

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

450

, Approved and Ordered

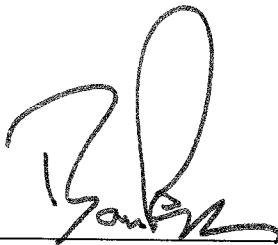
JUN 21 2007



Lieutenant Governor
Administrator

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 Water Regulation, B.C. Reg. 204/88, is amended as set out in the attached Schedule.



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:- Water Act, R.S.B.C. 1996, c. 483, section 101 (2) (f)

Other (specify):- oic 889/88

November 7, 2006

SCHEDULE

1 Section 44 of the Water Regulation, B.C. Reg. 204/88, is amended

(a) in subsection (1), by striking out “For the purposes of section 9 of the *Water Act*, the following changes in and about a stream may be made without the necessity of obtaining an approval or licence” **and substituting** “For the purposes of section 9 (2) of the *Water Act*, the following changes in and about a stream may be made without obtaining an approval or licence”, **and**

(b) by repealing subsections (2) and (3) and substituting the following:

- (2) For the purposes of section 9 (2) of the Act, a change may be made in and about a stream to which a standard or regulation under the *Forest and Range Practices Act* applies, without obtaining an approval or licence, if
 - (a) the change is made by
 - (i) a municipality or other person who
 - (A) holds an agreement or road use permit under the *Forest Act*, an agreement under the *Range Act* or a special use permit under the *Forest Practices Code of British Columbia Act*, or
 - (B) is authorized to construct or modify a road under the *Coal Act*, the *Geothermal Resources Act*, the *Mines Act*, the *Mining Right of Way Act* or the *Petroleum and Natural Gas Act*, or
 - (ii) the Crown in right of British Columbia or a person under contract to the Crown in right of British Columbia, and
 - (b) the person making the change complies with the *Forest and Range Practices Act* and the regulations and standards established under it.
- (3) For the purposes of section 9 (2) of the Act, a change may be made in and about a stream by a person who holds a permit under section 10 of the *Mines Act*, without obtaining an approval or licence, if the person complies with
 - (a) Part 11 of the Health, Safety and Reclamation Code for Mines in British Columbia, and
 - (b) all conditions in the permit respecting changes in and about the stream.