

B.C. Reg. 374/2002
O.C. 1161/2002 Deposited December 19, 2002
effective December 30, 2002

Environmental Assessment Act

TRANSITION REGULATION

Definitions

1 In this regulation:

"Act" means the Environmental Assessment Act;

"approvals" means approvals, certificates, licences, permits or other authorizations and includes an exemption from a requirement to obtain any of them;

"existing facility" has the same meaning as in the Reviewable Projects Regulation;

"natural boundary" has the same meaning as in the Land Act;

"new facility" has the same meaning as in the Reviewable Projects Regulation;

"stream" has the same meaning as in the Water Act.

Grandparenting certain classes of projects

2 (1) Subsection (2) applies to a project that on December 30, 2002, is the subject of a proposal, made before that date, for

(a) undertaking an activity,

(b) constructing or operating a facility that on December 30, 2002, is a new facility, or

(c) modifying or dismantling and abandoning a facility that on December 30, 2002, is an existing facility.

(2) For the purposes of section 51 (2) [transitional provisions -- what the Act does not apply to] of the Act, a project described in subsection (1) is prescribed if

(a) the project falls within a class of project set out in Column 1 of the Table,

(b) section 51 (3) of the Act does not apply to the project, and

(c) the approvals or rights set out in Column 2 of the Table opposite the applicable class of project in Column 1 that are required in respect of the project

(i) were obtained before December 30, 2002, and

(ii) are still in effect on December 29, 2002.

Table

Column 1

Project Class

(References in parentheses are to items in the tables in the Reviewable Projects Regulation) Column 2

Required Approvals and Rights

- 1 Organic and inorganic chemical industry (Table 1, items 1 to 8)
- 2 Forest products -- pulp manufacturing (Table 4, item 1)
- 3 Forest products -- integrated paper or paperboard manufacturing (Table 4, item 2)
- 4 Forest products -- non-integrated paper and paperboard manufacturing (Table 4, item 3)
- 5 Forest products industries -- de-inking (Table 4, item 4)
- 6 Forest products industries -- wood preservation (Table 4, item 5)
- 7 Pharmaceutical products (Table 5, item 1)
- 8 Man-made fibre production and contract textile dyeing (Table 5, items 2 and 3) (a) approvals, under section 10 or 11 of the Waste Management Act, to introduce liquid effluent into the environment; (b) approvals, under bylaws of the Greater Vancouver Sewerage and Drainage District or a regional district made under section 23 of the Waste Management Act, to introduce liquid effluent into the environment.
- 9 Non-metallic mineral products -- asbestos (Table 3, item 4)
- 10 Forest products industries -- building board (Table 4, item 6)
- 11 Forest products industries -- sawmills (Table 4, item 7)
- 12 Forest products industries -- veneer and plywood (Table 4, items 8 and 9)
- 13 Forest products industries -- particle board, wafer board and medium-density fibre board (Table 4, items 10 to 12) (a) approvals, under section 10 or 11 of the Waste Management Act, to introduce air contaminants into the environment; (b) approvals, under bylaws of the Greater Vancouver Regional District or a regional district made under section 24 of the Waste Management Act, to introduce air contaminants into the environment.
- 14 Primary metals industries (Table 2, items 1 to 4)
- 15 Non-metallic mineral products -- cement, glass and lime (Table 3, items 1 to 3)
- 16 Tire and tube industries -- (Table 5, item 4)
- 17 Leather tanneries -- (Table 5, item 5)
- 18 Lead-acid batteries -- (Table 5, item 6) (a) approvals, under section 10 or 11 of the Waste Management Act, to introduce liquid effluent into the environment; (b) approvals, under bylaws of the Greater Vancouver Sewerage and Drainage District or a regional district made under section 23 of the Waste Management Act, to introduce liquid effluent into the environment; (c) approvals, under section 10 or 11 of the Waste Management Act, to introduce air contaminants into the environment; (d) approvals, under bylaws of the Greater Vancouver Regional District or a regional district made under section 24 of the Waste Management Act, to introduce air contaminants into the environment.
- 19 Coal mines (Table 6, item 1)
- 20 Mineral mines (Table 6, item 2)
- 21 Sand and gravel operations (Table 6, item 3)
- 22 Placer mines (Table 6, item 4)
- 23 Construction stone and industrial mineral quarries (Table 6, item 5) (a) permits issued under section 10 or 11 of the Mines Act.
- 24 Electric transmission lines (Table 7, item 2)
- 25 Transmission pipelines (Table 8, item 4) (a) licences of occupation under section 39 of the Land Act; (b) rights of way or easements under section 40 of the Land Act;

- (c) rights relating to the acquisition of, or access through or over, any private land.
- 26 Energy storage facilities (Table 8, item 1)
- 27 Facilities that use, convert or process energy resources (Table 8, item 2)
- 28 Natural gas processing plants (Table 8, item 3)
- 29 Power plants (the part of Table 7, item 1 that pertains to thermal electric power plants) (a) approvals, under section 10 or 11 of the Waste Management Act, to introduce liquid effluent into the environment;
- (b) approvals, under bylaws of the Greater Vancouver Sewerage and Drainage District or a regional district made under section 23 of the Waste Management Act, to introduce liquid effluent into the environment;
- (c) approvals, under section 10 or 11 of the Waste Management Act, to introduce air contaminants into the environment;
- (d) approvals, under bylaws of the Greater Vancouver Regional District or a regional district made under section 24 of the Waste Management Act, to introduce air contaminants into the environment.
- 30 Power plants (the part of Table 7, item 1 that pertains to hydroelectric power plants) (a) approvals issued under the Water Act.
- 31 Dams (Table 9, item 1)
- 32 Dykes (Table 9, item 2)
- 33 Water diversion projects (Table 9, item 3)
- 34 Shoreline modification projects (Table 9, item 5) (a) approvals issued under the Water Act;
- (b) if land below the natural boundary of a stream, estuary or marine coastline is to be occupied, used or directly disturbed:
- (i) leases issued under section 38 of the Land Act;
- (ii) licences of occupation issued under section 39 of the Land Act.
- 35 Groundwater extraction (Table 9, item 4 as it pertains to use of groundwater by fish hatcheries in volumes consistent with the needs of fish hatchery operations authorized under aquaculture licences) (a) approvals issued under section 14 of the Fisheries Act.
- 36 Special waste facilities (Table 10, item 1)
- 37 Local government solid waste management facilities (Table 11, item 1)
- 38 Local government liquid waste management facilities (Table 12, item 1) (a) approvals, under section 10 or 11 of the Waste Management Act, to introduce liquid effluent into the environment;
- (b) approvals, under bylaws of the Greater Vancouver Sewerage and Drainage District or a regional district made under section 23 of the Waste Management Act, to introduce liquid effluent into the environment;
- (c) approvals, under section 10 or 11 of the Waste Management Act, to introduce air contaminants into the environment;
- (d) approvals, under bylaws of the Greater Vancouver Regional District or a regional district made under section 24 of the Waste Management Act, to introduce air contaminants into the environment;
- (e) approvals, under section 10 or 11 of the Waste Management Act, to introduce solid waste into the environment.
- 39 Meat packing plants (Table 13, item 1)
- 40 Poultry processing plants (Table 13, item 2)
- 41 Fish processing plants (Table 13, item 3) (a) approvals, under section 10 or 11 of the Waste Management Act, to introduce liquid effluent into the environment;
- (b) approvals, under bylaws of the Greater Vancouver Sewerage and Drainage District or a regional district made under section 23 of the Waste Management Act, to introduce liquid effluent into the environment.
- 42 Railways (Table 14, item 2) (a) licences of occupation under section 39 of the Land Act;
- (b) rights of way or easements under section 40 of the Land Act;

- (c) rights relating to the acquisition of, or access through or over, any private land.
- 43 Ferry terminals (Table 14, item 3)
- 44 Marine port facilities (Table 14, item 4) (a) If land below the natural boundary of a marine coastline or marine estuary is to be occupied, used or directly disturbed:
- (i) leases issued under section 38 of the Land Act;
 - (ii) licences of occupation issued under section 39 of the Land Act.
- 45 Tourist destination resort projects -- resort development -- not golf, marina or ski (Table 15, item 1)
- 46 Tourist destination resort projects -- golf resort development (Table 15, item 2)
- 47 Tourist destination resort projects -- marina resort development (Table 15, item 3) (a) approvals, under section 10 or 11 of the Waste Management Act, to introduce liquid effluent into the environment;
- (b) approvals, under bylaws of the Greater Vancouver Sewerage and Drainage District or a regional district made under section 23 of the Waste Management Act, to introduce liquid effluent into the environment.
- 48 Tourist destination resort projects -- ski resorts (the parts of Table 15, item 4 that pertain to ski resorts which are located partially or entirely on Crown land) (a) leases under section 38 of the Land Act;
- (b) licences of occupation under section 39 of the Land Act;
- (c) rights of way or easements under section 40 of the Land Act;
- (d) rights relating to the acquisition of, or access through or over, any private land;
- (e) an approval of a ski area master plan given or issued in writing by Land and Water British Columbia Inc.
- 49 Tourist destination resort projects -- ski resorts (the parts of Table 15, item 4 that pertain to ski resorts which are located entirely on private land) (a) approvals, under section 10 or 11 of the Waste Management Act, to introduce liquid effluent into the environment;
- (b) approvals, under bylaws of the Greater Vancouver Sewerage and Drainage District or a regional district made under section 23 of the Waste Management Act, to introduce liquid effluent into the environment.

Note: this regulation replaces B.C. Reg. 277/95

[Provisions of the Environmental Assessment Act, S.B.C. 2002, c. 43, relevant to the enactment of this regulation: sections 50 (2) (i) and 51 (2)]

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