



General Bulletin

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Cutblock Transition to "Category A" Status on Forest Development Plans

Introduction

Based on amendments to the operational planning regulation (OPR) effective June 15, 1998, forest development plans (FDPs) submitted on or after October 15, 1998, must include the "approximate location of cutblocks proposed to achieve Category A status" and may also include "Category I" cutblocks (optional). Before that date, legislated Category A cutblocks did not exist. Therefore, a transition period was needed to ensure that cutblocks shown on FDPs submitted prior to October 15, 1998 (and approved before or after October 15th) would retain their "approved" status under the new rules. The key section that speaks to this is OPR23 - "Transition."

OPR23 allows for cutblocks in FDPs submitted before October 15, 1998 to be deemed "Category A cutblock status" if they meet one of the following three conditions:

1. they have a cutting permit;
2. they have a silviculture prescription (SP) or exemption from the requirement for an SP; or,
3. an SP has been submitted and it meets all of the following map and information requirements:
 - OPR18(1)(t)measures to reduce significant forest health risks;
 - OPR18(1)(u)general objectives for coarse woody debris & wildlife trees;
 - OPR18(1)(v)general objectives for riparian management zones;
 - OPR18(1)(w)known objectives for known ungulate winter ranges; and,
 - OPR18(1)(x)known water quality objectives for community watersheds.

As these requirements are met, eligible cutblocks achieve deemed Category A status for transition purposes during the life of the FDP. This status is confirmed when the next FDP, in which deemed Category A cutblocks first appear, is approved by the DM. To

ensure the FDP can be approved, the proponent should only include cutblocks that are identified as Category A cutblocks if those cutblocks clearly meet the requirements of OPR23. Failure to meet OPR23 requirements for any deemed Category A cutblock will result in the DM not being able to approve the plan. It is important, therefore, that the proponent communicate with the DM prior to FDP submission if there are any doubts about a specific block not meeting the criteria.

Amending FDPs that were Submitted Before October 15, 1998

FPC41(1)(a) requires that amendments to any FDP be done in accordance with the rules of the day. This means that any area being added to a cutblock after October 15, 1998 should be submitted in a way that would allow it to meet the test for Category A status (subject to the limitations of OPR11 and Section 9 of the Timber Harvesting Practices Regulation). Nothing is required of the portion of the cutblock that remains the same. Any new cutblocks being added to the FDP would have to be proposed in the same manner as well.

Retaining "Category A" Status

The FDP currently in effect identifies the cutblocks that have Category A status. Once a cutblock achieves that status, it can only retain the status if it continues to appear on subsequent FDPs. If a cutblock is ever dropped from a plan, it would have to go through the same process as any new cutblock to regain it.

Roads

As of October 15, 1998, OPR22(2) (Protection for cutblocks and roads) applies. This means statutory decision makers cannot refuse to approve new FDPs with roads from the previous FDP that fail to meet FPC10(1)(d) or FPC41 as long as (1) a road permit has been issued for the road or (2) the assessments required by Sections 4 and 5 of the Forest Road Regulation were shown as completed on the previously approved FDP.

Contact

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