



# **Appendix B:**

# **Relevant Changes in the**

# **FPC Regulations**

*Forest Practices Code*  
*Transition Primer*

### Appendix B: Relevant Changes in FPC Regulations

The following regulations have a few changes, listed on the following pages:

- Bark Beetle Regulation;
- Community Forest Agreement Regulation;
- Fort St. John Pilot Project Regulation;
- Range Practices Regulation;
- Security for Forest Practices Liabilities Regulation;
- Silviculture Practices Regulation;
- Stillwater Pilot Project Regulation;
- Strategic Planning Regulation; and
- Timber Harvesting Regulation.

The following regulations are new or replace previous regulations. Changes in these regulations are numerous. The table of contents for these new regulations is shown on the following pages—along with a listing of which sections have been amended, repealed or enacted.

In the Timber Harvesting and Silviculture Practices Regulation, the table of contents shows the source of the new regulatory text, as this regulation has replaced two separate regulations.

- Forest Road Regulation;
- Forest Service Road Use Regulation;
- Operational and Site Planning Regulation;
- Timber Harvesting and Silviculture Practices Regulation; and
- Woodlot Licence Forest Management Regulation.

#### ***Bark Beetle Regulations***

This regulation has been amended to replace ‘silviculture prescription’ with ‘site plan’. The regulation has also been updated to refer to the Timber Harvesting and Silviculture Practices Regulation.

#### ***Community Forest Agreement Regulation***

The following sections have been added:

- Section 10 – Exemption from requirement for a road permit or road layout and design.



### ***Fort St. John Pilot Project Regulation***

The regulation has been updated to refer to the Operational and Site Planning Regulation and the Timber Harvesting and Silviculture Practices Regulation.

The following sections have been amended:

- Section 6 – subsection 4 added to cover the allowable cut covered by the pilot project; and
- Section 98(1) of Schedule F--Table A is replaced.

### ***Range Practices Regulation***

The definition of Community Watershed has been repealed.

### ***Security for Forest Practices Liabilities Regulation***

The following sections have been amended:

- Section 1(1) – Security for Silviculture Liability.

### ***Silviculture Practices Regulation***

This regulation has been repealed and replaced by sections of Timber Harvesting and Silviculture Practices Regulation (see below).

### ***Stillwater Pilot Project Regulation***

The following sections have been amended:

- Section 3(1) – Disapplications of provisions of Act and regulations.

### ***Strategic Planning Regulation***

Significant changes to regulations affecting strategic planning include:

Part 2 – Strategic Planning and Objectives

- Sections 4(1), 5, 6(1), 7(1) – Where the District Manager once had the responsibility the Minister of Sustainable Resource Management now has the responsibility for:



## **Relevant Changes in the FPC Regulations**

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- Establishing, varying or cancelling a landscape unit or objective for a landscape unit, and
- Establishing, varying or cancelling of a sensitive area or objective for a sensitive area.

### ***Timber Harvesting Practices Regulation***

This regulation has been repealed and replaced by sections of Timber Harvesting and Silviculture Practices Regulation (see below).



***Forest Road Regulation***

<b>Forest Road Regulation</b>		<b>Existing Regulation</b>
PART 1 – DEFINITIONS AND APPLICATION		
1	Definitions	FRR 1
2	Workers Compensation Act prevails	FRR 2
Part 2 – Road Layout and Design		
3	Road layout and design approval	FRR 3 (amended)
4	Selecting road location	FRR 4 (amended)
5	Content of road layout and design	FRR 6 (amended)
6	Drainage design	FRR 9 (amended)
7	Requirements for designs of bridges, culverts, etc.	FRR 10 (amended)
Part 3 – Construction and Modification		
8	Subgrade construction	FRR 12 (amended)
9	Drainage construction	FRR 13 (amended)
10	Revegetation	FRR 15 (amended)
Part 4 – Maintenance		
11	Bridge and major culvert inspection, evaluation and maintenance	FRR 16
12	Follow up to inspection of bridge and major culverts	FRR 17
13	Road inspection and maintenance	FRR18 (amended)
Part 5 – Deactivation		
14	Timing windows and measures for road deactivation	FRR 19
15	Road deactivation	FRR 20 (amended)
16	Amendment of deactivation prescription	FRR 21
17	Hazard warning	FRR 22
18	General wildlife measures in wildlife habitat areas	FRR 26



### *Forest Service Road Use Regulation*

Forest Service Road Use Regulation		Existing Regulation
1	Definitions	FSRUR 1
2	Provisions of Motor Vehicle Act applicable to forest roads	FSRUR 2
3	Snowmobiles	FSRUR 3 (amended)
4	Speed restriction	FSRUR 4
5	Use of 2-way radio	FSRUR 5
6	Traffic control devices	FSRUR 6
7	Maintenance of vehicles used on forest roads	FSRUR 7
8	Vehicle identification	FSRUR 8
9	Obstructions within a forest road right of way	FSRUR 9
10	Damage to roads	FSRUR 10
11	No works, etc. on right of way without a permit	FSRUR 11
12	Liability insurance	FSRUR 12
13	Offence	FSRUR 13



### ***Operational and Site Planning Regulation***

All sections except as noted are the same in title and number as the sections in the Operational Planning Regulation.

Operational and Site Planning Regulation	Existing Regulation
Part 1: Interpretation	
1. Definitions	Amended
Part 2: Administration	
1.1 Criteria for giving effect to operational plans	
2. [Repealed B.C. Reg. 201/02]	
3. Effective term and period of forest development plans	Repealed
4. Notice of extension of a forest development plan	Repealed
5. Best information available	
6. Site-specific variation within plans	
7. District manager may require referral of operational plans	
7.1 Minor amendments to operational plans	Added
7.2 District Manager actions if amendments wrongly made	Added
7.3 Circumstances where minor amendments may not be made without approval	Added
Part 3 – Forest Development Plans	
Division 1 – Scope and General Content for Forest Development Plans	
8. Application	
9. Area under forest development plans	
10. Signature required for forest development plans	
11. Maximum cutblock size	
Division 2 – Mapping and Assessments	
12. Terrain mapping in community watersheds	
13. Forest health assessment required before review of forest development plans	



## Relevant Changes in the FPC Regulations

Operational and Site Planning Regulation	Existing Regulation
14. Watershed assessments requirement before review of forest development plans	
15. Riparian assessment required for community watersheds	
16. Terrain stability field assessment required for community watersheds	
17. Terrain stability field assessment required for areas outside community watersheds	
17.1 Prescribed Forest Resources	Added
Division 3 – Map and Information Requirements for All Forest Development Plans	
18. Map and information requirements for all forest development plans	Amended
18.1 Stocking requirements for areas under a site plan	Added
18.2 Post harvest stand structure for areas without regeneration objectives	Added
18.3 Optional content for a forest development plan	Added
18.4 Review and comment not required for sections 18.1 to 18.3	Added
Division 4 – Forest development plan contents for categories of cutblocks	
19. Category I cutblocks and roads for information purposes only	
20. Category A cutblocks	Amended
21. Limited protection for cutblocks and roads	Amended
22. Protection for cutblocks and roads	Amended
23. Transition	
Division 5 – Notice, Review and Comment	
24. Application of this division	
25. Notice	
26. Submitting forest development plan and assessments	
27. Review	Amended
28. Comments	
29. Scope of review and comment	
30. Submitting a proposed forest development plan and comments	
Part 4 – Logging Plans	



## Relevant Changes in the FPC Regulations

Operational and Site Planning Regulation	Existing Regulation
31. Scope of logging plans	
32. Logging plan map	Amended
33. Logging plan content	
34. Exemptions	
35. Signature of holder	
36. Review and comment	
Part 4.1 – Site Plans	Added
36.1 Information that must be obtained before a site plan may be prepared	Added
36.2 Content of site plans	Added
36.3 Exemptions from site plans	Added
Part 5 – Silviculture Prescription	
Division 1 – Scope and Content	
37. Information that must be available before a silviculture prescription may be approved	Amended
38. Assessment results	Amended
39. Content of prescriptions	Amended
40. Exemption from silviculture prescription may be subject to conditions	
Division 2 – Specific Development Requirements	
41. Species selection	
Division 3 – Reforestation for Non-Replaceable Licences	Renamed
41.1 Application	Added
42. Criteria for determining costs of silviculture prescription	
43. Prescribed date of prescription	
44. Additional requirements to be a holder of a prescription under section 71 of the Act	
45. Requirements that must be met before the government can assume responsibility for a prescription	
46. District manager may require amendment of prescriptions approved prior to May 15, 1996	



## Relevant Changes in the FPC Regulations

Operational and Site Planning Regulation	Existing Regulation
47. Review and comment at discretion of district manager	
Division 4 – Definition of Provincial Protected Areas	
47.1 Provincial protected areas	
Part 6 – Stand Management Prescriptions [Repealed, B.C. Reg. 201/02]	
Part 7 – Range Use Plans	
Division 1 – Definitions	
52. Definitions	
Division 2 – Information Supplied by District Manager	
52.1. Information respecting a range use plan – general	Amended
52.2. Information respecting a range use plan – grazing	Amended
52.3. Information respecting a range use plan – hay cutting	
52.4. Information respecting a range use plan prepared by the district manager	Amended
52.5. District manager may change information	
Division 2.1 – Range Use Plan Content	
53. General Content	Amended
53.1 Grazing content	
53.2 Hay cutting content	
54. Limited content for unfenced grazing land	
Division 2.2 – Amendment of Range Use Plan to Protect Forest Resources	
54.1 District manager must required amendment to range use plan	
Division 3 – Notice, Review and Comment	
56. Notice	
57. Submitting a proposed plan before review and comment	
58. Review and comment	



## Relevant Changes in the FPC Regulations

Operational and Site Planning Regulation	Existing Regulation
Part 8 – Riparian Management Areas	
Division 1 – Streams	
59. Riparian classes of streams	
60. Minimum widths of riparian reserve zones and riparian management zones	
Division 2 – Wetlands	
61. Riparian classes of wetlands	
62. Minimum widths of riparian reserve zones and riparian management zones for wetlands	
Division 3 – Lakes	
63. Riparian classes of lakes	
64. Minimum widths of riparian reserve zones and riparian management zones for lakes	
Part 9 – Community Watersheds	
65. Community watershed designation: review and comment	
66. Community watershed designation: notice of an impending order	
Part 10 – Green-Up, Ungulate Winter Range and Identified Wildlife	
67. Definitions	
68. Greened-up	
69. Ungulate winter range	Amended
70. Identified wildlife and general wildlife measures	Amended
71. Regionally important and identified, threatened or endangered fish	Amended
Part 11 – Woodlots [Repealed B.C. Reg. 325/98]	



***Timber Harvesting and Silviculture Practices Regulation***

<b>Timber Harvesting and Silviculture Practices Regulation</b>	<b>Existing Regulation</b>
Part 1: Definitions and Interpretation	
1. Definitions and Interpretation	
Part 2: Variances and Authorizations	
2. Authority of the district manager to vary a performance requirement	
3. Compliance with notices, authorizations, conditions and variances	
Part 3: Timber Harvesting and Related Forest Practices	
Division 1 – General Constraints	
4. Harvesting within community watersheds	THPR 7
5. Harvesting on potentially unstable terrain	THPR 8
6. Harvesting adjacent to previously harvested cutblocks	THPR 9
7. Marking and protecting wildlife trees and wildlife tree patches	THPR 3
Division 2 – Protection of Streams and Riparian Areas	
8. Harvesting adjacent to unidentified or incorrectly classified streams, wetlands and lakes	THPR 6
9. Felling or modification of trees in a riparian reserve zone	THPR 10(3), SPR 4
10. Constraining slash and debris in and around aquatic environments	THPR 23, SPR 5
11. Restricted operation of machinery	THPR 24, SPR 6
12. Yarding, skidding and log drop areas	THPR 11
13. Maintaining stream bank stability	THPR 20
14. Temporary stream crossings	THPR 21
15. Retention of streamside trees	THPR 22
Division 3 – Protection of Non-Timber Resources	
16. Stand level biodiversity	
17. Protection of resource features	



## Relevant Changes in the FPC Regulations

Timber Harvesting and Silviculture Practices Regulation	Existing Regulation
18. General wildlife measures	THPR 27, SPR 7
19. Minor salvage operations in sensitive ecosystems	THPR 28
20. Harvesting in old growth management areas	THPR 29
Division 4 – Access Structures	
21. Constructing a landing	THPR 15
22. Deactivating landings that are permanent access structures	THPR 16
23. Rehabilitating a road or landing that is a temporary access structure	THPR 17
24. Landing and roadside debris accumulations	THPR 19
25. Excavated and bladed trails may be constructed	
26. Limitations on where an excavated or bladed trail may be constructed	
27. Requirements when constructing excavated or bladed trails	THPR 12
28. Requirement to rehabilitate excavated or bladed trails	THPR 13
29. Requirements when rehabilitating excavated or bladed trails	THPR 14
Division 5 – Soil Conservation	
30. Limits on the amount of permanent access structures	
31. Limits on the amount of soil disturbance limits	
32. Maximum allowable soil disturbance for roadside work areas	THPR 18
33. Rehabilitation of disturbed areas	Derives from SPR 31
Part 4 – Silviculture	
34. Interpretation	
35. Requirements for areas under a site plan	
36. Areas under a site plan without regeneration objectives	
37. Areas under a silviculture prescription without regeneration objectives	
38. Use of seed and vegetative material	
39. Use of livestock for site preparation or brush control	
40. Target stocking	
41. Spacing mandatory if maximum density exceeded	



## Relevant Changes in the FPC Regulations

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Timber Harvesting and Silviculture Practices Regulation	Existing Regulation
42. Pruning required before the end of the free growing assessment period in specified circumstances	
43. Use of fertilizers	
Part 5 – Forest Health	
44. Insect behavior modifying treatments	SPR 22
Part 6 – Surveys and Reports	
45. Reporting requirements for areas without regeneration objectives	Shortened from SPR 26
46. Format and timing of reporting	Similar to SPR 28
47. Minister may specify requirements	
48. General mapping requirements	
Part 7 – Miscellaneous	
49. Limitation of liability of persons to government	
50. Waiver or funding of free growing obligation	
51. Offences	
52. Limitation on application of irreparable damage	
53. Protecting the environment	



***Woodlot Licence Forest Management Regulation***

<b>Woodlot Licence Forest Management Regulation</b>	<b>Existing Regulation</b>
<b>PART 1 Definitions and Interpretation</b>	
1 Definitions	Amended
2 Interpretation	Subsection (4) is repealed; subsection (5) is replaced
3 Application	Amended
4 <i>Workers Compensation Act</i> prevails	
<b>PART 2 Operational Plans</b>	
Division 1 – General	
5 Best information available	
6 Additional watershed assessment information	
Division 2 – Forest Development Plans	
6.1 Additional exemptions for forest development plans	
7 Review and comment for forest development plans	Amended
8 Joint approval - Repealed July 12, 2002	
9 Period and effective term of a forest development plan	Subsection (2.1) is repealed
10 General content requirements of forest development plans	Amended
11 Information required for the entire woodlot licence area	Amended
12 Information required for portions of the woodlot licence affected by proposed operations	Amended
13 Information required for portions of the woodlot licence within proposed cutblocks	Subsections (4) and (5) are repealed
13.1 Terrain stability field assessments	
14 Additional required information for proposed cutblocks that must be contained in a forest development plan or a site plan	Amended
15 Archaeological impact assessment may be required	



## Relevant Changes in the FPC Regulations

Woodlot Licence Forest Management Regulation	Existing Regulation
16 Information not required for minor salvage and minor harvesting operations	
17 Protection for issues cutting permits and road permits	
Division 3 – Site Plans	
18 Requirement for a site plan if the site information was not included in the forest development plan	Subsection (3) amended.
19 Requirement for a site plan	Amended
20 Holder of a woodlot licence may submit a site plan	
21 Site plan may cover an area larger than the area of proposed harvesting	
22 Authorized signatures	Amended
22.01 Exemptions for harvesting	
22.02 Requirements in an exempted area	
Division 3.1 – Silviculture Prescriptions	
22.1 Content of silviculture prescriptions	Amended
22.2 Exemption from backlog silviculture prescription for silviculture treatments	Repealed
Division 3.2 – Operational Plans for Areas of Unauthorized Harvesting	
22.3 Operational plans for areas of unauthorized harvesting	
Division 4 – Stand Management Prescriptions – Repealed July 12, 02	
23 Content of stand management prescriptions – Repealed July 12, 02	
23.1 Exemption from stand management prescription – Repealed July 12, 02	
Division 5 – Amendments	
24 Amendments required	Amended
24.1 Minor amendments to operational plans	New section
24.2 District manager actions where amendments wrongly made	New section
25 Amendments respecting cutblock information	
Division 6 – Transition	
26 Repealed February 26, 2001	
27 Repealed February 26, 2001	



## Relevant Changes in the FPC Regulations

Woodlot Licence Forest Management Regulation	Existing Regulation
28 Requirement for a site plan – transition	
29 Requirement for a logging plan – transition	
<b>PART 3 General Forest Practices</b>	
30 Compliance with plans and authorizations	Amended
31 District manager’s included powers	
32 General wildlife measures	Amended
33 Constraining slash and debris in and around aquatic environments	
34 Restrictions on use of machinery	
35 Restrictions on harvesting or modification of trees in riparian reserves	Replaced
36 Forest practices within community watersheds	Amended
37 Limits on area that may be occupied by permanent access structures	
38 Limits on area that may be occupied by soil disturbance	Amended
<b>PART 4 Roads</b>	
Division 1 – Interpretation	
39 Definitions	Amended
40 Application	
41 Authority to construct, modify or use a road on Crown land	Subsection (1) repealed
41.1 Exemptions for roads	Subsection (2) replaced
Division 2 – General Road Requirements	
42 General requirements for road construction and modification, maintenance and deactivation	Repealed
Division 3 – Layout and Design	
43 Road layout and design and related assessments – general	Amended
44 Road layout and design – sensitive slopes	Replaced
45 Road layout and design – community watersheds	Replaced
46 Road layout and design – bridges, major culverts and special structures	Replaced



## Relevant Changes in the FPC Regulations

Woodlot Licence Forest Management Regulation	Existing Regulation
Division 4 – Construction and Modification	
47 Construction or modification – general	Replaced
47.1 Repealed February 22, 2002	
47.2 Repealed February 22,2002	
48 Construction or modification – sensitive slopes	Replaced
49 Construction or modification – community watersheds	Replaced
50 Construction or modification – fish streams and fisheries-sensitive zones	Replaced
51 Construction or modification – bridges, major culverts and specialized structures	Replaced
Division 5 – Bridge Maintenance	
52 Bridge and major culvert inspection, evaluation and maintenance	Replaced
53 Follow up to inspection of bridge and major culverts	Replaced
Division 6 – Road Deactivation	
54 Deactivation – general	Replaced
55 Deactivation – sensitive slopes	Replaced
56 Deactivation – fish streams and fisheries-sensitive zones	Replaced
57 Deactivation – bridges	Replaced
<b>PART 5 Harvesting Practices</b>	
58 Wildlife tree retention	Amended
59 Repealed February 26, 2001	
60 Harvesting on sensitive slopes within community watersheds	
61 Harvesting on sensitive slopes outside of community watersheds	
62 Excavated or bladed trails	Amended
60.01 Excavated and bladed trails may be amended	New section
62.1 Requirement to rehabilitate a road that is not a permanent access structure	
62.2 Requirements for access trails	
63 Landings	Amended
64 Restrictions on harvesting in gullies on the Coast	
65 Restrictions on minor harvesting operations or minor salvage operations in sensitive ecosystems	



## Relevant Changes in the FPC Regulations

Woodlot Licence Forest Management Regulation	Existing Regulation
66 Harvesting adjacent to streams, wetlands and lakes not identified or incorrectly classified	
67 Restrictions on clearcutting – old growth management areas	Repealed
68 Temporary stream crossings	Amended
69 Maintaining stream bank stability	Amended
70 Restrictions on the location of helicopter or balloon log drop areas	
71 Felling, yarding and skidding	
72 Landing and roadside slash accumulations	
73 Rehabilitation of compacted areas and corduroyed trails	
73.1 Protecting the environment	New section
<b>PART 6 Silviculture</b>	
Division 1 – Definitions	
74 Definitions	
Division 2 – Obligations to Produce a Free Growing Stand	
75 Application	
76 Producing a free growing stand on required areas	Amended
77 Stocking requirements at regeneration date	Subsection (4) is replaced.
78 Stocking requirements at free growing date	
79 Maximum density spacing requirement	
80 Target stocking standard	
Division 3 – Free Growing Requirements for Areas Under Silviculture Prescriptions	
81 Maximum density spacing treatment requirement if there is a silviculture prescription for the area	Amended
81.1 Silviculture obligations for non-replaceable woodlot licences	New section
Division 4 – Silviculture Treatment Constraints	
82 Use of seeds and vegetative material	Amended
83 Pruning required for white pine blister rust	Repealed
84 Use of livestock for silviculture purposes	



## Relevant Changes in the FPC Regulations

Woodlot Licence Forest Management Regulation	Existing Regulation
85 Use of pesticides for silviculture purposes	Repealed
86 Use of fertilizer for silviculture purposes	Amended
87 Insect behaviour modifying treatments	
Division 5 Surveys and Reports	
88 Silviculture surveys	Amended
88.1 Free growing declarations	New section
88.2 Waiver or funding for free growing obligations	New section
89 Reporting obligations	
<b>PART 7 Riparian Widths</b>	
Division 1 – General	
90 Determining the applicable riparian widths	Amended
91 Measuring riparian widths	
Division 2 – Streams	
92 Riparian classes of streams	
93 Minimum widths of riparian reserve zones and riparian management zones	
Division 3 – Wetlands	
94 Riparian classes of wetlands	
95 Minimum widths of riparian reserve zones and riparian management zones for wetlands	
Division 4 – Lakes	
96 Riparian classes of lakes	
97 Minimum widths of riparian reserve zones and riparian management zones for lakes	
<b>PART 7.1 Green-Up, Ungulate Winter Range and Identified Wildlife</b>	
97.1 Definitions	Repealed
97.2 Greened-up	Repealed
97.3 Ungulate winter range	Amended
97.4 Identified wildlife and general wildlife measures	Amended



## Relevant Changes in the FPC Regulations

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<b>Woodlot Licence Forest Management Regulation</b>	<b>Existing Regulation</b>
97.5 Regionally important and identified threatened or endangered fish	Amended
<b>PART 8 Offences</b>	
98 Offences	
Schedule A Section 1 Stocking standards for silvicultural systems other than single tree selection	Subsection (0.1) added

