



## Land Use Operational Policy Log Handling

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<b>NAME OF POLICY:</b>	Log Handling
<b>APPLICATION:</b>	This policy applies to all aquatic and upland Crown lands used for log handling operations and activities.
<b>ISSUANCE:</b>	Assistant Deputy Minister, Rural Development, Lands and Innovation
<b>IMPLEMENTATION:</b>	Ministry of Forests, Lands, Natural Resource Operations and Rural Development
<b>REFERENCES:</b>	<i>Land Act</i> (Ch. 245, R.S.B.C., 1996)
<b>RELATIONSHIP TO PREVIOUS POLICY:</b>	This policy replaces the previous Log Handling policy dated June 1, 2011.

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Dave Peterson, ADM  
Rural Development, Lands and Innovation  
Ministry of Forests, Lands, Natural  
Resource Operations and Rural  
Development

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Date:

<b>APPROVED AMENDMENTS:</b>		
Effective Date	Briefing Note /Approval	Summary of Changes:

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## 1. POLICY APPLICATION

This policy applies to the disposition of aquatic Crown land and Crown upland for:

- **General log handling** that includes activities and related improvements for log dumping, storage, sorting, booming and barging in remote areas; and
- **Intensive log handling** use that includes activities and related improvements directly associated with a wood conversion facility (e.g. sawmill, pulp mill, plywood mill) and/or an integrated operational facility such as a centralized dry land or aquatic log sort.

## 2. PRINCIPLES AND GOALS

For information on Crown land allocation principles see [Crown Land Allocation Principles](#).

## 3. DEFINITIONS AND ABBREVIATIONS

For a glossary of definitions and abbreviations see [Glossary and Abbreviations](#).

## 4. APPLICANT ELIGIBILITY

For standard policy information on eligibility see [Eligibility and Restrictions](#).

## 5. FORM OF LAND ALLOCATION

For standard policy information on forms of allocation see [Form of Crown Land Allocation](#).

Refer to Appendix 1 for a summary of the forms and terms of Crown land allocation available for log handling operations.

### 5.1 Permission

Specific short term, low impact activities may not require a tenure if they qualify for authorization by a permission. For more information refer to the [Permissions Policy](#).

### 5.2 Temporary Licence

The maximum term for a temporary licence is 2 years.

Short-term tenures for up to one year may be required for log-watering sites associated with short-term timber sales. The Authorizing Agency may develop special application procedures in to facilitate the issuance of the short-term tenures.

### 5.3 Licence of Occupation

The maximum term for a licence of occupation is 10 years.

### 5.4 Lease

The maximum term for a lease is 30 years.

## 5.5 *Land Act Conditional Withdrawal (Section 17)*

For more details on standard policy information see [Reserves, Designations and Notations](#).

A S.17 conditional withdrawal can be established for sites identified as being critical for log handling purposes. This may include situations where FLNR, BC Timber Sales or a forest company has identified a new site through operational planning processes which will be critical to harvesting operations in the mid-term (e.g. 2 - 5 years).

All tenure applications for log handling and other compatible uses within S.17 conditional withdrawal are eligible for acceptance and consideration. Tenure applications for non-compatible uses will not be accepted.

## 6. PRICING POLICY

For information on pricing see the [Pricing Policy](#).

For information on application and service fees see the [Crown Land Fees Procedure](#).

## 7. ALLOCATION PROCESSES

For detailed standard information on allocation processes see [Allocation Procedures - Applications](#).

Additional requirements for log handling allocations are provided below.

### 7.1 Applications

#### 7.1.1 Crown shoreland restrictions

Disposition of Crown shoreland is to be limited such that a minimum of 25% of the shoreland around each water body is to be retained in public use to ensure protection of beaches and other public recreational opportunities. This is over and above the public road access to the waterfront provided for in subdivision plans.

#### 7.1.2 Application Package

Applications for lease or licence of occupation must be accompanied by a Log Handling and Prospectus Form (as per Application Package).

#### **Land Act Conditional Withdrawals (Section 17) - Referrals and Consultation**

FLNR will provide full details concerning need and requirements on the proposed area of interest to determine the suitability of log handling use on the site. The Authorizing Agency will be responsible for conducting a status of the site and for carrying out referrals, First Nations consultation and any necessary field inspections.

Completing the referral and First Nations consultation, at the time of the S.17 conditional withdrawal, may reduce delays and facilitate more efficient processing of subsequent log handling tenure applications submitted by forest companies. In some circumstances consultation with First Nations will not be required at the time of the S.17 conditional withdrawal. I.e. if there is an existing tenure on the site for

log handling, the designation is wholly contained within the tenure area, and no change in use is contemplated during the term of the designation.

At the time a tenure application is submitted, the Authorizing Agency will determine the need for conducting further referrals. The decision will be based on factors such as: specific details of the development proposal, how concerns identified by the initial referrals have been addressed by the applicant, whether the proposal is wholly contained within the S.17 conditional withdrawal, or whether other activities are being proposed.

Establishing a S.17 conditional withdrawal over land that has been tenured under the *Land Act* has no effect on the existing tenure (e.g. log handling or otherwise).

## **8. TENURE ADMINISTRATION**

For standard tenure administration information see the [Tenure Administration Procedure](#).

Additional requirements for log handling allocations are described below.

### **8.1 Security/Financial Guarantee**

Companies holding a number of leases/licences may deposit a single amount to cover all their tenures, rather than an individual deposit for each.

### **8.2 Assignment and Sub-Tenuring**

#### **8.2.1 Sub-Tenuring**

The lessee may sub-lease the entire leasehold or "a portion of" for the same purpose, in accordance with the provisions of the lease document.

The term of a sub-lease will normally be 2 years, with a maximum of 5 years. When the proposed use is for more than 5 years, the lessee should either assign the lease (with approval from the Authorizing Agency) or convert the lease to a licence of occupation (as per section 8.2.3).

There will be no rental discount to the lessee. The sub-lease rates are the responsibility of the lessee and the sublessee.

#### **8.2.2 Multiple Use of Leases**

A lessee may have certain leaseholds which are critical to the long term operation of the lessee, but due to changing operations (i.e. harvesting rotation) are not required on a continuous basis.

The Authorizing Agency, at the request of a lessee, may consider either approval of a sub-lease or conversion of a developed lease to a licence of occupation to provide for the multiple use of a log handling site while recognizing the long term needs of the lessee. The selection of either option and the number of leases to which it applies, is at the discretion of the Authorizing Agency.

Written support from the District Manager for the multiple use proposal should be provided by the tenure holder.

### **8.2.3 Conversion of Lease to Licence of Occupation**

The lessee may request the Authorizing Agency to convert all or a portion of a lease to a licence of occupation (initial licence). This allows the Province to issue a subsequent licence over all or a portion of the area for a purpose which does not conflict with the initial licence.

The term of the initial licence will be consistent with the term remaining on the lease.

The Authorizing Agency will consult with the initial licensee prior to issuing any subsequent licence.

The normal term for a subsequent licence will be 5 years for a different purpose (i.e. floating fish camp) and 10 years for the same purpose (i.e. log handling).

The term of a subsequent licence will not overlap with the timeframe for when the licence area will again be required by the initial licensee. A replacement subsequent licence may or may not be issued, as appropriate.

A subsequent licence will be given 2 years notice prior to expiry of the licence.

Following absolute expiry or cancellation (90 days) of all subsequent licences, the initial licensee may request the Authorizing Agency to re-issue a lease over the original leasehold.

## **9. VARIANCE**

Variances to this policy must be completed in accordance with the [Policy Variance Procedure](#).

## Appendix 1. Log Handling Policy Summary

<b>TENURE</b>	<b>TERM</b>	<b>METHOD OF DISPOSITION</b>
Temporary Licence	2 years	Application
Licence of Occupation	10 years	Application
Lease	30 years	Application