



Ministry of  
Forests

# The Vancouver Log Salvage District Salvage Permit Information

Version 1.1

March 14, 2021

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## Document Change Control

Version	Date	Key Change
1.0	October 21, 2021	Updated
1.1	March 14, 2021	Ministry name change

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## 2.0 Conducting Log Salvage Activity Requirements

Log salvage activities in the Vancouver Log Salvage District must be done in accordance with the requirements of the *Forest Act* and the *Log Salvage Regulation for the Vancouver Log Salvage District* (see attached). In the case of any discrepancy, the most recent and official version of the *Act* and the *Regulation* shall govern.

Please read the *Act* and *Regulation* carefully and ensure that all requirements are adhered to. Pay particular attention to the sections on immediate marking of salvaged logs, the areas of prohibited salvage and daylight hours among others. Further information on the *Act* and *Regulation* is as detailed under 'General Information' below.

Contravention of the regulation may render logs salvaged by you subject to seizure and your permit subject to suspension and/or cancellation.

## 3.0 General Information

### 3.1 Minimum Processing Time Requirements

All written applications for new log salvage permits or renewals should expect a minimum processing time of ten (10) working days for response. All responses including permits are mailed through Canada Post.

### 3.2 Log Salvage Receiving Station Licences

All merchantable salvaged logs, including deadheads, must be disposed of through a licensee holding a receiving station licence. The current licensee for the Vancouver Log Salvage District is:

**Western Log Sort and Salvage Co-operative (WLSSC)**

Mitchell Anderson, General Manager

105-211 East Georgia Street

Vancouver, BC V6A 1Z6

Phone: (604) 685-8907

Cell: (778) 895-1530

Fax: (604) 685-8936

### 3.3 Log Deliveries and Marketing

In addition to deliveries to receiving station licensees, salvaged logs may also be marketed by means of a 'direct sale' arranged by the permittee. Contact a receiving station licensee for their delivery number and instructions on the process to be followed.

Licenses are required under legislation to accept delivery of all merchantable logs. They in turn are also required to designate logs as being unmerchantable. Contact a licensee for the criteria used to determine merchantability.

Logs which are classified as deadheads will be marketed through one of the licensees who will designate where the logs are to be delivered for scaling.

### **3.4 Log Salvage Closure Orders**

If the Ministry is notified that logs have been lost in an area of coastal waters, a log salvage closure may be ordered for that area pursuant to Section 126 of the *Forest Act*. Copies of closure orders may be found at <https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/forest-tenure-administration/marine-log-salvage>

This page is used to publish and announce log salvage closures pursuant to Part 9, Section 126 of the *Forest Act*. If notified that logs have been lost in an area of coastal waters, the person delegated to act on behalf of the minister, may order a closure. At the time a closure is ordered arrangements will be made to:

- closure orders, once made, will be transmitted to the timber owner or agent, a copy of the closure order will be sent to the Natural Resource District office where the log spill occurred and will be published at this site as soon as practicable.
- advise the Canadian Coast Guard of the closure order and potential navigational hazard the logs may present.
- encourage that the closure information be broadcast as extensively as practical.

## **4.0 Log Salvage Regulation Specific Highlights**

### **4.1 Ownership Rights**

Summarized from: Log Salvage Regulation, Section 5

1. Identifiable salvaged logs must be reported to the log owner or a licensee within three days of the log coming into the possession of the permittee.
2. Identifiable logs may be claimed back by the owner directly from the permittee.
3. Remuneration for time and expenses incurred under item 2 above is a matter between the log owner and the permittee. Where there is disagreement as to the amount, settlement may go to arbitration.
4. Identifiable logs delivered to a licensee may be claimed by the owner.

## 4.2 Prohibited Salvaging

Summarized from: Log Salvage Regulation, Section 14

Logs may not be salvaged from land that is owned or leased by a person other than the Crown, or from land or water covering that land without the consent of the owner or leasee, as the case may be.

Also, operating in the following areas is subject to approval from the applicable authorities:

- (a) River Estuaries.
- (b) Shellfish Beaches.
- (c) Ecological Reserves.
- (d) Federal and Provincial Parks.
- (e) Indian Reserves.
- (f) Foreshore Leases.

Logs may not be salvaged from land where any portion of the log is above the high high-water mark without the written consent of the applicable authority, and must do so in compliance with the *Forest Act* and regulations.

## 4.3 Log Salvage Identification Mark

Summarized from: Log Salvage Regulation, Section 16

Loss of your marking hammer is to be reported to the Ministry of Forests in Nanaimo, (250) 739-8365, as soon as possible after the loss occurs. A replacement hammer will be ordered upon receipt of payment; at which time you will be allowed to mark salvaged logs using spray paint or crayon prior to receiving your hammer.

## 4.4 Requests to Tow During Closed Hours

Permittees in possession of logs salvaged outside the areas described in Sections 18(1) (a) to (e) inclusive may not tow through those areas during closed hours unless so directed in writing from a licensee or under written approval from the minister. Requests for authorization to tow during closed hours should be made to the Regional Manager, c/o Pricing Section, Suite 103-2100 Labieux Road, Nanaimo, British Columbia, V9T 6E9.

Requests for authorization to tow during closed hours shall contain the following information:

1. Name, telephone number and email address (if applicable) of permittee
2. Log salvage permit number
3. Name of towing vessel
4. Destination
5. Reason for tow

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6. Estimated time of arrival into closed area and point of entry
7. Description of logs under tow; parcel number if boomed otherwise number of strings, number of logs and number of deadheads

Written authorization must be in the permittee's possession while conducting the tow.

### **4.5 Permittees Booming and Log Storage Grounds**

It is the responsibility of the permittee to obtain permission from the appropriate authorities to use areas for booming and log storage.

## 5.0 Appendix A - Forest Act Part 9 Marine Log Salvage

### FOREST ACT [RSBC 1996] CHAPTER 157

#### Log salvage district

- 122** The minister, by publishing a notice in the Gazette, may
- (a) establish an area of British Columbia as a log salvage district, and
  - (b) abolish, or change the boundaries of, a log salvage district.

#### Receiving station licence

- 123** (1) The minister may grant to a person who meets the prescribed qualifications a receiving station licence authorizing its holder to accept delivery of salvaged logs within a log salvage district.
- (2) A receiving station licence must contain the terms and conditions, consistent with this Act and the regulations, determined by the minister.
- (3) The holder of a receiving station licence must,
- (a) after the date specified in the licence, maintain facilities in the log salvage district for receiving, storing and sorting salvaged logs,
  - (b) dispose of salvaged logs in the prescribed manner,
  - (c) pay to the government the prescribed licence fees,
  - (d) account for, hold, disburse and use the revenue the holder of the receiving station receives from the sale of salvaged logs in the prescribed manner, and
  - (e) subject to the regulations, pay to holders of log salvage permits for salvaged logs delivered to the holder of the receiving station or a place specified by that holder, compensation in the prescribed amount.
- (4) If a holder of a receiving station licence fails to comply with the licence, this Part or the regulations respecting log salvage, the minister may suspend the licence for a period of time and, whether or not the licence is under suspension, may cancel the licence.
- (5) Before the minister cancels a receiving station licence the minister must give the holder of the licence an opportunity to be heard.
- (6) A log receiving station licence granted under the former Act continues in force under this Act as a receiving station licence.

### **Log salvage permit**

- 124** (1) Subject to the regulations, a person must not salvage logs in a log salvage district without a log salvage permit.
- (2) The minister may grant a log salvage permit to a person who meets the prescribed qualifications.
- (3) A log salvage permit must contain the terms and conditions, consistent with this Act and the regulations, determined by the minister.
- (4) If the holder of a log salvage permit no longer meets the prescribed qualifications or fails to comply with the permit, this Part or the regulations respecting log salvage,
- (a) the minister may suspend the permit for a period of time, and
- (b) the minister, whether or not the permit is under suspension, may cancel the permit.
- (5) Before the minister cancels a log salvage permit the minister must give the permit holder an opportunity to be heard.

### **Disposal and acquisition of salvaged logs**

- 125** A person must not dispose of a log salvaged from a log salvage district and a person must not accept delivery of a log salvaged from a log salvage district, except as provided in the regulations.

### **Area closure**

- 126** (1) If notified that logs have been lost in an area of coastal waters, the minister, in a notice published or broadcast, or both, in or near the area may
- (a) order that the area described in the notice be closed to log salvaging for a period not exceeding 10 days for each order, and
- (b) amend the description of the area and, subject to the 10 day maximum, extend or shorten the period of the order.
- (2) While an area is closed a person, other than the owner of a log or the owner's agent, must not salvage a log in the area described in the order.

## 6.0 Appendix B - Log Salvage Regulation for the Vancouver Log Salvage District

This consolidation is current to September 28, 2021.

### *Forest Act*

#### **LOG SALVAGE REGULATION FOR THE VANCOUVER LOG SALVAGE DISTRICT**

[includes amendments up to B.C. Reg. 237/2013], November 28, 2013

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## 1.0 Interpretation

1 (1) In this regulation:

**“accounting period”** means the period commencing on January 1 and ending on June 30 or the period commencing on July 1 and ending on December 31 of any year;

**“Act”** means the *Forest Act*;

**“deadhead”** means a log that floats with at least 3/4 of its length totally submerged, or has the entire diameter of one end out of the water;

**“former owner”** in reference to an identifiable salvaged log means a person who was the owner of the log prior to title passing to the licensee;

**“helper”** means a person who helps a permittee salvage logs;

**“identifiable log”** means a salvaged log that

- (a) bears a timber mark or a registered marine log brand, or
- (b) does not bear a timber mark or a registered marine log brand but is salvaged in a boom, section, bundle or parcel that
  - (i) has at least one log that bears a timber mark or a registered marine log brand, or
  - (ii) bears an ownership tag;

**“licence”** means a receiving station licence;

**“licensee”** means the holder of a licence;

**“log”** means any log, bolt, pole, pile, boomstick, swifter, tree or other unmanufactured wood product;

**“log boom”** means logs stowed in an orderly manner, contained by boomsticks, swiftered and ridered, and includes a bundle or parcel of logs and a string of 2 or more boomsticks;

**“log salvage”** means

- (a) securing, pursuing or searching for drift timber, or
- (b) for drift timber that has been secured, possession of the timber until it is returned to its owner or it is delivered to a receiving station of a licensee;

**“log salvage district”** means the Vancouver Log Salvage District established under section 122 of the Act;

**“marine log brand”** means a marine log brand registered under Part 5 of the Act;

**“merchantable log”** means a marketable salvaged log;

**“ownership tag”** means an identifiable mark of ownership other than a registered marine log brand or timber mark;

**“permit”** means a log salvage permit;

**“permittee”** means the holder of a permit;

**“person”** includes a cooperative association;

**“scale and royalty invoice”** means the invoice submitted by the ministry of the minister responsible for the Act setting out the Crown charges payable and the volume scaled;

**“sorted and boomed”** in relation to salvaged logs means

- (a) sorted for sale,
- (b) stowed in an orderly fashion, and
- (c) contained and secured by boomsticks and swifters in a manner that permits the safe towing of the salvaged logs to their destination;

**“timber mark”** means a timber mark registered under Part 5 of the Act.

- (2) For the purposes of the Act and regulations under the Act including this regulation, **“salvaged logs”** means logs, whether in a log boom or not, that have been found abandoned and

- (a) adrift,
- (b) cast ashore, or
- (c) lying on or embedded in the bed or bottom, or on the bank or beach, of a river, stream, lake or ocean

in the log salvage district and have been then taken into custody, without the owner's authorization, by a person other than the owner of the logs.

## 2.0 Application

- 2 This regulation applies only to salvaged logs.

## 3.0 Qualifications for licence

- 3 The minister may grant a licence to a person who has not held a licence that was cancelled under the Act and
- (a) is neither engaged in nor the holder of an interest in a business that manufactures timber or any forest product in British Columbia, or
  - (b) is a company or cooperative, as the case may be, that has no shareholder that both
    - (i) owns more than 10% of the shares of the company or the cooperative, and
    - (ii) is a company that is engaged in or has an interest in a business that manufactures timber or any forest product in British Columbia.

## 4.0 Qualifications for a log salvage permit

- 4 (1) Subject to subsections (2) and (3), the minister may grant a permit to a person who
- (a) Repealed. [B.C. Reg. 90/2006]
  - (b) is a Canadian citizen or landed immigrant,
  - (c) has not been found guilty of an offence under
    - (i) section 339 of the *Criminal Code*, or
    - (ii) section 334, 343 or 463 of the *Criminal Code* by reason of a theft set out in section 322 of the *Criminal Code*,
  - (d) is 18 years or over,
  - (e) has not had a permit that was cancelled under the Act during the period commencing 5 years prior to his application,
  - (f) is neither engaged in nor the holder of an interest in a business that manufactures timber or any forest product in British Columbia,
  - (g) has paid all fines imposed against the person under the Act or regulations under the Act, and
  - (h) has not been found guilty of an offence under the Act or regulations under the Act within the preceding 6 months.
- (2) If the minister is of the opinion that a person found guilty of an offence mentioned in subsection (1) is of good character and otherwise meets the requirements of subsection (1), the minister may grant a permit to the person
- (a) in the case of an offence mentioned in subsection (1) (c), if 5 or more years have passed since the last conviction for such an offence, and
  - (b) in the case of an offence mentioned under subsection (1) (h), on application for the permit.
- (3) The minister may grant a permit to a person who is not a Canadian citizen or landed immigrant where that person held a permit on January 1, 1980 or on January 1, 1981 and otherwise meets the requirements of subsection (1).

## 5.0 Rights of property in an identifiable log

- 5 (3.1) Where a permittee
- (a) delivers an identifiable log to a receiving station of a licensee, or
  - (b) notifies a licensee that the permittee has an identifiable log at a location other than a receiving station,
- the licensee shall hold the log as a gratuitous bailee for a period of 3 working days commencing on the working day following the delivery or the notification, as the case may be.
- (2) When the permittee delivers a log to a receiving station or notifies a licensee as set out in subsection (1), the licensee shall notify the owner of the identifiable log.

- (3) A permittee must notify the licensee or the owner of an identifiable log within 3 days of the log coming into the possession of the permittee and must immediately
  - (a) deliver the log to a receiving station of a licensee, or
  - (b) notify a licensee that the permittee has an identifiable log at a location other than a receiving station.
- (3.1) Subsection (2) continues to apply to a licensee where a permittee notifies an owner under subsection (3).
- (4) For the purposes of subsections (5) and (6) the remuneration payable in respect of an identifiable log by the owner of the log to the permittee who salvaged it shall be in an amount based on the time taken, effort expended and normal expenses incurred by the permittee in salvaging the log and delivering it to the owner.
- (5) Subject to subsection (8), where the owner of an identifiable log claims possession of it either during the period referred to in subsection (1) or afterwards but before the sale of the log, and he and the permittee who salvaged the log agree as to the amount of remuneration payable in respect of the log by the owner to the permittee, then upon
  - (a) the owner paying the permittee that amount, or
  - (b) the owner and the permittee agreeing as to payment later of that amount the licensee or the permittee, as the case may be, shall forthwith deliver the log to the owner.
- (6) Subject to subsection (8), where the owner of an identifiable log claims possession of it either during the period referred to in subsection (1) or afterwards but before the sale of the log, but he and the permittee who salvaged the log disagree as to the amount of remuneration payable in respect of the log by the owner to the permittee, then
  - (a) if the owner and the permittee agree to submit that issue to arbitration under the *Commercial Arbitration Act*, the permittee or the licensee, as the case may be, shall forthwith deliver the log to the owner,
  - (b) if the owner, but not the permittee, indicates he is willing to so submit that issue, the log shall be delivered to the owner on payment by him to the permittee of remuneration in the amount the owner considers due to the permittee on the basis set out in subsection (4), and in that event a right is reserved to the permittee to challenge the amount of the remuneration in a court of law, or
  - (c) if the permittee, but not the owner, indicates he is willing to so submit that issue, or if both are unwilling to so submit that issue, the log shall not be delivered to the owner, but shall be treated in the same manner as a log not claimed by an owner.
- (7) Subject to subsections (5), (6) and (8), after the expiration of the period referred to in subsection (1), the licensee shall be deemed to be the owner of the log, and after the log has been scaled he shall dispose of the log at the highest price reasonably obtainable.

- (8) Where the licensee has notice of a dispute over the ownership of an identifiable log he shall hold the log as a gratuitous bailee until he disposes of it, and he shall not dispose of it
  - (a) until 3 months after the period of 3 working days referred to in subsection (1), if no court proceedings to determine the ownership commenced during those 3 months, or
  - (b) until the final determination or other disposition of court proceedings to determine the ownership, if any are commenced during the 3 months after the period of 3 working days referred to in subsection (1).

## 6.0 Owner of identifiable log

- 6 (1) For the purposes of this regulation, **“owner”** in relation to an identifiable log shall be determined in accordance with this section.
- (2) Where an identifiable log is salvaged other than in a section, boom, bundle or parcel, the owner is
  - (a) the holder of the registered marine log brand, or
  - (b) in the absence of a registered marine log brand, the holder of the certificate for the timber mark, if any, on the log.
- (3) Where logs are salvaged in a section, boom, bundle or parcel that bears an ownership tag, the owner of the logs is the person identified by that ownership tag, whether or not any of the logs bears a timber mark or registered marine log brand.
- (4) Where logs are salvaged in a section, boom, bundle or parcel that bears only one identifiable mark of ownership and that identifiable mark is a timber mark or registered marine log brand on one or more logs, then the owner of all the logs is,
  - (a) if the only identifiable mark is a timber mark, the holder of the certificate for that mark, or
  - (b) if the only identifiable mark is a registered marine log brand, the holder of that log brand.
- (5) Where logs are salvaged in a section, boom, bundle or parcel that bears no ownership and there is
  - (a) more than one marine log brand on the logs,
  - (b) more than one timber mark on the logs, or
  - (c) both a marine log brand and timber mark on the logs,the owner of a log that bears a registered marine log brand is the registered holder of that brand, and the owner of a log that bears a timber mark, but no marine log brand, is the holder of that timber mark.
- (6) Notwithstanding subsections (2) to (5), and subject to section 5 (8), where logs are salvaged in a section, boom, bundle or parcel that bears an ownership tag, the owner of all the logs in the section, boom, bundle or parcel is,

- (a) where the person identified by the tag has not sold the logs prior to the expiration of the 3 working days referred to in section 5 (1), that person, or
- (b) where the person identified by the tag has sold the logs prior to the expiration of the 3 working days referred to in section 5 (1), the person who in fact owns the logs at the beginning of that period.

## **7.0 Disposal and delivery of salvaged logs**

- 7 (1) Subject to this section and section 5, no person
  - (a) other than a licensee shall dispose of a log salvaged from a log salvage district, and
  - (b) other than a licensee or a person who is permitted by a licensee to accept delivery shall accept delivery of a log salvaged from the log salvage district.
- (2) On receipt of written authorization from a licensee, a permittee may dispose of, and any person may accept delivery of, a log inspected and specified by a licensee to be unmerchantable.
- (3) A licensee shall accept delivery of every merchantable log.
- (4) Where a licensee agrees to accept delivery of an unmerchantable log he is required to pay the permittee who delivers it in the same manner as for a merchantable log.
- (5) Subject to section 5, the licensee shall dispose of a salvage log at the highest price reasonably obtainable.

## **8.0 Scaling of salvaged logs**

- 8 (1) On delivery of a salvaged log to a receiving station of the licensee or to another location specified by the licensee the licensee shall cause the log to be scaled as soon as practicable.
- (2) Where there is a dispute concerning the merchantability of a log, the grade determined by the scaler at the time of scale shall govern.
- (3) Where there is a dispute concerning the presence of a timber mark or marine log brand, the identification by the scaler made at the time of scaling shall govern.

## **9.0 Duties of licensee**

- 9 (1) A licensee shall
  - (a) maintain a receiving station in Howe Sound and the additional facilities necessary to provide an orderly system for dealing with salvaged logs, and
  - (b) keep the receiving station in Howe Sound and the other facilities open, at least on the days and for the periods specified from time to time by the minister in notices to the licensee, unless the licensee is prevented from doing so by circumstances beyond its reasonable control.
- (2) If a permittee delivers to a receiving station of the licensee, or to a mill designated by the licensee under subsection (2.1), merchantable salvaged logs, or unmerchantable

salvaged logs that the licensee accepts, the licensee must record the number of salvaged logs delivered and the date and time of delivery and, at the permittee's request, issue a receipt for the logs.

- (2.1) The permittee must obtain written authorization from the licensee before delivery of the logs to a mill and may only deliver the logs to a mill specified in the authorization.
- (2.2) An authorization under subsection (2.1) must record the number of logs and deadheads determined under section 10 (1) (a) to be delivered and, on delivery, the owner of the mill or the owner's agent, must confirm these numbers and record the time and date of the delivery.
- (3) Where the owner or the owner's agent records the information referred to in subsection (2) he shall supply a record of the information to the licensee.
- (4) The licensee shall maintain the records referred to in subsection (2) and have them available for inspection by the minister, or a forest officer authorized by him, as specified in the licence.
- (5) The licensee shall not employ any person who is disqualified under sections 4 (1) (c) or (d) from obtaining a log salvage permit.

## **10.0 Compensation for disposal of salvaged logs**

- 10 (1) Subject to section 5 and this section, if a licensee accepts delivery of a merchantable log at a receiving station, or at the place of delivery to a purchaser, the licensee must pay to a permittee
  - (a) if the log is a deadhead, as determined by the licensee, 95% of its value, or
  - (b) if the log is not a deadhead as determined by the licensee,
    - (i) 40% of the value of a log graded as grade code B, D, E, F or G,
    - (ii) 50% of the value of a log graded as grade code C, H, K or L,
    - (iii) 65% of the value of a log graded as grade code I or M,
    - (iv) 80% of the value of a log graded grade code J, or
    - (v) 90% of the value of a log graded as grade code U, W, X or Yand, for the purposes of this subsection, the grade of a log is the grade determined under the Scaling Regulation, B.C. Reg. 563/78, and the value of the log, exclusive of Crown charges, is the purchase price for the log at the plant of the purchaser or the place of delivery or, if delivery is to a receiving station, at the receiving station, free of Crown charges.
- (2) Where the licensee and the permittee agree that the licensee shall remove gear from a log or tow the log from the permittee's tie up point to a receiving ground of the licensee, the cost of removing the gear, towing the log or both, as the case may be, shall be deducted from the amount payable to the permittee under subsection (1).

- (3) Where the licensee accepts delivery of unsorted and unboomed salvage logs at a receiving station, he may deduct from the amount payable to the permittee under subsection (1) a reasonable cost for sorting and booming the logs.
- (4) A licensee shall pay a permittee or the permittee's assigns
  - (a) for logs delivered to a receiving station not later than 30 days after the licensee receives the scale and royalty account for the logs that he received from the permittee, or
  - (b) for logs delivered directly to a buyer, not later than 30 days after the agreement for sale,but, where paragraph (a) applies and the licensee does not receive a scale and royalty account in respect of the logs within 30 days after the scale of the logs, then he shall, within 45 days after the scale of the logs, make a reasonable advance payment to the permittee.
- (5) Subsection (1) does not apply to logs
  - (a) for which a permittee is found guilty of an offence under
    - (i) section 339 of the *Criminal Code*, or
    - (ii) section 334, 343 or 463 of the *Criminal Code* by reason of a theft set out in section 322 of the *Criminal Code*, or
  - (b) where the permittee salvages the logs in contravention of the Act, this regulation or his permit.
- (6) Where a licensee disposes of a parcel of logs originating from more than one permittee, he shall calculate each permittee's return on the basis of the volumes and grades contributed by each permittee to the parcel.

## 11.0 Proceeds from disposition of logs

- 11 (1) The licensee shall hold money that it receives from a disposition of identifiable salvaged logs during an accounting period, after deduction of
  - (a) money paid or payable during the accounting period by the licensee to permittees in respect of the salvaged logs,
  - (b) costs incurred during the accounting period by the licensee for scaling and for Crown charges in respect of the salvaged logs, and
  - (c) reasonable costs for overhead and operating expenses of the licensee in respect of the salvaged logs,in trust for the benefit of the former owners of the identifiable salvaged logs disposed of by the licensee during the accounting period.
- (2) Within 120 days after an accounting period the licensee shall pay, from the money held in trust in respect of the accounting period to each former owner of identifiable salvaged logs disposed of by the licensee during the accounting period, an amount equal to the amount of money required to be held in trust by the licensee in respect of the accounting period, multiplied by the quotient that is obtained when

- (a) the volume of identifiable salvaged logs of the former owner that was disposed of by the licensee during the accounting period is divided by
  - (b) the total volume of identifiable salvaged logs disposed of by the licensee during the accounting period.
- (3) The licensee shall hold in reserve money it receives during an accounting period from the disposition of unidentifiable salvaged logs after deduction of
- (a) money paid or payable by the licensee to permittees in respect of the salvaged logs,
  - (b) costs incurred by the licensee for scaling and Crown charges in respect of the salvaged logs, and
  - (c) reasonable costs for overhead and other current operating expenses of the licensee in respect of the salvaged logs,
- to be used
- (d) to provide working capital for operation of its facilities, and capital for expansion of its facilities,
  - (e) to replace fixed assets, and
  - (f) under the general direction of the deputy minister of the minister responsible for the Act, to finance or assist in financing programs for recovery and disposal of deadheads and unmerchantable timber, and for debris control,
- but if any of the money so held by the licensee is surplus to those requirements, the licensee shall hold that surplus in trust, to be paid in the same manner and in the same proportions to the same persons as the money the licensee received during that accounting period in respect of the disposition of identifiable salvaged logs.

## 12.0 Salvaging of logs, permit required

- 12 (1) Subject to this section and section 126 of the Act, no person other than a permittee or a helper may
- (a) salvage a log in the log salvage district, or
  - (b) possess in the log salvage district a log that has been salvaged either inside or outside the log salvage district.
- (2) Subsection (1) (b) does not apply to
- (a) a licensee,
  - (b) a person who is towing the log under the direction of or with the permission of a licensee,
  - (c) a person who possesses a log that has been acquired from a licensee and has not become a salvaged log since the acquisition, or
  - (d) a person who possesses a log salvaged outside the log salvage district, and who is delivering the log
    - (i) to a receiving station, or

- (ii) to another location and
  - (A) the log has been scaled before entering the log salvage district, or
  - (B) the person possessing the log has in his possession a document issued by the minister authorizing him to take the log to a place within the log salvage district for scaling.
- (3) At all times while carrying out log salvage operations in the log salvage district a permittee shall keep his permit on his person or on the salvage boat he uses in the operations.
- (4) At the request of a forest officer or a peace officer a permittee shall
  - (a) produce his permit for inspection by the officer, and
  - (b) provide proof of his identity.
- (5) A person, other than the permittee named in a permit, who is salvaging logs and in possession of the permit shall, on the demand of a forest officer or of a peace officer, surrender it to the officer.

### **13.0 Delivery of salvaged logs**

- 13 (1) Subject to subsections (2) to (4), where a permittee salvages a merchantable salvage log in a log salvage district he shall,
  - (a) as soon as practicable, deliver the log to a receiving station operated by the licensee for the log salvage district or to another location specified by the licensee, or
  - (b) if delivery is not practicable within 30 days, notify the licensee of his possession of the log and deliver it to a location specified by the licensee.
- (2) Where a permittee salvages a log boom in a log salvage district he shall, within one full working day, notify the licensee for the log salvage district of the location of the boom and he shall also
  - (a) keep it intact and not remove any logs from it,
  - (b) if it is open, use his best efforts to close it and to contain loose logs, and
  - (c) hold it in a safe place until he receives instructions from its owner, from the licensee or from the minister.
- (3) Where a log boom is held by a permittee under subsection (2), the licensee or the owner shall take delivery of it at the safe place where the permittee is holding it, or a place reasonably close by.
- (4) Repealed. [B.C. Reg. 299/81]

## 14.0 Prohibited salvaging

- 14 A permittee shall not salvage logs
- (a) where the land is owned or leased by a person other than the Crown, from land or water covering land without the consent of the owner or lessee, as the case may be, or
  - (b) without the consent of the minister, from Crown land or water covering Crown land that is above the high high-water mark.

## 15.0 Equipment and assistance

- 15 (1) Unless authorized in writing by the minister, a permittee, in carrying out log salvage operations,
- (a) shall not operate more than
    - (i) one power salvage boat,
    - (ii) in the immediate vicinity of the power salvage boat, one tender boat which may be unpowered, or powered and which may not provide live aboard accommodation, and
    - (iii) 2 land vehicles to assist in removing logs lying on the foreshore,
  - (b) shall not have as a helper a person referred to in subsection (3), nor allow such a person aboard the salvage boat, and
  - (c) shall stay in the immediate vicinity of and directly supervise his helper, if any.
- (2) A permittee shall display on every salvage boat, tender boat and land vehicle engaged in log salvage operations, centered plainly and prominently on both sides, the number of the permit under which the permittee is operating, preceded by the letters "LS" in bold solid characters
- (a) at least 20 cm in height,
  - (b) the lines of which are at least 2.5 cm wide, and
  - (c) that are white on a black background, or vice versa,
- and no other permit number shall be concurrently displayed.
- (3) No person may help a permittee salvage logs under subsection (1) where
- (a) the permittee's permit is under suspension, or
  - (b) during the previous 5 years, the person has had a permit canceled or was found guilty of an offence under
    - (i) section 339 of the *Criminal Code*, or
    - (ii) section 334, 343 or 463 of the *Criminal Code* by reason of a theft set out in section 322 of the *Criminal Code*.

## 16.0 Log identification hammers

- 16 (1) On application by a permittee and on receipt of a fee determined by the minister, the minister shall issue to a permittee a log salvage identification hammer that has embossed on it the permittee's log salvage identification mark.
- (2) At the time of salvage or, if prevented by weather or sea conditions, as soon as reaching shelter, a permittee shall
- (a) mark each log salvaged by him that is not contained in a log boom by making a clear and visible imprint with his log salvage identification hammer on one end of the log at a location where the mark will be clearly visible when the log is floating, and
  - (b) mark each log boom salvaged by him by making a clear and visible imprint with his log salvage identification hammer on one end of at least 2 logs in the log boom in locations where the mark will be clearly visible,
- unless the minister directs otherwise.
- (3) If a permittee loses his log salvage identification hammer he shall
- (a) immediately notify the minister, and
  - (b) remit to the minister the fee for a new hammer,
- and pending receipt of a new hammer, the permittee shall mark, in the manner set out in subsection (2), any log or any log boom he salvages by fixing his log salvage identification mark on it clearly and conspicuously with crayon or spray paint.
- (4) A permittee or his helper shall not
- (a) mutilate, obliterate or make difficult to distinguish a timber mark, marine log brand or log salvage identification mark on a log,
  - (b) use a log salvage identification hammer that, through damage or faulty manufacture, fails to make a clear and visible imprint of his log salvage identification mark,
  - (c) mark any log that is not salvaged by the permittee, or
  - (d) except with the written consent of the minister and on terms specified by the minister,
    - (i) trim a salvaged log,
    - (ii) cut a salvaged log into 2 or more pieces, or
    - (iii) cut the roots or top from a salvaged log.
- (5) A permittee shall not allow any person except his helper to use or to have in his possession the permittee's log salvage identification hammer.
- (6) Where a person is in possession of a log salvage hammer and he is not the permittee to whom it was issued nor that permittee's helper, he shall, on demand made by a forest officer or peace officer, surrender the hammer to the officer.

## 17.0 Removal from water

- 17 A permittee must not remove a salvage log from water or deliver a salvage log by land unless the minister agrees to the removal or delivery and prior arrangements have been made with the licensee under the Act for the log to be scaled.

## 18.0 Daylight hours

- 18 (1) A permittee must only carry on log salvage operations during the period from one half hour after sunrise until one half hour before sunset in the following areas unless otherwise authorized by the minister:
- (a) that part of Vancouver Harbour lying east of a straight line from the most westerly point on the Vancouver Wharves Ltd. dock to Brockton Point lighthouse;
  - (b) that part of the Fraser River, its tributaries, and lakes attached thereto, in the Vancouver Log Salvage District upriver from a line drawn from a point one kilometer south of Sandheads Light northerly to the western extremity of the North Arm jetty thence to the western extremity of Point Grey;
  - (c) that part of Howe Sound lying north of a straight line from Soames Point, on the west shore, to the northern tip of Bowyer Island to Irby Point, the southern tip of Anvil Island, thence northerly through the eastern tip of Defence Island to the west shore of Howe Sound;
  - (d) that part of Howe Sound inside the limits of Squamish Harbour;
  - (e) within 1 km of any area where log salvaging is prohibited under section 14 (a) of this regulation.
- (2) Subsection (1) does not apply to
- (a) the booming of salvaged logs in a permittee's usual booming grounds, or
  - (b) the towing of a salvaged log boom if the licensee has given the permittee a written instruction which the permittee retains in his or her possession stating the description of the boom and the place to which it is to be delivered.

## 19.0 Seizure

- 19 (1) The minister, a forest officer authorized by him or a peace officer may seize a log or a log boom that is in the possession of any person who contravenes this regulation or section 124 or 126 of the Act.
- (2) Where a salvaged log is seized by the Crown under subsection (1), the minister may
- (a) release the log from seizure to any person on the terms and conditions the minister considers fit, or
  - (b) dispose of the log by public auction or private sale.
- (3) Where a log is disposed of under this section, the money realized, after deducting the costs of seizure, storage and sale, shall be paid into the consolidated revenue fund.

## **20.0 Licence and permit fees**

- 20 (1) For the purposes of section 123 (3) of the Act, the licence fee
- (a) for issuance of a licence is \$750, and
  - (b) for renewal of a licence is \$250 per year.
- (2) An applicant shall pay to the Crown for issuance of a permit under section 124 of the Act a permit fee of \$250 per year.

## **21.0 Offence**

- 21 A person who contravenes this regulation commits an offence.

[Provisions of the *Forest Act*, R.S.B.C. 1996, c. 157, relevant to the enactment of this regulation: sections 123, 124, 125 and 151 (2) (c)]

## **7.0 Appendix C - Gazetted Boundaries for the Vancouver Log Salvage District**

### **Establishment of Vancouver Log Salvage District**

PURSUANT to the provisions of section 133 of the *Forest Act*, being chapter 23 of the Statutes of British Columbia for 1978, I herewith establish and designate the following described area as the Vancouver Log Salvage District: Those parts of Queen Charlotte Strait, Johnstone Strait, Malaspina Strait, Georgia Strait, and Juan de Fuca Strait, including all tributary inlets, situated below high-water mark and which are bounded on the north by a straight line commencing at the most northerly point of Cape Sutil, being a point on IR 4 (Nahwitti), Rupert Land District; thence northeasterly in a straight line to the most westerly point of Cape Caution, being a point on Lot 753, Range 2, Coast District; and bounded on the south by a line commencing at the most southerly point of Otter Point, being the most southerly extremity of Lot 1 of Lot 9, Plan 9773, Sooke Land District; thence due south to the International Boundary; thence in a general northeasterly direction along said international Boundary to its intersection with the high-water mark of Boundary Bay in the vicinity of Blaine; and including the waters of Fraser River from its mouth to the north boundary of the south half of Section 14, Township 4, Range 28, W6M, at Seabird Bluff and the north boundary of the south half of Section 15, Township 4, Range 28, W6M, in Maria Slough, Pitt River, and Harrison River from their mouths to and including Pitt Lake and Harrison Lake respectively, and the waters of Sooke Harbour, but specifically excluding from the district the waters of Sooke Basin lying east of a straight line drawn from Billings Point (being the most southerly point on Lot 7, Sooke Land District) to Hill Head (being the most northerly point on Lot 97, Sooke Land District), the waters of Victoria and Esquimalt Harbours north from lines drawn across their respective mouths at the narrowest points, all of the waters of False Creek in the City of Vancouver, lying east of Burrard Street Bridge, and all waters of Teakerne Arm, lying east of a straight line commencing at the northwest corner of Lot 7076, NWD; thence southwesterly to the westerly tip of Talbot Islet; thence due south to the northerly boundary of Lot 4967, NWD, being a point on the westerly shore of Talbot Cove.

# 8.0 Appendix D – Vancouver Log Salvage District Log Salvage Permit Application



## VANCOUVER LOG SALVAGE DISTRICT LOG SALVAGE PERMIT APPLICATION

**Application Type**  Initial (new)  Renewal - LS Permit No \_\_\_\_\_

### Standard Personal Information

**Applicant (please print):** \_\_\_\_\_  
SURNAME GIVEN NAME MIDDLE NAME(S)

#### Street Address:

STREET \_\_\_\_\_ CITY \_\_\_\_\_ PROVINCE \_\_\_\_\_ POSTAL CODE \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF LOG SALVAGE BOAT: \_\_\_\_\_ REGISTRATION NO.: \_\_\_\_\_

OCCUPATION(S): \_\_\_\_\_ EMPLOYER(S): \_\_\_\_\_

#### Mailing Address (if different):

STREET \_\_\_\_\_ CITY \_\_\_\_\_ PROVINCE \_\_\_\_\_ POSTAL CODE \_\_\_\_\_

### For Initial Application Only

Birth Date (applicants must be 18 years of age or older): \_\_\_\_\_

British Columbia Drivers Licence Number: \_\_\_\_\_

Citizenship (please include a legible copy of your birth certificate or landed immigrant documentation)

- Canadian  by birth  by naturalization
- Landed Immigrant
- Other (describe) \_\_\_\_\_

Your initial application permit fee includes your log salvage hammer which we will order for you. The foundry will ship your hammer to you directly. Please specify method of shipment:

- Courier (collect) specify courier company and account number: \_\_\_\_\_
- Bus (collect) specify pickup location: \_\_\_\_\_
- Pick-up from Wellington Foundry, 1084 Herring Gull Way, Parksville, BC V9P 1R2

### Fees

Under section 124 of the *Forest Act* a fee of **\$250.00** payable to the *Minister of Finance* is required for a log salvage permit or renewal of the permit, valid for a 12 month period.

Ministry Use:	Client #:	Payment #:	Permit #:
	RCMP Clearance Date:		Issue Date:

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## Eligibility Confirmation

As required by *The Log Salvage Regulation for the Vancouver Log Salvage District*, the following four questions must be answered to confirm eligibility for a permit.

1. Have you been found guilty of an offence under section 339 of the *Criminal Code* or under section 334, 343, or 463 of the *Criminal Code* by reason of theft?  Yes  No  
If yes, explain and provide the date of conviction: \_\_\_\_\_

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  2. Are you engaged in or the holder of an interest in a business that manufactures timber or any forest product in British Columbia?  Yes  No  
If yes, explain (provide details): \_\_\_\_\_

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  3. Have you been found guilty of an offence under the *Forest Act* or regulations under the *Forest Act*, within the last six months  Yes  No  
If yes, explain and provide the date of conviction: \_\_\_\_\_

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  4. Have you paid all fines imposed under the *Forest Act* or regulations under the *Forest Act*?  Yes  No  N/A
- 

### Please Note

- An incomplete or improperly completed application will be returned without action.
  - A current (within the past 12 months) Police Information Check is required to verify your qualifications to obtain or hold a log salvage permit.
  - Section 81 of the *Forest Act* may cause the regional manager to refuse to grant a permit where the applicant:
    - (a) has not paid stumpage or other money payable to the government by due date under section 130, or
    - (b) has not made arrangements satisfactory to the revenue minister to pay the stumpage or other money.
  - **Providing false information in this application may cause the application to be rejected and/or any permit issued to be suspended.**
- 

I hereby state that all information on this application is true and correct to the best of my knowledge.

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE SIGNED

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Please enclose a cheque or money order in the amount of **\$250.00** payable to the *Minister of Finance*, a legible copy of your birth certificate (for initial application only) and the following form: "Police Information Check" completed by your local Police Detachment. Return these documents along with the completed application to:

**Ministry of Forests**  
**Attention: Coast Revenue – Log Salvage**  
**103-2100 Labieux Road**  
**Nanaimo, BC V9T 6**