



Ministry of  
Forests

# **FREE USE PERMIT CUTTING OF FIREWOOD FOR PERSONAL USE ADMINISTRATIVE GUIDE**

---

Forest Tenures Branch

March 3, 2022

Version 1.00

Disclaimer

This document contains material to assist with the administration of matters under the *Forest Act*.  
This document contains a summary of the legal requirements

Warranty

While every effort has been made to ensure the accuracy of the information in this document, no warranties of any kind are made as to the precision or currency of the contents. Readers are advised to refer to the wording of the legislation and regulations themselves and obtain legal advice from their own sources.

This information is provided as a public service by the Ministry of Forests. This document and all of the information in it are provided without warranty of any kind, whether express or implied.

Limitation of Liabilities

Under no circumstances will the Government of British Columbia be liable to any person or business entity for any direct, indirect, special, incidental, consequential, or other damages based on any use of this information or any other document or material to which this document is linked, including, without limitation, any lost profits, business interruption, or loss of programs or information, even if the Government of British Columbia has been specifically advised of the possibility of such damages.

Copyright © 2022, Province of British Columbia

All rights reserved

This material is owned by the Province of British Columbia and protected by copyright law. It may not be reproduced or redistributed without prior written permission from the Province of British Columbia.

Permission or Questions regarding copyright

Guidance on intellectual property disposal from the Province of British Columbia's Intellectual Property. Program: <http://www2.gov.bc.ca/gov/content/governments/services-for-government/policies-procedures/intellectual-property/intellectual-property-program>

Document Change Control

Version	Date	Key Change
1.00	March 3, 2022	

Questions and can be directed to district or regional Ministry of Forests staff with further guidance specific to this document available by emailing Forest Tenures Branch staff at [ForestTenuresBranch@gov.bc.ca](mailto:ForestTenuresBranch@gov.bc.ca).

## Table of Contents

1.0	Purpose of this Guide and Target audience.....	4
2.0	Legal Framework .....	4
2.1	FA Section 48 .....	4
2.2	FA Section 49 .....	4
2.3	FA Section 35(1)(n) Content of a tree farm licence (TFL).....	5
2.4	FA Section 49.1 Area-based Tenures.....	5
3.0	Issuing a Firewood Free Use Permit.....	5
3.1	Provincial Website .....	5
3.2	District FFUP Websites .....	6
3.3	Identifying the Firewood Cutting Areas.....	7
3.4	Issuing FFUPs on area-based tenures.....	7
4.0	Content of the FFUP .....	7
5.0	Planning for Firewood Areas .....	8
6.0	Compliance and Enforcement.....	8
7.0	Feedback and Updates .....	9
	Appendix 1: Firewood Free Use Permit (Template).....	10
1.0	Authorization.....	10
2.0	Permit Term and Expiry Date .....	10
3.0	Location Where Firewood May be Cut (Permit Area) .....	11
4.0	Area-based Tenures (where applicable).....	11
5.0	Cutting of Firewood .....	11
6.0	Other.....	12
7.0	Liability and Indemnification .....	12
8.0	Execution .....	12

## 1.0 Purpose of this Guide and Target audience

- The purpose of this Guide is to outline the best practices to assist ministry staff issuing Free Use Permits (FUP) to cut firewood for personal use.
- Firewood Free Use Permits (FFUP) are issued to the public to cut firewood for personal use from Crown land.
- This guide is not applicable to the cutting of firewood from Crown land for resale and commercial purposes. (See Authorizing Commercial Firewood Operations Administrative Guide).

## 2.0 Legal Framework

- The cutting or harvesting of any timber on Crown land must be authorized under the *Forest Act* (the Act) including individuals wanting to cut small volumes of firewood for personal use.
- The FUP is a form of agreement that is entered into under section 12 of the Act.

### 2.1 FA Section 48

- Section 48 identifies the various purposes for which an FUP can be entered into, including harvesting of firewood for personal use, harvesting Christmas tree for personal use, and certain agriculture, mining, and cultural purposes.

### 2.2 FA Section 49

- Section 49 outlines the content requirements of an FUP and regulatory provisions that are specific to a FUP, including the following which are applicable to a FFUP:
  - (a) Must be for a term not exceeding 1 year for other than for mining purposes,
  - (b) Must give to its holder the right to harvest Crown timber from an area of land for the purposes specified in it,
  - (c) The volume must not exceed 50 m<sup>3</sup>,
  - (d) May be suspended or cancelled, or both, without notice if its holder fails to comply with its terms and conditions, the Act or the regulations,
  - (e) Must not require its holder to pay stumpage for the timber cut, or to pay rent, and

- (f) May contain terms and conditions, consistent with the *Forest Act*, the *Forest and Range Practices Act*, the *Wildfire Act* and any regulations or standards made under those Acts, determined by the minister.

### 2.3 FA Section 35(1)(n) Content of a tree farm licence (TFL)

- Crown reserves the right to issue FUP within the TFL licence area.
- In most TFL agreements, the right reserved for FUP purposes is restricted to one half of one percent (0.5%) of the portion of the allowable annual cut otherwise available under the TFL to the licensee.

### 2.4 FA Section 49.1 Area-based Tenures

- Applicable to community forest agreements, first nations woodland licences, and woodlot licences.
- With the consent of the area-based tenure holder, the Minister may enter into a FUP that authorizes the harvest of timber by specified applicants for a FUP within the tenure area. A FUP for the harvest of firewood for personal use is one of the specified applicants.
- In some agreements, the tenure holder may have provided prior consent to the Minister for the issuance of an FUP in accordance with section 49.1 of the Act.

The issuance of an FUP is a discretionary decision of the minister which has been delegated to the district manager for administration at the district level.

## 3.0 Issuing a Firewood Free Use Permit

Applications for FFUPs can be made through the following site: [Firewood FUPs](#). The site is maintained by FrontCounter BC.

No fee can be charged for a FFUP.

### 3.1 Provincial Website

A FFUP is an agreement between the Minister and the permit holder.

The permit holder must comply with any conditions set out in the permit as well as all applicable legislation.

The following information is on the FrontCounter BC Main Website:

- A person must have a FFUP to cut firewood issued by the local district manager.
- Only dead or downed trees may be cut.

- The permit holder is responsible for reviewing and understanding the permit and its conditions and all applicable legislation.
- The permit holder must:
  - Carry the permit at all times.
  - Produce the permit at the request of a Natural Resource Officer.
- Cutting Crown timber without a permit may result in confiscation of the wood and a fine.
- The permit holder is responsible for confirming they are cutting on vacant Crown land described in the FFUP and not other lands such as private land, First Nation reserves or federal reserve lands.
- BC forests are threatened by non-native species, pests, disease, and wildfire.
  - Moving firewood increases the risk of spreading disease, fungi, and pests (e.g. Bark beetle, Weevils, Defoliators). Plan to burn wood in the area you collect or buy it.
- Fire hazards may restrict firewood cutting, the permit holder is responsible for checking with local fire protection services for current restrictions. To report a fire call 1-800-663-5555. Current information on wildfires in the Province can be found at: [BC Wildfire Service](#).
- Related links to supporting information:
  - Firewood or wildlife tree brochure, Free Use Christmas tree permits and FrontCounter BC.
  - For more information on commercial firewood cutting, contact local district and inquire about the Small Scale Salvage program.
  - Links to districts by Region.

### 3.2 District FFUP Websites

- Natural Resource Districts have a website where the public can obtain a FFUP.
- Firewood Cutting Prohibited Areas Webmap is available for public use. It displays a number of layers, allowing the user to confirm a location(s) available to cut firewood within each district. This webmap will be replaced with a new web mapping platform as a part of forest modernization project.
- Recommendation is to have a district main page plus link to online application form:
  - District main page includes specific information and links to other associated websites.

- Link to online application.
- Applicant fills out and submits application with name, address, email, licence plate, etc.
- Specific firewood cutting area maps.
- FFUP is sent by email. Email contains grant of rights, condition, and cancellation.
- Email with information is sent to the district for tracking purposes.
- Instructions to print out appropriate map.
- Example: [Sunshine Coast](#)

### 3.3 Identifying the Firewood Cutting Areas

- The FFUP must identify the area where the cutting of firewood can occur.
- Options include:
  - A. Attaching a map to the permit that identifies a specific Permit Area (i.e. cutblock).
  - B. Reference to the whole district with no specific area identified (reference to section 5.0 of this guide). In addition, refer to the Firewood Cutting Prohibited Areas Webmap.

### 3.4 Issuing FFUPs on area-based tenures

- The Act and tenure agreements include sections that authorize the District Manager to issue a FFUP on area-based tenures.
- Area-based tenure holders are encouraged to communicate and coordinate with the district in regard to providing opportunities for personal firewood cutting and the issuing of FFUPs.
- Districts need to have a full application and issuance process to track the FFUP issued within area-based tenures and to record what it has approved for harvest within these tenures.

## 4.0 Content of the FFUP

As a minimum, the FFUP should include the following:

1. Parties to the Agreement – the Minister (by delegate) and permit holder.
2. May cut firewood for personal use only from designated areas.

3. Maximum volume that may be cut (maximum of 50 m<sup>3</sup>, add known conversion tables for cords or truckloads)
4. Cannot sell the firewood.
5. Cutting permitted only in specified areas.
6. Must have the FFUP in possession at all times when cutting firewood.
7. District manager may cancel at any time.
8. Term and expiry date (1 year from effective date).
9. What can be cut (i.e. only dead and down, size limits ; specified species).
10. Liability and indemnity.
11. Signature and date.

Appendix 1 includes an example of a Firewood Free Use Permit Template.

## **5.0 Planning for Firewood Areas**

- If district wide and not on a cutblock basis, then no additional planning is necessary.
- For districts that designate firewood cutting areas on a cutblock basis. The following applies:
  - Primary harvesting must be completed.
  - Waste assessment must be completed and approved.
  - Cutblocks should be reviewed for potential at the time waste assessments have been approved.
  - Review to determine if the cutblock is a good candidate for personal firewood cutting.
  - Factors to consider include distance from town (should be less than 1 hour); access (4X4 access); road deactivation; reforestation; fire hazard abatement; and active logging.
  - Need to coordinate with licensees and approval where necessary.

## **6.0 Compliance and Enforcement**

- Unauthorized cutting of Crown timber for firewood purposes (personal or commercial use) is a concern in many parts of the Province. Compliance and Enforcement is conducted by the local district offices.
- Natural Resource Officers are responsible for compliance and enforcement action.



- In addition to unauthorized harvesting of Crown timber, Compliance and Enforcement deal with a wide range of areas of enforcement (e.g. wildlife, water, and wildfires).
- Pursuant to section 52 of the *Forest and Range Practices Act*, a person may not cut, damage or destroy Crown timber unless authorized to do so. The fine for a contravention of section 52 of that Act is \$173 as per the Violation Ticket Administration and Fines Regulation under the *Offence Act*.
- Members of the public are encouraged to report unauthorized firewood cutting (phone in or online submissions). See Natural Resource Officer Website.

## 7.0 Feedback and Updates

- Suggestions for improving this Guide are encouraged and can be submitted directly to the Forest Tenures Branch at the following email address:  
[ForestTenuresBranch@gov.bc.ca](mailto:ForestTenuresBranch@gov.bc.ca).
- This Guide will be reviewed and updated periodically. Readers and users should ensure they are referencing the most current version of this Guide which is located on the Forest Tenures Branch Website.

## Appendix 1: Firewood Free Use Permit (Template)

### Ministry of Forests

### \_\_\_\_\_ Natural Resource District

## FREE USE PERMIT (FIREWOOD)

---

Permit holder's Legal Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No/Email: \_\_\_\_\_

### 1.0 Authorization

1. This Free Use Permit (FUP) is entered into under section 49 of the *Forest Act*.
2. The holder of this FUP is authorized to harvest timber on Crown land for firewood purposes.
3. The firewood is for personal use only and cannot be sold.
4. A maximum volume of (cubic metres) of firewood may be harvested under this FUP.
5. The permit holder must comply with all the conditions included in this FUP.
6. The permit holder must comply with all legislation.
7. The permit holder must have this FUP in their possession at all times when harvesting or transporting firewood.
8. The permit holder must produce this FUP at the request of a Natural Resource Officer.
9. This FUP is issued on the condition that during the term of this permit, the permit holder does not own or occupy land where there is sufficient timber that is reasonably accessible for the purposes specified.

### 2.0 Permit Term and Expiry Date

1. This FUP expires on \_\_\_\_\_.
2. If the permit holder fails to perform or does not comply with an obligation under this permit the district manager or forest officer may, without notice, suspend or cancel or both, this FUP without notice.

### 3.0 Location Where Firewood May be Cut (Permit Area)

1. Firewood may only be harvested from the Permit Area (choose from below three options).
  - A. The Permit Area for this permit is as identified on the attached map.
  - B. Any Crown land within the \_\_\_\_\_ Natural Resource District except the following Areas of Crown land as identified in the map found at the following (web link – to be announced soon):
    - Plantations
    - Research areas
    - Recreation sites or trails
    - Active logging areas
    - Archeological Sites
    - Decked timber
    - Ecological Reserves
    - Wildlife Tree Retention Areas
    - Other areas reserved from cutting timber
  - C. Only be cut from roadsides and landings identified on the attached map.

### 4.0 Area-based Tenures (where applicable)

1. Unless specifically authorized to do so, firewood may not be cut from the following types of agreement areas: tree farm licence, first nations woodlands licence, community forest agreement, or woodlot licence.

### 5.0 Cutting of Firewood

- A. No felling of standing timber
  1. The felling of timber is not permitted under this FUP.
  2. The permit holder may only cut timber that is dead and on the ground.
  3. No cutting or removal of (specify species. e.g. Larch or Cedar) is authorized.
  4. Firewood must be bucked into lengths no greater than 1.0 or 2.0 metres in length.
  5. No timber may be left leaning or hanging in a manner that could cause a risk to others.
  6. Mechanized equipment may not be used to move logs.
- B. Felling of standing timber allowed
  1. May fell standing timber up to \_\_\_\_cm in diameter.
  2. Stumps of trees felled must be lower than 30 cm.
  3. No cutting or removal of (specify species. e.g. Larch or Cedar) is authorized.
  4. Firewood must be bucked into lengths no greater than 1.0 or 2.0 metres in length.
  5. No timber may be left leaning or hanging in a manner that could cause a risk to others.
  6. Mechanized equipment may not be used to move logs.

## 6.0 Other

1. Woody debris from firewood cutting must be removed from roads and ditches.
2. Twigs and branches left behind must lay flat on the forest floor no higher than 1.0 metres.
3. No felling or bucking of timber may take place within 100 meters of any body of water.
4. No Wildlife or Culturally Modified Trees may be cut.
5. Firewood harvesting under this FUP is not permitted when the Forest Fire Index Rating is HIGH or EXTREME in the Permit Area or in the areas otherwise closed to forest harvesting.
6. This permit is not valid unless signed by the permit holder.
7. The permit holder must follow safe work practices and use appropriate personal protective equipment.
8. Safety equipment is recommended to be used including, but not limited to hard hats, high visibility vest, and bucking chaps, appropriate footwear, eye & ear protection, and gloves.
9. The permit holder may not obstruct traffic.
10. The permit holder is responsible for removing any litter, debris, or waste on Crown land from their operations and for keeping the site of operation in a safe, clean and sanitary condition.
11. The permit holder is required to comply with all applicable laws and regulations.

## 7.0 Liability and Indemnification

1. The permit holder accepts responsibility for any persons accompanying the permit holder and will provide these terms and conditions to that person for them to read and agree to prior to entering the Permit Area. A requirement herein imposed on the permit holder includes any person accompanying the permit holder.
2. The permit holder freely accepts and fully assumes all risks of injury, dangers, hazards, and damages that the permit holder may suffer by entering Crown land. The Crown has no liability to the permit holder for these assumed risks.
3. The permit holder shall indemnify and save harmless the Crown from and against any losses, damages, claims, demands, suits, actions arising from or resulting out of the permit holder's entry and harvesting of timber on Crown land.

## 8.0 Execution

1. This permit is not valid unless signed by the permit holder and the Minister or Minister's Representative.

---

PERMIT HOLDER SIGNATURE

DATE

MINISTER'S REPRESENTATIVE