



IS IT LEGAL TO RIDE YOUR ATV THROUGH RIVERS IN BC?

The question was posed recently, and we found that folks had many different variations on the answer, so we decided to investigate further, and contacted the Conservation Office of the Ministry of Environment, and here is what we found out...

To: ATVBC

Subject: Inquiry RE: Crossing Waterways in BC

Sent: Thursday, February 09, 2017

It is legal to quad or ATV through rivers in BC unless the ORV operator causes the following (harm/damage) to occur:

1. *Forest and Range Practices Act* section 46(1.1) - unauthorized activity resulting in prescribed damage to the environment. Penalty is \$575.
2. *Water Sustainability Act* section 106(2)(b)(ii) – make changes in and about a stream without lawful authority. Penalty is \$230.
3. *Fisheries Act* section 35(1) – carry on work, undertaking or activity that results in serious harm to fish that are part of commercial, recreational or Aboriginal fishery. Required court appearance.
4. *Off Road Vehicle Act* section 17(1)(a) – careless operation resulting in damage to property. Penalty is \$368.
5. *Land Act*, section 60(e) - constructs on Crown land works, or does or performs any dredging, excavation or filling, without the authorization of the minister. Required court appearance.
6. *Environmental Management Act* section 6(4) – introduce waste and cause pollution. Penalty is \$575.

As an ORV operator, you can cross rivers/streams without any legal ramifications. But if you are operating/recreating with an ORV in a river/stream or any other waterbody for that matter, you would be investigated for the potential non-compliances listed above.

The specified penalties listed above are at the discretion of the investigating officer. If the harm/damage done is deemed significant, it would be a court appearance.

I hope this clarifies this issue for you. If you have any additional questions, please contact me at your convenience.

Thanks

Inspector Tobe Sprado

OIC Okanagan Region | Conservation Officer Service | Ministry of Environment
102 Industrial Place, Penticton, BC V2A 7C8