

**REGIONAL DISTRICT OF BULKLEY-NECHAKO****RDBN FORESTRY COMMITTEE
(Committee of the Whole)
Agenda**

Thursday, April 16, 2015

<u>PAGE NO.</u>		<u>ACTION</u>
	<u>Agenda – April 16, 2015</u>	Adopt
	<u>Supplementary Agenda</u>	Receive
	<u>MINUTES</u>	
2-8	Forestry Committee Meeting Minutes - March 12, 2015	Receive
	<u>DELEGATION</u>	
	<u>MINISTRY OF FORESTS, LANDS, AND NATURAL RESOURCE OPERATIONS – BC TIMBER SALES (TENTATIVE)</u>	
9-22	RE: Legislative Changes Support BC Timber Sales Review Recommendations	Receive
	<u>CORRESPONDENCE</u>	
23	Burns Lake Community Forest Ltd. – Public Review Period for the Burns Lake Community Forest Timber Supply Review Data Package – ending April 10, 2015 at 4:00 p.m.	Receive
	<u>SUPPLEMENTARY AGENDA</u>	
	<u>NEW BUSINESS</u>	
	<u>ADJOURNMENT</u>	

REGIONAL DISTRICT OF BULKLEY-NECHAKO**FORESTRY COMMITTEE MEETING**
(Committee of the Whole)**Thursday, March 12, 2015**

PRESENT: Chair Rob MacDougall

Directors Taylor Bachrach
Eileen Benedict
Shane Brienen
Mark Fisher
Tom Greenaway
Dwayne Lindstrom
Bill Miller
Rob Newell
Mark Parker
Jerry Petersen
Darcy Repen
Gerry Thiessen

Directors Absent Thomas Liversidge, Village of Granisle
Luke Strimbold, Village of Burns Lake

Alternate Directors John Illes, Village of Burns Lake
Linda McGuire, Village of Granisle

Staff Gail Chapman, Chief Administrative Officer
Cheryl Anderson, Manager of Administrative Services
Hans Berndorff, Financial Administrator
Wendy Wainwright, Executive Assistant

Other Steven Derksen, Area Manager, Burns Lake, ABC
Communications
Falko Kadenbach, Vice-President, ABC Communications
Josh Pressey, District Manager, Nadina, Ministry of Forests,
Lands and Natural Resource Operations – left at 2:49 p.m.
Jeff Walsh, Forest Protection Assistant, Northwest Fire Centre,
Wildfire Management Branch – left at 2:49 p.m.
Darrell Whelan, Resource Manager, Nadina, Ministry of Forests,
Lands and Natural Resource Operations – left at 2:49 p.m.

CALL TO ORDER

Chair MacDougall called the meeting to order at 2:01 p.m.

AGENDAMoved by Director Bachrach
Seconded by Director Miller**F.C.2015-2-1**"That the Forestry Committee Meeting Agenda of March 12,
2015 be adopted."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

MINUTES

Forestry Committee Meeting
Minutes – January 15, 2015

Moved by Director Petersen
 Seconded by Director Brien

F.C.2015-2-2

“That the Forestry Committee Meeting Minutes of January 15, 2015 be received.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

DELEGATION

MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS Josh Pressey, District Manager, Nadina, Darrell Whelan, Resource Manager, Nadina, Ministry of Forests, Lands and Natural Resource Operations and Jeff Walsh, Forest Protection Assistant, Northwest Fire Centre, Wildfire Management Branch RE: Mid Term Timber

Chair MacDougall welcomed Josh Pressey, District Manager, Darrell Whelan, Resource Manager, Nadina, Ministry of Forests, Lands and Natural Resource Operations and Jeff Walsh, Forest Protection Assistant, Northwest Fire Centre, Wildfire Management Branch.

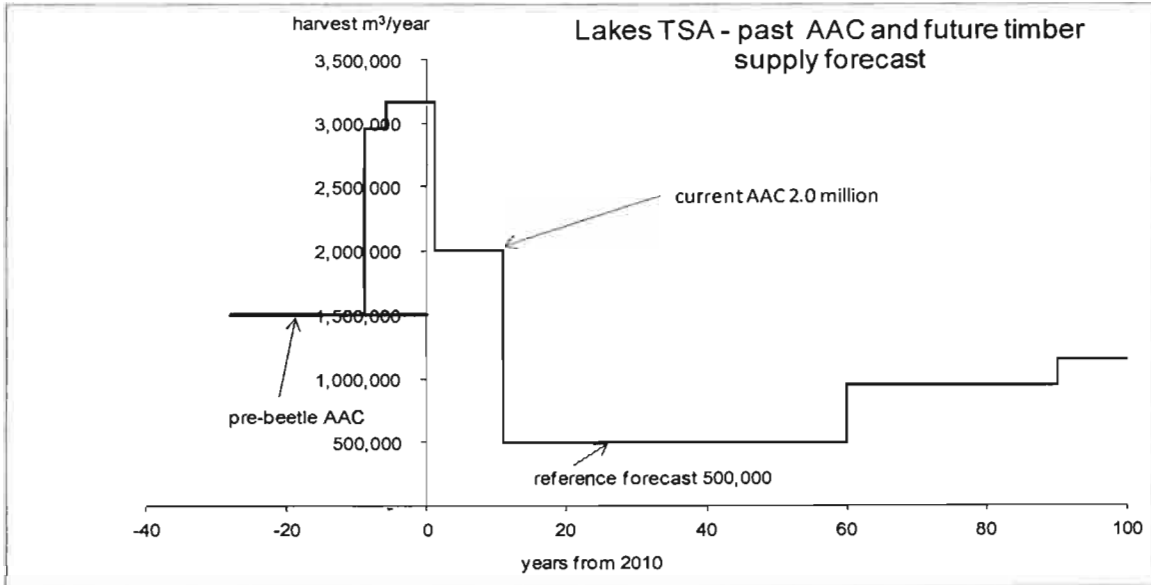
Messrs. Pressey, Whelan and Walsh provided a PowerPoint Presentation.

Ministry of Forests, Lands and Natural Resource Operations (MFLNRO)

Progress Update – Response to Hampton & Special Committee on Timber Supply

Current Status of AAC (Annual Allowable Cut)

Conventional AAC



DELEGATION (CONT'D)

MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS Josh Pressey, District Manager, Nadina, Darrell Whelan, Resource Manager, Nadina, Ministry of Forests, Lands and Natural Resource Operations and Jeff Walsh, Forest Protection Assistant, Northwest Fire Centre, Wildfire Management Branch RE: Mid Term Timber (CONT'D)

Recommendations of Special Committee

- a) Reconvened local planning table, with appropriate membership, evaluate, consider the appropriateness, and make recommendations on non-spatial management of old growth in the TSA (Timber Supply Area).
- b) Alterations to the management of visual quality objectives and other sensitive areas in the Lakes TSA are not recommended for review at this time, unless there is absolute agreement by the reconvened planning table to do so. This holds true for any other elements of the Lakes TSA Land and Resource Management Plan.
- c) Confirm a long-term funding allocation to support a targeted fertilization program in the Lakes TSA.
- d) Complete a type 4 silviculture analysis for the Lakes TSA.
- e) Revise the Minister's letter that expresses the social and economic objectives of the province to emphasize the importance of maximizing volume flows in the Lakes TSA to assist with economic recovery in the area.
- f) Update the Lakes TSA inventory in a timely manner.
- g) Expedite negotiations with Burns Lake First Nations marginally economic forest types.
- h) Clarify whether the non-replaceable forest licence allocation will be removed from the apportionment when the licences expire.
- i) Retain the replaceable forest licence harvest rights of existing licensees in the TSA.
- j) Respond to Hampton's request for a tree farm.

Minister of FLNRO Offer Letter to Hampton Securing Timber Supply

- New Community Forest of 150,000 m³;
- Expedite First Nations Tenures;
- Offer marginal sawlog opportunities.

Increase Fibre Supply in the Mid Term

- Implement Pine partition in the Lakes TSA;
- Complete a re-inventory in the Lakes TSA;
- New AAC as soon as inventory is complete.

Progress – Securing Timber Supply

- New Community Forest – Offered;
- Low Volume Stands – Offered;
- First Nations Licences – Offered;
- Volume to Area Based conversion – complete.

Progress - Increase Fibre Supply in the Mid Term/Special Committee Recommendations

- New Lakes TSA inventory- 2/3 complete;
- New Lakes TSA Timber Supply Review – 2017 projected;
- Social and economical letter to Chief Forester– Complete;
- Lakes TSA Type 4 silviculture strategy – Complete;
- Long term funding for fertilization – Complete;
- Lakes Land Use Review – Complete.

Provincial-Level Projection of the Current Mountain Pine Beetle Infestation

- Cumulative percentage of pine killed:
 - Observed 1999 to 2013;
 - Projected 2014 to 2020.

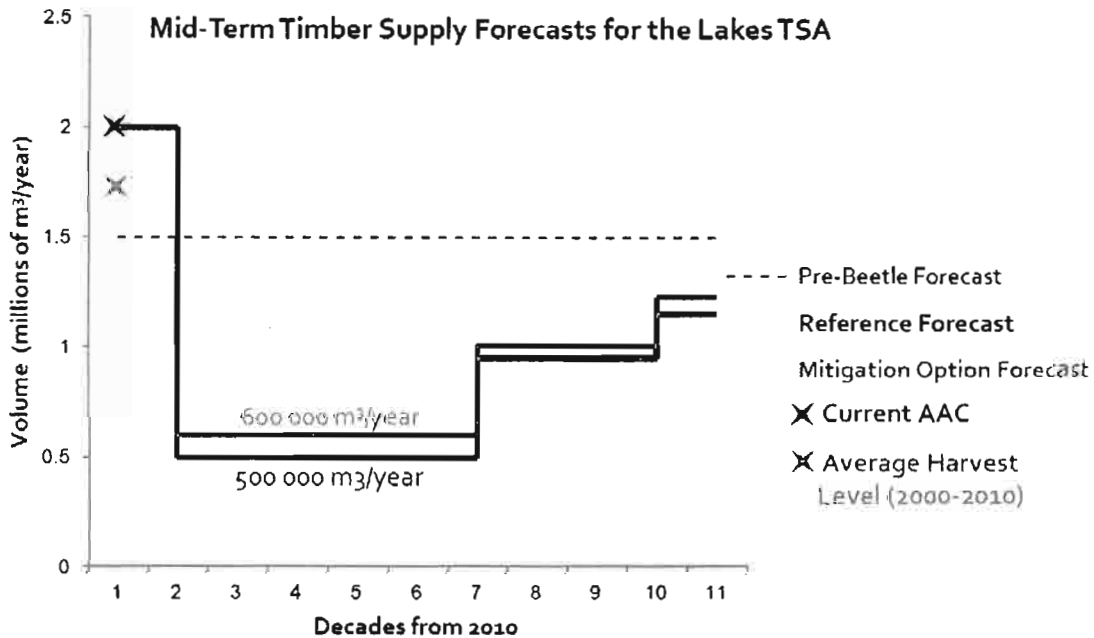
DELEGATION (CONT'D)

MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS Josh Pressey, District Manager, Nadina, Darrell Whelan, Resource Manager, Nadina, Ministry of Forests, Lands and Natural Resource Operations and Jeff Walsh, Forest Protection Assistant, Northwest Fire Centre, Wildfire Management Branch RE: Mid Term Timber (CONT'D)

Lakes TSA - Land Use Plan Review

Hampton and Lakeland Fire

- Legislative Assembly Special Committee on Timber Supply;
- Specific recommendations for the Lakes TSA;
- Reconvene the planning table;
- Lakes Land Use Plan Review;
- Review land use objectives to see what opportunities existed for increased timber supply.



Report Adopted by Legislature

- Commitment to look at land use planning and objectives to determine community's inclination for potential changes
- Science Based Review of Sensitive Areas
 - "Ensure that the review process is cost effective and justifiable, and that no changes are implemented in the management of sensitive areas in any area where there is lack of general consensus"
 - Modelling only found opportunity in OGMA (Old Growth Management Areas)
 - Approx 80,000 m³

Stakeholder meetings and community engagement

Lakes TSA

Old Growth Management Areas (OGMA)

Overlap with:

First Nations' Values;
 High Value Caribou Habitat;
 High Value Grizzly Bear Habitat;
 Biological Ecosystem Network.

DELEGATION (CONT'D)

MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS Josh Pressey, District Manager, Nadina, Darrell Whelan, Resource Manager, Nadina, Ministry of Forests, Lands and Natural Resource Operations and Jeff Walsh, Forest Protection Assistant, Northwest Fire Centre, Wildfire Management Branch RE: Mid Term Timber (CONT'D)

What MFLNRO Heard

Minister Decision

"Sound forest management with incremental changes to land use strategies"

1. Plan for incremental changes through monitoring of landscape level strategies:
 - a. Maximize benefits to all values;
 - b. Monitor the *effectiveness* of land use strategies and *implementation*.
2. Adjusting harvests in some visually sensitive areas:
 - a. In conjunction with fire management planning in urban interface areas.

Landscape Fire Management Planning

Integrating wildfire management objectives into resource management activities: Proactively identifying actions to reduce the threat from wildfire to communities, critical infrastructure, and natural resource values.

Fire Management at All Scales

Fire Smart: Private Land and Property

Community Wildfire Protection Planning

Landscape Fire Management Planning

Values: Identifying and Prioritizing

Priority Theme 1: Human Life and Safety;

Priority Theme 2: Property and Critical Infrastructure;

Priority Theme 3: High Environmental and Cultural Values;

Priority Theme 4: Resource Values.

Provincial Strategic Threat Analysis: A Spatial Representation of Fire Threat for British Columbia

- Historical fire density;
- Spotting impact classification;
- Head fire intensity;
- CFFDRS (Canadian Forest Fire Danger Rating System) fuel typing.

Nadina Fire Management Planning Project

- Identifying and prioritizing wildfire management planning units;
- Creating a landscape fire management planning co-ordination team;
- Identifying wildfire management objectives;
- Designing fire adapted communities and more resilient landscapes;
- Analyzing the degree to which land use constraints may impact pro-active management actions;
- Building partnerships and engaging stakeholders.

Partnering with Local Governments in Fire Management Planning

- Fire smart education;
- Community Wildfire Protection Planning;
- Finding the balance between social values and threat mitigation activities;
- Identifying and prioritizing values for protection;
- Strengthening relationships to deal with natural disasters.

DELEGATION (CONT'D)

MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS Josh Pressey, District Manager, Nadina, Darrell Whelan, Resource Manager, Nadina, Ministry of Forests, Lands and Natural Resource Operations and Jeff Walsh, Forest Protection Assistant, Northwest Fire Centre, Wildfire Management Branch RE: Mid Term Timber (CONT'D)

Mr. Whelan mentioned that the modelling that was completed for the mid-term timber supply forecasts for the Lakes TSA (Timber Supply Area) were based on the current utilization of volume per hectare. Mr. Pressey noted that once new inventory numbers are available for the Lakes TSA they will re-evaluate the mid-term timber supply forecasts.

Discussion took place regarding the shelf life of the Mountain Pine Beetle (MPB) wood. Mr. Pressey explained that the prediction of shelf life for the MPB is 10-15 years. It has now been 15 years and the wood is starting to rot quite quickly now. The shelf life is also impacted by the growing site, if the trees are in a site where there is active growth the trees don't have as long of shelf life than sites that are dryer with a longer growth cycle.

Mr. Walsh stated that they are currently working with local licensees, BC Timber Sales and tenure holders to develop the Nadina Fire Management Planning Project.

Discussion took place regarding the impact of building lodges and infrastructure in remote regions when wildfire events occur. Mr. Pressey explained that the benefits of the new process that has been undertaken by MFLNRO is that all decision making regarding land tenures now sit at the same table.

Director Newell brought forward concerns regarding the cutting, salvaging and burning of wood after a wildfire event. Mr. Pressey noted that a contractor is granted a license to cut with conditions and consideration that include area reforestation needing to be completed. In areas that have been burnt the contractor cuts and salvages the most economical wood and the non-economical wood is usually cut and burnt. Director Miller spoke of the importance of utilizing all possible fibre not just the easily accessible fibre and moving toward a zero waste policy that will assist the mid-term timber supply.

Chair MacDougall thanked Messrs Pressey, Walsh and Whelan for attending the meeting.

CORRESPONDENCE

RDBN Letter to the Minister of Forests, Lands and Natural Resource Operations
RE: Stumpage

Moved by Director Thiessen
Seconded by Director Lindstrom

F.C.2015-2-3

"That the Forestry Committee receive the following correspondence:

-RDBN Letter to the Minister of Forests, Lands and Natural Resource Operations RE: Stumpage;
-the Ministry of Forests, Lands and Natural Resource Operations provided to the Omineca Beetle Coalition titled, "Fire Management in BC "Our New Reality".

(All/Directors/Majority)

CARRIED UNANIMOUSLY

NEW BUSINESS

Future Meeting Discussion

Chair MacDougall mentioned that Director Fisher has submitted a list of forestry topics that will be brought forward at a future Forestry Meeting. Director Greenaway is also bringing forward information on bioenergy. Chair MacDougall spoke of having a delegation come to a future meeting to discuss licensee opportunities and who and what is being processed.

Wildfire Stakeholders Meeting

Gail Chapman, CAO mentioned that in April, 2015 the RDBN is hosting a Wildfire Stakeholders meeting to bring together the Wildfire Management Branch, fire departments and other key stakeholders involved during a wildfire.

ADJOURNMENT

Moved by Director Newell
Seconded by Director Parker

F.C.2015-2-4

"That the meeting be adjourned at 2:51 p.m."

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Rob MacDougall, Chair

Wendy Wainwright, Executive Assistant



Ministry of Forests, Lands and Natural Resource Operations, Economy Sector, Environment Sector, Government Operations Sector, Cariboo Chilcotin Coast Region, Kootenay Rockies Region, Northern B.C. Region, Provincewide, Thompson / Okanagan Region, Vancouver Coast & Mountains Region, Vancouver Island / Coast Region

Legislative changes support BC Timber Sales review recommendations

</2015/03/legislative-changes-support-bc-timber-sales-review-recommendations.html>

Wednesday, March 25, 2015 1:50 PM

VICTORIA - Amendments to forestry legislation introduced today will enhance the effectiveness of BC Timber Sales and allow the transfer of pulpwood agreements to increase fibre supply to pulp mills.

Acting on recommendations from the BC Timber Sales effectiveness review, the amendments will encourage more accurate timber pricing, help BC Timber Sales generate more revenue, and improve overall business practices. Collectively, the changes could increase BC Timber Sales annual net revenue by as much as \$4 million.

Specific changes will:

- Increase competitiveness in the forest industry and support the accurate pricing of Crown timber by allowing non-BC Timber Sales licensees to provide timber to BC Timber Sales for auction.
- Improve the marketability of lower-quality beetle-killed timber by equalizing the financial risk associated with cruise-based and scale-based timber sale licences.
- Generate revenue by allowing BC Timber Sales to recover unamortized value of Crown assets and provide forest management services to licensees and government organizations.
- Support sustainable forest management and market access by empowering BC Timber Sales to enforce its environmental management system.

BC Timber Sales was founded in 2003 with a mandate to provide the cost and price benchmarks for the market pricing system for timber harvested from public land in British Columbia. BC Timber Sales auctions timber, and issues hundreds of contracts to deliver services such as road construction, forest development, seedling production and tree planting.

As well, proposed amendments to the Forest Act will enable holders of pulpwood agreements to sell or transfer their agreements. Pulpwood agreements are non-replaceable volume-based timber tenures that provide a secure fibre supply to larger-scale pulp mills. The agreements provide pulp mills and particle board plants with access to a secondary source of lower-quality fibre when sufficient suitable, reasonably priced wood chips, sawdust or logs is not readily available.

The proposed changes are part of the Forests, Lands and Natural Resource Operations Statutes Amendment Act, which Forests, Lands and Natural Resource Operations Minister Steve Thomson introduced in the legislature today.

Quote:

Minister of Forests, Lands and Natural Resource Operations Steve Thomson -

“These changes will implement some of the recommendations from the BC Timber Sales Role and Effectiveness Review and ensure that BC Timber Sales continues to play an important role in supporting economic prosperity in rural communities through safe and sustainable forest management.”

Quick Facts:

- Over the past 11 years, BC Timber Sales has sold more than 128 million cubic metres of timber and generated \$437 million in net revenue to the Province.
- BC Timber Sales manages 20% of the provincial Crown allowable annual cut.
- There are 11 pulpwood agreements around the province, with the last one set to expire in 2024. Of these, six are currently active and collectively represent a potential allowable annual cut of 2,344,000 cubic metres.

Learn More:

To view a copy of the bill, visit: http://www.leg.bc.ca/40th4th/1st_read/gov25-1.htm (http://www.leg.bc.ca/40th4th/1st_read/gov25-1.htm)

For more information about BC Timber Sales, visit: <http://www.for.gov.bc.ca/bcts/> (<http://www.for.gov.bc.ca/bcts/>)

Media Contacts:

Greig Bethel
Media Relations
Ministry of Forests, Lands and
Natural Resource Operations
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SEE MORE MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS STORIES

[See more from the Ministry of Forests, Lands and Natural Resource Operations \(/ministries/forests-lands-and-natural-resource-operations/\)](/ministries/forests-lands-and-natural-resource-operations/)

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2015 Legislative Session: 4th Session, 40th Parliament
FIRST READING

The following electronic version is for informational purposes only.
The printed version remains the official version.

HONOURABLE STEVE THOMSON
MINISTER OF FORESTS, LANDS AND
NATURAL RESOURCE OPERATIONS

BILL 25 - 2015
FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS STATUTES
AMENDMENT ACT, 2015

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Forest Act

Explanatory Note

1 Section 1 (1) of the Forest Act, R.S.B.C. 1996, c. 157, is amended by repealing the definition of "allowable annual cut available" and substituting the following:

"allowable annual cut available" means the following:

(a) in relation to a tree farm licence, the portion of the allowable annual cut in respect of the tree farm licence area that is accessible by the holder of the tree farm licence after taking the following into account in accordance with the regulations or in accordance with an agreement authorized under section 151 (2) (a.2):

- (i) a reservation referred to in section 35 (1) (h) or (n);
- (ii) a deletion of Crown land from the tree farm licence area under section 39.1 respecting
 - (A) a reservation under subparagraph (i) of this paragraph, or
 - (B) a reduction under subparagraph (iv) of this paragraph;
- (iii) except for the purposes of sections 69 and 70, a reduction under one or both of those sections;
- (iv) a reduction under section 3 (3) of the *Forestry Revitalization Act*;

(b) in relation to a community forest agreement, the portion of the allowable annual cut in respect of the community forest agreement area

that is accessible by the holder of the community forest agreement after taking the following into account in accordance with the regulations:

- (i) a reservation referred to in section 43.3 (1) (g.2);
- (ii) except for the purposes of section 70, a reduction under that section;

(c) in relation to a first nations woodland licence, the portion of the allowable annual cut in respect of the first nations woodland licence area that is accessible by the holder of the first nations woodland licence after taking the following into account in accordance with the regulations:

- (i) a reservation referred to in section 43.55 (1) (h.1);
- (ii) except for the purposes of section 70, a reduction under that section; .

Explanatory Note

2 Section 1 (1) is amended in the definition of "bonus offer" by striking out "a lump sum dollar value" and substituting "an amount of money".

Explanatory Note

3 Sections 13.1 (7) and 14.1 (2) are amended by striking out "section 14," and substituting "section 14 (1),".

Explanatory Note

4 Section 14.2 is amended

(a) in subsection (2) by striking out "section 14," and substituting "section 14 (1),", and

(b) in subsection (3) by striking out "section 14 (e)" and substituting "section 14 (1) (e)".

Explanatory Note

5 Section 19 (10) is amended by striking out "section 14 (a)," and substituting "section 14 (1) (a),".

Explanatory Note

6 Section 22 is amended

(a) by repealing paragraph (e) and substituting the following:

- (e) may include provisions
 - (i) specifying standards and programs established by one or more standard making bodies,
 - (ii) requiring the holder of the licence to meet the standards and programs specified under subparagraph (i), and

(iii) specifying the manner in which the holder of the licence must conduct operations under the licence in order to meet the standards and programs specified under subparagraph (i),

(e.1) may specify when and how a bonus offer required under section 20 must be paid and, if the bonus offer may be paid in instalments, the amount of each instalment, ,

(b) by striking out "and" at the end of paragraph (f) (ii), and

(c) by repealing paragraph (f) (iii) and substituting the following:

(iii) if a bonus bid is required under section 20, a bonus bid in the amount tendered under that section, and

(iv) if a bonus offer is required under section 20, a bonus offer in the amount tendered under that section, at the times and in the manner, if any, specified in the timber sale licence, unless the holder of the licence is exempt under section 22.1 from the requirement to pay the bonus offer, and .

Explanatory Note

7 The following section is added:

Exemption from requirement to pay bonus offer

22.1 (1) The holder of a timber sale licence for which a bonus offer was tendered is not required to pay the bonus offer if the licence is surrendered or expires before any Crown timber is harvested under the timber sale licence.

(2) Subsection (1) does not apply to a timber sale licence for which applications under section 20 are invited before the date this section comes into force.

Explanatory Note

8 The following sections are added:

BCTS disposition agreements

22.2 (1) In this section and section 22.3:

"BCTS" means the BC Timber Sales program within the ministry;

"BCTS disposition agreement" means a BCTS disposition agreement referred to in subsection (2);

"BCTS licence" means

(a) a timber sale licence under section 20, or

(b) a forestry licence to cut under section 47.6 (3);

"non-BCTS licence" means a forest licence, tree farm licence, community forest agreement, first nations woodland licence or woodlot licence.

(2) The minister may enter into a BCTS disposition agreement on behalf of the government for the purposes of

(a) allowing the holder of a non-BCTS licence to temporarily release to the government some of the holder's rights to harvest Crown timber under the non-BCTS licence, and

(b) making the released rights available for disposition, to persons other than the holder of the non-BCTS licence, in the form of one or more BCTS licences.

(3) The minister may not enter into a BCTS disposition agreement that would allow for the release of rights to harvest Crown timber under a non-BCTS licence if any of the rights under the non-BCTS licence are under suspension, in whole or in part, under section 76.

(4) A BCTS disposition agreement

(a) must describe the rights that the holder of the non-BCTS licence is releasing to the government, including identifying the non-BCTS licence under which those rights are held,

(b) must specify the consideration to be provided by the government to the holder of the non-BCTS licence for the value of the rights released to the government,

(c) may provide that the BCTS disposition agreement ends on a specified date, and

(d) may provide for any other matter the minister considers necessary for the purposes of subsection (2).

(5) The exclusive right to harvest Crown timber under a tree farm licence, community forest agreement, first nations woodland licence or woodlot licence is subject to the right to harvest Crown timber under a BCTS licence if

(a) rights to harvest Crown timber under the tree farm licence, community forest agreement, first nations woodland licence or woodlot licence are released to the government under a BCTS disposition agreement, and

(b) the BCTS licence is entered into or granted as a result of the release of rights referred to in paragraph (a).

(6) Nothing under this section, or under a BCTS disposition agreement entered into under this section, limits the application of any of the following:

(a) a reservation referred to in section 35 (1) (h) or (n), 43.3 (1) (g.2) or 43.55 (1) (h.1);

(b) section 47.9, 49.1, 61, 72, 73, 75.8, 115, 116, 117 or 118.

Volume harvested under BCTS licence deemed to be harvested under non-BCTS licence for cut control purposes

22 . 3 For the purposes of paragraph (a) of the definition of "volume of timber harvested" in section 75.1 (1) and the definition of "volume of timber harvested" in a licence referred to in section 75.11 (1), if

- (a) rights to harvest Crown timber under a non-BCTS licence are released to the government under a BCTS disposition agreement, and
- (b) a BCTS licence is entered into or granted as a result of the release of rights referred to in paragraph (a),

the amount of timber that is merchantable Crown timber that is removed under the BCTS licence is deemed to be harvested under the non-BCTS licence.

Explanatory Note

9 Section 35 (1) (e) is amended by striking out "subject to the provisions of this Act," and substituting "subject to this Act and the licence,".

Explanatory Note

10 Section 43.3 is amended

(a) by renumbering the section as section 43.3 (1),

(b) in subsection (1) (e) by striking out "to authorize the holder of the community forest agreement to harvest timber" and substituting "to authorize its holder to harvest the allowable annual cut available to its holder",

(c) by striking out "and" at the end of subsection (1) (g.1),

(d) in subsection (1) by adding the following paragraph:

(g.2) may require that a specified amount of timber on Crown land within the community forest agreement area is to be reserved and available for disposition, to persons other than the holder of the community forest agreement, under

- (i) timber sale licences, or
- (ii) forestry licences to cut under section 47.6 (3), and , **and**

(e) by adding the following subsection:

(2) A reservation referred to in subsection (1) (g.2) must not be included in the following:

(a) a community forest agreement entered into before the date this subsection comes into force, unless

- (i) the community forest agreement already includes the reservation, or
- (ii) the holder of the community forest agreement agrees to include the reservation;

(b) a replacement for a replaceable community forest agreement, unless paragraph (a) (i) or (ii) of this subsection applies in relation to the replaceable community forest agreement.

Explanatory Note

11 Section 43.41 (1) is amended

(a) by striking out "section 43.3," and substituting "section 43.3 (1),"

(b) by striking out "the community forest agreement must" and substituting "the community forest agreement",

(c) in paragraph (c) by striking out "have" and substituting "must have",

(d) in paragraph (d) by striking out "specify" and substituting "must specify" and by striking out "and",

(e) by adding the following paragraph:

(d.1) must not include a reservation referred to in section 43.3 (1) (g.2), and , **and**

(f) in paragraph (e) by striking out "include" and substituting "must include" and by striking out "section 43.3 (f.1)," and substituting "section 43.3 (1) (f.1),".

Explanatory Note

12 Section 43.55 is amended

(a) by renumbering the section as section 43.55 (1),

(b) in subsection (1) (e) by striking out "to authorize its holder to harvest timber" and substituting "to authorize its holder to harvest the allowable annual cut available to its holder",

(c) by striking out "and" at the end of subsection (1) (h),

(d) in subsection (1) by adding the following paragraph:

(h.1) may require that a specified amount of timber on Crown land within the first nations woodland licence area is to be reserved and available for disposition, to persons other than the holder of the first nations woodland licence, under

(i) timber sale licences, or

(ii) forestry licences to cut under section 47.6 (3), and , **and**

(e) by adding the following subsection:

(2) A reservation referred to in subsection (1) (h.1) must not be included in the following:

(a) a first nations woodland licence entered into before the date this subsection comes into force, unless the holder of the first nations woodland licence agrees to include the reservation;

(b) a replacement for a replaceable first nations woodland licence entered into before the date this subsection comes into force, unless the holder of the replaceable first nations woodland licence agrees to include the reservation.

Explanatory Note

13 Section 47.7 (g.1) is repealed and the following substituted:

(g.1) may include provisions

(i) specifying standards and programs established by one or more standard making bodies,

- (ii) requiring the holder of the licence to meet the standards and programs specified under subparagraph (i), and
- (iii) specifying the manner in which the holder of the licence must conduct operations under the licence in order to meet the standards and programs specified under subparagraph (i), and .

Explanatory Note

14 Section 53 is amended by adding the following subsection:

- (1.2) For the purposes of this section and Divisions 2 and 4 of this Part, **"agreement"** includes a pulpwood agreement.

Explanatory Note

15 Section 54 (2) is amended by adding the following paragraph:

- (d.2) in the case of a disposition of an agreement
- (i) that is a non-BCTS licence, as defined in section 22.2 (1), and
 - (ii) in relation to which rights to harvest Crown timber have been released to the government under a BCTS disposition agreement under section 22.2,

all rights and obligations of the holder of the non-BCTS licence under the BCTS disposition agreement are assumed by the recipient of that non-BCTS licence, .

Explanatory Note

16 Section 70 is amended

(a) in subsections (2) and (4) by striking out "the holder of a major licence," and substituting "the holder of an agreement that is a major licence," and by striking out "issued under the licence or agreement." and substituting "issued under the agreement.",

(b) by repealing subsections (2) (a) and (b) and (4) (a) and (b) and substituting the following:

- (a) available to the holder of the agreement, if the agreement is
- (i) a major licence that is a tree farm licence,
 - (ii) a community forest agreement, or
 - (iii) a first nations woodland licence, or
- (b) for the agreement, if the agreement is
- (i) a major licence other than a tree farm licence, or
 - (ii) a woodlot licence , **and**

(c) in subsection (3) by striking out "the holder of the licence or agreement," and substituting "the holder of the agreement,".

Explanatory Note

17 Section 72 is amended

(a) in subsections (9) (b) and (10) (b) by striking out "section 43.3 (f.1)," and substituting "section 43.3 (1) (f.1)," and

(b) in subsections (9) (c) and (10) (c) by striking out "section 43.55 (g) (i)." and substituting "section 43.55 (1) (g) (i)."

Explanatory Note

18 Section 76 is amended

(a) in subsections (1) (c) and (3.1) (a) by striking out "section 14 (g.1), 22 (f.1)," and substituting "section 14 (1) (g.1)," and

(b) in subsection (1.1) (a) by striking out "section 14 (g.1)," and substituting "section 14 (1) (g.1)," and

(c) by repealing subsection (1.1) (b).

Explanatory Note

19 Section 76 is amended

(a) in subsections (1) (c) and (3.1) (a) by striking out "43.3 (g.1), 43.55 (h)," and substituting "43.3 (1) (g.1), 43.55 (1) (h)," and

(b) in subsection (1.1) (c) by striking out "section 43.3 (g.1)," and substituting "section 43.3 (1) (g.1)," and

(c) in subsection (1.1) (c.01) by striking out "section 43.55 (h)," and substituting "section 43.55 (1) (h)."

Explanatory Note

20 Section 81 is amended

(a) in subsection (5) by striking out "either of", and

(b) by repealing subsection (6) and substituting the following:

(6) The grounds for refusal referred to in subsection (5) are that one or both of the following have not paid stumpage or other money payable to the government by the due date under section 130:

(a) the applicant;

(b) a person not at arm's length, as defined in the *Income Tax Act* (Canada), from the applicant.

(7) The grounds for refusal described in subsection (6) apply whether or not the applicant or person has made arrangements satisfactory to the revenue minister to pay the stumpage or other money.

Explanatory Note

21 Section 103 (2) is repealed and the following substituted:

(2) Nothing in subsection (1) limits a requirement under this Act, or under an agreement entered into under this Act, to pay a bonus offer.

Explanatory Note

22 Section 109 is amended

(a) by adding the following subsection:

- (0.1) In this section, "**BC Timber Sales official**" means a person who
- (a) is employed in the ministry of the minister, and
 - (b) is designated by the minister, by name or title, as a BC Timber Sales official. ,

(b) in subsection (2) by adding the following paragraph:

- (j) dispositions of property under subsection (5). ,

(c) by adding the following subsections:

(2.1) Amounts, other than taxes, payable to the government under an agreement entered into under section 118 of the *Forests and Range Practices Act* must be credited to the BC Timber Sales Account if the agreement is entered into by a BC Timber Sales official who is authorized or designated, under that section, to enter into the agreement.

(2.2) Costs recovered from a ministry, including costs recovered from the ministry of the minister responsible for the administration of this Act, in relation to any of the following services must be credited to the BC Timber Sales Account if the services are provided to the ministry, on direction of the minister responsible for the administration of this Act, by or through a BC Timber Sales official:

- (a) silviculture services;
- (b) forest protection services;
- (c) services respecting the classification or rehabilitation of forest resources;
- (d) prescribed services. ,

(d) in subsection (3) by adding the following paragraph:

- (a.1) to defray the costs of consideration provided under BCTS disposition agreements referred to in section 22.2 and to defray any other costs associated with those agreements, ,

(e) in subsection (3) by striking out "and" at the end of paragraph (d) and by adding the following paragraphs:

- (d.1) to defray the costs associated with agreements in relation to which subsection (2.1) applies,
- (d.2) to defray the costs associated with the provision of services in relation to which subsection (2.2) applies,
- (d.3) to defray the costs associated with dispositions of property under subsection (5), and , **and**

(f) by adding the following subsection:

- (5) The minister may dispose of any of the following property:

- (a) any property of the government, other than logging roads, acquired with money derived from expenditures made under section 109 (3) (a), (b) or (c);
- (b) bridges purchased by the government with money derived from expenditures made under section 109 (3) (d).

Explanatory Note

23 Section 112 (3) is amended

- (a) by striking out** "the allowable annual cut authorized for the agreement" **and substituting** "the allowable annual cut available to the holder of the agreement, during the year to which the total annual rent pertains," **and**
- (b) by striking out** "section 43.3 (b)," **and substituting** "section 43.3 (1) (b),".

Explanatory Note

24 Section 112 (4) is amended

- (a) by striking out** "the allowable annual cut authorized for the licence" **and substituting** "the allowable annual cut available to the holder of the licence, during the year to which the total annual rent pertains," **and**
- (b) by striking out** "section 43.55 (b)," **and substituting** "section 43.55 (1) (b),".

Explanatory Note

25 Section 118 is amended

- (a) by renumbering the section as section 118 (1), and**
- (b) by adding the following subsection:**

- (2) A road permit associated with a timber sale licence may include provisions
 - (a) specifying standards and programs established by one or more standard making bodies,

(b) requiring the holder of the permit to meet the standards and programs specified under paragraph (a), and

- (c) specifying the manner in which the holder of the permit must conduct operations under the permit in order to meet the standards and programs specified under paragraph (a).

Explanatory Note

26 Section 151 (2) (a.1) is repealed and the following substituted:

- (a.1) for the purpose of the definition of "allowable annual cut available" in section 1 (1), specifying the criteria, circumstances, rules, methods or formulas to be used in relation to
 - (i) the reservations, deletions or reductions respecting a tree farm licence,

- (ii) the reservations or reductions respecting a community forest agreement, and
- (iii) the reservations or reductions respecting a first nations woodland licence; .

Explanatory Note

27 Section 151 (2) is amended by adding the following paragraph:

(p.01) prescribing services for the purposes of section 109 (2.2) (d), which services must be consistent with a purpose or function of the ministry referred to in section 4 (a), (b) or (c) of the *Ministry of Forests and Range Act*; .

Explanatory Note

28 Section 157 (c) is amended by striking out "sections 14 (g)" and substituting "sections 14 (1) (g)".

Forest and Range Practices Act

Explanatory Note

29 Section 118 of the *Forest and Range Practices Act, S.B.C. 2002, c. 69, is amended*

(a) by repealing subsection (2) (c) and substituting the following:

(c) the minister or an official designated by the minister may enter into agreements under which the government provides

- (i) forest or range protection services,
- (ii) forest or range health services, or
- (iii) services related to operations under agreements under the *Forest Act* that are carried out before or after timber is harvested,

or ,

(b) in subsection (3) by striking out "An amount equal to" and substituting "Subject to subsection (4), an amount equal to", and

(c) by adding the following subsection:

(4) Subsection (3) does not apply if the official designated to enter into the agreement is a BC Timber Sales official.

Land Act

Explanatory Note

30 Section 10 (3) of the *Land Act, R.S.B.C. 1996, c. 245, is amended by striking out "or" at the end of paragraph (b), by adding ", or" at the end of paragraph (c) and by adding the following paragraph:*

(d) the Crown land is the subject of a minister's order under section 10.1.

Explanatory Note**31 The following sections are added:****When no application for Crown land may be made**

10.1 (1) The minister may, by order, specify that no application for Crown land may be made in respect of one or more of the following:

- (a) an area of the province;
- (b) an activity;
- (c) a use;
- (d) a period of time;
- (e) a class of applicant.

(2) An order made under subsection (1) must be published by the minister for the term of the order on a publicly accessible website maintained by or on behalf of the minister.

(3) An order made under subsection (1) does not apply to an application that was received by the minister prior to the making of the order.

Disposition of Crown land not required – minister's regulations

11.1 (1) The minister may make regulations as follows:

- (a) prescribing circumstances, purposes, activities, users or occupiers in relation to which or to whom the use and occupation of Crown land is authorized without a disposition, provided that the use or occupation complies with regulations made under paragraphs (b) and (c);
- (b) establishing rules, restrictions or conditions respecting the use or occupation of Crown land referred to in paragraph (a);
- (c) respecting works, structures or other improvements on Crown land referred to in paragraph (a).

(2) The minister may, by order, designate areas of Crown land that are excluded from the application of a regulation under subsection (1).

(3) For the purposes of a regulation under subsection (1) and an order under subsection (2), the minister may establish and provide differently for different classes of circumstances, purposes, activities, users or occupiers.

Explanatory Note**32 Section 11 is amended by adding the following subsection:**

(5) Subsection (3) (c) does not apply to a disposition in respect of which regulations are made under section 110 (2) (c).

Explanatory Note**33 Section 14 is repealed.**

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REGIONAL DISTRICT
BULKLEY NECHAKO



Burns Lake

Community Forest Ltd.

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Date: 06/03/2015

Mr. Jason Llewellyn
Regional District of Bulkley Nechako
Box 820
Burns Lake, B.C. V0J 1E0

Dear Mr. Llewellyn,

This letter is to initiate the public review period for the Burns Lake Community Forest Timber Supply Review Data Package. The review period is 30 days, ending April 10, 2015 at 4:00 P.M.

The TSR Data Package for 2015 is a document that explains what information will be used to determine the annual allowable cut for the Burns Lake Community Forest tenure area. A Timber Supply Analysis is undertaken once every 5 years in order to provide information to the Community Forest in order to help determine our Annual Allowable Cut. Once the Data package is reviewed a Management Plan will be advertised for a 60 day referral period.

You are encouraged to provide input regarding additional information pertaining to your interests to help clarify our understanding. This information is considered when finalizing proposed harvesting developments.

If you have any questions or concerns regarding this review or would like to arrange a meeting in which to view the current data package please contact the undersigned. In addition, a digital version can be sent upon request. We look forward to your comments and/or discussions as we move forward with developing our proposed activities.

Yours Truly,

Kerry Martin, Operations Manager
Burns Lake Community Forest Ltd
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