



Wildfire Salvage Opportunity Agreements

Overview

Timely access to timber is critical for the people, communities and businesses that rely on forests in B.C. for their livelihoods. The Province is engaging with First Nations who may be interested in entering into a Wildfire Salvage Opportunity Agreement (WSOA) and participating in wildfire timber salvage harvesting within their territories.

These agreements are aimed at increasing First Nation participation in the forest sector and providing speedier access to wildfire damaged fibre when it is necessary. Streamlining the process to harvest timber affected by wildfire will also support mills by ensuring they can access fire-damaged logs before they degrade and still have commercial value.

What is a Wildfire Salvage Opportunity Agreement?

A WSOA is an enabling agreement under section 47.3 of the *Forest Act* and is signed between the Province and a First Nation. The agreement has a term of 10 years and allows licences for wildfire salvage to be directly awarded to a First Nation in accordance with the agreement, if specific criteria and conditions are met. The WSOA itself is not a licence.

At the time of signing, WSOAs are not directly tied to a specific Timber Supply Area or wildfire boundary.

What licences are enabled by a WSOA?

Forest licences are usually competitively awarded. However, under section 47.3 of the *Forest Act*, a forest licence may be directly awarded to a First Nation. Once the WSOA is signed, a salvage licence may be directly awarded to the First Nation in accordance with their WSOA.

Two different salvage licences may be awarded in accordance with a WSOA:

- A non-replaceable forest licence (NRFL), or
- A forestry licence to cut (FLTC)

The volume for these salvage licence may range from 2,000 m³ to 50,000 m³. The licence term is 5 years or less, with no extensions. Multiple licences can be issued under each WSOA. As with any licence under the *Forest Act*, the financial viability of these licences is not guaranteed.

In the right situations, having a signed WSOA in place prior to a wildfire event could allow the Province to issue NRFLs or FLTCs faster, as suitable salvage opportunities are identified.

Who signs the WSOA and salvage licences?

While a WSOA must be signed between the First Nation and the Province, the salvage licences (NRFL or FLTC) may be held by the First Nation or their representative as defined under section 47.3 of the *Forest Act*.

What conditions, considerations & criteria are required for issuing a salvage licence?

Salvage licences are to be issued in limited circumstances, and First Nations consultation is required for any new licence prior to its issuance. Before issuing a salvage licence in accordance with the WSOA, the following conditions must apply:

- a catastrophic fire has occurred in a Timber Supply Area and there are areas with medium and/or heavy fire damage within the territory of the First Nation who has signed the WSOA;
- existing forest licence holders cannot successfully salvage the affected timber,
- the Province, in collaboration with First Nations, has identified a need or opportunity to provide a wildfire-specific salvage licence for ecosystem recovery, fibre utilization opportunities or other post-fire recovery treatments.

When considering the issuance of a salvage licence, the Province will consider factors such as: the capacity of existing tenure holders to salvage the burnt timber; milling demands; and existing harvesting pressures on the Allowable Annual Cut (AAC). The Province's statutory decision maker will also consider impacts to the overall timber supply and/or whether this risk has been balanced with the objectives of land-based recovery, retention targets, fibre utilization, and other objectives.

For an NRFL or FLTC to be directly awarded, the licence holder must be the holder of an approved Forest Stewardship Plan (FSP), and will be required to meet all applicable legislation, and meet the following:

- silviculture obligations for free growing, and
- reporting under section 86 of the Forest Planning and Practices Regulation.

They must also obtain:

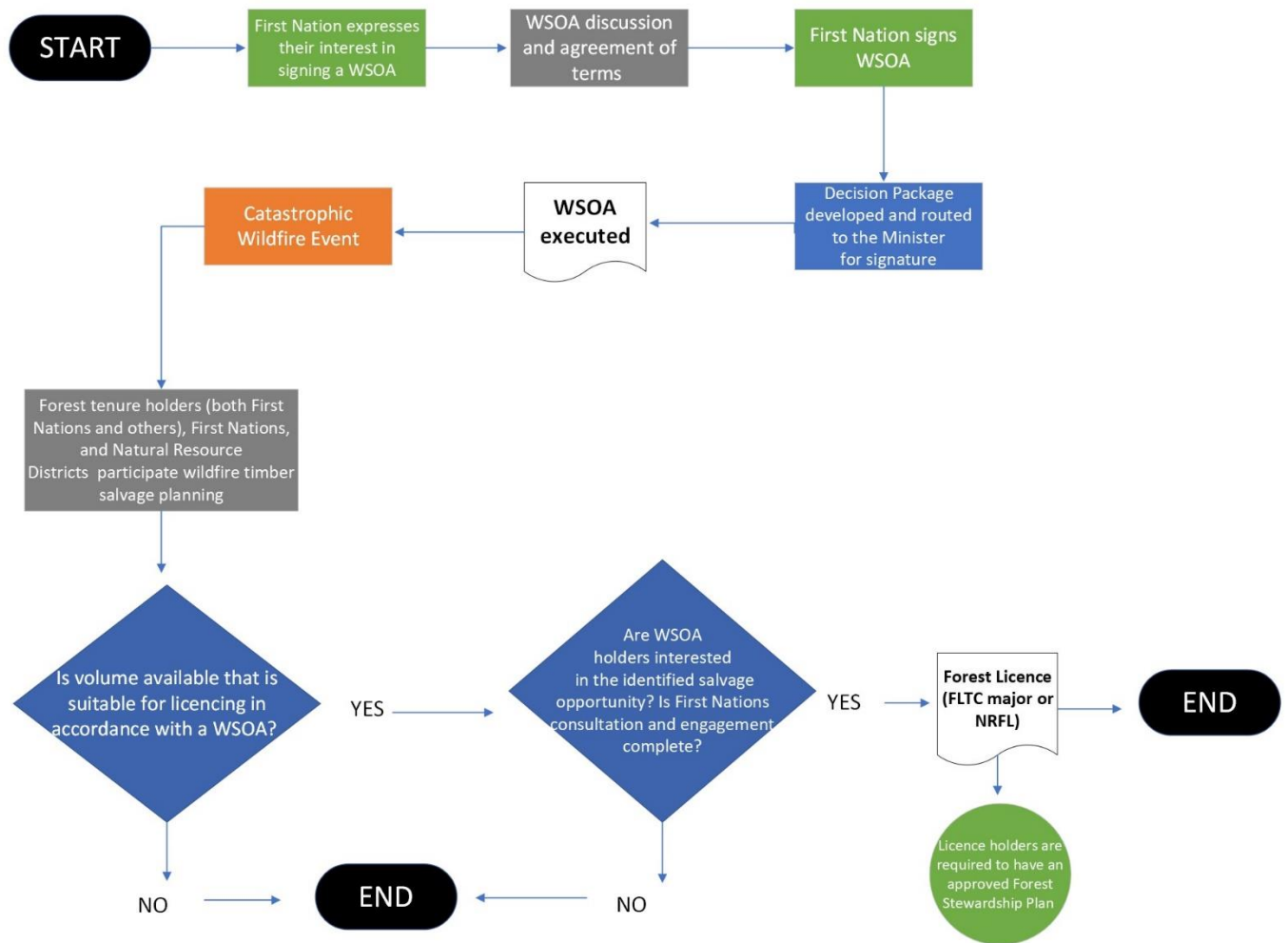
- fire hazard abatement assessments,
- waste assessments, and
- any conditions that are required for
 - the agreement,
 - the licence,
 - the cutting permit or road permit,
 - the *Forest Act*,
 - the *Forest and Range Practices Act*,
 - and the *Wildfire Act*.

Cutting Permits and Road Permits

The licence holder must apply for a cutting permit or road permit in accordance with the *Forest Act*, Part 3.1 and 8.0. A cutting permit provides the holder with the authority to cut and remove timber for a defined area within the licence agreement area. A road permit provides the holder with the authority to construct, use, and maintain a road, as well as the cutting authority to cut (only), or cut and remove, Crown timber if required.

The expectation of the Province is that licensees will apply for a cutting permit associated with their existing licences and AAC to salvage timber damaged by wildfire, as this is the most expedient path to recovering burnt timber. Licences enabled under a WSOA are to be issued where harvesting commitments under existing tenures cannot successfully salvage the affected timber and where a First Nation that is interested in salvage operations does not hold existing tenure.

WSOA Process Flowchart



LEGEND

■ Ministry of Forests Staff

■ First Nation