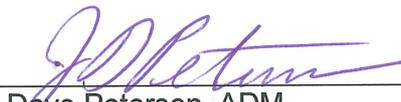




Land Procedure Timber Administration

NAME OF LAND PROCEDURE:	Timber Administration
APPLICATION:	Applies to all merchantable timber located on Crown land disposed under the <i>Land Act</i> and the <i>Ministry of Lands, Parks and Housing Act</i> .
ISSUANCE:	Assistant Deputy Minister, Tenures, Competitiveness and Innovation
IMPLEMENTATION:	Ministry of Forests, Lands and Natural Resource Operations
REFERENCES:	<i>Land Act</i> (Ch. 245, R.S.B.C, 1996) <i>Ministry of Lands, Parks and Housing Act</i> (Ch.307, R.S.B.C, 1996)
RELATIONSHIP TO PREVIOUS LAND PROCEDURE:	This procedure replaces the previous Timber Administration procedures August 16, 2004



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Resource Operations

MAY 26 2011

Date:

EFFECTIVE DATE: June 1, 2011
AMENDMENT:

FILE:11720-00

APPROVED AMENDMENTS:		
Effective Date	Briefing Note /Approval	Summary of Changes:
June 1, 2011	BN 175892	Policy and Procedure update to reflect reorganization of resource ministries April 2011
September 22, 2015	BN 217947	Land Act Reform phase 1 changes

Table of Contents

- 1. PURPOSE 1
- 2. DEFINITIONS 1
- 3. STUMPAGE..... 2
 - 3.1 Direct Sale..... 2
 - 3.2 *Land Act* Tenures 2
- 4. CLEARING CONTRACTS ISSUED BY THE AUTHORIZING AGENCY 2
- 5. REMOVAL OF DANGEROUS TREES 3
- 6. DEBRIS CLEARING PROJECTS 3

1. PURPOSE

This procedure applies to all merchantable timber located on Crown land disposed under the *Land Act* and the *Ministry of Lands, Parks and Housing Act*. It applies to the removal of dangerous trees from Crown land, to the administration of clearing contracts and to debris clearing projects.

This procedure is intended to:

- establish procedures for the administration of timber located on land disposed by the Authorizing Agency.
- ensure that the Crown obtains a fair return for the sale of merchantable timber on Crown land.
- utilize the expertise of other ministries (e.g. the Ministry responsible for the *Forest Act*) wherever possible in the administration of merchantable timber on Crown land disposed by the Authorizing Agency.
- establish procedures respecting the removal of dangerous trees from Crown land.

2. DEFINITIONS

Authorizing Agency means the Provincial ministry responsible for the specific land use authorization.

Clearing Contract means an agreement between the Authorizing Agency and a qualified contractor to remove merchantable timber from Crown land and clear the land to prescribed standards in advance of the disposition of the Crown land.

Dangerous Tree means any tree that is hazardous to people or facilities because of location or lean, physical damage, overhead hazards, deterioration of limbs, stem or root system, or a combination of the above.

Merchantable Timber means timber of sufficient quantity and quality as to be commercially valuable at the time of the proposed Crown land disposition.

Scale means the measurement of the volume of timber that has been cut from Crown land.

Stumpage means the royalty that is payable to the Crown for the removal of merchantable timber from Crown land as determined pursuant to the *Forest Act*.

Timber Cruise means the estimation of volumes of a stand of timber utilizing the Ministry responsible for the *Forest Act* cruise based standards in accordance with the most recent version of the Cruise Compilation Manual.

3. STUMPAGE

3.1 Direct Sale

Stumpage is payable to the Authorizing Agency for all merchantable timber contained on Crown land that is sold by the Authorizing Agency unless otherwise specifically provided for in a land program policy. For extensive agriculture payment of stumpage may be deferred at the time of purchase by way of a covenant on the title (see [Extensive Agriculture](#) policy).

Prior to sale, the volume of merchantable timber on the land (upon which stumpage is calculated) is determined by a Registered Professional Forester at the request of the Authorizing Agency.

No timber may be cut, removed or destroyed on a parcel of Crown land to be disposed by direct sale until a Crown Grant is issued.

3.2 Land Act Tenures

Stumpage is payable to the Ministry responsible for the *Forest Act* for merchantable timber removed from Crown land held under *Land Act* lease, standard licence of occupation, temporary licence of occupation, permit, right of way, or easement tenure.

No timber on any of the above *Land Act* tenures may be cut, removed or destroyed without a "Licence to Cut" the timber, issued by the Ministry responsible for the *Forest Act*.

Removal of timber from the above tenures may be restricted to areas proposed for cultivation or construction of improvements, as specified in the management plan schedule of the legal document or in a collateral agreement for development.

The volume of merchantable timber that is cut on any of the above tenures is determined on the basis of a scale of the cut timber, as required and regulated by the Ministry responsible for the *Forest Act*.

4. CLEARING CONTRACTS ISSUED BY THE AUTHORIZING AGENCY

Dispositions of Crown land containing significant volumes of merchantable timber may be subject to advance clearing of timbered portions of the land by a clearing contractor, authorized by the Authorizing Agency.

Clearing contractors are normally selected by the Authorizing Agency on the basis of closed tenders. Contractors bid for the right to acquire a licence of occupation which authorizes them to remove timber under the terms of a licence to cut, issued by the Ministry responsible for the *Forest Act*.

Tender bids from contractors that are selected by the Authorizing Agency accrue to the Crown Land Account. Contractors pay stumpage to the Ministry responsible for the *Forest Act* for timber removed.

5. REMOVAL OF DANGEROUS TREES

All requests for dangerous tree removal on vacant Crown land are to be referred to the Ministry responsible for the *Forest Act* which is responsible for the administration of timber on vacant Crown land.

Removal of dangerous trees from within Ecological Reserves and Greenbelt Reserves is the responsibility of the Ministry responsible for the *Environment Management Act* (and/or the Wildlife Tree Committee).

Enquiries regarding removal of dangerous trees from land held under *Land Act* tenure are to be referred to the tenure holder for appropriate action.

6. DEBRIS CLEARING PROJECTS

Tenure for debris clearing projects will be by licence of occupation for a maximum term of 5 years at the nominal sum of \$1.00 for the term of tenure.

The area under licence may be reduced at the Authorizing Agency's discretion to that which is being effectively utilized.

The licence of occupation does not convey exclusive use of the area under tenure.