



ORDER OF THE EXECUTIVE

Re: Access to Secret Beach

Enacted under the Emergency Preparedness Act section 3.4

TNO 25/2021

BACKGROUND:

- A. Effective May 27, 2021, pursuant to section 2.4(a) of the Emergency Preparedness Act, the ɥaʔwił 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. **MAINTENANCE WORKERS AND EQUIPMENT AND DELIVERIES OF MATERIALS** (screened and approved by the director of business operations) will be allowed to enter Toquaht lands to travel directly to and from that parcel of land legally described as Block D, District Lot 2219 and 2220, Section 15 and 16 Clayoquot District PID 400-060-004 and locally described as the Secret Beach Marina and Campground near Macoah, BC 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 June 2, 2021

Signed 

Anne Mack, ḥaʔwił of the Toquaht Nation

DEPOSITED IN THE
REGISTRY OF LAWS AND
OFFICIAL RECORDS

ON 2021/06/02


Signature of Law Clerk