

PROVINCE OF BRITISH COLUMBIA
Ministry of Forests and Range

IN THE MATTER OF TREE FARM LICENCE 39

INSTRUMENT by ORDER
NUMBER 176

Amendment

THIS AGREEMENT is made effective by Order on 18 day of April, 2016

BETWEEN:

THE MINISTER OF FORESTS AND RANGE, on behalf of
HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF BRITISH COLUMBIA
Parliament Buildings
Victoria, British Columbia
V8V 1X4

(the “Licensor”)

AND:

WESTERN FOREST PRODUCTS INC.
118 - 1334 Island Highway
Campbell River, British Columbia
V8W 8C9

(the “Licensee”)

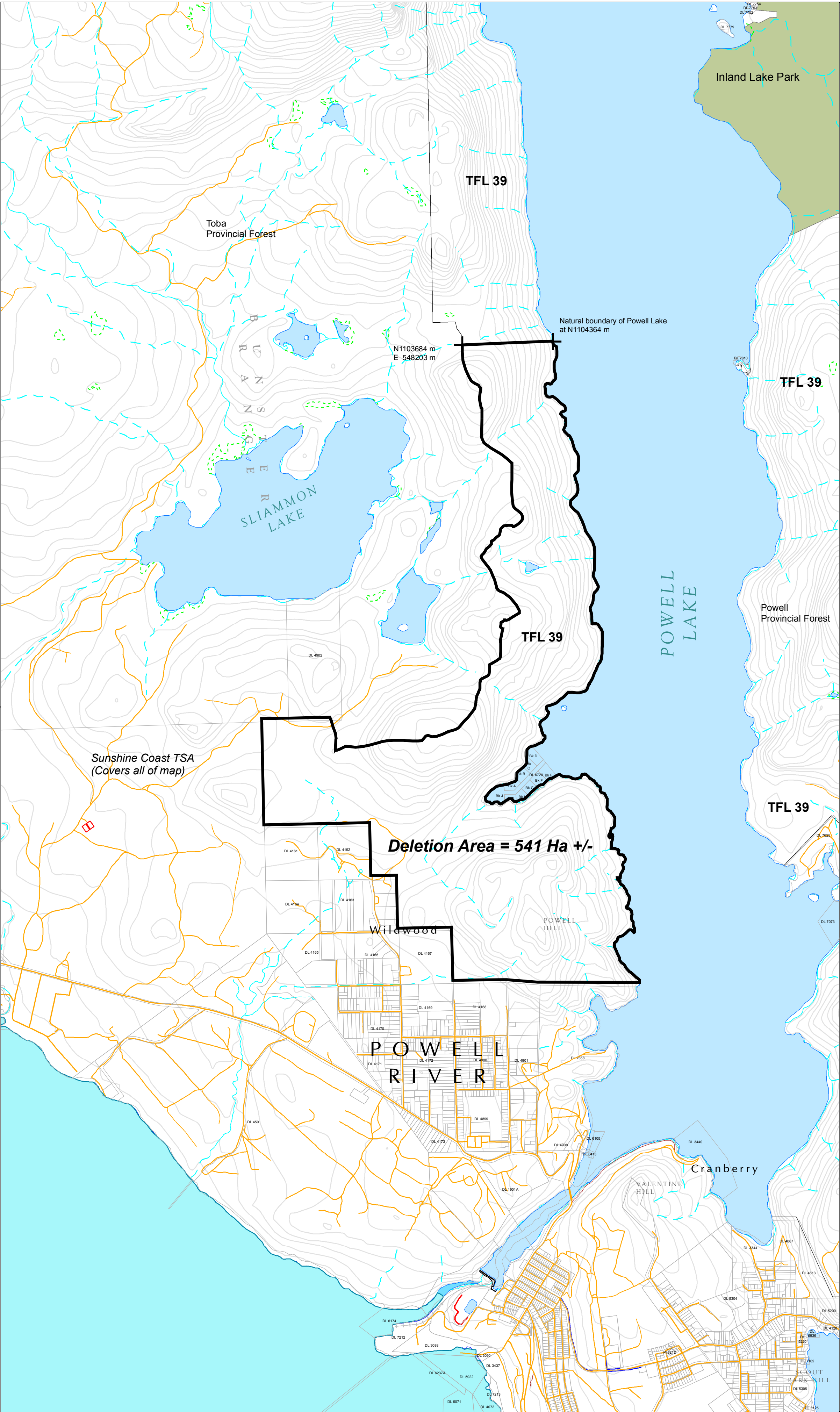
WHEREAS:

- A. Pursuant to the provisions of the *Forest Act*, the Licensor and Licensee entered into a replacement agreement for Tree Farm Licence 39, dated March 1, 2010,
- B. The Minister brought into effect the *Tla’amin Final Agreement Act* which allowed the deletion of agreed to area(s) identified on the attached map from Tree Farm Licence 39 in accordance with the *Tla’amin Final Agreement Act*.

THEREFORE:

1. In accordance with Section 14(3) of the *Tla'amin Final Agreement Act*, the Minister, extinguished all harvesting rights and amended the boundary and area of Tree Farm Licence 39 by removing the area, outlined in black on the attached map, from Tree Farm Licence 39 as of the effective date on the Order April 5, 2016.
2. For the purpose of the *Tla'amin Final Agreement Act*, the AAC associated with the area deleted under '1' above is 3,897 m³ having an associated area of 541 ha.
3. Paragraph 2.01 of Tree Farm License 39 did not change and remains as follows:
 - 2.01 Each year during the term of this Licence:
 - (a) 0 m³ of the allowable annual cut, from the types of timber specified under Paragraph 1.02(a), may be disposed of by the Timber Sales Manager within areas agreed to under Paragraph 3.01 or specified under Paragraph 3.02;
 - (b) 16,309 m³ of the allowable annual cut may be disposed of pursuant to Section 47.8 of the *Forest Act*.

INSTRUMENT MADE EFFECTIVE BY ORDER UNDER SECTION 2 OF
THE *MAA-NULTH FOREST COMPENSATION INTERIM REGULATION*.
Signed by the Minister of Forests, Lands and Natural Resource Operations on
April 18, 2016



TFL 39 Deletion Area
in Accordance with Section 14(3)(b)
of the Tla'amin Final Agreement Act

Legend

- TFL 39 Deletion
- TFL 39
- Parks and Protected Areas
- Survey Parcels

The areas shown on this map are based on the legal description from the most recent TFL document.

1:4,000,000

0 0.25 0.5 1 Kilometres

Ratio scale is correct at 17"x22" page size.

Area of Interest

Produced by: GeoBC
Created by: Decision Support Section: ds
Coordinate System: NAD 83 CSRS, BC Environment Albers
Produced for:
Ministry of Forests, Lands and Natural Resource Operations

BRITISH COLUMBIA

Ministry of
Forests, Lands and
Natural Resource Operations

Date: 23/03/2016



Cliff: 221288

April 18, 2016

Shannon Janzen, RPF
Vice President and Chief Forester
Western Forest Products Inc.
118 – 1334 Island Highway
Campbell River, British Columbia
V9W 8C9

Dear Ms. Janzen:

Re: *Tla'amin Final Agreement Act*, Notice of AAC Reduction

In accordance with subsection 14 (3) of the *Tla'amin Final Agreement Act*, I am providing you with a copy of my allowable annual cut reduction order for Tree Farm Licence 39, resulting from the taking effect of the *Tla'amin Final Agreement Act*.

Please contact Barry Bryan, Compensation and Business Analysis Branch by email at barry.bryan@gov.bc.ca, or by phone at 250-387-8607, regarding compensation under subsection 14 (7) of the *Tla'amin Final Agreement Act*.

Sincerely,

Steve Thomson
Minister

Pc: Nedinska Donaldson, Implementation Director, Ministry of Aboriginal Relations and Reconciliation

Attachments (2):


- Minister of Forests, Lands, and Natural Resource Operations, AAC Reduction Order for Tree Farm Licence 39
- Chief Forester Opinion Regarding the Impact of Deletion of Tla'amin First Nation Treaty Settlement Land from Tree Farm Licence 39

**Order of the
Minister of Forests, Lands, and Natural Resource Operations**

I, Steve Thomson, Minister of Forests, Lands, and Natural Resource Operations, in accordance with subsection 14 (3) of the *Tla'amin Final Agreement Act*, order that the allowable annual cut of Tree Farm Licence 39, that is available to the holder of the licence, is reduced by 3,897 cubic metres, effective April 5, 2016.

April 18, 2016

Date



Steve Thomson
Minister of Forests, Lands, and Natural
Resource Operations



Reference: 221155

APR 01 2016

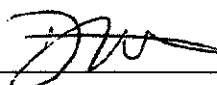
Chief Forester Opinion Regarding the Impact of Deletion of Tla'amin First Nation Treaty Settlement Land from Tree Farm Licence 39

To assist the Minister of Forests, Lands and Natural Resource Operations in making his order pursuant to section 14(3)(a) of the Tla'amin Final Agreement Act, I, Diane Nicholls, Chief Forester, am of the opinion that the deletion from Tree Farm Licence (TFL) 39 of the Tla'amin Lands will reduce the allowable annual cut (AAC) of the TFL by 3897 cubic metres.

When providing such opinions I am mindful that my approach must be consistent and fair. I also believe it should reflect as much as possible the intent of an AAC as defined under Section 1 of the *Forest Act* and it should be consistent with the timber-supply-related-assumptions and AAC that were in place at the time the land was deleted.

In providing this opinion, I have contemplated two factors. Specifically I have examined AAC impact estimates based on the proportion of timber harvesting land base (THLB) that is planned for deletion from the TFL and from Block 1 of the TFL. To maintain consistency among management units and licensees, I generally base AAC impact opinions on the THLB impact of the deletion. The THLB overlap approach is also used in the Allowable Annual Cut Administration Regulation (the regulation), and in most cases provides a reasonable estimate of short- and long-term timber supply impacts of land base changes. If there is compelling information that conflicts with the THLB overlap approach, I will consider that information. In this case, no other information was available for my consideration.

This AAC impact opinion is consistent with the method used in the regulation, that is, I used the impact calculated using the THLB and AAC of TFL 39.



Diane Nicholls, RPF
Chief Forester

April 1, 2016
Date