



Ministry of
Forests

FOREST TENURES BRANCH

Special Use Permit Administration Guide Issuance

Version 3.06 –April 2024

Disclaimer

This document contains material to assist with the administration of agreements entered into under the *Forest Practices Code of British Columbia Act* and the *Forest Act*. This document contains both a summary of the legal requirements and advice/suggestions from the non-legal realm. The latter are not legal requirements that you must follow, nor are they government policy.

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Document Change Control

Version	Date	Key Change
3.05	January 4, 2021	Full revision of administration guide.
3.06	April, 2024	New Ministry, repair links Added section other permits required with SUP Added changes from OIC legislation changes

Updates and Feedback

This manual will be updated as needed to reflect policy changes, new legislation and user demand for additional content. The latest version will always be available from the publicly available Forest Tenures Branch website.

Questions and suggestions regarding the manual should be directed to:
ForestTenuresBranch@gov.bc.ca

This document has been prepared for Ministry staff and their stakeholders.

References and Support Sites

Special Use Permits [website](#) – public

Legislation [BC Laws website](#) - public

Forest Tenures [Branch](#) – internal only

Forest Tenures Branch [SharePoint Site](#) – MOF internal use only

Resource and Business Administration [Manual](#) – MOF internal use only

Engineering Branch – [Engineering Manual](#) for roads – public

Contaminated Sites [website](#) – public

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1 INTRODUCTION

This **Special Use Permit Administration Guide Part 1** ('this Guide') is part 1 of the Special Use Permit Administration Guide and provides information and recommended administrative procedures for issuing Special Use Permits.

A "Special Use Permit" is an authorization under the *Forest Practices Code of BC Act* that allows the holder the non-exclusive rights to use and occupy Crown land within the Provincial Forest to facilitate resource use.

This Guide is intended to be used by Ministry of Forests (MOF) staff involved in the issuance and performance monitoring of special use permits (SUPs). It can also be used by anyone who wants to know more about the administration of SUPs.

Additional information about the administration of SUPs can be found in the following (internal government use only):

- Resource and Business Administration [Manual](#) which describes the systems and financial management requirements. This manual assist resource clerks with administrative procedures for different types of forest use agreements, including SUPs; or
- Part 2 of the Special Use Permit Administration [Guide](#) - Permit Administration and Clean Up.

This Guide and the associated companion guides do not contain all possible information necessary to administer SUPs. In particular, the following topics are not addressed in these Guides:

- First Nations consultation procedures - it is recommended to contact appropriate ministry staff to determine the consultation process associated with any decisions relating to SUPs. This includes issuance, extensions and replacement of SUPs.
- Taxation of SUPs – Resource and Business Administration Manual outlines information to the BC Assessment Authority for taxation purposes and land assessment values (i.e., a copy of SUP issuance letter and Exhibit A).
- Other authorizations that may be needed overtop of the SUP. (see section 2.6 of this Guide)

Updated versions of this Guide may periodically be released to include additional information or address changes in legislation.

Forestry terms are not defined in this Guide. For convenience, a glossary of common forestry terms and a list of forestry acronyms and initialisms are available at:

<http://www.for.gov.bc.ca/hfd/library/documents/glossary>.

2 LEGISLATION THAT ENABLES SUPS

The Provincial Forest Use Regulation ([PFUR](#)) of the *Forest Practices Code of British Columbia Act* (FPC) enables the District Manager to issue a SUP if the planned use is for a specified purpose ancillary to those uses found in section 2 of the FPC. The regulation establishes when and how a person can apply for a SUP.

The PFUR is for land within the Provincial Forest designated through Section 5 of the *Forest Act*. There are currently 139 designated Provincial Forests and 34 TFLs (which are their own Provincial Forest). An SUP may also be issued on Crown land in any area-based licence defined under the *Forest Act* or Crown Range as defined under the *Range Act*. Any applications not in the designated crown land specified in section 7, must be referred to FrontCounter BC for another authorization such as a Licence of Occupation/Lease under the *Lands Act*.

SUPs may be granted (PFUR Sec. 7(1.1, 7(1.2) and 7(2)) for the following uses **only**:

- (a) construction and maintenance of a road, including construction and maintenance of bridges and other drainage structures for the following:
 - I. A natural resource development purposes
 - II. the purpose of a permit issued under section 10 of the Mines Act
 - III. access to Crown land in respect of which another special use permit has been issued to the holder of the special use permit
- (b) sand pits, gravel pits, rock quarries and other quarries that provide materials for road construction, modification or maintenance authorized under the *Forest Act* or by a SUP;
- (c) a communications site to be used by the holder of an authorization under any of the following enactments: *Forest Act, Range Act Mineral Tenure Act Coal Act*;
- (d) a short term logging camp and associated facilities, including a waste disposal site;
- (e) a log dump or dry land sort above the natural boundary as defined in section 1 of the *Land Act* of a stream as defined by section 1(1) of the *Water Sustainability Act*;
- (f) disposal of organic debris from a remote log dump or dry land sort;
- (g) a short term timber processing site;
- (h) a lookout;
- (i) a weather station;
- (j) an airstrip, helipad or other air transportation landing site to be used by the holder of
 - (i) an agreement entered into under section 12 of the *Forest Act*
 - (ii) a permit issued under section 10 of the *Mines Act*;
- (k) a temporary weigh scales;

In addition, SUPs may be managed for the following purposes:

- (a) educational or research purposes
- (b) wildlife habitat enhancement or facilities associated with the wildlife habitat enhancement including camps and waste disposal sites

- (c) silviculture treatment or facilities associated with silviculture treatments include camps and waste disposal sites.

If SUPs have been issued that don't comply with Section 7, please see section 2.1 of the SUP Administration Guide Part 2 for recommendations.

Glossary of terms related to section 7 purposes:

- **temporary:** in relation to 7(1.1)(k), means infrastructure or buildings that are not affixed to the ground with means of a foundations, footings or similar.
- **short term** in relation to 7(1.1)(c), 7(1.1)(f), means an SUP with a term of up to 4 years, and a maximum of 6 years with extensions.
- **log dump:** means a land or water-based area where timber, logs or timber products are assembled for processing or sorting before being loaded for transportation and includes a log landing and log stockpile.
- **dryland sort:** means flat areas, usually paved, where loads of logs are lifted out of the water or off-loaded from trucks post-transport, and spread onto the ground for scaling, grading, and subsequent sorting.
- **Natural resource development purpose:** in relation to a road, means use of the road for any of the following purposes:
 - (a) developing a natural resource other than timber
 - (b) transporting a natural resource other than timber
 - (c) transporting equipment, materials or personnel associated with the activity referred to in paragraph (a) or (b)

2.1 CLARITY OF WHICH CROWN LAND APPLIES FOR SUPS AND ANCILLARY PURPOSES

SUPs can only be issued on Crown land within the Provincial Forest, area-based licences, or Crown Range and in support for the compatible uses defined in section 2 of the *Forest Practices Code of BC Act*.

Provincial Forest

2 (1) ...Crown land must be managed and used in a way that is consistent with one or more of the following:

- (a) timber production, utilization and related purposes;*
- (b) forage production and grazing by livestock and wildlife and related purposes;*
- (c) recreation, scenery and wilderness purposes;*
- (d) water, fisheries, wildlife, biological diversity and cultural heritage resource purposes;*
- (e) another prescribed purpose. (PFUR Section 3 to 7)*

There are a few instances in which some licence/tenure holders may not need to apply for a SUP as they already have authorization to use and occupy the crown land. Examples of these are:

- a temporary helipad or helicopter landing site within an active cutting permit landing or road;
- funded silviculture treatments (FIP, FESBC) on Licensee obligations;

- aggregate extraction under the Road Permit exhibit “A” area; (refer to the [Engineering manual](#))
- an activity within a Land Tenure; or
- activities within a Mining Tenure/Title/Claim authorized by MEMPR (most mining tenure holders will need to apply for access to their mining tenure, title or claim.)

In general, government does not issue self-authorizations, thus SUPS do not apply to government. If the Ministry is seeking to authorize an activity, Section 52 of the *Forest Act* allows authority to harvest timber and use and/or occupy Crown land to government employees to fulfill government duties. Other Ministries may apply under the Land Act similar to the Forest Act 52 authorization. More guidance on the use of a *Forest Act* Section 52 authorization can be found on the internal [SharePoint site](#).

2.2 COMPETING AUTHORIZATIONS FOR PURPOSE

SUPs under section 7(1.1) should be granted for ancillary purposes. Ancillary is interpreted as providing necessary support to the primary activities or operations of an organization, institution, industry or system (www.Lexico.com, Oxford dictionary). Further changes to the PFUR now defines that a permit, agreement, licence or authorization is required to qualify for some section 7(1.1) special use permits but it is generally expected that all purposes under section 7(1.1) would have a related permit, agreement, licence or authorization.

Section 7(1.2) that includes research, education, silviculture or wildlife habitat enhancement purposes are not expected to need an ancillary authorization prior to issuance.

SUPs do not apply for access to private land which should be completed by a Land Tenure as specified in Land’s policy for Roadways, even if the purpose is for timber harvesting.

In some cases, authorizations other than a SUP may be considered more appropriate or suitable. The PFUR has not limited the purposes that can be issued under the *Land Act* but the PFUR has limited the applications for an SUP.

The PFUR provides the District Manager with the discretion to issue a SUP but if the application meets all of the provisions in section 7, 8, and 9, the District Manager must issue the SUP. Prior to SUP issuance, government also has a constitutional obligation to consult with First Nations as guided by the [Updated Procedures for Meeting Legal Obligations When Consulting First Nations](#).

There are some examples where a SUP application would be considered not meeting the approval tests. These include:

- a commercial dry land sort run by an independent forestry client;
- aggregate selling;
- an independent company setting up a work/logging camp for various users on a fee basis;
- a communication tower for uses other than worker safety.

These activities are better suited to be authorized under the *Land Act*.

2.3 LEGISLATION FOR MINERAL OR MINE EXPLORATION ACCESS

Under the *Mineral Tenures Act* (MTA) and the *Coal Act* (CA) there is specific wording that a recorded holder or claim owner has certainty to access their tenure through the issuance of a SUP. This creates a situation where access to the mineral claim or tenure requires the District Manager to accept an application for a SUP. In most cases, staff can issue an SUP for mining access based on the merit of the section 7 and 8 SUP application. There are conditions to which the DM can refuse that application which includes the Chief Inspector of Mines, under the Ministry of Energy, Mines and Low Carbon Innovation (EMLI), does not provide written approval for the issuance of the SUP as there is an alternative access (MTA s.11.1(2)(b); CA s. 10(1)(b) or 2). The process in which written approval of the Chief Inspector of Mines would only be invoked if the District Manager deems that the SUP does not pass the approval tests within the PFUR or other legislation (*Forest Act*) and further approval is required by EMLI.

Certainty of access to mineral titles

11.1 (1) In this section, “mining exploration” does not include the collection of a bulk sample of more than 1 000 tonnes of ore.

(2) A recorded holder of a mineral title or an owner of a Crown granted 2 post claim must be issued a special use permit under the [Forest Practices Code of British Columbia Act](#), subject to any terms and conditions set by the issuing authority, for the construction of appropriate access to the area of that mineral title or Crown granted 2 post claim for mining exploration, if the recorded holder or owner

(a) is the holder of a permit under the [Mines Act](#) for the mining exploration,

(b) applies for and receives the written approval of the Chief Inspector of Mines to the issuance under the Forest Practices Code of British Columbia Act of the special use permit, and

(c) applies under the Forest Practices Code of British Columbia Act for the special use permit.

(3) For the purpose of this section, the Chief Inspector of Mines, after considering practicable alternative means of access, may grant or refuse the written approval referred to in subsection (2)

2.4 LEGISLATION FOR ENVIRONMENTAL STANDARDS

2.4.1 Forest Practices Code of BC Act (FPC)

SUPs are enabled under the FPC. If the SUP was issued while the FPC was in full effect and no replacements have occurred, there may be some provisions (mostly regarding roads) that may still apply to SUPs. With the repeal of the FPC practice requirements, all provisions for environmental management for SUPs were repealed as well.

2.4.2 *Forest and Range Practices Act (FRPA)*

Under FRPA - practice requirements apply to only two non-road uses for which SUP's are issued. These are silviculture treatments, PFUR Section 7(1.2)(b), and wildlife habitat enhancement, PFUR Section 7(1.2)(c). This was accomplished by amendments to Section 1.2 of the Forest Planning and Practices Regulation (FPPR) and to the definition of "primary forest activity". Please note that holders of permits for **SUP roads** are also "authorized persons in respect of a road" under the definitions in the FPPR and therefore the provisions below and the practices for roads (Section 79 - 81) apply. The applications that FRPA would apply will likely need to be submitted by a qualified professional or as directed by the District Manager.

Holders of special use permits for those **two** uses are designated "authorized persons" under the FPPR so the following practice requirements will apply:

Section 37 - landslides,

Section 38 - gully processes,

Section 39 - natural surface drainage,

Section 40 – revegetation

Section 50(1)(2) – restriction in a riparian management area

Section 52(2) – restrictions in a riparian management zone

Section 53 - temperature sensitive streams,

Section 54 - fan destabilization,

Section 55 - stream crossings

Section 56 - fish passage,

Section 57 - protection of fish and fish habitat

Section 59 - protecting water quality,

Section 60 - licensed waterworks,

Section 63 - use of fertilizer

Section 69 - general wildlife measures

Section 70 - resource features and wildlife habitat features

Some provisions only apply when road construction occurs or when a primary forest activity is taking place. It is important to read the provision carefully for applicability to the SUP holder.

2.4.3 Environmental practices contained in the plan or other permits

Special Use Permits authorize the use and occupation of the site. In many instances permit holders will need additional permits or authorizations from government to complete the activities proposed in the special use permit. These additional permits may have some environmental practices contained in them. If not, Districts will need to rely on the SUP plan to support environmental practices.

For most SUPs, FPPR practice requirements do not apply and therefore the permit holder will need to specify any necessary environmental practices within the SUP plan. The plan is required under PFUR Section 9(1) (a) (ii). The SUP is a discretionary decision made by the District Manager and the application must meet all the tests in Section 9 of the PFUR. For example, the PFUR states: *"...any conditions the district manager determines necessary to conserve forest resources and the natural environment, including ... clean up and restoration ... to the satisfaction of the district manager."* Therefore, the PFUR allows a District Manager to require the holder of a SUP to provide a plan that indicates how operations conserve forest resources.

Environmental practices may include maintaining natural drainage, soil conservation, invasive weeds measures, management of stakeholder's interests or riparian protection. A sample SUP plan has been developed and can be found on the [Special Use Permit Website](#).

2.4.4 Environmental practices contained in the district manager conditions

The PFUR does not directly impose obligations on the holders of SUPs but will allow the District Manager to either add conditions or disallow the SUP. It is up to the District Manager to include conditions within the SUP that adequately address the specific site and use. It is recommended that you consult with provincial or area expertise if you have any conditions that need review prior to issuance.

2.5 LEGISLATION FOR CONTAMINATED SITES

The *Environmental Management Act* (EMA), the Contaminated Sites Regulation and the Hazardous Waste Regulation (HWR) establish the legal framework for identification, assessment, and cleanup of contamination.

For more information on contaminated sites, refer to the [Contaminated Sites Website](#) and Part 2 of the SUP Administration Guide –Permit Administration and Clean Up.

2.6 OTHER PERMITS

Special Use Permits authorize the use and occupation of Crown Land for ancillary purposes. As stated above, other permits may be needed to complete the activities that are proposed. It is the responsibility of the applicant to ensure that they have applied for all other permits related to their activity. Without the appropriate permits, the activity may be in contravention with that legislation. Examples of these are (this is not a full list of additional permits):

- FRPA 52(1)(b) for silviculture activities such as planting, wildfire risk reduction activities, or other silviculture treatments

- Occupant Licence to Cut for timber harvesting activities.
- Notice of Work permit or Mines Permit for sand, gravel, or quarrying activities
- Wood Waste Landfill permit or Landfill authorization under the Code of Practice for Industrial Non-hazardous Waste Landfills Incidental to the Wood Processing Industry.
- Notice of Work in about a Stream under the Water Sustainability Act
- Camps, including the *Public Health Act* and its Industrial Camp Regulation and Industrial Camp Health Regulation, Food Premises Regulation, Health Act Communicable Disease Regulation, Sewerage System Regulation, the *Water Sustainability Act*; the *Drinking Water Protection Act* and its Regulations; and the *Tobacco Control Act* and its Regulations.

3 ISSUANCE PROCEDURES

Appendix A contains a general flow chart on the procedures in which an application may be accepted and issued under the PFUR.

3.1 APPLICATION, ACCEPTANCE AND EVALUATION

Applications will be submitted to the district email inbox. The public will be informed about the application process either through the website or FrontCounter BC. In some cases, forestry agreement holders may submit an application for a SUP similar to the cutting permit process already established within the district.

The basic application acceptance process is as follows (some steps may occur simultaneously);

- Client fills out an [application form](#) and sends it in to the appropriate district.
- District Administration staff forward the application to District Authorizations staff.
- Concurrently, if an Electronic Submission Forum (ESF) submission was submitted, Geomatics staff will complete the clearance and status of the application. If an ESF was not submitted, Geomatics and the District staff will either request ESF submission from the client or create ESF submission for the client depending on the circumstances of the application.
- The status and clearance is completed. If the proposed area and application requirements doesn't pass the tests indicated in section 7 or 8, the application is rejected.
- First Nation consultation is either initiated as per District procedures or reviewed depending on the information sharing process completed by the applicant.
- First Nation consultation is completed, and the District Manager or Statutory Decision Maker is satisfied that consultation has been completed to the established [procedures](#).
- District Authorization staff evaluates the following;
 - a. Is the use compatible with Section 7 of the PFUR?

- b. Is the SUP plan acceptable including clean up and restoration information; (templates found on the [website](#)). In the case of a road SUP, does the applicant have an appropriate Road Plan.¹
 - c. Does the issuance impact other stakeholders? Have Stakeholder referrals been conducted and comments or concerns provided for review? (including those internal to government);
 - d. Is there an impact to the management of forest resources and conservation;
 - e. What is the appropriate 1st annual charge? (Appendix B)
 - f. What is the appropriate deposit based on risk and clean up cost (Appendix C);
 - g. What is the appropriate expiry date? (See section 9(2.1) PFUR);
 - h. Are any additional conditions required to adequately address the specific site and use?
- Prepare a decision package to the DM,² complete with rationale and recommendation to issue or not issue the SUP
 - District Manager reviews the package and must issue or reject the SUP application.
 - Administration staff finalize documents, sends to clients and update systems.

3.2 SUP ISSUANCE

There are two different SUP template documents, accessible on the HTH Provincial Tenures Administration [SharePoint Site](#).

Both the SUP holder and the District Manager must sign the Special Use permit.

3.3 SUP PLAN CONSIDERATIONS

Section 9 of the PFUR requires that an applicant for a SUP submit a plan that sets out how the land will be used. A SUP plan template is found on the Application form and/or the [Special Use Permit website](#). In the case of a road SUP, the District Manager may request both the Plan indicated above and the Road Plan.

¹“Road Plan” means a document that contains professional work which provides road standards, design specification and other information to facilitate the construction of a road defined in the [Guidelines for Professional Services in the Forest Sector](#) – Forest Roads or any updated guidelines

² District Manager is specified as the decision maker in the Provincial Forest Use Regulation. This authority cannot be delegated.

The regulation provides for the District Manager to determine whether issuance of the SUP will impair the proper management and conservation of forest resources. It also provides for the District Manager to include conditions in the SUP to conserve the forest resources and the natural environment. The District Manager has discretion under the legislation about what to consider in forming such an opinion and determining which conditions to include.

The DM could require that the following be included with the SUP application:

- A declaration of the applicant’s planned use of the site with identification of any industrial purposes and activities listed in Schedule 2 of the *EMA’s Contaminated Sites Regulation*.
- Actions the applicant will take to ensure the site does not become contaminated, including preventing, containing and remediating spills of fuel and other liquids permanently or temporarily stored on the site.
- Measurable and verifiable strategies or results the proponent plans to follow to ensure environmental standards such as soil damage, riparian integrity or invasive weeds management.
- Measurable and verifiable strategies or results the proponent plans to follow to complete clean up and restoration of the site prior to expiry.

A sample letter to request a SUP Plan from a permit holder can be found in the prepared templates package found on the HTH - Provincial Tenures Administration [SharePoint Site](#).

3.4 TERM

Section 9.1 and section 12(2) specifies the term and extensions or maximum term for each purpose.

Purpose (abbreviated)	Term	Max extension and Max Term
Temporary Logging Camps and timber processing sites.	Up to 4 years	1 extension of 2 years Max term = 6 years
Log dumps or log sorts, disposal of organic debris, weather station, airstrip or helipad (forestry), temporary weigh scales, silviculture treatments or wildlife habitat enhancement treatments.	Up to 5 years	2 extension of 5 years Max term = 15 years
Roads, gravel pits, communication sites, lookouts, airports or helipads (mining), educational or research purposes	Up to 10 years	No extension limit. Max term = not specified.

The following is to be considered when the District Manager sets the term of a Special Use Permit.

1. The purpose determines the minimum term.

2. There is a maximum number of extensions or a maximum term for certain purposes. Once the maximum has been reached, then application to obtain a *Land Act* tenure is required (i.e. logging camps now have a maximum term of 6 years). If there is no *Land Act* policy for that purpose, then the District Manager may consent to a replacement and the SUP holder will have to re-apply for a new SUP.
3. For multi-purpose SUPs, the term must be set to the lowest value purpose and follows the rules regarding maximum extension or maximum term.
For example: If the SUP is for a logging camp, log sort and a weather station, the first term would be 4 years and the maximum term is 6 at which point the SUP would either have to be closed or a *Land Act* application has been approved and submitted to the District Manager. The SUP holder has an option to remove the logging camp and if the DM consents, the other purposes could continue through an amendment and extension until it reaches the maximum term for the log sort.

4 DEPOSITS

The Provincial Forest Use Regulation ([PFUR](#)) of the *Forest Practices Code of British Columbia Act* (FPC) under Section 9 (2) (c), enables the District Manager to issue an SUP subject to a condition that the holder provide a deposit/SUP in the form of money or other securities acceptable to the district manager to:

- ensure conditions of the permit are met; or
- if personal property owned by a person other than the holder or the government is situated on the land under the permit.

The final decision regarding the deposit amount for a SUP rests with the District Manager.

4.1 SIZE OF DEPOSITS

As described in Appendix C of this guide, the amount of deposit required for a SUP should be based on the expected cost of cleaning up and restoring the site, as well as the risk of the permit holder not meeting its obligations. It is recommended that when SUPs are being considered for replacements or extensions, consideration is given to the size of the deposit held for the current SUP to ensure it is still appropriate.

The appropriate size of deposit for a SUP can depend on the risk associated with many factors including:

- The purpose intended for the site;
- The size of the operations, including the number of buildings, structures or equipment that may need to be demolished or disposed of;
- Site restoration if operations cease or permit expires prior to the holder satisfying their obligations. (soil rehabilitation, planting, removal of building, structures or equipment)
- The location of the site and risk to downstream features such as sensitive ecosystems, water sources including wetlands, fish bearing streams and sensitive or historic sites
- The associated costs of transportation and clean-up.

- The risk to the resource as a result of the planned activities (e.g., risk associated with [Schedule 2 activities](#) vs. weather station, which may be considered negligible);
- The clean-up and restoration obligations in the SUP, including any special requirements.
- The past performance of the Permittee and potential liabilities to the Crown for non-conformance with the permit conditions.

Please refer to **Appendix C** for procedures and suggested minimums for security deposits. This procedure is based on the Land Branch procedures.

4.2 SIZE OF DEPOSITS ON SCHEDULE 2 ACTIVITIES IN THE CONTAMINATED SITES REGULATION

The template document for SUPs makes completion of the requirements of the *Environmental Management Act* (site profiles and site investigations) a requirement of the permit³. Consequently, in the case of non-compliance with a contaminated site regulation requirement to conduct a site investigation, Ministry staff can use the deposit to have the site investigation completed.

Deposits for these SUPs where there are [Schedule 2 activities](#) could be up to \$50,000. This allows \$40,000 to be available to commission a site investigation and clean up of any contamination and an additional \$10,000 available for general clean-up and restoration of the SUP site if these obligations/requirements are not completed by the SUP holder.

4.3 FORMS OF DEPOSITS

The form of deposit can be cash or an equivalent form of security. There are two forms in which deposits can be provided. This is provided for general information and it is recommended to refer to the Resource and Business Administration [Manual](#) for greater detail. Please note that personal cheques and safekeeping agreements are not accepted for deposits.

4.3.1 Irrevocable letter of credit

The letter of credit is the form most often used for SUPs and other forest tenures. An irrevocable letter of credit can be issued by a financial institution and accepted by the Authorizing Agency provided that they must always contain the Evergreen Clause.

4.3.2 Cash, bank drafts, certified cheques and money orders

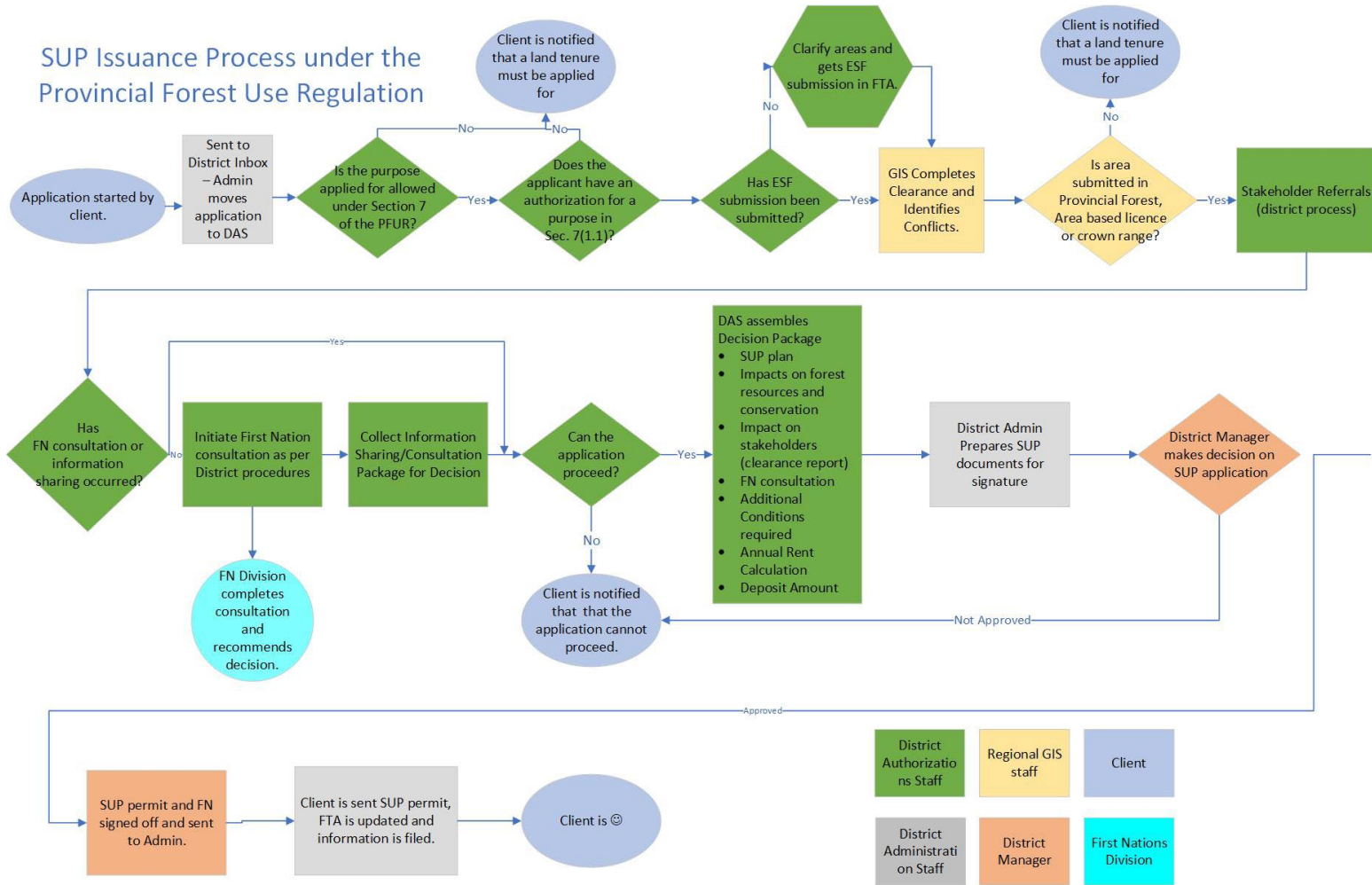
Cash is held in trust by the Provincial Treasury. No interest is paid on cash security deposits.

³ Including the completion of the requirements of the EMA as part of the permit does not affect the implementation or provisions of the EMA. However, it does allow Ministry staff to use the SUP deposit to meet the conditions of the permit, which might include the requirement to conduct a *site investigation*.

APPENDICES

A PROCESS FLOW CHART FOR SUP APPLICATION AND ISSUANCE

SUP Issuance Process under the Provincial Forest Use Regulation



* Ancillary is defined as providing necessary support to the primary activities or operations of an organization, institution, industry or system

B. PROVINCIAL PROCEDURE TO CALCULATE ANNUAL CHARGES (RENT)

Annual Charges are determined through section 9.2 of the Provincial Forest Use Regulation. Please refer to the legislation for exact wording on the method and procedure to calculate annual charges. These procedures do not account for transitional special use permit for the year of 2024 as specified in section 18 of the PFUR. The fee schedule takes effect on March 11, 2024 for all new SUPs and in April 2025 for all existing SUPs.

To calculate annual charges is the greater of the two methods as follows:

$H \times LV \times C$ OR \$Minimum except if the purpose is set as a Flat rate specified in section 9.2 Table 1.

H = the number of hectares of Crown land that may be managed or used under the special use permit

LV = the land value per hectare, in an amount that is

(a) in the first year after the special use permit is issued, equal to the zone value

(b) in all subsequent years, determined by BC Assessment and, if necessary, converted to a per hectare value, and

C = the charge per hectare set out in Charges per hectare of Table below.

For SUP that are **less than 6 months** the rate for the annual charge is either:

- 1) The flat rate specified in section 9.2 Table 1
- 2) The minimum charge.

For the first annual charge the calculation equals = $H \times ZV \times C$ where ZV equals zone value.

SUP Fee Schedule

PRUR Section 7(1.1) and 7(1.2)	\$ Minimum	Charges per hectare
Construction and maintenance of a road, including construction and maintenance of bridges and other drainage structures	\$850	7.5% of 2x Zone Rates
Sand pits, gravel pits, rock quarries and other quarries that provide materials for road construction, modification or maintenance authorized under the <i>Forest Act</i> or SUP	\$850	7.5% of BCA Land Value (LV)
Communications site	\$850	7.5% of BCA LV
Logging camp and associated facilities, including a waste disposal site logging camp with structures	\$850	7.5% of BCA LV
Log dump or dry land sort	\$850	7.5% of BCA LV
Disposal of organic debris from a remote log dump or dry land sort	\$850	7.5% of BCA LV
Temporary timber processing site	\$850	7.5% of BCA LV

PRUR Section 7(1.1) and 7(1.2)	\$ Minimum	Charges per hectare
Lookout	\$500	4.5% of BCA LV
Weather station	\$500	4.5% of BCA LV
Airstrip, helipad, or other air transportation landing site	\$500	7.5% of BCA LV
Educational or research purposes	\$500	N/A
Weigh scales	\$850	7.5% of BCA LV
Silviculture treatments	\$0	N/A
Associated facilities, including camps and waste disposal sites for silviculture treatments	\$500	N/A
Wildlife habitat enhancement treatments	\$0	N/A
Associated facilities, including camps and waste disposal sites with wildlife habitat enhancement	\$500	N/A

Zone Rates

Region ⁴	District	Zone Rate per hectare
West Coast	Campbell River North Island Central Coast	\$1770
West Coast	South Island	\$4505
West Coast	Haida Gwaii	\$1046
South Coast	all	\$4505
Thompson-Okanagan	all	\$1968
Kootenay Boundary	all	\$1515
Cariboo	all	\$1770
Skeena	all	\$1046
Omineca	all	\$1046
Northeast	all	\$1046

⁴ Region and district, as defined by the Administrative Boundaries Regulation

C. PROCEDURE TO DETERMINE SECURITY DEPOSITS

More information on Deposits can be found in the SUP Admin Guide Part 2. – Deposits and Clean Up.

The risk matrix is included to help with the issuance of the SUP found in Section 3.0 – Issuance. This process is taken from *Land Procedure: Tenure Administration Appendix A: Risk Assessment and Security Amount*.

The following steps provide a guide for Authorizations staff when assessing risk and determining an appropriate minimum security amount for a new or replacement SUP.

Steps:

1. Determine the clean-up cost category (Low (L), Moderate (M), and High (H))

The following information must be considered when estimating the costs of site clean-up:

- Type & size of improvements to be removed;
- Type of site impact and area impacted;
- Site restoration required;
- Presence of hazardous materials and contaminants;
- Material disposal costs for dumping any pipes, foundations, anchors, culverts, abutments, wood, steel and other potential debris in an appropriate designated facility; and
- Travel distance to and from the site for any future clean up.

Mitigating factors that may be used to adjust clean-up costs:

- Likelihood of other operators taking over the permit area and on-site improvements (e.g. only minimal clean-up required).

2. Determine likelihood of needing to use security (L, M, H)¹

Consider the following:

- Past experience with, or history of the applicant / permit holder;
- Current financial condition of the applicant / permit holder;
- Past experience with or history of similar business and uses; and
- Economic health of sector.

3. Assess Risk

Table 1. Risk Ranking

CLEAN-UP COST CLASS	Likelihood of Security Being Used		
	L	M	H
L (\$0 - \$10K)			
M (>\$10K - \$50K)			
H (>\$50K)			

Note:

1. Clean-up cost estimate must be submitted and included in the applicants SUP Plan;
2. If the clean-up cost is not provided by the applicant, then a cost will be determined by district authorizations staff; and
3. Likelihood of security being used is determined using Steps 1 & 2.

Table 2. Security Amount

Risk Ranking	Security Amount Required
L	Minimum Security Deposit as Per Table 3.
M	30-60% of the Estimated Clean-up Cost Used for Table 1.
H	50-100% of the Estimated Clean-up Cost Used for Table 1.

Table 3. Minimum Security Amounts by Ancillary Use

SUP Ancillary Purposes	Minimum
Construction and maintenance of a road (SO1 & SO2), including construction and maintenance of bridges and other drainage structures	\$1,000 minimum per km of road, \$500 minimum per culvert & per cross ditch, \$250 minimum per waterbar, \$5,000 minimum per 100m of steep terrain & all costs associated with bridge removal (remove the abutments, bridge decking, girders as well as re-sloping and seeding the creek banks)
Sand pits, gravel pits, rock quarries and other quarries that provide materials for road construction, modification or maintenance authorized under the <i>Forest Act</i>	Security is only charged IF the use is not covered by a Ministry of Energy and Mines Reclamation Bond. \$5,000 per hectare
A communication site	\$2,000 - \$5,000 minimum
A logging camp and associated facilities, including a waste disposal site (for refuse associated with the camp)	All permanent camps \$50,000. \$5,000 minimum for seasonal camps
A log dump or dry land sort	\$5,000 minimum
A temporary timber processing site	\$2,000 - \$5,000 minimum
A lookout	\$5,000 minimum
A weather station	\$1,000 minimum
An airstrip, helipad or other air	\$5,000 minimum for airstrips

transportation landing site	\$1,000 minimum for helipads
Education or research purposes	\$0
Weigh scales	\$5,000 minimum
Silviculture activities and associated camp facilities	\$0 to 5,000 minimums
Wildlife habitat enhancement activities and associated camp facilities	\$0 to 5,000 minimum
Wood waste management site associated with remote log dumps and dry land sorts	\$5,000 minimum

Note:

1. Minimum amount will depend on the size, scale & intensity of proposed activity
2. It is suggested that deposits for these SUPs where there are [Schedule 2 activities](#) would normally be in the range of up to \$50,000 with \$40,000 being available to commission a *site investigation* if required by Ministry of Environment and Climate Change (ENV) and not done by the SUP holder, and \$10,000 being available for general clean up and restoration of the SUP site if those obligations are not completed by the SUP holder.
3. Comprehensive risk assessments are often limited by not being able to access financial information of potential permittees, and by the Authorizing Agency not having the expertise available to properly assess such information. Consequently, risk will often be more heavily weighted by potential clean-up costs which are largely a factor of the extent and type of on-site improvements (proposed or existing).
4. If the SUP holder is requesting or replacing a SUP with multiple ancillary uses, then cumulative deposits (Table 3.) for each ancillary use will be required
5. A Notice of Work and *Mines Act* Permit may be required if any of the following occurs:
 1. The aggregate quarry is located >200 m from the road permit it is servicing.
 2. The quarry is owned by multiple companies; or
 3. The quarry is servicing multiple projects.

Please check with the local Mines Inspector for further details on how to proceed should any of these situations arise.

6. It is not acceptable to link a SUP deposit to a security obtained under the Mines Act.