



ORDER OF THE EXECUTIVE

Re: Access to Old Campground for Remediation

Enacted under the Emergency Preparedness Act section 3.4

TNO 18/2021

BACKGROUND:

- A. Effective April 15, 2021, pursuant to section 2.4(a) of the Emergency Preparedness Act, the *h̓aʔwíl* extended the state of emergency declared on March 30, 2020 on all Toquaht lands because of the novel coronavirus (COVID-19) pandemic; and
- B. Section 3.4 of the Emergency Preparedness Act provides that while a Toquaht emergency declaration is in effect, the Executive may do all acts and implement all procedures that it considers necessary or advisable to prevent, respond to or alleviate the effects of an emergency, health hazard or disaster.

NOW THEREFORE THE EXECUTIVE ORDERS AS FOLLOWS:

- 1) Effective as of the date of this Order and in accordance with section 3.4(a) of the Emergency Preparedness Act, the following response measures are ordered:
 - a. **CONTRACTORS AND EMPLOYEES OF THE GOVERNMENT OF BRITISH COLUMBIA AND THOSE PERSONS DELIVERING OR REMOVING EQUIPMENT AND MATERIALS** (screened and approved by the director of operations) necessary or desirable to carry out environmental remediation work on Toquaht lands identified as “Subject Lands” in Appendix B – 3, Part 4, Plan 2 at page 79 of the Appendices to the Maa-nulth Treaty (the “Old Campground”) will be allowed to enter Toquaht lands to travel directly to and from the Old Campground in accordance with
 - i. the “COVID-19 – Standardized Protocols for All Canadian Construction Sites” published by the Canadian Construction Association dated April 16, 2020, as amended from time to time, considered by the Executive on May 21, 2020;
 - ii. as directed by the Province of British Columbia’s COVID-19 safety guidelines, including WorkSafeBC, and The Vancouver Island Construction Association; and
 - iii. with minimal contact with other individuals on Toquaht lands; and
 - b. **ALL PERSONS** allowed on Toquaht lands under this Order must adhere to and abide by the most current orders, directives, protocols and guidelines issued by the Province of British Columbia or British Columbia’s Centre for Disease Control with respect to COVID-19 response measures.

- 2) Failure to comply with this Order is an offence under section 4.2 of the Emergency Preparedness Act and any person committing an offence is liable, on summary conviction, to a fine not exceeding \$10,000 or imprisonment for a term not exceeding six months.
- 3) This Order continues until the earlier of the following dates:
 - a. the date it is terminated by subsequent Order of the Executive;
 - b. the date on which the emergency declaration made March 30, 2020 under section 2.4(a) of the Emergency Preparedness Act expires or is cancelled; and
 - c. if there is an extension of the emergency declaration under section 2.4(a) of the Emergency Preparedness Act, the date on which the last extension of that declaration expires or is cancelled.

This Order enacted on April 20, 2021



Signed

Anne Mack, ᓱᓗᓯᓄᓐ of the Toquaht Nation

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS

ON 2021/04/22



Signature of Law Clerk