



B.C. Reg. 187/2003

Deposited May 5, 2003

M256/2003

Wildlife Act

PUBLIC ACCESS PROHIBITION REGULATION

[includes amendments up to B.C. Reg. 175/2010, June 17, 2010]

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Map MK2010

Definitions

1 In this regulation:

"atv" means a wheeled or tracked vehicle propelled by motorized power and capable of travel on or off a highway, including a motorcycle but not including

(a) a snowmobile, or

(b) a motor vehicle that is licensed for highway travel under the *Motor Vehicle Act*;

"highway" has the same meaning as in the *Motor Vehicle Act*;

"management area" means the Muskwa-Kechika Access Management Area described in section 2;

"motorcycle" has the same meaning as in the *Motor Vehicle Act*;

"motor vehicle" means a device in, or by which, a person or thing is being or may be transported or drawn and which is designed to be self propelled, and includes an atv or snowmobile, but does not include

(a) a device designed to be moved by human, animal or wind power,

(b) a device designed to be used exclusively on stationary rails or stationary tracks,

(c) a boat propelled by motorized power, or

(d) any type of aircraft;

"snowmobile" means a vehicle designed primarily for travel on snow or ice, having one or more steering skis, self propelled and using one or more endless belts or tracks driven in contact with the ground.

Muskwa-Kechika Access Management Area

- 2** (1) A person commits an offence if he or she uses or operates a motor vehicle within the area outlined in black and shaded in green as shown on the attached Map No. MK2010.
- (2) Despite subsection (1), a person does not commit an offence if he or she uses or operates a snowmobile weighing less than 500 kg within the management area during the period November 1 to April 15.
- (3) Despite subsection (1), a person does not commit an offence if he or she uses or operates a motor vehicle on or within 10 m of a road delineated by a thin red line on the attached Map No. MK2010.
- (4) Despite subsection (1), a person does not commit an offence if he or she uses or operates a motor vehicle on or within 400 m of the midline of a road delineated by a thick red line on the attached Map No. MK2010.
- (5) Despite subsection (1), a person does not commit an offence if he or she uses or operates an atv weighing less than 500 kg on or within 400 m of the midline of a road or trail delineated by a thick green line on the attached Map No. MK2010.
- (6) Despite subsection (1), a person does not commit an offence if he or she uses or operates an atv weighing less than 500 kg on or within 10 m of a road or trail delineated by a thin green line on the attached Map No. MK2010.

[am. B.C. Reg. 175/2010, App. 4, s. 1.]

Klingzut Mountain closed area

- 3** (1) A person commits an offence if he or she uses or operates a motor vehicle within the Klingzut Mountain Closure shaded in beige on the attached Map No. MK2010.
- (2) Despite subsection (1), a person does not commit an offence if he or she uses or operates a motor vehicle on or within 400 m of the midline of the road shown in red within the Klingzut Mountain Closure on the attached Map No. MK2010.
- (3) Despite subsection (1), a person does not commit an offence if he or she uses or operates an atv on or within 400 m of the midline of the road shown in green within the Klingzut Mountain Closure on the attached Map No. MK2010.

[am. B.C. Reg. 175/2010, App. 4, s. 1.]

Toad River exemption

- 4** The prohibitions described in section 2 do not apply in the following portion of the management area:

Commencing at the northeast corner of Block A, District Lot 2144, Land District 43; thence in a generally northwesterly direction along bearing 330° 05' 51" for a distance of approximately 6 178 metres to the centreline of the Toad River; thence in a generally southwesterly direction along the centreline of the Toad River to the point of confluence of the Toad River and Wood Creek; thence in a generally southeasterly

direction along bearing 137° 03' 13" for a distance of approximately 3 749 metres to the height of land; thence in a generally southeasterly direction along bearing 119° 33' 52" for a distance of approximately 3 175 metres to the height of land; thence in a generally northeasterly direction along bearing 60° 24' 49" for a distance of approximately 2 450 metres to the point of commencement, which is outlined and shown in the inset as the Toad River AMA Exemption on the attached Map No. MK2010.

[am. B.C. Reg. 175/2010, App. 4, s. 1.]

Rose and Kirkland Islands

- 5 Except as set out in the agreement made February 1, 1997, between the government, represented by the Minister of Environment, and Kirkland Island Waterfowl Society, a person commits an offence if he or she accesses those portions of Management Unit 2-4 being Rose and Kirkland Islands, legally known and described as:

- (a) Parcel Identifier 012-815-781, District Lot 534, Group 1, New Westminster District;
- (b) Parcel Identifier 012-815-829, District Lot 5879, Group 1, New Westminster District;
- (c) Parcel Identifier 012-815-624, District Lot 458, Group 1, New Westminster District

above the natural boundary as defined in the *Land Act*, R.S.B.C. 1996, c. 245, together with accretions and less erosions to any portions of those lands in respect of which the Province acquires registered title or a leasehold interest.

Kootenay Land District

- 6 A person commits an offence if he or she uses or operates a motor vehicle on any roads within Management Unit 4-30 in the Kootenay Land District, except for Highway 31, in or on
- (a) District Lot 570,
 - (b) District Lot 16024, and
 - (c) that portion of District Lot 896 east of Highway 31 and north of District Lot 15019.

Elk Valley

- 7 (1) A person commits an offence if he or she uses or operates a motor vehicle in portions of Management Unit 4-23 in the vicinity of Elkford, being the following seismic exploration roads, all of which are accessed from the gravel road connecting Elkford to the Elk Lakes Park beside the Elk River:
- (a) Bingay Creek Road;
 - (b) Forsythe Creek Road;
 - (c) Cadorna Creek Road;
 - (d) Aldridge Creek Road;
 - (e) Henrietta Creek Road;

(f) Kilmarnock Creek Road.

- (2) Despite subsection (1), a person does not commit an offence if he or she uses or operates a snowmobile on the roads described in subsection (1).

[am. B.C. Reg. 259/2003, s. (a).]

Stum Lake

- 8 During the period March 1 to August 31, a person commits an offence if he or she accesses by land, water or air that portion of Management Unit 5-13, in the vicinity of Stum Lake in the Cariboo Land District, that is within the following boundaries: All of Stum Lake below the high water mark, including all of the islands.

Sulphur Creek

- 9 (1) A person commits an offence if he or she accesses by land, water or air, except on the travelled road surface of Ministry of Forests' Sulphur Creek Road and up to 3 metres from the road edge, that portion of Management Unit 4-22 in the vicinity of Sulphur Creek that is within the following boundaries:

Commencing at the Sulphur Creek Bridge at UTM coordinate 634600 E, 5504250 N (NAD 27); thence due north to the 4300 foot elevation contour on the north side of the Sulphur Creek; thence in a south-easterly direction following the 4300 foot elevation contour to a point due north of the junction of the Sulphur Creek Road with the Hartley Pass Road at UTM coordinate 635400 E, 5504000 N (NAD 27); thence due south to the 4300 foot elevation contour on the south side of Sulphur Creek; thence in a westerly direction following the 4300 foot elevation contour to a point due south of UTM coordinate 634600 E, 5504250 N (NAD 27); thence due north to the point of commencement.

- (2) Repealed. [B.C. Reg. 259/2003, s. (b).]

[am. B.C. Reg. 259/2003, s. (b).]

Baynes Lake

- 10 (1) In that portion of Management Unit 4-22 in the area of Baynes Lake within the following described boundaries: DD5116 of DL 132, a person commits an offence if he or she

(a) uses or operates a motor vehicle,

(b) accesses the area by land or air during the period of April 15 to June 30, or

(c) accesses the area, during the period of April 1 to April 14 and from July 1 to August 1, with a dog that is not under the direct control of a person and restrained by a leash not longer than 2 metres.

- (2) Despite subsection (1), that unsurveyed portion of Parcel 1 of DL 132, Kootenay District, Explanatory Plan DD5116, containing 0.433 hectares, more or less, tenured under the *Land Act* to Castle Rock Enterprises Inc. File #44003970 and that portion of the sand peninsula south of the boat launch at 49.1210° north latitude and 115.1255° west longitude are exempt.

[am. B.C. Reg. 175/2010, App. 4, s. 2.]

Map MK2010

[en. B.C. Reg. 175/2010, App. 4, s. 3.]

This Map is exempt from publication and may be inspected during normal business hours at the offices of the Wildlife Branch, Ministry of Environment, 2975 Jutland Road, Victoria, B.C. V8T 5J9.

Note: *this regulation repeals B.C. Regs. 183/99, 349/83, 443/83, 346/90 and 141/83.*

[Provisions relevant to the enactment of this regulation: *Wildlife Act*, R.S.B.C. 1996, c. 488, section 109 (b) and (d)]

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