


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 215

, Approved and Ordered April 1, 2021



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

- (a) the North American Gypsy Moth Eradication Regulation, 2020, B.C. Reg. 81/2020, is repealed, and
- (b) the attached North American Gypsy Moth Eradication Regulation is made.



Minister of Forests, Lands, Natural Resource
Operations and Rural Development



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: *Plant Protection Act*, R.S.B.C. 1996, c. 365, ss. 3 and 8 (2)

Other: OIC 170/2020

R10487866

NORTH AMERICAN GYPSY MOTH ERADICATION REGULATION

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Definitions

1 In this regulation:

- “**Btk**” means an insecticide containing *Bacillus thuringiensis* var. *kurstaki* as its active ingredient;
- “**buffer zone**” means the area shown in grey surrounding a treatment zone on the map in the Schedule that relates to that treatment zone;
- “**gypsy moth**” means the North American gypsy moth;
- “**pesticide droplet monitoring card**” means a card which is used to determine the number, density, and size of droplets of pesticide spray deposited at a particular location;
- “**treatment period**” means the period that begins April 1 and ends October 31;
- “**treatment zone**” means a specified area outlined in heavy black on a map in the Schedule.

Powers of inspectors

- 2** (1) Subject to the limits set out in section 3, an inspector has the following powers:
- (a) to undertake treatment within a treatment zone by applying Btk, using an aerial or ground spray;
 - (b) to enter on land in a treatment zone to do any of the following:
 - (i) search for and remove gypsy moth eggs;
 - (ii) search for gypsy moths;
 - (iii) set or retrieve traps for gypsy moths;
 - (c) to enter on land in a treatment zone or buffer zone to set or retrieve pesticide droplet monitoring cards.
- (2) For the purposes of subsection (1) (a), a treatment may consist of the application of Btk over multiple days if, due to mechanical, meteorological or any other reason, Btk cannot be applied throughout the treatment zone in a single day.
- (3) Nothing in subsection (1) (a) limits an authorization granted under the *Integrated Pest Management Act* for overspray or drift from treatment to pass into the buffer zone.

Limits on powers

- 3 An inspector may exercise powers under section 2 only as follows:
- (a) Btk may be applied in a treatment zone only during the treatment period;
 - (b) no more than 4 treatments may be undertaken during the treatment period;
 - (c) land in a treatment zone may be entered for a purpose set out in section 2 (1) (b) only during the treatment period;
 - (d) land in a treatment zone or buffer zone may be entered for a purpose set out in section 2 (1) (c) only during the treatment period.

SCHEDULE

