



ALBERTA

ENVIRONMENT AND SUSTAINABLE RESOURCE DEVELOPMENT

*Office of the Minister
MLA, Calgary-Klein*

ENVIRONMENT AND SUSTAINABLE RESOURCE DEVELOPMENT

Provincial Parks Act
RSA 2000, Chapter P-35

MINISTERIAL ORDER
14/2014

I, Kyle Fawcett, Minister of Environment and Sustainable Resource Development, pursuant to Section 13(1)(b.1) of the *Provincial Parks Act*, RSA 2000, Chapter P-35, hereby make the order in the attached Appendix, being the Provincial Parks Fees Order 2015-1.

Ministerial Order 11/10 signed by the Minister of Tourism, Parks and Recreation is repealed.

DATED at the City of Edmonton, in the Province of Alberta, this 12th day of February, 2015.

Kyle Fawcett
Minister



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*Office of the Minister
MLA, West Yellowhead*

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DATED at the City of Edmonton, in the Province of Alberta, this ____ day of _____, 2015.

APPROVED AS TO FORM


Environmental Law Section
Alberta Justice

Aurelia J Nicholls
Barrister & Solicitor

Kyle Fawcett
Minister

Provincial Parks Act

FEES ORDER

2015 – 1

Table of Contents

- 1 Interpretation
- 2 Federal Goods and Services Tax
- 3 Written directives
- 4 Provision for different or new fees
- 5 Fees established under previous regulations, ministerial orders and agreements
- 6 Separate fees for utilities, etc.

Part 1 Disposition Fees

- 7 Bonus amount on tender
- 8 Disposition fees generally
- 9 Fees not specifically provided for
- 10 Fees for existing agreements on lands acquired for parks purposes
- 11 Fees for dispositions granted to a municipality
- 12 Hay disposition
- 13 Grazing disposition
- 14 Disposition for a summer cottage lot
- 15 Mineral surface disposition
- 16 Exploration application
- 17 Pipeline disposition
- 18 Utilities disposition
- 19 Miscellaneous permit
- 20 Miscellaneous lease
- 21 Licence of occupation
- 22 Easement or right-of-way
- 23 Assignment of disposition
- 24 Amendment, replacement or renewal of a disposition
- 25 Disposition inspection
- 26 Reclamation inspection and certificate

Part 2 Recreation Service Fees

- 27 GST and firewood charge
- 28 Fee range generally
- 29 Fee range for permit
- 30 Fees for hook-ups, showers and corrals
- 31 Camping vouchers
- 32 Waiver of fees
- 33 Fee discounts
- 34 Fees for guide and instruction permits
- 35 Reservations
- 36 Special events

Interpretation

1(1) In this Order,

- (a) “Act” means the *Provincial Parks Act*;
- (b) “fee range” means the scale that exists between a specified minimum amount and a specified maximum amount of a fee that may be charged;
- (c) “mentally disabled group” means people in a camp program under the leadership of the Canadian Mental Health Association or a similar association approved by the Minister;
- (d) “municipality” means a municipality as defined in the *Municipal Government Act*.
- (e) “night” means, with respect to a permit that authorizes an activity for one or more nights, a period of time expiring at 2:00 p.m. on the expiry date of the permit, unless otherwise specified in the permit;
- (f) “seniors group” means a group in which membership is restricted to persons who are 65 years of age or older and their spouses or adult interdependent partners;
- (g) “student group” means students from an elementary, junior high or high school with their teachers and supervisors;
- (h) “written directive” means the directive approved by the Deputy Minister specifying fees that are to be set by written directive under this Order and/or providing further direction on how fees are to be determined, calculated or applied and/or providing any other direction regarding the payment of fees and related administrative procedures.
- (i) “youth organization” means a group of people who are
 - (i) under the age of 18 years,
 - (ii) members of a registered non-profit organization,
 - (iii) involved in an environmental education or outdoor recreation activity that is organized by that organization, and
 - (iv) accompanied on that activity by adult leaders of that organization.

(2) Words defined in the *Provincial Parks (General) Regulation* or the *Provincial Parks (Dispositions) Regulation* have the same meaning in this Order.

Federal Goods and Services Tax

2 The fees specified in this Order are exclusive of the federal goods and services tax except where specifically stated to be inclusive.

Written directives

3 Subject to section 4, where a fee under this Order is to be specified by written directive, the Deputy Minister shall bring the fee to the notice of those likely to be affected by it by whatever means the Deputy Minister considers appropriate.

Provision for different or new fees

4(1) A written agreement under the Act or a written directive may provide for different fees than are specified in this Order or fees that are not specified in this Order at all in respect of the subject-matter of the agreement or directive.

Fees established under previous regulations, ministerial orders and agreements

5(1) All directives and written agreements purporting to be made under the *Fees Regulation* (AR 301/83), before its repeal, and all fees charged thereunder are validated.

(2) All directives and written agreements purporting to be made under all previous *Fees Orders* and all fees charged thereunder are validated.

Separate fees for utilities, etc.

6(1) Separate fees may be charged in respect of the provision of water, sewer, garbage collection, other utilities and other similar services provided by the Minister in a park or recreation area, and services that are incidental to such services, at the rates set by the Minister.

(2) Without limiting subsection (1), the fees set under that subsection may be different for different kinds of consumers and for different locations.

**Part 1
Disposition Fees**

Bonus amount on tender

7 In addition to the fees otherwise payable under this Order, where a disposition is granted by public tender pursuant to section 5 of the *Provincial Parks (Dispositions) Regulation*, any bonus amount that is bid by the person submitting the tender will be accepted as an additional fee for the disposition.

Disposition fees generally

8 The fees referred to in sections 9 to 26 are the fees that must be paid in respect of dispositions granted under the Act.

Fees not specifically provided for

- 9 The fee payable in respect of any disposition entered into or issued under the Act for which no fee is specified in this Order is the fee specified by written directive, which fee must not be less than the fee for a comparable disposition under the *Public Lands Act*.

Fees for existing agreements on lands acquired for parks purposes

- 10 Where private lands are purchased or otherwise acquired for park purposes and have existing surface access or land use agreements that are being continued or replaced by dispositions or agreements under the Act and, if the fees, rent or other payments under that agreement are greater than the fees that would be payable for that activity under this Order, then that higher fee will continue to apply under the new disposition or agreement in place of the fee provided for under this Order.

Fees for dispositions granted to a municipality

- 11 Where an easement or licence of occupation is granted to a municipality for municipal water, sewage or municipal road right-of-way purposes, no fee will be assessed to the municipality in relation to the easement or right-of-way.

Hay disposition

- 12 The fees payable in respect of a hay disposition are
- (a) an application fee of \$25, and
 - (b) \$15 for each ton of hay harvested.

Grazing disposition

13(1) The fees payable in respect of a grazing disposition are the amounts specified by written directive.

(2) In specifying fees under subsection (1), the written directive may, without limiting that subsection,

- (a) set a standard fee per animal unit per month that applies
 - (i) to all grazing dispositions in all provincial parks and recreation areas, or
 - (ii) to all grazing dispositions in provincial parks and recreation areas in a geographical area specified,

or

- (b) set a fee per animal unit per month for each such disposition,
- and
- (c) require that an additional fee be paid by disposition holders for range management services provided by the Minister related to the grazing activity.

(3) For the purposes of this section

- (a) a cow with or without a calf at foot is 1 animal unit,
- (b) a bull is 1 1/2 animal units,

- (c) a horse is 1 1/2 animal units, and
- (d) a yearling, a heifer or a steer is 2/3 of an animal unit.

Disposition for a summer cottage lot

14 The fees payable in respect of a disposition for a summer cottage lot are:

- (a) An application fee of \$50,
- (b) The annual fees specified for a cottage lot in the following parks:

Beauvais Lake Provincial Park	\$600
Crimson Lake Provincial Park	\$600
Dillberry Lake Provincial Park	\$600
Gooseberry Lake Provincial Park	\$600
Kinbrook Island Provincial Park	\$600
Winagami Lake Provincial Park	\$600
Cypress Hills Provincial Park – Elkwater Townsite	\$700
If applicable, for each additional full acre or part of an acre after the first full acre of any of the cottage lots referred to above	\$200
Additional fee per frontal foot for waterfront lots.	\$4

- (c) The annual fee for a cottage lot or an RV lot in the Castleview subdivision in the Oldman Dam Provincial Recreation Area is \$700.

Mineral surface disposition

15 The fees payable in respect of a mineral surface disposition are

- (a) an application fee of \$200,
- (b) a one-time new disposition fee of \$1,500 payable on the initial issue of the disposition,
- (c) a timber damage charge, based on the estimated value of the timber that is removed from the land for the purposes of the disposition, and
- (d) an annual rental fee of \$1,500 for each acre or part of an acre covered by the disposition.

Exploration application

16 The fees payable in respect of an application to conduct a seismic program or any other exploration activity in a park or recreation area, with amendments if applicable, are

- (a) an application fee of \$375, and
- (b) an additional fee of \$175 for each amendment made to an application after the initial application is submitted.

Pipeline disposition

17 The fees payable in respect of a pipeline disposition are

- (a) an application fee of \$200,
- (b) an installation fee of
 - (i) \$1,500 per acre or part of an acre in the case of the first pipeline, and
 - (ii) \$500 per acre or part of an acre in the case of any additional pipeline,and
- (c) a timber damage charge based on the estimated value of the timber that is removed from the land for the purposes of the disposition.

Utilities disposition

18(1) The fees payable in respect of a utilities disposition are

- (a) an application fee of \$50, and
 - (b) an annual rental fee in an amount, not to be less than \$50 per acre or part of an acre.
- (2)** Subsection (1) does not apply to a rural electrification association.

Miscellaneous permit

19 The fees payable in respect of a miscellaneous permit are

- (a) an application fee of \$50, and
- (b) an annual rental fee equal to 1/2 of what would be payable as an annual fee under section 20 if the disposition were a miscellaneous lease.

Miscellaneous lease

20(1) The fees payable in respect of a miscellaneous lease of land or, if applicable, of buildings and improvements without land are

- (a) an application fee of \$50, and
- (b) an annual fee of

- (i) 10% of the market value of the land for the first acre or part of an acre and 6% of the market value for the remaining area, where the lease is for residential purposes,
- (ii) 10% of the market value of the land on which improvements are located and 6% of the market value of the remaining land where the lease is for commercial purposes,
- (iii) 6% of the market value of buildings and improvements where the lease does not include land, or
- (iv) notwithstanding subclauses (i), (ii) and (iii), 1% of the market value of the land where the lease is to a non-profit organization.

(2) For the purposes of subsection (1) (b), the market value of the land may be determined, at the Minister's option,

- (a) by reference to the valuation assessed by the relevant municipality for property tax purposes, or
- (b) by an appraisal, or
- (c) by some other determination of market value effected by or on behalf of the Minister.

(3) The annual fee for a miscellaneous lease for a commercial telecommunications tower site shall be market value of the land and the value of the opportunity to operate a tower at that location, determined in consultation with Alberta Infrastructure.

Licence of occupation

21(1) The fees payable in respect of a licence of occupation are

- (a) an application fee of \$50,
- (b) an annual base fee of not less than \$25, and
- (c) an additional annual fee calculated in accordance with the following:

Drainage or Irrigation Ditch - per acre or part of an acre	\$50
Commercial Pier -- per pier	\$100
Non-commercial Pier -- per pier	\$50
Roadway -- not exceeding 15 metres wide -- per kilometre or portion thereof	\$10
Roadway -- more the 15 metres wide but not exceeding 18 metres wide -- per kilometre or portion thereof	\$15
Roadway -- more than 18 metres wide	\$20
Waste disposal site - per acre or portion thereof	\$1,500
Water intake site -- per site	\$50

Commercial water line – per acre or portion thereof for the first pipeline	\$150
for any additional pipeline	\$50
Non-commercial water line	Same fees as for a roadway
Commercial water well – per acre or portion thereof	\$1,500
Non-commercial water well – per acre or portion thereof	\$25

(2) A timber damage charge will be assessed based on the estimated value of the timber that is removed from the land for the construction of a roadway, water line or waste disposal site.

(3) The fees payable in respect of a licence of occupation for a trapper's cabin in a park or recreation area are

- (a) an application fee of \$25, and
- (b) an annual land use fee of \$25, unless the Minister has waived the annual fee.

Easement or right-of-way

22 The fees payable in respect of an easement or right-of-way where the use is other than a public use are

- (a) an application fee of \$50, and
- (b) an annual fee of \$25 per acre or portion thereof.

Assignment of disposition

23 The fees payable for assignments of dispositions are as follows:

Disposition Type	Assignment Fee
Grazing Disposition	Assignment to a son or daughter, a fee in an amount equal to the annual rental, or a proportionate amount where less than the entire disposition is assigned, and Assignment to a person other than a son or daughter, a fee in an amount equal to twice the annual rental, or a proportionate amount where less than the entire disposition is assigned;

Pipeline Disposition	\$250 plus an additional \$25 for each quarter section or part of a quarter section to which the assigned disposition relates;
Mineral Surface Lease	\$100;
Assignment for Estate Distribution Purposes	\$50
Any other Disposition	\$50

Amendment, replacement or renewal of a disposition

24 The fee payable in respect of a replacement, renewal or amendment to any disposition or an amendment to any application for a disposition for which an amendment fee has not otherwise been specified in this Order is \$50.

Disposition inspection

25 If any deficiency is noted during a first inspection of a disposition and the deficiency is such that one or more subsequent inspections is or are required to ensure the deficiency has been corrected, the fee for each such subsequent inspection related to the deficiency is \$250.

Reclamation inspection and certificate

26 The fee in respect of a reclamation inspection and the issue of a reclamation certificate is \$300.

Part 2 Recreation Service Fees

GST and other charges

27 Any fee or fee range specified in this Part is

- (a) inclusive of the federal goods and services tax, and
- (b) exclusive of fees under section 30.

Fee range generally

28 Whether a park or recreation area or facility in a park or recreation area is wholly or partially operated, maintained or provided by the Minister or by a person who has entered into an agreement with the Minister, the Minister or that person may charge recreation service fees only within the fee range specified in this Part.

Fee range for permit

29 The fee range for a permit

- (a) to use a group area for day use is \$50 to \$88 per day,
- (b) to camp in a group area per night is the fee established by written directive,
- (c) to occupy a campsite in a campground other than a back-country campground is \$5 to \$26 per night, and
- (d) to occupy a campsite in a back-country campground is \$12 per night for each person who is 16 years of age or older.

Fees for hook-ups, showers, firewood and corrals

30 The fee for the provision of services at a campsite or group area of

- (a) electrical hook-up is \$7 per night per camping accommodation unit,
- (b) pressurized water hook-up, sewer hook-up or showers that are not coin operated is \$6 per service per night per camping accommodation unit,
- (c) firewood is specified by written directive, and
- (d) the use of horse corrals is \$6 per night per animal.

Camping vouchers

31 Complimentary camping vouchers may be issued in accordance with the conditions and procedures specified by written directive.

Waiver of fees

32 Any applicable fee under Part 2 may be waived if a person

- (a) is, without receiving remuneration, engaged in an approved program to enhance public awareness of a social, natural heritage or environmental issue, or
- (b) is a volunteer performing duties related to the operation or benefit of a park or recreation area.

Fee discounts

33 Mentally disabled groups, seniors groups, student groups and youth organizations are entitled to a discount of not less than 50% of the regular camping fee portion charged for the use of any group area from Monday to Thursday, except on a statutory holiday.

Fees for guide and instruction permits

34 The fees for guiding and instructing permits are the fees set by written directive which may

- (a) provide for fees in respect of permits authorizing persons to act as guides or to conduct courses of paid instruction in outdoor activities in parks and recreation areas, and

- (b) for that purpose, classify such permits and provide for different fees for different classes.

Reservations

- 35** Reservation fees and related administrative fees may be established by written directive.

Special events

- 36** The fees for special events in parks and recreation areas are the fees specified by written directive.