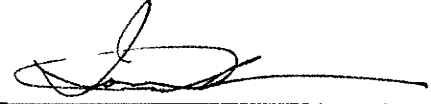


PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **384**, Approved and Ordered **JUN 19 2007**



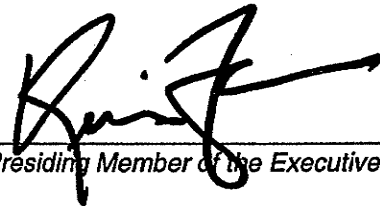
Lieutenant Governor

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, effective September 1, 2007, the Private Forest Managed Forest Land Council Matters Regulation, B.C. Reg. 372/2004, is amended as set out in the attached Schedule.



Minister of Agriculture and Lands



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:- Private Managed Forest Land Act, S.B.C. 2003, c. 80, section 42

Other (specify):- OIC 829/2004

May 17, 2007

R/273/2007/34

SCHEDULE

1 *The Private Forest Managed Forest Land Council Matters Regulation, B.C. Reg. 372/2004, is amended*

(a) *in section 1 by repealing the definition of “community watershed”,*

(b) *adding the following definitions:*

“clearing width” means an area that is cleared of standing trees for the purpose of constructing or maintaining a road;

“Coast” means that geographic area of British Columbia that is contained in the Coast Forest Region as defined in the Forest Regions and Districts Regulation, B.C. Reg. 123/2003;

“Interior” means that geographic area of British Columbia that is not the Coast;

“licenced waterworks intake” means a water intake that

(a) is to provide water for human consumption, and

(b) is licenced under the *Water Act* for

(i) a waterworks purpose, if the licence is held by or is subject to the control of a municipality, regional district or improvement district, or

(ii) a domestic purpose, if the licence is held by or is subject to the control of a water users' community incorporated under the *Water Act*;

“operating season” means

(a) for the Coast, the 12 month period ending December 31, and

(b) for the Interior, the 12 month period ending March 31;

“road” includes

(a) any part of a tote road, pit, quarry, landing or waste area that is located within the road's clearing width, that is used in conjunction with the road, and

(b) any bridges, culverts, fords and other structures associated with the road;

(c) *in the definition of “stream”, repealing paragraph (b) (ii) and substituting the following:*

(ii) a licenced waterworks intake; .

2 *In section 2, by repealing subsection (1) and substituting the following:*

(1) For the purpose of section 24 (3) (b) of the Private Managed Forest Land Council Regulation, the wildlife minister may establish water quality objectives for any part or all of a stream that is located upstream of a licenced waterworks intake.

3 *By repealing section 5 and substituting the following:*

5 (1) A person who contravenes section 13, 14 (1), 15, 16, 17, 18, 19, 20 (1) or (2), 21 (1), (2) or (3), 22, 24 (1), (2), (3) or (4), 27 (1), 28 (1), 29 (1) or (3), 30 (1) or (2)

of the Private Managed Forest Land Council Regulation commits an offence and is liable on conviction to a fine not exceeding \$500 000.

- (2) A person who contravenes section 11, 25 (2) (c), 27 (5), 28 (5) or 29 (4) of the Private Managed Forest Land Council Regulation commits an offence and is liable on conviction to a fine not exceeding \$25 000.**