



Invasive Plant Council of British Columbia Summary of Legislation, Regulations and Policy Related to Invasive Plant Management

DRAFT as of September 2006

International

Title	Purpose	Comments	Lead Agency	Last Revision	Reference
Convention on Biological Diversity, Article 8h	Each contracting party shall, as far as possible and as appropriate: (h) Prevent the introduction of, control and eradicate those alien species which threaten ecosystems, habitats or species, The <i>Global Invasive Species Programme</i> (GISP) was established in 1997 to provide support to the implementation of article 8h of the CBD (see <i>listing</i>).	Canada ratified the CBD in 1992 and created the Canadian Biodiversity Strategy by 1996 (see <i>Federal legislation</i>). The strategy is a guide to implementing the CBD, Article 8h specifically relates to alien species.	United Nations Env't Program (UNEP)		http://www.biodiv.org/convention/articles.asp
Global Invasive Species Programme (GISP)	International program established to address global threats caused by invasive alien species, and to provide support to the implementation of Article 8(h) of the CBD.		CBD ?		www.gisp.org
Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES)	International agreement between governments that aims to ensure that international trade in specimens of wild animals and plants does not threaten their survival. This international convention is administered in Canada via the Wild Animal Plant Protection and Regulation of Inter-provincial and International Trade Act (WAPPRITA) – see <i>Federal Legislation</i> Contact adrienne.sinclair@ec.gc.ca for more info	EC is the lead agency, under which the CWS administers CITES and interacts with provincial/territorial/and federal agencies. DFO, CFS, CFIA, CCRA, and RCMP also play a role in implementation. COMMENTS FROM TABLE	The CWS, interacts with provinces		http://www.cites.org/eng/disc/text.shtml#texttop
International Plant Protection Convention (IPPC)	The IPPC is an international treaty to secure action to prevent the spread and introduction of pests of plants and plant products, and to promote appropriate measures for their control. Adopts International Standards for Phytosanitary measures (ISPMs).	Canada has been a signatory since 1951, and therefore is required to abide by all ISPMs.	Interim Commission on Phytosanitary Measures (ICPM)		www.ippc.int/IPP/En/default.jsp

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WTO - Agreement on Sanitary and Phytosanitary Measures	Least trade restrictive measures may be applied to the movement of goods to prevent the entry of recognized pests that may threaten agriculture and forest crops. To maintain export relationships with other countries we must be diligent to prevent the both the import and export of invasive species. (Cite IAS Strategy for Canada)	Concerns the application of food safety and animal and plant health regulations.	WTO - SPS Committee		http://www.wto.org/english/tratop_e/sps_e/sps_e.htm
ISPM #1: Principles of Plant Quarantine as Related to International Trade	This reference standard describes the general and specific principles of plant quarantine as related to international trade.		ICPM		www.ippc.int/IPP/En/default.jsp Publications > Standards
ISPM #2: Guidelines for Pest Risk Analysis	This standard describes the process of pest risk analysis for plant pest for the purpose of preparing phytosanitary regulations by National Plant Protection Organizations (NPPO).		ICPM		www.ippc.int/IPP/En/default.jsp Publications > Standards
ISPM #9: guidelines for Pest Eradication Programs	This standard describes the components of a pest eradication program, which can lead to the establishment of pest absence in an area.		ICPM		www.ippc.int/IPP/En/default.jsp Publications > Standards
ISPM #19: Guidelines on Lists of Regulated Pests	This standard describes the procedures to prepare, maintain and make available lists of regulated pests.		ICPM		www.ippc.int/IPP/En/default.jsp Publications > Standards
ISPM #20: Guidelines for a Phytosanitary Import Regulatory System	This standard describes the structure and operation of a phytosanitary import regulatory system and the rights, obligations and responsibilities, which should be considered in establishing, operating and revising the system.		ICPM		www.ippc.int/IPP/En/default.jsp Publications > Standards
North America Free Trade Agreement (NAFTA), Ch 7 on Agriculture and Sanitary and Phytosanitary Measures	Each party may adopt, maintain or apply any sanitary or phytosanitary measure necessary for the protection of human, animal, plant life or health in its territory, including a measure more stringent than an international standard, guideline or recommendation (Article 712(1)). Establishes a committee on Sanitary and Phytosanitary Measures	Chapter 7 Section B, Article 712 Article 712(2-6) describe the standards necessary for the adoption of a new phytosanitary measure. Article 722			http://www.dfait-maeci.gc.ca/nafta-alena/chap07ab-en.asp?#SectionB

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IUCN – Guidelines for the Prevention of Biodiversity Loss Caused by Alien Invasive Species	Guidelines designed to increase awareness and understanding of the impact of alien species. Provides guidance for the prevention of introduction, re-introduction, and control and eradication of alien invasive species.				http://www.iucn.org/themes/ssc/pubs/policy/invasivesEng.htm
Agenda 21 – United Nations Environment and Development Agenda					http://www.unep.org/Documents.multilingual/Default.asp?DocumentID=52
ICAO Resolution A32-9	<i>Preventing the Introduction of Invasive Alien Species Resolution A32-9: Calls for ICAO action on the threat posed by the introduction, by civil aviation, of species of flora and fauna, not indigeneous to a particuticular area, which could affect adversely the biodiversity in their new environement.</i>		International Civil Aviation Organization (ICAO)		

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Federal

Title	Purpose	Comments	Lead Agency	Last Revision	Reference
Fisheries Act	The Act protects Canada's fisheries resource, including fish habitat – defined as "spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes." It applies to all Canadian waters, including ditches, streams, creeks, rivers, marshes, lakes, estuaries, coastal waters and marine offshore areas. It is an offense to damage fish habitat or put harmful substances, such as pesticides, into waters frequented by fish (includes pesticide drift). Section 34 controls the deposit of deleterious substances into waters in which fish depend. Section 35 states that no person may carry out any work that results in the harmful alteration, disruption or destruction of fish habitat.	Establishes criteria for the protection of fish and fish habitat. Relates mostly to aquatic invasive species that may damage fish habitat, or the spraying of pesticides near or into fish habitat areas.	Fisheries and Oceans Canada (DFO)		http://laws.justice.gc.ca/en/F-14/
Plant Protection Act	Protect plant life and the agricultural and forestry sectors of the Canadian economy by preventing the importation, exportation and spread of pests, and by controlling or eradicating pests in Canada. Describes requirements for the introduction of bio-control agents into Canada.	Changing interpretation to involve biodiversity	CFIA		http://laws.justice.gc.ca/en/P-14.8/
Plant Protection Regulations	Regulations respecting the prevention of the importation, exportation and spreading of pests injurious to plants and provision for their control and eradication, and for the certification of plants and other things.		CFIA		http://laws.justice.gc.ca./en/P-14.8/SOR-95-212/163995.html
Seeds Act	Ensure that seed imported into, or exported from, Canada must conform to the prescribed standard and be marked, packed and accurately labeled. Species of prohibited noxious weeds are not permitted in seeds.	Provides guidelines for the content of noxious weeds seeds in crop seed, and transportation of crop seed into Canada.	AAFC, CFIA		http://laws.justice.gc.ca/en/S-8/index.html
Seeds Regulations	Regulations respecting the quality of seeds including seed potatoes, and the testing, inspection, and sale thereof.		AAFC, CFIA		http://laws.justice.gc.ca./en/S-8/C.R.C.-c.1400/174993.html

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Species at Risk Act	Prevent wildlife from becoming extinct in Canada; provide for wildlife species that are extirpated, endangered or threatened as a result of human activity; and manage species of special concern to prevent them from becoming endangered or threatened. Although the SARA does not address invasive species directly, it does call for the establishment of recovery plans, which address the control/eradication of invasive alien species that threatened species at risk.		Environment Canada (EC) and DFO		http://laws.justice.gc.ca/en/S-15.3/index.html
Wild Animal and Plant Protection and Regulation of International and Inter-provincial Trade Act and Regulations (WAPPRITA)	Control international trade and inter-provincial transport in wild animals and plants, their parts and products to better conserve Canadian and foreign species, and to protect Canadian ecosystems from the introduction of harmful wild species. Implement Canada's obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).	Schedule II could be altered to include invasive plants, however general consensus says it would be more convenient to address invasive plants under the CEPA or Plant Protection Act in Canada	EC		http://laws.justice.gc.ca/en/W-8.5/index.html and http://laws.justice.gc.ca/en/W-8.5/SOR-96-263/186658.html
Wild Animal and Plant Trade Regulations	Regulations respecting the protection of certain species of wild animals and wild plants and the regulation of international and inter-provincial trade in those species.	See above for WAPPRITA	EC		http://laws.justice.gc.ca/en/W-8.5/SOR-96-263/186658.html
CFIA Policy Directive D-96-07: Screenings, Grain and Seed for Cleaning: Import Requirements	States the plant protection import requirements for screenings to be pelletized or milled for animal feed and for seed of cereals, buckwheat, pulses, oilseeds and other crops for cleaning in Canada. Screenings are the materials sieved out in the cleaning of cereals, buckwheat, pulses, oilseeds and other crops. There is increasing requests to import grain into Canada from the USA for cleaning. Screenings and grain and seed imported for cleaning may contain significant amounts of contamination by weeds and pest organisms – many of which may be uncharacterized.	Screenings, and grain and seed for cleaning, have the potential to introduce noxious weeds into Canada.	CFIA		http://www.inspection.gc.ca/english/plaveg/protect/dir/d-96-07e.shtml

Title	Purpose	Comments	Lead Agency	Last Revision	Reference
CFIA Policy Directive D-98-06: Interim Import Requirements of Parasitic Plants: <i>Cuscuta</i> , <i>Striga</i> , and <i>Orobanche</i>	Contains the import requirements for the plant parasites <i>Cuscuta</i> (dodder), <i>Striga</i> (witchweed), <i>Orobanche</i> (broomrape) and their host/carrier material. Under the <i>Seeds Act</i> and <i>Regulations</i> , the importation and sale of seed contaminated with <i>Cucuta</i> is prohibited. Under the <i>Plant Protection Act</i> and <i>Regulations</i> , all host material with which these (3) pests can be introduced into and spread within Canada are regulated.	Regulates parasitic plants of field crops in Canada	CFIA		http://www.inspection.gc.ca/english/plaveg/protect/dir/d-98-06e.shtml
<i>Canadian Environmental Protection Act (CEPA)</i>	<i>The New Substances Notification Regulations (Schedule XIX) assesses the invasiveness of new species intended for importation into Canada.</i>		EC		
<i>Canada National Parks Act</i>	<i>Mandates the maintenance of ecological integrity in parks, including the "composition and abundance of native plants." Park's Canada's operational policies provide for the prevention of exotic plant and animal introductions into national parks, and elimination or containment where they already exist. National parks and historic areas across Canada have exotic (alien) species management programs, including prevention, survey, control and restoration activities.¹</i>		Parks Canada		http://laws.justice.gc.ca/en/N-14.01/19348.html
<i>Customs Act</i>	<i>Controls the import/export of goods into/from Canada, and requires that travelers declare goods being imported/exported.²</i>		Canada Border Services Agency – Minister of National Revenue		http://laws.justice.gc.ca/en/C-52.6/index.html
<i>Pest Control Products Act</i>	<i>An Act to regulate products used for the control of pests and the organic functions of plants and animals. Noxious weeds are considered pests for the purposes of this Act. Governs the manufacture, storage, distribution, sale and use of products used in the control of pests and diseases in Canada.³</i>	Regulates products used to control noxious weeds in Canada	Pest Management Regulatory Agency – Minister of Health		http://laws.justice.gc.ca/en/p-9/93378.html

¹ Action Plan for Invasive Alien Terrestrial plants and Plant Pests: Phase 1 – AEY Initiatives

² Ibid.

³ Ibid.

Title	Purpose	Comments	Lead Agency	Last Revision	Reference
Pest Control Products Act [NOT IN FORCE]	An Act to protect human health and safety and the environment by regulating products used for the control of pests (including noxious weeds). The Act encourages the development and implementation of innovative and sustainable pest management strategies by facilitating access to pest control products that pose lower risks and by other appropriate measures; encourage public awareness in relation to pest control products; and ensure that only those products determined to be acceptable value are approved for use in Canada.	NOT IN FORCE Regulates products used to control noxious weeds in Canada	Minister of Health (Pest Management Regulatory Agency (PMRA))		http://laws.justice.gc.ca/en/P-9.01/93450.html
Weeds Seeds Order (1986)	Order determining the species of plants the seeds of which are deemed to be weed seeds. Enabled by the Seeds Act.			Revised in 2005 – not updated on the website	http://laws.justice.gc.ca/en/s-8/sor-86-836/175786.html
Fertilizers Act	Regulates all fertilizers used in Canada, including those containing pesticides. Before a fertilizer/pesticide combination can be sold or used in Canada it must be registered under the Fertilizers Act.				http://laws.justice.gc.ca/en/F-10/index.html
Migratory Birds Convention Act	Prohibits the deposit of any substance that is harmful to migratory birds to any area frequented by said birds. This includes pesticides deposited on land or water.		Canadian Wildlife Service and EC		http://laws.justice.gc.ca/en/M-7.01/index.html
Transportation of Dangerous Goods Act (1992)	Provides information regarding the transportation and storage of pesticides and other dangerous goods.				http://laws.justice.gc.ca/en/T-19.01/index.html
Food and Drugs Act	Describes restrictions on pesticide use in livestock forage and will livestock will be consumed by humans.				http://laws.justice.gc.ca/en/F-27/index.html
Waste Management Act	Procedures for the disposal of pesticide wastes				
CEPA - New Substances Notification Regulation	The regulations are an integral part of the federal government's national pollution prevention strategy. As part of the "cradle to grave" management approach for toxic substances laid out in the Act, the NSNR were created to ensure that no new substances are introduced into the Canadian marketplace before an assessment of whether they are potentially toxic has been completed, and any appropriate or required control measures have been taken.				http://laws.justice.gc.ca/en/C-15.31/SOR-94-260/index.html

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Canadian Biodiversity Strategy (1996)	Created to address the Convention of Biological Diversity in Canada. The Strategy is a decision-making framework that puts the CBD in a national context to ensure the long-term productivity, diversity and integrity of natural systems.				http://www.cbin.ec.gc.ca/issues/strategy.cfm?lang=e
Canada Transportation Act (1996)	Consolidates and revises the National Transportation Act (1987) and the Railway Act. Governs federal transportation corridors in Canada.		Canadian Transportation Agency	Current to March 2006	http://lois.justice.gc.ca/en/C-10.4/224733.html

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Provincial

Title	Purpose	Comments	Lead Agency	Last Revision	Reference
Forest and Range Practices Act (FRPA)	Require all persons carrying out a forest or range practice to take authorized measures to prevent the introduction and spread of prescribed invasive plant species.	Shift from prescriptive to results-based management (FPC replaced)	Ministry of Forests and Range (MOFR)	2005 Bill 3	www.for.gov.bc.ca/tasb/legregs/frpa/frpa/frpatoc.htm http://www.for.gov.bc.ca/tasb/legregs/frpa/frparegs/invplants/ijr.htm
FRPA Invasive Plants Regulations	Under FRPA, lists 42 species for application to forest stewardship plans, woodlot license plans, range use plans and range stewardship plans, as applicable.		MOF	2005 Bill 3	www.for.gov.bc.ca/tasb/legregs/frpa/frparegs/invplants/ijr.htm
Integrated Pest Management Act	Regulates the sale, containment, transportation, storage, preparation, mixing, application and disposal of pesticides. The Act requires that certain applicators be certified. Regulate the application of pesticides for commercial and industrial use on all public land and on private land used for forestry, utilities, transportation and pipelines. Require that all reasonable non-pesticide treatments must be evaluated and the use of pesticides justified before being used.		Ministry of the Environment (MOE)	2004 (B.C. Reg 599/04)	http://wlapwww.gov.bc.ca/epd/epdpa/ipmp/pestact/index.html
Pipeline Act	Require that companies constructing or operating pipelines to transport oil, gas or solids must, on their land adjacent to their pipeline, annually root out and destroy thistles and noxious weeds before maturation to seed.	Oil and Gas	MEM	2004 (B.C. Reg 136/04)	www.qp.gov.bc.ca/statreg/stat/P/96364_01.htm#section38
Plant Protection Act	Provide for the prevention of the spread of pests destructive to plants in British Columbia, including the powers of inspectors and the authority to establish quarantine areas.		MAL	1980 (ch. 9, s. 10)	www.agf.gov.bc.ca/ministry/legsum/PPRO.stm
Weed Control Act and Regulations	Place a duty on all land occupiers to control 21 provincial and 27 regional noxious weed species listed in the accompanying regulations. Prevent the transportation to, or seeding in, of noxious species in areas where they are not already established. Provide for the appointment of inspectors to ensure compliance and, failing that, for a method by which they can control weeds with costs recovered from the occupier. Municipal Council may establish Weed Control Committees to administer the Act within a municipality. Committees report to the municipal council and to the Minister.	Outlines obligation to control designated noxious weeds, not necessarily with pesticides, by the land occupier., ability to tax for service, creation of weed committees and their composition. BC is the only province that lists some potential weed species (3) that are not yet present in Canada.	MAL	2004 (B.C. Reg 465/03)	www.agf.gov.bc.ca/ministry/legsum/WCON.stm

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Drinking Water Protection Act and Regulations	Outlines requirements for the protection of drinking water quality and domestic water systems (serves more than one single family residence). Legislation does not allow people to cause a hazard to drinking water health.		Health Authorities and Ministry of Health	2004 (B.C. Reg 465/03 and B.C. Reg 299/04)	http://www.ap.gov.bc.ca/statreg/stat/D/01009_01.htm
Community Charter – Spheres of Concurrent Jurisdiction - Environment and Wildlife Regulation	Grants municipalities jurisdiction in relation to the environment, including jurisdiction over the control and eradication of alien invasive species within municipal boundaries – including insects, plants and vertebrates. Gives local governments the authority to make pesticide by-laws, which may prohibit the use of pesticides for the purpose of maintaining outdoor trees, shrubs, flowers, other ornamental plants and turf on residential or municipal land.	Noxious Weeds section enabled by Ministry of Agriculture, who has responsibility for noxious weeds but has turned it over to local governments *** Spheres of concurrent jurisdiction	Ministry of Community Services	2004 (B.C. Reg 423/03, B.C. Reg 465/03, B.C. Reg 371/04, B.C. Reg 96/04, B.C. Reg 274/04, 2003-53-84 into force, Bill 74)	Bill 14 (2003) http://www.legis.gov.bc.ca
Local Government Act	The purposes of this Act are (a) to provide a legal framework and foundation for the establishment and continuation of local governments to represent the interests and respond to the needs of their communities, (b) to provide local governments with the powers, duties and functions necessary for fulfilling their purposes, and (c) to provide local governments with the flexibility to respond to the different needs and changing circumstances of their communities.	Specifies weed control functions / powers to regional districts within BC.	Ministry of Community Services		www.ap.gov.bc.ca/statreg/stat/L/96323_00.htm
Forest Act and Regulations	Authorizes the MOF to control pests – weeds and insects.		MOFR	2004 (Bill 25, B.C. Reg 38/2005)	http://www.for.gov.bc.ca/tasb/legsregs/forest/forest/contfa.htm
Ministry of Forests Act	States that one of the four major responsibilities of the Ministry is to <u>protect</u> , conserve and manage the Crown forest and range resources of the province.	Places responsibility on the Ministry of Forests to protect Crown land resources.	MOFR		http://www.ap.gov.bc.ca/statreg/stat/M/96300_01.htm
Range Act and Regulations			MOFR	2004 (B.C. Reg 7/04, Bill 57)	http://www.ap.gov.bc.ca/statreg/stat/R/96396_01.htm http://www.ap.gov.bc.ca/statreg/reg/R/199_2000.htm

Title	Purpose	Comments	Lead Agency	Last Revision	Reference
Pesticide Control Act	Prohibits the application of pesticides, including herbicides, from Crown land except under a pesticide use permit (PUP) by a licensed pesticide applicator. Also outlines the requirements for the handling, storage, disposal, and sale of pesticides.		MOE	2002 (Royal Assent)	http://www.qp.gov.bc.ca/statreg/stat/P/96360_01.htm
Environmental Appeal Board Procedure Regulation	Governs the process for appeals of PUPs and PMPs.		MOE	2004 (B.C. Reg 465/03, B.C. Reg 299/04)	http://www.qp.gov.bc.ca/statreg/reg/E/EnvirMgmt/1_82.htm
Environmental Management Act	Outlines the process for appeals of pesticide use.		MOE	2005 (B.C. Reg 38/05) 2004 (B.C. Reg 599/04)	http://www.qp.gov.bc.ca/statreg/stat/E/96118_01.htm
Wildlife Act	Establishes criteria for the protection of wildlife and wildlife habitat.		MOE	2004 (B.C. Reg 139/04, B.C. Reg 317/04, Royal Assent)	http://www.qp.gov.bc.ca/statreg/stat/W/96488_01.htm
<i>Plant Quarantine Act (repealed 1990)</i>					
Silviculture Policy – Forest Seedings of Recently Disturbed Land (outdated?)	Describes opportunities for forage seeding where it is appropriate to limit the encroachment of noxious weeds.		MOFR		
Forest Health Policy – forest Health Concerns (outdated?)	Outlines forest health management techniques that can be used to prevent damage to forest and range resources from all causal agents, including noxious weeds.		MOFR		
Range Management Guidebook (outdated?)	Describes what noxious weeds are and outlines strategies for preventing their spread into new areas in forest operations, and describes how noxious weeds are part of a range use plan.		MOFR		
Site Preparation Guidebook (outdated?)	Outlines that site preparations prescriptions must consider other management issues such as the spread of noxious weeds, and includes controlling noxious weeds a stand management objective.		MOFR		

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Farm Practices Protection (Right to Farm) Act	Includes “applying pesticides” as an activity under the definition of farm operation. This and other activities are allowed on defined areas of the land base as defined in <i>Part 2 – Right to Farm</i> .		MAL?	2004 (B.C. Reg 465/03, B.C. Reg 7/04, B.C. Reg 317/04)	
Local Government Bylaw Notice Enforcement Act				2004 (B.C. Reg 175/04) 2003 (Bill 65)	http://www.legis.gov.bc.ca/37th4th/3rd_read/gov65-3.htm
Aquaculture Regulation	A person must take reasonable precautions to prevent the escape of aquatic plants, must take all reasonable measures to control, mitigate, remedy and confine the effects of an escape of aquatic plants from the facility.			BC Reg 78/2002 (3)	

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Local Government

Title	Purpose	Comments	Lead Agency	Last Revision	Reference
(Noxious) Weed Control Extended Service (Establishment) bylaw	Authorizes the Regional District under the Municipal Act to tax for a function to control noxious weeds on private lands.		Regional District		Cariboo Regional District – Bylaw 3483 Regional District of the Central Okanagan – Bylaw 671 Regional District of Comox–Strathcona Bylaw 2346 (2001) Columbia Shuswap Regional District Bylaw 5110 (Amended by 5117, 5141)
Weed Control Committee Establishment Bylaw	Bylaw to establish a committee to manage the weed control enforcement service and to delegate to the committee certain administrative powers of the Regional District Board. Committee consists of electoral area directors, and representatives from the agriculture industry, the forest industry, the MOF, the MAFF, the MWLAP, the MOT.	Forms a committee with inclusive interests to manage the actions of the weed control program in the RDEK.	Regional District of East Kootenay		Regional District of East Kootenay Bylaw 1630 (2002)
Noxious Weed Control Service Establishment bylaw	Establishes the service of noxious weed control, including weed removal and prevention, education and public relations. The service area includes the entire RDOS, including the City of Penticton, Town of Oliver, Town of Princeton, Village of Keremeos, District of Summerland, and Electoral Areas A-H.	Acting body of the weed program is the South Okanagan-Similkameen Weed Committee	Regional District of Okanagan - Similkameen		Regional District of Okanagan Similkameen – Bylaw 2065 (2001)
Noxious Weed Control (Enforcement Regulation) bylaw	Authorizes the Regional District under the Municipal Act to bill or tax for the control of noxious weeds on private lands.		Regional District		Regional District of the Central Okanagan Bylaw 179 (+ Amendments) Regional District of Kootenay Boundary Bylaw 166 (w/ Bylaw 391 to establish the service area for weed control) Regional District of East Kootenay Bylaw 1617(2002)
Weed Committee Establishment bylaw	Establishes a committee under the authority of the BC Weed Control Act to manage the weed control service and to which the Regional District board will delegate certain administrative powers. Committee supervises the operation of the weed control service, contract supervision, fund expenditure and annual reporting.	Multi-party board established as outlined in the Weed Act, RDEK has chosen to extend the list of members to include private sector interests.	Regional District		Regional District of the East Kootenay Bylaw 1630
Weed Control (Regulation) bylaw	Authorizes the City under the Local Government Act to charge or tax for the control of noxious weeds on private property.		Municipality		City of Chilliwack – Bylaw 2801 District of Oak Bay – Bylaw 3938 Regional District of Comox -Strathcona Bylaw 2347

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Noxious Weed Control bylaw (1995) - variation	Requires owners or occupiers of real property to not allow any noxious weeds to grow on that property. Also allows a designated weed control inspector to enter any real property for enforcement, which entails a penalty upon conviction for breach of bylaw of a fine no greater than \$2000.	Appoints inspector to carryout enforcement	PRRD		Peace River Regional District (PRRD) Bylaw 992 Schedule A: 18 defined noxious weed species
Ticket Information bylaw (1995)	Designate job positions that may enforce PRRD bylaw 992, and designate a fine of \$75 for the offence of "allowing noxious weeds".		PRRD		Peace River Regional District (PRRD) Bylaw 993 Schedule A: designated enforcement officers Schedule B: offence fine \$75
Boulevard and Lane Maintenance bylaw	Authorizes the City under the Community Charter to require owners of real property to maintain boulevards and lanes adjacent to boulevards through the removal of noxious weeds.		Municipality		City of Vernon - Bylaw 4856 City of Coquitlam – Bylaw 3214
Unsightly Premises (Regulation) bylaw Property Maintenance bylaw Community Improvement bylaw	Owners of real property shall keep their property clear of brush and noxious weeds. Authorizes the City or Regional District under the Municipal Act to tax for the function of weed control on private property.		Municipality		Regional District of Kitimat-Stikine – Bylaw 373 for electoral areas C and E City of Coquitlam - Bylaw 3213 City of Richmond - Bylaw 7162 City of Kamloops - Bylaw 24-37 City of Catlegar - Bylaw 554 City of Courtenay - Bylaw 1798 City of Parksville - Bylaw 1043 District of Campbell River - Bylaw 2150 District of North Cowichan – Bylaw 2590 District of Pit Meadows – Bylaw 1400 District of Ucluelet – Bylaw 969 Town of Fort Nelson – Bylaw 614 Town of Lake Cowichan - Bylaw 727 Town of View Royal - Bylaw 512

First Nations

Title	Purpose	Comments	Lead Agency	Last Revision	Reference
Band Bylaws					
Indian Act (c. i-5, s. 66(3)), (s. 72), (s. 81 (j))	<p>The Minister may authorize the expenditure of revenue moneys of the band for (a) the destruction of noxious weeds and the prevention of the spreading or prevalence of insects, pests or diseases that may destroy or injure vegetation on Indian reserves.</p> <p>The governor in Council may make regulations for (a) the destruction of noxious weeds and the prevention of the spreading or prevalence of insects, pests or diseases that may destroy or injure vegetation on Indian reserves.</p> <p>The council of a band may make by-laws not inconsistent with this Act or with any regulation made by the Governor in Council or the Minister, for (j) the destruction and control of noxious weeds.</p>	<p>This transfers the function of weed control to band administration, the cost of which will be allocated out of the council budget. The Federal Cabinet may make weed control regulations for reserve lands, based on which the band may enact bylaws.</p>	INAC		http://laws.justice.gc.ca/en/i-5/74814.html scroll to section 66, 72, and 81 on this page.
Westbank First Nation Bylaw No. 2005-02 Noxious Weeds and Grass Law	<p>On April 1, 2005 the Westbank FN Self-Government Acct came into force, and their band bylaws became Westbank Laws under self-government. Bylaw No. 2005-02 repealed the previous Noxious Weeds Bylaw No. 1968-04, and allows the Westbank First Nation to bill or tax for the control of noxious weeds on Westbank First Nation lands with registered owners. Also allows a WFN Law Enforcement Officer to deliver notice to control weeds.</p>	<p>Appears to be the only FN that has taken the initiative to develop a weed control law.</p>	Westbank First Nation	April 2005	http://wfn.ca/bylaws/pdf_030405/02_20050302162017.pdf

Agencies involved in Invasive Plant Management:

Level of Jurisdiction	Name of Agency	Responsibility
International	WTO – SPS Committee	
	UN Environment Program (UNEP)	
	ICPM	
	GISP	
	IUCN	
	ICAO	
	NAFTA – Committee on San/Phyto Measures	
Federal	CFIA	
	AAFC	
	EC	
	DFO	
	MOH – Pest Management Regulatory Agency	
	CWService	
	NRC's Canadian Forest Service	
	Parks Canada Agency	
	Canadian Border Services Agency	
	INAC	
Provincial	MOE	
	MAL	
	MOT	

	MOFR	
	MEM	
	MOH – Health Authorities	
	Regional Pesticide Review Committee (RPRC)	Reps from MAFF, WLAP, MOF, MOH, EC. Responsible for reviewing and commenting on draft PMPs to ensure that treatment proposals will not cause unreasonable adverse effects to the environment or human health.
Other	Local governments – weed control	
	Regional Districts	
	Municipalities	

DRAFT