



ALBERTA

ENVIRONMENT AND PARKS

*Office of the Minister*

*Government House Leader*

*MLA, Rimbey-Rocky Mountain House-Sundre*

**ENVIRONMENT AND PARKS**

*Provincial Parks Act*

RSA 2000, c. P-35

*Public Lands Act*

RSA 2000, c. P-40

Public Lands Administration Regulation

AR 187/2011

**MINISTERIAL ORDER**

74/2021

**KANANASKIS CONSERVATION PASS**

I, Jason Nixon, Minister of Environment and Parks, pursuant to section 13 of the *Provincial Parks Act* and section 43.1 of the *Provincial Parks (General) Regulation*, and section 9.1(1)(a)(i.1) of the *Public Lands Act* and section 33.1 of the *Public Lands Administration Regulation*, make the order in the attached Appendix, together being the Kananaskis Conservation Pass Order.

Ministerial Order 51/2021 is repealed.

DATED at the City of Edmonton, in the Province of Alberta, this 9 day of Dec, 2021

Jason Nixon  
Minister

## APPENDIX

### Kananaskis Conservation Pass Order

#### Part 1 – Interpretation

1. In this Order, the following terms have the following meanings:
  - a. **“Conservation Pass”** means a valid and subsisting pass issued in accordance with
    - i. Ministerial Order 51/2021 prior to its repeal; or
    - ii. Part 2 of this Ministerial Order;
  - b. **“Department”** means Alberta Environment and Parks;
  - c. **“emergency vehicle”** has the meaning set out in the *Traffic Safety Act*;
  - d. **“Exemption Officer”** means an employee of the Department holding one of the positions listed below, including a person who is duly authorized to act for a person holding one of these positions:
    - i. Lands Director;
    - ii. Parks Director; or
    - iii. Kananaskis Conservation Pass Coordinator.
  - e. **“large commercial vehicle”** means a commercial vehicle as defined in the *Traffic Safety Act* with a passenger capacity for 16 or more;
  - f. **“KID”** mean Kananaskis Improvement District;
  - g. **“park”** when used in relation to a vehicle means allowing a vehicle to remain stationary except
    - i. while actually engaged in loading or unloading passengers, or
    - ii. when complying with direction given by a peace officer or traffic control device;
  - h. **“Pass Area”** means the area prescribed under Part 4;
  - i. **“Pass Officer”** means a person who is
    - i. a park administrative officer, as defined in the *Provincial Parks Act*; or
    - ii. an officer as defined in the *Public Lands Act*;
  - j. **“Pass Portal”** means the system used by the Department to administer the Conservation Pass, including exemptions;

- k. **“private vehicle”** means a vehicle that is a private passenger vehicle as defined in the *Traffic Safety Act*;
  - l. **“Provincial Park”** means
    - i. a park or recreation area, as those terms are defined in the *Provincial Parks Act*, and
    - ii. any road, including the road’s right of way or undeveloped road allowance, that passes through but does not form part of a Provincial Park and is bordered, either continuously or discontinuously, on both sides by land that forms part of a Provincial Park;
  - m. **“small commercial vehicle”** means a commercial vehicle as defined in the *Traffic Safety Act* having a passenger capacity for 15 or fewer; and
  - n. **“vehicle”** means a motor vehicle as defined in the *Traffic Safety Act*.
2. This Order applies to the following lands within the Pass Area:
- a. public lands administered by the Minister under section 2 of the *Public Lands Act*, including
    - i. vacant public land,
    - ii. public land use zones,
    - iii. public land recreation areas, and
    - iv. public lands that are under disposition, and
  - b. Provincial Parks,
- but does not include lands subject to the *Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act*.

## **Part 2 – The Conservation Pass**

3. Subject to Part 3, a person must not park a vehicle in the Pass Area unless:
- a. they have obtained a Conservation Pass by 11:59 p.m. on the date of their visit, and
  - b. the vehicle’s license plate number has been registered with the Pass Portal.
4. Unless otherwise specified in this Order, the requirements to obtain a Conservation Pass and register the vehicle’s license plate are in addition to any other applicable requirement or obligation relating to entry into and use and occupation of the lands within the Pass Area, including
- a. in the case of public lands, any requirement or obligation under the *Public Lands*

*Act*, the Public Lands Administration Regulation and the Recreational Access Regulation, including any other Orders made under any of them; and

- b. in the case of Provincial Parks, any requirements or obligations under the *Provincial Parks Act*, the Provincial Parks (General) Regulation or the Provincial Parks (Dispositions) Regulation, including any other Orders made under any of them.
5. In order to obtain a Conservation Pass, a person must acknowledge they willingly accept the risks associated with parking a vehicle within the Pass Area.
6. A Pass Officer may revoke a Conservation Pass if the holder fails to comply with
  - a. the *Public Lands Act*, the Public Lands Administration Regulation, the *Provincial Parks Act* or the Provincial Parks (General) Regulation, as applicable,
  - b. this Order, or
  - c. any terms and conditions set out in the Conservation Pass.
7. A Conservation Pass is valid for the period commencing at 12:00 am of the date selected at the time the Conservation Pass is issued and continuing until:
  - a. for an annual Conservation Pass, 11:59 pm on the same date in the following calendar year; and
  - b. for a daily Conservation Pass, 11:59 pm on that day.
8. The fees for the Conservation Pass are prescribed as follows:
  - a. for private vehicles:
    - i. for an annual pass, \$90.00 per vehicle; and
    - ii. for a daily pass, \$15.00 per vehicle.
  - b. for small commercial vehicles:
    - i. for an annual pass, \$135.00 per vehicle; and
    - ii. for a daily pass, \$22.50 per vehicle.
  - c. for large commercial vehicles
    - i. for an annual pass, \$180.00 per vehicle; and
    - ii. for a daily pass, \$30.00 per vehicle.
9. The Minister may, from time to time, by notice published on the Conservation Pass website maintained by the Department, vary the fees in section 9 of this Order for any class of persons or for any period of time.

10. Any fee prescribed in this Part is not inclusive of federal GST.
11. The holder of a Conservation Pass for a commercial vehicle must display the Conservation Pass in a conspicuous place in their vehicle while parked in the Pass Area.

### **Part 3 – Persons Not Requiring the Conservation Pass**

12. A person parking one of the following types of vehicles is exempt from the requirements in section 3:
  - a. a vehicle owned by the Government of Canada;
  - b. a vehicle owned by KID;
  - c. an emergency vehicle; and
  - d. a vehicle used to provide public transportation services operated by or on behalf of a municipality.
13. A person exempt from the requirement to obtain an activity pass under section 33.1(2)(a) of the Public Lands Administration Regulation:
  - a. is exempt from the requirement to obtain a Conservation Pass for any lands within the Pass Area,
  - b. must, if requested by an Exemption Officer, provide documentation or other evidence satisfactory to the Exemption Officer of that person's exemption, and
  - c. is to provide the license plate number of any vehicle to be used in the Pass Areas to the Department for registration of the vehicle in the Pass Portal.
14. A person parking a vehicle falling into one or more of the categories set out in section 15 may be exempt from the requirement to obtain a Conservation Pass under section 3.a if at the time the person parks that vehicle
  - a. the vehicle is being used for the purposes for which the exemption has been granted under section 15, and
  - b. the exemption is approved by an Exemption Officer.
15. The categories of vehicles that may provide a person an exemption under section 14 are the following:
  - a. A vehicle owned by a person living in the Pass Area who meets the "Need To Reside Policy within Kananaskis County and Kananaskis Improvement District" dated February 13, 2006, as may be amended or replaced.
  - b. A private vehicle used by a Government of Alberta or KID employee required to use their personal vehicle to perform their work duties.
  - c. A vehicle used by a person carrying out duties as an agent or contractor of the

Government of Alberta or KID, while carrying out duties.

- d. A vehicle used to carry out duties on behalf of the Department under a Facility Operating Agreement.
  - e. A vehicle used to conduct activities authorized under
    - i. a formal disposition or approval issued under the *Public Lands Act*;
    - ii. authorizations issued under *Public Lands Act*, except access permits unless issued for guiding or instructing;
    - iii. a disposition issued under the *Provincial Parks Act*;
    - iv. a permit issued for guiding and instructional activities, including a commercial trail riding permit, issued under the *Provincial Parks Act*;
    - v. a permit issued for research and collection under the *Provincial Parks Act*;
    - vi. a permit issued under the Forest Reserves Regulation;
    - vii. a timber disposition issued under the *Forests Act*;
    - viii. an exploration approval issued under the Exploration Regulation or the Metallic and Industrial Minerals Exploration Regulation; and
    - ix. a registered fur management license issued under the Wildlife Regulation, while within the associated Registered Fur Management Area.
  - f. A vehicle owned or used by a person who is, or is employed by, an outfitter as defined in the Wildlife Regulation, while that person is acting as an outfitter.
  - g. A vehicle owned or used by recipients of Assured Income for Severely Handicapped, Income Support or the Alberta Health Benefits programs.
16. A person requesting an exemption based on one or more of the categories of exemptions set out in section 15 must, as requested by an Exemption Officer,
- a. provide documentation or other evidence satisfactory to the Exemption Officer of that person's exemption, and
  - b. the license plate number for the vehicle to be used in relation to the exemption.
17. When approving an exemption under section 15, an Exemption Officer may
- a. limit the number of vehicles to which the exemption applies,
  - b. determine the time period for the exemption, including a requirement to reapply for the exemption after a specified period, and

- c. add any other terms or conditions to the exemption that the Exemption Officer determines is necessary.

#### **Part 4 – The Pass Area**

- 18. The Pass Area comprises all public lands and Provincial Parks within the boundary labelled as Kananaskis Conservation Pass Boundary on the map in Schedule 1.



# Schedule 1 The Pass Area

