



## **Guidance For Preparing Alternatives to the Chief Forester's Standards for Seed Use Under Section 43 of the Forest Planning and Practices Regulation and Section 32 of the Woodlot Planning and Practices Regulation**

*The information contained in this guidance does not constitute legal advice. Government practitioners should seek legal advice from the Ministry of Attorney General, while industry practitioners should seek independent legal advice. Please note this guidance cancels and replaces Alternatives Policy Chief Forester's Standards for Seed Use dated June 1<sup>st</sup>, 2005.*

### **1.0 Legislative References**

- *Forest and Range Practices Act (FRPA)* Section 169 Chief Forester's Standards for Forest and Range Resources
- *Forest Planning and Practices Regulation (FPPR)* Section 43 Use of seed
- *Woodlot License Planning and Practices Regulation (WLPPR)* Section 32 Use of seed

### **2.0 Introduction**

The purpose of this bulletin is to provide guidance when a person, using seed to establish a free growing stand, is preparing to submit an alternative to any standard in the Chief Forester's Standards for Seed Use (Standards) under FPPR s. 43 or WLPPR s. 32. The current consolidated standards can be found [here](#) on the Government of British Columbia website. This bulletin provides background on the regulatory framework for seed use, as well as a discussion of the guiding principles, information, and factors that should be considered and included in an alternative request. This general bulletin cancels and replaces the Alternatives Policy Chief Forester's Standards for Seed Use dated June 1, 2005.

### **3.0 Background**

Section 43 of FPPR provides the chief forester with the regulatory authority, under FRPA section 169, to make standards to regulate the use, registration, storage, selection, and transfer of seed to be used in the establishment of free growing stands. Section 32 of the WLPPR provides the chief forester the same authority to create standards for seed used to establish

free growing stands on woodlots. It is through these regulations that the chief forester has established, and amended, the Standards.

When reforesting an area, a person who has an obligation to establish a free growing stand under FRPA section 29 must only use seed registered, stored, selected, and transferred in accordance with the Standards. A person may submit a request to the chief forester for approval of an alternative to any of the Standards governing seed use. If the alternative is approved, they are exempt from the original requirement, and instead, must comply with the approved alternative. The chief forester may approve alternatives that are consistent with achieving the intent of the Standard.

## **4.0 Preparing an Alternative**

### **4.1 Description of the Alternative**

When preparing and submitting an alternative to the Standards the scope of the alternative should be clearly articulated. A proposed alternative must be submitted in writing and identify:

- a. The holder of the free growing obligation to whom the alternative applies, including identification of the forest tenure and operating area,
- b. Contact information for the person preparing or submitting the alternative,
- c. The proposed alternative and the standard(s) to which it applies,
- d. The seedlot to which the alternative applies, and
- e. The effective period (start and end dates) of the proposed alternative.

### **4.2 Supporting Information**

An alternative must be consistent with the purpose of the Standards, which is to maintain the identity, adaptability, diversity, and productivity of the province's gene resources. A proposed alternative should be accompanied by sufficient, and suitable, information to assist in determining whether it is consistent with the purpose of the Standards. An alternative request should therefore include supporting information such as:

- a. Objectives and goals of the alternative,
- b. Rationale or reasons for the alternative,
- c. Genetic suitability if alternative seedlots are proposed,
- d. Assessment of the potential benefits and risks of the alternative,
- e. Supporting scientific and technical information including applicable references,
- f. Record keeping, monitoring and validation plans.

## **5.0 Submission, Review, and Approval of an Alternative**

The purpose of the Standards is to maintain the identity, adaptability, diversity, and productivity of the province's tree gene resources. When reviewing the alternative the chief forester will consider, but not be limited to, the following:

- a. The origin, collection or production method, physical quality, and genetic attributes of the seed to which the alternative applies,
- b. Forest health and productivity, including potential effects on timber supply,
- c. Forest planning, management, and operations, including potential impacts on other forest values and management objectives,
- d. Maintenance and integrity of information required for record keeping and reporting,
- e. The ability of the person to achieve the results of the alternative,
- f. Potential impacts on stakeholders, and
- g. Compliance and enforcement.

Alternative requests should be prepared and submitted 6-8 weeks prior to carrying out the activity to which the Standards apply to provide sufficient time for the chief forester to consider the proposal and decide whether to approve the alternative. Requests should be submitted in written form to the Office of the Chief Forester, including any supporting information, and signed by a person with the appropriate signing authority for the licence holder and the forest professional who has prepared the alternative.

Following the review of the alternative the chief forester, or their delegate, will provide the applicant with a written response to their request. In cases where the decision is to not approve the alternative reasons why the proposal is not consistent with the intent of the Standards will be provided.

## **6.0 Further Information**

Additional information regarding tree seed and the Chief Forester's Standards for Seed Use may be found on the Government of British Columbia website: [Tree Seed - Province of British Columbia \(gov.bc.ca\)](http://gov.bc.ca)