FOREST PRACTICES CODE OF BC

Special Use Permits for Silviculture Camps - March 2025

This guidance is provided for the information of ministry staff, primarily district managers (DMs). While every effort has been made to ensure accuracy, the guide is only intended to provide an overview of the administrative requirements pertaining to Special Use Permits silviculture camps. It should not be interpreted as legal advice, and it should not be used in place of the Forest Practices Code of British Columbia Act, the Forest Act, their associated regulations or in place of advice of your solicitor.

EXPIRY: This guidance will expire in March 2030, or on replacement.

1.0 Legislative and Guidance References

Provincial Forest Use Regulation, Section 7
'Special Use Permit Administration Guide – Issuance' website

2.0 Purpose

This guidance defines the who, when and how Special Use Permits (SUPs) for silviculture camps are now authorized according to the 2018 Provincial Forest Use Regulation (PFUR) amendments. In 2018, changes to the PFUR added two new purposes that included silviculture activities and wildlife habitat enhancement and any associated facilities, including camps and waste disposal sites. This change requires that camps associated with silviculture (planting, brushing, pruning) or wildlife habitat enhancement activities require a SUP. A SUP includes a management and reclamation plan and applies annual charges, security deposit, and taxation for the commercial use of Crown land.

3.0 Background

A SUP is an authorization that allows the holder the non-exclusive rights to use and occupy Crown land within the provincial forest for purposes set out in Section 7 of the PFUR. The intent is to authorize ancillary activities that support the primary activities associated with the *Forest Act, Range Act, Mineral Tenure Act, Coal Act*, and other resource development activities.

In 2024, Forest Tenures Branch updated the provincial Special Use Permit Administration Guide for Issuance. This guidance further supports the information regarding silviculture camp issuance.

4.0 Specific Challenges Regarding Silviculture Camps

District staff have indicated that authorizing silviculture camps has been challenging for both contractors and/or district staff. Challenges include:

- Late silviculture contract issuance does not provide adequate time for SUP application(s) and approval process.
- The permit processing timeline for issuance can be prohibitive to contractors requiring the sites for short periods on a seasonal basis (i.e., three – five weeks).
- Permit process timeline influenced by:

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- incomplete application submissions (i.e., missing thorough management plans).
- First Nation consultation requirements and known concerns regarding camps introducing contaminants to the sites and potential ensuing liability.
- Electronic Submission Framework (ESF) requirement.

These challenges have led to delays between client application and issuance, and subsequent unauthorized silviculture camps and/or unreported camps on Crown land. Under the *Public Health Act* and Industrial Camp Regulation website, it says, "in the case of forestry operations, contractors establishing camps are required to provide the location and contact information of all camps to the local health authority (based on where the camp site is located), WorkSafe BC, and the Ministry of Forests (MOF). This must be done 72 hours before the establishment of any camp site".

To clarify, the 72 hours notification is a requirement of the *Public Health Act*, not the time required to process an SUP application. An SUP application approval process can take 3 to 6 months.

4.1 Silviculture Contractors

Silviculture contractors are dependent on a contract system for acquiring work. Contracts can span a single year, while other contracts can be issued for multi-year with options to renew. District staff will rely on details in the application to determine the term of a SUP.

4.2 BC Timber Sales Contractors

In the past, BC Timber Sales (BCTS) authorized engineering and silviculture contractors, through their contracts, to establish camps. Unfortunately, the contract is not the appropriate authority for a camp. The district manager (DM) has the only authority to issue the permit or authorization related to silviculture camps. Therefore, BCTS contractors must apply for a SUP when using Crown land for silviculture camps.

BCTS may share known historic silviculture camp locations in proximity to their annual contracts, within the contract bid packages, so that silviculture contractors may consider these sites for SUP application(s) early on. An appropriate, preferred silviculture camp location has these attributes:

- Proximity to worksites (e.g., central to concentration of work) with good access by May.
- Proximity to water source (used for showers, laundry, fire preparedness).
- At least 0.5-1 hectares of vehicle accessible space for camp infrastructure (camper and private vehicles, cook and dining shack, showers, reefers, and room for work trucks to turn and park safely). Workers' tents tend to overflow into adjacent timber for shelter from the weather.

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  - Preferred with adjacent tree cover (younger stands are safer).
  - Consider exposure and drainage of the site.
- A peaceful space to accommodate work/sleep schedule is ideal.
- Multiple emergency evacuation options.

4.3 Other Permits and Legislation

The SUP provides the authority to use and occupy Crown land, but the SUP does not provide the other authorities around the requirement for camps. Under provincial legislation, all camp providers must be consistent with all applicable legislation (as it applies to the specific circumstances). The following are the most common statutes that may apply to a camp:

- *Public Health Act,* including its Industrial Camp Regulation and Industrial Camp Health Regulation, Food Premises Regulation, *Health Act* Communicable Disease Regulation, and the Sewage System Regulation.
- *Environmental Management Act* and its regulations.
- *Workers Compensation Act* – WorkSafe BC.
- *Water Sustainability Act*.
- *Drinking Water Protection Act* and its regulations; and
- *Tobacco Control Act* and its regulations.

It is a condition of the SUP to follow all applicable legislation and non-conformance of that condition may result in the suspension of the SUP.

4.4 Compliance

Under the *Forest and Range Practices Act (FRPA*), Section 54, if a silviculture camp does not have an appropriate SUP, a Natural Resource Officer may issue a violation ticket and/or proceed with an administration hearing. Alternatively, under the *Land Act*, a Natural Resource Officer could issue a Trespass Notice.

5.0 Other Considerations

In the past, the following options were considered in lieu of a SUP application and are not recommended for silviculture camps.

5.1 Land's Permission Policy

The *Land Act* and the *Land Act* permission policy permits public camping (non-commercial and non-industry) on vacant Crown land that must abide by the following principle:

- Up to 14 consecutive calendar days (consecutive days are cumulative unless the person and their vehicle and equipment are not present on the site for a period of at least 72 consecutive hours).

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5.2 Prior Rights or Tenured Land

At times, silviculture camp(s) are set up in gravel pits or landings that are already under a *Forest Act* permit or *Land Act* tenure (e.g., gravel pit). The existing tenures under the *Forest Act* or *Land Act* may not authorize a temporary camp; therefore, a SUP for the silviculture camp is still required when using land already tenured for another purpose.

5.3 Use of a Recreational Site

Under the Forest Recreation Regulation, Section 16, use of a recreation site as a place of temporary residence while engaged in a business or industrial activity outside of the site, or part of a gathering of 15 or more persons is not permitted unless authorized by the recreation officer (e.g., to use the recreation site or a portion of the recreation site for silviculture camps).

6.0 Recommended Communications

Early communication may help accelerate the permitting process by building understanding between parties and addressing challenges together.

6.1 Communication with Licensee's (Clients)

It is recommended that SUP applicants communicate with clients to acquire an inventory of available silviculture camp locations (e.g., already under SUP) that exist on the land base and/or proposed sites in proximity to the annual bid packages, at the time of receiving the bid packages (see Section 4.2).

6.2 Information Referrals with First Nations

It is recommended that SUP applicants share information with local Nations that overlap areas of interest for silviculture camp location(s). Including a communications summary with the SUP application may help move the permit through the consultation process more efficiently.

6.3 Communication with District Staff

It is the SUP applicant's responsibility to communicate with district staff. Early discussions to outline areas of interest and potential spatial conflicts will set the permitting process up for more efficient processing.

- Address potential referral concerns with camp(s) and the potential SUP conditions to mitigate those concerns.
    - Review and identify restrictions on application areas such as: private land, existing tenure, overlapping land use designations (i.e., GWMs), requirement for archaeology overview assessments (implications of high potential archaeology sites), and cultural heritage assessments (that may indicate First Nation interests).
    - Discuss the level of consultation or notification, based on potential impact of camp specifics (e.g. length of stay, size of camp) to Indigenous interests, and possible accommodations, or other agreed parameters.

- Ensure that SUP application is complete prior to submission.
- Address last minute unforeseen circumstances (e.g., access issues to work sites, wildfire forcing work elsewhere) and determine a course of action together.

6.4 FOR Consultation with First Nations

It is government's responsibility to complete First Nation consultation for all permits applied for on Crown land.

7.0 Spatial Analysis Requirements

Applicants are encouraged to and can access iMapBC to source information on First Nation Consultation Area overlap, tenures, and encumbrances when preparing their SUP applications.

8.0 Special Use Permit Issuance Options

Four options have been outlined below, in the order of preference, to facilitate efficient approval of silviculture camp(s) on the land base.

For all Silviculture Camp SUPs:	• Notification of occupation to the district inbox within 72 hours prior to use to comply with the *BC Public Health Act* directive. • SUP holder must request extensions six months prior to the expiry date. • SUPs sites for silviculture camps must be in the district boundary. • Term could be up to five years with the option of two extensions, except for Option 3. • DM must be satisfied that the camp does not negatively impact Indigenous interests, resource values, or impede the rights of any tenure holder. • Annual charge, security deposit and BC Assessment taxes apply. • All silviculture camps must have their SUP document on site.

Options:	**Actions:**	**Major Licensee**	**Silviculture Contractor**
1. **Amendment to an existing SUP**	• SUP holder amendment to add silviculture camps as an approved activity. • Term for silviculture camps is a maximum five years and must be addressed as such in the existing SUP. • SUP plan is updated to address camp use and is embedded in the legal SUP amendment document (FS3 – Amendment Form).	X	

2. **Multi-sites over multi-year SUP** (with an option to add or delete areas on annual basis)	• a maximum of five approved unique sites allowed at a time within ministry system (FTA). If the applicant wishes, they may identify more than five sites (contained on an additional map and as part of the application submission) to be included in First Nation consultation.
	  ○ Deposit equivalent for one site required.
	  ○ Annual charges equivalent for one site required ($500).
	  ○ BC Assessment equivalent for all sites required.
	• Option to add or delete areas on an annual basis:
	  ○ By November 30th each year, the SUP holder must notify the DM of any sites that were used as camps and are intending to be removed from the SUP in the upcoming year.
	  ○ By January 31 each year, the SUP holder must provide, via ESF submission, any additions to the sites (for SUP amendment) they want to use within the calendar year. District staff must consult with First Nations on any areas not included in the original SUP application and associated consultation.
	• SUP holder must provide notification of completion of restoration or clean-up commitments one week after evacuating the camp to the district inbox to comply with the requirements of the SUP.
	• With consent from the existing multi-site SUP holder, the DM may approve a short-notice SUP (#3 below) for other silviculture camp(s) over the multi-site SUP(s). This would be so that other contractors/licensees would have access to the same camp locations for different silviculture treatments at different (non-conflicting) times in the year.
		X	X

3. **Short-Notice SUP Camp Approvals** (<6 weeks)	• Term would be 45 days with no replacement options. • Intended for emerging/short notice camp site needs (e.g., due to wildfire impact, access issues). • No ESF submission is required since there is spatial already in the system. • Camp(s) restricted to area(s) where: ○ status and clearance previously completed and on file.	X	X

	○ any required archeological or cultural heritage assessments have been completed already. ○ is contained within a suitably authorized area(s) (e.g., an existing SUP, active cutting permit, timber sale licence). • Written consent from current tenure holder to the site must be included with the SUP application submission (e.g., this may be the licensee the contractor is completing the work for).		
4. **Normal process for site-by-site approval** for Silviculture Treatments or Wildlife Habitat Enhancement	• Term is variable (up to 5 years) dependent on the project, contract lengths or other factors. • Standard, full application procedures required (SUP application, SUP plan, ESF submission, referrals, First Nation consultation). • SUP holder must provide notification of completion of restoration or clean-up commitments 72 hours after evacuating the camp to the district inbox to comply with the requirements of the SUP.	X	X

9.0 Contact

For more information, please contact Forest Tenures Branch at ForestTenuresBranch@gov.bc.ca.

File: 19570-02/Interim Guidance SUP Silviculture Camps
Reference: 281388

May 14, 2025

VIA EMAIL: hotpulp@gmail.com

John Betts, Executive Director
Western Forestry Contractors' Association
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Dear John Betts & All Licence Holders:

Attached is the Interim Guidance for Special Use Permits (SUPs) for Silviculture Camps that will serve as provincial guidance in the issuance for SUPs under Section 7 (1.2) (c) of the Provincial Forest Use Regulation. As an interim guidance, it is intended to be updated regularly to incorporate new learnings as required. This guidance was informed by natural resource districts, Forest Tenures Branch, BC Timber Sales, Natural Resource Officer Service (previously known as Compliance and Enforcement Branch) and Western Forestry Contractors' Association representatives.

In 2018, changes to the Provincial Forest Use Regulation added two new purposes that included silviculture activities and wildlife habitat enhancement and any associated facilities, including camps and waste disposal sites. This change requires that camps associated with silviculture (planting, brushing, pruning) or wildlife habitat enhancement activities require a SUP. A SUP includes a management and reclamation plan and applies annual charges, security deposit, and taxation for the use of Crown land.

This guidance document is available publicly on the Special Use Permit website. If you have any questions or concerns, please do not hesitate to contact Forest Tenures Branch staff at ForestTenuresBranch@gov.bc.ca.

Yours truly,

P. Russell

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Director
Forest Tenures Branch

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John Betts, Executive Director & All Licence Holders

Attachment(s): Interim Guidance for Special Use Permits for Silviculture Camps

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