

B.C. Reg. 280/2009
O.C. 639/2009

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Forest Act

TREE FARM LICENCE MANAGEMENT PLAN REGULATION

Note: Check the Cumulative Regulation Bulletin 2014
for any non-consolidated amendments to this regulation that may be in effect.

[includes amendments up to B.C. Reg. 23/2013, January 30, 2013]

Point in Time

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Definitions

- 1 In this regulation:
 - "**Act**" means the *Forest Act*;
 - "**management plan**" means a management plan for a tree farm licence referred to in section 35.2 of the Act.

Approval

- 2 For the purpose of section 35.2 of the Act, a management plan must be approved by the chief forester if the chief forester determines that
 - (a) the management plan meets the requirements set out in this regulation, and
 - (b) the content of the management plan required under section 5 of this regulation meets an acceptable standard.

Term

- 3 A management plan approved under section 2 of this regulation is effective until
 - (a) it is replaced by a new management plan approved under section 2 of this regulation, or
 - (b) the tree farm licence to which it relates expires, is cancelled or surrendered, or otherwise ceases to exist.

Timing

4 (1) Subject to subsection (2) or an agreement under section 7, a tree farm licence holder must submit a management plan to the chief forester at least 6 months before the following dates, as applicable:

- (a) the latest date the chief forester must determine the allowable annual cut of the tree farm licence area under section 8 (1) of the Act;
- (b) the latest date the chief forester must determine the allowable annual cut of the tree farm licence area under section 8 (3) of the Act;
- (c) the date to which the chief forester postpones the next allowable annual determination under section 8 (3.1) of the Act, as set out in the written order referred to in section 8 (3.1) (a) of the Act.

(2) If the chief forester

- (a) decides that the next allowable annual cut determination is to be on a date that is earlier than the date referred to in subsection (1) (a) or (b), as applicable, or
- (b) rescinds an order made under section 8 (3.1) of the Act, by written order under section 8 (3.2) of the Act, and sets an earlier date for the next allowable annual cut determination of the tree farm licence area, and

provides written notice to the tree farm licence holder of the earlier date of the allowable annual cut determination at least one year in advance of the earlier date, the tree farm licence holder, subject to an agreement under section 7, must submit a management plan to the chief forester at least 6 months before the earlier date of the allowable annual cut determination.

[am. B.C. Reg. 23/2013, Sch. 2, ss. 1 and 2.]

Content

5 A management plan must contain the following:

- (a) a general description of the tree farm licence land base, including a map of any Crown land, private land and timber licences that are a part of the tree farm licence;
- (b) a brief history of the tree farm licence, encompassing the period of time from the date the tree farm licence was first issued to the date this management plan is submitted to the chief forester, that includes
 - (i) a list of all the persons who have held the tree farm licence and the dates on which each of those persons held the tree farm licence,
 - (ii) a list of all the consolidations and subdivisions involving the tree farm licence area and the date of each of those consolidations and subdivisions, and
 - (iii) a list of all the boundary changes to the tree farm licence area involving over 200 hectares and the date of each of those boundary changes;
- (c) the title, and a description, of each of the publicly available planning documents that are used to guide forest management and operations of the tree farm licence holder in the tree farm licence area, including

- (i) forest stewardship plans approved under section 16 of the *Forest and Range Practices Act*,
 - (ii) landscape level plans, and
 - (iii) plans required by independent forestry certification schemes;
- (d) a timber supply analysis that analyzes the short term and long term availability of timber for harvesting in the tree farm licence area, including the impact of management practices on the availability of timber;
- (e) supporting documentation for the timber supply analysis referred to in paragraph (d) that includes
 - (i) inventories of the forest cover, terrain stability, recreation, visually sensitive areas, lakes, wetland and stream riparian zones, ungulate winter ranges, wildlife habitat areas, old growth management areas, community watersheds, cultural heritage resources and archaeological sites in the tree farm licence area,
 - (ii) a description of the analytical model used in the formulation of the timber supply analysis and how the model works,
 - (iii) a description of any other analytical methods or systems of data organization used in the formulation of the timber supply analysis, and
 - (iv) any other information that is relevant to timber supply on the tree farm licence area;
- (f) a description of the strategy used to conduct the public review under section 6 and a summary of the public comments received as a result of the public review.

Public review

- 6** (1) The tree farm licence holder must make the management plan available for public review and comment in accordance with the strategy approved by the minister under subsection (2) or (3), as applicable.
- (2) Subject to an agreement under section 7, no later than one year before the date the management plan must be submitted to the chief forester under section 4 (1), the tree farm licence holder must obtain approval from the minister of a strategy for public review of the management plan.
- (3) If the chief forester gives written notice under section 4 (2) of an earlier allowable annual cut determination date, the tree farm licence holder, subject to an agreement under section 7, must obtain approval from the minister of a strategy for public review of the management plan no later than 2 months after the date of the written notice.

[am. B.C. Regs. 133/2011, Sch. s. 31; 23/2013, Sch. 2, ss. 3 and 4.]

Agreement on alternative dates

- 7** (1) At any time before the date described in subsection (2), a tree farm licence holder and the chief forester may agree to
- (a) a specific date by which the tree farm licence holder must submit a management plan to the chief forester, which date may be earlier or later than the date that would otherwise apply under section 4, and
 - (b) a specific date by which the tree farm licence holder must obtain approval

from the minister of a strategy for public review of the management plan, which date may be earlier or later than the date that would otherwise apply under section 6.

- (2) An agreement may be made under subsection (1) at any time before the date by which the tree farm licence holder, in the absence of an agreement under this section, would be required under section 6 (2) or (3), as applicable, to obtain approval from the minister of a strategy for public review of the management plan.
- (3) If a tree farm licence holder and the chief forester make an agreement under subsection (1), the tree farm licence holder must comply with the agreement.

[en. B.C. Reg. 23/2013, Sch. 2, s. 5.]

[Provisions relevant to the enactment of this regulation: [Forest Act](#), R.S.B.C. 1996, c. 157, sections 35.2 and 151]