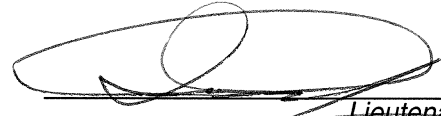


PROVINCE OF BRITISH COLUMBIA

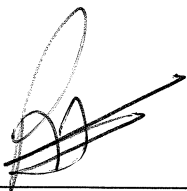
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 888, Approved and Ordered DEC 1 - 2006

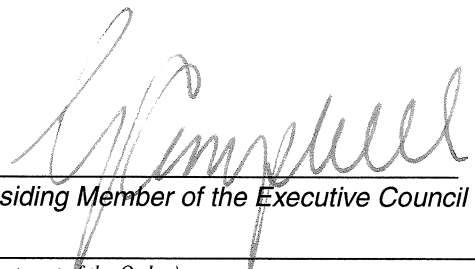
  
\_\_\_\_\_  
Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Forest Planning and Practices Regulation, B.C. Reg. 14/2004, is amended as set out in the attached Schedule.



\_\_\_\_\_  
Minister of Forests and Range and  
Minister Responsible for Housing



\_\_\_\_\_  
Presiding Member of the Executive Council

*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section:- Forest and Range Practices Act, S.B.C. 2002, c. 69, ss. 18, 141, 146, 151 and 157

Other (specify):- oic 17/2004

## SCHEDULE

- 1 ***Section 12 (3) of the Forest Planning and Practices Regulation, B.C. Reg. 14/2004, is amended by striking out “section 12.1 (2),” and substituting “section 12.1 (2) and (6).”***
- 2 ***Sections 12.1 to 12.5 are amended***
  - (a) ***by striking out “A person required” wherever it appears and substituting “An agreement holder who is required”, and***
  - (b) ***by striking out “the person” wherever it appears and substituting “the agreement holder”.***
- 3 ***Section 12.1 is amended by adding the following subsections:***
  - (5) A timber sales manager who is required to prepare a forest stewardship plan is exempt for that plan from the requirement under section 5 of the Act that the plan specify intended results or strategies in relation to the objective for soils set out in section 5 of this regulation if the timber sales manager
    - (a) prepares the plan, including in it an undertaking that the timber sales manager will notify each holder of a timber sale licence entered into or a road permit granted during the term of the plan that sections 35 and 36 of this regulation apply to the holder, and
    - (b) receives the minister’s approval to the plan.
  - (6) A timber sales manager who is required to prepare a forest stewardship plan is exempt for that plan from the requirement under section 5 of the Act that the plan specify intended results or strategies in relation to the objective for water, fish, wildlife and biodiversity set out in section 8 of this regulation if the timber sales manager
    - (a) prepares the plan, including in it an undertaking that the timber sales manager will
      - (i) comply with sections 47 to 51, 52 (2) and 53 of this regulation for primary forest activities carried out by the timber sales manager during the term of the plan, and
      - (ii) notify each holder of a timber sale licence or road permit to which the plan relates that sections 47 to 51, 52 (2) and 53 of this regulation apply to the holder’s primary forest activities carried out during the term of the plan, and
    - (b) receives the minister’s approval to the plan.
  - (7) A timber sales manager who is required to prepare a forest stewardship plan is exempt for that plan from the requirement under section 5 of the Act that the plan specify intended results or strategies in relation to the objective for biodiversity at the landscape level set out in section 9 of this regulation if the timber sales manager

- (a) prepares the plan, including in it an undertaking that the timber sales manager will notify each holder of a timber sale licence or road permit to which the plan relates that sections 64 and 65 of this regulation apply to the holder's primary forest activities carried out during the term of the plan, and
  - (b) receives the minister's approval to the plan.
- (8) A timber sales manager required to prepare a forest stewardship plan is exempt for that plan from the requirement under section 5 of the Act that the plan specify intended results or strategies in relation to the objective for wildlife and biodiversity at the stand level set out in section 9.1 of this regulation if the timber sales manager
- (a) prepares the plan, including in it an undertaking that the timber sales manager will notify each holder of a timber sale licence or road permit to which the plan relates that sections 66 and 67 of this regulation apply to the holder's primary forest activities carried out during the term of the plan, and
  - (b) receives the minister's approval to the plan.

**4 Section 12.2 is amended by adding the following subsections:**

- (3) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates is exempt from section 35 if the timber sales manager
- (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for soils that is set out in section 5, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (4) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates is exempt from section 36 if the timber sales manager
- (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for soils that is set out in section 5, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.

**5 Section 12.3 is amended by adding the following subsections:**

- (8) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 48 (3) to (5) if the timber sales manager
- (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for water, fish, wildlife and biodiversity set out in section 8, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.

- (9) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 49 (2) and (3) if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for water, fish, wildlife and biodiversity set out in section 8, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (10) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 50 (1) if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for water, fish, wildlife and biodiversity set out in section 8, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (11) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates is exempt from section 51 (1) or (3) if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for water, fish, wildlife and biodiversity set out in section 8, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (12) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 52 (2) if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for water, fish, wildlife and biodiversity set out in section 8, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (13) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 53 if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for water, fish, wildlife and biodiversity set out in section 8, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.

**6**     ***Section 12.31 is amended by adding the following subsections:***

- (4) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 55 as it pertains to cumulative hydrological effects on fish habitat in fisheries sensitive watershed if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for fish habitat in a fisheries sensitive watershed set out in section 8.1, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (5) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 56 as it pertains to cumulative hydrological effects on fish habitat in fisheries sensitive watershed if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for fish habitat in a fisheries sensitive watershed set out in section 8.1, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (6) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 57 as it pertains to cumulative hydrological effects on fish habitat in fisheries sensitive watershed if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for fish habitat in a fisheries sensitive watershed set out in section 8.1, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.

**7 Section 12.32 is amended by adding the following subsections:**

- (4) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 59 as it pertains to cumulative hydrological effects on water quality affecting human health in community watersheds if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for water in a community watershed set out in section 8.2, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (5) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates and a timber sales manager are exempt from section 60 (2) as it pertains to cumulative hydrological effects on water quality affecting human health in community watersheds if the timber sales manager
  - (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for water in a

- community watershed set out in section 8.2, in relation to the areas of primary forest activity under the plan, and
- (b) receives the minister's approval to the plan.
- (6) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates is exempt from section 61 as it pertains to cumulative hydrological effects on water quality affecting human health in community watersheds if the timber sales manager
- (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for water in a community watershed set out in section 8.2, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.

**8**     ***Section 12.4 is amended by adding the following subsections:***

- (3) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates is exempt from section 64 (1) if the timber sales manager
- (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for wildlife and biodiversity at the landscape level set out in section 9, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (4) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates is exempt from section 65 (2) if the timber sales manager
- (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for wildlife and biodiversity at the landscape level set out in section 9, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.

**9**     ***Section 12.5 is amended by adding the following subsections:***

- (3) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates is exempt from section 66 if the timber sales manager
- (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for wildlife and biodiversity at the stand level set out in section 9.1, in relation to the areas of primary forest activity under the plan, and
  - (b) receives the minister's approval to the plan.
- (4) A holder of a timber sale licence or road permit to which a proposed forest stewardship plan relates is exempt from section 67 if the timber sales manager
- (a) prepares and submits to the minister the proposed forest stewardship plan, including an intended result or strategy for the objective for wildlife and biodiversity at the stand level set out in section 9.1, in relation to the areas of primary forest activity under the plan, and

(b) receives the minister's approval to the plan.

**10 Section 19 is amended**

**(a) in paragraphs (a) and (b) by striking out "agreement holders" and substituting "holders of a forest stewardship plan", and**

**(b) in paragraph (c) by striking out "an agreement holder" and substituting "a holder of a forest stewardship plan".**

**11 Section 21 (1) is amended by striking out "and" at the end of paragraph (c) and by adding the following paragraph:**

(c.1) must refer a copy of the plan to a timber sales manager who may be affected by the plan, and .

**12 Section 106.2 (2) is repealed.**