



Date: July 14, 2021

Notice of Rescission of a Permission to Occupy Crown Land

The Minister of Forests, Lands, Natural Resource Operations and Rural Development (the “Ministry”) is responsible for the management of most Crown land in British Columbia, under the authority of the *Land Act* RSBC 1996 Ch. 245.

Access to Crown land may be had through the issuance of tenures under the *Land Act*, or through a permission granted by the Ministry to members of the public under the Permission Policy. The permission to use Crown land is a bare licence which may be limited or rescinded to a greater or lesser extent, from place to place, and from time to time.

The Ministry wishes to limit access to certain areas where huckleberries are considered critical habitat for grizzly bears.

The Ministry is rescinding permission for persons to be on Crown land for the purpose of commercial scale harvesting huckleberries for commercial purposes, in the closure area of the Kootenay Boundary Region. For greater certainty, the areas that are closed to commercial-scale harvesting are outlined in bold on the attached map(s) (“the Closed Areas”).

Any one or more of the following is considered commercial scale harvesting for the purpose of this Rescission:

- Harvest or possession of huckleberries exceeding 10 litres per person per season;
- Use of mechanical pickers or any device other than hand picking; or
- Harvest of any amount of huckleberries for the purpose of sale.

This rescission is effective:

- **between July 15, 2021 and October 15, 2021;**
- **between July 1, 2022 and October 15, 2022; and**
- **between July 1, 2023 and October 15, 2023.**

Use and occupation of Crown land without lawful authority is contrary to the *Land Act* and is trespass. Persons found using or occupying the Closed Areas for the purpose of commercial-scale harvesting may face administrative remedies or trespass charges under s. 59 and 60 of the *Land Act*.

For greater clarity, persons picking huckleberries in furtherance of an Aboriginal right recognized and affirmed by section 35 of the *Constitution Act*, 1982 may continue to access the Closed Areas.

Andrea Kalischuk
Director of Authorizations
Kootenay Boundary Region

Attachments: Mapping of harvest restriction areas

**Ministry of Forests,
Lands, Natural
Resource Operations
and Rural
Development**

Kootenay Boundary Region

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