

NISGA'A HIGHWAY CONSTRUCTION ACT

NISGA'A LISIMS GOVERNMENT

WILP SI'AYUUKHL NISGA'A

NISGA'A HIGHWAY CONSTRUCTION ACT

Wilp Si'ayuukhl Nisga'a enacted this law on April 25/01

signed this law on April 25/01

DA Joseph [Signature]

REGISTRY OF NISGA'A LAWS

This cover and the following 5

pages are a certified true copy of NISGA'A Highway Construction Act

the original of which is deposited in the Registry of Nisga'a Laws as document REG 2001/7

Date 6/3/03 Signed [Signature]

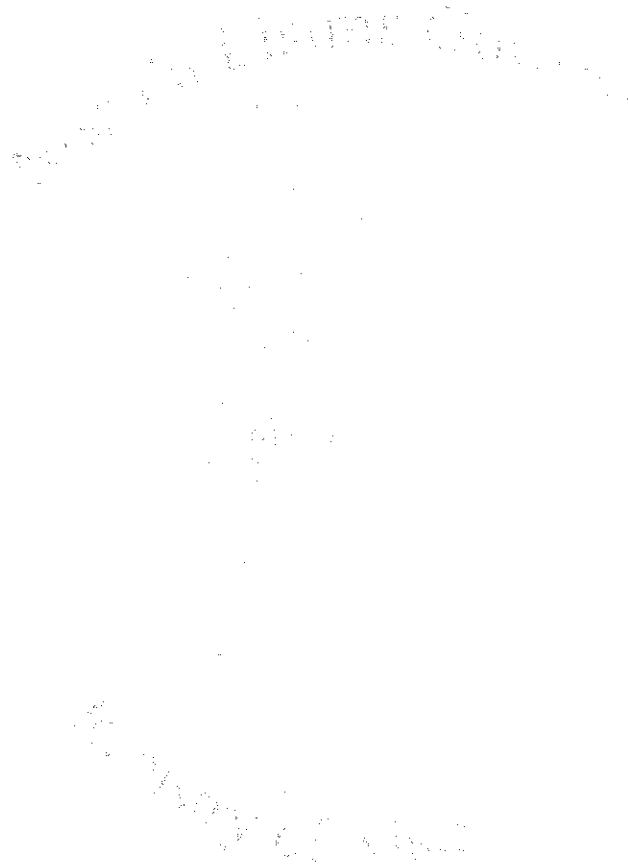
REGISTRY OF NISGA'A LAWS
STATEMENT OF CERTIFICATION

This is a certified true copy of NISGA'A Highway Construction Act, if

the cover bears the seal of The Registry of Nisga'a Laws, and the signature of the Law Officer in blue ink, and

the cover bears the seal of The Registry of Nisga'a Laws in blue ink.

NISGA'A HIGHWAY CONSTRUCTION ACT



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TABLE OF CONTENTS

1. Definitions	5
2. Authorizations and approvals	5
3. Delegation	6
4. Regulations	6

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NISGA'A HIGHWAY CONSTRUCTION ACT

Definitions

1. In this Act,

“gravel management plan” means a written description of the development, use, and closure of a gravel materials pit, that contains information such as its location, size, and extent, access roads, soil and gravel materials descriptions, topographical and geotechnical mapping, development plans, anticipated volumes of gravel materials extracted per time period, reporting, and reclamation;

“gravel materials” means gravel, rock, and random borrow materials used in highway construction;

“Nisga'a Highway” means the following:

- (a) the British Columbia Highway existing on the effective date connecting Highway 16, New Aiyansh, Nass Camp, Gitwinksihlkw, and Laxgalt'sap, and
- (b) the portion of the route for the proposed highway from Nass Camp to Highway 37 that is within Nisga'a Lands, and the route for the proposed highway from Laxgalt'sap to Gingolx;

“Nisga'a Highway corridor” means the area of land on which the Nisga'a Highway is located, as determined in paragraphs 9 and 10 of the Roads and Rights of Way Chapter of the Nisga'a Treaty and as described in Schedule A of the Roads and Rights of Way Chapter.

Authorizations and approvals

2. The executive may, on behalf of the Nisga'a Nation and in accordance with the Roads and Rights of Way Chapter of the Nisga'a Treaty,

- (a) authorize British Columbia to use or occupy Nisga'a Lands,

NISGA'A HIGHWAY CONSTRUCTION ACT

- (b) request British Columbia to relocate any portion of the Nisga'a Highway corridor within Nisga'a Lands,
- (c) approve survey plans of the Nisga'a Highway corridor within Nisga'a Lands,
- (d) approve work plans delivered by British Columbia relating to Nisga'a Lands, and
- (e) approve gravel management plans and written exploration plans prepared by British Columbia relating to Nisga'a Lands

to facilitate the construction and maintenance of the Nisga'a Highway.

Delegation

3. The executive may delegate all or any part of its powers under section 2 to the Director of Lands and Resources.

Regulations

1. The executive may make regulations it considers necessary or advisable for carrying out the purposes of this Act.