



Forest and Range Practices Act

**RANGE PLANNING AND PRACTICES
REGULATION
B.C. Reg. 19/2004**

Deposited January 23, 2004 and effective January 31, 2004
Last amended February 5, 2021 by B.C. Reg. 11/2021

Consolidated Regulations of British Columbia

This is an unofficial consolidation.

B.C. Reg. 19/2004 (O.C. 22/2004), deposited January 23, 2004 and effective January 31, 2004, is made under the *Forest and Range Practices Act*, S.B.C. 2002, c. 69, ss. 33, 34, 35, 141, 146, 154 and 161.

This is an unofficial consolidation provided for convenience only. This is not a copy prepared for the purposes of the *Evidence Act*.

This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

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Forest and Range Practices Act

RANGE PLANNING AND PRACTICES REGULATION

B.C. Reg. 19/2004

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Forest and Range Practices Act

RANGE PLANNING AND PRACTICES REGULATION

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PART 1 – INTERPRETATION

Definitions and application

- 1** (1) Unless otherwise indicated, words and expressions not defined in this regulation have the meaning given to them in section 1 [*definitions*] of the Forest Planning and Practices Regulation.
- (2) In this regulation:
- “**authorization**” means an authorization under section 51 [*range developments*] of the Act;
- “**range agreement holder**” means a holder of an agreement under the *Range Act*;
- “**range readiness criteria**” means the plant growth criteria that indicate when a range is ready for grazing;
- “**riparian area**” means an area of land that
- (a) is adjacent to a stream, lake or wetland, and
 - (b) contains vegetation that, due to the presence of water, is distinctly different from the vegetation of adjacent upland areas;
- “**stream**” means a watercourse with an alluvial sediment bed, formed when water flows between continuous definable banks, on a perennial or intermittent basis;
- “**stubble height**” means the height of plants remaining after harvesting or grazing.
- (3) A person is exempt from the requirements of Part 4 to the extent necessary to conform to the requirements of the *Workers Compensation Act* or a regulation made under that Act.
- (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.
- (5) The Code and the Code regulations apply to range use plans described in section 205 of the Act.
- [am. B.C. Regs. 104/2005; 105/2005, s. 1.]

Activities and categories of persons prescribed for range practices

- 1.1** (1) The following activities are prescribed for the purposes of the definition of “range practice” in section 1 (1) of the Act:
- (a) grazing livestock;
 - (b) cutting hay;
 - (c) constructing, modifying or maintaining a range development;
 - (d) an activity related to an activity described in paragraph (a), (b) or (c).

- (2) Contractors, employees and agents of a holder of an agreement under the *Forest Act* or the *Range Act* are a prescribed category of persons for the purposes of paragraph (a) (ii) of the definition of “range practice” in the Act.

[en. B.C. Reg. 267/2007.]

Power to impose conditions

- 2 Section 112 [*power to impose conditions*] of the Act applies to an exercise of discretion under this regulation.

PART 2 – PLANS

Division 1 – Exemption and Qualifications for Preparing a Range Stewardship Plan

Exemption from plan requirement

- 3 (1) The minister may exempt a range agreement holder from section 32 (1) [*range use plan and range stewardship plan required*] of the Act if satisfied that grazing on Crown range to which the agreement applies
- (a) will not endanger the range resource,
 - (b) is in the public interest, and
 - (c) is consistent with Division 2 [*Objectives*].
- (2) If the minister exempts a person under subsection (1), the minister must specify the time period for which the exemption applies.
- (3) Before the expiry of the time period specified under subsection (2), a person exempted under this section must prepare and submit for the approval of the minister a range use plan or range stewardship plan to take effect on the expiry of the exemption.

Qualifications – range stewardship plan

- 4 For the purpose of section 32 (3) (c) [*range use plan and range stewardship plan required*] of the Act, before authorizing a range agreement holder to prepare a range stewardship plan, the minister must consider the following:
- (a) submissions by the holder;
 - (b) continuing education courses completed by the holder;
 - (c) letters of recommendation in respect of the holder;
 - (d) whether the holder has declared that the range stewardship plan will be prepared by a person registered as an agrologist under the *Professional Governance Act*;
 - (e) demonstrated success by the holder in complying with range use plans or range stewardship plans;
 - (f) compliance with the Act, regulations and standards, if any, by the holder;

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Part 2 – Plans

- (g) capital investments and developments by the holder to manage rangelands.
[am. B.C. Reg. 11/2021, App. 3, s. 16.]

Division 2 – Objectives**Objectives set by government generally**

- 5 The objectives set by government for the purposes of section 33 (1) (e) [*content of range use plan for grazing*], 34 (1) (e) [*content of range use plan for hay cutting*] and 35 (1) (d) [*content of range stewardship plan*] of the Act are set out in sections 6 to 11.

Objectives set by government for soils

- 6 The objectives set by government for soils are as follows:
- (a) protect soil properties;
 - (b) minimize erosion and compaction;
 - (c) minimize undesirable disturbance to soils;
 - (d) maintain a vigorous and diverse cover of desirable plant species with a variety of root depths sufficient to protect the soil;
 - (e) re-establish ecologically suitable vegetation after disturbance occurs;
 - (f) maintain ground cover, including sufficient litter and residual dry matter accumulation to protect soil;
 - (g) minimize accelerated soil erosion;
 - (h) minimize sealing of the soil surface.

Objectives set by government for forage

- 7 The objectives set by government for forage and associated plant communities are as follows:
- (a) maintain or enhance healthy plant communities, including their vigour and cover;
 - (b) maintain or enhance forage quality and quantity for livestock and wildlife;
 - (c) recruit desirable plants, including through forage seeding;
 - (d) maintain a variety of age classes and structural characteristics within plant communities;
 - (e) maintain or improve litter;
 - (f) enable a range agreement holder, in the exercise of its grazing or hay cutting rights granted by the government, to be vigorous, efficient and world competitive.

Objectives set by government for water

- 8 The objectives set by government for water are as follows:
- (a) maintain or improve water resources;
 - (b) maintain or promote healthy riparian and upland areas;

- (c) maintain or promote riparian vegetation that provides sufficient shade to maintain stream temperature within the natural range of variability;
- (d) maintain or promote desired riparian plant communities.

Objectives set by government for fish

- 9 The objectives set by government for fish are as follows:
- (a) conserve fish, fish habitat and aquatic ecosystems;
 - (b) manage any adverse effect of deleterious material.

Objectives set by government for wildlife

- 10 The objectives set by government for wildlife are as follows:
- (a) maintain or promote sustainable, healthy, viable, productive and diverse wildlife populations and their associated habitat;
 - (b) minimize disturbance during critical periods to wildlife or to wildlife habitats;
 - (c) manage the risk of interaction between predators and livestock.

Objectives set by government for biodiversity

- 11 The objectives set by government for biodiversity are as follows:
- (a) conserve biodiversity;
 - (b) maintain native plant community dynamics;
 - (c) encourage the development of late seral plant communities or other desired plant communities;
 - (d) maintain plant communities consistent with natural successional stages on areas where forage seeding is carried out within transitory range areas.

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.

[en. B.C. Reg. 105/2005, s. 2.]

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Part 2 – Plans

Division 3 – Plan Content**Content of range use plans**

- 13** (1) The minister may, in writing, require a range agreement holder who is required to prepare a range use plan to ensure that the plan contains, for one or more portions of the area, any of the following that are identified or specified by the minister:
- (a) descriptions of plant communities and of the actions that will be taken to establish or maintain them;
 - (b) range readiness criteria;
 - (c) stubble heights.
- (2) The minister may specify only range readiness criteria under subsection (1) (b) that are
- (a) described in the Schedule, or
 - (b) consistent with the objectives set by government.

Content of range stewardship plans

- 14** (1) A range agreement holder who prepares a range stewardship plan
- (a) may propose, for one or more portions of the area to which the plan applies,
 - (i) descriptions of plant communities and the actions that will be taken to establish or maintain them,
 - (ii) range readiness criteria, and
 - (iii) stubble heights, and
 - (b) must prepare and submit to the minister a rationale for the proposal made under paragraph (a).
- (2) If the holder referred to in subsection (1) does not make a proposal under subsection (1) in respect of a specific portion of the area to which the plan applies, the minister may exercise the power in section 13 (1) [*content of range use plans*], and section 13 (2) applies.
- (3) A range agreement holder who prepares a range stewardship plan must ensure that the holder's plan contains a process for monitoring and evaluating
- (a) consistency of range practices with the objectives referred to in Division 2 [*Objectives*], and
 - (b) results or strategies as prepared under section 35 (2) [*content of range stewardship plan*] of the Act.

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.

[en. B.C. Reg. 105/2005, s. 3.]

Grazing schedules

- 16** A holder of a range stewardship plan must ensure that the grazing schedule prepared under section 43 [*grazing schedule required*] of the Act is consistent with the plan.

Division 4 – Review and Comment

Notice

- 17** (1) If satisfied that a proposed range use plan or range stewardship plan, or an authorization, would affect others in a material way, the minister may require the person making the proposal or seeking the authorization to publish a notice under subsection (2).
- (2) If required by the minister under subsection (1), a person must publish, in a form and manner acceptable to the minister, a notice that a range use plan or range stewardship plan, or a request for authorization, is available for review and comment.

Review and comment

- 18** (1) A person who must publish a notice under section 17 must
- (a) submit to the district manager a copy of
 - (i) the requirement of the minister under section 17 (1), and
 - (ii) the proposed range use plan or range stewardship plan, or request for authorization, as applicable, and
 - (b) provide, for a period of at least 30 days, an opportunity for review and comment to persons interested in the plan or authorization, commensurate with the nature and extent to which the person's rights or interests may be affected by the plan or authorization.
- (2) A person who is required to publish a notice under section 17 must
- (a) consider any written comments received under subsection (1) that are relevant to the plan or authorization, and
 - (b) submit to the district manager
 - (i) a copy of each written comment received under subsection (1), and
 - (ii) a description of any changes made to the plan or request for authorization as a result of the comments received under subsection (1).

Division 5 – Approval and Amendments

Advisory committee

- 19** The minister may establish an advisory committee referred to in section 37 (3) [*approval of range use plan or range stewardship plan*] of the Act consisting of at least 3 persons including
- (a) a person registered as an agrologist under the *Professional Governance Act*,
 - (b) a person who holds a range use plan or a range stewardship plan, and
 - (c) a representative of the government.
- [am. B.C. Reg. 11/2021, App. 3, s. 16.]

Minor amendments that do not require approval

- 20** A range agreement holder who makes an amendment under section 40 [*minor changes to range use plan or range stewardship plan*] of the Act must provide the district manager with a copy of the amendment as soon as practicable.

Minor amendment wrongly made

- 21** (1) If the minister determines that a decision made by a range agreement holder under section 40 [*minor changes to range use plan or range stewardship plan*] of the Act was wrongly made, the minister may
- (a) declare the amendment to be without effect, and
 - (b) if the minister considers it appropriate, require the holder to suspend operations that are not authorized in the absence of the amendment.
- (2) A range agreement holder referred to in subsection (1) will not be found to have contravened the Act or this regulation by carrying out, before the minister makes a determination under subsection (1), operations that are not authorized in the absence of the amendment if
- (a) the minister is satisfied, or
 - (b) the holder establishes that the holder had reason to believe that the amendment would have been approved under section 37 (1) [*approval of range use plan or range stewardship plan*] of the Act, had the amendment been properly submitted for approval.

Mandatory amendments

- 22** (1) For the purpose of section 38 (5) [*mandatory amendments*] of the Act, a range agreement holder must prepare and submit to the minister an amendment to the plan to take into account the following circumstances:
- (a) the establishment or amendment of an objective referred to in Division 2 [*Objectives*];
 - (b) a change in the holder's agreement under the *Range Act*;
 - (c) notice is given by the minister that an amendment is required in relation to

- (i) plant communities,
 - (ii) range readiness criteria,
 - (iii) stubble height, or
 - (iv) issues identified by the minister under sections 33 (1) (c) [*content of range use plan for grazing*], 34 (1) (c) [*content of range use plan for hay cutting*] or 35 (1) (b) [*content of range stewardship plan*] of the Act.
- (2) Section 13 (2) [*content of range use plans*] applies to a notice given by the minister under subsection (1) (c) in respect of range readiness criteria.
- (3) A range agreement holder who prepares an amendment under section 38 of the Act must obtain the minister’s approval of the amendment.

Balancing objectives

- 23** On request of a person who submits a range use plan or range stewardship plan for approval, the minister may balance objectives set by government, actions taken under the Government Actions Regulation, results, strategies or other plan content when making a determination under section 37 [*approval of range use plan or range stewardship plan*] of the Act.

Extending term

- 24** For the purpose of section 36 (2) [*term of range use plan and range stewardship plan*] of the Act, the minister may extend the term of a range use plan or range stewardship plan if
- (a) the holder of the plan requests an extension, and
 - (b) the minister is satisfied that the plan
 - (i) continues to be consistent with objectives set by government and actions taken under the Government Actions Regulation, or
 - (ii) will be amended so as to be consistent with the objectives and actions described in subparagraph (i).

PART 3

25 to 27 Repealed. [B.C. Reg. 105/2005, s. 4.]

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Part 4 – Practice Requirements

PART 4 – PRACTICE REQUIREMENTS**Division 1 – Forage****Range readiness**

- 28** (1) Despite anything specified in a range use plan or range stewardship plan, a range agreement holder must not graze livestock on Crown range if the range readiness criteria specified in the plan are not met.
- (2) A range agreement holder must not graze livestock on Crown range before the dates, if any, specified in a range use plan or range stewardship plan, unless
- (a) written authorization is given by the minister, or
 - (b) the range readiness criteria specified in the range use plan or range stewardship plan are met.

[am. B.C. Reg. 105/2005, s. 5.]

Removal from grazing

- 29** (1) Subject to section 36 [*general wildlife measures*], if a range agreement holder grazes livestock on an area of Crown range, the holder must remove the livestock on the first to occur of the following:
- (a) the date specified in the holder's range use plan or range stewardship plan for the removal of livestock;
 - (b) the average stubble height on the area is the stubble height, if any, that is specified in the holder's plan;
 - (c) the average browse use level by livestock on that area is
 - (i) the percentage of the current annual growth specified in the applicable plan, if any, or
 - (ii) 25% of the current annual growth, if subparagraph (i) does not apply.
- (2) A range agreement holder who grazes livestock on Crown range must ensure that the grazing of herbaceous plants by the livestock does not occur in a manner that, if continued, will result in deterioration of plant communities located on the grazing area.

[am. B.C. Reg. 105/2005, s. 6.]

Division 2 – Riparian and Upland Areas**Riparian areas**

- 30** A range agreement holder must not carry out a range practice if it would result in a material adverse affect on the ability of the riparian area to
- (a) withstand normal peak flow events without accelerated soil loss, channel movement or bank movement,
 - (b) filter runoff,

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- (c) store and safely release water, and
- (d) conserve wildlife habitat values in the area.

[am. B.C. Reg. 225/2006.]

Upland areas

31 A range agreement holder must not carry out a range practice on an upland area if the range practice would result in a material adverse affect on the upland area by substantially

- (a) accelerating the rate of soil loss from the area,
- (b) diminishing infiltration of water on the area,
- (c) reducing moisture storage on the area, or
- (d) decreasing stability of the area.

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).

[en. B.C. Reg. 105/2005, s. 7.]

Division 3 – Watersheds**Protecting water quality**

33 (1) A range agreement holder who carries out a range practice must ensure that the range practice does not cause material that is harmful to human health to be deposited in, or transported to, water that is diverted for human consumption by a licensed waterworks.

(2) A range agreement holder who carries out a range practice that could have a material adverse effect on a licensed waterworks must ensure that the range practice does not

- (a) damage the licensed waterworks, or
- (b) alter the vegetation, soil or terrain around the licensed waterworks, if the alteration could materially increase the risk of subsequent damage to the licensed waterworks.

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Part 4 – Practice Requirements

- (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).

[am. B.C. Reg. 105/2005, s. 8.]

Water quality objective

- 34** (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.
- (2) Repealed. [B.C. Reg. 105/2005, s. 9.]
- (3) If a range agreement holder knows or ought to know that grazing livestock under the agreement in a portion of an area covered by a water quality objective would be inconsistent with the water quality objective, the holder must
- remove the livestock from that portion, and
 - not allow livestock to enter that portion.
- (4) If the minister is satisfied that sufficient measures have been taken to prevent a failure to meet water quality objectives from recurring, the minister may exempt a range agreement holder from the requirement of subsection (3) (b).

[am. B.C. Reg. 105/2005, s. 9.]

Removal of dead livestock

- 35** A range agreement holder must take reasonable steps to ensure that dead livestock belonging to the holder is
- not within 100 m of a stream in a community watershed, or
 - removed to a distance of 100 m or more from a stream in a community watershed as soon as practicable after the holder becomes aware of the dead livestock.

Division 4 – General Wildlife Measures, Wildlife Habitat Features and Resource Features**General wildlife measures**

- 36** (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
- the general wildlife measure, or
 - a proposal approved under subsection (3).
- (2) Repealed. [B.C. Reg. 105/2005, s. 10 (a).]
- (3) The minister responsible for the *Wildlife Act* may exempt a range agreement holder from subsection (1) if
- the holder proposes an alternative to the general wildlife measure, and

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- (b) that minister is satisfied that the proposed alternative is consistent with the general wildlife measure.

[am. B.C. Reg. 105/2005, s. 10.]

Wildlife habitat features

- 37** (1) A range agreement holder who carries out a range practice must ensure that the range practice does not damage or render ineffective a wildlife habitat feature.
- (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).

[am. B.C. Reg. 105/2005, s. 11.]

Resource features

- 38** (1) A range agreement holder who carries out a range practice must ensure that the range practice does not damage or render ineffective a resource feature.
- (2) The minister may exempt a range agreement holder from the requirement of subsection (1), if satisfied that
- (a) there is no other practicable option for carrying out the range practice, and
- (b) the exemption is in the public interest.

Division 5 – Range Developments**Restriction on range developments**

- 39** (1) The minister may not grant an authorization under section 51 [*range developments*] of the Act if the range development is to be constructed within 50 m of a stream in a community watershed, unless satisfied that the construction and use of the range development is consistent with
- (a) the objective set by government for water as set out in section 8 [*objectives set by government for water*], and
- (b) water quality objectives, if any.
- (2) The minister may not grant an authorization under section 51 of the Act if the range development would alter vegetation, soil or terrain in a manner that, if the range development were a range practice, the person responsible for the range development would contravene section 30 [*riparian areas*], 31 [*upland areas*], 32 [*protection of fish*], 33 (2) [*protecting water quality*], 37 [*wildlife habitat features*] or 38 [*resource features*], unless satisfied that
- (a) there is no other practicable option for carrying out the construction of the range development, and
- (b) the vegetation, soil or terrain will be restored after the construction is completed to the extent that the person responsible for the range development would not, if the range development were a range practice, contravene section 30, 31, 32, 33 (2), 37 or 38.

RANGE PLANNING AND PRACTICES REGULATIONPart 5 – Miscellaneous

Maintenance of range developments

- 40** (1) A range agreement holder must maintain any range development located on an area that is subject to the agreement in an effective operating condition.
- (2) The minister may exempt a range agreement holder from the requirement of subsection (1) if
- (a) another person has obtained authorization from the minister under section 51 (2) [*range developments*] of the Act to maintain the range development,
 - (b) another person is required to maintain the range development and that person is not exempted under this subsection,
 - (c) another person has entered into an agreement referred to in section 118 (2) (a.1) [*power to enter into agreements*] of the Act, or
 - (d) the minister is satisfied that it is not in the public interest to maintain the range development.

Revegetation

- 41** (1) A person who constructs a range development must ensure that any exposed soil is revegetated with ecologically suitable species within 2 years after the construction is completed.
- (2) The minister may exempt a person from the requirement of subsection (1) if the minister is satisfied that a failure to revegetate is consistent with the objective set by government for soils as set out in section 6 (c) [*objectives set by government for soils*].

PART 5 – MISCELLANEOUS**Tagging**

- 42** (1) For the purpose of section 45 (2) (b) [*general*] of the Act, if the minister requires the range agreement holder to tag livestock, the minister must provide the tags to the holder.
- (2) A range agreement holder who is provided with tags under subsection (1) must
- (a) attach the tags to the holder's livestock in a time and in a manner specified by the minister, and
 - (b) report the loss of any of the tags to the district manager.

Authorization to cut Crown timber

- 43** For the purpose of section 52 (1) (e) [*unauthorized timber harvesting*] of the Act, a person is authorized to cut, damage or destroy Crown timber in the course of carrying out activities under
- (a) an authorization granted under section 51 [*range developments*] of the Act,
or

- (b) a range use plan or range stewardship plan.

Removal of livestock

- 44** (1) A range agreement holder who knows that grazing livestock under the agreement will cause significant interference with the establishment of a free growing stand under section 29 [*free growing stands*] of the Act, must
- (a) remove the livestock from the area, and
 - (b) not allow livestock to enter the area.
- (2) If the minister is satisfied that sufficient measures have been taken to prevent interference with the establishment of a free growing stand from recurring, the minister may exempt a range agreement holder from the requirement of subsection (1) (b).

Intervention orders and payment of expenses

- 45** (1) For the purpose of section 77 (1) [*power of intervention: general*] of the Act, an order given by the minister to a range agreement holder must specify
- (a) the measures or actions that must be taken,
 - (b) the grounds for requiring the measures or action to be taken, and
 - (c) whether or not the holder may recover all or part of the amount reasonably incurred in taking the specified measures or actions.
- (2) The minister may take action under section 77 (1) of the Act if an act or omission of a range agreement holder will likely result in a fundamental and adverse alteration of an ecosystem.
- (3) For the purpose of section 77 (3) and 77.1 (4) [*power of intervention: first nations*] of the Act, a range agreement holder may recover all or part of the amount reasonably incurred under that section if
- (a) the minister specifies in a notice under subsection (1) that the amount reasonably incurred in taking the required measures or actions is recoverable, and
 - (b) the minister is satisfied that the amounts claimed by the holder were, in fact, reasonably incurred.

Annual reports

- 46** On or before December 31, the holder of a range stewardship plan must submit to the district manager a report respecting the following matters that occurred during the grazing season on the area to which the plan relates:
- (a) the number of livestock released onto Crown range;
 - (b) the period when the livestock referred to in paragraph (a) occupied the Crown range;

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- (c) issues or events that affected or will affect the holder's ability to manage the area for which the plan relates in accordance with the Act, this regulation and the range stewardship plan.

PART 6 – COMPLIANCE AND ENFORCEMENT**Sale of seized livestock**

- 47** (1) For the purposes of sections 67 [*seizure of timber, chattels, hay, livestock, etc.*] and 68 [*forfeiture of livestock*] of the Act, if livestock have been seized by an official the minister may sell the livestock
- (a) by public auction, or
 - (b) if no bid is received at the public auction, by other means.
- (2) An official or other person who has worked for the government in seizing or selling the livestock may not buy the livestock at a sale under subsection (1).
- (3) Before livestock is sold under subsection (1) (a), the sale must be advertised in a newspaper, and the advertisement must
- (a) describe species, breed, age, colour and sex of the livestock,
 - (b) if the livestock are branded, state all legible brands and their locations on the livestock,
 - (c) if the livestock are not branded, state that fact and identify the livestock by tags, markings or other features identifying the livestock,
 - (d) state the costs incurred for
 - (i) seizure of the livestock,
 - (ii) advertising, and
 - (iii) daily feed and care of the livestock,
 - (e) state the name and address of a person from whom additional information may be obtained, and
 - (f) state that unless the owner of the livestock in the meantime pays all costs referred to in paragraph (d), the livestock will, on a specified date and at a specified location, be offered for sale by public auction.
- (4) The specified date referred to in subsection (3) (f) must be a minimum of 10 clear days from the date of publication of the advertisement referred to in subsection (3).
- (5) The official must make reasonable efforts to determine the identity of the owner of the livestock and notify the owner of the seizure and sale before the sale takes place.

Offences

- 48** (1) A person who contravenes any of the following sections commits an offence:

section 28 [*range readiness*];
 section 29 [*removal from grazing*];
 section 30 [*riparian areas*];
 section 31 [*upland areas*];
 section 32 [*protection of fish*];
 section 33 [*protecting water quality*];
 section 34 (3) (a) and (b) [*water quality objective*];
 section 35 [*removal of dead livestock*];
 section 36 [*general wildlife measures*];
 section 37 [*wildlife habitat features*];
 section 38 [*resource features*];
 section 40 [*maintenance of range developments*];
 section 41 [*revegetation*];
 section 42 (2) (a) and (b) [*tagging*];
 section 44 (1) (a) and (b) [*removal of livestock*];
 section 46 [*annual reports*].

- (2) A person who commits an offence described in subsection (1) is liable on conviction to a fine not exceeding \$5 000 or to imprisonment for not more than 6 months or to both.

SCHEDULE

RANGE READINESS CRITERIA

[section 13]

The range readiness criteria that apply based on the desired plant community and preferred species are:

Scientific Name	Common Name	Leaf Stage
<i>Agropyron cristatum</i>	Wheatgrass, crested	3.5
<i>Agropyron dasystachyum</i>	Wheatgrass, northern	5.5
<i>Agropyron smithii</i>	Wheatgrass, western	4.0
<i>Agropyron spicatum</i>	Wheatgrass, bluebunch	4.0
<i>Agropyron trachycaulum</i>	Wheatgrass, slender	4.0
<i>Bromus species</i>	Bromes (introduced)	3.0
<i>Calamagrostis canadensis</i>	Canada reedgrass (Bluejoint)	3.0
<i>Calamagrostis rubescens</i>	Pinegrass	2.25 – 2.5 at nodding
<i>Dactylis glomerata</i>	Orchardgrass	3.0
<i>Deschampsia caespitosa</i>	Hairgrass, tufted	4.0

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Scientific Name	Common Name	Leaf Stage
<i>Elymus glaucus</i>	Wildrye, blue	4.0
<i>Festuca altaica</i>	Fescue, altai	4.5
<i>Festuca campestris</i>	Fescue, rough	4.5
<i>Festuca idahoensis</i>	Fescue, Idaho	4.0
<i>Oryzopsis asperfolia</i>	Ricegrass, rough leaved	3.0
<i>Poa species</i>	Bluegrasses	2.5
<i>Stipa columbiana</i>	Needlegrass, Columbia	3.0
<i>Stipa comata</i>	Needle and thread	3.0
<i>Stipa curtiseta</i>	Porcupine grass	3.0
<i>Stipa occidentalis</i>	Needlegrass, stiff	3.0

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