

Comparison of Replaceable Direct Award Forest Tenures

Topic	First Nation Woodland Licence (FNWL)	Community Forest Agreement (CFA)	Woodlot Licence (WL)	Replaceable Forest Licence (RFL)
Replaceable Tenure	Yes, 25 year term, replaceable every 10 th anniversary	Yes, 25 year term, replaceable every 10 th anniversary	Yes, 20 year term replaceable every 10 th anniversary	Yes, up to 20 year term replaceable during 5-year period prior to year 9.5 anniversary.
Direct Award Authority	Yes, Section 43.54 Forest Act. Forest Tenure Opportunity Agreement (FTOA) required	FNWLs replace CFAs for new direct awards. Section 43.51(1)(a) <i>Forest Act</i> . Agreement (FTOA) required.	FNWLs replace WLs for new direct awards. Section 47.3(1)(a) <i>Forest Act</i> . Agreement (FTOA) required.	Yes, Section 47.3(1)(a) FA. Agreement (FTOA) required
Operating Area	Defined area	Defined area	Defined area	Timber Supply Area defined, chart or operating areas may be defined.
Tenure Deposit	Yes \$0.10/m ³ of AAC but may be waived if specified in FCRSA	No	Yes \$1,000.00	Yes, \$0.15/m ³ of AAC
Silviculture Deposit for obligation to establish a Free Growing Stand	Calculated and determined by DM in accordance with policy; May use revenue sharing in lieu if specified in FCRSA	Calculated and determined by DM in accordance with policy; may use revenue sharing in lieu if specified in FCRSA	Calculated and determined by DM in accordance with policy; may use revenue sharing in lieu if specified in FCRSA	Not Required.
Annual Rent	Yes, Partial Rent \$0.12/m ³ of AAC (fire levy portion only)	Yes, \$0.37/m ³ of AAC	Yes, \$0.60/m ³ of AAC of which \$0.25 m ³ goes to the Woodlot Product Development Council	Yes, \$0.37/m ³ of AAC
Annual Rent Rebate Incentive	Yes, at time of signing FNWL, \$0.25 m ³ AAC rebate will be paid to First Nation on previously held licences with eligible sourced AAC (Bill 28). These surrendered licences that paid annual rent since January 1, 2008 (till year of signing FNWL) would be approved in FTOA signed by Minister.	No	No	No
Stumpage Appraisal	Market Pricing System rates Variable (CAM and IAM)	Discounted Tabular rates: 30% for Coast / 15% for Interior On previous year's average sawlog stumpage rates for major licences and BC Timber Sales	Discounted Tabular rates: 30% for Coast / 15% for Interior On previous year's average sawlog stumpage rates for major licences and BC Timber Sales	Market Pricing System rates Variable (CAM and IAM)
Appraisal/Deductions for operating costs	Appraisal submission with deductions for planning, development, maintenance and silviculture costs.	No appraisal submission, average operating costs are included in rate.	No appraisal submission, average operating costs are included in rate	Appraisal submission with deductions for planning, development, maintenance and silviculture costs.
Eligible for 'one Cutting Permit'	No	Yes – if approved by the District Manager	Yes –if approved by the District Manager	No
Harvesting Rights	Exclusive Right	Exclusive Right	Exclusive Right	Non-exclusive right to harvest within Timber Supply Area.
Botanical Forest Products	Right (not exclusive)	Right (not exclusive).	None	None
Management Plan	Required, as per <i>Forest Act</i> and licence document	Required, as per <i>Forest Act</i> and licence	Required, as per <i>Forest Act</i> , and licence	Not Required.

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Forest Stewardship Plan (FSP)	Yes but may complete a woodlot licence plan if FNWL area is not greater than 800 on coast or 1200 ha for interior	Yes but may complete a woodlot licence plan if FNWL area is not greater than 800ha on coast or 1200 ha for interior	Prepares woodlot licence plan in lieu of a FSP (Woodlot Licence Planning and Practices Regulation)	Yes
AAC	Licence holder must submit with rationale within Management Plan	Licence holder must submit with rationale within Management Plan	Licence holder must submit with rationale within Management Plan.	Volume included in licence document
Boundary Changes (Crown portion)	May apply per 43.57 of the <i>Forest Act</i> and First Nations Tenures Regulation. No size limitations but must be available area and AAC.	May apply per 43.52 of the <i>Forest Act</i> and Community Tenures Regulation. No size limitations but must be available area and AAC.	May apply per 47.1 of the <i>Forest Act</i> and Woodlot Licence Regulation. Size limitations Limited by 800 ha, for the Coast and 1200 ha for the Interior.	If chart specified, by agreement with District Manager.
Revenue Sharing - District Wide Activity Based	Yes, based on overlapping traditional territory with THLB within District. Included and specified in FCRSA 3% of district average with FTOA 4% of district average with SEA 5% of district average with Reconciliation Protocol/Agreement	Yes, based on overlapping traditional territory with THLB within District. Included and specified in FCRSA 3% of district average with FTOA 4% of district average with SEA 5% of district average with Reconciliation Protocol/Agreement	Yes, based on overlapping traditional territory with THLB within District. Included and specified in FCRSA 3% of district average with FTOA 4% of district average with SEA 5% of district average with Reconciliation Protocol/Agreement	Yes, based on overlapping traditional territory with THLB within District. Included and specified in FCRSA 3% of district average with FTOA 4% of district average with SEA 5% of district average with Reconciliation Protocol/Agreement
Revenue Sharing – Direct Award Tenure Activity Based	Yes after stumps paid, as outlined in FCRSA and 70% of eligible AAC (Bill 28) for the Coast; 85% of eligible AAC (Bill 28) for the Interior	No	No	Yes, as per % in FCRSA; 35% with FTOA; 50% at SEA; 75% at RA/RP All based on eligible AAC (Bill 28) only.
Volume can be transferred (attributed) to or from another licence for cut control	No	No	No	Yes, with licence holders consent. But direct award tenure revenue sharing may not apply.
Crown Disposition of Undercut Allowed	Yes, as per the <i>Forest Act</i> and licence agreement to third parties	Yes, as per the <i>Forest Act</i> and licence agreement to third parties	Yes, as per the <i>Forest Act</i> and licence agreement to third parties	Yes, undercut volume returned to TSA for reallocation.
Can Free Use Permits and BCTS timber sale licences be issued within the licence.	Yes, if agreed to by licence holder and specified in the licence document	Yes, if agreed to by licence holder and specified in the licence document	No legal authority unless otherwise provided for in the <i>Forest Act</i> (i.e. disposal of undercut)	Yes. Licence holder doesn't have exclusive rights unless within an approved cutting permit under the licence.
Transfer Requirement	Yes, as per Section 6 of the Transfer Regulation but only to an entity controlled by the FN, and if the FN will continue to comply with the FN's agreement that relates to the licence issued.	Yes, as per Section 6 of the Transfer Regulation but only to an entity controlled by the FN, and if the FN will continue to comply with the FN's agreement that relates to the licence issued.	Yes, as per Section 5 of the Transfer Regulation but only to an entity controlled by the FN, and if the FN will continue to comply with the FN's agreement that relates to the licence issued.	Yes, as per Section 6 of the Transfer Regulation but only to an entity controlled by the FN, and if the FN will continue to comply with the FN's agreement that relates to the licence issued.