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[Link to consolidated regulation \(PDF\)](#)

*Ecological Reserve **Act***

ECOLOGICAL RESERVE REGULATION

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Definitions

1 In this regulation:

"**Act**" means the *Ecological Reserve Act*;

"**activated e-cigarette**" has the same meaning as in section 1 of the *Tobacco and Vapour Products Control Act*;

"**aircraft**" means a device in, on or by which a person is transported or drawn by air, whether using a motorized or non-motorized means of propulsion, and includes fixed or rotary wing airplanes and gliders;

"**camp**" has the same meaning as in section 1 (1) of the Park, Conservancy and Recreation Area Regulation;

"**cannabis**" has the same meaning as in section 1 of the *Cannabis Control and Licensing Act*;

"**domesticated animal**" means an animal that is

- (a)tame,
- (b)under the care or control of a person, or
- (c)kept by a person for a commercial purpose;

"**drone**" means an aerial device that

- (a)is not occupied or operated by a person within the device, and
- (b)is operated by one or more of the following:
 - (i)remote control;
 - (ii)pre-programmed software;
 - (iii)onboard computer autonomy or artificial intelligence;

"**e-cigarette**" has the same meaning as in section 1 of the *Tobacco and Vapour Products Control Act*;

"**e-substance**" has the same meaning as in section 1 of the *Tobacco and Vapour Products Control Act*;

"**fish**" includes the following:

- (a)a vertebrate of the order *Petromyzontiformes* (lampreys) or class *Osteichthyes* (bony fishes);
- (b)an invertebrate of the phylum *Echinodermata* (echinoderms), class *Crustacea* (crustaceans) or class *Mollusca* (mollusks);
- (c)any other aquatic animal, except a bird or mammal;

(d)an egg or juvenile stage of an animal described in any of paragraphs (a) to (c);

"hunt" has the same meaning as in section 1 (1) of the Park, Conservancy and Recreation Area Regulation;

"motorized boat" means a device in, on or by which a person is transported or drawn on water using a motorized means of propulsion;

"natural resources" has the same meaning as in section 1 of the *Park Act*;

"non-motorized boat" means a device in, on or by which a person is transported or drawn on water using a non-motorized means of propulsion;

"tobacco" has the same meaning as in section 1 of the *Tobacco and Vapour Products Control Act*;

"trap" has the same meaning as in section 1 (1) of the Park, Conservancy and Recreation Area Regulation;

"vehicle" means a device in, on or by which a person or thing is transported or drawn on land, whether using a motorized or non-motorized means of propulsion;

"waste" has the same meaning as in section 1 (1) of the *Environmental Management Act*;

"wildlife" has the same meaning as in section 1 (1) of the Park, Conservancy and Recreation Area Regulation.

Ecological reserve entry, use and occupation restricted

2 (1)Subject to this section, a person must not enter, use or occupy an ecological reserve unless authorized by a permit issued under section 5.1 (1) of the *Act*.

(2)A person may, without a permit, enter and travel in or through, by foot or by non-motorized boat, an ecological reserve other than an ecological reserve set out in the Schedule.

(3)Subsection (2) does not authorize entry to an ecological reserve if a heat or rainfall warning issued by Environment and Climate Change Canada is in effect in relation to an area that encompasses, overlaps with or abuts the ecological reserve.

(4)A permittee must comply with the terms and conditions included in the permittee's permit under section 5.1 (5) of the *Act*.

Notice of conditions

3 The minister must, if satisfied that the circumstances set out in section 2 (3) exist in relation to an ecological reserve, provide public notice, in the manner the minister considers appropriate, that entry to the ecological reserve is prohibited under section 2 unless authorized by a permit.

Application for permit

4 (1) For the purposes of section 5.1 (1) of the **Act**, a person may apply to the minister for a permit authorizing the use and occupation of an ecological reserve for ecological scientific research or educational purposes.

(2) An application for a permit must include the following:

- (a) a description of the proposed scientific research or educational uses and activities;
- (b) a description and map of the areas of land that would be affected by the uses and activities;
- (c) a description of the proposed means of entry to and access through the ecological reserve;
- (d) the proposed duration of the uses and activities;
- (e) the expected ecological impact of the uses and activities;
- (f) the number of individuals proposed to enter the ecological reserve and, if known, their names;
- (g) the name of the individual proposed to direct the uses and activities.

Hearing

5 (1) The minister is not required to hold a hearing before suspending, modifying or cancelling a permit.

(2) If the minister holds a hearing, it may be held in writing, electronically or in person, or by any combination of written, electronic or in-person hearings.

Prohibitions

6 (1) A person must not do or attempt to do any of the following in an ecological reserve:

- (a) prospect or explore for, or extract, coal, petroleum or natural gas;
- (b) drill for or divert water or dam a waterway.

(2) A person must not do or attempt to do any of the following unless authorized to do so under a permit issued under section 5.1 (1) of the **Act**:

- (a) introduce a plant or animal species in an ecological reserve;

- (b) operate a vehicle or a motorized boat, or conduct a take-off or landing of an aircraft or a drone, in an ecological reserve;
- (c) deposit waste in an ecological reserve;
- (d) allow or cause waste to flow onto or seep into land in an ecological reserve or to flow or seep into water in an ecological reserve;
- (e) allow or cause waste to be emitted into the air from within an ecological reserve;
- (f) mine or quarry earth, soil, peat, marl, sand, gravel, rock or another mineral resource in an ecological reserve;
- (g) make an alteration to land on or beneath its surface in an ecological reserve;
- (h) damage, destroy or take a sample of a natural resource in, or remove a natural resource from, an ecological reserve;
- (i) disturb an animal in an ecological reserve;
- (j) hunt or trap in, catch fish in, or take fish or wildlife from, an ecological reserve;
- (k) touch or feed wildlife in an ecological reserve or entice wildlife in an ecological reserve to approach by any means, including by holding out or setting out a decoy, lure, food or bait or by using a wildlife caller;
- (l) light, fuel or use a fire in an ecological reserve;
- (m) allow a domesticated animal to graze in an ecological reserve;
- (n) cut or fell timber in an ecological reserve;
- (o) construct or modify a road or trail in an ecological reserve;
- (p) camp in an ecological reserve;
- (q) establish, construct or modify a building or other structure in an ecological reserve;
- (r) smoke cannabis, or hold lighted cannabis, in an ecological reserve;
- (s) use or hold, in an ecological reserve, an activated e-cigarette that is vapourizing cannabis;
- (t) smoke tobacco, or hold lighted tobacco, in an ecological reserve;
- (u) use or hold, in an ecological reserve, an activated e-cigarette that is vapourizing an e-substance other than cannabis.

(3) This section does not apply in relation to a use or activity carried out

- (a) under section 18 of the *Wildfire Act*, or

(b)by or on behalf of the minister for the purposes of one or more of the following:

- (i)restoring an ecosystem;
- (ii)protecting a rare or endangered native plant or animal;
- (iii)carrying out ecological scientific research or education.

Offences

7 A person who contravenes any of the following commits an offence:

- (a)section 2 (1) or (4);
- (b)section 6 (1) or (2).

Schedule

Anne Vallee (Triangle Island) Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Baeria Rocks Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Ballingall Islets Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Beresford Island Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Canoe Islets Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Cleland Island Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Dewdney and Glide Islands Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Duke of Edinburgh (Pine/Storm/Tree Islets) Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Ellis Island Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Haley Lake Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Hudson Rocks Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Kotcho Lake Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Lepas Bay Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Oak Bay Islands Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Race Rocks Ecological Reserve, continued under section 1 (2) of the *Protected Areas of British Columbia Act*

Robson Bight (Michael Bigg) Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Rose Islets Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Sartine Island Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Solander Island Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Trial Islands Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Vladimir J. Krajina (Port Chanal) Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*

Woodley Range Ecological Reserve, continued under section 1 (1) of the *Protected Areas of British Columbia Act*