

### R<sup>3</sup> – Respecting, Recreating & Racing in Alberta's Lands.

- *Motocross Club and Director Convicted in Fisheries Offense from 2014 Event.*

Putting races on is tough work across Alberta, Canada and North America in general. Events can take many months and even years to successfully run with the vision race directors & course masters have, some may be a bit more technical and demanding than others.

With that being said, many guidelines, laws, rules & protection acts **MUST** be **identified and respected** prior to and during any off-road event, or any event for that matter which puts people and machines on our lands.

Anything and everything that could negatively impact land, watercourses and wildlife at any point in time must be identified, planned and mitigated prior to and after any event to preserve our lands, watercourses, and wildlife for the future.

This is Canada after all!

There are key things to remember when using our lands and watercourses, both private and public, be it on Crown Land, in a provincial park, PLUZ, FLUZ, or any other land use area with a fun acronym. There are MULTIPLE land use acts/laws and laws regarding watercourses that any user should abide by, including while riding OHVs. More Acts may be implemented at a further date, so make sure to check with your Lands Officers and/or provincial Fish & Wildlife Officers and the Department of Fisheries and Oceans prior to any planning of your adventure.

Having a provincial permit to run an event may not be sufficient. There are multiple federal Acts/laws you must abide by, much unknown to most anyone reading right now. **Just like turning left in your car, Don't know? Don't go.**

It's not enough to say that you "didn't know" the proper laws. You have a legal obligation to do your due diligence. You must seek out what you need to do to be legally compliant, and you must be diligent in your compliance.

Some of the government information to be aware of and Acts to follow are, but not limited to:

- [Alberta Land Stewardship Act](#)
- [Public Land Use Zones](#)
- [Forest Recreation Regulations](#)
- [Fisheries Act](#)
- [SARA \(Species at Risk Act\)](#)
- [Alberta Land Stewardship Act \(ALSA\)](#)
- [Fisheries and Oceans Canada](#)

If you are unsure about running an event or even riding in your area and what it entails, contact your local Lands and/or Fish and Wildlife Office. Riding through a stream or creek could damage terrain, harm fish and offend provincial laws, as well as the federal Fisheries Act & SARA which protect **ALL** life stages of fish, especially species at risk.

Join as many clubs as possible, they help create trail systems that end up on public maps for many to enjoy

and inform users as to how to recreate responsibly.

### **Motocross Club and Director Convicted in Fisheries Offense from 2014 Event.**

In 2019 The Brooks Motocross Club (BMC) and an Officer were fined for offences for a 2014 event in which a Court ruling found the organizer failed to comply with these Acts detailed below:

- Charges were laid pursuant to s35(1) of the *Fisheries Act*, RSC 1985, c F-14 and s32(1) of the *Species At Risk Act*, SC 2002, c-29
- The Brooks Motocross Club was fined \$30,000.00 and \$15,000.00 for each of the respective offences
- An officer of the Club was also fined personally in the amounts of \$20,000.00 and \$5,000.00 for each of the respective offences
- These convictions were a result of harm to and the death of fish, including a threatened species of fish, in contravention of the *Acts*

The judgments of the Court respecting the parties can be found:

- Conviction: [2018 ABPC 296 \(CanLII\)](#)
- Sentencing: [2019 ABPC 149](#)

### **A NEW ERA**

Much has changed since 2014 in the way events and races are planned. From the ground up, technology has allowed for hydrology, terrain, and real-time information to become available on the ground when planning and mitigating race events. GPS satellites give us birds' eye views and terrain maps available straight to our phones giving anyone the information they need immediately when planning our events or riding off-road.

More to follow on what it takes to plan out an event and what to look out for.

### **ADDITIONAL LINKS**

Contact Fisheries and Oceans Canada - <https://www.dfo-mpo.gc.ca/contact/index-eng.htm>

**This Article was written on behalf of the Brooks Motocross Club by DirtBikeNews.ca and is being published in compliance with the Order issued by the Provincial Court of Alberta.**