

## **Recommended considerations for FRPA s. 108 applications concerning *Dothistroma* impacts on free growing obligations**

In order to grant relief or compensation under FRPA s 108 the obligation holder must satisfy the Minister that because of an event causing damage, the obligation on the area cannot be met without significant extra expense than would have been the case if the damage had not occurred, and the person did not cause or contribute to the cause of the damage, and exercised due diligence in relation to the cause of the damage.

Prior to approving a FRPA s 108 application concerning *Dothistroma* the District Manager must be satisfied that the obligation holder took all factors into consideration and all appropriate steps to minimize the impacts of this disease on the survival of the plantation.

Suggested factors to consider in assessing if the obligation holder did not cause or contribute to the cause of the damage, and exercised due diligence in relation to the cause of the damage are:

### ***Date of the event causing damage***

- The minister may not, under FRPA s 108, grant relief or funding in respect of an event causing damage if the event occurred before December 17, 2002
- Was a pine plantation established after *Dothistroma* was recognized as having stand destroying impacts in wetter biogeoclimatic zones/subzones and moist micro-climates (after December 31, 2003)

### ***Site***

- Was the site classified appropriately for site conditions
- Was consideration given to changes in site conditions as a result of harvesting or other external factors
- Did the description of the site identify and consider potential moist micro-climatic conditions.

### ***Species***

- Was the species chosen for reforestation appropriate for site conditions

### ***Significant additional expense***

- Is the cost of reforesting the site back to the stage where the damage occurred significantly greater than would be anticipated under normal anticipated plantation failures

## ***Funding or Relief***

- Is it in the crown's best interest to fund the reestablishment of the stand or to relieve the obligation

In most cases, the obligation holder should be able to supply this information from a variety of sources; such as the Site Plan, reforestation/planting prescriptions, site preparation and planting inspection reports.