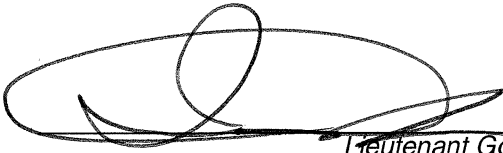


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 506 , Approved and Ordered JUL 13 2006

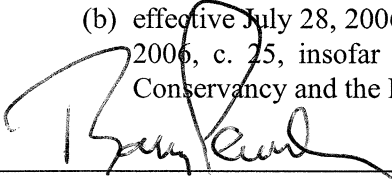


Lieutenant Governor

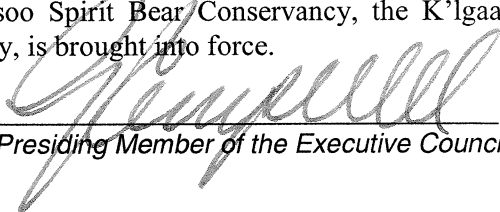
Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that,

- (a) effective July 14, 2006,
  - (i) the *Park (Conservancy Enabling) Amendment Act, 2006*, S.B.C. 2006, c. 25, except section 22 insofar as it establishes the Kitasoo Spirit Bear Conservancy, the K'lgaan/Klekane Conservancy and the K'ootz/Khutze Conservancy, is brought into force,
  - (ii) the Enderby Cliffs Protected Area, established by order in council 523/2001, is cancelled,
  - (iii) the Fiordland Recreation Area, established by order in council 470/87, is cancelled,
  - (iv) the Kiskatinaw River Protected Area, Klin-se-za Protected Area and Sikanni Chief Canyon Protected Area, all established by order in council 398/2001, are cancelled,
  - (v) the Application of Park Legislation to Ecological Reserves Regulation, B.C. Reg. 364/97, is amended as set out in section 1 of the attached Schedule,
  - (vi) the Open Burning Smoke Control Regulation, B.C. Reg. 145/93, is amended as set out in section 2 of the attached Schedule,
  - (vii) the Mineral Tenure Act Regulation, B.C. Reg. 529/2004, is amended as set out in section 3 of the attached Schedule,
  - (viii) the Mining Rights Compensation Regulation, B.C. Reg. 19/99, is amended as set out in sections 4 to 6 of the attached Schedule,
  - (ix) the Park and Recreation Area Regulation, B.C. Reg. 180/90, is amended as set out in sections 7 to 13 of the attached Schedule,
  - (x) the Wildfire Regulation, B.C. Reg. 38/2005, is amended as set out in section 14 of the attached Schedule
  - (xi) the Hunting Regulation, B.C. Reg. 190/84, is as set out in section 15 of the attached Schedule, and
- (b) effective July 28, 2006, section 22 of the *Park (Conservancy Enabling) Amendment Act, 2006*, S.B.C. 2006, c. 25, insofar as it establishes the Kitasoo Spirit Bear Conservancy, the K'lgaan/Klekane Conservancy and the K'ootz/Khutze Conservancy, is brought into force.



Minister of Environment and Minister Responsible for  
Water Stewardship and Sustainable Communities



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: -*Park (Conservancy Enabling) Amendment Act, 2006*, S.B.C. 2006, c. 25, s. 24; *Ecological Reserve Act*, R.S.B.C. 1996, c. 103, s. 7; *Environmental Management Act*, S.B.C. 2003, c. 53, ss. 22, 138 and 139; *Mineral Tenure Act*, R.S.B.C. 1996, c. 292, s. 65; *Park Act*, R.S.B.C. 1996, c. 344, ss. 7 and 29; *Wildfire Act*, S.B.C. 2004, c. 31, s. 69; *Wildfire Act*, R.S.B.C. 1996, c. 488, s. 108

Other (specify):- oics 1225/97; 481/93; 1161/2004; 95/99; 867/90; 94/2005; 1109/84.

May 30, 2006

542 /2006/14

## SCHEDULE

### *Ecological Reserve Act and Park Act*

#### APPLICATION OF PARK LEGISLATION TO ECOLOGICAL RESERVES REGULATION

- 1 *Section 1 of the Application of Park Legislation to Ecological Reserves Regulation, B.C. Reg. 364/97, is amended by striking out “The Park and Recreation Area Regulation” and substituting “The Park, Conservancy and Recreation Area Regulation”.*

### *Environmental Management Act*

#### OPEN BURNING SMOKE CONTROL REGULATION

- 2 *The definition of “parcel of land” in section 1 (1) of the Open Burning Smoke Control Regulation, B.C. Reg. 145/93, is amended by repealing paragraphs (d) to (g) and substituting the following paragraphs:*
- (d) a “park” as defined in the *Park Act*;
  - (d.1) a “conservancy” as defined in the *Park Act*;
  - (e) a “recreation area” as defined in the *Park Act*;
  - (f) an ecological reserve established under the *Ecological Reserve Act* or the *Protected Areas of British Columbia Act*;
  - (g) a “regional park” as defined in the *Local Government Act*; .

### *Mineral Tenure Act*

#### MINERAL TENURE ACT REGULATION

- 3 *The definition of “alienated land” in section 1 of the Mineral Tenure Act Regulation, B.C. Reg. 529/2004, is amended by adding following paragraph:*
- (a.1) land in a conservancy established under an Act of British Columbia; .

#### MINING RIGHTS COMPENSATION REGULATION

- 4 *Section 1 of the Mining Rights Compensation Regulation, B.C. Reg. 19/99, is amended*
- (a) *by adding the following definitions:*
    - “conservancy” has the same meaning as in the *Park Act*;
    - “park” has the same meaning as in the *Park Act*; , *and*
  - (b) *by repealing the definitions of “date of expropriation” and “park proposal” and substituting the following:*
    - “date of expropriation” means the date on which land, or land in relation to which rights, expropriated under section 11 (2) of the *Park Act* is established as, or included in, a park or conservancy; , *and*

**“park proposal”** means a proposal by the government to establish an area of land as a new park or conservancy, or add land to a park or conservancy, under a government approved land use planning process involving the public, if the land is subsequently established as a park or conservancy or part of a park or conservancy.

- 5 *Section 4 (2) (d) is amended by striking out “relevant park boundary” and substituting “relevant park or conservancy boundary”.*
- 6 *Section 7 (1) (a) is amended by striking out “lies within the park;” and substituting “lies within the park or conservancy;”.*

### *Park Act*

## **PARK AND RECREATION AREA REGULATION**

- 7 *The title of the Park and Recreation Area Regulation, B.C. Reg. 180/90, is repealed and the following substituted:*

### **PARK, CONSERVANCY AND RECREATION AREA REGULATION .**

- 8 *Sections 1 (1) in the definitions of “backcountry”, “campsite”, “day use area”, “frontcountry”, “operator” and “park road”, 3 (1), 4, 5, 7, 8 (1) and (2) (b), 9 (1), (4) and (5), 10 (1), 11 (1) and (5) (a), 17 (1), 18, 19 (1), (4), (6) and (7), 20 to 22, 23 (1) (b) (iii) and (2), 24 (1) and (3), 25, 26, 27 (1), 28, 29 (1) and (2), 30, 31 (1), 32 (1) (a) to (f), 33 (1) and (2), 34, 35 (1) and (3) (c), 36, 39 (1) and (2), 40 (1) (a) and (b) and (2) and 42 by striking out “park or recreation area” wherever it occurs and substituting “park, conservancy or recreation area”.*
- 9 *Section 1 (1) is amended by repealing the definition of “operations permit”.*
- 10 *Sections 28 (b) and 29 (a) are amended by striking out “parks and recreation areas” and substituting “parks, conservancies and recreation areas”.*
- 11 *Section 53 (4) (d) is repealed and the following substituted:*  
(d) for the operation of campground and day facilities in a park, conservancy or recreation area, .
- 12 *Schedule B is amended*  
(a) *by repealing the title and substituting the following:*
- ### **USE OF HUNTING WEAPONS IN PARKS, CONSERVANCIES AND RECREATION AREAS ,**
- (b) *by adding the following items:*

Banks Nii Łuutiksm Conservancy  
Bishop Bay Conservancy  
Calvert Island Conservancy  
Crab Lake Conservancy  
Fiordland Conservancy  
Gitxaala Nii Łuutiksm/Kitkatla Conservancy  
Hunwadi/Ahnuhati – Bald Conservancy  
Kitasoo Spirit Bear Conservancy  
K’lgaan/Klekane Conservancy  
K’Mooda/Lowe-Gamble Conservancy  
K’nabiyaaxl/Ashdown Conservancy  
Koeye Conservancy  
K’ootz/Khutze Conservancy  
Ksi Xts’at’kw/Stagoo Conservancy  
Kt’ii/Racey Conservancy  
Lax Ka’Gaas/Campania Conservancy  
Lax Kul Nii Łuutiksm/Bonilla Conservancy  
Lax Kwil Dziidz/Fin Conservancy  
Lower Skeena River Park  
Mahpahkum-Ahk’wuná/Deserters-Walker Conservancy  
Moksgm’ol/Chapple – Cornwall Conservancy  
Monckton Nii Łuutiksm Conservancy  
Pooley Conservancy  
Q’altanaas/Aaltanhash Conservancy  
T’sa-lat’l/Smokehouse Conservancy ,

- (c) *in* “Enderby Cliffs Protected Area”, “Kiskatinaw River Protected Area”, “Klin-seza Protected Area”, “Sikanni Chief Canyon Protected Area” *and* “Trepanier Protected Area” *by striking out* “Protected Area” *and substituting* “Park”,
- (d) *by striking out* “Fiordland Recreation Area”, *and*
- (e) *by striking out* “Hakai Recreation Area” *and substituting* “Hakai Conservation Study Area”.

- 13 *Schedule K is amended in Part 5, section 1 (2),*
- (a) *in the definition of “minor shoot”, by striking out “park users or natural resources” and substituting “the users or natural resources of a park, conservancy or recreation area”, and*
  - (b) *in paragraph (b) of the definition of “non-profit organization” by striking out “park or recreation area;” and substituting “park, conservancy or recreation area;”.*

*Wildfire Act*

**WILDFIRE REGULATION**

- 14 *Section 1 (1) of the Wildfire Regulation, B.C. Reg. 38/2005, is amended by repealing paragraph (a) of the definition of “protected area” and substituting the following:*
- (a) a
    - (i) park,
    - (ii) recreation area, or
    - (iii) conservancyas defined in section 1 of the *Park Act*, .

*Wildlife Act*

**HUNTING REGULATION**

- 15 *Section 19 of the Hunting Regulation, B.C. Reg. 190/84, is amended*
- (a) *in subsection (1) by striking out “Provincial parks:” and substituting “parks and recreation areas:”;*
  - (b) *in subsection (2) by striking out “Provincial parks:” and substituting “parks:”;*
  - (c) *in subsection (3) by striking out “Provincial parks:” and substituting “parks and protected areas:”;*
  - (d) *in subsection (4) by striking out “Provincial parks:” and substituting “parks, conservancies and protected areas:”*
  - (e) *in subsection (4) by striking out “Fiordland Recreation Area” and substituting “Fiordland Conservancy”;*
  - (f) *in subsection (4) by striking out “Hakai Recreation Area” and substituting “Hakai Conservation Study Area”;*
  - (g) *in subsection (4) by adding the following items:*
    - Calvert Island Conservancy (M. U. 5 - 8)
    - Koeye Conservancy (M. U. 5 - 8)
    - Ísa-latí/Smokehouse Conservancy (M. U. 5 - 7),

**(h) in subsection (5) by striking out** “in the following parks:” **and substituting** “in the following parks, conservancies and protected areas:”

**(i) in subsection (5) by adding the following items:**

Banks Nii Łuutiksm Conservancy (M. U. 6 - 11)

Bishop Bay Conservancy (M. U. 6 - 3)

Crab Lake Conservancy (M. U. 6 - 3)

Gitxaala Nii Łuutiksm/Kitkatla Conservancy (M. U. 6 - 11)

Hunwadi/Ahnuhati – Bald Conservancy (M. U. 1 - 14, 1 - 15)

Kitasoo Spirit Bear Conservancy (M. U. 6 - 3)

K’lgaan/Klekane Conservancy (M. U. 6 - 3)

K’Mooda/Lowe-Gamble Conservancy (M. U. 6 - 11)

K’nabiyaaxl/Ashdown Conservancy (M. U. 6 - 3)

K’ootz/Khutze Conservancy (M. U. 6 - 3)

Ksi Xts’at’kw/Stagoo Conservancy (M. U. 6 - 14)

Kt’ii/Racey Conservancy (M. U. 6 - 3)

Lax Ka’Gaas/Campania Conservancy (M. U. 6 - 3)

Lax Kul Nii Łuutiksm/Bonilla Conservancy (M. U. 6 - 11)

Lax Kwil Dziidz/Fin Conservancy (M. U. 6 - 3)

Mahpahkum-Ahkwuná/Deserters-Walker Conservancy (M. U. 1 - 14, 1 - 15)

Moksgm’ol/Chapple – Cornwall Conservancy (M. U. 6 - 3)

Monckton Nii Łuutiksm Conservancy (M. U. 6 - 11)

Pooley Conservancy (M. U. 6 - 3)

Q’altanaas/Aaltanhash Conservancy (M. U. 6 - 3),

**(j) in subsection (5) by striking out** “Enderby Cliffs Protected Area” **and substituting** “Enderby Cliffs Park”,

**(k) in subsection (5) by striking out** “Kiskatinaw River Protected Area” **and substituting** “Kiskatinaw River Park”,

**(l) in subsection (5) by striking out** “Klin-se-za Protected Area” **and substituting** “Klin-se-za” **and substituting** “Klin-se-za Park”, **and**

**(m) in subsection (5) by striking out** “Sikanni Chief Canyon Protected Area” **and substituting** “Sikanni Chief Canyon Park”.