

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF FORESTS, LANDS, NATURAL
RESOURCE OPERATIONS AND RURAL DEVELOPMENT

Forest Act

Ministerial Order No. M233

I, Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development, order that, with respect to the Fairy Creek Watershed Designated Area No. 1, B.C. Reg. # 148/2021, the attached:

1. 2021 Fairy Creek Watershed Designated Area No. 1 Zone A Order is made; and,
2. 2021 Fairy Creek Watershed Designated Area No. 1 Zone B Order is made.

June 9, 2021



Date

*Minister of Forests, Lands, Natural Resource
Operations and Rural Development
(or authorized signatory)*

*Printed Name and Title (if authorized
signatory)*

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Forest Act, s. 170 (2)

Other: O.C. 333/2021

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2021 FAIRY CREEK WATERSHED DESIGNATED AREA NO. 1 ZONE A ORDER

In this order:

“Fairy Creek Watershed Designated Area No.1” means the area of Crown land specified under the Fairy Creek Watershed Designated Area No. 1, B.C. Reg. 148/2021;

“permit or licence” means any permit or licence referred to in section 170 (3) of the *Forest Act*;

“Zone A” means the area of Crown land within the Fairy Creek Watershed Designated Area No. 1 identified as Zone A on the map referred to in B.C. Reg. # 148/2021.

1. Subject to sections 3 and 4, those parts of the rights of a holder of a permit or licence that relate to all or part of Zone A of the Fairy Creek Watershed Designated Area No. 1 are suspended.
2. Subject to section 3, a person referred to in section 170 of the *Forest Act* who has a discretion to issue a permit or licence is directed to not issue the permit or licence to the extent to which that permit or licence relates to all or part of Zone A of the Fairy Creek Watershed Designated Area No. 1.
3. Sections 1 and 2 do not apply in relation to a free use permit referred to in section 48 (1) (g) or (h) of the *Forest Act*.
4. Section 1 does not apply to the rights of the holder of road permit R05413 as those rights pertain to the removal of timber felled on or before the date this order is made.
5. This order expires June 8, 2023.

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2021 FAIRY CREEK WATERSHED DESIGNATED AREA NO. 1 ZONE B ORDER

In this order:

“**Damaged Timber**” has the same meaning as in the Coast Appraisal Manual;

“**FCPSA**” means the forest cover projected stand age as calculated and published by the Ministry for the leading species in a forest stand;

“**FC spatial data**” means the spatial data depicting the location of forest stands by FCPSA as represented in the Provincial Forest Vegetation Composite Rank 1 layer published in the B.C. Geographic Warehouse;

“**Ministry**” means the Ministry of Forests, Lands, Natural Resource Operations and Rural Development;

“**NDT**” means the natural disturbance type of an ecosystem associated with a forest stand;

“**NDT spatial data**” means the spatial data depicting the location of a NDT, as represented in the Biogeoclimatic Ecosystem Classification Subzone/Variant/Phase layer published in the B.C. Geographic Warehouse;

“**Fairy Creek Watershed Designated Area No.1**” means the area of Crown land specified under the Fairy Creek Watershed Designated Area No. 1, B.C. Reg. 148/2021;

“**permit or licence**” means a cutting permit, road permit, road use permit, timber sale licence, free use permit or licence to cut under the *Forest Act*;

“**Suspended Harvest Area**” means an area of overlap of the areas of the NDT and FCPSA identified in Columns 1 and 2 in the Table in Schedule 1 of this Order located in an area specified in Zone B of the Fairy Creek Watershed Designated Area No. 1, as determined through the overlay of the NDT spatial data with the FC spatial data for those areas;

“**Zone B**” means the area of Crown land within the Fairy Creek Watershed Designated Area No. 1 identified as Zone B on the map referred to in B.C. Reg. # 148/2021.

1. Subject to section 3, any part of a permit or licence pertaining to a right to cut, damage or destroy standing timber in a Suspended Harvest Area under that permit or licence is suspended.
2. Subject to section 3, a person referred to in section 170 of the *Forest Act* who has a discretion to issue a permit or licence is directed to not issue the permit or licence to the extent to which that permit or licence relates to the cutting, damage or destruction of standing timber in a Suspended Harvest Area.
3. Sections 1 and 2 do not apply in relation to:

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- a. A free use permit referred to in section 48 (1) (a.1), (b), (g) or (h) of the *Forest Act*;
 - b. A licence to cut referred to in section 47.6 (2) (d) of the *Forest Act*, as that licence pertains to the cutting, damage or destruction of standing timber described in section 2 (1) of the Licence to Cut Regulation, B.C. Reg. # 221/2006;
 - c. A cutting permit, timber sale licence, or forestry licence to cut referred to in section 72 (2) of the *Forest Act*, as that permit or licence pertains to the cutting, damage or destruction of standing Damaged Timber; or
 - d. The right to cut, damage or destroy standing timber granted under a road permit, occupant licence to cut, or road use permit that is necessary to maintain or deactivate a road.
4. This order expires June 8, 2023.

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SCHEDULE 1:

NDT	FCPSA
1	> 212 years
2	> 212 years
3	> 119 years
4	> 212 years