

COPY

PROVINCE OF BRITISH COLUMBIA

Ministry of Forests

IN THE MATTER OF TREE FARM LICENCE NUMBER 47

INSTRUMENT NUMBER 9

Amendment


THIS AGREEMENT is dated the 2nd day of December, 1992.

BETWEEN:

THE MINISTER OF FORESTS, 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:


Crown Forest Industries ~~xxxx~~ Limited
9th Floor
700 West Georgia Street
Vancouver, British Columbia
V7Y 1J7

(the "Licensee")

WHEREAS:

- A. The Licensor and Licensee have entered into Tree Farm Licence Number 47, dated January 1, 1985, pursuant to Section 33 of the Forest Amendment Act, 1988.
- B. Section 33 of the Forest Amendment Act, 1988 reduced the allowable annual cut available under the Licence from Schedule "B" Land by 2 1/2 percent, effective January 1, 1988 and a further 2 1/2 percent, effective January 1, 1989.

- C. This Agreement, as required by Section 33 of the Forest Amendment Act, 1988, evidences the reduction which was made in the allowable annual cut available under the Licence from Schedule "B" Land, effective January 1, 1988 and January 1, 1989, respectively.
- D. The timber within the boundaries set out in this agreement is representative of the kind and quality of timber found on the land subject to the licence.
- E. Under Section 33.1 of the Forest Act, the Licensors may, with the consent of the Licensee, delete part of the licence area from Tree Farm Licence Number 47.
- F. The deletion of the land within the boundaries set out in this Agreement would result in a reduction in the allowable annual cut available under the Licence from Schedule "B" Land equal to the 5 percent reduction implemented, pursuant to Section 33 of the Forest Amendment Act, 1988.

THE PARTIES AGREE AS FOLLOWS:

- 1. The parties hereby confirm that the allowable annual cut available under the licence from Schedule "B" Land was reduced under Section 33 of the Forest Amendment Act, 1988 by 2 1/2 percent, effective January 1, 1988, and by a further 2 1/2 percent, effective January 1, 1989.
- 2. Pursuant the Section 33.1 of the Forest Act, Tree Farm Licence Number 47, dated January 1, 1985 (the "Licence") is amended by deleting from the Schedule "B" Land, the land (the "Deleted Land") within the boundaries described on the attached Schedule I and as outlined in bold black on the attached Exhibit "A".
- 3. All other terms and conditions of the Licence remain in full force, except as specifically provided in this Agreement.
- 4. Any cutting permits issued to the Licensee with respect to the Deleted Land are hereby cancelled.
- 5. Any outstanding silviculture obligations of the Licensee with respect to the Deleted Land, whether these obligations arose under the Licence or under the Forest Act, remain in full force and are in no way affected by the deletion of the Deleted Land from the Schedule 'B' Land.

6. The Licensee will permit every person entitled to access to the Deleted Land to use any road owned by the Licensee which provides access to the Deleted Land, and where such use relates to forest harvesting on or other industrial use of the Deleted Land, the Licensee will not require any payment in respect of such use other than a reasonable payment in respect of the actual maintenance costs of the road.
7. Subject to Paragraphs 8 and 11, the Licensor will make no further reduction in the allowable annual cut available under the Licence from Schedule "B" Land by reason only of the deletion of the Deleted Land.
8. Nothing in this Agreement in any way affects any right or duty the Licensor may have under the Licence or the Forest Act to reduce the allowable annual cut available under the Licence from Schedule "B" Land for any reason other than the deletion of the Deleted Land.
9. If the Licensor determines at any time that the deletion of the Deleted Land would, but for Paragraph 7, result in a reduction in the allowable annual cut (the "Actual Reduction") which is less than the 5 percent reduction referred to in Paragraph 6 (the "Intended Reduction"), the Licensor may at its sole discretion, but only after consultation with the Licensee, delete additional land from the Schedule "B" Land to the extent required to make up the difference between the Actual Reduction and the Intended Reduction.
10. Except where the Licensor deletes additional land from the Schedule "B" Land under Paragraph 9, if the Actual Reduction is less than the Intended Deduction, the timber comprised in the reduction in allowable annual cut remaining after the Actual Reduction is deducted from the Intended Reduction is available for disposition by the Licensor to persons other than the Licensee.
11. If the Licensor determines at any time that the Actual Reduction is greater than the Intended Reduction, the Licensor may at its sole discretion, but only after consultation with the Licensee:
 - (a) add land from the Deleted Land back into the Schedule "B" Land to the extent required to make up the difference between the Actual Reduction and the Intended Reduction; or

- (b) if the Licensor does not add land from the Deleted Land back into the Schedule "B" Land, reduce the allowable annual cut available under the Licence from Schedule "B" Land by the amount by which the Actual Reduction exceeds the Intended Reduction.

12. Where, under Paragraph 11(b), the Licensor reduces the allowable annual cut available under the Licence from Schedule "B" Land, the Licensor will compensate the Licensee in respect of the reduction.

13. In the event that legislation is enacted which deems a reduction in allowable annual cut, effected by means of a deletion of an area of Crown land within a tree farm licence, to be equal to the Intended Reduction, Paragraphs 9 to 12, inclusive will cease to have any force or effect as of the day on which the legislation comes into force, and this agreement will be deemed to have been amended accordingly by agreement of the parties.

IN WITNESS WHEREOF the parties have executed this Agreement the day and year first above written.

SIGNED on behalf of Her)
Majesty the Queen in Right)
of the Province of)
British Columbia, by the)
Minister of Forests in)
the presence of:)

M. Macpherson)
Ministerial Assistant)
_____)

[Signature]
For the Minister of Forests

The Corporate Seal of Crown)
Forest Industries Limited)
was affixed hereto in the)
presence of:)

[Signature])
Vice-President)

[Signature])
Secretary)

C/S

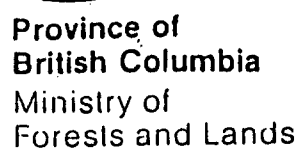
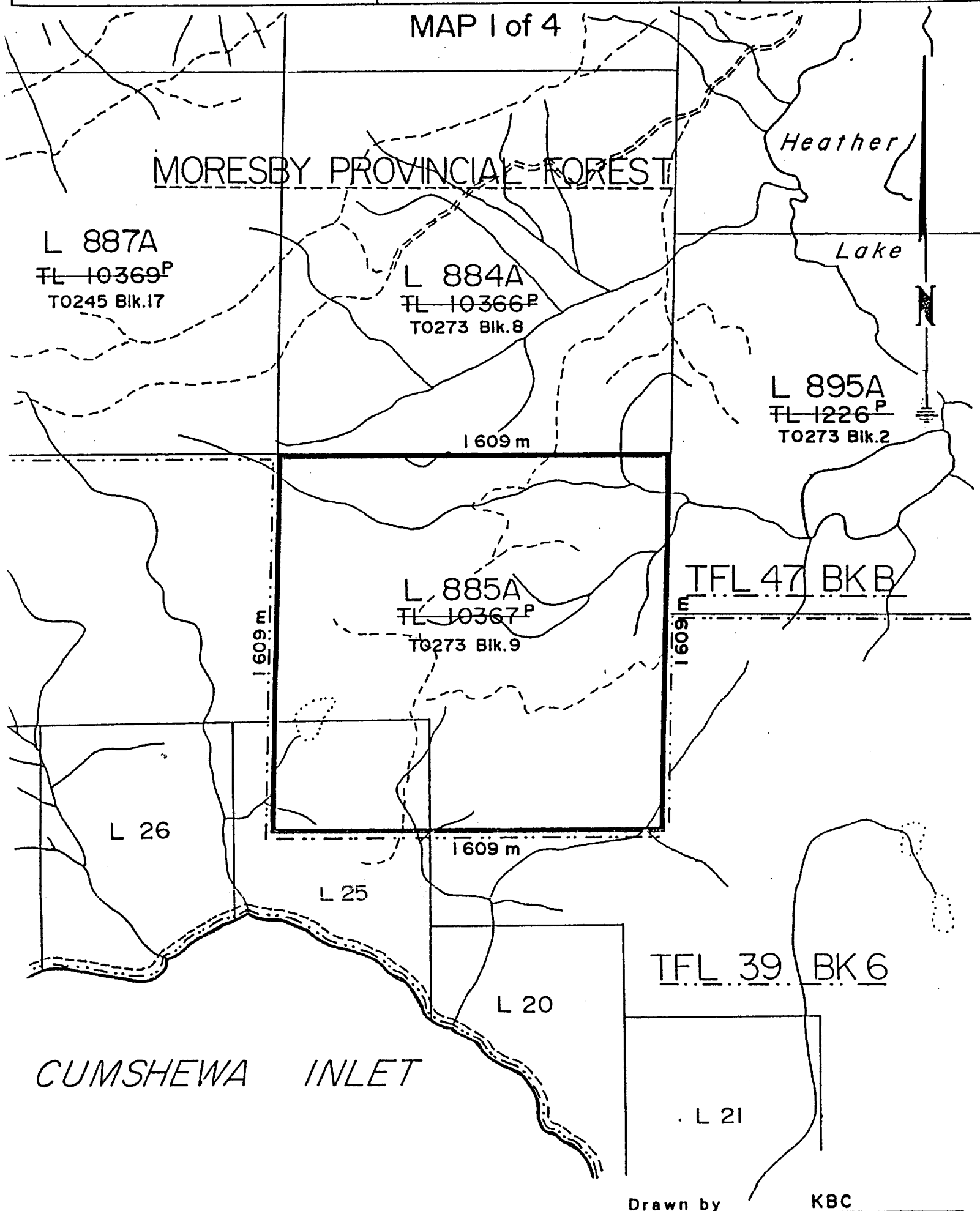


EXHIBIT 'A'

UTM.	Zone	East	North	Reg	Compt.	L	Date
	09	314000	5886000	62	008		92-01-09
Grid							Ref. Map
							103F/SE
FOREST	LAND			45			Base Used
REGION ▶	01 Vancouver			DISTRICT ▶ Queen Charlotte			103G.002,012 S
							Scale 1: 20 000
DISTRICT ▶	1B Queen Charlotte			OUTLINE ▶			Area 259.00 hectares ±

Type	MANAGEMENT UNIT	TIMBER SUPPLY AREA	PULPWOOD AGREEMENT	CASCADES
Number	T T.F.L.	Number		
Block		Block		East
Block		Sub-B		West C



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Ministry of
Forests and Lands

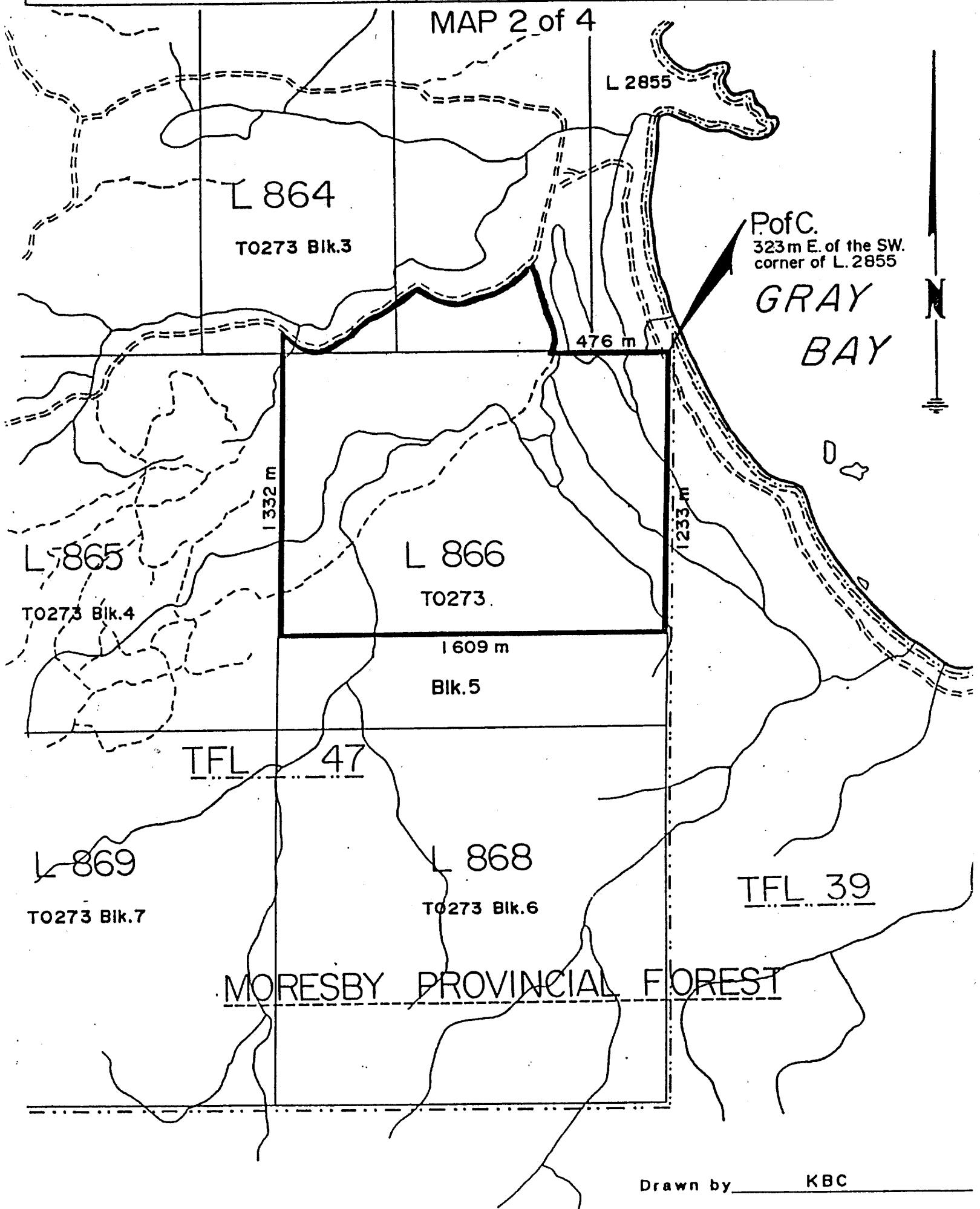
MAP OF INSTRUMENT No.9
(S.B.F.E.P. Deletion from T.F.L. 47)

EXHIBIT 'A'

U.T.M. Zone East North Reg Compl. L
Grid 09320000588700062008
FOREST LAND
REGION Ol Vancouver DISTRICT 45 Queen Charlotte
DISTRICT 1B Queen Charlotte OUTLINE

Date 92-01-09
Ref. Map 103F/SE
Base Used 103G, 012, SGB
Scale 1: 20,000
Area 229.00 hectare

MANAGEMENT UNIT		TIMBER SUPPLY AREA		PULPWOOD AGREEMENT	CASCADES
Type	T	Number			
Number		Block			East
Block		Sub-B			West C





Province of
British Columbia

Ministry of
Forests



EXHIBIT 'A'

MAP OF

INSTRUMENT No.9

DATE

92-01-09

(S.B.F.E.P. Deletion from T.F.L. 47)

REF. MAP

92L/NE

U.T.M.
GRID

ZONE

EAST

NORTH

REQ.

COMPT.

L

FOREST REGION

01 Vancouver

LAND DISTRICT

10 Coast, Range 1

FOREST DISTRICT

18 Campbell River

OUTLINE

BASE USED

Topo. (92L/8,9)

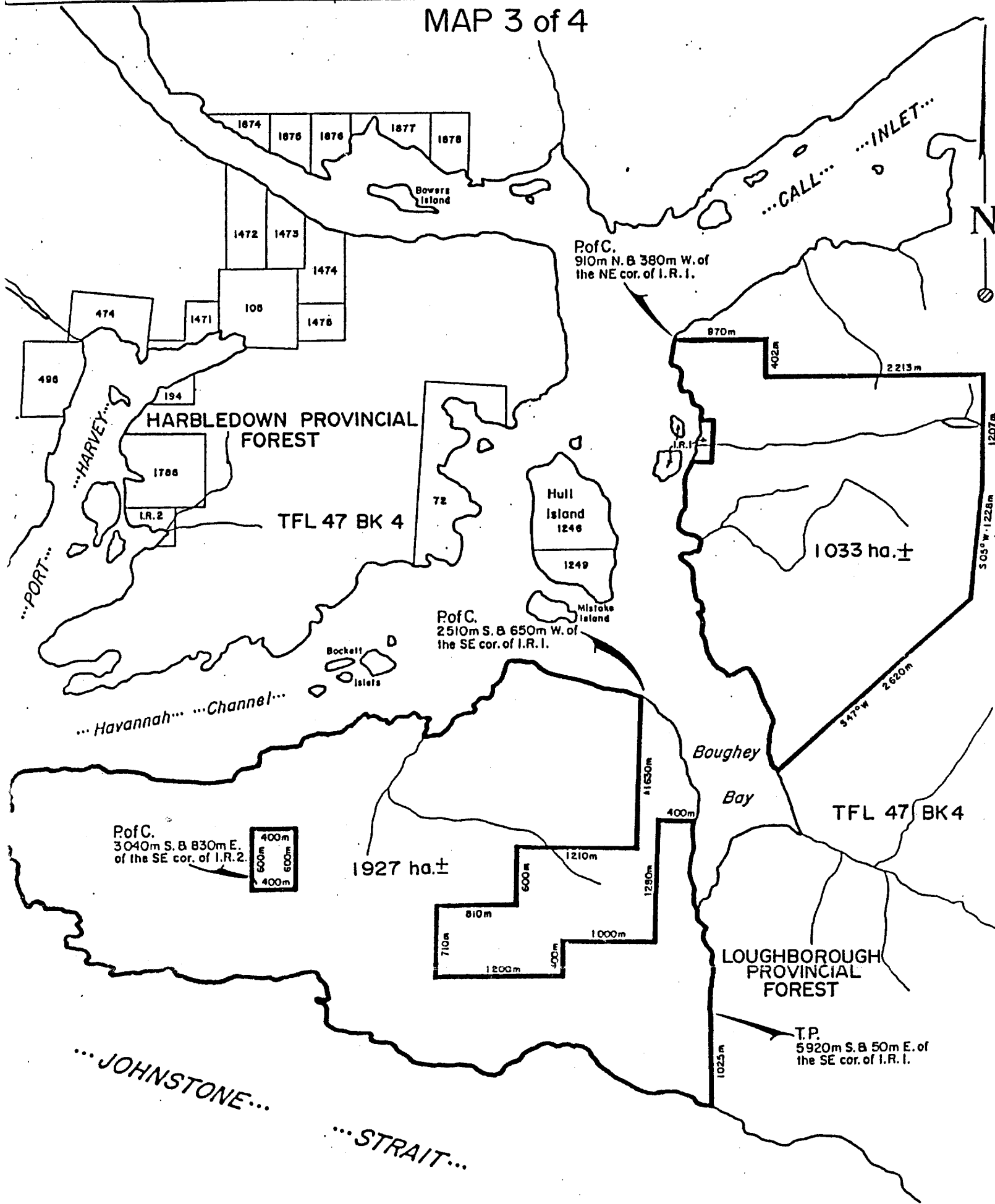
SCALE

1:50000

TOTAL AREA OF MAP 3 of 4
2 960.0 hectares

MANAGEMENT UNIT		TIMBER SUPPLY AREA		PULPWOOD AGREEMENT	CASCADES
TYPE	T T.F.L.	NUMBER			EAST
NUMBER	47	BLOCK			WEST C
BLOCK		SUB-BLOCK			

MAP 3 of 4



DRAWN BY



Province of British Columbia
Ministry of Forests
Forest Service

Map of INSTRUMENT No.9 (S.B.F.E.P. Deletion from T.F.L. 47)

EXHIBIT A

Date..... 92-01-09
Ref. Map..... 92 K/3 f.g.
Base..... 92 K/3 Topo.
Scale 1: 50 000
Area..... 2.980.00 hectares ±

MANAGEMENT UNIT			TIMBER SUPPLY AREA		Pulpwood Agreement	Cascades	
Type	T	TFL 47	Number			East	
Number			Block			West	C
Block			Sub-B				

Forest Region..... 01 Vancouver
District..... 18 Campbell River

Land District..... 50 Sayward
Outline.....

U.T.M.	Zone	East			North			Reg	Compt.	L
Grid	10	34	10	00	55	60	00	03	1007	

MAP 4 of 4

