



## FIREWOOD PERMIT REGULATION

Enacted under the *Forest Law*, section 24

TNReg 15/2016

Enacted on April 5, 2016

A handwritten signature in black ink, appearing to be "Clint Williams", written over a horizontal line.

Hegus [SIGNATURE]

Clint Williams

Hegus [NAME]

DEPOSITED IN THE TLA'AMIN  
REGISTRY

ON 14 / 04 / 16  
(day/month/year)

A handwritten signature in blue ink, appearing to be "Judith King", written over a horizontal line.

Signature of Law Clerk

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**Authority**

1. This Regulation is made pursuant to section 24 of the *Forest Law*.

**Definitions**

2. (1) In this Regulation,

“Law” means the Tla'amin Forest Law;

“permit” means the Tla'amin Personal and Family Firewood Permit;

“Permit Area” means the location, as determined by the Forest Manager and set out in the Tla'amin Personal and Family Firewood Permit, where an applicant is permitted to harvest Timber for personal and family firewood purposes;

“Permit Holder” means the person who holds the Tla'amin Personal and Family Firewood Permit in their name and who harvests the Timber; and

“Tla'amin Household” means the people in a family or other group, at least one of whom is a Tla'amin Citizen, that are living together at one address located on Tla'amin Lands. For further clarity, if a dwelling on Tla'amin Land contains a legal suite with its own separate address, that legal suite would be considered a separate Tla'amin Household, provided that one of the residents of that legal suite is a Tla'amin Citizen.

- (2) Unless otherwise expressly provided in this Regulation, all terms used in this Regulation have the same meanings as in the Law or the *Interpretation Law*.
- (3) Only those defined terms that are capitalized in section 2(1) of this Regulation, section 4 of the Law, or in the *Interpretation Law* are presented capitalized in the text of this Regulation, and all other defined terms are presented in lower case.

**Form and content of an application for a Tla'amin Personal and Family Firewood Permit**

3. A Tla'amin Citizen, or person authorized in writing by that Tla'amin Citizen in accordance with Tla'amin laws and policies, may apply for a Tla'amin Personal and Family Firewood Permit by submitting an application form, set out in Schedule A of this Regulation, to the Forest Manager.
4. An application under section 3 of this Regulation must contain the information required by the Forest Manager including the following:
  - (a) the full name of the Tla'amin Citizen making the application, a mailing address and a telephone number where the Tla'amin Citizen or individual may be contacted;
  - (b) where available, the electronic mail (email) address of the Tla'amin Citizen or individual;
  - (c) the planned use for personal and family firewood needs which may include use in a wood burning appliance, smokehouse, fire pit, or other reasonable use for the firewood;

- (d) confirmation that the Permit Holder will follow all applicable laws, regulations and safety requirements;
- (e) without limiting the generality of sub-section (d), confirmation that the Permit Holder will not in any way sell or market firewood collected under the permit;
- (f) confirmation that the Permit Holder agrees to harvest only in the Permit Area and during the hours specified in the permit or set out in an order or regulation;
- (g) confirmation that the Permit Holder agrees to harvest under the permit no more than 10.5 m<sup>3</sup> or three (3) cords of wood, unless special circumstances result in the Director giving written permission otherwise;
- (h) a waiver of liability against the Tla'amin Nation and all Tla'amin representatives for any potential injury, accident, death or damage that may occur in relation to activities under the permit; and
- (i) the preferred cutting date for the Tla'amin Personal and Family Firewood Permit.

**Designation of another individual to harvest**

- 5. The Tla'amin Personal and Family Firewood Permit shall provide the opportunity for a Tla'amin Citizen to designate, in writing, an individual to harvest Timber for personal firewood purposes on behalf of the Tla'amin Citizen provided that individual
  - (a) provides proper identification,
  - (b) fills out all forms and provides all information required by the Law and this Regulation,
  - (c) provides all Timber harvested under this permit to the Tla'amin Citizen on whose behalf they are harvesting, and
  - (d) agrees to be the Permit Holder.

**Term of a Tla'amin Personal and Family Firewood Permit**

- 6. A Tla'amin Personal and Family Firewood Permit shall be for a term of not more than one month, unless written permission is provided by the Director to extend the term.
- 7. A Tla'amin Personal and Family Firewood Permit shall not be issued to the same Tla'amin Household more than twice in one year unless, in special circumstances, the Director provides written permission otherwise.

**Liability**

- 8. The Permit Holder accepts all responsibility and liability as a result of the firewood harvesting and transport under this permit. Tla'amin Nation accepts no liability for loss, damage to property, personal injury or death resulting from activities undertaken by the Permit Holder in harvesting firewood or in travel to and from the Permit Area.

**Commencement**

9. This Regulation comes into force on April 5, 2016.

Application  
Number: \_\_\_\_\_

# TLA'AMIN NATION FIREWOOD PERMIT



## SCHEDULE A

*Forest Law*

### APPLICATION FOR A PERSONAL AND FAMILY FIREWOOD PERMIT

#### 1. Tla'amin Citizen Information:

Last Name: _____	Given Name: _____
Nickname (if relevant): _____	
Citizenship #: _____	Status Card #: _____
Address: _____	Date of Birth: _____
_____	Phone: _____
_____	Email Address: _____

#### 2. Designation of another individual to harvest:

Do you wish to designate another person to harvest Timber for personal firewood purposes on your behalf?  Yes  No

If Yes, enter the information about the designated individual who, if the permit is issued, will be the Permit Holder and harvesting on your behalf:

Last Name: _____	Given Name: _____
Nickname (if relevant): _____	
Status Card # (if applicable): _____	Citizenship # (if applicable): _____
Address: _____	Date of Birth: _____
_____	Phone: _____
_____	Email Address: _____

#### 3. Use of the Firewood for Personal and Family Firewood Needs:

Planned use for the firewood:
_____
_____
_____

# TLA'AMIN NATION FIREWOOD PERMIT



#### 4. Preferred Start Date:

What is the Preferred Start Date for this Permit:

\_\_\_/\_\_\_/\_\_\_  
DD/MM/YYYY

#### 5. Permit

If the Applicant is granted a Tla'amin Personal and Family Firewood Permit, the Applicant or the designated individual becomes the Permit Holder and agrees to:

1. Harvest under the permit no more than 10.5 m<sup>3</sup> or three (3) cords of wood, unless special circumstances result in the Director giving written permission otherwise;
2. Ensure that the firewood is cut from vacant Tla'amin land in the Permit Area as set out in this permit;
3. Cut and remove only deadfall, blow-down or waste Timber or Timber with health issues as determined by Tla'amin Law or the Forest Manager;
4. No cutting of western red cedar or cypress blocks, shake blanks, fence posts, rails or any other special forest products is permitted. Extraction of firewood is restricted to manual removal, no mechanized yarding or skidding is allowed;
5. No sale or marketing of any kind is permitted for firewood harvested under this permit;
6. Any debris resulting from firewood cutting must be removed from any road surface, ditch or watercourse. No litter is to be left on the Permit Area;
7. This permit must be kept in the vehicle being used for the transporting of firewood under this permit and be available for inspection by a designated Enforcement Officer; and
8. The Permit Holder must observe all pertinent Fire Prevention Regulations and, if operating a power saw, carry with them a fire extinguisher charged with not less than 0.225 kg of fire extinguishing chemical and keep a shovel at the power saw refueling point.

#### 6. Legal

The Applicant and Permit Holder hereby acknowledge that:

- (a) This permit is for personal use only and any firewood cut under this permit is not for resale, trade or barter;
- (b) They are responsible to inform themselves and comply with the Tla'amin Final Agreement, *Forest Law*, regulations, harvesting documents, provincial and federal laws, and any direction or conditions that may be issued by the Tla'amin Director of Lands and Resources;
- (c) If they fail to comply with any of the aforementioned laws, regulations, documents, directions or conditions, they understand that their permit may be suspended or revoked; and
- (d) The Applicant and Permit Holder shall indemnify and save harmless the Tla'amin Nation from and against

# TLA'AMIN NATION FIREWOOD PERMIT



all actions, suits, claims, demands, loss, damages, expenses and costs, including solicitor/client costs, made by any person against the Tla'amin Nation, Tla'amin Government, or Tla'amin staff, in whatever manner, in respect of any legal charges, loss, damage, injury or death, arising out of or in connection with, directly or indirectly, the firewood permit or any activities authorized or carried out under it.

## 7. Signature

I hereby certify that the information provided by me in this application is true and I acknowledge that I will follow the laws, regulations, protocols, documents, directions and conditions mentioned in this application and permit.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Applicant/ potential Permit Holder

\_\_\_\_\_  
Date of Application (DD/MM/YY)

\_\_\_\_\_  
Signature of Tla'amin Citizen  
(if the Permit Holder is a designated individual)

\_\_\_\_\_  
Date of Application (DD/MM/YY)

## 8. Permit Granted or Refused

The Applicant is hereby:  granted/  
 refused **[CIRCLE OR UNDERLINE ONE]**

the Tla'amin Personal and Family Firewood Permit as follows:

FOR OFFICE USE ONLY	
Name of Permit Holder:	_____
Permit Area:	_____ _____
Date Issued or Refused:	_____ Expiry Date: _____
Name of Tla'amin Processing Official:	_____



# TLA'AMIN NATION FIREWOOD PERMIT



Signature of Tla'amin Official: _____
Further Conditions or Special Circumstances: _____ _____ _____
<b>If Application is Refused:</b>
Reason for Refusal: _____



Application  
Number: \_\_\_\_\_

# TLA'AMIN NATION PLANT GATHERING APPLICATION



## PLANT GATHERING APPLICATION FORM – NON-CITIZENS

### 1. Applicant Information:

Last Name: _____	Given Name: _____
Nickname (if relevant): _____	
Status Card #: _____	
Mailing Address _____	Date of Birth: _____
_____	Phone: _____
_____	Email Address: _____

### 2. Activity:

The Applicant is seeking permission to Gather the following Plants on Tla'amin Lands (e.g. Salal, type of mushroom...):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Projected Harvest Amount: \_\_\_\_\_

\_\_\_\_\_

### 3. Location Information:

Specify the location where the Applicant plans to harvest Plants in accordance with this application: \_\_\_\_\_

### 4. Access Information:

Specify the location where the Applicant plans to access Tla'amin Lands in accordance with this application (e.g. Road name): \_\_\_\_\_

# TLA'AMIN NATION PLANT GATHERING APPLICATION



## 5. Fee

General Plant Gathering	<input type="checkbox"/>	\$10	
Commercial Salal	<input type="checkbox"/>	\$50	<input type="checkbox"/> \$25 – Powell River residents;
Commercial Mushroom	<input type="checkbox"/>	\$50	<input type="checkbox"/> \$25 – Powell River residents;

## 6. Information on any current or previous violations, suspensions or prohibitions:

Have you ever held a Tla'amin Plant Gathering Permit in the past?	<input type="checkbox"/>	Yes	If Yes, provide _____
	<input type="checkbox"/>	No	date and details: _____
Have you ever had a Tla'amin Plant Gathering Permit suspended or revoked in the past?	<input type="checkbox"/>	Yes	If Yes, provide _____
	<input type="checkbox"/>	No	date and details: _____
If the answer to the question above is "Yes" have the issues involved in any past violations been remedied?	<input type="checkbox"/>	Yes	If Yes, provide _____
	<input type="checkbox"/>	No	details: _____

## 7. Legal

The Applicant hereby acknowledges that:

- (a) The harvesting of plants under this permit must be done sustainably and by hand without the use of rakes or mechanical devices, and with no significant ground disturbance;
- (b) They are responsible to inform themselves and comply with the Tla'amin Final Agreement, *Forest Law*, regulations, permits, harvesting documents, provincial and federal laws, and any direction or conditions that may be issued by the Tla'amin Director of Lands and Resources;
- (c) They are required to report to the Tla'amin Nation on their harvesting activities and harvests, including what they have harvested, the quantity that they have harvested and where they have harvested, in the form prescribed by the First Nation;
- (d) If they fail to comply with any of the aforementioned laws, regulations, permits, documents, directions or conditions, they understand that their permit may be suspended; and
- (e) If a permit is issued, the Applicant shall indemnify and save harmless the Tla'amin Nation from and against all actions, suits, claims, demands, loss, damages, expenses and costs, including solicitor/client costs, made by any person against the Tla'amin Nation, Tla'amin Government, or Tla'amin staff, in whatever manner, in respect of any legal charges, loss, damage, injury or death, arising out of or in connection with, directly or indirectly, the permit to gather plants or any activities authorized or carried out under it.

# TLA'AMIN NATION PLANT GATHERING APPLICATION



## 8. Signature

I hereby certify that the information provided by me in this application is true and I acknowledge that I will follow the laws, regulations, protocols, permits, documents, directions and conditions mentioned in this application.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date of Application (DD/MM/YY)

FOR OFFICE USE ONLY	
Date Application Received: _____	Approved: _____ Y / N
Processing Official: _____	
<b>Has Individual held a permit in the past?</b>	<b>Y / N</b>
Comments: _____	
<b>If Application is Approved:</b>	
Issuance Date: _____	Expiration Date: (one week after issue) _____
Permit Number: _____	
Conditions: _____	
_____	
<b>If Application is Refused:</b>	
Reason for Refusal: _____	
_____	





## ORDER OF THE EXECUTIVE COUNCIL OF THE TLA'AMIN NATION

**Executive Council Order No.:** TNO-EC 23 /2016

**Approved and Ordered:** April 5, 2016

### **Order**

The Executive Council hereby enacts the following regulation and policy under the authority of the *Forest Law* to take effect on the Effective Date:

- Firewood Permit Regulation
- Form and Content of Plant Gathering Application – Non-Citizens

### **Authority**

This Executive Council Order is made under the authority of the *Forest Law*, and in accordance with the *Order of the Legislative Assembly of the Tla'amin Nation* TNO-LA 01/2016 (respecting the Tla'amin Nation Effective Date Period Procedures).

A handwritten signature in black ink, appearing to be "D. C.", is written above a horizontal line.

Signed by the Hegus on behalf of the  
Executive Council of the Tla'amin Nation

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(Note: This portion is for administrative purposes only and is not part of the Order)

**Authority under which the Order is made:**

**Law:** *Forest Law*

**Other (please specify):** Final Agreement and the *Order of the Legislative Assembly of the Tla'amin Nation* TNO-LA 01/2016 (respecting the Tla'amin Nation Effective Date Period Procedures).

DEPOSITED IN THE TLA'AMIN  
REGISTRY

ON 14/04/16  
(day/month/year)

  
Signature of Law Clerk