Great Bear Rainforest (Forest Management) Act

GREAT BEAR RAINFOREST (FOREST MANAGEMENT) REGULATION

Note: Check the Cumulative Regulation Bulletin 2015 and 2016 for any non-consolidated amendments to this regulation that may be in effect.
[includes amendments up to B.C. Reg. 328/2016, January 1, 2017]

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Definitions

1 In this regulation:

"AAC" means allowable annual cut;

"Act" means the Great Bear Rainforest (Forest Management) Act;

"affected forest licence" has the same meaning as in section 26 (1) [definitions for Part 4] of the Act;

"GeoBC map" means a map deposited in the Media Vault, GeoBC, Victoria;

"TFL" means tree farm licence;

"TSA" means timber supply area.

[am. B.C. Reg. 328/2016, Sch. s. 2.]

Interpretation for tables in sections 8, 12 and 16

1.1 (1) In an item of a table in section 8 (2) [AACs for forest licences in GBR North TSA], 12 [AACs for forest licences in GBR South TSA] or 16 [AACs for forest licences in North Island TSA]:

"exempt forest licence" has the same meaning as in section 26 (1) of the Act;

"former TSA", in relation to a forest licence, means the TSA that was specified in the licence, as that licence read on December 31, 2016;

"licence holder", in relation to a forest licence, means the person that holds the licence as of January 1, 2017.

(2) In an item of a table referred to in subsection (1), an affected forest licence is identified by the following information:

(a) in column 1, the licence number of the licence;
(b) in column 2, the licence holder;
(c) in column 3, the licence's former TSA.

[en. B.C. Reg. 328/2016, Sch. s. 3.]
Part 2 — Maximum AAC and Abolition of TSAs

Maximum AAC for GBR forest management area
2 The maximum AAC for the GBR forest management area is 2 500 000 m³.

Abolition of TSAs
3 The following TSAs are abolished:
   (a) the North Coast TSA;
   (b) the Mid Coast TSA;
   (c) the Kingcome TSA;
   (d) the Strathcona TSA.
[en. B.C. Reg. 328/2016, Sch. s. 5.]

Part 3 — GBR North TSA

Designation of GBR North TSA
4 The land contained within the boundaries shown and described on the GeoBC map with the map name Great Bear Rainforest North Timber Supply Area and map reference number 577.3409711 G786 TSA1 2016 is designated as the GBR North TSA.
[en. B.C. Reg. 328/2016, Sch. s. 6.]

AAC for GBR North TSA
5 The AAC for the Crown land in the GBR North TSA is 803 000 m³.
[en. B.C. Reg. 328/2016, Sch. s. 6.]

AAC partition for GBR North TSA
6 (1) The AAC of 803 000 m³ specified for the GBR North TSA is partitioned as follows:
   (a) 468 600 m³ is attributable to those areas of Crown land that
       (i) are located within the North Island Central Coast Forest District established under the Forest Act, and
       (ii) are not located within the Owikeno Lake basin;
   (b) 113 200 m³ is attributable to western red cedar and yellow cedar located within the Coast Mountain
       Forest District established under the Forest Act.
   (2) For the purposes of subsection (1) (a) (ii), the Owikeno Lake basin is the area located within the
       boundaries shown and labelled as the Owikeno Lake basin on the map referred to in section 4 [designation of
       GBR North TSA].
[en. B.C. Reg. 328/2016, Sch. s. 6.]

Apportionment of cut in GBR North TSA
7 In respect of the AAC of 803 000 m³ specified for the GBR North TSA,
   (a) 685 024 m³ is available to the minister for the purposes of granting under agreements referred to in
       section 12 (1) [form of agreements] of the Forest Act, and
   (b) 117 976 m³ is available to the timber sales manager for the purposes of granting under agreements
       referred to in section 12 (2) of the Forest Act.
[en. B.C. Reg. 328/2016, Sch. s. 6.]

AACs for forest licences in GBR North TSA
8 (1) For the purposes of paragraph (c) of the definition of "exempt forest licence" in section 26 (1)
[definitions for Part 4] of the Act, the affected forest licences identified in items 8, 12 and 20 of the table in
subsection (2) are prescribed.
For an affected forest licence identified in the following table, the GBR North TSA is the area in which Crown timber may be harvested under the licence, and the AAC set out in column 4, opposite the licence's identification information in columns 1 to 3, is the AAC that may be harvested under that licence:

<table>
<thead>
<tr>
<th>Item</th>
<th>Licence No.</th>
<th>Licence Holder</th>
<th>Former TSA</th>
<th>AAC (m³)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A71731</td>
<td>Gitga'at Forestry Inc.</td>
<td>North Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>2</td>
<td>A93864</td>
<td>Gwa'nak Resources Ltd.</td>
<td>Mid Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>3</td>
<td>A94046</td>
<td>Gwa'nak Resources Ltd.</td>
<td>Mid Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>4</td>
<td>A16841</td>
<td>Interfor Corporation</td>
<td>North Coast</td>
<td>24 488</td>
</tr>
<tr>
<td>5</td>
<td>A16850</td>
<td>Interfor Corporation</td>
<td>Mid Coast</td>
<td>83 382</td>
</tr>
<tr>
<td>6</td>
<td>A82001</td>
<td>Interfor Corporation</td>
<td>Mid Coast</td>
<td>66 671</td>
</tr>
<tr>
<td>7</td>
<td>A82002</td>
<td>Interfor Corporation</td>
<td>Mid Coast</td>
<td>22 223</td>
</tr>
<tr>
<td>8</td>
<td>A94009</td>
<td>Kitasoo Forest Company Ltd.</td>
<td>North Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>9</td>
<td>A94536</td>
<td>Kitasoo Forest Company Ltd.</td>
<td>Mid Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>10</td>
<td>A83918</td>
<td>Kvakua Enterprises Limited Partnership</td>
<td>Mid Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>11</td>
<td>A93776</td>
<td>Kvakua Forestry Services Ltd.</td>
<td>Mid Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>12</td>
<td>A94010</td>
<td>Kvakua Forestry Services Ltd.</td>
<td>North Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>13</td>
<td>A94515</td>
<td>Kvakua Forestry Services Ltd.</td>
<td>Mid Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>14</td>
<td>A94516</td>
<td>Kvakua Forestry Services Ltd.</td>
<td>Mid Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>15</td>
<td>A90762</td>
<td>Nanwakolas Forestry Limited Partnership</td>
<td>Mid Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>16</td>
<td>A87259</td>
<td>Nuxalk Forestry Limited Partnership</td>
<td>Mid Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>17</td>
<td>A16837</td>
<td>Sonora Logging Limited</td>
<td>North Coast</td>
<td>14 049</td>
</tr>
<tr>
<td>18</td>
<td>A16838</td>
<td>Sonora Logging Limited</td>
<td>North Coast</td>
<td>10 001</td>
</tr>
<tr>
<td>19</td>
<td>A16848</td>
<td>SWC Holdings Ltd.</td>
<td>Mid Coast</td>
<td>10 001</td>
</tr>
<tr>
<td>20</td>
<td>A16820</td>
<td>Triumph Timber Ltd.</td>
<td>North Coast</td>
<td>not specified</td>
</tr>
<tr>
<td>21</td>
<td>A16845</td>
<td>Western Forest Products Inc.</td>
<td>Mid Coast</td>
<td>136 029</td>
</tr>
<tr>
<td>22</td>
<td>A16847</td>
<td>Western Forest Products Inc.</td>
<td>Mid Coast</td>
<td>19 674</td>
</tr>
</tbody>
</table>

Part 4 — GBR South TSA

Designation of GBR South TSA

The land contained within the boundaries shown and described on the GeoBC map with the map name Great Bear Rainforest South Timber Supply Area and map reference number 577.3409711 G786 TSA2 2016 is designated as the GBR South TSA.
The AAC for the Crown land in the GBR South TSA is 830 500 m3.

Apportionment of cut in GBR South TSA

In respect of the AAC of 830 500 m3 specified for the GBR South TSA,

(a) 608 445 m3 is available to the minister for the purposes of granting under agreements referred to in section 12 (1) [form of agreements] of the Forest Act, and
(b) 222 055 m3 is available to the timber sales manager for the purposes of granting under agreements referred to in section 12 (2) of the Forest Act.

AACs for forest licences in GBR South TSA

For an affected forest licence identified in the following table,

<table>
<thead>
<tr>
<th>Item</th>
<th>Licence No.</th>
<th>Licence Holder</th>
<th>Former TSA</th>
<th>AAC (m3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A92581</td>
<td>Da'naxda'xw Forestry Services Ltd.</td>
<td>Kingcome</td>
<td>not specified</td>
</tr>
<tr>
<td></td>
<td>(exempt forest licence)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>A93095</td>
<td>Gwa'nak Resources Ltd.</td>
<td>Kingcome</td>
<td>not specified</td>
</tr>
<tr>
<td></td>
<td>(exempt forest licence)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>A93096</td>
<td>Gwa'nak Resources Ltd.</td>
<td>Kingcome</td>
<td>not specified</td>
</tr>
<tr>
<td></td>
<td>(exempt forest licence)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>A94311</td>
<td>Gwa'nak Resources Ltd.</td>
<td>Kingcome</td>
<td>not specified</td>
</tr>
<tr>
<td></td>
<td>(exempt forest licence)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>A94047</td>
<td>Gwa'nak Resources Ltd.</td>
<td>Kingcome</td>
<td>not specified</td>
</tr>
<tr>
<td></td>
<td>(exempt forest licence)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>A90455</td>
<td>Homalco Forestry Limited Partnership</td>
<td>Strathcona</td>
<td>not specified</td>
</tr>
<tr>
<td></td>
<td>(exempt forest licence)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>A19232</td>
<td>Interfor Corporation</td>
<td>Strathcona</td>
<td>20 837</td>
</tr>
<tr>
<td>8</td>
<td>A19238</td>
<td>Interfor Corporation</td>
<td>Kingcome</td>
<td>167 395</td>
</tr>
<tr>
<td>9</td>
<td>A77806</td>
<td>Interfor Corporation</td>
<td>Kingcome</td>
<td>111 596</td>
</tr>
<tr>
<td>10</td>
<td>A77807</td>
<td>Interfor Corporation</td>
<td>Kingcome</td>
<td>95 034</td>
</tr>
<tr>
<td>11</td>
<td>A86955</td>
<td>Interfor Corporation</td>
<td>Strathcona</td>
<td>17 320</td>
</tr>
<tr>
<td>12</td>
<td>A90383</td>
<td>Kwiakah First Nation</td>
<td>Strathcona</td>
<td>not specified</td>
</tr>
<tr>
<td></td>
<td>(exempt forest licence)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>A19242</td>
<td>Mill &amp; Timber Products Ltd.</td>
<td>Kingcome</td>
<td>40 029</td>
</tr>
<tr>
<td>14</td>
<td>A49542</td>
<td>Northwest Hardwoods Canada, Inc.</td>
<td>Kingcome</td>
<td>10 932</td>
</tr>
<tr>
<td>15</td>
<td>A92058</td>
<td>Qwe'Qwa'sot'em Forestry Ltd.</td>
<td>Kingcome</td>
<td>not specified</td>
</tr>
<tr>
<td></td>
<td>(exempt forest licence)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>A20913</td>
<td>Timberwest Forest Corp.</td>
<td>Strathcona</td>
<td>24 006</td>
</tr>
<tr>
<td>17</td>
<td>A29159</td>
<td>Timberwest Forest Corp.</td>
<td>Strathcona</td>
<td>21 412</td>
</tr>
<tr>
<td>18</td>
<td>A19244</td>
<td>Western Forest Products Inc.</td>
<td>Kingcome</td>
<td>14 065</td>
</tr>
</tbody>
</table>

Part 5 — North Island TSA

Designation of North Island TSA
The land contained within the boundaries shown and described on the GeoBC map with the map name North Island Timber Supply Area and map reference number 577.3409711 G786 TSA3 2016 is designated as the North Island TSA.

[en. B.C. Reg. 328/2016, Sch. s. 6.]

AAC for North Island TSA
14 The AAC for the Crown land in the North Island TSA is 1 248 100 m³.

[en. B.C. Reg. 328/2016, Sch. s. 6.]

Apportionment of cut in North Island TSA
15 In respect of the AAC of 1 248 100 m³ specified for the North Island TSA,

(a) 885 510 m³ is available to the minister for the purposes of granting under agreements referred to in section 12 (1) [form of agreements] of the Forest Act, and
(b) 362 590 m³ is available to the timber sales manager for the purposes of granting under agreements referred to in section 12 (2) of the Forest Act.

[en. B.C. Reg. 328/2016, Sch. s. 6.]

AACs for forest licences in North Island TSA
16 For an affected forest licence identified in the following table,

(a) the North Island TSA is the area in which Crown timber may be harvested under the licence, and
(b) the AAC set out in column 4, opposite the licence's identification information in columns 1 to 3, is the AAC that may be harvested under that licence:

<table>
<thead>
<tr>
<th>Item</th>
<th>Licence No.</th>
<th>Licence Holder</th>
<th>Former TSA</th>
<th>AAC (m³)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A19236</td>
<td>Aat'uu Forestry Limited Partnership</td>
<td>Strathcona</td>
<td>55 445</td>
</tr>
<tr>
<td>2</td>
<td>A84558</td>
<td>Ka:'yu:'k't'h/Che:k:tles7et'h' First Nations</td>
<td>Strathcona</td>
<td>not specified</td>
</tr>
<tr>
<td>3</td>
<td>A75083</td>
<td>Lions Gate Forest Products Ltd.</td>
<td>Kingcome</td>
<td>not specified</td>
</tr>
<tr>
<td>4</td>
<td>A53745</td>
<td>Matchlee Limited Partnership</td>
<td>Strathcona</td>
<td>16 918</td>
</tr>
<tr>
<td>5</td>
<td>A90791</td>
<td>Nuchatlaht</td>
<td>Strathcona</td>
<td>not specified</td>
</tr>
<tr>
<td>6</td>
<td>A74689</td>
<td>Raven Industries Ltd.</td>
<td>Strathcona</td>
<td>10 336</td>
</tr>
<tr>
<td>7</td>
<td>A19243</td>
<td>Richmond Plywood Corporation Limited</td>
<td>Kingcome</td>
<td>38 109</td>
</tr>
<tr>
<td>8</td>
<td>A91925</td>
<td>Tlowitsis Tribe</td>
<td>Strathcona</td>
<td>not specified</td>
</tr>
<tr>
<td>9</td>
<td>A94321</td>
<td>Tlowitsis Tribe</td>
<td>Strathcona</td>
<td>not specified</td>
</tr>
<tr>
<td>10</td>
<td>A19231</td>
<td>Western Forest Products Inc.</td>
<td>Strathcona</td>
<td>303 283</td>
</tr>
<tr>
<td>11</td>
<td>A90802</td>
<td>WWK Forestry Limited Partnership</td>
<td>Strathcona</td>
<td>not specified</td>
</tr>
<tr>
<td>12</td>
<td>A91958</td>
<td>0898322 B.C. Ltd.</td>
<td>Strathcona</td>
<td>not specified</td>
</tr>
<tr>
<td>13</td>
<td>A94482</td>
<td>0898322 B.C. Ltd.</td>
<td>Strathcona</td>
<td>not specified</td>
</tr>
</tbody>
</table>

[en. B.C. Reg. 328/2016, Sch. s. 6.]

AACs for new forest licences in North Island TSA
17  (1) The holder of an affected forest licence identified in item 7, 8, 9, 10, 11, 17 or 18 of the table in section 12 [ACs for forest licences in GBR South TSA] may also harvest Crown timber in the North Island TSA under a new forest licence if the minister enters into the new forest licence with that holder in accordance with section 29 [direct award of a new forest licence] of the Act.

(2) The AAC that may be harvested under a new forest licence referred to in subsection (1) is the AAC set out in column 2 of the following table, opposite the holder referred to in column 1 with whom the minister may enter into the new forest licence:

<table>
<thead>
<tr>
<th>Item</th>
<th>AAC (m3) for New Forest Licence in North Island TSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>holder of licence no. A19232 identified in item 7 of the table in section 12 104 689</td>
</tr>
<tr>
<td>2</td>
<td>holder of licence no. A19238 identified in item 8 of the table in section 12 12 63 495</td>
</tr>
<tr>
<td>3</td>
<td>holder of licence no. A77806 identified in item 9 of the table in section 12 42 330</td>
</tr>
<tr>
<td>4</td>
<td>holder of licence no. A77807 identified in item 10 of the table in section 12 36 047</td>
</tr>
<tr>
<td>5</td>
<td>holder of licence no. A86955 identified in item 11 of the table in section 12 87 015</td>
</tr>
<tr>
<td>6</td>
<td>holder of licence no. A29159 identified in item 17 of the table in section 12 14 880</td>
</tr>
<tr>
<td>7</td>
<td>holder of licence no. A19244 identified in item 18 of the table in section 12 5 443</td>
</tr>
</tbody>
</table>

[en. B.C. Reg. 328/2016, Sch. s. 6.]

Part 6 — Pacific TSA

AAC for Pacific TSA
18 The AAC for the Crown land in the Pacific TSA is

(a) 62 400 m3 for the GBR part of the TSA, and
(b) 1 279 700 m3 for the non-GBR part of the TSA.
[en. B.C. Reg. 328/2016, Sch. s. 6.]

Apportionment of cut in GBR part of Pacific TSA
19 In respect of the AAC of 62 400 m3 specified for the GBR part of the Pacific TSA,

(a) 11 052 m3 is available to the minister for the purposes of granting under agreements referred to in section 12 (1) [form of agreements] of the Forest Act, and
(b) 51 348 m3 is available to the timber sales manager for the purposes of granting under agreements referred to in section 12 (2) of the Forest Act.
[en. B.C. Reg. 328/2016, Sch. s. 6.]

Apportionment of cut in non-GBR part of Pacific TSA
20 In respect of the AAC of 1 279 700 m3 specified for the non-GBR part of the Pacific TSA,

(a) 9 999 m3 is available to the minister for the purposes of granting under agreements referred to in section 12 (1) [form of agreements] of the Forest Act, and
(b) 1 269 701 m3 is available to the timber sales manager for the purposes of granting under agreements referred to in section 12 (2) of the Forest Act.
[en. B.C. Reg. 328/2016, Sch. s. 6.]

Part 7 — TFL 25

AAC for TFL area for TFL 25
21 The AAC for the TFL area for TFL 25 is 234 300 m3.
[en. B.C. Reg. 328/2016, Sch. s. 6.]

Allocation of AAC for TFL area for TFL 25
22 The AAC of 234 300 m3 specified for the TFL area for TFL 25 is allocated as follows:
Part 8 — TFL 39

Division 1 — AAC for TFL Area for TFL 39

AAC for TFL area for TFL 39
23 The AAC for the TFL area for TFL 39 is

(a) 41 300 m$^3$ for the GBR part of the TFL area, and
(b) 1 375 000 m$^3$ for the non-GBR part of the TFL area.

Partition of AAC for TFL area for TFL 39
24 (1) In this section, “management plan” means a management plan within the meaning of section 35.2 [management plan for tree farm licence] of the Forest Act.

(2) The AAC of 1 375 000 m$^3$ specified for the non-GBR part of the TFL area for TFL 39 is partitioned in order to attribute 1 203 000 m$^3$ to those areas of Crown land and private land that are identified as conventional harvesting areas in the map attached to the management plan for the TFL area, as that management plan read on January 1, 2017.

Division 2 — Adaption of Cut Control for TFL 39

Definitions for Division 2
25 In this Division:

"last cut control period", in relation to a notional licence, means the cut control period that ends when the AAC adjustment period ends;

"notional licence" means a notional licence established by section 27 [notional division of TFL 39].

Application of Division 2
26 This Division applies in respect of TFL 39 in order to take into account the following:

(a) the AAC specified by the Lieutenant Governor in Council for the GBR part of TFL area;
(b) the AAC specified by the Lieutenant Governor in Council for the non-GBR part of the TFL area;
(c) if determined, the AAC determined by the chief forester for the non-GBR part of TFL area.

Notional division of TFL 39
27 (1) During the AAC adjustment period, TFL 39 is notionally divided into

(a) a notional licence for the GBR part of the TFL area, and
(b) a notional licence for the non-GBR part of the TFL area.

(2) A notional licence is deemed to be a licence as defined in section 75.4 (1) [cut control period for major licences] of the Forest Act.

Cut control rules for TFL 39
28  (1) The first cut control period for a notional licence is deemed to have begun on the same day as the cut control period for TFL 39, as that cut control period existed immediately before January 1, 2017.

(2) Subject to subsections (1) and (3), the cut control periods for a notional licence are the cut control periods determined for the notional licence under section 75.4 [cut control period for major licences] of the Forest Act.

(3) The cut control period for a notional licence ends when the AAC adjustment period ends.

[en. B.C. Reg. 328/2016, Sch. s. 6.]

Assignment of timber harvested under TFL 39

29 During the AAC adjustment period, the minister may assign to a notional licence the volume of timber harvested under TFL 39 or portions of that volume that the minister considers appropriate.

[en. B.C. Reg. 328/2016, Sch. s. 6.]

Rules for excess volume harvested under TFL 39

30 If there is an excess volume of timber harvested during the last cut control period for a notional licence, the excess volume

(a) must be treated under section 75.7 [carry forward of excess harvest volume] of the Forest Act as being timber harvested during the next cut control period for TFL 39, and

(b) must not be offset by the unharvested volume, if any, relating to the last cut control period for the other notional licence.

[en. B.C. Reg. 328/2016, Sch. s. 6.]

Part 9 — TFL 45

AAC for TFL area for TFL 45

31 The AAC for the TFL area for TFL 45 is 140 000 m3.

[en. B.C. Reg. 328/2016, Sch. s. 6.]

Part 10 — TFL 47

Division 1 — AAC for TFL Area for TFL 47

AAC for TFL area for TFL 47

32 The AAC for the TFL area for TFL 47 is

(a) 388 500 m3 for the GBR part of the TFL area, and

(b) 241 500 m3 for the non-GBR part of the TFL area.

[en. B.C. Reg. 328/2016, Sch. s. 6.]

Division 2 — Adaption of Cut Control for TFL 47

Definitions for Division 2

33 In this Division:

"last cut control period", in relation to a notional licence, means the cut control period that ends when the AAC adjustment period ends;

"notional licence" means a notional licence established by section 35 [notional division of TFL 47].

[en. B.C. Reg. 328/2016, Sch. s. 6.]

Application of Division 2
This Division applies in respect of TFL 47 in order to take into account the following:

(a) the AAC specified by the Lieutenant Governor in Council for the GBR part of the TFL area;
(b) the AAC specified by the Lieutenant Governor in Council for the non-GBR part of the TFL area;
(c) if determined, the AAC determined by the chief forester for the non-GBR part of the TFL area.

Notional division of TFL 47
35 (1) During the AAC adjustment period, TFL 47 is notionally divided into

(a) a notional licence for the GBR part of the TFL area, and
(b) a notional licence for the non-GBR part of the TFL area.

(2) A notional licence is deemed to be a licence as defined in section 75.4 (1) [cut control period for major licences] of the Forest Act.

Cut control rules for TFL 47
36 (1) The first cut control period for a notional licence is deemed to have begun on the same day as the cut control period for TFL 47, as that cut control period existed immediately before January 1, 2017.

(2) Subject to subsections (1) and (3), the cut control periods for a notional licence are the cut control periods determined for the notional licence under section 75.4 [cut control period for major licences] of the Forest Act.

(3) The cut control period for a notional licence ends when the AAC adjustment period ends.

Assignment of timber harvested under TFL 47
37 During the AAC adjustment period, the minister may assign to a notional licence the volume of timber harvested under TFL 47 or portions of that volume that the minister considers appropriate.

Rules for excess volume harvested under TFL 47
38 If there is an excess volume of timber harvested during the last cut control period for a notional licence, the excess volume

(a) must be treated under section 75.7 [carry forward of excess harvest volume] of the Forest Act as being timber harvested during the next cut control period for TFL 47, and
(b) must not be offset by the unharvested volume, if any, relating to the last cut control period for the other notional licence.

[Provisions relevant to the enactment of this regulation: Great Bear Rainforest (Forest Management) Act, S.B.C. 2016, c. 16, sections 7, 8, 9, 11, 13, 17, 18, 21, 23, 27, 28, 65, 68 and 69]