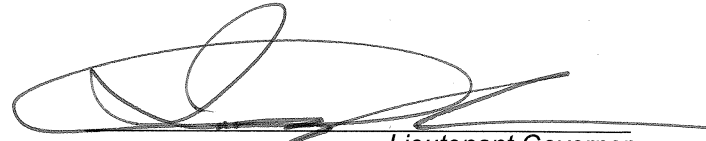


ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

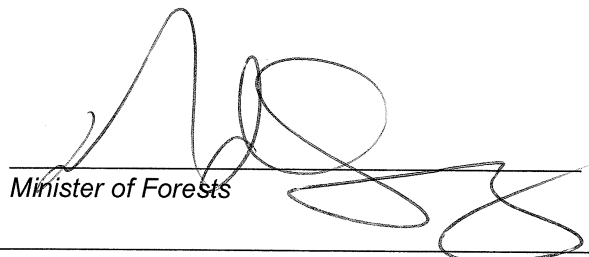
Order in Council No. — 268 , Approved and Ordered MAR 17 2005



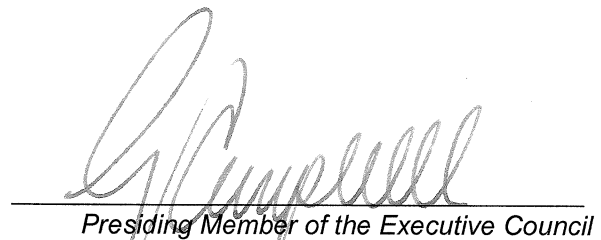
Lieutenant Governor

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



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, s. S.B.C. 2002, c. 69, ss. 5, 13, 17, 18, 141,  
142, 146, 147, 149 to 151, 154 to 157, 159, 160 and 162  
Other (specify):- oic 17/2004

## SCHEDULE

**1** *Section 16 of the Forest Planning and Practices Regulation, B.C. Reg. 14/2004 is amended by adding the following:*

- (5) A holder of a major licence that is a forestry licence to cut entered into under section 24.8 of the *Forest Act* or converted into a forestry licence to cut under section 24.9 of the *Forest Act* is exempt from this section.

**2** *Sections 39 (1) and (2) and 55 (1) are amended by adding “a road,” before “a temporary access structure”.*

**3** *The following section is added:*

**Exemption respecting free growing stand for certain forestry licences to cut**

**45.1** A holder of a major licence that is a forestry licence to cut entered into under section 24.8 of the *Forest Act* or converted into a forestry licence to cut under section 24.9 of the *Forest Act* is exempt from section 29 (1) of the *Forest and Range Practices Act*.

**4** *Section 46 (1) (a) is repealed and the following substituted:*

- (a) a cutblock is harvested under a forestry licence to cut that
- (i) is not a major licence or a minor tenure, or
  - (ii) is a major licence and was entered into under section 24.8 of the *Forest Act* or converted into a forestry licence to cut under section 24.9 of the *Forest Act*, and .

**5** *Section 75 is amended by striking out everything before paragraph (a) and substituting the following: “A person who maintains a road must do one or more of the following if a structural defect or deficiency occurs on a bridge that is part of that road:”.*

**6** *Section 85 (1) is amended by striking out “a permanent access structure” and substituting “not a temporary access structure”.*

**7** *Section 86 is amended*

*(a) in subsection (3) (a) by adding “or to which section 44 (4) of this regulation applies” after “of the Act applies”, and*

*(b) by repealing subsection (4) (a) and substituting the following:*

- (a) the following information about road construction during the reporting period, by the timber sales manager, a holder of a timber sale licence or a holder of a road permit that was granted under the *Forest Act* by the timber sales manager:

- (i) the location of the road;

- (ii) the location, type and overall length of any bridges;
- (iii) the location and the diameter or span of any major culverts and of any fish-stream culverts;
- (iv) the stream crossing identifiers for bridges and culverts referred to in subparagraphs (ii) and (iii);
- (v) the location of engineered structures other than bridges, culverts or fords;
- (vi) the location of road sections containing stumps, roots and embedded logs left or placed
  - (A) under the road fill within the road prism width, if the road is located on landslide prone terrain, or
  - (B) under the travelled portion of the road fill for other road locations, and .

8 *Sections 87 (1) and (2) and 88 (1) and (2) are amended by adding “or to which section 44 (4) of this regulation applies” after “of the Act applies.”*

9 *Section 93 is repealed.*

10 *The Part 8 heading is repealed and the following substituted:*

## **PART 8 – OFFENCES**

11 *Division 1 of Part 8 is repealed.*

12 *The heading for Division 2 of Part 8 is repealed.*

13 *Sections 107.1 and 107.2 are repealed.*

14 *The following section is added:*

### **Application of Code to certain forest development plans**

**107.3** The Code and the Code regulations apply to forest development plans described in section 187 of the Act.