

Legal Barriers (1)

Designations(2)	Legal Barriers (1)			
	Caps on level of protection	Exemptions and loopholes	Limited applicability (doesn't apply to all resource industries)	Discretionary (no mandatory trigger)
Conservation covenant on fee simple land	N	N	Y	Y
Ecological Reserves (Ecological Reserve Act, Protected Areas of British Columbia Act)	Y	N	N	Y
Class A Provincial Parks (Protected Areas of British Columbia Act, Park Act)	Y	Few	N	Y
Class B Provincial Parks (Protected Areas of British Columbia Act, Park Act)	Y	Y	N	Y
Class C Provincial Parks (Protected Areas of British Columbia Act, Park Act)	Y	Few	N	Y
Conservancy (Protected Areas of British Columbia Act, Park Act)	N	Few	N	Y
Protected Areas - Environment & Land Use Act, s.7	Y	Y	N	Y
Municipal Forest Reserve - Local Government Act, s. 306	N	Few	Y	Y
Wildlife Management Areas, Critical Wildlife Area, Wildlife Sanctuary (Wildlife Act, 22.5-7)	N	Y	N	Y
Regional Park - Local Government Act, s.302; Community Charter, s.30	N	N	Y	Y
Recreation Area (Park Act)	Y	Y	N	Y
Land use zones and objectives - Land Act Part 7.1 (s.93.4)	N	Y	Y	Y
Old Growth Management Areas (formerly under Forest Practices Code, now Land Act, s. 93.4)	Y	Y	Y	Y
Land Act reserves - s. 15 (OIC reserves)	N	Y	Y	Y
UREP - Use, Recreation, Enjoyment of the Public (Land Act, likely s.16)	N	Y	Y	Y
Government Actions Regulation designations and objectives (in the absence of higher level objectives):	Y	Y	Y	Y
Community Watersheds	N	Y	Y	Y
Wildlife Habitat Areas	Y	Y	Y	Y
Ungulate Winter Range	Y	Y	Y	Y
Fisheries Sensitive Watersheds	N	Y	Y	Y
Oil & Gas Activities Act ss. 25,31,32,36,98, 103, 104, Environmental Protection and Management Regulation	N	Y	Y	Y
Mineral Tenure Act, s.22 (mineral reserve)	N	N	Y	Y
Coal Act, s.21 (Coal land reserves)	N	N	Y	Y
Petroleum & Natural Gas Act (s. 70 Crown reserves)	N	N	Y	Y
Area designated for purpose of developing a Water Management Plan (Water Act, ss.62 & 65)	N	Y	Y	Y
Drinking Water Protection Act (Drinking Water Protection Plan, s. 31)	N	Few	N	N
Provincial Forest (FRPA requirements in absence of higher level legal objectives)	N	Y	Y	Y
Private Managed Forest Land	N	Y	Y	Y

Jessica Clogg & Deborah Carlson, Land Use Planning for Nature Climate and Communities, Table 1

(1) A designation received a 'Yes' with respect to an identified barrier if it had a historical impact on the extent and location of the environmental designation, or if it is still in place.

(2) Because this portion of our legal analysis was examining systemic issues, we did not evaluate designations created by special statute, e.g., Muskwa-Kechika Management Area Act

