

File: 18670-70/CLAIMS

MAR 08 2011

To: Forest Licensees
BCTS Managers

From: Jim Sutherland, Director
Forest Practices and Investment Branch
Ministry of Forests, Mines and Lands

Dave Bodak, A/Director
Land Based Investments Branch
Provincial Operations Integrated Resources
Ministry of Natural Resource Operations



**Re: Further Clarification for Dave Peterson October 25, 2010 letter on
*Forest and Range Practices Act, Section 108***

The letter dated October 25, 2010, from Dave Peterson informs obligation holders of the considerations related to funding under the *Forest and Range Practices Act* (FRPA) Section 108; outlines the areas that are eligible for FRPA Section 108; and lays out preferred timing guidelines for applications in order to facilitate efficient planning.

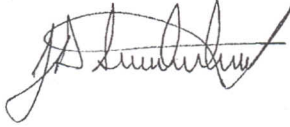
The key point in the third paragraph is that the obligation holder should consider first if the free growing obligation had been met prior to the damaging event. If the obligation holder believes that they have conclusive evidence that the stand was free growing, it is recommended that they make a declaration under FRPA Section 107 accordingly. If the area was not free growing, an application for funding should be made under FRPA Section 108.

If the obligation holder believes that it is no longer practicable to fulfil the obligation, they should consider whether to make an application under Forest Planning and Practices Regulation (FPPR) Section 97.1 or FRPA Section 108 with respect to 'relief' from the obligation.

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Given the large number and value of FRPA Section 108 proposals anticipated, obligation holders are encouraged to follow the timeline guidance outlined in the memo. However to clarify, the guidance was not intended to set time limitations.

If you have any further questions please contact the undersigned.



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