Timber Sale Licence - Safety and Highlights Report

☒Bonus Bid / Scale Based

TSL TA0547

1.0 Purpose

This report is intended to inform prospective bidders of known field safety hazards, key information regarding harvest and road activities, and other pertinent matters that may affect operations and costs under the Timber Sale Licence (TSL). Some of the items described within this report may not be contained within the tender package nor are they within the control of BC Timber Sales (BCTS) (e.g. Road Use Permits, Special Use Permits, Road Use Maintenance Agreements and foreshore tenures). If applicable, these requirements should be considered by the potential bidders prior to submitting a tender. To be fully informed of the tender obligations and to be able to formulate an accurate bid, prospective bidders should review all of the details of the tender package and also view the cutting authority area in the field.

2.0 Known Field Safety Hazards

This section is intended to make known, to prospective bidders, information about hazards in and around the TSL that have been encountered by BCTS staff and contractors in the course of planning and developing this TSL. The following field safety hazards have been identified. (Note: This list does not include potential hazards that may exist that were not identified during planning or development and neither does it identify routine safety hazards associated with forest harvest and road operations):

☒ BC Hydro – There is a transmission line adjacent to Block 1. The licensee must be compliant with BC Hydro safe work procedures when working adjacent to the right of way. Refer to documents "*TA0547_m1_BCHydro_Compatible*" and "*TA0547_m2_BCHydro_Emergency*" for the specific BC Hydro guidelines.

☒ The harvest area contains slopes exceeding 35%. The Licensee should be aware of WorkSafe BC regulations (Section 26 of Occupational Health & Safety Regulation) surrounding harvesting on steep slopes. Slopes exceeding 35% are identified on the SP/HP map.

☒ The harvest area contains several danger trees. The Licensee should be aware of WorkSafe BC regulations (Section 26 of Occupational Health & Safety Regulation) surrounding danger trees. One tree stand for hunting has been identified with spiked trees. See Harvest Plan/Site Plan map for location.

☒ During the COVID-19 outbreak, Forestry Industry employers are reminded of Work Safe BC and BC Forest Safety Councils guidance to prevent exposure in the workplace.

- https://www.worksafebc.com/en/about-us/covid-19-updates/covid-19-industry-information/forestry and
- http://www.bcforestsafe.org/node/3460

3.0 Safety Considerations

All persons who provide direction to workers or operate on the TSL area(s) will be required to be certified as SAFE Companies. Please also refer to the following BCTS Safety website for more information: https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales/safety

3.1 Obligation to Report Unsafe Conditions or Practices

The Workers Compensation Act and section 3.10 of the related Occupational Health and Safety Regulation require that all persons report any observed unsafe conditions or practices to the person in charge of the workplace. BCTS staff will report any observed unsafe conditions or practices during the course of their work on the TSL.

3.2 TSL holders are defined as 'Owners' under the *Workers Compensation Act*

The TSL holder is the owner of the work site under the *Workers Compensation Act* and regulations. If you are unsure of your responsibilities as owner of the worksite, you should consult a safety professional or WorkSafeBC.

4.0 BCTS Staff Do Not Direct TSL Holder Activities

4.1 Conflicts with Workers Compensation Act

If there is a conflict between legal obligations under the TSL and the *Workers Compensation Act*, you are responsible to bring those conflicts to the attention of the Timber Sales Manager and/or WorkSafeBC for resolution.

4.2 Results-Based Regime

TSL holders operate in a results-based regime under the *Forest and Range Practices Act* (FRPA) and are able to plan and conduct their activities without supervision from BCTS. BCTS determines objectives for a TSL through various aspects of the FRPA framework (e.g. Forest Stewardship Plans, Site Plans, related regulations) and ensures that the objectives and obligations are met by establishing results-based clauses within the TSL document. As such, BCTS staff will not direct the TSL holder in how these objectives and requirements are achieved.

4.3 Legislative & Licence Framework

In exercising harvest rights under the TSL, the holder of the TSL must comply with all applicable legislative and regulatory requirements and all requirements set out in the TSL.

4.4 Environmental Management System

TSL holders must implement the Environmental Management System pertaining to the licence.

4.5 Recommended Harvest Plan

There are new clauses contained in the TSL document (part 4.00) that require primary forest activities on the cutting authority area to be covered by a plan. BCTS has prepared plans, included them in the tender package, and the TSL holder may use them for the purpose of TSL part 4.00.

If, during the course of operations, the TSL holder chooses to conduct activities in a way that is different from what is described in a plan, the TSL holder must prepare an alternate plan or a plan amendment. The TSL holder must submit the alternate plan or amendment to the Timber Sales Manager upon request.

Further information regarding the requirement to have a plan may be found in the Advisory Bulletin: 2015-09-22 – Advisory Bulletin – Having a Plan. For a copy of this bulletin, please look under the Advisory Bulletin tab at the following weblink: https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales/policy-legislation

4.6 New Forest Stewardship Plan Requirements

Prospective bidders should be aware that there are new requirements within the BCTS Forest Stewardship Plan #601 (2017-2022) that are the obligation of the TSL holder to comply with, including but not limited to:

- Falling and yarding/skidding away in riparian areas (*FSP Section 5.3.1.5 - Water, Fish, Wildlife and Biodiversity within Riparian Areas*)
- Measures near recreation sites or trails (*FSP Section 5.7 - Recreation Resources*)
- Road maintenance requirements (*FSP Section 5.8.1 - Road Maintenance*)
- Grass seeding of new roads, landings and deactivated roads (*FSP Section 5.8.2 - Revegetation following Road Construction and Deactivation*)
- Inspection for, and cleaning of, soil and plant materials and grass seeding to reduce the spread of invasive plants (*FSP Section 6.1 - Measures to Prevent the Introduction or Spread of Invasive Plants*)

The complete 2017-2022 BC Timber Sales Kootenay Business Area Forest Stewardship Plan is available at https://www.for.gov.bc.ca/bcts/areas/tko/FSP-TKO.htm

5.0 Timber Description and Volume Estimate Method

Timber Description	Volume Estimate Methodology	Damaged Timber Beetle - Red/Grey %
Standing Green	Full Cruise	< 35%

Additional Information:

- The full cruise estimates the total net volume to be 8,182 m³.
- Note – A full cruise means a cruise that meets all the standards required in the cruise and appraisal manual and includes a full cruise compilation based on data collected only from the TSL area.
- Where practicable, consideration should be given to creating stub snags from green stems or existing snags if mechanical felling is being utilized and it is safe to do so for all phases of harvesting operations. The purpose of the stub is to enhance biodiversity of the harvest area by providing potential wildlife stems for perching, nesting. 0 (zero) to 5 (five) stems per ha may be targeted for retention throughout the harvest area of the block.
- This sale is Interface logging for fuel management treatment.
- Estimated that there could be additional undersized timber (after meeting reserve tree specifications), which could be utilized as pulp wood or grinded for hog fuel.

6.0 Harvesting

6.1 Significant Contractual Conditions

☒ The Licensee must conduct a waste assessment (TSL Paragraph 6.02)

☒ Harvesting – Timing of operations.
Harvesting operations will **not** be conducted on Block 1 (one) from March 16th to November 14th. See the following clause, located in Schedule A of the TSL document.

*0.06 The Licensee will not conduct timber harvesting operations on cutblock 1 from **March 16th to November 14th** of each year during the term of this licence.*

☒ Harvesting – Residual fibre requirement (yarding/skidding)
Residual fibre that is a minimum of 10 cm in diameter, must be yarded/skidded. See the following clause, located in Schedule A of the TSL document.

*0.05 Once the Licensee commences harvesting operations, the Licensee must, in cutblock #1 (one) fell all timber authorized for harvest, and except for material required to be dispersed, must yard all timber **ten (10) centimeters** in diameter or larger to landings or roadsides within the cutting authority area.*

☒ Timber Processing – Residual fibre requirement (decking)
Residual fibre that is a minimum of **4 metres in** length and **10 cm** in diameter, must be decked. See the following clause, located in Schedule A of the TSL document.

> *9.01 Any residual fibre that the licensee leaves at roadside, or on a landing, that is a minimum of four (4) metres in length and a minimum of ten (10) centimeters in diameter, must be decked. For the purposes of the residual fibre clause, "decked" residual fibre refers to ten or more logs that are mechanically placed together parallel to each other in a single pile/accumulation.*

6.2 Operational Recommendations

☒ Silviculture System: Partial cut (63%) with reserves.
☒ Seasonal Recommendations: Operate during conditions that prevent excessive detrimental soil disturbance.
☒ Work Window/Timing Recommendations:
The timing of harvesting operations must be conducted between November 15th and March 15th and only during such conditions that prevent excessive detrimental soil disturbance.
☒ Other: The licensee is responsible to contact the registered trapper for trapline TR0405T002 and the Ranger tenure holder RAN075121. There is no registered guide outfitter.
There are "Wildlife Tree Retention Area's" (WTRA's) within the block. See the SP/HP map for details and locations.

7.0 Roads

7.1 Access Information

☒ Approximate new road construction: 0.276 km

☒ Approximate total road rehabilitation: 0.276 km

7.2 Permits and/or Agreements Required

☒ Road Use Permit Required

8.0 Forest Management Certification Systems

BCTS operates under various forest management certification systems. The forest management certification systems that directly affect this TSL are:

☒ Sustainable Forestry Initiative - http://www.sfiprogram.org/

9.0 Bulletins, Policy and Regulations

You are encouraged to view the Legislation, Regulations, BCTS Advisory Bulletins, and Policies that can be found at the following website:

https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales/policy-legislation

Important BCTS Updates and Information Releases can be found at the following website:

https://www2.gov.bc.ca/gov/content?id=6E4474E309F44CC98344F58D49966069

10.0 Residual Fibre Recovery

TSL TA0547 is located geographically close to the city/town/village/community of Cranbrook. There is significant concern regarding the utilization and disposal of residual fibre. The TSL holder is encouraged to maximize fibre utilization. Opportunities exist for, and BCTS encourages and fully supports, business-to-business relationships that address residual fibre utilization as a means to debris disposal obligations for this TSL. Contact BCTS to discuss opportunities prior to bidding. If demand for residual fibre exists, a Do Not Damage order may apply to the TSL under section 79.1 of the *Forest Act*.

11.0 Forest Professional Overview Certification (FPOC)

This Timber Sale Licence is part of a project to pilot the use of forest professional certification. BC Timber Sales is interested in piloting this concept to determine whether it contributes to ensuring that its stewardship commitments, as identified in its Forest Stewardship Plan, are achieved.

The requirements in this Timber Sale Licence that specifically relate to the pilot include:

- **Timber Sale Licence 'Section 13. Reporting**

13.02 Following the completion of primary forest activities, the Licensee will submit to the Timber Sales Manager a conformance certificate, signed by a Registered Professional Forester or a Registered Forest Technologist, that confirms that all primary forest activities conducted under this licence are consistent with the Forest Stewardship Plan results and strategies applicable to this Licence.

13.03 The Licensee will submit the signed conformance certificate, referenced in section 13.02 of this Timber Sales Licence, to the Timber Sales Manager prior to final deposit release and in the format provided in Appendix II of this Licence.

12.0 Waste and Residue Assessment (Interior only - April 1, 2019)

On April 1, 2019, a new *Interior Logging Residue and Waste Measurement Procedures Manual* will set out new standards for completing waste and residue assessments that will apply to all scale based TSLs advertised in the interior of British Columbia on or after April 1, 2019. The Licensee will be required to complete waste and residue assessments for scale based TSLs. Some of the changes to the *Interior Logging Residue and Waste Measurement Procedures Manual* are:

- requires waste estimates be determined using field sampling and measurements;
- ocular assessments will no longer be accepted;
- newly developed and efficient sampling designs, methods and reporting processes;
- penalties for late waste and residue assessment reporting; and
- a new sampling method for roadside pile accumulations.

13.0 Information to include with Security Deposits (April 1, 2019)

The successful applicant for this licence is to submit information about the security deposit before signing this licence. Please see the form, 'Information to include with Security Deposits (for successful applicant only)' included in the information attachments in the Tender Package. The form collects information regarding the origin of the successful applicant's TSL deposit funds.

Information provided by the successful applicant will support the Ministry in the administration of TSL auctions and carrying out its responsibilities under the *Forest Act*.

14.0 Fire Hazard Assessments and Abatement

A person who carries out a high risk industrial activity on Crown Land, as defined by the *Wildfire Act* and its regulation, must conduct a fire hazard assessment in accordance with Section 7 of the *Wildfire Act*. The fire assessment must take place at the set time period as stated in Division 2 of the Wildfire Regulation when falling of timber commences. A person must abate fire hazard and reduce the fuel hazard on the site of the industrial activity at the set time period as stated in Division 2 of the Wildfire Regulation.

The holder of the TSL must prepare the fire hazard assessments and, as requested, submit the fire hazard assessments to the Timber Sales Manager.

15.0 TSL Term Extensions

The holder of the TSL is responsible for administering the licence with respect to all dates, deadlines and schedules pertinent to the licence, including the expiry date.

The TSL document specifies whether or not the licence term is extendable.

Information regarding the licence term is specified in Parts 1 and 2 of the licence document.

If the holder of an extendable TSL wishes to have the licence term extended they must make an application to the TSM and complete all obligations in accordance with Section 58.1 of the *Forest Act* **prior** to the expiry of the licence.

TSL holders are strongly advised to seek advice from the TSM regarding licence term extensions (e.g. process, fees, obligations, timelines, etc.) well before the expiry date of the TSL.

The term of the TSL cannot be extended after the licence has expired.

16.0 Special Tree Protection Regulation

Specified Trees and/or supporting trees that the TSL holder becomes aware of on this TSL that have not been previously identified by BCTS, must not:

1. With respect to a specified tree, be cut, damaged or destroyed; or
2. With respect to a supporting tree, be felled, topped or destroyed.

Specified trees must be reported to the Minister on the *Special Tree Reporting Information Submission* form attached to this tender package and the trees must be managed in accordance with the Special Tree Protection Regulation.

A danger tree, or a tree that requires wind pruning, that meets the Special Tree Protection Regulation specifications for a specified tree or supporting tree must not be topped, limbed, pruned or otherwise cut without an exemption. If a specified tree or supporting tree is identified as a danger tree, mitigating measures, such as a no work zone, must be used to manage the hazard until an exemption is granted.

An exemption from the requirements of the Special Tree Protection Regulation as it pertains to this TSL may be applied for, in accordance with the Special Tree Protection Regulation, on the *Special Tree Reporting Information Submission* form attached to this tender package.