

Flying a Chequered Flag at OHV Races in the Livingstone-Porcupine

By Sean Nichols, AWA Conservation Specialist



Since 2011, ten officially authorized OHV (typically motocross, or dirtbike) racing events have taken place on public lands in the headwaters areas of Southern Alberta's Livingstone-Porcupine. As most readers of *Wild Lands Advocate* know, this area is very important for the security of eastern slopes headwaters species and does not have a designated trail network. Despite this, no environmental or field inspections of the races are carried out during these events and Alberta Environment and Sustainable Resource Development (AESRD) officers typically do not attend the events.

When questioned about the authoriza-

tions, AESRD staff confirmed that these events were granted permission via *Temporary Field Authority* (TFA) permits – a tool originally intended to facilitate industrial access, that was being “jury rigged to fit recreation use.” Because of the nature of the TFA (the only regulatory tool available), there are no registration, administration or other fees levied by AESRD for the events. There is also no mandate for AESRD staff to attend. To describe this approach as “hands-off” may overestimate the government’s attention to these events.

AESRD’s on-the-ground inspections are limited to performing pre- and post- event audits for a race that typically accommo-

dates 100 participants and may have up to 200 further spectators. Races “have to use existing trails” but since an area like the Livingstone-Porcupine doesn’t have designated trail networks, it’s hard to determine what is (or is not) a legitimately “existing” trail and what might have been created only a few days or weeks before the application was tendered. Instead, AESRD ostensibly sees their role as primarily “educational,” one in which they use the application process as an opportunity to “educate” the applicants about the fact that they will be holding the events in a sensitive wilderness area.

This raises the obvious question about why the races need to be held in these green zone public lands to begin with? The oft-given response is that they are there for the scenery. Yet most participants are heavily absorbed in the action of the race itself, only paying attention to their surroundings to the extent that they need to be able to navigate them. There are plenty of private lands that would offer similar terrain challenges to the racers, and a potential revenue stream to the landowner, especially where the land is agriculturally marginal.

Money perhaps may be the core of the issue. Race organizers would have to pay an extra fee to hold these events on private lands, yet without so much as an administrative fee, they can hold races in sensitive public headwaters for “free.” Of course, these events are free only to their organizers and participants. Albertans who value these landscapes for more than their raceway potential and the na-



What damage could this possibly do to streams in the foothills? PHOTO: © AWA FILES

tive species (some threatened or endangered) that see their habitat destroyed by these events pay dearly for the freedom the racers enjoy.

All of this raises the question of why the government so willingly authorizes this destruction? This is the real stumper. Proposals for the permits for these events are run past Alberta Fish and Wildlife. AWA asked: has Fish and Wildlife ever recommended denying a permit only to see that recommendation overruled? Well, yes. They have. AWA also asked: has a permit for a racing event ever been denied? Well, no. One hasn't.

It's the kind of headwaters story we've heard over and over again.

With so many "obvious" recommendations to make, it's hard to know where to start. First and foremost, these races don't belong on public lands, especially those in sensitive headwaters areas. If government feels this blight may be welcome then Fish and Wildlife need to have a veto in the permit process. If they recommend against approving an event then the event shouldn't take place. AESRD also needs to take on a much stron-

ger role during the application process than simply one of "education." At the very minimum, there need to be fees associated with the granting of approvals. For one, these fees should be dedicated to the sorely needed, yet sorely lacking, enforcement function. For another, this may help spur a market response to the applications: if government doesn't give these events a free pass for them to take place on public lands then organizers may be prompted to seriously consider hosting these events on the already disturbed white zone lands. That's where they belong.

Field inspections need to happen and AESRD staff need to be on-hand to carry out inspections during events. A comprehensive inventory of existing trails in the Livingstone-Porcupine needs to be created. Caps and capacity limits for cumulative impacts need to be set (currently there are none). Regulations for noise levels also need to be in place (again, there is currently no legislation in place for this). Of course, ideally these regulations and permitting would be extended to cover individuals, and not only to or-

ganized events. Likewise, existing biodiversity timing restrictions (for example prohibitions on activities taking place between December 15 and April 30 in the Key Wildlife and Biodiversity Zones south of highway 1) only apply to industrial or commercial events. Such restrictions need to cover races such as these.

A few, but only a few of these ideas are apparently being addressed now (for example, AESRD is generating an inventory of existing trails). Others may be considered under the upcoming South Saskatchewan Regional Plan (SSRP) Recreation Management Framework. AWA strongly encourages the prioritization of that process and looks forward to seeing increased assessment, accountability, and enforcement.

Right now, a significantly more stringent inspection regime is in place for industrial disturbance of these headwaters, yet recreational users are given a pass when causing the same level of damage. We need to level the metaphorical playing field, so that the physical one remains intact. ♣

Featured Artist – David Mayne Reid



Still day on lake edge, Acrylics