

PRINCIPLES OF ACCESS FOR RECREATION PURPOSES - DRAFT 5

Preamble

The following principles have been developed by the Access Committee of the Outdoor Recreation Council of British Columbia as a basis for the following:

1. Advocating for specific legislation which would enable public access for recreation on privately owned forest and range lands in the Province.
2. Engaging with landowners of privately owned forest and range lands to improve the terms on which members of the public can access such lands for recreation.

These principles are based on the Committee's research and study of the document prepared by the Environmental Law Clinic of the University of Victoria with the title "*Enhancing Public Access to Privately Owned Wild Lands*".

An overriding issue is that private landowners do not own the public resources often situated on their lands, notably fish and wildlife populations and associated recreational amenities. A basic tenet is that public access should be provided to public resources.

Principles

1. Private forest and range lands should generally be available for public recreation.
2. Public lakes on private lands which were stocked by the government for the public for many decades, should be accessible to the public.
3. Access to privately owned lands must invariably acknowledge the need to minimize adverse impact to the property and environment.
4. Approving authorities with jurisdiction established by existing legislation should enforce statutory access requirements unless exempted through a public review process.
5. Given the size of BC and the remoteness of most of the Province, almost all recreation depends on the use of a licensed vehicle to transport recreationists to their trailhead or destination.
6. Proposed access to private land should be flexible enough to encourage landowners to agree with the principle of public access and a process should be established for a landowner to expel persons who act improperly.
7. Public access to and through private land should be allowed for all recreationists and permission for ORVs to use designated routes on private land should not be unreasonably withheld by the landowner.
8. Access to agricultural areas should not be allowed unless mutually agreed.
9. Recreationists may have camp fires only in designated areas, and must obey fire restrictions imposed by landowners or fire bans by Wildfire BC.
10. Government should provide maps to facilitate access where access exists, to help the public avoid "breaking the rules"

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