



B.C. Reg. 197/97

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O.C. 694/97

*Forest Act*

**INNOVATIVE FORESTRY PRACTICES REGULATION**

[includes amendments up to B.C Reg. 133/2011, July 21, 2011]

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**Definitions**

1 In this regulation:

- "**Act**" means the *Forest Act*;
- "**forestry plan**" means a forestry plan required to be submitted for approval under section 59.1 (5) of the Act;
- "**forest practice**" has the same meaning as in the *Forest Practices Code of British Columbia Act*;
- "**free-growing stand**" has the same meaning as in the *Forest Practices Code of British Columbia Act*;
- "**holder**" means a person that presents a written proposal for an agreement under section 59.1 (2) (b) of the Act;
- "**permanent access structure**" has the same meaning as in the *Forest Practices Code of British Columbia Act*;
- "**standard practices**" means the forest practices routinely applied by licensees in the timber supply area when the forestry plan is submitted or at any other time determined by the minister;
- "**stocking requirements**" has the same meaning as in section 1 (1) of the Operational and Site Planning Regulation, B.C. Reg. 107/98.

[am. B.C. Regs. 292/2003, Sch. E, s. 1; 133/2011, Sch. s. 16.]

**Authorized innovative forestry practices and activities**

- 2 The innovative forestry practices and other activities that may be the subject of an agreement under section 59.1 (1) of the Act are the following:
  - (a) 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;
- (b) 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*;
- (c) silviculture treatments on free-growing stands;
- (d) 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;
- (e) 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;
- (f) 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.

[am. B.C. Regs. 292/2003, Sch. E, s. 2; 133/2011, Sch. s. 17.]

### **Authorized forms of agreement**

- 3** The holders of the following agreements under section 12 of the Act may enter into an agreement under section 59.1 of the Act:
- (a) replaceable forest licences;
  - (b) replaceable timber sale licences with an allowable annual cut greater than 10 000 cubic metres.

### **Maximum term of agreements**

- 4** The maximum term of an agreement under section 59.1 (1) of the Act is 20 years.

[en. B.C. Reg. 310/2010, s. (b).]

[Provisions relevant to the enactment of this regulation: *Forest Act*, R.S.B.C. 1996, c. 157, sections

59.1 and 151]