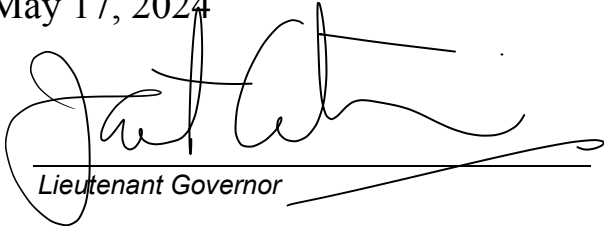


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 255

, Approved and Ordered May 17, 2024



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, 2024, the attached Northeast District Cumulative Impacts (Treaty 8) Order is made.



Minister of Water, Land and Resource Stewardship



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: Environment and Land Use Act, R.S.B.C. 1996, c. 117, s. 7

Other: \_\_\_\_\_

# **NORTHEAST DISTRICT CUMULATIVE IMPACTS (TREATY 8) ORDER**

## **Definitions**

- 1 In this order:
  - “**interim period**” means the period beginning on September 1, 2024 and ending on December 31, 2026;
  - “**northeast district**” means the Northeast Land Recording District continued by section 3 (3) of the Administrative Boundaries Regulation, B.C. Reg. 137/2014;
  - “**statutory power of decision**” has the same meaning as in section 1 of the *Judicial Review Procedure Act* but does not include a power of the Provincial Court or of the Lieutenant Governor in Council.

## **Application**

- 2 This order applies in relation to an exercise during the interim period of any of the following statutory powers of decision under an Act set out in the Schedule:
  - (a) a power to issue or amend an instrument authorizing a person to carry out an industrial or commercial activity in any part of the northeast district;
  - (b) a power to exempt a person from a requirement to hold an instrument described in paragraph (a).

## **Cumulative impacts on Treaty 8 rights**

- 3 (1) A person who exercises a power described in section 2 in relation to an industrial or commercial activity in the northeast district must prepare a written record that sets out
  - (a) the impacts of the activity on treaty rights under Treaty 8, having regard to at least
    - (i) the geographic extent of the impacts of the activity,
    - (ii) the duration over time of the impacts of the activity, and
    - (iii) the cumulative impacts of the activity in the context of the impacts of other industrial and commercial activities on the treaty rights, and
  - (b) the measures the person has taken to avoid or mitigate those impacts.
- (2) A person is not required to prepare a written record under subsection (1) for a decision not to issue or amend an instrument or not to grant an exemption if the impacts described in subsection (1) (a) are not relevant to the decision.

## **Section 5 of *Offence Act* does not apply**

- 4 Section 5 of the *Offence Act* does not apply to this order.

## SCHEDULE

Item	Column 1 <b>Act</b>
1	<i>Coal Act</i>
2	<i>Energy Resource Activities Act</i>
3	<i>Forest Act</i>
4	<i>Forest and Range Practices Act</i>
5	<i>Forest Practices Code of British Columbia Act</i>
6	<i>Geothermal Resources Act</i>
7	<i>Land Act</i>
8	<i>Mineral Tenure Act</i>
9	<i>Mines Act</i>
10	<i>Petroleum and Natural Gas Act</i>
11	<i>Range Act</i>
12	<i>Water Sustainability Act</i>