

There was some continued confusion with some about the “area based tenure issue. Below explains and highlights the source explaining where the community forests are area based tenures.

### **The Difference Between an Area-Based and a Volume-Based Tenure March 12, 2005**

The basic difference between an area-based tenure and a volume-based tenure is as follows:

#### **Area based:**

For an area-based tenure, the cut is determined for that area by the best current information regarding inventory and productivity at that time. AAC is adjusted periodically, separately from the TSA and Licensees are responsible for keeping up the inventory.

#### **Volume Based:**

A Volume-based tenure is a share of the TSA’s AAC. The areas assigned to licensees known as chart areas are intended to be long-term areas in order to provide certainty to facilitate development planning. The areas are assigned with the intent of providing the appropriate area on which the licensee can maintain their share of the TSA’s cut. Periodically these areas get adjusted to take better inventory and productivity information into account and to more equitably distribute the TSA’s timber profile among the TSA’s licensees.

#### **Sechelt Community Forest is Area-Based**

The Sechelt Community Forest Tenure appears to be “volume based” at this time because the government is redistributing a predetermined portion of the TSA’s AAC which has been calculated in volume units.

However, the 20% “takeback” volume is being redistributed. 20,000m<sup>3</sup>/year is the Sechelt Community Forest’s share of that takeback AAC. The proposal areas are to sustain this cut over 250 years.

The following documents show the area-based nature of Community Forest Tenures such as the one the District of Sechelt is applying for:

#### **PROBATIONARY COMMUNITY FOREST AGREEMENT (PCFA) APPLICATION REQUIREMENTS**

- 1.1.1. The authority for entering into a PCFA, for which an invitation to apply is being made, is Section 43.51 of the *Forest Act*.

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#### **ATTACHMENT C OF THE APPLICATION: PCFA Area**

Each PCFA describes **a specific area of land to be managed** by the agreement holder under the PCFA (the PCFA area). The PCFA area must include Crown land, but may also include municipal land, Indian Reserve land, and private land where the owner agrees to have it included in the PCFA area and have it managed it as part of the PCFA area.

The proposed PCFA area must be suitable to meet the management objectives proposed by the Applicant and must represent an area no greater than that which will produce an allowable annual cut of up to 20,000M<sup>3</sup>.

## Regulations - Forest Practices Code of BC Act

# 1 COMMUNITY FOREST AGREEMENT REGULATION

B.C. Reg. 384/2000, Deposited December 4, 2000

O.C. 1660/2000, Effective December 4, 2000

Consolidated to August 5, 2003

## 1.1 Contents

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### 1.1.1.1 Definition

1. In this regulation:

"Act" means the *Forest Practices Code of British Columbia Act*;

"Woodlot Regulation" means the Woodlot Licence Forest Management Regulation, B.C. Reg. 325/98.

### 1.1.1.2 Woodlot Regulation applies

2. (1) The Woodlot Regulation applies to a community forest agreement, except as provided in this regulation.

(2) In applying the Woodlot Regulation to this regulation, "woodlot licence" includes a community forest agreement, and the term "woodlot" includes a community forest agreement area.

HONOURABLE DAVID ZIRNHELT  
MINISTER OF FORESTS

**Note: Every Woodlot is an area-based tenure, so the same area-based requirements apply to Community Forest tenures**

1.1.2 BILL 34 -- 1998

1.1.3 FORESTS STATUTES AMENDMENT ACT, 1998

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

### *Forest Act*

*1 Section 1 (1) of the Forest Act, R.S.B.C. 1996, c. 157, is amended by adding the following definitions:*

"community forest agreement" means a community forest agreement entered into under Part 3, Division 7.1, and includes a probationary community forest agreement, long-term community forest agreement and community forest pilot agreement;

**"community forest agreement area"** means the area of land subject to a community forest agreement; .

*2 Section 8 is repealed and the following substituted:*

**Allowable annual cut**

**8** (1) The chief forester must determine an allowable annual cut at least once every 5 years after the date of the last determination, for

(a) the Crown land in each timber supply area, excluding tree farm licence areas, community forest agreement areas and woodlot licence areas, and

(b) each tree farm licence area.