

Modernized Land Use Planning: A Guide to Giving Legal Effect to Land Use Plan Content



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

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DISCLAIMER:

The Province has committed to undertaking land use planning in partnership with Indigenous governments to support reconciliation, and the implementation of the [*Declaration on the Rights of Indigenous Peoples Act*](#) (DRIPA), and the Articles of United Nations Declaration on the Rights of Indigenous People (UNDRIP). The modernized land use planning program is being developed and refined through engagement with Indigenous people. Feedback from land use planning project teams, Indigenous partners and advisors, and other interested parties has and continues to inform new policy and guidance. With the implementation of DRIPA new opportunities for deeper collaboration with Indigenous people will be reflected in the process. Additionally, to ensure new policy and guidance is effectively addressing reconciliation commitments, government will continue to work with the First Nations Leadership Council, and other Indigenous governments and organizations on the progress of new policy and guidance development.

This document contains a summary of legal and other requirements. In the event of any discrepancy between the information contained in this guide and the legislation and/or regulations referred to in this document or any associated policy and procedures specific to the use of the legislation and regulations (e.g. *Land Use Objectives Regulation: Policy and Procedures*), the legislation, regulations, policy and procedures prevail. Speak to your ministry legal counsel if you have questions.

Please note that some of the legal tools described in this document may be available for use only in exceptional circumstances – the practical availability of the listed tools will depend on current provincial government policy and priorities and identified legal, program, and revenue risks.

As well, please note that “public land” is a term used by the modernized land use planning program in place of “Crown land”, out of respect for our Indigenous partners and our evolving relationship towards reconciliation. However, to date, the term “Crown land” is still used in applicable regulatory and legislative references as it relates to provincial land use planning in B.C.

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Introduction

This guidance document provides an overview of the existing legal tools to implement finalized land use plans. Since 2018, the B.C. government has been working in partnership with Indigenous governments to modernize land use planning. Under this new planning model, provincial and Indigenous governments are working as partners in a government-to-government relationship with shared responsibility for designing and implementing land use plans and collaborating with local governments, industry, non-government organizations, stakeholders, and the public. This document captures the authority listed in statute. For more information, please refer to the [Transfer of Authority for Natural Resource Management](#) webpage.

This guide is intended primarily for provincial and Indigenous government staff (e.g. land use planners, lands technical staff etc.) and decision-makers who are working together to develop land use plans. While the focus of this document is on legal tools that were available in Spring 2021, the authors acknowledge that Indigenous communities also have their own laws, rules, policies, and directives that should be considered when developing and implementing land use plans. In the context of modernized land use planning, which emphasizes the meaningful participation of Indigenous communities in decision-making and governance within their territories, the Province's existing legal tools may be used to translate Indigenous laws and directives into binding and enforceable land use direction.

In cases in which the strength of existing legislation is not adequate for this purpose, existing mechanisms may need to be strengthened, or new mechanisms may need to be developed. New mechanisms are beyond the scope of this document, but it is recognized that more work is required to implement government-to-government decision-making and the development and use of associated policy and legislative mechanisms to support joint land use planning following B.C.'s implementation of the UN Declaration through the *Declaration on the Rights of Indigenous Peoples Act* in November 2019.

Land use plans typically outline how land and resources should be managed within identified zones and designated areas, with specific goals, objectives¹, strategies and targets that reflect the desired future condition for resource values addressed in the plan (e.g. biodiversity, sufficiency of resources to support the meaningful practice of Indigenous rights, etc.). Land use planners should also be aware and inform those who participate in developing or drafting plan content that land and resource management plans are strategic documents and are not legally binding, even if the plans received Cabinet approval. Despite not being legally binding in and of themselves, they do set the stage for legally binding objectives to be created.

To have practical effect, a land use plan needs to be translated into binding and enforceable legal requirements and/or policy that can support provincial government decision-making.

¹ "Objectives" refers to the stated desired condition for a value (or component or indicator associated with that value) and can include broad objectives that are over-arching descriptions of desired conditions (but may lack clear definitions and metrics), as well as specific objectives that have metrics directly associated with them. Objectives can be found in land use plans, as well as value-specific management plans, and formal policy statements. Objectives found in land use plans can be converted into legal requirements using powers set out in legislation. For example, the *Land Act*, *Forest and Range Practices Act*, *Oil and Gas Activities Act*, *Water Sustainability Act*, *Environmental Management Act*, and *Environment and Land Use Act* provide authority to create legalized objectives (e.g. in a regulation or by using an order power).

There are several advantages to translating plan content into legal requirements – the requirements will be explicit and enforceable, there will be clear lines of accountability for achieving them, and greater certainty for both the affected users and government staff.

There are, however, situations where it is better to focus on translating plan content into government policy. Creating legal requirements can take considerable time and effort, and once in place, those requirements are not easily changed in response to rapid on-the-ground changes. Policy can be created in a more straightforward way, with less effort and resources, and government policy can be revised quickly to reflect new priorities, respond to new information and tackle emerging issues.

Available Tools

The suite of tools described in this guide includes those that can be used to create legal objectives (i.e. the desired outcomes for management) as well as those that can be used to achieve those desired outcomes (e.g. by designating certain areas and restricting activities within their boundaries, etc.). The tools listed below vary in their flexibility and application. Some of the legal tools are specific and can be used exclusively to prohibit activities outright, while others can be used to either prohibit activities or require specific conditions to be met prior to an activity being authorized.

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Cross-Sector Tools

There are a limited number of provincial legal tools that can be used to establish legal requirements that apply to most or all users of specific areas of provincial public land.² Existing cross-sector tools are as follows:

Sections 11 and 12 of the *Wildfire Act*³ allow the Minister to make orders designating restricted areas and prohibiting or restricting activities that may be carried out, and equipment, materials or substances that may be used in a specified area and for a specified period if those activities and uses are likely to cause or contribute to the spread of a fire.

Section 4(2) of the *Wildlife Act*⁴ allows designation of an area of land that is not in a park, conservancy or recreation area (or privately-owned land that the owner has leased to the Province) as a wildlife management area (WMA) for the benefit of regionally or internationally significant fish and wildlife species or their habitats. Other compatible land uses may sometimes be accommodated in a WMA. A WMA management plan may support, for example, limited or modified resource-based activities.

Section 5 of the *Wildlife Act* allows the Minister responsible to designate land within a WMA as a wildlife sanctuary (WS) or critical wildlife area (CWA). A Regional Manager may establish

² Public land that is owned by the provincial government. Public land includes land covered by water such as rivers and lakes that is available to the public for many different purposes such as industry, recreation and research. As in large sections of British Columbia Aboriginal Title has neither been surrendered nor acquired by the Crown and given the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and recommendations by the Truth and Reconciliation Commission of Canada (TRC) for the purposes of land use planning “Crown Land” is referred to as “Provincial Public Land.”

³ *Wildfire Act* [SBC 2004] c. 31. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/04031_01#section11 Accessed: October 3, 2018.

⁴ *Wildlife Act* [RSBC 1996] c. 488. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96488_01 Accessed: September 12, 2019.

orders that prohibit or restrict certain activities that may have impacts on wildlife or habitat in a WMA, CWA or WS, and government or the Minister responsible for the *Wildlife Act* may make regulations respecting use or occupation of a WMA. New activities that involve use of land or resources in a WMA also require written permission from the Regional Manager.

Section 9 of the *Heritage Conservation Act*⁵ authorizes Cabinet to designate land as a Provincial heritage site or designate an object as a Provincial heritage object.

Section 5 of the *Park Act*⁶, the *Protected Areas of British Columbia Act*⁷, and Sections 3 and 5 of the *Ecological Reserve Act*⁸ provide for the designation of provincial public land as a park, conservancy, or ecological reserve. These designation powers can be used to constrain or prohibit a broad range of land uses and activities and prevent the disposition of land.

Section 32 of the *Off-Road Vehicle Act* (ORVA) provides Cabinet with the power to make regulations prohibiting or regulating the use or operation of off-road vehicles in prescribed geographic areas and during prescribed seasons or periods of time. The ORVA also allows Cabinet to authorize the Minister to issue an order prohibiting or regulating the use or operation of off-road vehicles or a class of off-road vehicles in an area or during a specific timeframe.

Section 89 of the *Environmental Management Act* provides the Minister with the power to make orders designating areas and establishing processes for the development of area-based management plans dealing with introduction of wastes into the environment.

Section 15 of the *Land Act* provides Cabinet with authority to reserve provincial public land from disposition under that Act if it is in the public interest. Section 16 of the *Land Act* provides the Minister with authority to temporarily withdraw provincial public land from disposition under that Act if it is in the public interest. Section 17 of the *Land Act* allows the Minister to designate a portion of provincial public land for a specific use, or for the conservation of natural or heritage resources. These measures are generally temporary until a specific issue is resolved.

Section 66 of the *Land Act* provides Cabinet with authority to make regulations prohibiting a specific use of provincial public land in a designated area and makes it an offence to contravene that prohibition.

The *Environment and Land Use Act*⁹ (ELUA) (Section 7) allows cabinet to make orders it considers necessary or advisable respecting the environment and land use, including restricting powers of government authorizing bodies. The ELUA can be used to manage the activities of most or all resource users in a designated area using one legal instrument. In certain circumstances, Section 7 has been used for establishing B.C. Parks managed protected areas; as an interim measure prior to establishing a protected area under the *Protected Areas of B.C. Act*; or on a longer-term basis, to allow for present or future activities that are inconsistent with the *Park Act* (e.g. a future, possible resource road). Other Section 7 orders (in addition to those used to establish protected areas) generally: define a specified time period; identify who and which

⁵ *Heritage Conservation Act*. [RSBC 1996] c. 187. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96187_01 Accessed: October 3, 2018.

⁶ *Park Act*. [RSBC 1996] c.344. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96344_01 Accessed: October 5, 2018.

⁷ *Protected Areas of British Columbia Act*. [SBC 2000] c.17. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/00017_00 Accessed: October 5, 2018.

⁸ *Ecological Reserve Act* [RSBC 1996]. c. 103. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96103_01 Accessed: September 12, 2019.

⁹ *Environment and Land Use Act*. [RSBC 1996] c. 117. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96117_01 Accessed: October 3, 2018.

activities are affected by the order; and may include a map defining the relevant area. For example, the Contaminated Soil Land Deferral Order (2019), which prohibits a director from authorizing the introduction of contaminated soil, and/or volume of contaminated in a landfill for one year.

In several special cases, the Province has used stand-alone targeted legislation to manage use by multiple resource sectors in discrete geographic areas.

Examples include:

- *Haida Gwaii Reconciliation Act*¹⁰
- *Flathead Watershed Area Conservation Act*¹¹
- *Muskwa-Kechika Management Act*¹²
- *Creston Valley Wildlife Management Area Act*¹³

Sections 93.1 – 93.3 of the *Land Act* (enacted in 2003)¹⁴ are currently not in force and will remain unavailable until they are brought into force by regulation. However, once in force, they will allow Cabinet to make orders designating areas of provincial public land for the following purposes:

- conserving or managing natural resources;
- balancing multiple natural resource uses;
- implementing a plan for a specified use of provincial public land;
- resolving land use conflicts; and
- the use for specified economic development opportunities.

Cabinet can then establish objectives that apply to the designated areas and restrict officials from making decisions that are inconsistent with those objectives.

¹⁰ See section 4 of the *Haida Gwaii Reconciliation Act*. [SBC 2010]. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/10017_01 Accessed: October 3, 2018.

¹¹ *Flathead Watershed Area Conservation Act*. [SBC 2011] c. 20. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/11020_01 Accessed: October 3, 2018.

¹² *Muskwa-Kechika Management Area Act*. [SBC 1998] c.38. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/98038_01 Accessed: October 3, 2018

¹³ *Creston Valley Wildlife Act*. [RSBC 1996] c.84. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96084_01 Accessed: October 3, 2018.

¹⁴ *Bill 46 – 2003. Land Amendment Act, 2003*. Available at: <http://www.bclaws.ca/civix/document/id/bills/billsprevious/4th37th:gov46-3> Accessed: October 3, 2018.

The Water Sustainability Act (WSA)

The *Water Sustainability Act* (WSA) was brought into force on February 29, 2016. The WSA is the principal legislation for managing freshwater (both stream and groundwater) and protecting streams. An interim policy detailing how to develop WSA Objectives is expected to become available in 2021.

Section 43 of the WSA¹⁵ enables Cabinet to make water-related regulations for land and resource use by establishing WSA Objectives for water quantity, water quality and aquatic ecosystems. WSA Objectives are an area-based planning tool. When implemented by regulation, these objectives can influence decisions made under laws other than the WSA, by requiring public officials under applicable statutes to consider the WSA Objectives, in order to achieve common goals across natural resource development and local government planning. Policy guidance for the WSA, and applicable regulations is still in development.

Under the WSA, Sections 64 through 85, *Water Sustainability Plans*¹⁶ (WSPs) can be initiated by a ministerial order establishing the geographic area for the plan. The rationale for planning must include preventing or addressing conflicts between water users or between the needs of users and environmental flow needs, assisting with risks to water quality or risks to the aquatic ecosystem, identifying restoration measures in relation to a damaged aquatic ecosystem, or other prescribed circumstances.

Section 124 (4) WSA (paragraphs [c] and [d]) – Provide broad regulation making authorities that allow for area-based regulations. Area-based regulations provide government the ability to customize solutions for watersheds in response to site, region, or watershed-level issues. Section 124 (4), in addition to other sections of the WSA, provide authorities that allow for regulations for specific areas that can include requirements for, and limitations on, activities based on geographic area streams, aquifers, watersheds and natural resources. For example, groundwater licensing for domestic use is not currently required under the WSA; however, a regulation for a specified aquifer could be created that requires domestic groundwater users to obtain a licence, if needed.

Section 135 of the WSA – regulation making authority that allows for restricting or closing access to water sources, which can include restricting the types of applications that may be accepted.

Section 137 of the WSA – Minister’s regulations allow for restricting groundwater activities in problem areas including requiring a drilling authorization for the area covered by the regulation.

Table 1 summarizes currently available cross-sector tools.

¹⁵ *Water Sustainability Act* [SBC 2014] c. 15. Available at: <http://www.bclaws.ca/civix/document/id/complete/statreg/14015>
Accessed: October 3, 2018.

¹⁶ *Water Sustainability Plans in British Columbia: Potential, Options, and Essential Content*. Available at: <https://poliswaterproject.org/2019/10/22/water-sustainability-plans-in-british-columbia-potential-options-and-essential-content/>
Accessed: May 3, 2020.

Table 1 – Summary of Cross-Sector Legal Tools

Law	Description	Instrument
<i>Wildfire Act – s.11, s.12</i>	Minister can make orders designating certain areas as restricted areas and prohibiting or restricting activities that may be carried out, equipment, materials or substances that may be used in a specified area and for a specified period if those activities and uses are likely to cause or contribute to the spread of a fire.	Minister’s order
<i>Wildlife Act, s. 4(2), s.5</i>	Minister may make regulations designating area that is not park, conservancy, or recreation area as a Wildlife Management Area (WMA). Person cannot use land or resources in WMA without permission of Regional Manager Minister may designate land in WMA as critical wildlife area or wildlife sanctuary	Designation/Orders/ Regulations/Authorizations
<i>Heritage Conservation Act – s. 9</i>	Cabinet can designate land as a Provincial heritage site or designate an object as a Provincial heritage object.	Order in Council ¹⁷
<i>Protected Areas of British Columbia Act</i> <i>Park Act – s.5</i> <i>Ecological Reserve Act – s.3, s.5</i>	Class A provincial parks, ecological reserves and conservancies are usually established by inclusion in a schedule to the <i>Protected Areas of British Columbia Act</i> . Each designation type has different allowable activities. Section 5 of the <i>Ecological Reserve Act</i> states that any area established or continued as an ecological reserve is not available for disposition.	Order in Council *Can also be done by Order in Council (under the <i>Park Act</i> or <i>Ecological Reserve Act</i>), but usually only as an interim measure when there are time sensitivities.
<i>Off-Road Vehicle Act – s. 32</i>	Cabinet can make regulations prohibiting or regulating use or operation of off-road vehicles in prescribed geographic areas or land and during prescribed seasons or periods of time. Cabinet can authorize Minister to issue an order prohibiting or regulating use or operation of off-road vehicles or a class of off-road vehicles in an area or during a period of time.	Objectives would be established by regulation. Current regulations do not establish objectives or restrictions related to use/operation in prescribed geographic or land/prescribed seasons or periods.
<i>Environmental Management Act – s. 89</i>	Minister can make orders designating areas and establishing processes for the development of area-based management plans dealing with introduction of wastes into the environment.	Minister’s order

¹⁷ Example: Province of British Columbia. 2012. *Order in Council No. 554, Approved and Ordered July 18, 2012*. Available at: [http://www.bclaws.ca/civix/document/id/oic/arc_oic/0554_2012/search/CIVIX_DOCUMENT_ROOT_STEM:\(mcbabee\)%20AND%20CIVIX_DOCUMENT_ANCESTORS:2013_08_2012?1#hit1](http://www.bclaws.ca/civix/document/id/oic/arc_oic/0554_2012/search/CIVIX_DOCUMENT_ROOT_STEM:(mcbabee)%20AND%20CIVIX_DOCUMENT_ANCESTORS:2013_08_2012?1#hit1) Accessed: October 12, 2018.

Law	Description	Instrument
<p><i>Land Act – s. 15, s. 16, s. 17, s. 66, ss. 93.1 – 93.3.</i></p>	<p>Section 15 of the <i>Land Act</i> provides the Cabinet with authority to reserve provincial public land (Crown land) from disposition under that Act, if it is in the public interest.</p> <p>Section 16 of the <i>Land Act</i> provides the Minister with authority to temporarily withdraw provincial public land (Crown land) from disposition if it is in the public interest.</p> <p>Section 17 of the <i>Land Act</i> allows the Minister to designate a portion of provincial public land (Crown land) for a specific use or for the conservation of natural or heritage resources. These measures are generally temporary until a specific issue is resolved.</p> <p>Section 66 of the <i>Land Act</i> provides the LGIC (Cabinet) with authority to make regulations prohibiting a specific use of provincial public land (Crown land) in a designated area and this section also makes it an offence to contravene that prohibition.</p> <p>Sections 93.1 – 93.3 of the <i>Land Act (not in force)</i></p>	<p>Section 15 reservations – Order in Council</p> <p>Section 16 and 17 withdrawal/designations – Minister’s order</p> <p>Section 66 prohibitions – by regulation</p>
<p><i>Environment and Land Use Act – s. 7.</i></p>	<p>On the recommendation of the Environment and Land Use Committee (ELUC), Cabinet can make orders respecting the environment or land use. Enables the designation of areas where some industrial activities are prohibited while others are allowed.¹⁸ It generally applies to future authorizations and cannot take away existing authorizations.</p> <p>This tool has been used for establishing protected areas in certain circumstances, such as an interim measure prior to an area being established under the <i>Protected Areas of B.C. Act</i>, or on a longer-term basis to allow for present or future activities that are inconsistent with the <i>Park Act</i>.</p>	<p>Order in Council</p>
<p><i>Water Sustainability Act – s. 43, 64-85, 124 (4) (c) & (d), 135, 136, 137</i></p>	<p>Under s. 43, the WSA enables Cabinet to make regulations establishing water-related objectives that apply to land and resource use. WSA Objectives can promote positive outcomes for water and communities across a range of land and water planning and decision processes linked to provincial and local government functions.</p> <p>Under the Water Sustainability Plan provisions (64-85) restrictions can be placed on activities in the plan area as well as decision making under other legislation for the plan area</p> <p>Regulation making authority also includes area-based restrictions on new applications for closed or restricted sources as well as additional requirements for activities in specified areas.</p>	<p>Objectives would be established by regulation.</p> <p>Note: Development of guidance for WSA Objectives under Section 43 is currently underway. An interim policy detailing how to develop these objectives is expected to become available in 2021.</p>

Sector-Specific Tools

In B.C., there are several tools that can be used to establish legal objectives for a selected value and/or constrain and manage land use activities to achieve objectives. Most are associated with laws that

¹⁸ Examples include “Mining/Biodiversity/Tourism Areas” in the Central Coast and North Coast regions, and “Wildland Areas” in the Sea to Sky region - in each case, forestry is prohibited while mining is not. The B.C. Parks System contains 84 protected areas designated under ELUA. Protected areas generally have one or more existing or proposed activities that are not usually allowed in a park (e.g., proposed industrial road, pipeline, transmission line or communication site).

regulate the activities of a particular natural resource sector industry. When implementing a land use plan, if the intent is to establish consistent legally binding direction across key sectors and users of an area of land, then a combination of sector-specific legal tools will likely need to be used (in addition to cross-sector tools).

Complementary objectives for the same value (e.g. protection of old growth) can be crafted for different sectors, but fundamental differences in how different laws are written can result in important differences in the objectives that are created.

For example, the *Forest and Range Practices Act* (FRPA), Government Actions Regulation (GAR)¹⁹ and *Land Act* Land Use Objectives Regulation (LUOR)²⁰ allow government to establish objectives that apply to forestry and range use. Both LUOR and GAR orders list very specific objectives for values that include detailed description of how those objectives are to be achieved for specific areas²¹. In contrast, the *Oil and Gas Activities Act*, Environmental Protection and Management Regulation²² (EPMR) sets out general objectives for values (e.g. water, riparian values, wildlife and wildlife habitat, old growth management areas, resource features and cultural heritage resources), and orders are then used to designate areas where those objectives apply. The objectives set out in the EPMR apply in the same way to all areas that fall within a specified category. Under the EPMR there are currently no tailored area-specific objectives, however this can be allowed under Section 94 of the OGAA, which specifies the Lieutenant Governor in Council may make different regulations for different persons, places, things, decisions, transactions, or activities.

Table 2 summarizes available sector-specific legal tools. It is followed by a detailed description of the tools available for each sector.

Note: Parks, protected areas, and conservancies are not mentioned in Table 2, as these tools generally apply more broadly, and are not sector specific. However, they can be used in conjunction with or in isolation of the sector-specific tools listed below.

Table 2 – Sector-Specific Legal Tools

Sector	Primary Legislation	Regulation and Instruments for Establishing Objectives or Restrictions
Forestry Sector ²³	<i>Land Act</i> , s.93.4 – s. 93.7	Land Use Objectives Regulation (establishes FRPA-related objectives by Ministerial Order)
	<i>Forest and Range Practices Act</i>	Government Actions Regulation (Note: Exemptions in s. 2(2) of Government Actions Regulation)

¹⁹ *Forest and Range Practices Act*, Government Actions Regulation B.C. Reg. 582/2004. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/582_2004 Accessed: October 3, 2018.

²⁰ *Land Act*, Land Use Objectives Regulation. B.C. Reg. 357/2005. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/357_2005 Accessed: October 3, 2018.

²¹ For an example of this, see: Province of British Columbia. 2014. Ministry of Forests, Lands and Natural Resource Operations Ministerial Order – Land Use Objectives for the Lizzie, Mamquam, Tuwasus, Sloquet High, Sloquet North, Sloquet South Landscape Units, located in the Sea to Sky District. Available at: https://www.for.gov.bc.ca/tasb/slrp/srmp/coast/sea_to_sky/reports/Mamquam_Lizzie_Tuwasus_Sloquets_OGMA_Order_Revised_October30_2014.pdf Accessed: October 3, 2018.

²² *Oil and Gas Activities Act*, Environmental Protection and Management Regulation. B.C. Reg. 200/2010. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/200_2010 Accessed: October 3, 2018.

²³ Includes forestry-related road construction, maintenance, use and deactivation, botanical forest product collecting, and fire use, control and suppression activities

Sector	Primary Legislation	Regulation and Instruments for Establishing Objectives or Restrictions
		<p><i>Forest and Range Practices Act</i>, s. 56 – 58, Interpretive Forest Sites, Recreation Sites and Recreation Trails, s.149, Objectives set by government in relation to timber.</p> <p><i>Forest Planning Practices Regulation</i>, P2, D1.,6, Objectives set by government in relation to timber (the objectives prescribed under Section 5 of this regulation are applicable only to forest stewardship plans)</p>
	<i>Forest Act</i>	Part 13, ss. 169 - 175
Agriculture and Use of Rangeland	<p><i>Forest and Range Practices Act</i></p> <p><i>Land Act</i></p> <p><i>Water Sustainability Act</i></p> <p><i>Environmental Management Act</i></p>	<p>Range Planning and Practices Regulation, ss. 6-12</p> <p>Agricultural producers need a <i>Land Act</i> tenure to access and use provincial public land for the cultivation and production of crops, hay cutting and grazing. See the <i>Land Act</i> description in Table 1.</p> <p>All agricultural operations in BC are subject to the <i>Water Sustainability Act</i> (see description in Table 1) and the <i>Environmental Management Act</i> and related regulations (i.e. The Code of Practice for Agricultural Environmental Management)²⁴ Also, under the <i>Environmental Management Act</i> the Minister can make orders designating areas and establishing processes for the development of area-based management plans dealing with introduction of wastes into the environment.</p>
Oil and Gas	<i>Oil and Gas Activities Act (OGAA)</i>	<p>Environmental Protection and Management Regulation</p> <p>Under the EPMR there are currently no tailored area-specific objectives, however this can be allowed under Section 94 of the OGAA, which specifies the Lieutenant Governor in Council may make different regulations for different persons, places, things, decisions, transactions, or activities.</p> <p>Note: Restrictions, designations and objectives created under FRPA (e.g. FRPA s.149 and Government Action Regulation s.5-15) can apply to the forestry activities (e.g. tree cutting) of oil and gas licensees.</p>
Mineral Exploration and Mining	<p><i>Mineral Tenure Act (MTA) – s.17, s.21, s. 22(2)</i></p> <p><i>Coal Act – s. 21(2)</i></p>	<p>Mineral Exploration and Mining Restrictions, Reserves, and Conditions</p> <p>Under Section 17 of the <i>Mineral Tenure Act</i> (MTA) a minister may, by order, restrict the use of surface rights, or restrict the right to mining or mineral exploration for cultural heritage resources.</p> <p>Under Section 21 of the MTA a person must not locate a mineral title, carry out exploration and development or produce minerals or placer minerals in a park created under an Act of British Columbia or of Canada. This also applies to an area of land established as a Provincial heritage property under section 11.1 of the <i>Heritage Conservation Act</i>.</p> <p>A reserve can be established by regulation of the Chief Gold Commissioner under Section 22 of the <i>Mineral Tenure Act</i>: Mineral reserves; and Section 21 of the <i>Coal Act</i>: Coal land reserves. A reserve is the legal instrument used to limit or restrict obtainment of mineral rights to mineral, placer and coal lands, as well as, in some cases, constrain those rights. By restricting claim registration or coal applications, reserves are an effective tool for land use management.</p> <p>A reserve may be established for a number of reasons as listed in section 22(2) of the MTA and section 21(2) of the Coal Act, but the most common are to</p>

²⁴ *Environmental Management Act*, Code of Practice for Agricultural Environmental Management. B.C, Reg. 8/2019. Available at: https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/8_2019 Accessed: May 27, 2021.

Sector	Primary Legislation	Regulation and Instruments for Establishing Objectives or Restrictions
		<p>either prohibit registration of a claim or to restrict the rights acquired. A "No Registration" reserve prohibits the acquisition of a mineral and/or placer claim, and a "conditional" reserve stipulates the specific conditions or restrictions which apply to a claim registered within the reserve.</p>
	Forest and Range Practices Act	<p>FRPA measures (e.g. general wildlife measures) can apply to forestry-related activities of mining tenure holders.</p> <p>Note: Objectives created under FRPA only apply to Forest Stewardship Plans (FSPs) and mineral holders do not have FSPs.</p>
Commercial Recreation and Tourism	<i>Land Act</i>	<p>A <i>Land Act</i> tenure is required for commercial recreation operators on provincial public land (including land covered by water).</p> <p>See the <i>Land Act</i> description in Table 1.</p>
Residential Development Commercial Development Industrial Development	<i>Riparian Areas Protection Act</i>	<p>Enables Cabinet to establish "directives" that apply to local government zoning, bylaws and permitting for the purposes of protecting and enhancing riparian areas that may be subject to residential, commercial, or industrial development.</p>

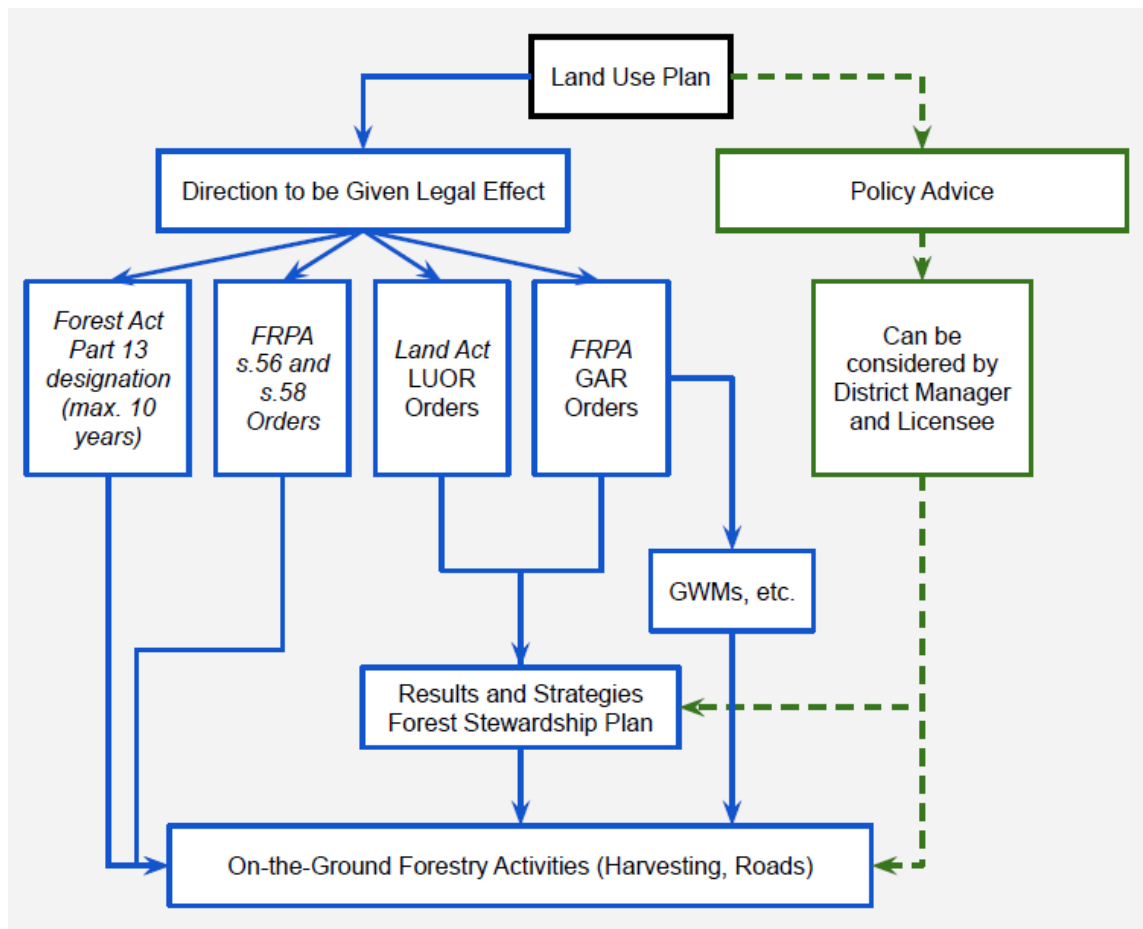
a) Forestry Sector

Figure 1 shows at a high-level how land use planning direction can be implemented through legal requirements and policy in a forestry context.

Note:

- **Blue solid line** indicates a legal requirement is created.
- **Green broken line (---)** means policy and guidance only, and statutory decision-makers are not legally required to make decisions or take actions that are consistent with that policy or guidance, but they may take it into account, where relevant.

Figure 1 - Process to Implement Planning Direction in a Forestry Context



Land Act, Land Use Objectives Regulation (LUOR)

For the purposes of FRPA (i.e. regulating forestry and range activities), area-specific legal objectives can be established through the *Land Act* section 93.4 and the *Land Act* LUOR. Section 93.4 of the *Land Act* provides the Minister with authority to establish, for the purposes of matters covered by FRPA, objectives for the use and management of Crown resources and land or private land that is subject to a tree farm license, woodlot license or community forest agreement. In addition, section 93.7 allows the Minister to delegate those objective-setting powers to Ministry staff or another Minister.

LUOR objectives are the highest order of objective recognized in FRPA and objectives created under the *Government Actions Regulation* (see below) must be consistent with them. In the event of a conflict between objectives, the LUOR objectives take precedent to the extent of the conflict for the purposes of preparing forest stewardship plan (FSP) content.²⁵ LUOR measures include higher level plan (HLP) objectives established under the former *Forest Practices Code of B.C. Act*.

²⁵ See Sections 12(4) through 12(6) of the *Forest Planning and Practices Regulation*. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/14_2004#section12

Forest and Range Practices Act, Government Actions Regulation

FRPA governs forest and range activities on B.C.'s public forests and rangelands and to a smaller extent private land subject to an applicable tenure (ex. woodlot licenses, community forest agreements). FRPA establishes an objectives and results-based approach to provincial public land and resource management where government sets objectives ("Objectives set by Government" or OSBGs) for various resource values and land uses. Tenure holders and B.C. Timber Sales (BCTS) are required to develop results, strategies, measures, and stocking standards in their operational plans consistent with these objectives. Additionally, tenure holders and BCTS can choose to abide by practice requirements, as defined in regulation. All stages of planning, road building, logging, reforestation and/or grazing are governed by FRPA and its regulations

The following 11 resource values are identified and managed/protected under FRPA:

- Biodiversity
- Cultural Heritage
- Fish / Riparian
- Forage & Associated Plant Communities
- Recreation
- Resource Features
- Soils
- Timber
- Visual Quality
- Water Quality
- Wildlife

The FRPA GAR provides identified Ministers with the authority to establish specific land designations, features, measures, and objectives. A summary is provided in

Table 3.

Table 3 – GAR Order Powers

Topic	Order Power	Reference
Resource Features	Minister responsible for <i>Forest Act</i> may make orders identifying resource features. Once designated as a resource feature, those carrying out a primary forestry activity must ensure that their activities do not damage the resource feature or render it ineffective.	s. 5, <i>Government Actions Regulation</i> s. 70 of the <i>Forest Planning and Practices Regulation</i>
Lakeshore Management Zones	Minister responsible for <i>Forest Act</i> may make orders establishing lakeshore management zones and establishing objectives for those zones.	s. 6, <i>Government Actions Regulation</i>
Scenic areas	Minister responsible for the <i>Land Act</i> may make orders establishing an area as a scenic area and make orders establishing visual quality objectives for that scenic area.	s. 7, <i>Government Actions Regulation</i>
Community watersheds	Minister responsible for the <i>Land Act</i> may make orders designating an area as a community watershed. Minister responsible for <i>Wildlife Act</i> may make orders establishing water quality objectives for the designated community watershed area.	s. 8, <i>Government Actions Regulation</i>
General Wildlife Measures	Minister responsible for the <i>Wildlife Act</i> may make orders establishing a general wildlife measure to be applied to a specified area for a category of species at risk, regionally important wildlife or specified ungulate species. Minister responsible for <i>Wildlife Act</i> may make orders establishing a general wildlife measure for a wildlife habitat area or an ungulate winter range.	s. 9, <i>Government Actions Regulation</i>

Topic	Order Power	Reference
Wildlife Habitat Areas	Minister responsible for the <i>Wildlife Act</i> may make orders establishing an area as a wildlife habitat area and may make orders establishing objectives for those areas.	s. 10, Government Actions Regulation
Wildlife Habitat Features	Minister responsible for <i>Wildlife Act</i> may make orders identifying wildlife habitat features	s. 11, Government Actions Regulation
Ungulate Winter Ranges	Minister responsible for the <i>Wildlife Act</i> may make orders establishing an ungulate winter range and make orders establishing objectives for those areas.	s. 12, Government Actions Regulation
Species at risk, regionally important wildlife and ungulate species	Minister responsible for the <i>Wildlife Act</i> may make orders identifying species at risk, regionally important wildlife or ungulate species for which ungulate winter range is required.	s. 13, Government Actions Regulation
Fisheries sensitive watersheds	Minister responsible for the <i>Wildlife Act</i> may make orders identifying an area of land in a watershed as a fisheries sensitive watershed and make orders establishing objectives that apply to that watershed.	s. 14, Government Actions Regulation
Temperature sensitive streams	Minister responsible for the <i>Wildlife Act</i> may make orders designating a portion of a fish stream as a temperature sensitive stream.	s. 15, Government Actions Regulation

GAR actions must be consistent with “established objectives” defined in the Forest Practices and Planning Regulation (FPPR), which include:

- LUOR land use objectives;
- Forest Practices Code (FPC) grand-parented objectives;
- objectives set in regulations under FRPA; and
- existing objectives under GAR.

Under GAR s.2 there are three tests that must be met prior to the Minister making an order to establish/change/de-establish an objective. It must be determined whether the order:

- is consistent with (other) established objectives,
- will not unduly reduce timber supply and
- does not adversely affect the ability of agreement holder to exercise harvesting or grazing rights.

Some GAR orders do not apply to certain permits, licences, tenures and areas listed in s. 2(2) of the regulation. For more information, please refer to the document *Government Actions Regulation: Policy and Procedures for Government Staff Assisting Delegated Decision-Makers* which provides specific information on the use of this regulation.²⁶

²⁶ Ministry of Forests, Lands and Natural Resource Operations. 2008. *Considerations for the Selection of LUOR and GAR - Using the Land use Objectives Regulation (LUOR) and the Government Actions Regulation (GAR) in a complementary manner.*

Planners interested in this subject can also consult the *Government Actions Regulation Policy and Procedures*²⁷ and *Land Use Objectives: Policy and Procedures*²⁸ which provide detailed guidance on the use of “GAR” and “LUOR” Orders.

Forest and Range Practices Act, ss. 56 - 58 (Interpretive Forest Sites, Recreation Sites and Recreation Trails)

Sections 56 of FRPA provides the Minister with authority to make orders designating an area of provincial public land as an interpretative forest site, a recreation site, or a recreation trail (see exceptions in s. 56) and establish a specific objective for that site or trail.

If it is necessary to protect a recreation or range resource or to manage public recreation use on provincial public land, Section 58 of FRPA provides the Minister with authority to make orders restricting or prohibiting non-recreational use of: resource management zones, landscape units or sensitive areas previously established under the *Forest Practices Code of British Columbia Act* for the purposes of recreation; or an interpretive forest site, recreation site or recreation trail²⁹.

Forest Act

Part 13 of the *Forest Act* allows government to temporarily suspend forestry-related activities, including road building and logging on provincial public land within a “designated area” for up to 10 years. It enables Cabinet to establish a designated area by regulation, authorizes the Minister to vary or suspend legal authorizations or approvals and, authorizes the Chief Forester to temporarily reduce allowable annual cuts (AACs) of affected management units, and authorizes the Minister to reduce the AAC of individual affected licences. Section 171 of the *Forest Act* also provides the Minister with authority to make orders attaching conditions to an agreement or special use permit that relates to all or part of a designated area or order that authorizations not be issued.

As described in Section 174 of the *Forest Act*, if an order made in accordance with Part 13 conflicts or is inconsistent with other sections of the *Forest Act*, the *Forest and Range Practices Act*, the *Forest Practices Code of British Columbia Act*, the *Wildfire Act* or any regulations or standards made under those Acts, or an agreement, or a permit, licence or plan listed in section 170 (3) of the *Forest Act*, then the order prevails.

b) Agriculture and Use of Rangeland

In B.C., the use of public range resources is managed through tenures issued under both the *Range Act* and *Land Act*. These tenures are administered by Ministry of Forests, Lands and Natural Resource Operations and Rural Development Range staff in districts throughout the Province.

Available at: <https://testwww.for.gov.bc.ca/ftp/HTH/external/!publish/Web/frpa-admin/frpa-implementation/luor-gar-considerations.pdf>
Accessed: July 15, 2019.

²⁷ Ministry of Forests, Land and Natural Resource Operations and Ministry of Environment. 2013. *Government Actions Regulation Policy and Procedures*. Available at: http://www.lbc.leg.bc.ca/public/pubdocs/bcdocs2015_2/590409/gar-guide.pdf Accessed. July 10, 2019.

²⁸ Strategic Land Policy and Legislation Branch and Integrated Land Management Bureau - Ministry of Agriculture and Lands. 2008. *Land Use Objectives Regulation: Policy and Procedures*. Available at: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/policies-guides/luor_policies_procedures.pdf

²⁹ This power cannot be used to restrict or prohibit non-recreational uses permitted under the *Coal Act*, the *Mineral Tenure Act* or the *Oil and Gas Activities Act*.

As set out in s. 32 of FRPA before a holder of an agreement under the *Range Act* grazes livestock or cuts hay on public range land the holder must prepare and obtain the Minister's approval of a range use plan or a range stewardship plan for the area where grazing/hay cutting will occur. Sections 33, 34 and 35 of FRPA state that range use plans or range stewardship plans for grazing livestock and hay cutting must be consistent with objectives set by government and other objectives established under FRPA that pertain to all or part of the area subject to the plan.

Section 93.4 of the *Land Act* authorizes the Minister responsible for the *Land Act* to make orders "for the purposes of FRPA" (i.e. regulating forestry, range use and recreation activities) establishing objectives for the use and management of Public resources and provincial public land. The FRPA *Range Planning and Practices Regulation* lists objectives that are to be included in range use plans for grazing and hay cutting for the following values:

- Soils
- Forage
- Water
- Fish
- Wildlife
- Biodiversity
- Water Quality (FRPA objectives apply)
- Wildlife Habitat (FRPA objectives apply)
- Ungulate Winter Range (FRPA objectives apply)

Section 42 of FRPA authorizes the Minister, in circumstances set out in the regulations, to establish targets for sharing, in specified proportions between or among the holders of range use plans, the responsibility to achieve objectives set by government. At this time there are no regulations that have been established under Section 42 of FRPA.

Agricultural producers can apply to access and use provincial public land for the cultivation and production of crops, hay cutting and grazing by acquiring a *Land Act* tenure (or through direct sales). As described previously under "Cross-Sector Tools", Section 15 of the *Land Act* authorizes Cabinet to reserve provincial public land from disposition, Section 16 allows the Minister to temporarily withdraw public land from disposition, and Section 17 allows the Minister to designate public land for a specific use (or for the conservation of natural or heritage resources) and impose terms and conditions on use of that designated land. In addition, section 66 of the *Land Act* provides Cabinet with authority to make regulations prohibiting a specific use of provincial public land in a designated area and makes it an offence to contravene that prohibition.

All agricultural operations in B.C. are subject to the *Water Sustainability Act*, the *Environmental Management Act* and related regulations (i.e. The *Code of Practice for Agricultural Environmental Management*).³⁰ Please see Section 2 "Cross-Sector Tools" for more information on the powers provided under the *Waters Sustainability Act* and the *Environmental Management Act*.

c) Oil and Gas Sector

The *Oil and Gas Activities Act* (OGAA) sets out the regulatory framework that governs oil and gas activity in B.C. It consists of the OGAA itself, as well several regulations passed under the Act. Although OGAA supports the setting of general direction for area-specific objectives under Section 94, these regulations

³⁰ For more information, please see: <https://www2.gov.bc.ca/gov/content/environment/waste-management/industrial-waste/agriculture>

have not been used to date. Section 94 of the OGAA specifies the Lieutenant Governor in Council may make regulations for different persons, places, things, decisions, transactions, or activities.

Note: Restrictions, designations and objectives created under FRPA (e.g. FRPA s.149 and Government Action Regulation s.5-15) can apply to the forestry activities (e.g. tree cutting) of oil and gas licensees.

The *Environmental Protection and Management Regulation* (EPMR) lists environmental standards for oil and gas activities and includes objectives for water, riparian values, wildlife and wildlife habitat, old-growth forests, resource features³¹ and cultural heritage resources. The B.C. Oil and Gas Commission (OGC) is required to consider these objectives and whether applicants meet these requirements when deciding whether to authorize an oil and gas activity. The EPMR also imposes several requirements on persons carrying out oil and gas activities.

As currently drafted, the EPMR defines “default” objectives that then apply to all areas that are given a specific designation (e.g. designated as an old-growth management area). It does not currently include area-specific objectives (e.g. objectives that apply only to one specific old growth management area or one ungulate winter range).

Note: The EPMR applies only to provincial public lands and does not apply to subsurface oil and gas activities associated with an operating area.³²

In addition, EPMR provides the following Ministers with authority to make the orders set out in Table 4.³³

Table 4 – OGAA EPMR Order Powers

Minister	Order Power
Minister responsible for <i>Wildlife Act</i>	<ul style="list-style-type: none"> • Identify wildlife habitat features • Establish a fisheries sensitive watershed • Identify a portion of a fish stream as a temperature sensitive stream • Establish categories identifying species at risk, regionally important wildlife and ungulate species for which ungulate winter range may be established • Establish an area as a wildlife habitat area • Establish an area as an ungulate winter range
Minister responsible for the <i>Land Act</i>	<ul style="list-style-type: none"> • Establish one or more areas as an old-growth management area • Establish one or more species of plants as invasive plants
Minister responsible for administering the <i>Water Sustainability Act</i>	<ul style="list-style-type: none"> • Identify an aquifer • Identify a groundwater recharge area • Establish a designated watershed requiring special management to protect the quality or quantity of water or timing of flow

³¹ See the definition of “resource features in EPMR s. 25.

³² See EPMR s. 2.

³³ See EPMR ss. 26 -

d) Mining Sector

The *Mines Act*, *Mineral Tenure Act*, *The Health, Safety and Reclamation Code for Mines*³⁴, and *Coal Act* are the primary permitting, compliance, and enforcement instruments for mineral activities. As well, other related performance-based codes of practice, regulations, and guidelines can also be used as permitting and compliance instruments. In 2003, B.C. introduced a “two-zone” system of mining regulation, with the province divided into “mineral” and “protected” zones.³⁵ “Protected” zones are provincial public land that is closed to mineral development under the *Mineral Tenure Act*, as follows:

- a designated area in which mining is prohibited under the *Environment and Land Use Act*;
- a park³⁶ designated under the *Park Act* or a regional park designated under the *Local Government Act*;
- a park or ecological reserve designated under the *Protected Areas of British Columbia Act*;
- an ecological reserve designated under the *Ecological Reserve Act*;
- an area of provincial public land (Crown land) if designated under section 93.1 of the *Land Act*, for a purpose under that section, and the order under that section making the designation, or an amendment to the order, precludes the application by the recorded holder (currently not in effect); and
- a designated protected heritage property.

When dealing with a “protected zone” that is a designated protected heritage property, a best practice is to engage with the B.C. Archaeology Branch and Heritage Branch to confirm this area is removed from being available to register claims by engaging with the Chief Gold Commissioner to request a No Registration Reserve (NRR) over the spatial area. Written confirmation should be received from the Chief Gold Commissioner and the B.C. Archeology Branch to ensure shapefiles of protected heritage properties are properly registered in the mineral tenure registration system.

The remainder of B.C. is generally open to mineral and coal exploration, tenure acquisition and mine development, including suitable access required to undertake these activities, subject to appropriate legislation. Permissible Activities that can generally be done without a *Mines Act* Permit (thus for exploration) are outlined under Information Update No. 38³⁷. Mining-specific legislation and environmental regulatory requirements apply to those activities within those areas. This means that designations, like old growth management areas or wildlife habitat areas, typically do not apply to mining activities, but still may restrict access of mining proponents. However, mining operations often require

³⁴ *Health, Safety and Reclamation Code for Mines in British Columbia*. Available at: <https://www2.gov.bc.ca/gov/content/industry/mineral-exploration-mining/health-safety/health-safety-and-reclamation-code-for-mines-in-british-columbia> Accessed: May 7, 2021

³⁵ See Ministry of Energy, Mines and Petroleum Resources and Ministry of Environment. 2009. *Handbook for Mineral and Coal Exploration in British Columbia – A Working Field Guide*. Available at: <https://www2.gov.bc.ca/assets/gov/business/natural-resource-industries/mineral-exploration-and-mining/handbookformineralexploration0809.pdf> Accessed: April 6, 2020. See also: Ministry of Energy and Mines. 2003. *A Two-Zone Land Use System for Mineral Exploration and Mining in BC*. Available at: http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs2019_2/358993/Two_Zone_QA.pdf Accessed: September 8, 2019.

³⁶ Conservancies are considered protected under the *Park Act*, however they are not considered protected under the *Mineral Tenure Act*.

³⁷ Mineral Titles Information Update: No. 38 – Permissible Activities without a Mines Act Permit (Interim Guidance). Available at: <https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/mineral-exploration-mining/documents/mineral-titles/notices-mineral-placer-titles/information-updates/infoupdate38.pdf> Accessed: May 7, 2021.

additional authorizations from other provincial government agencies, for example special use permits, licenses to cut, or road use permits.³⁸

Legal restrictions created under FRPA can apply to forestry-related activities associated with mining (e.g. tree removal under Occupant's License to Cut). For example, general wildlife measures created for the management of a wildlife habitat area would apply to a mineral tenure holder if they were to apply to the ministry responsible for forests and range, for permission to remove trees under an Occupant's License to Cut.

The following legal tools can be used to translate planning direction into specific legal requirements or protections. These can be used in addition to or as alternatives to the creation of parks and protected areas, or No Registration Reserves (NRRs), and/or Coal Land Reserves may be applied as interim measures during the time a park or protected area is created.

- Section 22 of the *Mineral Tenure Act* and Section 21 of the *Coal Act* allow for the creation of mineral reserves and coal land reserves. Creation of reserves can be used to limit or restrict obtainment of mineral rights to mineral, placer and coal lands, as well as, in some cases, constrain those rights. Reserves may be established for reasons listed in section 22(2) of the *Mineral Tenure Act* and Section 21 of the *Coal Act*.
- Section 22 of the *Mineral Tenure Act* allows for a Conditional Registration Reserve (CRR). Mineral titles may be registered within a CRR but are subject to circumstances and limitations specified by the CRR designation document. A CRR³⁹ can be established where additional conditions on mineral tenures are necessary to implement land use plans. For example, a CRR over a proposed hydro transmission line right-of-way would allow acquisition of a mineral claim but provide that the recorded holder or agent must not interfere with, obstruct or endanger the construction, operation or maintenance of that project identified in the Regulation.
- Under Section 22 of the *Mineral Tenure Act*, a No Registration Reserve (NRR) can be created that prevents a free miner from registering a mineral claim and/or a placer claim over a parcel of land. This can have the effect of limiting mining-related activities on lands within the NRR.

Note: NRRs and CRRs are limited tools that are within the discretion of the Chief Gold Commissioner.

e) Residential, Commercial and Industrial Development

Section 12 of the *Riparian Areas Protection Act* (RAPA) enables Cabinet to make regulations establishing directives regarding the protection and enhancement of riparian areas that may be subject to residential, commercial or industrial development. Once these directives are established, municipal and regional district local governments and Islands Trust committees must:

- (a) include in their zoning and land use bylaws riparian area protection provisions that are “in accordance” with the directive; and

³⁸ Integrated Land Management Bureau. 2009. (Draft) *Negotiation Guidance: Mineral Exploration and Development Interests in Strategic Agreements with First Nations*.

³⁹ Integrated Land Management Bureau. 2009. (Draft) *Negotiation Guidance: Mineral Exploration and Development Interests in Strategic Agreements with First Nations*.

(b) ensure their bylaws and permits provide a level of protection “that is comparable to or exceeds that of the established directive”.

f) Commercial Recreation and Tourism Operations on Provincial Public Land

A *Land Act* tenure (e.g. a lease or licence of occupation) is required for commercial recreation operations on provincial public land (including lakes, rivers and in waters covering the inland seabed). Regulated activities include guiding, transportation, training and entertainment and related improvements such as cabins, huts, lodges (including anchored floating structures), docks, campgrounds, and corrals.⁴⁰

As described previously under “Cross-Sector Tools”, Section 15 of the *Land Act* authorizes Cabinet to reserve provincial public land from disposition, Section 16 allows the Minister to temporarily withdraw public land from disposition, and Section 17 allows the Minister to designate public land for a specific use (or for the conservation of natural or heritage resources) and impose terms and conditions on use of that designated land. In addition, section 66 of the *Land Act* provides Cabinet with authority to make regulations prohibiting a specific use of provincial public land in a designated area and makes it an offence to contravene that prohibition.

⁴⁰ Source: <https://www2.gov.bc.ca/gov/content/industry/crown-land-water/crown-land/crown-land-uses/recreation-tourism/adventure-tourism-commercial-recreation>

Implementation Tools for Specific Resource Values

Table 5 (below) summarizes current provincial legal tools that are explicitly designed to help manage impacts on some specific resource values (cross-referenced with the applicable sector). Note: the following resource-specific tools can be used in addition to or as an alternative to the creation of parks, protected areas, and conservancies

Acronyms used in Table 5 represent legislation as follows:

CA = *Coal Act*

DWPA = *Drinking Water Protection Act*

ERA = *Ecological Reserve Act*

ELUA = *Environment and Land Use Act*

EMA = *Environmental Management Act*

EPMR = *Oil and Gas Activities Act (OGAA),
Environmental Protection and Management
Regulation*

FPC = *Forest Practices Code of British Columbia Act*

FPPR = *Forest and Range Practices Act, Forest
Planning and Practices Regulations*

FRPA = *Forest and Range Practices Act*

GAR = *Forest and Range Practices Act, Government
Actions Regulation*

HCA = *Heritage Conservation Act*

LA = *Land Act*

LUOR = *Land Act, Land Use Objectives Regulation*

MTA = *Mineral Tenure Act*

OGAAGR = *Oil and Gas Activities Act General
Regulation*

ORVA = *Off-Road Vehicle Act*

OGAA = *Oil and Gas Activities Act*

RAPA = *Riparian Areas Protection Act*

RAR = *Riparian Areas Regulation*

RPPR = *Forest and Range Practices Act, Range
Planning and Practices Regulation*

WA = *Wildlife Act*

WSA = *Water Sustainability Act*

WFA = *Wildfire Act*

WLPPR = *Forest and Range Practices Act, Woodlot
Licence Planning and Practices Regulation*

Table 5 - Available Legal Tools Sorted by Applicable Resource Value

		Resource Values				
		A		B	C - E	
		Air Quality	Aquatic Ecosystems	Biodiversity	Cultural Heritage Resources + Heritage/Historic Sites and Trails	Economic Values
Sectors	Forestry	LUOR	LUOR GAR, s.6 + s.14 + s. 15 WLPPR, s.9 FPPR WA WSA	LUOR FPPR s.9 WLPPR s.9	LUOR HCA GAR, s.5 FPPR, s. 10 WLPPR, s. 9	LUOR FPPR, s. 6 (timber objectives) WLPPR, s. 9. (timber resources)
	Use of Rangeland	LUOR	LUOR RPPR, s.8 + s.9 + s.11 WA WSA	RPPR LUOR	GAR, s.5 LUOR HCA	LUOR
	Oil and Gas ⁴¹		WA WSA	EPMR, s.5	HCA EPMR, s.7	
	Mining ⁴²		WSA		HCA	
	Residential, Commercial, Industrial		RAPA WA WSA		HCA	

⁴¹ FRPA designations, protections, prohibitions and requirements aimed at managing for, and protecting, resource values (see “Forestry” row) can apply to the forestry activities of oil and gas licensees (e.g. tree removal)

⁴² FRPA designations, protections, prohibitions and requirements aimed at managing for, and protecting, resource values (see “Forestry” row) can apply to forestry activities of mining operations (e.g. tree removal).

		Resource Values				
		F				
		Forest Ecosystems	Fish Habitat	Fish Species	Fisheries sensitive watersheds	Forage and Associated Plant Communities
Sectors	Forestry	LUOR	LUOR WLPPR s.9 WA	LUOR GAR, s.14 + 15 FPPR, s. 8 + 8.1 WLPPR, s. 9.	LUOR GAR, s.14 WLPPR s.9 WA	LUOR
	Use of Rangeland	LUOR RPPR, s. 11	RPPR LUOR WA	LUOR RPPR, s. 9 ⁴³	LUOR WA	RPPR, s. 7 LUOR
	Oil and Gas ⁴⁴	EPMR, ss. 6, 7	EPMR, ss.5, 6, 11, 26, 27, 28, 29, 30 WA	EPMR, ss.5, 6, 11, 26, 27, 28, 29, 30	EPMR WA	
	Mining ⁴⁵					
	Residential, Commercial, Industrial		WA	RAPA	WA	

⁴³ “Objectives set by government for fish”

⁴⁴ FRPA designations, protections, prohibitions and requirements aimed at managing for, and protecting, resource values (see “Forestry” row) can apply to the forestry activities of oil and gas licensees (e.g. tree removal)

⁴⁵ FRPA designations, protections, prohibitions and requirements aimed at managing for, and protecting, resource values (see “Forestry” row) can apply to forestry activities of mining operations (e.g. tree removal).

		Resource Values								
		G - K			L - P		Q - R			
		Grassland Ecosystems	Invasive Plants	Karst System (Surface or Subsurface Element)	Natural Range Barriers	Old Growth	Range Development	Recreation Opportunities/Features/Sites/Trails	Research and Sample Sites	Riparian Ecosystems
Sectors	Forestry	LUOR WA	LUOR WLPPR, s.14	GAR, s.5 LUOR	WLPPR, s.15 LUOR	LUOR	LUOR GAR, s.5	FRPA, s. 56 GAR, s.5 LUOR	LUOR GAR, s.5	LUOR FPPR, s. 8 WLPPR, s. 9. GAR s. 6 + s.5 (lakeshore management zones) FPPR s.8 WLPPR s.9 WA
	Use of Rangeland	LUOR RPPR, s. 8 RPPR, s. 11 WA	RPPR LUOR	GAR, s.5 LUOR	LUOR		LUOR GAR, s.5	LUOR GAR, s.5 FRPA, s. 56	LUOR GAR, s.5	LUOR RPPR, s. 8 WA
	Oil and Gas ⁴⁶	WA	EPMR	EPMR, s.7			EPMR, s.7	EPMR, s.7	EPMR, s.7	EPMR, s.5 + ss. 22 – 24 WA
	Mining ⁴⁷									
	Residential, Commercial, Industrial	WA								RAPA

⁴⁶ FRPA designations, protections, prohibitions and requirements aimed at managing for, and protecting, resource values (see “Forestry” row) can apply to the forestry activities of oil and gas licensees (e.g. tree removal)

⁴⁷ FRPA designations, protections, prohibitions and requirements aimed at managing for, and protecting, resource values (see “Forestry” row) can apply to forestry activities of mining operations (e.g. tree removal).

Resource Values													
		S	T	U	V - Z								
		Scenic Areas/Visual Quality	Soils	Temperature Sensitive Streams	Upland Areas	Water - Drinking Water Protection	Water Quality	Water Quantity	Water – Timing of Flow	Wetland Ecosystems	Wildlife Habitat Areas/Features	Wildlife Species	Wildlife Trees
Sectors	Forestry	LUOR FPPR, s. 9.2 GAR, s. 7 ⁴⁸	FPPR, s. 5 WLPPR, s. 9 LUOR	GAR, s.15 LUOR	LUOR	GAR s. 8 WSA EMA LUOR	WSA LUOR EMA GAR, s.8 FPPR, s.8 + s. 8.2 WLPPR, s.9	WSA LUOR FPPR, s.8 + s. 8.2 GAR, s.8	WSA LUOR FPPR, s.8 + s. 8.2 GAR, s.8	WSA LUOR GAR, s.6 FPPR, s.8 WA	GAR s.9 - 13 WLPPR s.9 LUOR WA	LUOR GAR, s.9 -13 WLPPR, s. 9. FPPR, s. 7 - 9.1 WA	WLPPR s.11 LUOR
	Use of Rangeland	LUOR	RPPR, s. 6 LUOR	RPPR, s.8 LUOR	RPPR, s. 8 LUOR	WSA EMA LUOR	WSA EMA LUOR RPPR, s.8 + s. 12	WSA LUOR RPPR, s.8	WSA LUOR RPPR, s.8	WSA LUOR RPPR, s.8 + s.9 + s.11 WA	RPPR, s. 10 + s.12 LUOR WA	LUOR RPPR, s. 10 ⁴⁹ RPPR, s.12 ⁵⁰ WA	LUOR
	Oil and Gas ⁵¹			EPMR		WSA EMA	WSA EMA EPMR, s.4	WSA EPMR, s.4	WSA EPMR, s.4	WSA EMPR WA	EPMR s. WA	EPMR, s. 6 WA	
	Mining ⁵²					WSA EMA	WSA EMA	WSA	WSA	WSA			

⁴⁸ “a scenic or wilderness feature or setting that has recreational significance or value”

⁴⁹ “Objectives set by government for wildlife”

⁵⁰ FRPA objectives for wildlife habitat areas and ungulate winter range apply to range activities

⁵¹ FRPA designations, protections, prohibitions and requirements aimed at managing for, and protecting, resource values (see “Forestry” row) can apply to the forestry activities of oil and gas licensees (e.g. tree removal)

⁵² FRPA designations, protections, prohibitions and requirements aimed at managing for, and protecting, resource values (see “Forestry” row) can apply to forestry activities of mining operations (e.g. tree removal).

	Residential, Commercial, Industrial					WSA EMA DWPA	WSA EMA DWPA	RAPA WSA	WSA	WSA RAPA WA	WA	RAPA WA	
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References

Provincial Legislation

Acronym	Name	Citation and Link
CA	<i>Coal Act</i>	<i>Coal Act</i> , [SBC 2004] Chapter 15. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/04015_01
DWPA	<i>Drinking Water Protection Act</i>	<i>Drinking Water Protection Act</i> [SBC 2001] c. 9. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/01009_01#part5
ELUA	<i>Environment and Land Use Act</i>	<i>Environment and Land Use Act</i> . [RSBC 1996] c. 117. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96117_01 Accessed: October 3, 2018.
EMA	<i>Environmental Management Act</i>	<i>Environmental Management Act</i> [SBC 2003] c. 53. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/03053_01#section90 Accessed: October 5, 2018.
EPMR	<i>Oil and Gas Activities Act (OGAA), Environmental Protection and Management Regulation</i>	<i>Oil and Gas Activities Act</i> , <i>Environmental Protection and Management Regulation</i> . Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/200_2010
ERA	<i>Ecological Reserve Act</i>	<i>Ecological Reserve Act</i> [RSBC 1996]. c.103. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96103_01
FA	<i>Forest Act</i>	<i>Forest Act</i> [RSBC 1996] Chapter 157. Available at: http://www.bclaws.ca/civix/content/complete/statreg/1198514681/96157/1707335304/?xsl=/templates/browse.xsl
FPC	<i>Forest Practices Code of British Columbia Act</i>	<i>Forest Practices Code of British Columbia Act</i> [RSBC 1996] Chapter 159. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96159_01
FPPR	<i>Forest and Range Practices Act, Forest Planning and Practices Regulations</i>	<i>Forest and Range Practices Act</i> , <i>Forest Planning and Practices Regulation</i> . Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/14_2004
FRPA	<i>Forest and Range Practices Act</i>	<i>Forest and Range Practices Act</i> , [SBC 2002] Chapter 69. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/02069_01
GAR	<i>Forest and Range Practices Act, Government Actions Regulation</i>	<i>Forest and Range Practices Act</i> , <i>Government Actions Regulation</i> . Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/582_2004
HCA	<i>Heritage Conservation Act</i>	<i>Heritage Conservation Act</i> . [RSBC 1996] c. 187. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96187_01 Accessed: October 3, 2018.
LA	<i>Land Act</i>	<i>Land Act</i> [RSBC 1996] c. 245. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96245_01 Accessed: October 3, 2018.
LUOR	<i>Land Act, Land Use Objectives Regulation</i>	<i>Land Act</i> , <i>Land Use Objectives Regulation</i> . Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/357_2005
MTA	<i>Mineral Tenure Act</i>	<i>Mineral Tenure Act</i> . [RSBC 1996] Chapter 292. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96292_01

Acronym	Name	Citation and Link
OGAA	<i>Oil and Gas Activities Act</i>	<i>Oil and Gas Activities Act</i> [SBC 2008] c. 36. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/08036_01
OGAAGR	<i>Oil and Gas Activities Act General Regulation</i>	<i>Oil and Gas Activities Act General Regulation</i> , B.C. Reg. 274/2010. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/274_2010
ORVA	<i>Off-Road Vehicle Act</i>	<i>Off Road Vehicle Act</i> [SBC 2014] c. 5. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/14005#section32 Accessed: October 5, 2018.
PA	<i>Park Act</i>	<i>Park Act</i> . [RSBC 1996] c.344. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96344_01 Accessed: October 5, 2018.
PABCA	<i>Protected Areas of British Columbia Act</i>	<i>Protected Areas of British Columbia Act</i> . [SBC 2000] c.17. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/00017_00 Accessed: October 5, 2018.
RAPA	<i>Riparian Areas Protection Act</i>	<i>Riparian Areas Protection Act</i> . [SBC 1997] c. 21. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/97021_01 Accessed: October 3, 2018.
RAR	<i>Riparian Areas Regulation</i>	<i>Riparian Areas Protection Act</i> , <i>Riparian Areas Regulation</i> . B.C. Reg. 376/2004. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/376_2004 Accessed: October 12, 2018
RPPR	<i>Forest and Range Practices Act, Range Planning and Practices Regulation</i>	<i>Forest and Range Practices Act</i> , <i>Range Planning and Practices Regulation</i> . Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/19_2004
WA	<i>Wildlife Act</i>	<i>Wildlife Act</i> . Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/96488_01 Accessed: September 12, 2019.
WFA	<i>Wildfire Act</i>	<i>Wildfire Act</i> [SBC 2004] c. 31. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/04031_01#section1_1 Accessed: October 3, 2018.
WLPPR	<i>Forest and Range Practices Act, Woodlot Licence Planning and Practices Regulation</i>	<i>Forest and Range Practices Act</i> , <i>Woodlot Licence Planning and Practices Regulation</i> . Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/21_2004
WSA	<i>Water Sustainability Act</i>	<i>Water Sustainability Act</i> [SBC 2014] c. 15. Available at: http://www.bclaws.ca/civix/document/id/complete/statreg/14015 Accessed: October 3, 2018.

Policy and Procedure Documents

- Ministry of Agriculture and Lands. 2008. *Land Use Objectives Regulation: Policy and Procedures*. Available at: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/policies-guides/luor_policies_procedures.pdf Available at: July 11, 2019.
- Ministry of Energy, Mines and Petroleum Resources and Ministry of Environment. 2009. *Handbook for Mineral and Coal Exploration in British Columbia – A Working Field Guide*. Available at: <https://www2.gov.bc.ca/assets/gov/business/natural-resource-industries/mineral-exploration-and-mining/handbookformineralexploration0809.pdf> Accessed: April 6, 2020.
- Ministry of Forests, Lands and Natural Resource Operations. 2011. *Land Policy – Form of Crown Land Allocation*. Available at: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/form_of_allocation.pdf Accessed: March 21, 2019.
- Ministry of Forests, Lands and Natural Resource Operations. 2008. *Considerations for the Selection of LUOR and GAR - Using the Land use Objectives Regulation (LUOR) and the Government Actions Regulation (GAR) in a complementary manner*. Available at: <https://testwww.for.gov.bc.ca/ftp/HTH/external/!publish/Web/frpa-admin/frpa-implementation/luor-gar-considerations.pdf> Accessed: July 15, 2019.
- Ministry of Forests, Land and Natural Resource Operations and Ministry of Environment. 2013. *Government Actions Regulation Policy and Procedures*. Available at: http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs2015_2/590409/gar-guide.pdf Accessed: July 10, 2019.
- Province of British Columbia. 2016. *Clean Energy Production in B.C. – An Inter-Agency Guidebook for Project Development*. Available at: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/natural-resource-major-projects/major-projects-office/guidebooks/clean-energy-projects/clean_energy_guidebook.pdf Accessed: March 21, 2019.
- Ministry of Forests and Range. 2009. *Rangeland Health Brochure 12: Water Quality and Livestock Grazing on Crown Rangeland in British Columbia*. Available at: <https://www.for.gov.bc.ca/hfd/pubs/Docs/Bro/Bro87.pdf> Accessed: July 11, 2019.
- Ministry of Indigenous Relations and Reconciliation. n/d. DRAFT Negotiation Guidance on Mineral Exploration and Development Interests in Strategic Agreements with First Nations.

Presentations

- Ministry of Forests, Lands and Natural Resource Operations. *Land Use Planning and Timber Constraints – Presentation for Special Committee on Timber Supply*. Available at: <https://www.leg.bc.ca/content/legacy/Web/cmt/39thParl/session-4/timber/presentations/20120531/Presentation-TIMBER-39-4-MoFLNRO-Land-Use-Planning-and-Timber-Constraints-2012-MAY-31.pdf#search=considerations%20luor> Accessed: March 21, 2019.

Association of B.C. Forest Professionals. *Forest Legislation and Policy Reference Guide 2015*. Available at:

http://member.abcfp.ca/WEB/Files/sd84js_nwp455/abcjfpRefGuidte_20f15_web.pdf?WebsiteKey=4b6af123-da4f-4a97-a963-579ada9e5955&=404%3Bhttp%3A%2F%2Fmember.abcfp.ca%3A80%2FWEB%2Fabcfp%2FFiles%2Fsd84js_nwp455%2FabcjfpRefGuidte_20f15_web.pdf Accessed: July 11, 2019.

Ministry of Environment. 2012. *Presentation - Resource Management Objectives Workshop*. Prepared by Jennifer Vigano – Water Strategies and Conservation.

Ministry of Forests, Lands and Natural Resource Operations. 2016. *Resource Management Objectives*. Prepared by Laura Bolster, RPF, Land and Resource Specialist - Skeena Region.

McBeth, Dave. Presentation: “*Context for Objectives in FRPA.*”

Papers and Reports

Association of B.C. Forest Professionals. 2015. *Forest Legislation and Policy Reference Guide 2015*.

Available at:

http://member.abcfp.ca/WEB/Files/sd84js_nwp455/abcjfpRefGuidte_20f15_web.pdf?WebsiteKey=4b6af123-da4f-4a97-a963-579ada9e5955&=404%3Bhttp%3A%2F%2Fmember.abcfp.ca%3A80%2FWEB%2Fabcfp%2FFiles%2Fsd84js_nwp455%2FabcjfpRefGuidte_20f15_web.pdf Accessed: March 22, 2019.

Daryl Brown Associates Inc. 2012. *Review of Legal Objectives Framework*. Prepared for Resource Management Objective Branch – Ministry of Forests, Lands and Natural Resource Operations.

Environmental Law Centre Clinic. 2013. *An Old Growth Protection Act for British Columbia*. Available at: <http://www.elc.uvic.ca/press/documents/AnOldGrowthProtectionActforBC-2013Apr10.pdf> Accessed: March 22, 2019.

Fraser, D.A. 2009. *Water quality and livestock grazing on Crown rangeland in British Columbia*. B.C. Min. For. Range, Range Br., Kamloops, B.C. Rangeland Health Brochure 12. Available at: https://www.for.gov.bc.ca/hra/Publications/brochures/Rangeland_Health_Brochure12.pdf. Accessed: March 21, 2019.

Hemmera. 2016. *Framing the Future of Mineral Exploration in British Columbia – AME BC Mineral Land Access and Use Report*. Available at: <https://amebc.ca/wp-content/uploads/2017/06/AME-BC-Mineral-Land-Access-and-Use-Report-2015-No-AppF-1.pdf> Accessed: March 22, 2019.

Ministry of Forests, Lands and Natural Resource Operations. 2010. *Crown Land: Indicators & Statistics Report*. Available at: <https://www2.gov.bc.ca/gov/content/industry/crown-land-water/crown-land/indicators-statistics-report> Accessed: March 21, 2019.

Ministry of Energy and Mines/Ministry of Sustainable Resource Management. 2003. *A Two-Zone Land Use System for Mineral Exploration and Mining in B.C.*. Available at: [https://llbc.ent.sirsidynix.net/client/en_GB/main/search/detailnonmodal/ent:\\$002f\\$002fSD_ILS\\$002f0\\$002fSD_ILS:358993/ada?qu=Two+Zone&te=ILS](https://llbc.ent.sirsidynix.net/client/en_GB/main/search/detailnonmodal/ent:$002f$002fSD_ILS$002f0$002fSD_ILS:358993/ada?qu=Two+Zone&te=ILS) Accessed: July 15, 2019.

West Coast Environmental Law. 2013. *Modernizing B.C.’s Free Entry Mining Laws for a Vibrant, Sustainable Mining Sector*. Available at: https://www.wcel.org/sites/default/files/publications/WCEL_Mining_report_web.pdf Accessed: March 21, 2019.