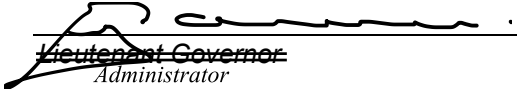


**PROVINCE OF BRITISH COLUMBIA**  
**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. 355

, Approved and Ordered June 16, 2023

  
~~Lieutenant Governor~~  
Administrator

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the <sup>Administrator</sup>~~Lieutenant Governor~~, by and with the advice and consent of the Executive Council, orders that the attached Blueberry River First Nations Implementation Agreement Order is made.



Minister of Water, Land and Resource Stewardship



Presiding Member of the Executive Council

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*(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: \_\_\_\_\_

# BLUEBERRY RIVER FIRST NATIONS IMPLEMENTATION AGREEMENT ORDER

## Interpretation

- 1 (1) In this order:
- “**Act**” means the *Oil and Gas Activities Act*;
  - “**agreement**” means the Blueberry River First Nations Implementation Agreement entered into by the government and the Blueberry River First Nations on January 18, 2023, as it stands on that date;
  - “**priority watershed basin areas**” means the following areas outlined in black in Schedule “E” to the agreement, other than any part of those areas that is shaded grey:
    - (a) Blueberry River;
    - (b) Middle Beatton River;
    - (c) Upper Beatton River;
    - (d) Lower Sikanni Chief River;
  - “**regulator**” means the British Columbia Energy Regulator continued under section 2 of the Act;
  - “**specified areas**” means
    - (a) HV1,
    - (b) the Trapline Areas, and
    - (c) the priority watershed basin areas;
  - “**specified enactment**” has the same meaning as in section 1 (2) of the Act;
  - “**specified instrument**” means a permit or authorization under the Act.
- (2) Unless a contrary intention appears, words and expressions used in this order have the same meaning as in the agreement.

## Disturbance fee

- 2 (1) Despite the Act or a specified enactment, the regulator may not issue a specified instrument that authorizes New Disturbance to be carried out in specified areas unless the instrument includes a condition requiring the holder of the instrument to pay a disturbance fee in accordance with this section in an amount equal to the product of
- (a) \$60 000, and
  - (b) the amount of that New Disturbance, expressed in hectares to 1 decimal place.
- (2) Subject to subsection (3), a disturbance fee required under subsection (1), less any amounts credited under subsection (4), must be paid into the BRFN-BC Restoration Fund before the New Disturbance is carried out.
- (3) A disturbance fee required under subsection (1) in relation to New Disturbance in a portion of the Trapline Areas that is outside HV1 and the priority watershed basin areas must be paid as follows:

- (a) half of the fee, less any amounts credited under subsection (4), must be paid into the BRFN-BC Restoration Fund before the New Disturbance is carried out;
  - (b) half of the fee must be paid into the Treaty 8 Restoration Fund before the New Disturbance is carried out or, if that fund is not then established, within 45 days after that fund is established.
- (4) For the purposes of subsection (2) and (3) (a), an amount is credited in relation to a specified instrument if the Blueberry River First Nations gives the regulator written notice that
- (a) specifies the amount, and
  - (b) indicates that the Blueberry River First Nations received the amount in relation to the specified instrument for similar purposes for which a disturbance fee would otherwise be payable.