

INFORMATION BULLETIN

ISSUE: Cutting Permit and Road Permit Issuance Times

During the recent Regulatory Review conducted by the Ministry of Forests and Range (MFR) industry identified a concern about the length of time that it takes to issue cutting permits and road tenures and that permit issuance time varies between Districts. Part of the solution to address this issue, is to clarify to staff what circumstances can and cannot hold up the issuance of cutting permits and road tenures. The Solution section below provides specific information on the circumstances that can affect the issuance of cutting permits and road tenures. Note: the information in this bulletin is not applicable to woodlots, staff should contact Woodlot Tenures Foresters at MFR Regional offices if they have questions related to woodlots.

SOLUTION:

To facilitate efficient processing of cutting permit and road tenure applications it is critical that industry applications are complete and accurate. Ministry of Forests and Range staff are not able to process applications if there is key information missing or information is inaccurate.

If all of the following requirements have been met a cutting permit must be issued:

- the application is consistent with *agreement* provisions regarding the licence area and any specified types of timber or terrain,
- the proposed *cutting authority area* in the application is consistent with *agreement* provisions requiring that cutting permit applications are located within a forest development unit of an *approved* forest stewardship plan, or is exempted under *FRPA* from the requirement for a forest stewardship plan,
- the minister has not ordered under Part 13 (Designated Areas) of the *Forest Act* that cutting permits will not be issued in the area under application,
- the cutting permit application map(s) submitted by the *agreement* holder through Electronic Submission Framework (ESF) is acceptable,
- the appraisal information submitted through E-Commerce Appraisal Application System (ECAS) is acceptable.
- there are no unresolved conflicts with pre-existing rights from the Exhibit A process or associated referrals, and
- any First Nation issues regarding consultation and *aboriginal interests* in the proposed *cutting authority area* have been addressed and, where appropriate, *aboriginal interests* have been accommodated.

(Reference: The Cutting Permit and Road Tenure Administration Manual sec. 2.2.4).

If all of the following requirements have been met a road permit or road use permit must be issued:

- if the person is applying under Section 115 of the *Forest Act* for a road use permit to use a Forest Service Road,

- the person has the right to harvest timber under an *agreement* specified in Section 115 (1),
 - the district manager is satisfied that use of the road by that person will not adversely affect authorized users of the road, or compromise a Forest Stewardship Plan or Forest Development Plan.
- if the applicant is applying under Section 115 of the *Forest Act* for a road permit to construct a new road or use and maintain an existing road other than a Forest Service Road,
- the person has the right to harvest timber under an *agreement* specified in Section 115 (1),
 - the district manager is satisfied the location of a proposed road is identified in a *prescribed* manner,
 - there is no other active road permit over an existing road,
 - the use and maintenance of an existing road will not compromise a Forest Stewardship Plan or Forest Development Plan,
 - the minister has not ordered under Part 13 (Designated Areas) of the *Forest Act* that permits will not be issued in a designated area covering the proposed road.
 - there are no unresolved conflicts with pre-existing rights from the Exhibit A process or associated referrals, and
 - any First Nation issues regarding consultation and *aboriginal interests* in the area have been addressed and, where appropriate, *aboriginal interests* have been accommodated.

(Reference : The Cutting Permit and Road Tenure Administration Manual sec. 3.3.3).

*Note: section 81 of the *Forest Act* has not yet been enabled through regulations, therefore, it cannot be used until the regulations are completed. If and/or when the regulations are complete they will identify additional conditions under which a cutting permit or road permit may be refused.

CONTACTS:

If there are any questions about this bulletin, please contact:

Brian Westgate Senior Timber Tenures Forester Resource Tenure & Engineering Branch	(250) 387- 8620	Brian.Westgate@gov.bc.ca
--	-----------------	--------------------------

Kerri Brownie Timber Tenures Forester Resource Tenure & Engineering Branch	(250) 356-9361	Kerri.Brownie@gov.bc.ca
--	----------------	-------------------------