

LICENCES AND PERMITS

MINOR FOREST PRODUCT AND ACTIVITY PERMIT

LIC.18

PROCEDURE

Date Procedure Implemented: January 6, 2003
Date Procedure Amended: August 16, 2010

Council Resolution 03/023
Council Resolution: RC10/457

Purpose

The public often request permission to collect various minor forest products (Products) from the Municipal Forest area for both personal and commercial use. Some illustrative examples are for firewood, rails, posts, cedar shakes, moss, ferns, boughs, trees and plants. The purpose of this policy is to provide guidelines for the circumstances under which permits are issued for these Products as well as list applicable fees.

It is recognized that responsible public collection of minor products in the Municipal Forest may be appropriate in certain circumstances although a permit may not be granted for various reasons as explained in the General section, part 3 below.

This policy also discusses permits which are requested for land use events or activities. Examples are commercial horseback riding or the holding of a mountain bike race.

General

1. Requests for a permit to cut and/or remove minor products from any District owned property are to be made at the Forestry Department office located at 33835 Dewdney Trunk Road. Requests for a Products permit for removal of minor forest products from District parks will not be entertained.
2. When a request for a Products permit is made, a Forestry staff person requires a minimum of the following information:
 - Type of product requested,
 - Amount of product requested,
 - The preferred collection time period,
 - Any specific locations where the applicant wishes to collect in,
 - Confirmation whether the product is for personal use or for commercial resale or trade.
 - Applicant's name, phone number, address, vehicle description and licence plate number.

3. Permits are not automatically issued for Products. Each permit request is to be judged on its own merits and the issuance of a permit is subject to:
 - Availability and sustainability of the requested Product,
 - Impact on Municipal Forest operations,
 - Consideration for safety, fire hazard and for forest health and values.
 - Protection of plantations, roads, equipment, facilities, wildlife habitat, biodiversity, water quality, recreational opportunities, resident's privacy rights or other forest resources.
 - The customer previously had another permit and did not follow all conditions of that permit.
 - The customer borrowed a Municipal Forest gate key(s) in the past, which was not returned in accordance with the key loan requirements.
4. Although each permit requires a certain amount of risk and staff time, positive factors for considering the issuance of permits include improved public relations, enhanced revenue opportunities and a growing trend toward utilizing non-timber forest resources including sustainable botanical forest products.
5. Due to the relative scarcity of availability of many of the Products, preference for issuing permits may be given to District of Mission residents.
6. Where the Forestry Department staff decides to issue a permit, it shall be in writing with two copies signed by both the Permittee and the Director of Forest Management or his authorized designate. Once signed, the District will retain one copy and the other issued to the Permittee.
7. The permit will contain details such as the Permittee's name, address and phone number, the Product to be collected, the volume allowed, the valid time period, any fee required, the authorized collection area including a map where appropriate, an adequate release form regarding the District's liability and sufficient other details to ensure adequate control is achieved in the activities allowed under the permit.
8. Permit holders are subject to road access restrictions, operational limitations, non-exclusive road use and payment of a deposit on key loans to access Municipal Forest gates in accordance with PRO.26 – Forestry Gate Keys policy.
9. Personal firewood cutting is not covered by this Policy. Applications for personal firewood cutting are covered under LIC.11 – Firewood Cutting Permit policy.
10. Generally, commercial projects involving items such as firewood or cedar shake blocks will have a fee charged based on the specifics of each project and will usually be done in a fee per unit format. The awarding of permits in this category would usually be subject to a competitive tender process.
11. Where a request for cutting and removing a living tree or trees is made, the decision to issue a permit will be in accordance with this policy. Due to the numerous factors and variables involved, the fee for each permit will be determined by Mission based on the specifics of that project.

Personal and Commercial Use Distinction

A personal-use permit will generally be the most appropriate where the Product is for personal use for a relatively small volume, such as less than 2 pickup loads and Municipal staff supervision is not required or very limited. Otherwise a commercial permit is required.

A commercial Permittee is to report regularly on their progress to the District unless stated otherwise in a specific agreement. Additionally, the Permittee is to provide the District when asked with information on Product removal (type, volume and location) and any accident incidents.

Permit Conditions

Issuing permits requires a certain amount of staff time, cost to the District as well as operational and legal risk. In many cases, additional field supervision is required. Consideration may also be given to crown vs. municipal land in the Municipal Forest and to future opportunities foregone if the product's supply becomes more depleted. As such, permits are to be issued subject to the following terms and conditions and the Mission Forestry Department will have sole discretion if any of the following conditions are varied:

Topic	Commercial Permit	Personal Permit
Term	1 month maximum for new contractor and with satisfactory reassessment after each permit, up to 2 month maximum for each permit thereafter. Permits may not be issued during higher fire hazard season (approx. mid June – mid. Sept.)	1 week maximum. If renewed, new fee is payable regardless of Products taken out in 1 st permit. Permits may not be issued during higher fire hazard season (approx. mid June – mid. Sept.)
Permit Fee	For rails, posts, significant landing or roadside debris or similar the fee is \$300 per month. For botanical products such as moss, plants, boughs and ferns or similar the fee is \$150 per month. These fees allow up to ten normal pickup truck loads of material for the one-month period. Fees are to be paid prior to permit issuance. Short term, trial projects may be at a reduced fee.	For any Product, \$25 per permit up to a maximum of 2 regular pick-up loads. Fees are to be paid prior to permit issuance.
Areas	Permit normally will be located in a specific area so there is no overlap with another Permittee. Where possible, well-identified natural boundaries such as roads and creeks will be used as boundaries.	Permit normally will be located in a specific area so there is no overlap with another Permittee. Where possible, well-identified natural boundaries such as roads and creeks will be used as boundaries.
Time to Issue Permit	Mission staff will have up to 2 weeks to issue permit to allow time to decide on areas, product availability and permit conditions. Mission staff has final right to decide on if and how permit will be issued.	Mission staff will have up to 1 week to issue permit to allow time to decide on areas, product availability and permit conditions. Mission staff has final right to decide on if and how permit will be issued.

Topic	Commercial Permit	Personal Permit
Security Deposit	For rails, posts, significant landing or roadside debris or similar, \$1,000 prior to permit issuance. For botanical products such as moss, plants, boughs and ferns or similar, \$500 prior to permit issuance. These deposits are 100% refundable if all conditions met, 50% refundable if 1 condition is broken and 0% refundable if 2 or more conditions are broken. Mission is to be the sole determiner of this.	For rails, posts, significant landing or roadside debris or similar, \$100 at time of permit issuance. For botanical products such as moss, plants, boughs and ferns or similar, \$50 prior to permit issuance. These deposits are 100% refundable if all conditions met, 50% refundable if 1 condition is broken and 0% refundable if 2 or more conditions are broken. Mission is to be the sole determiner of this. Checking the completed permit area and issuing the refund cheque may take about 2 weeks.
WCB	Contractor will need to obtain proper Workers Compensation Board coverage and follow all WCB rules.	Not required for personal permit although the Permit will include clauses to exempt Mission from liability.
Insurance Required	Contractor needs adequate comprehensive commercial insurance (\$2,000,000 minimum), fire fighting endorsement during fire season only (\$500,000 minimum) and vehicle insurance (\$2,000,000 minimum) with Mission as named insured.	Not required for personal permit although the Permit will include clauses to exempt Mission from liability.
If Gate Key Needed	Usual gate key policy conditions apply in addition.	Usual gate key policy conditions apply in addition.
Renewable	Yes, if conditions are met on previous permit, new fee is paid and new area available. If areas get too scarce, permits may be by tender.	Yes, but only once more in a one-year period and only if conditions are met on previous permit, new fee is paid and area available. Beyond this, it is a commercial permit.
Variance and Cancellation	If there are special justified circumstances, Mission may adjust some of the above terms. Mission will have the right to cancel permits without notice if any conditions are broken.	If there are special justified circumstances, Mission may adjust some of the above terms. Mission will have the right to cancel permits without notice if any conditions are broken.

Permits for Land Use Events and Activities in the Mission Municipal Forest

Examples of this type of permit request would be for commercial horse back riding or the holding of a mountain bike race within the Municipal Forest. Any requests for a permit under this section will need to be judged according to the relevant criteria in this policy and the specifics of the request. Depending on the specifics, a permit, at the sole discretion of the Forestry or Administration Department, may or may not be issued and a fee may or may not be required.

In all cases, safety and insurance issues are to be addressed in this type of permit.