




Ministry of
Forests, Lands, Natural
Resource Operations
and Rural Development

POLICY SUBJECT		
Waste Assessments		
EFFECTIVE DATE	RESPONSIBLE BRANCH	NUMBER
April 1, 2021	Timber Pricing Branch	13.6
APPROVED		
 Associate Deputy Minister		

Scope

This policy, in concert with the *Provincial Logging Residue and Waste Measurement Procedures Manual*, supports the concept of “take or pay” to the utilization of Crown timber. It cancels and replaces the Waste Assessments Policy dated January 13, 2011.

Policy

Merchantable Crown timber, whether standing or felled, except timber reserved from cutting, which meets or exceeds the timber merchantability specifications that was not removed from the cutting authority area by the Agreement holder is waste.

The Ministry will issue waste assessments and charge for waste that remains on site upon the completion of primary logging of each cutblock, or at the expiry of the agreement or cutting permit, subject to the exceptions set out in waste relief below.

Waste assessments will apply to all cutblocks in the cutting permit if timber harvesting has occurred on any cutblock.

If the timber relates to a cutting permit that was appraised under the *Interior Appraisal Manual* and was accepted for surrender by the Ministry as part of the Interior Market Pricing System July 1, 2010 transition provisions, the timber in cutblocks where harvesting has not commenced are eligible for waste relief in accordance with the May 12, 2010 all licensees letter.

Waste assessments will be carried out in accordance with the *Provincial Logging Residue and Waste Measurement Procedures Manual*, as amended from time to time.

Waste Relief

A licensee may submit a request for waste relief to the Area Director of Pricing and Tenures.

The Assistant Deputy Minister (ADM) responsible for Timber Pricing Branch and waste assessments may direct that no waste assessment will be issued to a licensee where:

1. The licensee holds a cutting authority where:
 - a. No waste assessment has been issued to the licensee for the timber on the cutting authority area and,
 - b. In the opinion of the ADM the licensee left the timber on the cutting authority area because of circumstances that were:
 - i. Unrelated to the licensee's:
 1. Financial situation, and
 2. Economic circumstances, and
 - ii. Beyond the control of the licensee.
 1. Circumstances that are beyond the control of the licensee may include situations where the licensee is prevented from:
 - a. removing the timber from the cutting authority area by an act of God,
 - b. removing the timber from the cutting authority area by a physical barrier or a manmade blockade over which the licensee has no control,
 - c. concluding harvesting operations prior to expiration of the cutting authority because of misinformation that an employee of the government has provided to the licensee with respect to the cutting authority provisions or the harvesting operations, or
 - d. concluding harvesting operations prior to expiration of the cutting authority because land from the cutting authority has been set aside by agreement between the licensee and the government.

2. The licensee held a cutting authority that was issued prior to June 1, 2004 and where:
 - a. Merchantable Crown timber that was authorized for harvest under the cutting authority, at the agreement holder's discretion was not cut and removed,
 - b. The timber is standing,
 - a. In the opinion of the ADM the timber is of sufficient quantity, quality and concentrations that can be marketed at a reasonable price,
 - c. In the opinion of the ADM the licensee has exhausted all the licensee's rights under the *Forest Act* to extend the term of the licence, and
 - d. The Ministry has not issued a waste assessment for the timber to the licensee.

Definitions

“Merchantable Crown timber” means timber that meets or exceeds the timber merchantability specifications in the *Provincial Logging Residue and Waste Measurement Procedures Manual*.

“Primary logging” means the cutting of timber and the yarding of that timber to a central landing, roadside or drop area in a logging operation.

“Reserved” means reserved timber as defined in the *Provincial Logging Residue and Waste Measurement Procedures Manual*.

“Timber harvesting” means the felling or removal of timber other than on road rights-of-way or landings on a cut block.

Authority

Waste assessments are authorized under:

- Forest Act, sections; 13(3)(b)(ii), 14(1)(d)(ii), 20(3)(b)(ii), 22(f)(ii), 30(f)(ii), 33(5)(b)(ii), 35(1)(c)(ii), 43.3(1)(d)(ii), 43.55(1)(d)(ii), 43.7(2)(e)(ii), 43.8(e)(ii), 45(1)(d)(ii), 47.5(1)(a)(ii), 47.5(2)(b)(ii), 47.7(f)(ii), 118(1)(c)(ii);
- Provisions for waste assessments are made in the agreements and/or cutting authorities.
- *Provincial Logging Residue and Waste Measurement Procedures Manual*.

Responsibility

Responsibilities are described under the *Provincial Logging Residue and Waste Measurement Procedures Manual*.

Methods Only those methods described in the *Provincial Logging Residue and Waste Measurement Procedures Manual* are to be used for conducting waste assessments.

Waste Classification Waste is classified as either unavoidable or avoidable.

Unavoidable waste means waste that:

- is inaccessible or physically obstructed; or
- could not be felled, bucked, or removed due to safety reasons; or
- could not be felled, bucked, or removed due to physical or environmental reasons.

Avoidable waste means waste that does not fall within the definition of unavoidable waste.

Reporting Waste assessments must be completed and reported within the time periods specified in the *Provincial Logging Residue and Waste Measurement Procedures Manual*.

Waste Benchmarks Monetary billings will only be made on the avoidable waste volumes in excess of the waste benchmarks established in the *Provincial Logging Residue and Waste Measurement Procedures Manual*.

Monetary Billing Avoidable waste will be assessed according to the species and log grades as described in the *Provincial Logging Residue and Waste Measurement Procedures Manual*.

Assessment Submissions Completed waste assessments must be submitted as described in the *Provincial Logging Residue and Waste Measurement Procedures Manual*.

References

- Forest Act
- *Provincial Logging Residue and Waste Measurement Procedures Manual*