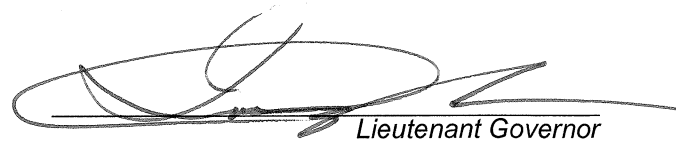


ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

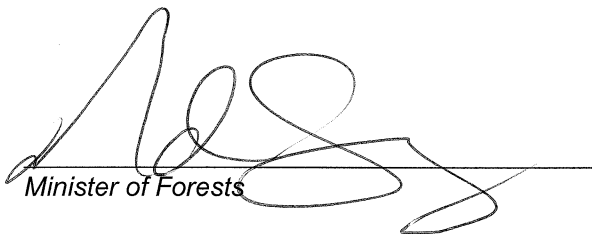
Order in Council No. **271**, Approved and Ordered **MAR 17 2005**



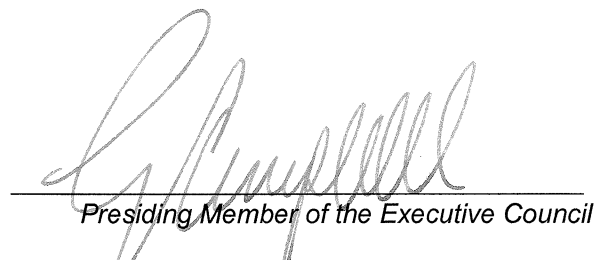
Lieutenant Governor

**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 the Range Planning and Practices Regulation, B.C. Reg. 19/2004, is amended as set out in the attached Schedule.



Minister of Forests



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:- Forest and Range Practices Act, S.B.C. 2002, c. 69, ss. 33, 34, 35, 141, 146, 149, 154 and 161

Other (specify):- oic 22/2004

## SCHEDULE

**1** *Section 1 of the Range Planning and Practices Regulation, B.C. Reg. 19/2004, is amended*

(a) *in subsection (2) by repealing the definitions of “transferee” and “transferor”, and*

(b) *by repealing subsection (4) and substituting the following:*

(4) Until June 1, 2005, this regulation and the standards and objectives made under it apply immediately, despite section 37 (2) of the Act, to a range use plan and range stewardship plan.

**2** *Section 12 is repealed and the following substituted:*

### **Other objectives**

**12** (1) For the purposes of sections 33 (1) (e), 34 (1) (e) and 35 (1) (d) of the Act, water quality objectives, wildlife habitat area objectives and ungulate winter range objectives apply.

(2) The minister responsible for the *Wildlife Act* may exempt a range agreement holder from a requirement associated with an objective under subsection (1) if

(a) the holder proposes an alternative to the objective, and

(b) that minister is satisfied that the proposed alternative is consistent with the objective.

**3** *Section 15 is repealed and the following substituted:*

### **Invasive plants**

**15** For the purpose of section 47 of the Act, a person who prepares a range use plan or a range stewardship plan must specify measures in the plan to prevent the introduction and spread of species of plants that are invasive plants under the Invasive Plants Regulation, if the introduction, spread, or both are likely to be the result of the person’s range practices.

**4** *Part 3 is repealed.*

**5** *Section 28 (2) (a) is repealed and the following substituted:*

(a) written authorization is given by the minister, or .

6 *Section 29 (2) is amended by striking out “who grazes livestock” and substituting “who grazes livestock on Crown range”.*

7 *Section 32 is repealed and the following substituted:*

**Protection of fish**

- 32 (1) A range agreement holder who carries out a range practice must ensure that the range practice is conducted at a time and in a manner that is unlikely to
- (a) harm fish,
  - (b) have a material adverse effect on fish passage, or
  - (c) destroy, damage or harmfully alter fish habitat.
- (2) If satisfied that it is not practicable, given the circumstances or conditions applicable to a particular area, the minister may exempt a range agreement holder, in relation to that area, from subsection (1).

8 *Section 33 (3) is repealed and the following substituted:*

- (3) If satisfied that it is not practicable, given the circumstances or conditions applicable to a particular area, the minister may exempt a range agreement holder, in relation to that area, from subsection (1) or (2).

9 *Section 34 (1) and (2) is repealed and the following subsection is substituted:*

- (1) By January 1 following the establishment of a water quality objective for an area, a range agreement holder who carries out a range practice in the area must ensure that the range practice is consistent with the objective.

10 *Section 36 is amended*

*(a) by repealing subsections (1) and (2) and substituting the following subsection:*

- (1) By January 1 following the establishment of a general wildlife measure for an area, a range agreement holder who carries out a range practice in the area must ensure that the range practice is consistent with
- (a) the general wildlife measure, or
  - (b) a proposal approved under subsection (3)., *and*

*(b) by repealing subsection (3) and substituting the following:*

- (3) The minister responsible for the *Wildlife Act* may exempt a range agreement holder from subsection (1) if
- (a) the holder proposes an alternative to the general wildlife measure, and
  - (b) that minister is satisfied that the proposed alternative is consistent with the general wildlife measure.

11 *Section 37 (2) is repealed and the following substituted:*

- (2) If satisfied that it is not practicable, given the circumstances or conditions applicable to a particular area, the minister responsible for the *Wildlife Act* may exempt a range agreement holder, in relation to that area, from subsection (1).