

Several issues related to access management within the Muskwa-Kechika Management Area have arisen. Many of these issues have been around for some time and others present themselves or have become exacerbated as off-road technology and capacity have increased over time. This document provides some initial thoughts on these concerns, and in some cases proposes solutions for them. In all cases, the Conservation Officer Service should be consulted in discussions as the compliance lead.

## Designated Routes

### Issue:

Designated Access routes are not universally respected and enforcement resources are not sufficient for complete monitoring.

### Background:

The designation of access is a progressive means of regulating use of vehicles in wilderness areas and is supported by Resource Management staff within FLNRO. However, implementation is imperfect and may be improved with some adjustment. Outstanding problems relate to public use of access beyond the designation. These transgressions, which may be minor in scope individually, compound when “the next person” sees that there is a trail beyond the regulated access. Similarly, enforcement resources are scarce so chances of being caught while illegally accessing the M-KMA are low. There is an issue of fairness in that stakeholders who follow the rules are not being treated equally. Users who abide by the rules feel penalized for doing so when there are no consequences for disobeying them.

### Discussion/initial options:

- 1) Reinvigorating signs may have a positive effect.
- 2) Working with the COS to implement an enforcement operation, perhaps with some high-profile citations, would let people know we are thinking about this.
- 3) Updating information on the M-KMA website to let everyone know where the boundaries are and the purpose of them will help.

## Industrial Access

### Issue:

Motor Vehicle Variance Permits are required for tenure holders to access their projects. These permits are out of sync with the tenure.

### Background:

When an industrial road user requires access to their legal tenure, they may apply for a Motor Vehicle Variance Permit under the Permit Regulation of the *Wildlife Act*. Current consultation obligations with First Nations have meant some very long delays for permits.

## Discussion/Proposed Solution:

FLNRO supports the access restrictions within the M-K but would like to streamline permits for industrial users who already hold legal authority to access their tenure. Permits are issued under section 3(2)(a) of the *Wildlife Act* Permit Regulation which states:

*“3 (2) A regional manager may issue a permit in accordance with this regulation, on the terms and **for the period he or she specifies**, exempting a person from*

*(a) any provisions of the Motor Vehicle Prohibition Regulation, B.C. Reg. 196/99”*  
[emphasis added].

The Director of Resource Management is proposing to encourage proponents to apply for motor vehicle variance permits for a term that matches the length of their tenure, rather than annually.

## Weight restriction

### Issue:

The weight restriction on designated routes is potentially affecting vehicles and users that are not intended.

### Background:

The weight restriction has been modified at least once since its inception to address new technologies and equipment that had been previously disallowed. Currently, most of the “side-by-side” equipment is above the weight limit. This results in noncompliance in users who have no intention of violating the law. The weight restriction is also seemingly arbitrary in that some side-by-sides are excluded and others are not.

### Discussion:

We can continue to increase the weight limit as technology warrants, but this seems to negate the purpose of a weight restriction. I propose that we re-examine the intent of the restriction and look for an alternate means of achieving that intent. I have no specific solution to propose. In the interim however, it may be prudent to approach the COS about the enforceability of any proposed solution.