
The *Forest Act* and *Forest and Range Practices Act*: Protections for Wildlife and Habitat

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1. LEARNING OBJECTIVES

The reader will understand:

- The power the legislature has delegated to the cabinet and Minister to manage forest land and forest resources;
- The forest management objectives of the B.C. government;
- The types licences and agreements that are permitted to be issued on forest land in B.C.;
- The existing legislative protections for habitat and wildlife on forest land in B.C.; and
- Opportunities for citizen input in the forest management process

2. JURISDICTION

2.1. General Jurisdiction over the Environment

The *Constitution Act, 1867* (the “*Constitution*”) does not assign power over the environment to either the federal or provincial level of government. Instead, different allocated subject matters can be applied to environmental issues. Which level of government has regulatory power over an issue depends on which listed subject matter best relates to the environmental matter at hand, and may involve collaboration between both levels.¹

The basis for the majority of federal jurisdiction over environmental issues is found in the following sections: public property (*Constitution Act*, s.91[1A]); marine and freshwater fisheries (*Constitution Act*, s.91[12]); navigation and shipping (*Constitution Act*, s.91[10]); criminal law (*Constitution Act*, s.91[27]); and “Indians, and lands reserved for the Indians” (*Constitution Act*, s.91[24]). This is supplemented by the federal residual powers found in the wording “peace, order, and good government”.² Under this residual power the federal government has the authority to take action on matters of national concern. This has led to many court decisions interpreting subject matters not listed in s.91, as falling within the federal jurisdiction (including marine pollution and interprovincial water pollution).³ For example, in *R. v. Crown Zellerbach Canada Ltd.*⁴, the Supreme Court of Canada emphasized that the national concern doctrine applies to subject matters that have national dimensions “so significant as to warrant federal action, even if a provincial government might have responsibilities.”⁵

Provincial jurisdiction over environmental issues is found primarily in four subject matters under section 92: property and civil rights in the province (s.92[13]); management of provincial crown lands (s.92[5]); municipal institutions within the province (s.92[8]); and generally all matters of a merely local or private nature in the province (s.92[16]).⁶

2.2. Jurisdiction over Forests and Forest Resources

General Forest Jurisdiction

¹ Becklumb, Penny. “Federal and Provincial Jurisdiction to Regulate Environmental Issues” *Library of Parliament, Economics, Resources and International Affairs division*, 24 September, 2013, https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/201386E#txt38

² “Jurisdiction, Duties and Authorities” Government of Canada, 19 March, 2020, <https://www.canada.ca/en/environment-climate-change/corporate/transparency/briefing-materials/corporate-book/jurisdiction-duties-authorities.html>

³ “Jurisdiction, Duties and Authorities” Government of Canada, 19 March, 2020, <https://www.canada.ca/en/environment-climate-change/corporate/transparency/briefing-materials/corporate-book/jurisdiction-duties-authorities.html>

⁴ *R. v. Crown Zellerbach Canada Ltd.*, 1988 CanLII 63 (SCC), [1988] 1 SCR 401.

⁵ “Jurisdiction, Duties and Authorities” Government of Canada, 19 March, 2020, <https://www.canada.ca/en/environment-climate-change/corporate/transparency/briefing-materials/corporate-book/jurisdiction-duties-authorities.html>

⁶ *The Constitution Act, 1867*, 30 & 31 Vict, c 3, <<https://canlii.ca/t/ldsw>> retrieved on 2021-06-11, s.92.

The provincial and territorial governments have jurisdiction over the majority of forest resources in Canada, possessing the ability to develop laws, regulations and policies used to manage forests and the activities permitted within them.⁷ This jurisdiction comes primarily from section 92(5) of the *Constitution*, which gives the provincial legislature jurisdiction over the “management and sale of the public lands belonging to the province and the timber and wood thereon” and section 92A(1), which gives the provincial legislature jurisdiction over (a) the exploration for non-renewable resources in the province; (b) the development, conservation, and management of non-renewable natural resources and forestry resources in the province; and (c) the development, conservation, and management of sites and facilities in the province for the generation and production of electrical energy.⁸ Based on this division of powers, provincial governments therefore have the jurisdiction to grant companies the right to harvest timber on public land and conduct other forestry related activities.⁹

Certain federal laws and international agreements are also relevant to forest governance within B.C. For example, the *Species at Risk Act*, *Fisheries Act*, *Migratory Birds Convention Act*, and *Plant Protection Act* may all play a role in forest resource management. Internationally, the *Convention on Biological Diversity* and the *Convention on International Trade in Endangered Species of Wild fauna and Flora* may play a role in forest management.¹⁰

Jurisdiction Over Different Types of Forest Land

Jurisdiction and the applicability of legislation over forests in B.C. may change depending on the ownership of the land. The B.C. government owns approximately 94% of the forest land in the province. Approximately 5% is privately owned, and approximately 1% is owned by the Federal government (including national parks, military lands and Reserve lands).¹¹

For federal lands within BC, the following federal legislation is applicable: the *Forestry Act and Timber Regulations*, the *Indian Act*, *First Nations Land Management Act* and *National Parks Act*.¹² Provincial laws generally also apply to timber that is harvested on land owned by the federal government.¹³

⁷ “Canada’s Forest Laws” *Government of Canada*, 29 June, 2020, <https://www.nrcan.gc.ca/our-natural-resources/forests-forestry/sustainable-forest-management/canadas-forest-laws/17497>

⁸ The Constitution Act, 1867, 30 & 31 Vict, c 3, <<https://canlii.ca/t/ldsw>> retrieved on 2021-06-11, s.92.

⁹ “Canada’s Forest Laws” *Government of Canada*, 29 June, 2020, <https://www.nrcan.gc.ca/our-natural-resources/forests-forestry/sustainable-forest-management/canadas-forest-laws/17497>

¹⁰ “Canada’s Forest Laws” *Government of Canada*, 29 June, 2020, <https://www.nrcan.gc.ca/our-natural-resources/forests-forestry/sustainable-forest-management/canadas-forest-laws/17497>

¹¹ “Land and People”, *Government of British Columbia*, <https://www.for.gov.bc.ca/hfd/pubs/docs/mr/mr113/land.htm>; “Crown Land: Indicators & Statistics Report”, *Ministry of Forests, Lands and Natural Resources Operations*, 2011 https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/crown_land_indicators_statistics_report.pdf; “Forest Stewardship”, *Government of British Columbia*, <https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources>

¹² “Canada’s Forest Laws” *Government of Canada*, 29 June, 2020, <https://www.nrcan.gc.ca/our-natural-resources/forests-forestry/sustainable-forest-management/canadas-forest-laws/17497>

¹³ “Canada’s Forest Laws” *Government of Canada*, 29 June, 2020, <https://www.nrcan.gc.ca/our-natural-resources/forests-forestry/sustainable-forest-management/canadas-forest-laws/17497>

Private land in B.C. falls into two categories: managed forest and non-managed forest.¹⁴ Managed forest comprises privately-owned forest land property for which an acceptable forest management commitment has been made that complies with the *Private Managed Forest Land Act* and its regulations, or the *Forest and Range Practices Act*, which satisfies the requirements under the *Assessment Act*.¹⁵ Non-managed forest refers to privately-owned forest land property for which no attempt has been made to meet the qualifying requirements. Managed forest will be subject to provincial regulation via the *Forest Act* and the *Forest and Range Practices Act*; however, only certain provisions will apply depending on the circumstances.¹⁶ For non-managed forest, only laws of general application (such as the *Fisheries Act* and relevant municipal laws) will apply.¹⁷

3. LEGISLATION

The two primary documents regulating forest resources, activities and management in B.C. are the *Forest Act* and the *Forest and Range Practices Act*, and their related regulations. Under these acts, both the cabinet and the Minister of Forests, Lands, Natural Resources and Rural Operations (“FLNRORD”) have the power to make regulations.

Other provincial environmental legislation may play a role in the management of forest land and resources, such as the *Land Act*, which governs the disposition, management and administration of Crown land, including zoning and higher-level plan objectives that influence activities under the *Forest and Range Practices Act*, as well as the *Assessment Act*, the *Heritage Conservation Act*, the *Park Act*, and the *Forestry Revitalization Act*.¹⁸

3.1. *Forest Act*

The *Forest Act* deals with administration of forest land tenures and the control of timber and timber licences. The act provides for the classification and management of forests and forest land, the regulation of cutting rates and the content and requirement of licences and agreements, and for operational activities such as timber marking, scaling and stumpage.¹⁹ The Minister responsible for this Act is the Minister of FLNRORD.

¹⁴ “Private Managed Forest Land”, *Government of British Columbia*,

<https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/private-managed-forest-land>

¹⁵ “Understanding Managed Forest Classification in British Columbia”, *BC Assessment*, 2021,

<https://info.bcassessment.ca/Services-products/property-classes-and-exemptions/managed-forest-classification-in-british-columbia/understanding-managed-forest-classification-in-british-columbia>

¹⁶ “Private Managed Forest Land in British Columbia – Frequently Asked Questions”, *Forest Tenures Branch*, March 2020, https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-tenures/private-managed-forest-land/private_managed_forest_land_faqs.pdf

¹⁷ “Private Managed Forest Land”, *Government of British Columbia*,

<https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/private-managed-forest-land>

¹⁸ “BC Forest Facts”, *BC Market Outreach Network*, September 2006,

http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs/405739/fsa_057e.pdf

¹⁹ “Forest Legislation and Policy Reference Guide 2015”, *Association of BC Forest Professionals*, 31 March 2015, http://member.abcfp.ca/WEB/abcfp/Files/sd84js_nwp455/abcjfpRefGuidte_20f15_web.pdf

3.2. *Forest and Range Practices Act (FRPA)*

The *Forest and Range Practices Act* (“*FRPA*”) creates an administrative regime for managing the practices and planning of forest and range activities on Crown land. This includes primarily the practices and procedures of harvesting timber. The Minister responsible for this Act is the Minister of FLNRORD.

Under this act, a “forest practice” is a prescribed activity that is carried out by the government, a holder of an agreement under section 12 of the *Forest Act*, or a person in a prescribed category (*FRPA*, s.1). The prescribed category of persons includes contractors, employees, and agents of an agreement holder under the *Forest Act* or *Range Act*; persons with an obligation to establish a free growing stand in accordance with an agreement made under section 29.1 of the *FRPA*; and a holder of a special use permit that authorizes them to manage or use Crown land for silviculture treatments or wildlife habitat enhancement (*Forest Planning and Practices Regulation*, 1.2[2][a]-[c]). These practices may occur on public or private land that is subject to a tree farm licence, a community forest agreement, or a woodlot licence (*FRPA*, s.1).

The prescribed activities carried out include: timber harvesting, road construction, road maintenance, road use, road deactivation, silviculture treatments, botanical forest product collecting and fire use, control and suppression; an activity carried out under an agreement under the *Forest Act*, a special use permit or a road permit; or an activity related to any of the previously listed activities (*Forest Planning and Practices Regulation*, 1.2[1][a]-[c]).

Under the *FRPA*, the B.C. government can enter into agreements to ensure that forest resources and range resources are being properly managed and conserved (.118). For example, the Minister or a designated official may enter into agreements under which the government provides forest or range protection services or forest or range health services (*FRPA*, s.118[2][c]).

4. FOREST MANAGEMENT & OBJECTIVES

To ensure sustainable management of the province’s forest and range resources, the B.C. government has identified eleven resource values that are to be monitored.²⁰ Both the *Forest Act* and the *FRPA* are enacted with a view to prioritizing and managing these values. Under the *Forest Act*, the cabinet may make regulations on a number of topics (*Forest Act*, s.151), including specifying government objectives (*Forest Act*, s.151[1][m.4]).

The identified resources values are: biodiversity; cultural heritage; fish/riparian; forage and associated plant communities; recreation; resource features; soils; timber; visual quality; water quality; and wildlife.²¹ Under the *Forest and Range Practices Act*, objectives are set by the cabinet relating to any of the eleven resource values (*FRPA*, s.149). Objectives set by the cabinet related to the eleven resource values, are included via regulation, specifically in the *Forest*

²⁰ “Managing Resource Values under the Forest and Range Practices Act” Province of British Columbia, Forest and Range Practices Act, <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/legislation-regulation/forest-range-practices-act/resource-values>

²¹ “Forest and Range Evaluation Program” Province of British Columbia, BC Ministry Forests and Range, 2008 <https://www.for.gov.bc.ca/ftp/hfp/external!/publish/frep/about/FREP-Brochure-WebOnly-Aug14-2008.pdf>

Planning and Practices Regulation, the Range Planning and Practices Regulation, and the Woodlot Licence Planning and Practices Regulations (FRPA, s.149).

These objectives apply to the forest practices and activities that are permitted under the *FRPA*, as well as the agreements and licences that are issued under the *Forest Act*. All objectives identified by government in the regulations are qualified with the statement without unduly reducing the supply of timber from B.C.'s forest," meaning that the objectives may be balanced in a way that prioritizes the timber industry.

The objectives determined by the government in relation to natural resources, are as follows:

	Resource Value	Objective
1	Biodiversity	<p><u>Landscape level:</u> Design areas on which timber harvesting is carried out that resembles – spatially and temporally – the patterns of natural disturbance that occur within the landscape (<i>Forest Planning and Practices Regulation s.9</i>).</p> <p><u>Stand level:</u> Retain wildlife trees (<i>Forest Planning and Practices Regulation s.9.1</i>).</p> <p>Conserve biodiversity; maintain native plant community dynamics; encourage the development of late seral plant communities or other desired plant communities; and maintain plant communities consistent with natural successional stages on areas where forage seeding is carried out within transitory range areas (<i>Range Planning and Practices Regulation s.11</i>).</p>
2	Cultural Heritage	Conserve, or if necessary protect, cultural heritage resources that are the focus of a traditional use by an Aboriginal people that is of continuing importance to that people, and not regulated under the <i>Heritage Act</i> (<i>Forest Planning and Practices Regulation s.10, Woodlot Licence Planning and Practices Regulations s.9</i>).
3	Fish/Riparian	<p><u>Within riparian areas:</u> Conserve at the landscape level, the water quality, fish habitat, wildlife habitat, and biodiversity associated with those riparian areas (<i>Forest Planning and Practices Regulation s.8</i>).</p> <p><u>Within sensitive watersheds:</u> Up until December 31, 2005 the objective is to prevent cumulative hydrological effects of primary forest activities in the fisheries sensitive watershed from resulting in a material adverse impact on the habitat of the fish species for which the fisheries sensitive watershed was established (<i>Forest Planning and Practices Regulation s.8.1</i>).</p> <p>Conserve fish, fish habitat, and aquatic ecosystems; and manage any adverse effect of deleterious material (<i>Range Planning and Practices Regulation s.9</i>).</p> <p>Conserving within riparian areas, at the landscape level, water quality, fish habitat, wildlife habitat and biodiversity. (<i>Woodlot Licence Planning and Practices Regulations s.9</i>)</p>
4	Forage and Associated Plant Communities	Maintain or enhance healthy plant communities, including their vigour and cover; maintain or enhance forage quality and quantity for livestock and wildlife; recruit desirable plants, including through forage seeding; maintain a variety of age classes and structural characteristics within plant communities; maintain or improve litter; enable a range agreement in holder, in the exercise of its grazing or hay cutting rights granted by the

		government, to be vigorous, efficient and world competitive (<i>Range Planning and Practices Regulation s.7</i>)
5	Recreation	<p><u>Note:</u> Clear objectives are not identified in the regulations.</p> <p>Recreation consists of two components: (1) recreation resource management (the identification, protection and management of the provincial forest recreation resource) and (2) recreation use management (the provision of safe, sanitary, socially acceptable and environmentally sound recreation sites and recreation trails for public use)²²</p>
6	Resource Features	<p><u>Note:</u> Clear objectives are not identified in the regulations.</p> <p>Under the <i>Government Actions Regulation</i>, the Minister of FLNRORD may identify certain elements as resource features, which allows the Minister to make an order if they believe that special management is required (<i>Government Actions Regulation, s.5</i>).</p> <p>The elements that may be identified as resource features includes: a surface or subsurface element of a karst system; a range development; Crown land used for research or experimental purpose; a permanent sample site used as a snow course by or on behalf of the federal or provincial government for the purpose of measuring water content of the snow pack on a given are; a cultural heritage resource that is the focus of a traditional use by an Aboriginal people and that is not regulated by the <i>Heritage Conservation Act</i>; an interpretative forest site, recreation site or recreation trail; a trail or other recreation facility referred to in section 57 of the Act that is authorized by the Minister or under another enactment; a recreation feature that the Minister considers to be of significant recreational value (<i>Government Action Regulations, s. 5</i>)</p>
7	Soils	<p>Conserve productivity and hydrologic function (<i>Forest Planning and Practices Regulation s.5</i>).</p> <p>Protect soil properties; minimize erosion and compaction; minimize undesirable disturbance; maintain a vigorous and diverse cover of desirable plant species; re-establish ecologically suitable vegetation after disturbance; maintain ground cover, including sufficient litter and residual dry matter accumulation to protect soil; minimize accelerated soil erosion; and minimize sealing of the soil surface (<i>Range Planning and Practices Regulation s.6</i>).</p> <p>Conserve the productivity and hydrological functioning of soils. (<i>Woodlot Licence Planning and Practices Regulations s.9</i>)</p>
8	Timber	Maintain or enhance an economically valuable supply of commercial timber from B.C. and ensure the provisions of the regulation and the Act relating to primary forest activities, do not unduly constrain the ability of a holder of an agreement under the Forest Act to exercise their rights (<i>Forest Planning and Practices Regulation s.6</i>).
9	Visual Quality	Ensure that altered forest landscape for the scenic area in different visual sensitivity classes is in the required category (<i>Forest Planning and Practices Regulation s.9.2[2]</i>). The scenic area is an area of land established as such under the <i>Forest Practices Code of British</i>

²² “FREP Recreation Monitoring”, *Government of British Columbia*,
<https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/integrated-resource-monitoring/forest-range-evaluation-program/frep-monitoring-protocols/recreation>

		<p><i>Columbia Act</i> on or before October 24, 2002 and continued as such under the <i>FRPA</i>. Visual sensitivity classes are determined by the Land and Resource Data Warehouse, maintained by the Minister responsible for the <i>Land Act</i> (<u>Forest Planning and Practices Regulation</u> s.9.2[1]).</p> <ul style="list-style-type: none"> • visual sensitivity class 1 → preservation or retention category • visual sensitivity class 2 → retention or partial retention category • visual sensitivity class 3 → partial retention or modification category • visual sensitivity class 4 → partial retention or modification category • visual sensitivity class 5 → modification or maximum modification category
10	Water Quality	Maintain or improve water resources; maintain or promote healthy riparian and upland areas; maintain or promote riparian vegetation that provides sufficient shade to maintain stream temperature within the natural range of variability; and maintain or promote desired riparian plant communities (<u>Range Planning and Practices Regulation</u> s.8).
11	Wildlife	<p>Conserve sufficient wildlife habitat in terms of amount of area, distribution of areas, and attributes of those areas for: the survival of species at risk; the survival of regionally important wildlife; and the winter survival of specified ungulate species (s.7[1]). However, a person required to prepare a forest stewardship plan must only specify results or strategies regarding these objectives if the Minister responsible for the <i>Wildlife Act</i> gives notice about (a) the applicable species and (b) indicators of the amount, distribution, and attributes of wildlife habitat (<i>Forest Planning and Practices Regulation</i> s.7[2]).</p> <p>Maintain or promote sustainable, healthy, viable, productive and diverse wildlife populations and their associated habitat; minimize disturbance during critical periods to wildlife or to wildlife habitats; and manage the risk of interaction between predators and livestock (<i>Range Planning and Practices Regulation</i> s.10).</p> <p>Conserve sufficient wildlife habitat in terms of amount of area and distribution of areas, and attributes of those areas for: the winter survival of specified ungulate species, the survival of species at risk, and the survival of a species of regionally important wildlife. However, a woodlot plan must only be consistent with this objective if the Minister for the <i>Wildlife Act</i> notifies the holder of the specific species in question, and of the indicators of the amount, distribution, and attributes of necessary wildlife habitat required. (<i>Woodlot Licence Planning and Practices Regulations</i> s.9)</p>

5. PROVINCIAL FORESTS, WILDERNESS AREAS, AND TIMBER SUPPLY AREAS

Definitions

Tree Farm Licence Area: an area-based tenure that grants virtually exclusive rights to harvest timber and manage and conserve forests, recreation and cultural heritage on a specified area of land.²³

²³ ‘Tree Farm Licences’, *Government of British Columbia*, [https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/tfl#:~:text=A%20tree%20farm%20licence%20\(TFL,a%20specified%20area%20of%20land.&text=Forest%20Management%20Unit%20Map%20\(PDF%206.3MB\)](https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/tfl#:~:text=A%20tree%20farm%20licence%20(TFL,a%20specified%20area%20of%20land.&text=Forest%20Management%20Unit%20Map%20(PDF%206.3MB))

Provincial Forests

A provincial forest is land designated by the cabinet under section five of the *Forest Act* (*Forest Act*, s. 5[1]). Any Crown land in a tree farm licence is automatically considered a Provincial forest (*Forest Act*, s.5[3]).

The cabinet may order that Provincial forest land be consolidated or divided (*Forest Act*, s. 5[1]). Notice of this order must be published in the Gazette (*Forest Act*, s.5[2]). Provincial forests must not be disposed of under the *Taxation (Rural Area) Act* or section 5 the *Land Act* (*Forest Act*, s.5[4]), but may be disposed of under the *Land Act* for an easement or right of way, or for any other purpose that the Chief Forester considers compatible with section 2(1) of the *Forest Practices Code of British Columbia Act* or that is permitted by regulation (*Forest Act*, s.5[5]).

Section 2(1) of the Forest Practices Code of British Columbia Act: Private land described in a tree farm licence or woodlot area, and Crown land, must be managed in a way that is consistent with: (a) timber production, utilization and related purposes; (b) forage production and grazing by livestock and wildlife and related purposes; (c) recreation, scenery and wilderness purposes; (d) water, fisheries, wildlife, biological diversity and cultural heritage resource purposes; (e) another prescribed purpose

If the cabinet considers it to be to the social and economic benefit of British Columbia, they may cancel a Provincial forest (*Forest Act*, s.5[6]) or delete land from a Provincial forest (*Forest Act*, s.5[7]), except for land in a tree farm licence area.

Wilderness Areas

The cabinet may designate any Crown land in a Provincial forest as a wilderness area, cancel a designation of a wilderness area, or amend the boundaries of a wilderness area (*Forest Act*, s.6). If a Provincial forest containing wilderness areas is cancelled or has land deleted, those wilderness areas are reduced correspondingly (*Forest Act*, s.5[8]). The definition of a wilderness area is not provided in the legislation, and it is unclear what requirements are necessary for the cabinet to designate land as such.

Timber Supply Area

A timber supply area is a designated area established by the Ministry in order to “practice sound, integrated, resource management principles to improve the allowable annual cuts.”²⁴ Under the *Forest Act* the Minister may designate land as a timber supply area and order the consolidation, division, abolition, or changing of the boundaries of these areas (*Forest Act*, s.7).

6. ALLOWABLE ANNUAL CUT

The allowable annual cut (AAC) is the rate of timber harvesting determined for an area under section 8 of the *Forest Act* or the rate of timber harvesting specified in an agreement under the *Forest Act* (*Forest Act*, s.1[1]). Under the *Forest Act*, there are three authorities responsible for

²⁴ “FADM – Timber Supply Area (TSA)”, *Government of Canada*, 3 September 2011, <https://open.canada.ca/data/en/dataset/8daa29da-d7f4-401c-83ac-d962e3a28980>

determining the AAC: the Chief Forester, the Minister, and the Haida Gwaii Management Council.

Under the *Forest Act*, the cabinet may make regulations on a number of topics (*Forest Act*, s.151). Regarding the AAC, the regulation making powers include:

- For the purposes of section 8.1: prescribing the formulas or methods to be used to adjust the allowable annual cut, and prescribing additional circumstances in respect of which the allowable annual cut is adjusted (*Forest Act*, s.151[1][b.2])

6.1. AAC – Determined by the Chief Forester

The Chief Forester is appointed under section two of the *Ministry of Forests and Range Act* (*Forest Act*, s1[1]). Under the *Forest Act*, the Chief Forester must determine an annual allowable cut at least once every ten years for Crown land in each timber supply area (TSL), excluding the Crown land in tree farm licence areas; community forest agreement areas; First Nations woodland licence area; and woodlot licence areas (*Forest Act*, s. 8[1][a]). Additionally, the Chief Forester must determine an annual allowable cut at least once every ten years for Crown land in each tree farm licence area (*Forest Act*, s. 8[1][b]).

To determine the annual allowable cut, the Chief Forester must consider, despite anything to the contrary in an agreement under section 12 of the *Forest Act*, the following factors when making a determination:

- the rate of timber production that may be sustained in the area, considering: the composition of the forest and its expected rate of growth on the area; the expected time that it will take the forest to become re-established on the area following denudation; silviculture treatments to be applied to the area; the standard of timber utilization and the allowance for decay, waste and breakage expected to be applied with respect to timber harvesting on the area; the constraints on the amount of timber produced from the area that reasonable can be expected by used of the area for purposes other than timber production; and any other information that, in the Chief Forester's opinion, related to the capability of the area to produce timber (*Forest Act*, s.8[8][a][i-vi]);
- the short and long term implications to British Columbia of alternative rates of timber harvesting from the area (*Forest Act*, s. 8[8][b]);
- the economic and social objectives of the government, as expressed by the Minister, for the area, for the general region, and for British Columbia (*Forest Act*, s. 8[8][d]); and
- abnormal infestations in and devastations of, and major salvage programs planned for, timber on the area (*Forest Act*, s. 8[8][e]).

The Chief Forester may specify that portions of the annual allowable cut are attributable to one or more of the following: different types of timber or terrain within a timber supply area or tree farm licence area; different areas of Crown land within a timber supply area or tree farm licence area; different types of timber or terrain in different parts of private land within a tree farm licence area (*Forest Act*, s.8[5]).

The Chief Forester may require holders of tree farm licences to produce plans, studies, analyses, or obtain additional information that is deemed required to help with the determination of an AAC for an area (*Forest Act*, s.9[1]). The licence holder is required to supply this information in the manner and form specified by the Chief Forester (*Forest Act*, s.9[2]). If they do not comply, the ACC for the area will be reduced by 25% for the following year (*Forest Act*, 9[3]).

If the Chief Forester considers that the allowable annual cut is not likely to be changed significantly with a new determination, they may postpone the next determination up to 15 years after the relevant date of determination (*Forest Act*, s. 8[3.1]). This postponement may be rescinded if the Chief Forester believes that the allowable cut is likely to be changed significantly (*Forest Act*, s. 8[3.2]).

6.2. Annual Allowable Cut – Determined by the Minister

For land in woodlot licence areas, community forest agreement areas, and First Nations woodland licence areas, the Minister is responsible for determining an annual allowable cut (*Forest Act*, s.8[6]-[7]). The Minister also has the power to apportion the AAC on Crown land outside tree farm licence areas, community forest agreements and woodlots for granting under the agreements (*Forest Act*, s.10[1]).

6.3. Annual Allowable Cut – Determined by the Haida Gwaii Management Council

Under the *Haida Gwaii Reconciliation Act*, the Haida Gwaii management council is responsible for determining the annual allowable cut once every ten years for lands within the Haida Gwaii management area (*Haida Gwaii Reconciliation Act*, s. 5[2]). This determination must be provided to the Chief Forester and published on a publicly accessible website (*Haida Gwaii Reconciliation Act*, s.5[4]). The Haida Gwaii management area comprises all land on Haida Gwaii except land within the boundaries of an reserve, as defined in the *Indian Act*; land within the boundaries of a municipality; and land for which the indefeasible title is registered in a land title office in the name of a person other than the Crown (*Haida Gwaii Reconciliation Act*, s.1).

7. OWNERSHIP OF TIMBER AND TYPES OF LICENCES AND AGREEMENTS

Definitions

Bioenergy: energy derived from Crown timber

Bioenergy supply contract: an energy supply contract as defined in section 68 of the *Utilities Commission Act*, under which bioenergy is sold to the BC Hydro and power authority, and that is designated by the minister under s13.2 (a) as a bioenergy supply contract

Non-replaceable forest licence: Non-replaceable forest licences (NRFL) specify harvesting rights as a maximum total volume of timber, but also specify an allowable annual cut. Non-replaceable forest licences cannot be offered a licence replacement, but may be extended in some cases.²⁵

²⁵ “Forest Licences”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/forest-licences>

Subject to the *Land Act* and *Park Act*, rights to harvest Crown timber must not be granted by or on behalf of the government, except in accordance with the *Forest Act* and its regulations (*Forest Act*, s. 11).

Under the *Forest Act*, the cabinet may make regulations on a number of topics (*Forest Act*, s.151). Regarding timber property and ownership, the regulation making powers include:

- addressing the salvaging of logs including the rights of property in salvaged logs, and the collection, marking and disposing of salvaged logs (*Forest Act*, s.151[1][c])
- expanding the meaning of "timber" to include any or all special forest products (*Forest Act*, s.151[3]).
- regarding the seizure, sale and other disposition of salvaged logs by the minister if the logs are salvaged or dealt with in contravention of this Act or the regulations (*Forest Act*, s.151[1][i])

Regarding types of licences and agreements, the regulation making powers include:

- harvesting cascara bark from Crown land (*Forest Act*, s.151[1][f])
- the growing and harvesting of Christmas trees on Crown land (*Forest Act*, s.151[1][g])
- the operations of holders of log salvage permits and station licences (*Forest Act*, s.151[1][h])
- regarding the requirements relating to management plans for tree farm licences, including: (i)the approval of management plans; (ii)the content of management plans,; (iii)the time limits for submission of management plans or portions of management plans, (iv)the persons to whom the management plans must be submitted, (v)public review of and comment on management plans, (vi)the effective time period of management plans or portions of management plans, and (vii)matters relating to the replacement or extension of management plans (*Forest Act*, 151 [2][i.1])
- regarding (i)the boundary or area of a tree farm licence, and (ii)limiting the circumstances in which the minister may exercise his or her discretion under that section (*Forest Act*, s.151[1][k.1])
- Regarding (i)the circumstances in which the minister may change a boundary or increase the area of a community forest agreement, (ii)the factors the minister must consider before changing a boundary or increasing the area of a community forest agreement, and (iii)eligibility criteria for the holder of the community forest agreement (*Forest Act*, s.151[1][k.101])
- Regarding (i)the circumstances in which or the reasons for which the minister may postpone the operation of a cutting permit, (ii)the criteria or conditions that must be met in order for the minister to postpone the operation of a cutting permit, and (iii)the maximum period of time, including any extensions under subsection (4) of that section,

for which a cutting permit may be postponed by the minister, which may be different for different circumstances, reasons, criteria or conditions (*Forest Act*, s.151[1][k.3])

- the maximum volume of timber that may be specified in a forestry licence to cut entered into under section 47.6 (2) (d) (*Forest Act*, s.151[1][z])
- Regarding different management plans, including management plans (a)that relate to different licences or agreements, or(b)that were in effect when section 35.2 came into force (*Forest Act*, s.151[10])
- Respecting woodlot licences, woodlot licence areas and holders of woodlot licences, and community forest agreements, community forest agreement areas and holders of community forest agreements,
 - (a) establishing requirements and restrictions regarding the planning and forest practices, including the establishment of a free growing stand on a community forest agreement area or a woodlot licence area
 - (b)establishing conditions that must be complied with by the holder of a community forest agreement or a woodlot licence before, during and after forest practices;
 - (c)requiring site plans to be prepared by the holder of a community forest agreement or a woodlot licence and approved by the minister before forest practices are carried out on the community forest agreement area or a woodlot licence area;
 - (d)requiring that authority to carry out a forest practice on a community forest agreement area or a woodlot licence area be obtained before the forest practice begins;
 - (e)requiring persons to carry out actions for maintaining or improving forest health;
 - (f)establishing requirements for wildlife tree retention for areas within woodlot licence areas that apply despite any objective set by government with respect to wildlife tree retention;
 - (g)establishing or varying objectives for ungulate winter range to reduce the impact to the allowable annual cut of a woodlot licence (*FRPA*, s.153)
- Respecting first nations woodland licences, first nations woodland licence areas and holders of first nations woodland licences, including regulations
 - (a)without limiting section 146, providing that specified provisions of regulations made under subsection (1) or (2) do not apply to or in respect of first nations woodland licences, first nations woodland licence areas or holders of first nations woodland licences,
 - (b)prescribing provisions, in addition to the provisions of regulations made under subsection (1) or (2), that apply to or in respect of first nations woodland licences, first nations woodland licence areas or holders of first nations woodland licences, and

- (c) varying provisions of regulations made under subsection (1) or (2) as the provisions apply to or in respect of first nations woodland licences, first nations woodland licence areas or holders of first nations woodland licences (*FRPA*, s.153[3])

Under the *Forest Act*, agreements may be issued by either the Minister or the timber sales manager (s.12). The Minister may approve eligible applications for forest licences (*Forest Act*, s.13[4]) and may enter into agreements on behalf of the government, granting rights to harvest Crown timber (*Forest Act*, s. 12[1]).

A timber sales manager may enter into agreements on behalf of the government, granting rights to harvest Crown timber in the form of a timber sale licence, forestry licence to cut, or road permit (*Forest Act*, s.12[2]).

The types of agreements issued by the Minister and the timber sales manager are as follows:

Minister of FLNRO	<ul style="list-style-type: none"> • forest licence (<i>Forest Act</i>, s.12[1][a]) • timber licence (<i>Forest Act</i>, s.12[1][c]) (<u>Note</u>: no longer being issued) • tree farm licence (<i>Forest Act</i>, s.12[1][d]) • community forest agreement (<i>Forest Act</i>, s.12[1][e]) • First Nations woodland licence (<i>Forest Act</i>, s.12[1][e.1]) • community salvage licence (<i>Forest Act</i>, s.12[1][f]) • woodlot licence (<i>Forest Act</i>, s.12[1][g]) • licence to cut (<i>Forest Act</i>, s.12[1][h]) • free use permit (<i>Forest Act</i>, s.12[1][i]) • Christmas tree permit (<i>Forest Act</i>, s.12[1][j]) • road permit (<i>Forest Act</i>, s.12[1][k])
Timber sales manager	<ul style="list-style-type: none"> • timber sale license (s.12[2][a]) • forestry license to cut (s.12[2][b]) • road permits (s.12[2][c])

Under the Act, agreements can be grouped generally under two categories: (1) area-based agreements and (2) volume-based agreements. An area based tenure provides the right to harvest trees within a geographic area and tenure holders under these agreements are required to prepare a forest management plan.²⁶ Volume based tenure allows agreement holders to harvest a certain volume of timber within a timber supply area, and the location of the trees harvested is up to the agreement holder.²⁷

²⁶ “Forest Tenures”, *Government of British Columbia*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures>

²⁷ Clogg, Jessica. “Tenure Background Paper”, *West Coast Environmental Law*, October 1999, <https://www.for.gov.bc.ca/hfd/library/documents/bib96990.pdf>

The following tables provide an explanation of the types of agreements that may be issued under the act.

Area-Based Agreements

Agreement Type	Content and Basis For Harvest
Timber Licence (<u>Note:</u> no longer being issued)	<ul style="list-style-type: none"> • Timber licences are for a period of up to four years and they are non-replaceable (<i>Forest Act</i>, s.22[a]) • This type of licence grants all merchantable timber in a defined area.
Tree Farm Licence	<ul style="list-style-type: none"> • Tree farm licences are for a period of up to 25 years and are replaceable every 5-10 years, unless specified as non-replaceable (<i>Forest Act</i>, s.35[a]). • The licence holder must employ one or more professional foresters to manage the tree farm licence area (<i>Forest Act</i>, s.35[i]). • These areas can include both Crown land and private land (<i>Forest Act</i>, s. 38) and third parties may hold tenure rights within the area of the TFL (<i>Forest Act</i>, s.35[h]) • The licence grants virtually exclusive rights to harvest timber and manage and conserve forests, recreation, and cultural heritage resources on a specified area of land.²⁸ (<i>Forest Act</i>, s.35[1][e]) • The licence provides cutting permits of terms no longer than 4 years, that authorize the holder to harvest the allowable annual cut from specified areas of land within the tree farm licence area (<i>Forest Act</i>, s.35[1][4])
Community Forest Agreement	<ul style="list-style-type: none"> • Community forests support opportunities in areas such as recreation, wildlife and watershed management for communities and contribute to a more diversified forest economy.²⁹ • Community forest agreements are for a period of at least 25 years and no longer than 99 years (<i>Forest Act</i>, s. 43.3[1][a]) • They are managed by a local government, community group, First Nation or combination of local governments, First Nations and community groups, for the benefit of the entire community.³⁰ • Management plans are required before a community forest agreement is entered into (<i>Forest Act</i>, s. 43.2[8]) • These areas may include private land, First Nations reserve land, and Crown land (<i>Forest Act</i>, s.43.3[1][b])

²⁸ “Forest Tenures”, *Government of British Columbia*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures>

²⁹ “Community Forest Agreements”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/community-forest-agreements>

³⁰ “Community Forest Agreements”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/community-forest-agreements>

	<ul style="list-style-type: none"> • The exclusive right to harvest timber on the Crown land is granted in these areas (<i>Forest Act</i>, s.43.3[1][c]) • Audits and reports are required to be submitted regarding the holders performance, and make information available to the public concerning matters relating to the community forest agreement (<i>Forest Act</i>, s.43.3[1][g])
First Nations Woodland Licence ³¹	<ul style="list-style-type: none"> • First Nations woodland licences recognize First Nations' asserted land and resource interests, including the protection of traditional-use practices and the harvest and management of non-timber forest products (<i>Forest Act</i>, s.43.54) • These are long term forest tenure unique to First Nations. They can last for a period of between 25 and 99 years, and are replaceable every ten years (<i>Forest Act</i>, s.43.55 [1][a]). • The area comprises crown land and if so determined, reserve land (defined in the Indian act) or private land (<i>Forest Act</i>, s.43.55[1][b]) • This type of licence requires that a management plan be submitted to the Minister (<i>Forest Act</i>, s.43.55[1][f]) • The licence gives the exclusive right to harvest timber on Crown land (<i>Forest Act</i>, s.43.55[1][c][i]) and can include more than just timber (such as mushrooms, berries, etc.) [<i>Forest Act</i>, s.43.55[1][c][ii]]
Community Salvage Licence	<ul style="list-style-type: none"> • <u>Note:</u> There is currently a moratorium on issuing any new community salvage licences • These licences must not be for a term longer than five years (<i>Forest Act</i>, s.43.8[a]) • They provide communities, associations, and First Nations opportunities to participate in small-scale wood salvaging for the benefit of local small operators and the communities in which they live³²
Woodlot Licence ³³	<ul style="list-style-type: none"> • These are small scale, long-term licences that are for a period not exceeding 20 years and most are replaceable every 10 years (<i>Forest Act</i>, s. 45[1][a]) • The land is made up of private land owned or held under lease by its holder or a reserve as defined in the Indian act, and crown land of not more than 800 ha (if the Crown land is in the coast forest region), or 1200 ha (if the crown land is not located in the coast forest region) (<i>Forest Act</i>, s.45[1][b])

³¹ “First Nations Woodland Licence”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/first-nations-woodland-licence>

³² “Community Salvage Licence to Cut – Forestry”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/community-salvage-licence-to-cut>

³³ “Woodlot Licence” *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/woodlot-licence>

	<ul style="list-style-type: none"> • This type of licence requires a management plan that meets certain requirements - including that it propose management objectives in accordance with the woodlot licence, regarding – among others – protection and conservation of the non-timber values and resources in the woodlot licence area, forest fire prevention and suppression [iv]c) and forest health, including pest management (<i>Forest Act</i>, s.45[1][f][iv]) • This type of licence grants exclusive rights to manage and harvest Crown timber within the woodlot licence area • Woodlot licences are awarded either through an advertised, competitive application process or a direct award
Forestry Licence to Cut ³⁴	<ul style="list-style-type: none"> • Licences to cut allow harvesting in a specific area over a short period of time and addresses the recovery of small volumes of timber for areas impacted by insect, disease, fire or wind³⁵ • They are issued under a competitive or direct award process and are non-replaceable³⁶ <p>There are currently the following types of licences to cut³⁷:</p> <ul style="list-style-type: none"> • Community Wildfire Fuel Reduction Licence to Cut • Fibre Forestry Licence to Cut • Fibre Supply Licence to Cut • Forestry Licence to Cut • Occupant Licence to Cut • Oil & Gas Master Licence to Cut (BC Oil & Gas Commission) • Small Scale Salvage

Volume-Based Agreements

Agreement Type	Content and basis for harvest
Forest Licence	<ul style="list-style-type: none"> • The maximum term of a forest licence is 20 years and are replaceable every 5-10 years unless specified as non-replaceable (<i>Forest Act</i>, s.14[1]). • This type of licence grants all merchantable timber in a defined timber supply area or tree farm licence area in which the licence holder may harvest Crown timber (<i>Forest Act</i>, s.14[b]). • Restrictions may be imposed on what areas timber may be harvested in (<i>Forest Act</i>, s.14[b.1])

³⁴ “Forest Agreements – Licence to Cut” *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/licence-to-cut>

³⁵ “Forest Agreements – Licence to Cut” *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/licence-to-cut>

³⁶ “Forest Agreements – Licence to Cut” *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/licence-to-cut>

³⁷ “Forest Tenures Summaries: Licences to Cuts and Interior Blanket Salvage Permits”, *Government of British Columbia, Forest Tenures Branch*, 31 March 2017, https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-tenures/licences/overviews_licences_cut.pdf

	<ul style="list-style-type: none"> • These licences must specify an allowable annual cut that may be harvested under the licence (<i>Forest Act</i>, s.14[c])
Free Use Permit	<ul style="list-style-type: none"> • These permits give the right to remove minor volumes of Crown timber for personal purposes such as: Firewood collection; Christmas tree cutting; Using timber to develop a mining claim; Traditional or cultural activities³⁸ • Unless permitted by the minister, these permits must not be a volume exceeding 50m³ (<i>Forest Act</i>, s.49 [2][c]) <p>These permits can only be entered into with (<i>Forest Act</i>, s.48):</p> <ul style="list-style-type: none"> • (a) an occupier of land who requires crown timber for developing the land for agricultural purpose • (a.1) a person who requires a Christmas tree for their personal use, and not for sale for others • (b) a person who requires firewood for their personal domestic purposes and not for sale to others • (c) a board of education that requires firewood for school purposes • (d) a person who requires crown timber for the purpose of scientific investigation • (e) an owner of a crown grant of a mineral claim, authorizing the use of crown timber on land described in the grant in a mining operation conducted on that land • (f) a holder of a coal licence issued under the coal act, or a holder of a mineral title under the mineral tenure act not in production authorizing the holder to cut timber • (g) a person who requires crown timber for a traditional and cultural activity, within the meaning prescribed for the phrase “cultural and traditional activity” and is not selling the timber to others • (h) a treaty first nation that has entered into an agreement with British Columbia in accordance with its final agreement for the harvesting of types of timber specified in the final agreement

Hybrid and Other Agreements

Agreement Type	Content and basis for harvest
Road Permit	<ul style="list-style-type: none"> • A person who has the right to harvest timber under a forest licence, timber sale licence, timber licence, tree farm licence, community salvage licence, community forest agreement, First Nations woodland licence, woodlot licence, Christmas tree permit or forestry licence to cut may apply under this section for a road permit to construct a road on Crown Land or maintain an existing road on crown land, other than a forest service road (<i>Forest Act</i>, s. 115).

³⁸ “Free Use Permit – Forestry” *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/free-use-permit>

Timber Sale Licence	<ul style="list-style-type: none"> • These licences last for a period of up to 4 years and are non-replaceable (<i>Forest Act</i>, s.20-22) • They apply to a fixed area for which a maximum volume may also be specified • They are issued by BC Timber Sales through a competitive auction, which may impose limitations on the class of bidders³⁹
Pulpwood Agreement	<ul style="list-style-type: none"> • <u>Note:</u> these agreements are no longer being issued⁴⁰ • Pulpwood agreements have up to a 25-year term and are timber tenures that grant a conditional right to harvest “pulp quality timber”, where other sources of wood residue and pulp logs are insufficient or uneconomic (<i>Forest Act</i>, s.41).
Fibre Supply Licence to Cut	<ul style="list-style-type: none"> • These agreements are generally used for large areas and provides long-term access (maximum 10 years) to road and landing waste (residual fibre) not used by the individual or company that conducted the original harvesting⁴¹
Christmas Tree Permit	<ul style="list-style-type: none"> • These permits authorize the permittee to harvest or grow Christmas trees on crown land (<i>Forest Act</i>, s.50)
Bioenergy Licence	<ul style="list-style-type: none"> • Approved bioenergy applications must enter into a non-replaceable forest licence (<i>Forest Act</i>, s. 13.1[5])

8. PROTECTION OF HABITAT AND WILDLIFE

8.1. Forest and Range Activity Plans

Under the *FRPA*, the cabinet may make regulations on a number of topics. Regarding forest and range activity plans, the regulation making powers include those respecting range practices and the use of Crown range and range developments (*FRPA*, s.161[1]). This includes respecting (a)the use of Crown range for grazing of livestock, hay cutting and other purposes; (b)promoting health of Crown range; (c)the identification of livestock pastured on Crown range; (d)range developments and the payment of costs for range developments (*FRPA*, s.161)[2].

8.1.1. Forest Stewardship Plans

A Forest Stewardship Plans (FSP) is a map-based, landscape-level plan of potential forest development activities that are intended to take place in a specific area.⁴² They are developed using the *Forest Planning and Practices Regulation* which outlines the content requirements of the forest stewardship plan, including the results and strategies that an agreement holder must

³⁹ “BC Timber Sales – Timber Sale Licences (TSLs)”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales/tsl>

⁴⁰ “Pulpwood Agreements”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/pulpwood-agreements>

⁴¹ “Fibre Supply Licence to Cut – Forestry”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/licence-to-cut/fibre-supply-licence-to-cut>

⁴² “Forest Stewardship Plans” Province of British Columbia, Forest Stewardship, <https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/forest-stewardship-plans>

include in their plan, and all measures that will be taken to protect against invasive species and maintain natural range barriers.⁴³

Holders of a major licence, a timber sale licence that requires its holder to prepare a forest stewardship plan, a community salvage licence, a pulpwood agreement, or a community forest agreement under the *Forest Act* are required to develop an FSP another existing plan must be amended to include the new agreement holder and their activities (*FRPA*, s.3[1]). Before harvesting or road building can occur, the plan must be approved by the government (s.3[a]-[b]).

Before the timber sales manager enters into a timber sale licence not including those previously listed in section 3(1) (major licences, timber sale licences requiring the holder to prepare an FSP, community salvage licence, pulpwood agreement, or community salvage licence), grants a road permit, or constructs an access road to an area to be harvested by a licence holder, the manager must develop and obtain the Minister's approval of an FSP, or obtain the Minister's approval for an amendment to an existing FSP that would provide for the timber sales manager to become a party to that FSP (*FRPA*, s.3[2][a]-[e]).

FSP's must include a map with a satisfactory scale and format, showing the boundaries of all forest development units; it must specify intended results or strategies in relation to the objectives set by the government under this act that pertain to all or part of the area subject to the plan and conform to prescribed requirements (s.5). Additionally, each intended result or strategy must be consistent with the established government objectives found in the regulations, to the extent practicable (*Forest and Range Planning and Practices Regulation*, s.25.1).

The Minister must approve an FSP or an amendment to an FSP if it conforms with the requirements set out in section five (*FRPA*, s.16[1]). An FSP or amendment to an FSP is deemed to conform with the requirements of section five if a person with prescribed qualifications certifies that it conforms and the Minister is satisfied that it conforms with the requirements (*FRPA*, s.16[1.01]). As per the *Forest and Range Practices Regulations*, a person with prescribed qualifications includes agrologists, professional biologists, professional engineers, geoscientists, and professional foresters under the *Forest Act* (*Forest and Range Planning and Practices Regulation*, s.22.1). As per the *Forest Planning and Practices Regulations*, when making an approval decision about a stewardship plan under s.16 of the Act, the Minister may balance objectives, results, strategies and other plan content (s.27). Plans last for a period of five years after receiving ministerial approval (s.6) and they must be consistent with other timber harvesting rights granted by the government (s.5[2]).

Under the *Forest Planning and Practices Regulations*, section 12 sets requirements for the protection of forest, stating that a stewardship plan must specify a result or strategy that addresses retention of trees in a riparian management zone (s.12[3]).

⁴³ Forest Stewardship Plans” Province of British Columbia, Forest Stewardship, <https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/forest-stewardship-plans>

If the Minister determines that timber subject to a forest stewardship plan, woodlot plan, or amendment to either is at risk of being damaged, significantly reduced in value, lost, or destroyed, the Minister may approve the plan or amendment even if it does not comply with the requirements for approval of forest stewardship license plans and amendments, or woodlot license plans (*FRPA*, s.17).

Except in prescribed circumstances, holders of forest stewardship plans must prepare a site plan for any (a) cutblock before the start of timber harvesting on that cutblock, and (b) road before the start of timber harvesting related to the road's construction (*FRPA*, s.10[1]). Site plans must identify the approximate location of cutblocks and roads; be consistent with the FSP, the Act and the regulations; and identify how the intended results or strategies described in the FSP apply to the site (*FRPA*, s.10[2]). These site plans must be made available to the public at the holder's place of business nearest to the area under the site (*FRPA*, s.11).

8.1.2. Woodlot Licence Plan

A woodlot licence plan grants the licence holder exclusive management and harvesting rights to Crown timber within the licence area. These licences are granted either through advertised competitive application, or a direct award. Currently 3.5 million cubic metres of timber are allocated via woodlot licence plans.⁴⁴

Before harvesting timber or constructing a road, the license holder must prepare and get Minister approval of a woodlot license plan (*FRPA*, s.12[1]). Woodlot licence holders can only obtain cutting or road permits if they are consistent with the woodlot licence plan (*FRPA*, s.12[2]).

The term of a woodlot licence plan is 10 years after the date of minister approval (*FRPA*, s.14[1]). The Minister must also extend the term for a plan that conforms to the prescribed requirements for an additional 10 years, unless the holder requests a shorter period (*FRPA*, s.14[2]).

A woodlot licence plan must include a map of satisfactory scale and format that provides prescribed information about forest resources; shows the boundaries of areas for which the woodlot license plan specifies intended results or strategies; specifies intended results or strategies in relation to: objectives set by the government under the Act and that pertain to all or part of the area subject to the plan ; and conform to prescribed requirements (*FRPA*, s.13).

A woodlot licence plan does not need to be consistent with objectives set by government, to the extent that they pertain to retention of old forest, seral stage distribution, landscape connectivity or temporal and spatial distribution of cutblocks (*FRPA*, s.13[3]).

As per the *Woodlot Licence Planning and Practices Regulation*, woodlot plans must have certain requirements such as: identifying the areas where timber harvesting will be avoided or modified to protect resource features and manage resource values, including specifying retention of trees in riparian areas (*Woodlot Licence Planning and Practices Regulation* s.8[3][a][c]).

⁴⁴ "Woodlot Licence" Province of British Columbia, Timber Harvesting Rights, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/woodlot-licence>

Additionally, as per the regulation, a woodlot licence plan must specify a wildlife tree retention strategy. This describes generally the species and characteristics of individual wildlife trees; the forest cover attributes of wildlife tree retention areas; the conditions under which individual wildlife trees may be removed; the conditions under which trees may be removed from within a wildlife tree retention area; and how removed trees will be replaced (*Woodlot Licence Planning and Practices Regulation* s.11).

Additionally, as per the regulation, when developing a wildlife tree retention strategy, factors relating to biodiversity may be used (*Woodlot Licence Planning and Practices Regulation Schedule 2, s.2*). This includes the size, structure, amount, and location of trees that make them suitable for wildlife and have ecological attributes contributing to stand diversity; and the extent to which wildlife habitat areas, ungulate winter ranges, riparian management zones, riparian reserve zones, and scenic areas provide suitable wildlife habitat and assist in the conservation of stand level biodiversity (*Woodlot Licence Planning and Practices Regulation Schedule 2, s.2*).

Specific Protective Measures in the *Woodlot Licence Planning and Practices Regulation*:

- Soil disturbance limits are set. Generally, a holder must not cause the amount of soil disturbance on the area to be reforested to exceed the amount specified in the plan or 8% if there is not amount specified in the plan. Additionally, soil disturbance must not occur in a manner inconsistent with the government established objectives (s.24). However, limits may be exceeded if removing infected stumps or salvaging windthrow, and the disturbance is the minimum necessary (s.24[3]).
- A woodlot licence holder must ensure that their primary forest activity does not cause a landslide that has a material adverse effect on any of the government objectives in s.149 (s.26).
- A woodlot licence holder must ensure that their primary forest activity does not cause a gully process that has a material adverse effect on any of the government objectives in s.149 (s.27).
- A woodlot licence holder must not cut, modify or remove trees in a riparian reserve zone, unless it is approved in a licence plan or is for one of the limited reasons, such as safety hazards, or removing damaged trees (s.39[1]). Trees may only be removed in these zones if the removal will not have a material adverse effect on the riparian reserve zone (s.39[2]).
- Unless exempted, a woodlot licence holder carrying out a primary forest activity must ensure that it does not have an adverse effect on fish passage in a fish stream (s.44[1]).
- Unless exempted, a woodlot licence holder carrying out a primary forest activity, must ensure that it is conducted at a time and in a manner that is unlikely to harm fish, or destroy, damage, or harmfully alter fish habitat (s.45).

8.2. Range Use and Stewardship Plans

A range use plan is an operational plan including requirements that are specified by the Act,

allowing a holder to graze livestock or cut hay on crown range.⁴⁵ A range stewardship plan is a plan that can be prepared instead of a range use plan, by individuals who have demonstrated high levels of competence in range management. These are more flexible and encourage innovation (*FRPA*, s.35).⁴⁶

Before the holder of an agreement under the range act, grazes livestock or cuts hay on crown range, the holder needs to prepare and obtain the minister's approval of a range use plan or a range stewardship plan (*FRPA*, s.32). Range use plans and range stewardship plans are for a period of five years after Minister approval, which can be extended by the Minister for an additional period not exceeding five years (*FRPA*, s.36).

A range use plan must include a map of a satisfactory scale and format that shows the area for the agreement under the range act that pertains to the plan, specifies the location and type of range developments in that area, and specifies the pastures in that area. It must also include a schedule that describes for each pasture to be used: the livestock class, the number of livestock and the period of use. It must specify actions to be carried out in the area under the plan to deal with issues identified by the minister, must conform to prescribed requirements and must be consistent with objectives set by the government (*FRPA*, s.33).

A range stewardship plan must include a map of satisfactory scale and format that shows the area for the agreement that pertains to the plan, specifies the location and type of range developments in that area, and specifies the pastures that are in that area. It must specify actions to be carried out in that area under the plan to deal with issues identified by the minister; must conform to prescribed requirements; and must be consistent with the objectives set by the government (*FRPA*, s.35).

As per the *Range Planning and Practices Regulation*, certain requirements are set out for the protection of natural resources, such as:

- The Minister may require that the plan contain describes of plant communities and the actions that will be taken to establish or maintain them (s.13).
- Unless satisfied that there is no practicable alternative, and the vegetation, soil, or terrain will be restored after construction is complete to a standard that would not constitute a contravention of the regulation, the Minister may not grant an authorization of a range development, if it would alter vegetation, soil or terrain in a manner that, if the range development were a range practice, the person responsible for the range development would contravene any of the following sections (s.39): s.30 (riparian areas), s.31 (upland areas), s.32 (protection of fish), s.33 (2) (protecting water quality), s.37 (wildlife habitat features) or s.38 (resource features).

⁴⁵ "Glossary" Forest Practices Board, 2021 <https://www.bcfpb.ca/news-resources/glossary/>

⁴⁶ "Glossary" Forest Practices Board, 2021 <https://www.bcfpb.ca/news-resources/glossary/>

Specific Protective Measures in the *Range Planning and Practices Regulation*

- A range agreement holder who grazes on Crown land must ensure that the grazing of herbaceous plants does not occur in a manner, that if continued, will result in deterioration of plant communities located on the grazing area (s.29).
- A range agreement holder must not carry out a range practice if it would result in a material adverse affect on the ability of the riparian area to withstand normal peak flow events without accelerated soil loss, channel movement or bank movement, filter runoff, store and safely release water, and conserve wildlife habitat values in the area (s.30).
- A range agreement holder must not carry out a range practice on an upland area if the range practice would result in a material adverse affect on the upland area (s.31).
- A range agreement holder must ensure the range practice is conducted at a time and in a manner that is unlikely to harm fish, have a material adverse effect on fish passage or destroy, damage, or harmfully alter fish habitat (s.32).
- A range agreement holder must ensure that their range practice does not damage or render ineffective a wildlife habitat feature (s.37).
- A range agreement holder must ensure that their range practice does not damage or render ineffective a resource feature (s.38).
- A person who constructs a range development must ensure that any exposed soil is revegetate with ecologically suitable species within 2 years after the construction is completed (s.41).

8.3. Wildlife Protections

The cabinet can make regulations authorizing the Minister responsible for the *Wildlife Act* to establish one or more of the following: an area as an ungulate winter range and objectives for the ungulate winter range; an area as a wildlife habitat area and objectives for the wildlife habitat area; and a general wildlife measure (s.149.1). These objectives must be consistent with the general objectives set by the government that pertain to that area (s.149.1[2]).

The cabinet can also make regulations establishing criteria for classifying streams, wetlands, and lakes; for establishing riparian reserve, management zones, and areas (s.150.5); regulations requiring individuals to carry out actions for maintaining or improving forest health, and establishing requirements for wildlife tree retention (s.150.5); and regulations respecting forest and range resources (s.154).

The *Government Action Regulation* directs how the B.C. government establishes land designations or stewardship measures for forest and range values, including decisions about categories of species (such as species and risk and regionally important wildlife); decisions that trigger practice requirements for protection of wildlife, resource features, wildlife habitat

features, and temperature sensitive streams; and land use decisions for designating, managing or protecting wildlife habitat areas, and other areas.⁴⁷

Under the *Government Action Regulation*, the Minister for the *Wildlife Act* (the Minister of Environment and Climate Change Strategy) can by order: establish general wildlife measures, establish wildlife habitat areas, identify wildlife habitat features, establish areas as ungulate winter ranges, establish categories identifying species as at risk or as regionally important, identify fisheries sensitive watersheds and objectives, and designate temperature sensitive streams (*Government Action Regulation*, s.9-15).

Measure	Content
General wildlife measures	<p>The Minister for the <i>Wildlife Act</i> may, by order, establish a general wildlife measure to be applied to a specific area, for a category of species at risk, regionally important wildlife or specific ungulate species, if satisfied that (a) the measure is necessary to protect or conserve the species and (b) the <i>Government Action Regulation</i> or another regulation doesn't already otherwise provide for the protection or conservation of the species (<i>Government Action Regulation</i>, s.9[1]).</p> <p>The Minister for the <i>Wildlife Act</i> may, by order, establish a general wildlife measure for a wildlife habitat area or an ungulate winter range if satisfied that (a) the measure is necessary to protect or conserve the wildlife habitat area or ungulate winter range, and (b) this regulation or another enactment does not otherwise provide for that protection or conservation (<i>Government Action Regulation</i>, s.9[2]).</p>

⁴⁷ "Government Actions Regulation", *Government of British Columbia*, <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/legislation-regulation/forest-range-practices-act/government-actions-regulation>

Wildlife Habitat Areas	<p>The Minister for the <i>Wildlife Act</i> may, by order, establish an area as a wildlife habitat area if satisfied that the area is necessary to meet the habitat requirements of a category of species at risk or regionally important wildlife (<i>Government Action Regulation</i>, s.10[1]).</p> <p>The Minister for the <i>Wildlife Act</i> may, by order, establish a wildlife habitat area objective for a wildlife habitat area if satisfied that the wildlife habitat area requires special management that has not otherwise been provided for under this regulation or another enactment (<i>Government Action Regulation</i>, s.10[2]).</p>
Wildlife Habitat Features	<p>The Minister for the <i>Wildlife Act</i> may, by order, identify any or all of the following as a wildlife habitat feature: (a) a fisheries sensitive feature; (b) a marine sensitive feature; (c) a significant mineral lick or wallow; (d) a nest of a (i) bald eagle, (ii) osprey, (iii) great blue heron, or (iv) a category of species at risk that is limited to birds; (e) any other localized feature that the Minister responsible for the <i>Wildlife Act</i> considers to be a wildlife habitat feature, if satisfied that the wildlife habitat feature requires special management that has not otherwise been provided for under this regulation or another enactment (<i>Government Action Regulation</i>, s.11[1]).</p> <p>Identifying these wildlife habitat features may be by category or type, and may be restricted to a specified geographic location, and must be sufficiently specific to enable a person affected by it to identify the wildlife habitat feature in the ordinary course of carrying out forest practices or range practices (<i>Government Action Regulation</i>, s.11[2]).</p>
Ungulate winter Ranges	<p>The Minister for the <i>Wildlife Act</i> may, by order, establish an area as an ungulate winter range if satisfied that (a) the area contains habitat that is necessary to meet the winter habitat requirements for a category of specified ungulate species, and (b) the habitat referred to in paragraph (a) requires special management that is not otherwise provided for under this regulation or another enactment (<i>Government Action Regulation</i>, s.12[1]).</p> <p>The Minister for the <i>Wildlife Act</i> may, by order, establish an ungulate winter range objective for an ungulate winter range if satisfied that the ungulate winter range requires special management that is not otherwise provided for under this regulation or another enactment (<i>Government Action Regulation</i>, s.12[2]).</p>

Species at risk & Regionally Important Species	<p>The Minister for the <i>Wildlife Act</i> may, by order, establish one or more categories identifying species of wildlife as species at risk, if satisfied that the species are endangered, threatened or vulnerable (<i>Government Action Regulation</i>, s.13[1]).</p> <p>The Minister can also establish categories of species as “regionally important” if satisfied that the species are important to a region of B.C., rely on that habitat that requires special management, and may be adversely impacted by forest or range practices (<i>Government Action Regulation</i> s.13[2]).</p>
Fisheries Sensitive Watersheds	<p>The Minister for the <i>Wildlife Act</i> may, by order, identify as a fisheries sensitive watershed an area of land in a watershed that has significant downstream fisheries values and significant watershed sensitivity if satisfied that the area requires special management to protect fish, that is not otherwise provided for under this regulation or another enactment (<i>Government Action Regulation</i>, s.14[1]).</p> <p>This may be done by (a) conserving the natural hydrological conditions, natural stream bed dynamics and stream channel integrity, and the quality, quantity and timing of water flow, or (b) preventing cumulative hydrological effects that would have a material adverse effect on fish (<i>Government Action Regulation</i>, s.14[1][a]-[b]).</p>
Temperature Sensitive Streams	<p>The Minister for the <i>Wildlife Act</i> may, by order, designate a portion of a fish stream as a temperature sensitive stream if satisfied that (a) trees are required adjacent to the stream to manage the temperature of the designated portion for the protection of fish, and (b) management of the temperature of the designated portion is not otherwise provided for under this regulation or another enactment (<i>Government Action Regulation</i>, s.15)</p>

8.4. Prohibition On Damages to the Environment

A person must not carry out a forest practice, range practice, or other activity that results in damage to the environment unless: the person is acting in accordance with a plan, authorization or permit; the person is not required to hold a plan or permit because of an exemption under this act and is acting in accordance with the act and regulations or is acting in accordance with another enactment; and the person does not know and cannot reasonably be expected to know that the carrying out of the activity may result in damage specified by regulation (*FRPA*, s.46[1][1.1]).

A person who contravenes the prohibitions in section 46 (1) or (1.1) must take appropriate action to prevent further damage, promptly notify the district manager of the damage, and take any remedial measures the minister requires under s.74 (*FRPA*, s.46[2]).

The minister can make an order requiring an agreement holder under the *Forest Act* or *Range Act* to remedy, mitigate, or stop an act or omission that the minister reasonably believes will result in a contravention of the Acts and will or probably will cause any event or circumstance that will

result in a free growing stand required under the act not being established, or any event or circumstance having an adverse impact on the environment (*FRPA* s.77).

Under the *FRPA*, the cabinet may make regulations on a number of topics. Regarding the prohibitions against damaging nature, cabinet has the power to make regulations respecting forest resources and range resources (*FRPA*, s.154). This includes regulations regarding resource features (including authorizing the minister to identify resource features other than a resource feature that is a wildlife habitat feature; authorizing the minister responsible for the administration of the Wildlife Act to identify a resource feature that is a wildlife habitat feature) and forest health, including but not limited to forest health emergency management areas (*FRPA*, s.154[2]).

The cabinet may also make regulations respecting timber harvesting practices including but not limited to restricting or prohibiting a timber harvesting practice (*FRPA*, s.156) and regarding the power of the Minister to require the holder of an agreement under the Forest Act or the Range Act to take action to achieve a requirement of this Act or the regulations or to prevent damage to the environment if the damage is associated with a forest practice, range practice or range authorization, regarding stop work orders, and regarding remediation orders (*FRPA*, s. 164).

8.5. Invasive Plants – Insect Infestations

A person carrying out a forest or range practice must carry out measures to prevent the introduction or spread of prescribed species of invasive plants (*FRPA*, s.47). As per the *Forest Planning and Practices Regulation* (s.17), the *Range Planning and Practices Regulation* (s.15) and the *Woodlot Licence Planning and Practices Regulation* (s.14), a person preparing a plan must specify measures to prevent the introduction or spread of species of plants that are invasive, if the introduction or spread is likely to be the result of the persons authorized activity.

Additionally, if the Minister believes on reasonable grounds that a person is transporting or is about to transport beetle infested timber, and it will or probably will cause an adverse impact on the environment, the Minister can order the person to stop or refrain from transporting the infested timber, and carry out specific measures to reduce the potential for adverse impact on the environment (*FRPA*, s.77[2]).

8.6. Areas with Protective Capabilities

Designated Areas

Under the *Forest Act*, the cabinet may, by regulation, specify Crown land as a designated area, for a period set out in the regulation, if the cabinet believes that it is in the public interest to specify the area as designated (*Forest Act*, s. 169). The maximum period of time that land may continue as designated under regulations is 10 years (*Forest Act*, s. 169[2]).

When land is designated, the cabinet can ban all logging in the area by suspending licences, permits and plans or directing authorized individuals to no issue permit, licences, or plans (*Forest Act*, s. 170[2]). In a designated area, the Chief Forester may also reduce the allowable cut of a timber supply area or a tree farm licence area (*Forest Act*, s. 173[2]). The Minister, by

written order, may reduce the allowable annual cut or a community forest agreement area, First Nations woodland licence area or woodlot licence area, if all or part of the area is in a designated area (*Forest Act*, s.173[7]).

For the first four years of an order designating a designated area, no compensation or damages is payable by the government to the holder of any agreement affected (*Forest Act*, s.175.1). If the designated area continues for longer than four years, agreement holders may be entitled to compensation (*Forest Act*, s.175.2).

Forest Health Emergency Areas

The cabinet can designate an area of crown land or private land to be a forest health emergency area, and can order the holder of an agreement authorizing timber harvesting or the timber sale manager, to carry out measures in that area to prevent, contain or limit the spread of forest health factors (*FRPA*, s.27). Factors typically assessed when looking at forest health are bark beetles, defoliators, pathogens, animal damage, and other factors such as wildlife and drought.⁴⁸

Interpretive Forest Sites

Interpretive forests are established for enjoyment and recreation, and are used as outdoor classroom opportunities for integrated resource management.⁴⁹ The cabinet can make regulations respecting interpretive forest sites, recreation sites, and recreation trails – including regulations that restrict, prohibit, or attach conditions to their use (*FRPA*, s.148).

8.7. Special Tree Protection

Specified trees are those found in the schedule to the *Special Tree Protection Regulation*. Persons responsible for primary forest activities must ensure that trees specified in the schedule are not cut, damaged, or destroyed and supporting trees are not felled, topped, or destroyed (*Special Tree Protection Regulation*, s.3[2]).

8.8. Innovative Forestry Practices

Under the *Forest Act*, the minister can enter into agreements for the purpose of improving the productivity of the forestry resource, that allow the agreement holder to carry out one or more of the innovative forestry practices or other activities set out in the *Innovative Forestry Practices Regulation*. (*Forest Act*, s. 59.1[1]).

The maximum term of these agreements is 20 years (*Innovative Forestry Practices Regulation*, s.4) and they are applicable to replaceable forest licences and replaceable timber sales licences with an allowable annual cut larger than 10 000 cubic meters (*Innovative Forestry Practices Regulation*, s.3).

⁴⁸ “Forest Health”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/forest-health>

⁴⁹ “Sea to Sky District Interpretive Forests” Province of British Columbia, Ministry of Forests, Lands and Natural Resource Operations, <https://www.for.gov.bc.ca/dsq/interpForests/interpretive.htm>

A person may only carry out an innovative practice if they obtain the Minister's approval of a forestry plan and carry out the activity in accordance with this plan (*Forest Act*, s. 59.1[5-6]).

Forestry plans must describe: (a) the management area where the practice will take place; (b) specify the particulars of the activity; (c) describe how the activity will be carried out; (d) contain a schedule of when the activity will occur; (e) specify how the activity will contribute to improved productivity of the forestry resource; (f) specify how the activity will justify an increase in the allowable annual cut of the participant's licence or agreement, and may include other terms and conditions.

The types of innovative forestry practices specified are:

- The implementation of harvesting methods or silvicultural systems that may
 - (i) increase the total amount of timber available to harvest in the timber supply area over the amount available under standard practices, or
 - (ii) reduce the loss of productivity associated with permanent access structures from the loss of productivity under standard practices for similar terrain and timber types in the timber supply area (*Innovative Forestry Practices Regulation*, s.2[a])

(Silviculture is the practice of controlling the growth, composition/structure, and quality of forests to meet values and needs, specifically timber production.)
- Activities that result in the establishment of free-growing stands on (i) previously unforested areas, (ii) areas that are below stocking requirements and are not part of the holder's free-growing responsibilities under sections 69.1 (3) and 70 (3) of the Forest Practices Code of British Columbia Act, or (iii) areas that
 - (A) have stands of timber with repressed growth or that contain brush or species that are not commercially valuable, and (B) are not part of the holder's free-growing responsibilities under sections 69.1 (3) and 70 (3) of the Forest Practices Code of British Columbia Act (*Innovative Forestry Practices Regulation*, s.2[b])
- Silviculture treatments on free-growing stands (*Innovative Forestry Practices Regulation*, s.2[c]);
- Silviculture treatments on sites that are not free growing in order to produce stands that exceed current growth performance or standards achieved using standard practices for the timber supply area (*Innovative Forestry Practices Regulation*, s.2[d]);
- The collection and analysis of new data, in accordance with the specifications of the chief forester, to provide a more accurate representation of the forest composition and its expected rate of growth compared to the rate existing when the forest plan is submitted or at any other time determined by the minister (*Innovative Forestry Practices Regulation*, s.2[e]);
- Activities that will enhance and protect other resource values, including, but not limited to, water, fisheries, wildlife, biological diversity, soil productivity and stability, forage production, grazing and recreation values (*Innovative Forestry Practices Regulation*, s.2[f]).

8.9. Soil Disturbances

A “soil disturbance” is disturbance to the soil in the net area to be reforested in a cutblock because of (a) temporary access structures (b) gouges, ruts and scalps, (c) compacted areas, but does not include the effect on the soil of rehabilitating an area (*Forest Planning and Practices Regulation*, s.1).

Under the *Forest Act*, if a holder of a major tree farm licence, community forest agreement, First Nations woodland licence, a major licence other than a tree farm licence, or a woodlot licence – caused or allowed soil disturbance in excess of the limits specified in an operational plan pertaining to the cutting permit; the chief forester may reduce the allowable annual cut of the agreement (*Forest Act*, s. 70[1-4]).

Under the *FRPA*, the cabinet may make regulations on a number of topics (*Forest Act*, s.151). Regarding soil, the regulation making powers include those respecting terrain stability and soil disturbance (*FRPA*, s. 159).

9. DUE PROCESS

9.1. Forest Practices Board

The Forest Practices Board is an independent watchdog for forest and range practices in B.C. It encourages sound forest practices that warrant public confidence; the fair and equitable application of the *Forest and Range Practices Act* and the *Wildlife Act*; and continuing improvements in forest and range practices.⁵⁰ The board is continued under section 136 of the *Forest and Range Practices Act* and is comprised of a chair, at least one vice chair, and other members appointed after consultation with the chair.

In accordance with the regulations, the Board must carry out periodic independent audits and may carry out special investigations to determine compliance with the requirements and regulations and standards and the appropriateness of government enforcement (*FRPA*, s.122). The Board cannot investigate any conduct occurring before the commencement of the *Forest Practices Code of British Columbia Act*.

Under the *FRPA*, the cabinet may make regulations respecting the Forest Practices Board. Specifically, they may make regulations respecting: complaints to the board, including (i)the manner of making a complaint, (ii)specifying which complaints may be heard, (iii)the manner of dealing with complaints, and (iv)the nature and extent of investigations which may be taken in relation to a complaint (*FRPA*, s.167[2]).

⁵⁰ “What We Do” Forest Practices Board, 2021 <https://www.bcfpb.ca/board/what-we-do/>

9.2. Citizen Input on Forest Stewardship Plans, Woodlot Licence Plans, and Range Use and Stewardship Plans

A person preparing a forest stewardship plan, woodlot licence plan or amendment to either, must make the plan or amendment publicly available for review and comment, before submitting it to the Minister for approval (*FRPA*, s.18)

As per the *Forest Planning and Practices Regulation*, notice must be published at least once in a newspaper, stating that the plan or amendment is publicly available for review and comment at a specified location, that people may attend during business hours to review the plan or amendment, and the address of the person proposing the amendment where comments can be submitted to (*Forest Planning and Practices Regulation*, s.20). The review process must be for at least 60 days, unless the Minister determines that a greater number of days is needed or that a lesser amount of days will provide an adequate opportunity for review and comment. Additionally, if quick harvest is required to deal with dead, infested, or otherwise damaged timber and prevent further deterioration, the review period may be ten days (*Forest Planning and Practices Regulation*, s.20). Under this regulation, a person posting a notice must consider any written comments that are relevant to the plan or amendment, but is not required to consider comments regarding forest development units (*Forest Planning and Practices Regulation*, s.22).

As per the *Woodlot Licence Planning and Practices Regulation*, before submitting a woodlot license plan for approval, the holder must publish a notice in a newspaper in a form acceptable to the minister (*Woodlot Licence Planning and Practices Regulation*, s.17). After publishing, the holder must provide opportunity for review and comment to interested or affected persons for at least 30 days, except in cases of emergency, and must review and submit a written copy of each comment when submitting the plan to the Minister (*Woodlot Licence Planning and Practices Regulation*, s.17[3-5]).

In certain circumstances, before a person submits for approval a range use plan, range stewardship plan, or amendment to either, the person must make the plan or amendment available for review and comment (*FRPA*, s.41). The holder of a range stewardship plan must also prepare a grazing schedule that includes for each area that will be used for grazing: the livestock class, the number of livestock, and the period of use, and make it available to members of the public on request (*FRPA*, s.43-44).

Before a pilot project for forest practices or range practices may proceed, the person submitting needs to make it available publicly for review and comment, and submit a summary of the comments received and actions taken or proposed to address issues raised in the comments, to the minister (*FRPA*, s.171).

9.3. Citizen Input – Complaints Directed to the Forest Practices Board

As per the regulations, the Forest Practices Board must deal with complaints from the public regarding matters pertaining to the *FRPA* (*FRPA*, s.123). However, the Board can refuse to investigate a complaint or stop an investigation, if any of the following applies (*FRPA*, s.123):

- the complainant knew or ought to have known of the determination to which their complaint relates, more than one year before the complaint was received by the board;
- the law or existing administrative procedure provides an adequate remedy in the circumstances, and the complainant hasn't taken advantage of the remedy with no reasonable justification for failure to do so;
- the complaint is frivolous, vexatious, not made in good faith or concerns a trivial matter;
- having regard to all the circumstances, further investigation is not necessary to consider the complaint; or
- investigation would not benefit the complainant.

9.4. Updates to the Forest and Range Practices Act

In 2019 the Minister of Forests, Lands and Natural Resource Operations, and Rural Development introduced amendments to the Forest and Range Practices Act, with the goal of supporting the health and sustainability of BC's forests and range lands.⁵¹ Public input and participation (including Indigenous peoples and communities within the province, industry stakeholders, and the public) was invited up until July 15, 2019.⁵²

10. REFERENCES

Provincial Legislation

- *Forest Act* RSBC 1996 Ch 157,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96157_00
- *Forest Act* Regulations Relevant to the protection of nature and biodiversity:
 - *Allowable Annual Cut Administration Regulation*, B.C. Reg. 69/2009,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/69_2009
 - *Allowable Annual Cut Partition Regulation*, B.C. Reg. 32/2011,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/32_2011
 - *BC Timber Sales Regulation*, B.C. Reg. 318/2008,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/381_2008
 - *Christmas Tree Regulation*, B.C. Reg. 166/2000,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/166_2000
 - *Community Tenures Regulation*, B.C. Reg. 352/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/352_2004
 - *Cut Control Regulation*, B.C. Reg. 578/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/578_2004
 - *Cutting Permit Postponement Regulation*, B.C. Reg. 284/2007,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/284_2007

⁵¹ "Forest and Range Practices Act", *Government of British Columbia*,
<https://engage.gov.bc.ca/forestandrangepractices>

⁵² "Forest and Range Practices act Improvement Initiative: Renewal and Resilience", *Ministry of Forests, Lands, Natural Resource Operations and Rural Development*,
https://engage.gov.bc.ca/app/uploads/sites/487/2019/05/DISCUSSION_PAPER_FRPA_May-27.pdf

- *First Nation Tenures Regulation*, B.C. Reg. 104/2011,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/104_2011
- *Forest Licence Regulation*, B.C. Reg. 203/2012,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/203_2012
- *Free Use Permit Regulation*, B.C. Reg. 335/99,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/335_99
- *Innovative Forestry Practices Regulation*, B.C. Reg. 197/97,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/197_97
- *Licence to Cut Regulation*, B.C. Reg. 221/2006,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/221_2006
- *Timber Definition Regulation*, B.C. Reg. 401/87,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/401_87
- *Timber Harvesting Contract and Subcontract Regulation*, B.C. Reg. 22/96,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/22_96
- *Tree Farm Licence Area-Based Allowable Annual Cut Trial Program Regulation*, B.C. Reg. 482/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/482_2004
- *Tree Farm Licence Management Plan Regulation*, B.C. Reg. 280/2009,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/280_2009
- *Woodlot Licence Regulation*, B.C. Reg. 68/2006,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/68_2006
- *Designated Areas*, B.C. Reg.
<https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/designatedareas>
- Other *Forest Act* Regulations:
 - *Administrative Boundaries Regulation*, B.C. Reg. 137/2014,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/137_2014
 - *Advertising, Deposits, Disposition and Extension Regulation*, B.C. Reg. 55/2006,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/55_2006
 - *Annual Rent Regulation*, B.C. Reg. 122/2003,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/122_2003
 - *BC Timber Sales Account Regulation*, B.C. Reg. 9/2014,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/9_2014
 - *Disposition and Change of Control Regulation*, B.C. Reg. 351/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/351_2004
 - *Effective Director Regulation*, B.C. Reg. 243/94,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/243_94
 - *Forest Accounts Receivable Interest Regulation*, B.C. Reg. 406/98,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/406_98
 - *Forest Revenue Audit Regulation*, B.C. Reg. 319/2006,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/319_2006
 - *Interest Rate Under Various Statutes Regulation*, B.C. Reg. 386/92,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/386_92c

- *Log Salvage Regulation for the Vancouver Log Salvage District*, B.C. Reg. 220/81,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/220_81
- *Manufactured Forest Products Regulation*, B.C. Reg. 240/2003,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/240_2003
- *Minimum Stumpage Rate Regulation*, B.C. Reg. 354/87,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/354_87
- *Performance Based Harvesting Regulation*, B.C. Reg. 175/95,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/175_95
- *Refusal of Cutting Permit or Road Permit Regulation*, B.C. Reg. 252/2018,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/252_2018
- *Scaling Regulation*, B.C. Reg. 446/94,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/446_94
- *Special Forest Products Regulation*, B.C. Reg. 241/2003,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/241_2003
- *Surrender Regulation*, B.C. Reg. 181/2016,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/181_2016
- *Timber Marking and Transportation Regulation*, B.C. Reg. 253/97,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/253_97
- *Waste Assessment Regulation*, B.C. Reg. 262/2019,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/262_2019
- *Forest and Range Practices Act*, SBC 2002, Ch 69,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/02069_01
- *Forest and Range Practices Act Regulations Relevant to the protection of nature and biodiversity*
 - *Administrative Orders and Regulation*, B.C. Reg. 101/2005,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/101_2005
 - *Forest Planning and Practices Regulation*, B.C. Reg. 14/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/14_2004
 - *Forest Practices Board Regulation*, B.C. Reg. 15/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/15_2004
 - *Forest Recreation Regulation*, B.C. Reg. 16/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/16_2004
 - *Government Actions Regulation*, B.C. Reg. 582/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/582_2004
 - *Invasive Plants Regulation*, B.C. Reg. 18/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/18_2004
 - *Range Planning and Practice Regulation*, B.C. Reg. 19/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/19_2004
 - *Special Tree Protection Regulation*, B.C. Reg. 229/2020,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/229_2020
 - *Woodlot Licence Planning and Practices Regulation*, B.C. Reg. 21/2004,
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/21_2004

- Other *Forest and Range Practices Act* Regulations
 - *Administrative Review and Appeal Procedure Regulation*, B.C. Reg. 12/2004, https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/12_2004
 - *Forest Service Road Use Regulation*, B.C. Reg. 70/2004, https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/70_2004
 - *Fort St. John Pilot Project Regulation*, B.C. Reg. 278/2001, https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/278_2001
 - *Security for Forest and Range Practice Liabilities Regulation*, B.C. Reg. 20/2004, https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/20_2004
 - *Tree Seeds and Service Regulation*, B.C. Reg. https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/138_2019

Other Sources

- “BC Forest Facts”, *BC Market Outreach Network*, September 2006, http://www.lfbc.leg.bc.ca/public/pubdocs/bcdocs/405739/fsa_057e.pdf
- BC Timber Sales – Timber Sale Licences (TSLs)”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales/tsl>
- Becklumb, Penny. “Federal and Provincial Jurisdiction to Regulate Environmental Issues” *Library of Parliament, Economics, Resources and International Affairs division*, 24 September, 2013, https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/201386E#txt38
- “Canada’s Forest Laws” *Government of Canada*, 29 June, 2020, <https://www.nrcan.gc.ca/our-natural-resources/forests-forestry/sustainable-forest-management/canadas-forest-laws/17497>
- Clogg, Jessica. “Tenure Background Paper”, *West Coast Environmental Law*, October 1999, <https://www.for.gov.bc.ca/hfd/library/documents/bib96990.pdf>
- “Community Forest Agreements”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/community-forest-agreements>
- Community Salvage Licence to Cut – Forestry”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/community-salvage-licence-to-cut>
- *The Constitution Act*, 1867, 30 & 31 Vict, c 3, <<https://canlii.ca/t/ldsw>> retrieved on 2021-06-11.
- “Crown Land: Indicators & Statistics Report”, *Ministry of Forests, Lands and Natural Resources Operations*, 2011 https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/crown_land_indicators_statistics_report.pdf

- “Fibre Supply Licence to Cut – Forestry”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/licence-to-cut/fibre-supply-licence-to-cut>
- “First Nations Woodland Licence”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/first-nations-woodland-licence>
- “Forest Agreements – Licence to Cut” *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/licence-to-cut>
- “Forest Licences”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/forest-licences>
- “Forest Legislation and Policy Reference Guide 2015”, *Association of BC Forest Professionals*, 31 March 2015, http://member.abcfp.ca/WEB/abcfp/Files/sd84js_nwp455/abcjfpRefGuide_20f15_web.pdf
- “Forest and Range Evaluation Program” Province of British Columbia, BC Ministry Forests and Range, 2008 <https://www.for.gov.bc.ca/ftp/hfp/external!/publish/frep/about/FREP-Brochure-WebOnly-Aug14-2008.pdf>
- “Forest and Range Practices Act”, *Government of British Columbia*, <https://engage.gov.bc.ca/forestandrangepactices>
- “Forest and Range Practices act Improvement Initiative: Renewal and Resilience”, *Ministry of Forests, Lands, Natural Resource Operations and Rural Development*, https://engage.gov.bc.ca/app/uploads/sites/487/2019/05/DISCUSSION_PAPER_FRPA_May-27.pdf
- “Forest Stewardship”, *Government of British Columbia*, <https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources>
- “Forest Stewardship Plans” Province of British Columbia, Forest Stewardship, <https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/forest-stewardship-plans>
- “Forest Tenures”, *Government of British Columbia*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures>
- “Forest Tenures Summaries: Licences to Cuts and Interior Blanket Salvage Permits”, *Government of British Columbia, Forest Tenures Branch*, 31 March 2017, https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/timber-tenures/licences/overviews/licences_cut.pdf
- “Free Use Permit – Forestry” *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/free-use-permit>
- “FREP Recreation Monitoring”, *Government of British Columbia*, <https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest->

[resources/integrated-resource-monitoring/forest-range-evaluation-program/frep-monitoring-protocols/recreation](#)

- “Glossary” Forest Practices Board, 2021 <https://www.bcfpb.ca/news-resources/glossary/>
- “Government Actions Regulation”, *Government of British Columbia*, <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/legislation-regulation/forest-range-practices-act/government-actions-regulation>
- “Jurisdiction, Duties and Authorities” Government of Canada, 19 March, 2020, <https://www.canada.ca/en/environment-climate-change/corporate/transparency/briefing-materials/corporate-book/jurisdiction-duties-authorities.html>
- “Land and People”, *Government of British Columbia*, <https://www.for.gov.bc.ca/hfd/pubs/docs/mr/mr113/land.htm>;
- “Managing Resource Values under the Forest and Range Practices Act” Province of British Columbia, Forest and Range Practices Act, <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/laws-policies-standards-guidance/legislation-regulation/forest-range-practices-act/resource-values>
- “Pulpwood Agreements”, *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/pulpwood-agreements>
- “Private Managed Forest Land”, *Government of British Columbia*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/private-managed-forest-land>
- *R. v. Crown Zellerbach Canada Ltd.*, 1988 CanLII 63 (SCC), [1988] 1 SCR 401.
- “Sea to Sky District Interpretive Forests” Province of British Columbia, Ministry of Forests, Lands and Natural Resource Operations, <https://www.for.gov.bc.ca/dsq/interpForests/interpretive.htm>
- “Tree Farm Licences”, *Government of British Columbia*, [https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/tfl#:~:text=A%20tree%20farm%20licence%20\(TFL,a%20specified%20area%20of%20land.&text=Forest%20Management%20Unit%20Map%20\(PDF%206.3MB](https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/tfl#:~:text=A%20tree%20farm%20licence%20(TFL,a%20specified%20area%20of%20land.&text=Forest%20Management%20Unit%20Map%20(PDF%206.3MB)
- “Understanding Managed Forest Classification in British Columbia”, *BC Assessment*, , 2021, <https://info.bccassessment.ca/Services-products/property-classes-and-exemptions/managed-forest-classification-in-british-columbia/understanding-managed-forest-classification-in-british-columbia>
- “What We Do” Forest Practices Board, 2021 <https://www.bcfpb.ca/board/what-we-do/>
- “Woodlot Licence” *Government of British Columbia, Forest Tenures Branch*, <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/woodlot-licence>