March 2006 report “*All-terrain Vehicles in Minnesota: Economic impact and consumer profile*” from University of Minnesota provides the following information about ATV riders:

Demographics: Mirroring a national sample, the typical 2005 Minnesota ATV rider was a white male in his mid-forties with some college or technical schooling. The typical rider is most often full-time employed with an income greater than \$50,000 that supports a family with an average size of 2.8.

Motivations for ATV riding: The most important experience attribute among Minnesota ATV riders was ‘being with friends and family’. ‘Being in a natural area’, ‘relaxation’, and ‘getting away from it all’ tied as the second most important experience attributes. Two factors explained 61.9% of the variance regarding what is important to ATV riding: riding with others in natural environments and elements of the ATV ride.

Typical ATV riding experience: ATV recreational riders participate in the activity about 26 times during the season, on average. Those who travel 100 miles or more for ATV riding, do so about 11 times a season. Overnight travel occurs 3.1 times a year and those who overnight stay an average of 2.1 nights per trip. A follow-up questionnaire revealed that riders under-estimated their actual riding and therefore, participation could be higher than reported here.

Survey respondents reported more than half of their ATV experiences involve distances less than 30 miles, while most of the remainder range up to 100 miles or more. The average experience was 4.2 hours in duration. [*This is consistent with observations made by representatives of ATV Ontario .*]

Most respondents use one or two ATVs and groups typically consist of four or more adults. When children or teens participate, there are usually two or more in the group. ²

The above data compares favourably with available data from Canada. A 2005 survey report of ATV use in Quebec (background to “A Public Discussion Paper on Off -Road Vehicles Highways) indicates that there are approximately 3 users per registered ATV and that 15% of the recreational users use their machines for trips of 80km or less , 22% travel over 160km in the same day and 15% take extended overnight trips. On average ATV owners in Quebec travel some 3,156km per year with an average of 9.73 trips per year.

The Ontario Tourist Motivation Study conducted by the Ministry of Tourism, in 2000 indicates that there are approximately 980,000 frequent and occasional snowmobile riders in Ontario which would indicate a similar end user ratio number for snowmobiles (3 riders per unit) .

² Source: Schneider, and Schoenecker “*All-terrain Vehicles in Minnesota: Economic impact and consumer profile*” Department of Employment & Economic Development, University of Minnesota, March 2006

3.1.4 Organizational Structures for ORVs in Ontario

There are a number of recreational organizations in the Province that support off-road vehicle recreational activities. These include:

- ATVOntario
- Ontario Federation of ATV Clubs
- Algoma Wilderness Riders Association
- Canadian Motorcycle Association
- Northern Lights, The Ontario Federation of Four Wheel Drive Recreationists
- Ontario Federation of Trail Riders

These groups are independent of one another and operate under distinct frameworks and, while sharing a common interest may not share the same objectives. For example, ATVOntario is neither club based nor membership driven, whereas the Ontario Association of ATV Clubs is both. The philosophical differences between these primary organizations and the typically independent nature of ATV riders has resulted in conflict and in some cases animosity between senior volunteers and executives of the two organizations. Lines of communication opened through the consultation process associated with this study have been facilitated by the Ontario Trails Council. A joint communiqué in February 2007 announced first steps towards common trail passes and greater degree of cooperation.

ATVOntario

ATVOntario is incorporated as a 'not for profit' alliance. It is neither club based nor individual membership driven. It was established in 2002 as a public/private initiative between the Ontario Tourism Marketing Partnership Corporation (OTMPC) and the five founding communities of Elliot Lake, Mattawa, Eastern Ontario (Tweed), Cochrane and Georgian Bay (Parry Sound).

Since 2006 ATVOntario has been funded solely by its member nodes. It has now grown to six communities with the addition of the Haliburton ATV Association. Several more communities have expressed interest in the ATVOntario model and are actively pursuing a role in the alliance.

ATVOntario is evolving beyond its original marketing role to include a base for ATV clubs in Ontario where they can participate in the economic development of their community and trails rather than provincial infrastructure and overhead.

The alliance is enacting a community-based model for Shared-Use Trail tourism throughout the province of Ontario. It was published in June 2003 under the title, "A Development Manual for a Community-based ATV Tourism Product". This manual contains an exhaustive business planning process.

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The Ontario Federation of ATV Clubs (OFATV)

The Ontario Federation of All-terrain Vehicle Clubs (OFATV) represents 18 local ATV clubs and approximately 1,500 members. OFATV was initiated in June 1999. The first multiple use snowmobile and ATV trail systems were announced in 2001. OFATV subsequently restructured dividing the province into 17 districts (parallel to the Ontario Federation of Snowmobile Clubs). In 2003, OFATV developed its own "made for ATV clubs" insurance policy, creating affordable club insurance.

The OFATV was directly responsible for initiating the 2003 Off Road Vehicles Act in Ontario. The OFATV continues to work with the various governments on all issues pertaining to the interests of ATV users Ontario.

Northern Lights, The Ontario Federation of 4WD Recreationists.

The Northern Lights 4x4 Trailriders Association was founded in 1998, with the primary mandate of ensuring the sustainability of 4-wheel drive-based recreational activities in Ontario. The scope of the organization has extended over time to include a variety of other interests. These include promotion of four-wheel drive (4WD) related activities and tourism, education of appropriate 4WD usage, and cooperative trail use strategies. The OF4WD is an incorporated non-profit organization. The organization is comprised of a seven member board of directors, a group of committee heads, and a number of committee members. The association is set up as a provincial umbrella, under which reside a number of organized and incorporated local 4WD clubs who express their unified voice through the OF4WD. However, these clubs are free to maintain their autonomy and diversity while in support of a common voice. The structure is analogous to that of the Ontario Federation of Snowmobile Clubs.

Ontario Federation of Trail Riders (OFTR)

The Ontario Federation of Trail Riders is dedicated to off-road motorcycling. It currently represents 18 clubs and nearly 6,000 individual members. The OFTR is primarily geared to competitive riding, cross-country (enduro-cycling) rallies, and trail riding.

The organization was incorporated in 1992 with the goal of educating riders and promoting safe and responsible riding. Its mandate reads: "To source, create and maintain a trail network in Ontario for safe, family use by off road motorcyclist, as well as any other good intentioned users. To provide a strong voice supported by a substantial membership to represent trail users to ensure, to our best ability, that these trails continue to be available."

Canadian Off-highway Vehicle Distributors Council (COHV)

COHV, formerly the Canadian All-Terrain Vehicle Distributors Council (CATV), is a national, non-profit trade association representing the responsible interests of the major ATV and off-highway motorcycle manufacturers, distributors and retail outlets of off highway vehicle related products and services. The member companies of the COHV account for over 90 percent of all the new off highway vehicles sold in Canada.

The COHV's primary mission is to promote education and training for the safe and responsible use of all-terrain vehicles and off-road motorcycles and advocate for the responsible interests of riders and the industry.

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The Canadian Off-Highway Vehicle Distributors Council co-sponsors an information and environmental advocacy program called ATV NatureWatch. This project was developed and produced by COHV, in association with the Canadian Ecology Centre (CEC), and with the financial support from the Federal Economic Development Initiative for Northern Ontario (FedNor). Recreational ATV riders and tourists are the project's key target audience.

Among its other programs, the Canadian Off-Highway Vehicle Distributors Council has initiated a grant program to support development of provincial ATV organizations. It has issued more than \$835,000 in the first round of grant funding for 2007, to support the establishment and expansion of provincial and national ATV and Off-Road Motorcycle Rider Federations.

The Ontario Trails Council (OTC)

The Ontario Trails Council was founded in 1988 to promote the development of integrated recreational trails throughout Ontario. It is a volunteer led, charitable organization, promoting the creation, preservation, management and use of recreational trails in Ontario.

The OTC was instrumental in the Trans Canada Trail's success in Ontario, and is dedicated to the development of the Trillium Trail Network (TTN) - an all seasons trail system that will support a range of recreational uses.

The OTC is the only organization in Ontario to represent all types of trail users: snowmobilers and ATV users, skiers and dog sledgers, equestrians and cyclists, hikers and bird watchers. The OTC membership is comprised of: provincial trail user organizations/ associations such as the Ontario Federation of Snowmobile Clubs, Ontario Equestrian Federation and Hike Ontario, private individuals, trail management groups, conservation authorities and community associations as well as municipalities such as Ottawa, Sarnia and North Bay.

The Motorized Section of the Ontario Trails Council is a sub set of the OTC comprised of members of the ORV community and OFSC. This group plays a coordinating role and has been instrumental in bringing divergent ATV organizations together to discuss common issues.

Ontario Federation of Snowmobile Clubs (OFSC)

In contrast to the above, the Ontario Federation of Snowmobile Clubs has 248 clubs. In 2004/05 the OFSC sold 103,867 trail permits. The OFSC maintains approximately 41,000 km of trails across the Province. These trails have been developed for snowmobiling, and in many cases, are negotiated rights-of-way expressly for the purposes of winter use by snowmobiles. In some areas where the property owners have specifically agreed, OFSC trails may be designated as "shared use" to be used under certain conditions by ATVs. Generally, though, OFSC trails are excluded to snowmobiles only.

Algoma Wilderness Riders

Algoma Wilderness Riders is a lobby group consisting of approximately 330 members whose main interest is to preserve the right of ATV users in Northern Ontario to historic trails and routes over Crown land. The organization is not affiliated with any other network.

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Relevant Government Agencies

Several Ontario Government Ministries (including MHP, MTO, MNR, Tourism, OMAFRA) and agencies such as the Ontario Tourism Marketing Partnership Corporation (OTMPC) have varying degrees of interest in ATV activity.

3.1.5 Trail Facilities

The exact number of dedicated ATV trail kilometres in Ontario is unknown. Several studies reference 2,100 kilometres of dedicated ATV trails while other trail organizations indicate "extensive" trail riding opportunities. Some claim access to "thousands" of kilometres of trails in marketing literature. Definitional issues of "trail" and "dedicated trail" impact these numbers. There are many kilometres of unopened or unused road allowances throughout Ontario and extensive networks of forest access roads which are used as trail infrastructure. The public often confuses snowmobile trail facilities with ATV trails or simply accesses OFSC trails for convenience, notwithstanding the fact that OFSC trails are negotiated for specific seasonal uses. Lack of awareness on the part of ATV users contributes to inappropriate use of trails in some locations.

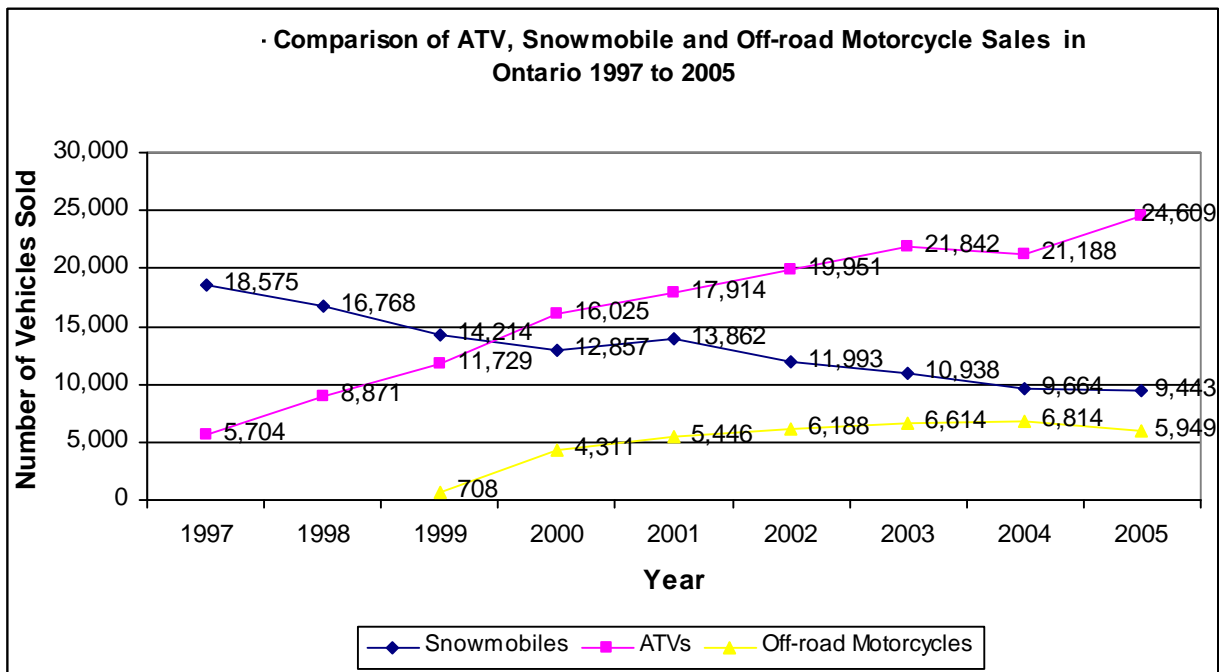
While there are many trails in Ontario, the general notion is that there is an inadequate supply of places to ride within reasonable distances of population centres. To address this concern, recent agreements between ATV organizations and the OFSC have resulted in shared use agreements of trail facilities. Likewise, some county and municipal governments have established policies which will allow shared use of trail facilities within designated areas. The Simcoe County Forests Recreation Policy, 2006 and the associated management agreement is considered a model for shared use of facilities in Ontario.

3.1.6 The Economics Associated with ORV Use

Our team was asked to determine the economic value of off-road vehicles in Ontario to illustrate the industry's value to the province. Our analysis (below) identifies the current economic value of ORVs as well as the projected economic impact by 2015. For the purposes of this analysis, ORVs were defined as all-terrain vehicles (ATVs) and motorcycles used off-road (trail bikes). Snowmobiles were excluded from this particular analysis.

As noted earlier, the growth of ATVs and off-road motorcycles in Ontario has increased dramatically over the past ten years. Sight-seeing close to home on approved trails is quickly becoming the preferred pastime for thousands of environmentally conscious ATV and off-road enthusiasts across Ontario. As such, ATVs and off-road motorcycle sales in Ontario have grown steadily since 1997, while the sale of snowmobiles has declined. Our discussions with the Canadian All-Terrain Vehicle Distributors Council and selected ATV manufacturers and retail outlets indicate that strong growth is projected to continue well into the future. See **Figure 3** below.

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Source: Canadian All-Terrain Vehicle Distributors Council , International Snowmobile Manufacturers Association and Smith Gunther Associates Limited

ORV use is already a major activity in Ontario with far reaching economic impacts on the province, especially in many rural communities who depend solely on the ORV industry to generate needed dollars. *Resorts Ontario* indicates that as many as eleven resorts in northern Ontario derive the majority of their annual sales from ATV and off-road motorcycle related activities.

While the sales of ORVs is well known in the province, detailed data on annual maintenance, operating expenditures and related expenditures in Ontario are not readily available for ORV activities. As

references, we analyzed several surveys and economic impact studies for snowmobiling and ORV related activities that were conducted in other jurisdictions, including: Pennsylvania (2000), Colorado (2001), Alberta (2002), Wisconsin (2004), New Hampshire (2004), Quebec (2005) , Maine (2005), New York (2006) and Minnesota (2006) . **APPENDIX X** summarizes this data.

In addition to these studies, we reviewed *Smith Gunther Associates Limited* 's study published in December 2006 for the Canadian All-Terrain Vehicle Distributors Council titled "The Economic Impact of All Terrain Vehicle Recreation in Canada: National, Provincial, and Territorial."



trip

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Current Economic Impact of Off-Road Vehicles in Ontario

Direct Expenditures

According to the Smith Gunther report, there were 292,479 all terrain vehicles operating in Ontario in 2005, of which 193,036 (i.e., 66%) were used for recreational purposes. It is projected that the number of operating ATVs will grow at over 5.86 percent annually until 2010 (See **Table 1**). Given that factors of 1.6 to 4.08 have been used to determine the actual number of ATV users, it is estimated that there were between 308,857 and 787,586 recreational users of ATVs in Ontario in 2005. A May 2006 study entitled "ORV by the Numbers" indicated that there were 320,862 resident recreational ORV users and 66,213 tourist ORV users. It is clear that the number of ATV/ORV users in Ontario is significant.

Retail sales of ORVs in Ontario were estimated at \$158,914,690 in 2004. ATV -related expenditures, rider-related expenditures and trip-related expenditures were derived from annual expenditures data in other jurisdictions and were adjusted using the CPI for Ontario and the Canadian dollar exchange rate.

ATV-related expenditures include ATV parts and accessories (tires, mufflers, winches, plows), \$269.72; gasoline and oil for ATVs, \$207.84; ATV service and repair, \$173.78; ATV storage, \$5.23; ATV insurance, \$235.63; and other, \$24.23 for a total of \$916.43. Based on the number of recreational ORVs in Ontario in 2005 (193,036), the estimated total annual ATV-related expenditure is \$176,903,981.

Rider-related expenditures include ATV clothing (pants, boots, gloves, etc.), \$83.15; accessories (helmet, goggles, communications, etc.), \$107.29; and other, \$12.40 for a total of \$202.84. The estimated total annual rider-related expenditures is \$39,155,422.

Trip-related expenditures include gas and oil for towing vehicle, \$73.64; restaurant expenses, \$72.41; food and beverages purchased in stores, \$85.85; overnight accommodations, \$58.94; souvenirs, gifts, etc., \$9.83, and other, \$6.47 for a total of \$307.14. According to the research in other jurisdictions, 38.9 percent of ORV owning households took one overnight trip during the year, 10.3 percent took two trips, 5.2 percent took three trips and 9.3 percent took four or more trips. Using these percentages, there was an estimated 216,779 overnight trips made accounting for an annual trip expenditure of \$66,581,634.

Projected annual spending by non-resident tourists to Ontario is estimated to be \$43,311,247.

Based on the foregoing expenditures, **the 2005 estimated total direct expenditures by recreational ORV users in Ontario was \$430,835,979.**

The Economic Impact of Recreational Off-Road Vehicle Related Expenditures

The \$430,835,979 in direct expenditures in Ontario supported and sustained a stream of impacts in the province and local municipalities. Based on a capital income multiplier of 1.58 (applied to retail purchase of ORVs) and an income multiplier of 1.76 (applied to all other expenditures) as provided in the Ontario Ministry of Tourism's Tourism Regional Economic Impact Model (TREIM), the total direct, indirect and induced expenditures resulting from the sale and use of ORVs in Ontario in 2005 is

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estimated to be \$739,401,258. More than 6,400 Ontarians owe their full time jobs to the recurrent capital and operational expenditures of recreational ORV enthusiasts. All three levels of government realize large tax revenues annually on these impacts of \$167,639,780. The federal government collects the largest share of \$92,442,611. The provincial government nets \$69,189,351. See FIGURE 3 below for details.

It should be noted that these impacts do not include the capital investment in the 2,100 kilometres of dedicated ATV trails in Ontario nor the annual maintenance costs involved in trail upkeep.³

Table 1 - Current Economic Impacts through the Sale and Use of Recreational ORVs in Ontario

	Retail purchase of ORVs	All Other Expenditures	Total
Direct Expenditure	\$104,833,695	\$326,002,284	\$430,835,979
Indirect	\$25,719,899	\$104,803,214	\$130,523,113
Induced	\$35,719,899	\$142,958,522	\$178,042,166
Total Revenues	\$165,637,238	\$573,764,020	\$739,401,258
Multiplier	1.58	1.76	
Employment - Number of Jobs	801	3,628	4,429
Indirect	91	844	935
Induced	109	1,006	1,115
Total Jobs	1,001	5,478	6,479
Multiplier	1.25	1.51	
Taxes			
Federal	\$24,626,811	\$67,815,800	\$92,442,611
Provincial	\$18,432,118	\$50,757,234	\$69,189,351
Municipal	\$1,528,561	\$4,209,256	\$5,737,818
Total Taxes	\$44,587,490	\$122,782,290	\$167,369,780

Source: Ontario Ministry of Tourism, Tourism Regional Economic Impact Model (TREIM); TOURISTICS

Projected Economic Impact of Recreational Off-Road Vehicles in Ontario in 2010 and 2015 Direct Expenditures

In order to arrive at a conservative estimate of the future economic impacts of ORVs, we continued to use a projected annual growth rate of 5.86 percent as per the *Smith Gunther Report*. As such, we project that there will be 388,825 ORVs in Ontario in 2010, of which 256,624 will be used for recreational purposes. By 2015, the number of ORVs is projected to further increase to 516,908, of which 341,160 will be used for recreational purposes. Likewise, sales of ORVs used for recreational purposes are projected to increase from \$104,833,695 in 2005 to \$212,796,926 by 2015.

¹2005 Annual Report of the Motorcycle & Moped Industry Council and Canadian All-Terrain Vehicle Distributors Council

²ORV by the Numbers May 10, 2006

³Indirect Impact refers to the impact resulting from the expansion of demand from businesses or sectors that directly produce or provide goods and services to recreational ORV owners, to other businesses or sectors

⁴Induced Impact refers to the impact associated with the re-spending of labour income and/or profits earned in the industries that serve recreational ORV owners directly or indirectly

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Similarly, ATV-related expenditures, rider-related expenditures and trip-related expenditures are projected to increase from \$282,641,037 in 2005 to \$499,521,399 by 2015.

While annual spending by non-resident tourists to Ontario is projected to increase, their portion of the overall direct expenditures by ORV users is expected to decrease (i.e., from 22.0% in 2005, to 14.3% in 2015) as growth rates for tourists from the United States and Europe decline. Non-resident tourists are still projected to spend \$55,442,058 on ORV related activities in 2015, indicating their significant contribution to Ontario's economy.

Total direct expenditures by recreational ORV users in Ontario are projected to increase from \$430,835,979 in 2005 to \$767,760,383 in 2015.

Projected Economic Impact of Recreational Off-Road Vehicle Related Expenditures

Total direct, indirect and induced expenditures resulting from the sale and use of ORVs in Ontario is projected to increase from \$739,401,258 in 2005 to \$1,312,952,699 by 2015. As a billion dollar activity in Ontario by 2010, the sale and use of recreational off-road vehicles clearly distinguishes it as a significant contribution to the Province's economy. As well, the number of Ontario residents employed as a result of the capital and operational expenditures of ORV enthusiasts will increase from 9,113 to 12,930 between 2010 to 2015.

The three levels of government stand to collect \$236,795,679 in taxes in 2010 and \$337,602,696 in 2015 from the activities of those purchasing and using an ORV for recreational purposes. The provincial government alone will gain \$97,889,473 in 2010 and \$139,562,301 in 2015 from this recreational activity (See Tables 2 and 3 below).

Table 2 - Projected Economic Impacts through the Sale and Use of Recreational ORVs in Ontario (2010)

	Retail purchase of ORVs	All Other Expenditures	Total
Direct Expenditure	\$160,068,648	\$424,749,272	\$584,817,920
Indirect	\$39,269,641	\$136,548,395	\$175,818,037
Induced	\$53,568,574	\$186,261,050	\$239,829,624
Total Revenues	\$252,908,464	\$747,558,716	\$1,000,565,581
Multiplier	1.58	1.76	
Employment - Number of Jobs	1,177	5,061	6,238
Indirect	134	1,177	1,311
Induced	160	1,404	1,564
Total Jobs	1,471	7,642	9,113
Multiplier	1.25	1.51	
Taxes			
Federal	\$36,184,884	\$94,603,428	\$130,788,311
Provincial	\$27,082,843	\$70,806,630	\$97,889,473
Municipal	\$2,245,959	\$5,871,936	\$8,117,895
Total Taxes	\$65,513,685	\$171,281,994	\$236,795,679

Source: Ontario Ministry of Tourism, Tourism Regional Economic Impact Model (TREIM); TOURIS TICS

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Table 3 - Projected Economic Impacts through the Sale and Use of Recreational ORVs in Ontario (2015)

	Retail purchase of ORVs	All Other Expenditures	Total
Direct Expenditure	\$212,796,926	\$554,963,457	\$767,760,383
Indirect	\$52,205,470	\$178,409,652	\$230,615,122
Induced	\$71,214,619	\$243,362,575	\$314,577,194
Total Revenues	\$336,219,143	\$976,735,684	\$1,312,952,699
Multiplier	1.58	1.76	
Employment - Number of Jobs	1,729	7,131	8,860
Indirect	197	1,658	1,855
Induced	235	1,979	2,214
Total Jobs	2,162	10,768	12,930
Multiplier	1.25	1.51	
Taxes			
Federal	\$53,166,884	\$133,299,721	\$186,466,605
Provincial	\$39,793,145	\$99,769,156	\$139,562,301
Municipal	\$3,300,014	\$8,273,776	\$11,573,790
Total Taxes	\$96,260,043	\$241,342,654	\$337,602,696

Source: Ontario Ministry of Tourism, Tourism Regional Economic Impact Model (TREIM); TOURIS TICS



4.0 Cross-Jurisdictional Research – A Comparative Analysis

Cross-Jurisdictional Research Summary:

In combination with understanding the background of the ORV and ATV industries in Ontario , we conducted a review of other ORV programs in other North American jurisdictions, with special focus on the legislative and regulatory frameworks , policies and practices in place across several geographic areas including :

- British Columbia
- New Brunswick
- Nova Scotia
- Quebec
- California
- Minnesota
- Utah

It was immediately evident that there were many conflicts and issues similarly experienced across these jurisdictions. As might be expected however, resolutions to the conflicts and methods used to manage the ORV programs varied considerably.

The following is a summary of the conflict issues related to the recreational use of ORV s, along with the range of responses across multiple jurisdictions in Canada and the United States. The conflict issues were originally identified by the Ministry of Health Promotion for purposes of this study. Details of our findings are available in Appendix _____ .

Conflict Issue 1

ORV users and public and private land owners including:

- Use and availability of publicly owned and controlled lands such as crown lands, provincial parks, conservation reserves, municipal lands and county forests
- Use and availability of private land designated (e.g. agricultural and mine sites) for ORV recreational use
- The impact of ORV use on remote tourism operators
- The use of ORVs in proximity to cottages and other habitation
- The use of ORVs on active Forest Roads
- Liability issues related to ORV use on private property
- Damage to private property associated with ORV use

Responses of other jurisdictions:

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- Written permission and wayleaves required for access to private lands (NB, NS, QC, UT)
- Landowners need to post 'no trespassing' signs or fence in areas (MN - at intervals of 500-1,000 feet, CA)
- Designation of lands for motorized use by regulations (CA – SVRAs and other public lands, MN – State Forests defined as 'Managed' & 'Limited', UT)
- Prohibition of public lands for motorized vehicles (QC – provincial parks, MN – State Forests defined as 'Closed")
- Prohibitions within certain distances of residential properties (NB – 25 metres, QC – 30 metres)
- Use of public lands through legal agreements/designations (NB)
- Compensation fund for damage to environment/property (MN)
- Proof of motor vehicle liability insurance with first party accident benefits and third party liability (NB – no less than \$200,000, NS, QC – minimum of \$500,000)

Conflict Issue 2

Motorized and non-motorized users including:

- Development of sufficient trails for motorized use
- Ensuring an appropriate trail experience for all users
- The best way of sustaining funding for trail organizations as well as trail development, management and maintenance
- The value of motorized, recreational activity relative to non-motorized, recreation trail activities
- The economic value of ORV use relative to other recreational activities
- ORV and trail use by hunters and anglers and for essential transportation and occupational purposes

Responses of other jurisdictions:

- Requirement for signage on trails designating use for motorized vehicles (QC)
- Requirement to obtain highway usage permit (NB)
- May use trails in the event of an emergency and closures (NB, QC, UT)
- May use ditches (NS, QC, MN – restrictions apply to classes of ATVs)
- May load/unload vehicles at the side of the highway (NS, UT)
- May cross highways (NS, QC, UT)
- May use public lands given permission of a particular use (NB)
- May have limited access to public road for work purposes (QC)
- Restrictions of a class of ATVs (MN)
- Need permission to enter agricultural lands (MN)
- Agricultural zones that restrict ATV usage (MN)
- Municipal ordinances designating certain streets/highways as OHV routes (UT)

Conflict Issue 3

Motorized Users of Trails (snowmobiles and ORVs) including:

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- Use of snowmobile trails in winter and off-season
- Lack of trails for ORV use
- The relative lack of organization of ORV users
- ORV and trail use by hunters and anglers for essential transportation and occupational purposes

Responses of other jurisdictions:

- Designating trails specifically for ORV use (NB, NS in 2007, QC CA, MN - restrictions apply to a class of ATVs)
- Joint management/associations (NB - both groups represented on Trail Management Fund Advisory Board, NS - both groups represented on Ministerial Advisory Committee, QC - MOA signed by both groups intended to separate ATV and snowmobile use for safety reasons, UT – steering committee and working groups designed to address “OHV hot spots”)
- May use snowmobile trails with snowmobile club's permission (NB)
- May be registered for work purposes, separate from recreational use (UT)

Conflict Issue 4

The Environment and ORV use including:

- The degree of erosion, watershed damage, impacts on environmentally sensitive areas, parks and protected areas, and fish, wildlife and habitat sustainability affected by ORV use
- Off-trail use of motorized vehicles and impacts on the environment
- Noise and exhaust associated with ORV use

Responses of other jurisdictions:

- Responsible behaviour (NB – safety training through ATV club, NS - safety program, CA – comprehensive safety program encourages safe and environmentally responsible ORV recreation, MN – emphasis on environmental protection, UT – grades 3-7 provided guidance on safety, etiquette and ethics in ORV use)
- Separation of motorized trails from habitation (NS – beach, provincial park or reserve, wilderness area, etc., NB, QC, CA, MN, UT)
- Speed limits in proximity to residential properties (QC)
- Ability to apply for licenses to operate in environmentally sensitive areas (NS)
- Occasional temporary closure of trails to minimize environmental impacts (CA)
- Regulations related to ORV noise levels and exhaust systems (generally all)
- Managing resources, mitigating impacted resources in OHV recreational areas (CA – Wildlife Protection Program for each SVRA)
- Guidelines to enhance natural environment around ORV trails (MN – Trail Design & Development Guidelines with emphasis on environmental sustainable trail siting and design)
- Inventory of natural environmental features (MN – forest-by-forest review to determine appropriate classification relative to ORV use)
- Compensation fund for damage to environment/property (MN, UT – some funding used to mitigate impacts associated with ORV use)

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Conflict Issue 5

Public safety and ORV use including:

- Injuries associated with the increasing use of ORVs
- Ensuring responsible use of ORVs
- Sufficient monitoring and enforcement of appropriate trail use

Responses of other jurisdictions:

- Injury prevention (generally all)
- Mandatory training programs for ORV users (NB – 16+, NS – 16+, QC – 16 & 17, MN – 12-15 years old using public lands, UT – 8-15 with restrictions with education certificate)
- Licensing requirements (NB, NS, QC, CA, MN, UT)
- Liability insurance requirements (NB, NS, QC)
- Legislated age requirements for ORV use (NB – 14, NS – under 14 w/ restrictions, QC – 16, CA – 14 w/ restrictions, MN – under 10 only on private property, UT – 8-15 with restrictions)
- Speed limits associated with ORV use in certain areas (generally all)
- Legislated helmet use and size of vehicles (generally all)
- Penalties for inappropriate ORV use (NB – underage riders, NS – improper registration, QC identifies detailed list of penalties, CA, MN – violations are misdemeanours, UT – Class C misdemeanour for most)
- Additional enforcement personnel (NB – volunteers through association, NS – 150 volunteer wardens, QC – association provides trail security officers, no U.S. associations involved in enforcement)
- Increased public education to promote ORV safety (NB – safety training through association and safety council, NS – developing a handbook, CA – Police Activities League program teaches at-risk youth how to operate ATVs, youth required to complete ATV independent study course, MN – emphasis on environmental protection, UT – grades 3-7 provided guidance on safety, etiquette and ethics in ORV use)
- Annual registration process (NB, NS, QC, CA {2-year period}, MN)

5.0 Initial Consultation

5.1 Interviews

Upon completing a review of ORV policies and practices in Ontario and other North American jurisdictions, we interviewed over 40 individuals representing public, private and non-profit organizations directly or indirectly involved with the recreational use of ATVs. Our research findings became the basis for a discussion paper and questionnaire designed to solicit input on the most relevant issues.

The questionnaire and individual responses are included in Appendix _ ??_.

During this consultation, we interviewed the following:

Provincial Government Ministries

- Agriculture, Food and Rural Affairs
- Culture
- Finance
- Municipal Affairs and Housing
- Natural Resources (Land and Waters Branch)
- Northern Development and Mines
- Ontario Secretariat for Aboriginal Affairs
- Public Infrastructure and Renewal
- Tourism
- Transportation

Organizations

- Algoma Wilderness Riders Association
- Association of Municipalities of Ontario
- ATV Ontario
- Canada Safety Council
- Canadian Pediatric Society
- CATV Distributors Council
- Conservation Ontario
- Go for Green
- Insurance Bureau of Canada
- Northern Ontario Tourist Outfitters
- Ontario Association of Chiefs of Police
- Ontario Association for Active Living
- Ontario Drive and Gear
- Ontario Federation of Agriculture
- Ontario Federation of Anglers and Hunters
- Ontario Federation of ATV Clubs
- Ontario Federation of Snowmobile Clubs
- Ontario Forest Industries Association
- Ontario Heritage Trust
- Ontario Prospectors Association

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- Ontario Provincial Police Association
- Ontario Public Health Association
- Ontario Tourism Marketing Partnership
- Ontario Trails Coordinating Committee
- Ontario Trails Council
- Safe Kids Canada
- Wildlands League

Consultation Results

The consultation process confirmed a number of issues which we have grouped under four themes:

Lack of Facilities

- Limited ATV specific trail facilities exist in Ontario. The lack of dedicated trails has led to widespread use and abuse of other trail facilities and open land .
- There is general agreement that government and the voluntary sector share responsibility for trail planning and operations.

Organizational Issues

- ATV riders are more independent than their seasonal opposites and are less likely to require groomed facilities.
- There is no single voice representing the ATV community in Ontario . User groups appear to be fragmented operating under their own structure and approach . As a result , there is little capacity to organize and identify a leader of this community .
- Strong evidence suggests the need for capacity building and funding to support development of facilities, education and awareness.
- The OFSC model of self management is attractive , but is not accepted as THE model by either environmental groups or all ORV users.
- Several groups have been afforded privileged use and access in Ontario , such as farmers, prospectors and trappers. These rights of access are legislated.

Public Safety and Education

- All stakeholders identified safety, education, and training as critical elements of the ATV industry, but determining who should be responsible to enhance those programs is not as clearly defined.
- Access issues in Northern Ontario are different than in other regions of the Province. Access to Crown Land via forest access roads is highly prized and generally accepted as a "right" .

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Environmental Awareness

- Protection of environmentally sensitive areas is a key issue that must be resolved.
- There is widespread erroneous assumption that ORVs have legitimate unrestricted access to OFSC (and other) trail facilities in Ontario .
- Trail use over agricultural land during all months of the year is not acceptable to the farm community. It will be difficult to acquire (negotiated) alternative access over private lands for ORV use.
- Competition for recreational uses in Northern Ontario is a growing issue. Increased demand for access by incompatible uses needs to be managed.
- Protection of "remoteness" is much more than an environmental philosophy – it is an economic reality.

5.2 Ontario Trails Council Workshop

Our team presented its preliminary findings to the Ontario Trails Council Coordinating Committee and to a special meeting of representatives of the motorized sector of the Ontario Trails Committee in December 2006. For the latter meeting, we posed specific questions to examine the ATV community's ability to manage ATV trails in Ontario. Following a facilitated process that included a SWOT (**S**trengths, **W**eaknesses, **O**pportunities and **T**hreats) analysis, the meeting participants confirmed the following self diagnosis:

- There is lots of leadership within the ATV community, but it is fragmented.
- While regional trails groups already exist, they are constrained by a lack of resources.
- The ATV community has an organizational structure in place, but there is user resistance to join such an organization.
- There are few places to legally ride an ATV in Ontario without creating some impacts.
- Ontario offers a world-class experience for ATV riders, which suggests the opportunity exists for increased tourism.
- Most ATV riders in Ontario are responsible and follow applicable laws. Unfortunately, because of a few "bad apples", the public perceives ATV users as noisy, bad for the environment and bad for Ontario.

6.0 ANALYSIS

The results of our analysis suggest that a new legislative and policy framework in Ontario must be considered in order to effectively address the conflicts associated with off road vehicles. This underlies the need for better sector management to improve the planning, development, maintenance, enforcement and access to trail facilities. The conflicts, which symbolize the reality of recreational ORV use in Ontario, will continue unabated unless there is a coordinated, effective management system put into place.

Based on the study's earlier research and interviews, we identified four management components that will address the management of trails and their associated conflicts, including:

- A. Oversight and Governance
- B. Organizational Framework
- C. Financial Sustainability
- D. Trail Planning

A detailed description of each of the four management components is described below.

6.1 Oversight and Governance

6.1.1 Definition

This component of sector management refers to identifying the manager(s) of the ORV sector. That is, who will be responsible for managing the sector's activities and what may be its/their role(s) ?

Relative to addressing the five conflict issues, *Oversight and Governance* will address the nature of the body and responsible roles to:

- Resolve disputes between ORV users and public and private land owners;
- Identify appropriate locations of motorized trails and non-motorized recreational trails, in conjunction with other relevant parties ;
- Work directly with the snowmobile community to pursue shared opportunities, address common concerns
- Establish rules and regulations to protect sensitive environmental and cultural features; and
- Enforce the safe behaviour of recreational off road vehicle use and apply appropriate penalties, where necessary.

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6.1.2 Context

Relative to "Oversight and Governance", we heard the following as general themes during the initial consultation process:

- There should be recognition of shared responsibilities between government and the voluntary sector with respect to management and ongoing sustainability of off road vehicle use on trails
- The voluntary sector role should encompass planning, developing, maintaining and ensuring access to trails.
- The Province's role should be to establish appropriate legislation, the policy framework and the funding to ensure sustainability of appropriate motorized vehicle use on trails.

Currently, the organizational framework and required infrastructure to support and sustain recreational ORV use is lacking in Ontario. As a result, there is a need for volunteer organizations representing off road vehicle users to collaborate, ensuring a more coordinated and effective management approach.

On a provincial level, the Ontario government is ultimately responsible for providing safe recreational opportunities for residents and visitors to Ontario. Oversight responsibilities for trails are currently shared by several provincial ministries, but the Ministry of Health Promotion has been charged with responsibility for the Ontario Trails Strategy. Several coordinating bodies operate within government structures to support this oversight responsibility.

The Ontario Trails Council, a volunteer led not-for-profit organization, is currently the body promoting the creation, preservation, and use of recreational trails in Ontario. Motorized trail users are represented on the Ontario Trails Council by five organizations. Three of these organizations relate to different forms of activity and carry a single voice for their respective interest group. Two groups each claim to represent ATV users.

Another body, the Ontario Trails Coordinating Committee (OTCC), brings together representatives of various agencies and stakeholder groups providing a quarterly forum to ensure information flows between government and stakeholders. As a coordinating body, the OTCC is at least one step removed from the ideal operational frame which would satisfy the characteristics / responsibilities of an oversight body. Such a body would:

- Be linked directly to trail users .
- Illustrate strong organizational capacity .
- Have the capacity to formulate policy recommendations applicable to the ORV community .
- Be capable of encouraging club development / rider participation .
- Carry responsibility for development / marketing of products for the entire ORV community .
- Be capable of being charged with the responsibility for coordinating and implementing the activities under the Ontario Trails Strategy .

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- Have the capacity to coordinate trail master planning and inter-regional planning .
- Be an effective forum for negotiation and conflict resolution .
- Provide monitoring and administrative guidance to local clubs and organizations in compliance with directions and standards .
- Implement and administer a funding mechanism established by the Province .
- Administer public or private sector sponsored funding programs or special purpose grants to support development / promotion of the ORV community .

6.2 Organizational Framework

6.2.1 Definition

This component of sector management refers to identifying the framework from which decisions in the sector will be made. That is, what will be the organizational structure of the managing body and how will it be allowed to manage?

Relative to addressing the five conflict issues, the *Organizational Framework* will serve as the foundation to:

- Identify the course of action in which the ORV community may resolve disputes with public and private land owners;
- Enable the ORV community to strategically plan for the locations of motorized recreational trails;
- Provide the means necessary for the ORV community to compete at the same level with other organizations for resources and money;
- Protect sensitive environmental and cultural features throughout the province ; and
- Develop common rules to address unsafe, reckless riding.

6.2.2 Context

In terms of organizational capacity, the initial consultation process identified no single champion to lead the ORV sector resulting in a lack of clarity and coherence in guiding the sector. As well, we learned that there is a need for enhanced coordination, communication and organizational structure if the sector is to administer funding as might be achieved through a registration and/or permit system.

The ORV community is comprised of several different interest groups with varying degrees of capacity, infrastructure and organizational structure. Some of these groups have indicated that the community has the capacity to manage itself. At the same time, there are differing views on the level of organizational structure required. Externally, however, there appears to be some recognition Clute & Associates Inc. in Partnership with Marshall Macklin Monaghan Ltd and Work Group Designs Ltd.

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that the existing capacity is not at a level that would support effective management for the longer term. By way of example it is noted that:

- The Canadian ATV Distributor's Council (CATV) has identified the need for the ATV community to organize. The Council has offered financial assistance to support the development of increased capacity within the ATV community.
- A marketing program to enable communities to engage in community economic development activities based on ATVs has not been initiated in as many communities as originally envisaged.
- ATV owners do not identify as a priority the need to join a federation or local club .

Two distinct organizational models exist in the ATV community in Ontario. One is based on the experience and success of the Ontario Federation of Snowmobile Clubs and a province wide trail network and the other is a marketing model based on community based trail systems. It is unclear which organization provides the leadership for the community and, as a result, the collective organizational capacity is weakened.

Based on the consultation feedback and reviews that have been conducted in other jurisdictions it is generally recognized that organizational capacity in the sector should include:

- Trail planning
- Land use agreements
- Trail development
- Trail maintenance (to the extent it is required)
- Public awareness
- Education / training
- Monitoring / enforcement

6.3 Financial Sustainability

6.3.1 Definition

This component of sector management refers to identifying the funding necessary to support sustainability of the sector. That is, who will pay to support the sector, what facilities and amenities are required to enhance the current trail system and how much funds are needed to sustain the sector over the long-term?

Relative to addressing the five conflict issues, *Financial Sustainability* will:

- Provide the financial means to address/resolve disputes between the ORV community and public and private land owners;
- Support the development and maintenance of multi-use recreational trails;

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- Support the development and maintenance of motorized recreational trails, exclusive to the sector;
- Fund education and training programs in support of protecting sensitive environmental and cultural features while providing the means to mitigate damaged areas, where necessary ; and
- Fund educational and training programs designed to advocate safe trail use while providing the means to enforce rules and regulations.

6.3.2 Context

Ontario presently collects a one-time fee of \$35 for all new vehicles except in the northern part of the province. There is no universal recurring revenue stream. Some local organizations collect club membership fees, trail or event permit fees and there is some reciprocity between regional organizations for visitor use.

During our initial consultation, we frequently heard that the ORV community requires more financial resources to plan, design, and maintain trail systems; develop public education programs and other educational awareness tools; and improve the marketing of recreational opportunities for residents and visitors. Currently, revenue from trail passes, club and individual memberships appears to be insufficient to meet the needs and desired programs of the ORV community. Some event based activities generate small amounts of revenue, but overall the revenue stream is considered inadequate.

Already implemented in many Canadian provinces, a registration system would provide a number of benefits to the off road vehicle community. Registration would be a deterrent to theft and a tool for enforcement. A registration process would provide the Province with an accurate and updated data set for planning purposes. The same data could be used to assist in dissemination of educational / public awareness information.

However, we were cautioned that imposition of any annualized permit system must be accompanied by a commitment for services or facilities in return. Many ORV owners are accustomed to using trails, unopened and abandoned roadways and/or abandoned rights of way (rail corridors). Establishment of a permit system without a value contribution will be unacceptable to the ORV community.

As such, we believe that any imposed fee system should be:

- Affordable for riders
- Cost neutral to administer
- Easy for users to understand
- Secure, ensuring data is kept confidential
- Provide a recurring revenue stream

Funds collected from any source or by any method should be used for:

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- Education
- Trail development
- Enforcement
- Conservation/reclamation
- Mitigation of impacts of ORV use

Some method must be agreed upon for proportional or geographical distribution to the ORV community. The proposed governance body will need to create a distribution framework for the sector that addresses all of these needs in an equitable and acceptable manner.

6.4 Trail Planning

6.4.1 Definition

This component of sector management refers to identifying the design, amenities and possible linkages of a trail system. That is, what will a provincial trail network look like and how will it be developed?

Relative to addressing the five conflict issues, Trail Planning will identify:

- A trail network that is less evasive of private land and publicly-owned crown land;
- Appropriate trails for both motorized and non-motorized users;
- Appropriate trails for both off road vehicle users and snowmobile users;
- Suitable trail locations that minimize damage to environmental and cultural resources while providing appropriate access to many of these same resources; and
- Trails suitable for off road vehicle use that are marketable to Ontario residents and visitors.

6.4.2 Context

Currently, no provincial-wide network of ORV trails exists in Ontario. Approximately 42,000 km of dedicated snowmobile trails exist in the Province, but many of these trails are on private land with specific use agreements in place. The lack of ORV trail facilities has resulted in conflicts with private and public land owners, conservationists and motorized and non-motorized trail users. The proposed Trillium Trail Network (TTN) is intended to provide a combination of local and longer distance recreational trail opportunities in Ontario but at the time of writing this report, the goals of the TTN had not been met.

To meet the objectives of the Ontario Trails Strategy, the Province will need adequate trails to support both local riders and tourism opportunities. This will create the need to develop comprehensive mapping of trails and amenities for users. Access to trails over private lands must be negotiated and trails may require fencing and/or maintenance and repair. Standards which may be developed to protect users and non-users will need to be monitored and enforced. To meet the intent of the Trails Strategy, inter-regional trails must be planned and designed appropriately to accommodate visitors

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from adjoining jurisdictions and/or long distance riders. Trail infrastructure extends to a wide spectrum of issues including:

- Trail planning, development and maintenance - cooperatively established
- Standards for design / construction
- Inter-regional links
- Inter-provincial permit structures
- Shared use / exclusive use

7.0 PROPOSED OPTIONS & WORKSHOP DISCUSSION

The Consultant Team arranged two workshops on January 30, 2007 to discuss the four management components (Oversight and Governance; Organizational Framework; Financial Sustainability; and Trail Planning) that were designed to address the management of trails and their associated conflicts.⁴ Workshop participants, representing a broad range of participants, were asked to discuss several variations (options) of these management components and identify those features that are most preferred.

7.1 Options for Oversight and Governance

To address the area of oversight and management of off road vehicle use of trails, we developed four options that identify the potential roles and responsibilities of an oversight / governance body. The options fall on a spectrum – from “sector-only” management to “government-only” management.

7.1.1 Option 1: Voluntary sector management of ORV use of trails (motorized users)

This option would involve the sector organizing and unifying to provide leadership related to policy advice to government, strategic planning for the sector, as well as trail planning, development and maintenance. The structure could also administer any funding generated through registration or permit systems to support these activities.

Potential benefits include:

⁴ All stakeholders previously interviewed during the study's first phase were invited to attend the workshops. Stakeholders unable to attend the workshops in person were given the opportunity to participate via conference call or to provide feedback on the options via e-mail or fax.

Participants included representatives of provincial and national ATV organizations, the provincial snowmobile association, four-wheel drive association, manufacturers, safety, tourism, heritage and trappers. Government representation included the Ministries of Public Infrastructure and Renewal, Community Safety and Food and Agriculture. Eleven individuals attended the morning workshop; 16 individuals attended the afternoon workshop. A small number of participants stayed for both workshops.

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- Strong voice for users or groups of users (clubs)
- Driven from bottom up
- Draws on the expertise and knowledge of the sector
- Responsive to user needs as it is a user led system
- Less infrastructure as one sector is leading and managing the issues

Potential limitations include:

- No involvement by non-motorized trail users
- No involvement by non-trail users
- No direct connection to government - education, legislation, policy, funding mechanism
- Need for coordination or coalescing of interest groups

7.1.2 Option 2: Voluntary sector management of ORV use of trails (motorized and non - motorized users)

This option would have the same oversight body characteristics as Option 1 and would also include non-motorized users. This option would have the added benefits and limitations to Option 1 above, as follows:

Potential benefits include:

- Provides opportunities for funding opportunities between different types of users of trails
- Provides a forum for education and conflict resolution between different types of users of trails

Potential limitations include:

- The oversight will be more difficult with more diverse interests being represented

7.1.3 Option 3: A coalition of trail users, government and stakeholders

This model could build on existing bodies such as the Ontario Trail Council or establish a separate body for oversight in relation to the recreational use of Off Road Vehicles on trails.

Potential benefits include:

- Recognizes the shared responsibilities of government and the voluntary sector
- Inclusive in that all stakeholders are involved in the management and sustainability of the sector

Potential limitations include:

- Potential for greater conflict in determining direction, priorities and approach to management of this issue given the diversity of interests

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- Potential for increased bureaucracy/infrastructure with the management of the sector

7.1.4 Option 4: Government oversight

This option would require the establishment of a dedicated unit within an existing agency specifically for oversight of off road vehicles.

Potential benefits include:

- Would draw on the infrastructure in government
- Greater government control and ability to ensure accountability in the administration of any funding associated with the management strategy

Potential limitations include:

- Is a departure from the role traditionally played by government in this area
- Does not draw on the resources and expertise that exist in the voluntary sector
- Would not be acceptable to user groups and many stakeholders
- Likely quite expensive

7.1.5 Stakeholder Workshop Discussion of Options (Summary)

Representatives of the ATV community indicated their preference for Option 1, where the voluntary sector would be the primary lead in managing a trail system. Outside of the ATV community, however, Options 2 and 3 appeared to be the preferred options. Representatives of other off-road vehicle associations generally favoured Option 2 because it would be inclusive of their needs and show strengths in numbers of the entire off-road vehicle community. Government representatives generally supported Option 3 recognizing the need to provide enabling legislation that would support the needs of the off-road vehicle community and their volunteer clubs.

7.2 OPTIONS FOR ORGANIZATIONAL CAPACITY

We developed three options that identify the potential capacity of an organizational structure. The options fall on a spectrum of “bottom-up” to a “top-down” approach and include the status quo.

7.2.1 Option 1: Voluntary organization of the sector to identify single voice for the community

The option would be based on an agreement by the ORV community to establish a common body to represent the various interest areas within the community. The organization might establish a province wide network of trails but with community focus. Regional variation in user needs and availability of facilities could be accommodated. One common voice and leadership would enable the community to more readily access government assistance and support. Common strategic planning processes would facilitate shared use of trails and trail links between communities. There may be various models which might include different forms of regional representation.

Potential benefits include:

- Common voice for the ORV community

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- Combination of regional trails and community based systems to enable a variety of local and longer distance riding opportunities and events
- More cohesive trail and facility planning
- Synergies which come from divergent viewpoints but common interests
- Greater opportunity to access government support
- Stronger collective voice within the overall trails community
- Shared revenue

Potential limitations include:

- Shared revenue
- Philosophic differences within the community may make it unfeasible to unite
- Competing interests between groups may inhibit objective planning capability that serves the overall objectives of the Ontario Trail Strategy and the specific interests of groups within the ORV community.

7.2.2 Option 2: Status quo – existing organizational structures stay in place

Under this option, the existing organizational structures would remain in place. As currently, there would be little or no agreement within the community on strategic planning for the broader development of the motorized recreational use of trails except through higher level organizations such as the OTC, OTCC or other government agencies.

Potential benefit includes:

- Individual organizations would remain autonomous entities

Potential limitations include:

- Fewer opportunities for the ORV community for facilities to meet projected demand
- Linkages between community based networks would be more difficult to establish
- No common voice to government or to critics of the ORV community
- No sharing mechanism for funding opportunities
- No mechanism to manage and resolve existing conflicts/issues.

7.2.3 Option 3: A Government led organizational framework

This option contemplates a framework that would be proactively led by government to define and manage the organization of the sector and could result from increased conflict and failure by the ORV community to implement structure and formality to ensure organizational and financial sustainability.

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Potential benefits include:

- An organizational structure would be established
- A strong governance model would likely result from this option

Potential limitations include:

- The community may have little direct involvement in the development of policies and operational requirements
- The opportunity for self direction and autonomy may be lost

7.2.4 Stakeholder Workshop Discussion of Options (Summary)

Representatives of the ATV community generally favoured Option 1, although their preference was for a single voice to represent the ATV community, exclusive of other trail users (motorized and non-motorized). General consensus, however, appeared to favour a common voice for the entire ORV community, recognizing that several organizational models may be appropriate.

7.3 Options For Financial Sustainability

To address the long-term viability of a provincial-wide system of trails, we developed three funding options that may support the longevity of the sector. Options 4 and 5 were identified by participants of the January 30, 2007 workshops.

7.3.1 Option 1: Registration system established/managed by the Province

This option would enable the Province to set an annual registration fee but also be responsible for collection and distribution of the revenues independent of the voluntary sector. This option has several variables. A registration/permit system might include a one-time fee at purchase - with no recurring revenue or as a variant of a one-time payment at purchase plus an annualized permit system with validation of one, two or three years. It might be accomplished through such means as an extension of the Outdoors Card to include an ORV permit option

Potential benefits include:

- Collection by government agency allows for high level of accountability
- Government can leverage existing channels and systems for collection such as for motor vehicle registrations
- Provides a recurring revenue stream

Potential limitations include:

- Introduces an additional level of bureaucracy
- Governance structure would exclude the voluntary sector

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- Managing geographical and sector distribution in the ORV community could be challenging and cause conflicts across regions or across sectors within the community

7.3.2 Option 2: Registration system partially or fully managed by an external organization

This option would allow greater involvement by the ORV community in determining the cost of the permits and how revenue would be distributed. The collection and distribution of revenues could be managed through the establishment of a Trust Fund and an advisory body. Similar Trust Funds exist in Nova Scotia, New Brunswick and British Columbia. This option requires an organizational framework – management options and an advisory body /executive committee involving government and the trail stakeholder community

Potential benefits include:

- Greater autonomy for the ORV and broader trails community
- Would be viewed as a more transparent system
- Requirement for an accountability structure to ensure public acceptance and trust

Potential limitations include:

- Internal conflicts relative to distribution of the funding
- Less control by government
- Less security infrastructure than would exist internal to government
- Managing geographical and sector distribution

7.3.3 Option 3: Mandatory contribution from manufacturers/distributors

This option contemplates a fee collected either on a per unit sold basis or through a distributor license flat rate which could be annualized. It parallels the system in place in the State of Minnesota and could formalize the voluntary contributions made by manufacturers through the CATV grants program currently in place across Canada.

Potential benefits include:

- Acknowledges and formalizes an existing program
- Demonstrates a shared responsibility in development of appropriate infrastructure
- Another source of recurring revenue for continued investment and sustainability of Ontario trails

Potential limitation includes:

- Formalizing the program may have negative connotations by the manufacturers and distributors who have been contributing voluntarily

7.3.4 Option 4: Common trail pass (added as a result of workshop discussion)

This option envisions a common trail pass that will permit ATV Riders an opportunity to ride several thousand kilometres trail for one price. It should be noted that nearly one month after participating Clute & Associates Inc. in Partnership with Marshall Macklin Monaghan Ltd and Work Group Designs Ltd.

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in the January 30, 2007 workshops, ATV Ontario announced it would be offering a common trail pass that consolidates trail passes of other provincial trails.

Potential benefits include:

- Promotes the trail network as a provincial tourist attraction
- Consolidation of trail passes into one system creates less confusion for users

Potential limitations include:

- Does not guarantee a sustained level of funding for the trail system
- Initiation of the program may be difficult to coordinate and administer

7.3.5 Option 5: Donations as tax benefits (added as a result of workshop discussion)

This option would provide tax benefits for individuals and organizations donating to ATV organizations.

Potential benefit includes:

- Acts as an incentive for individuals and groups to become more directly involved in supporting the sport

Potential limitations include:

- Does not guarantee a sustained level of funding for the trail system, only limited support
- Targeted donations may be preferred, but difficult to oversee (for example, how easy would it be for an individual to donate to a specific trail, instead of the trail system as a whole?)

7.3.6 Stakeholder Workshop Discussion of Options (Summary)

General consensus from participating stakeholders suggested the need for a business plan to determine the funding needs of the off-road vehicle community. Representatives of the ATV community generally supported a funding mechanism that would ensure monies from any registration permit directly finance the sport and its amenities. Some members of the ATV community voiced their concern that any registration system mandated by the government would be considered a 'tax' by ATV users.

While workshop participants did not appear to support any one funding option outright, Option 2 received some support provided:

- The money collected from users is distributed equitably amongst the various user groups;
- The registration process is transparent; users and user groups see where the money is going and how decisions are being made; and
- Regional variations amongst users groups are recognized and their funding needs are understood.

Some workshop participants, including one manufacturer, did generally favour the idea of requiring contributions from ORV manufacturers and distributors (Option 3).

7.4 Options for Trail Planning

We developed six options that identify the potential framework of a provincial trail network for off road vehicles. The options fall on a spectrum of “bottom-up” to a “top-down” approach and consider trail features that may be inclusive of all recreational trail users or inclusive of only ATV users.

7.4.1 Option 1: Leverage the existing OFSC trail system

This option contemplates leveraging and expanding upon, where appropriate, trails that have been developed by OFSC, and developing new trails that would satisfy the needs of both OSFC and ORV users. This option would require negotiation of way leaves for use by ORV users.

Potential benefits include:

- Leveraging existing trails developed to compliment plans for new development would provide opportunities of quick wins for all concerned.
- Marketing a trail system for multi-purpose user could attract tourism and consequently revenue for the Province.
- Multi-purpose trail development can consider health and safety, conservation, and land use issues in the planning.

Potential limitations include:

- Trail needs differ in many instances (e.g. grooming needs, seasonal use etc.) between OSFC and ORV, and it may not be appropriate to allow ORV use on OSFC trails in many instances.
- Least expensive option.

7.4.2 Option 2: Establish a new trail network exclusive to ORVs

This option contemplates a completely new, but equivalent trail network for the exclusive use of ORVs providing a trail network for OSFC and for ORVs separately.

Potential benefits include:

- Trail development can address the specific requirements for ORV use.
- Trail development can consider health and safety, conservation, and land use issues in the planning.

Potential limitations include:

- Missed opportunities for leveraging existing infrastructure and improving existing trails.
- Costs of development, management and enforcement of trails could be prohibitive for some regions.

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7.4.3 Option 3: Establish new inter-regional multi-purpose motorized trail network

This option contemplates a province-wide initiative to design, develop and manage a multi-purpose trail network for the Province. Potential benefits include:

- Combining resources and expertise province-wide could provide a means of affording and developing a state-of-the-art trail system that attracts tourism and advances recreational facilities for Ontarians.
- A new trail network could ensure issues of health and safety, land use and conservation are addressed in planning.
- A marketable network of multi-purpose trails across the Province .

Potential limitations include:

- Costs may be prohibitive.
- Coordination may be difficult, and the need for conflict management to address competing interests would be needed.
- Potential duplication of existing infrastructure .
- May introduce additional conflicts within the motorized sector of the trails community .

7.4.4 Option 4: Divest trail planning responsibility to Regional Municipalities and Counties in S. Ontario and the Province in N. Ontario

This option recognizes MNR's responsibility for land use planning on Crown land in Northern Ontario and also the capacity for counties and regions in southern Ontario to accept the "regional" planning activity .

Potential benefits include:

- Regional Municipalities, Counties and Local municipalities have greater degree of involvement in planning and developing an appropriate trail network for local needs .
- Greater local "ownership" and local pride .
- Local branding of trail facilities .
- Less staff and resources committed by the Province .

Potential limitations include:

- Concept of a Province wide trail network may disappear except in the North .
- Inter-regional and inter-community trail networks may not develop through lack of coordination .
- Local resources may not be adequate .
- Additional responsibility for MNR will result in additional costs .

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7.4.5 Option 5: Establish strategic direction at Provincial level; leave trail planning a club responsibility; share some trails, make others exclusive

This option leaves responsibility for strategic planning at the provincial level and transfers implementation of the network to local authorities. It provides local communities the ability to determine which trails are shared and which are dedicated for sole use.

Potential benefits include:

- Local clubs would have greater degree of involvement in trail development .
- Greater local "ownership" and local pride .
- Regional variation in standards and amenities.
- Local trail organizers could have greater success negotiating way leaves with private property owners.

Potential limitations include:

- Too much regional variation may detract from common goals of a provincial network.
- Minimizes the opportunity to develop a seamless system of provincial trails.
- Relatively fewer resources at the local level to plan, develop and maintain trail facilities without Provincial subsidy.
- Potential conflict between local standards and Provincial standards for shared and exclusive use and need for conflict resolution mechanism .
- Local clubs may not have capacity to deal with shared use issues .

7.4.6 Option 6: Province retains full responsibility for trail planning and development

This option envisages a circumstance in which the Province will design and implement a functional trail network linking communities and points of interest. This would require dedicated resources and a working agreement with local municipalities.

Potential benefits include:

- Improved opportunities for a seamless, well connected Provincial trail system .
- Potential for uniform mapping of trails and facilities .
- Comprehensive inventory of trail features .
- The product would be marketable as a Provincial resource with capacity to attract visitors from other jurisdictions.

Potential limitations include:

- May not reflect the trail needs of certain regions, communities or clubs .

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- May disproportionately benefit one region .
- Lack of local input may result in lack of “ownership”.

7.4.7 Stakeholder Workshop Discussion of Options (Summary)

Even within the ATV community, there did not appear to be any consensus around this issue. Some members of the community indicated that a provincial-wide trail system would not be practical; other members suggested that a provincial-wide system could work if developed properly. There did appear to be some recognition from both representatives of the off-road vehicle community and government agencies that a linear trail system would be difficult to establish considering the vast regional differences of the Province. A 'hub and spoke' model was one suggested alternative. Designated areas for ATV and ORV use was another suggestion.

Recognizing regional variations, workshop participants generally appeared to support a system that would allow the Provincial government to strategically guide the direction of a provincial system, leaving responsibility for implementing the trail network in the hands of local municipalities and clubs (Option 5). And, even amongst the ATV community, there was a recognition and need to support the development of both multi-use trails and exclusive trails for ATVs or ORVs.

8.0 NARROWING THE OPTIONS

Based on information we gleaned from our consultation program, the jurisdictional review of North American off road vehicle initiatives and our understanding of the existing off-road vehicle industry in Ontario, we narrowed the options to form the basis of our recommendations .

8.1 Oversight and Governance

We believe a system that recognizes the shared responsibilities of government and the voluntary sector is preferred. As many stakeholders have indicated, the ORV/ATV voluntary sector can not move forward ably without some help from the government. Thus, we recommend that the off -road vehicle community coalesce to manage a trail system that is provincially supported both legislatively and financially (through annual registration and one -time permits).

The Provincial Government's role should include the development and management of the policies and the legislative framework governing ATV use in Ontario , the administration and collection of annual registration/permits for ATV use, and the development of enforcement practices. The voluntary sector should be responsible for overseeing ATV use in the province and its membership by providing policy advice to local and provincial governments, strategic planning for the sector, education, and management of trail planning, negotiation, development and maintenance.

While the ATV community is distinct from other motorized users and non -motorized users and have successfully proven the ability to develop and manage its own local trail systems (such as in Halliburton, Mattawa, Elliot Lake, Parry Sound and Cochrane), it shares many of the same values that other trail users hold. As a result, we believe it is essential that there should be one forum for all motorized trail users to ensure some level of cooperation amongst these users as they move forward toward developing and managing a provincial trail system. A body representing a coalition of all trail users (motorized and non-motorized), such as the Ontario Trails Council should have direct oversight of trail infrastructure planning to ensure that the needs of all trail users are reflected in the planning of the provincial trail system. Local communities and clubs should be required to submit plans for trail development plans to the coalition body for input, direction and approval.

8.2 Organizational Capacity

Representatives of the ATV community have indicated their support for an organizational structure that would guide the sector, exclusive of other trail users (motorized and non -motorized). General consensus among stakeholders, however, appears to favour a common voice representative of the entire ATV community. We agree, recognizing that several organizational models may be appropriate under one organization 's umbrella (i.e. the two models currently in existence with the Ontario Federation of ATVs and ATV Ontario). It is recommended that the A TV community have one organization representing the voice for ATVs in Ontario because. simply put, a single organization representative of the entire ATV community will have a greater impact on policy decisions made at the provincial level because of this shared vision of trails.

It is clear that whatever organizational model is preferred, the chosen body must address:

- Regional variations in users;
- Variations in trail use; and

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- Variations in funding needs , such as enforcement, education and maintenance.

8.3 Financial Sustainability

A stable, recurring stream of money is critical to ensure a provincial -wide trail network— and the managing body— can sustain themselves over the long term. Based on many discussions with representatives directly and indirectly involved with the broad ORV community, we believe a business plan is needed now to determine the specific funding needs of the ATV community. Only then will we truly appreciate the resources needed to support and promote this growing sport. It is critical that any business plan reflect the regional variations amongst user groups. Only then can the funding needs of the entire province be truly appreciated.

We also support a funding mechanism that is both traceable and transparent, ensuring monies from any registration permit go directly back to the community (through trail maintenance, enforcement, education, etc.). In states like California and Utah, users are told where their permit fees will go and how much will be distributed to each segment. For example, in California when the registration fee was \$21 in 2003:

- \$8 was distributed to an Off Highway Vehicle Trust Fund;
- \$7 went to the Department of Motor Vehicles to cover administrative costs;
- \$4 was distributed to local municipalities; and
- \$2 went to law enforcement.

We believe a registration/permit system partially or fully managed by an external organization should be considered. This option would allow greater involvement by the ORV community to determine the cost of the permits and how revenue will be distributed. The collection and distribution of revenues could be managed through the establishment of a Trust Fund and an advisory body. Similar Trust Funds exist in Nova Scotia, New Brunswick and British Columbia. This option requires an organizational framework— management options and an advisory body /executive committee — that should include both representatives of government and the trail community .

We also support exploring a system that would require contributions from manufacturers and distributors. While formalizing such a program may have negative connotations by the manufacturers and distributors who are already contributing voluntarily to Ontario clubs and associations, we believe this program will provide another source of revenue for continued investment and sustainability of Ontario trails.

8.4 Trail Planning

Recognizing the many variations in developing a trail network, we support a system that will enable the provincial government to strategically guide the direction of a provincial system, leaving responsibility for implementing the trail network in the hands of local municipalities and clubs. Furthermore, we believe that because of regional differences within Ontario, the decision to determine the type of trails (i.e., multi-use, ATV-only, motorized or non-motorized trails) appropriate for a given location should be made by the local communities— something that is already being played out in parts of the Province today.

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While we support the development of a provincial trail network for the off road vehicle community, we recognize that there are variations relative to what the trail system should look like. Many individuals participating in this study have assumed that a trail network would take on a linear shape, providing direct connections from one point to the next. However, we learned from some members of the ORV community and during our research that a linear-wide trail system would be difficult to establish considering the vast regional differences of the Province. A 'hub and spoke' model was one suggested alternative. Designated areas for ATV and ORV use was another suggestion, as is the case in California where State Vehicular Recreation Areas (SVRAs) — or off-highway vehicle parks— are the norm.

As a result, we believe in developing a trail system that is practical, sustainable, equitable and through legislation, enables communities and off road vehicle clubs throughout Ontario to take responsibility for their trails. Additionally, we support a regional system of trails that connects several nodes (i.e., municipalities, parks, other destinations) within that region. However, further examinations should be made to determine the feasibility of connecting these regional systems province-wide.

9.0 CONFIRMATION VIA CONSULTATION

Findings and Options were presented to Key stakeholders on April 19, 2007 following a presentation to Assistant Deputy Ministers identified and invited by the Ministry of Health Promotion. These meetings provided a forum to confirm the direction which appeared logical for final recommendations.

These meetings confirmed the following:

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Final draft recommendations were prepared following these meetings. A presentation was made to the Ontario Trails Coordinating Committee prior to finalization of the recommendations below.

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT – The following section is DRAFT FOR DISCUSSION as of April 15, 2007

10.0 RECOMMENDATIONS

Note: *While the general parameters of the study directed the consultant to address off-road vehicles (ORVs), it became apparent early in the study process that the focus of attention is clearly upon ATVs. As a result, this paper and the recommendations contained herein is focused on recreational use of ATVs.*

We believe that the conflicts associated with recreational use of ATV's will be addressed if:

1. The Government of Ontario expands the mandate and capacity of the Ontario Trails Council in such a way as to enable it to provide leadership by coordinating and implementing the Ontario Trails Strategy. The Council should be granted the responsibility

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to make recommendations to the Provincial government through the Ministry of Health Promotion and the Ontario Trails Coordinating Committee for policy changes, strategic planning, financial support, trail planning, implementation, public safety, awareness and education and training, and oversight which match the interests of the government to promote wise use of trails. The Council should also be recognized as the channel for distribution of funding (however generated) to local organizations for all trails projects. In so doing, Ontario will create one voice for trails and trail activities in the Province.

2. The existing structure of motorized recreational trail organizations in Ontario is changed. The ATV community appears fractured and does not speak with a single voice and as a result does not fully represent the best interests of the ATV community across the province. We recommend creating a new unified ATV organization with one voice for all ATV riders. The new organization should be linked to the Ontario Trails Council to ensure common strategic planning processes and access to government assistance and support. Several organizational models may be appropriate within the one body. It should represent the various interest areas within the ATV community and should reflect regional variations in needs and interests. The new "ATV Union" and all other special interest groups of the ORV sector, (OFSC, OF4WD, OFTRA, etc.) should identify the Ontario Trails Council as the one representative organization to address trail planning, development and management.
3. A new registration permit system is developed to provide sustaining revenue for the sector. Revenue generated through annual registration and one-time permits should be directed towards the sport through the realigned Ontario Trails Council. Development of a trust fund administered by the Trails Council and modelled after similar funds in other Canadian jurisdictions would provide a transparent source of funding. We believe that contributions should also be made to the ATV community by ATV manufacturers. Funding needs and allocation of resources should be based upon a dynamic business planning process. Revenues derived from permits should be allocated equitably across all regions and should be applied in part towards rider education, environmental awareness and enforcement.
4. A new framework for trail development is established as a cooperative process between the Province, the Ontario Trails Council, local community groups and clubs. The Province should guide the general direction and scope of a regional or Province wide network but implementing and maintaining the trail network should be the responsibility of local municipalities and user groups with oversight by the OTC. Priority should be given to establishing a hub-and-spoke trail system based on local needs and community interests with the potential for regional links as demand warrants. This approach would address the regional variation in demand which currently exists across the province while accommodating multi-use and exclusive-use trail systems. Coordination and management of the system will be essential.

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In Summary

Conflict/Concern	Analysis	Recommended Action
Organizational Capacity	Lack of co-ordination Lack of facilities	<ul style="list-style-type: none"> • Provide structure and incentives to encourage cooperation among key organizations • Create an "ATV Union" • Plan and implement a sound trail system to meet needs
Long-term Sustainability	Inadequate funding	<ul style="list-style-type: none"> • Define business plan and financial needs • Institute annual registration in addition to the one-time permit fee for all ATV • Establish Trust Fund to ensure all revenue goes directly back to the ATV community. Funds to be used for education and safety programs, trail development, enforcement and conservation
ORV users and landowners "Where do I ride?"	Need for facilities Need for public education /awareness / enforcement	<ul style="list-style-type: none"> • Initiate process for shared use of trails and renegotiate way-leaves • Strategically improve facilities where demand is greatest • Develop a communication strategy to promote registration process • Funding for education / awareness • Empower local enforcement within the sector
ORV users and non-motorized users	Need for: <ul style="list-style-type: none"> • facilities • coordination • enforcement 	<ul style="list-style-type: none"> • OTC would provide coordination – "one voice" • Institute registration/permit system for revenue • Trail planning – dedicated and exclusive trail systems • Education and awareness programs

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Public Safety / Education	Need for education programmes Need for enforcement	<ul style="list-style-type: none">• OTC could support new regulations, education, awareness• Implement appropriate age restrictions as per MTO study recommendations• Empower user groups for enforcement• Improve administrative tools for enforcement and increase fines to help ensure compliance
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