



General Bulletin

Number 08

March 21, 1996

Range Use Plans

Transitional Provisions

Section 236 of the *Forest Practices Code of British Columbia Act* (Act) establishing transitional provisions for range plans came into effect on December 15, 1995. During the period of December 15, 1995 to June 15, 1996 range use plans need not meet the review, comment and content requirements of the Act or regulations can be for a period less than that specified in Sec. 27(5) of the Act. When approving a range use plan during this period the district manager must be satisfied that the plan will adequately manage and conserve the forest resources of the area to which it applies (Sec 41.(1)(b)).

During the June 16, 1996 to December 15, 1997 period, range use plans must meet the review and comment requirements of the Act and regulations but need only be in substantial compliance with the content requirements.

Phase-In Provisions

The *Operational Planning Regulation* (OPR) in Sec. 69(2) and Sec. 71(3) provides phase-in provisions for range use plans under Sec. 69.(1)(f, h & j) and 71.(a, b & c) until June 15, 1997. These provisions provide the district manager with the authority to exempt a person from describing wildlife, plant community and biodiversity strategies if he/she determines that a site assessment would be required.

Exemptions in Regulations

The OPR in Sec. 69(3) provides the district manager with the authority to exempt a person from describing any or all of the resource values referred to in Sec. 69.(1)(a)(iv), 69.(1)(e) and 69.(1)(f) for any or all of the area under a range use plan if there is no significant potential for livestock to negatively affect range land. Joint agreement with the designated environment official is required for exemptions under Sec. 69.(1)(a)(iv) and 69.(1)(f). NOTE: See amendment.

Term of Range Use Plans

Under Sec. 27.(5) a district manager can approve range use plans for a period of five years or the duration of the agreement. Section 224.(5) of the Act deemed range tenures that existed on June 14, 1995 as grandparented plans. These grandparented plans remain in effect until the first of the following happen:

- the tenure expires or is cancelled, surrendered or otherwise terminated;
- the grandparented plan is replaced;
- June 15, 1997.

Recommendations

The following recommendations are for district managers to consider and should ***not*** be interpreted as Ministry policy or a legal interpretation:

- District managers and their staff make themselves familiar with the transitional and phase-in provision exemptions and term of grandparented plans.
- During the period of December 15, 1995 to June 15, 1996 district managers may wish to look at existing grazing tenure documents to aid in their approval of range use plans under Sec. 41 .(1)(b), (don't approve replacement plans having less detail than the grandparented plan).
- The transition period provides an opportunity to distribute an even workload for future replacement of range use plans. The following schedule is suggested to ensure all grandparented plans are replaced by the end of 1997 and replacement in subsequent years is evenly distributed.

Year	% Of Total Replaced	New Plan Life-span	Renewal Year	% In Each Category
1996	80%	5 years	2001	20
		4 years	2000	20
		3 years	1999	20
		2 years	1998	20
1997	20%	5 years	2002	20

Contacts

Further details and direction are available from:

Doug Fraser at ???
Ken Balaski at ???

