

Chapter 5.4

Completing Application Information Details: Forestry

5.4 Forestry Information Tab

Submission of an application for an energy resource or associated activity may include additional application deliverables specific to forestry, if new cut is required.

The forestry tab requires specific application information details. This section includes an overview of forestry information, guidance and details related to forestry specific application requirements and detailed instructions for completing the data fields within the forestry tab.

Please Note:

This manual is written as a whole and provided to industry in sections to allow permit holders to access activity chapters. It is prudent of the permit holder to review the manual in its entirety and be aware of the content in other sections of the manual.

5.4.1 Forestry Information Defined

The Regulator issues cutting permits to facilitate the cutting of timber required as part of the construction of proposed energy resource or associated activities on Crown land. Cutting permits are issued under a Master Licence to Cut (MLTC), and stumpage is payable according to the applicable (interior or coast) appraisal manual.

5.4.2 Forestry Information Requirements

The Application Management System requires input of information to inform a decision to issue an authorization for a cutting permit for applications where new cut is required on Crown land.

Authorizations for cutting permits can be applied for and issued with the permission or authorization to carry out the primary or associated activity by populating the Forestry Tab within the ERAA or CER application. Alternatively, applicants may choose to submit a separate Forest Act Application.

The Forest Act application can be used in scenarios where a new cutting permit or changes to an existing cutting permit (with no modifications to the existing permitted area) is required. Some additional scenarios where only changes to the Forestry authorization may be needed include: transfers; expired cutting permit(s); expired Master Licence(s) to Cut and where new cut is required only over MoTI areas.

The Regulator does not issue cutting permits for activities on:

- Timber Reserves on private land

In these areas, cutting permits must be issued by the Ministry of Forests through the land owner. When preparing applications for submission to the Regulator in these areas, applicants should not include these areas in new cut area calculations.

Harvesting within Woodlots & other Area Based tenures:

Upon engagement, if the Woodlot holder, or other Area Based Tenure Holders is not interested in the cutting and removing of timber on the site of the proposed energy resource activity, and with the tenure holder's consent, a CP associated with the proponents MLTC may be issued.

If area over a woodlot is required with the cutting permit in an application, the

proponent must include this area as new cut in the application. To avoid delays in the review of the application, the proponent should include correspondence regarding the woodlot holders consent with the application.

If an agreement cannot be reached between the two parties, the energy resource proponent should inform the BCER prior to, or upon application. Once the BCER is satisfied that an agreement is not achievable, they can submit a request to the appropriate DM requesting that the identified area be deleted from the Woodlot or other Area Based Forest Tenure.

Activity Area Overlapping Ministry of Transportation and Infrastructure Right-of-way

The Regulator issues cutting permits for any new Crown land disturbance within Ministry of Transportation and Infrastructure (MoTI) unconstructed road allowances and/or MoTI rights of way. Both unconstructed and constructed road allowances and/or MoTI rights of way must be clearly marked in the body of the construction plan and included as a separate area item in the construction plan area table. The Regulator will not issue land tenure over MOTI right-of-way. The area within the road allowance must be reflected in spatial data submitted for the application as per the Spatial Data Submission Standards manual.

Please Note:

The submission of an MOTI polygon in AMS is mandatory when an applicant requires new cut within the MOTI right-of-way. If the application does not require new cut within an MOTI right-of-way, it is not mandatory to include the MOTI polygon.

Please Note:

If the proposed activity enters or affects a MOTI right-of-way, consent to carry out the approved activities must be obtained from MOTI before the project begins.

Amendments

When submitting an amendment application associated with an existing approval, submit amended forestry details where applicable.

Reduction to permitted area of cut does not require an amendment application as this will be addressed through the post construction process.

5.4.3 Forestry: Additional Considerations

Stumpage

The Ministry of Forests posts appraisal manuals for the interior and coast outlining the process for determining stumpage payable on cutting permits issued for energy resource development.

Area based stumpage rates are applied to new Crown land areas disturbed for energy resource activities and related activities as defined in the Energy Resource Activities Act or authorizations for investigative purposes issued under the Land Act.

The Interior Appraisal Manual Table 6-8 shows the districts where area based stumpage rates apply along with the reserve stumpage rate for cutting authorities with less than 10 hectares of area. For these permits, as-cleared information reported by the permit holder on the post-construction plan or geophysical final plan submission is forwarded to the Ministry of Forests.

Cutting authorities with 10 hectares or more area must use the stumpage rate prescribed in Table 6-3 in the Interior Appraisal Manual.

Refer to the Ministry's [Timber Pricing](#) page for more information and guidance.

Stumpage Waste Assessment

Operators cutting Crown timber are required, regardless of utilization, to report and pay the province for the timber. According to the specifications detailed in the Master Licence to Cut, exempted merchantable fibre, outside the Forest Districts

described in Section 6.6 of the [Interior Forest Appraisal Manual](#), must have a waste survey completed and ensure stumpage is billed accordingly.

Forest Health

Fibre waste left onsite must be managed to minimize fire and pest risks and must be disposed of at the end of the clearing phase or at the end of the summer fire season, whichever comes first.

Post Construction Information

As a condition of the MLTC, permit holders submit as-cleared information within 60 days of clearing. As-cleared information is submitted to the Regulator as part of the post-construction plan submission requirement. The Regulator forwards as-cleared information to the Ministry of Forests for stumpage billing.

Fibre Utilization

Permit holders are encouraged to utilize merchantable timber harvested during the construction phase of the energy resource activity lifecycle. For example, timber may be utilized on-site (e.g corduroy, rails, etc.), as coarse woody debris in nearby restoration operations, or be made available to potentially interested third parties. Prior to wasting harvested timber, permit holders should notify potentially interested parties of the size, species, volume and location of available timber. Potentially interested parties may include, but are not limited to, mill operators, forest licensees and local First Nations.