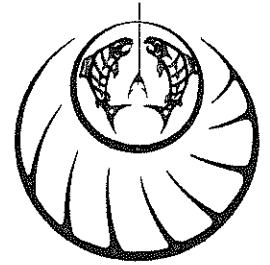


Tzeachten First Nation



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TZEACHTEN COUNCIL RESOLUTION

RES 10-27

TIMBER CUTTING AND REMOVAL PROCESS AND PERMIT POLICY

WHEREAS:

- A. Tzeachten members have voted in favour of the Tzeachten Land Code and Indian and Northern Affairs has taken measures to transfer responsibility for land administration of Tzeachten Indian Reserves to Tzeachten First Nation;
- B. Section 3.1 and 3.3(e) of the Tzeachten Land Code allow Council to make laws respecting fees, stumpage, or royalties to be paid to Tzeachten for the removal or extraction of Natural Resources from Tzeachten Lands, including the removal or extraction of minerals, gravels and timber from Community Lands and from Allotments or CP lands;
- C. Section 9.14 of the Tzeachten Land Code grants authority with the written consent of the CP holder, Permits or Licenses to occupy or take resources from CP lands; and
- D. There is little valuable timber remaining on Tzeachten Lands and it is likely most efficient to simply make any timber available to Members for cultural and fire wood use rather than implementing a system for sale and stumpage.

NOW THEREFORE the Council of the Tzeachten First Nation, at a duly convened meeting, hereby authorizes the use of the attached Timber Removal Process and Permit Policy:

A QUORUM for the Tzeachten First Nation consists of 3.

DATED this 18 day of Aug, 2010.

Chief Joe Hall

Councilor Glenda Campbell

Councilor Anthony Malloway

Councilor Lawrence Roberts

Councilor Leslie Joe

TZEACHTEN TIMBER CUTTING AND REMOVAL PROCESS AND PERMIT POLICY

The Lands Manager will work with Council to apply to provincial Ministry of Forests for a Timber Mark for the Tzeachten Reserve.

Tzeachten Council authorizes the Lands Manager to issue timber cutting or removal permits for cutting or removal of timber from Tzeachten Lands provided the following requirements have been met:

1. The applicant applies for a timber cutting or removal permit to the Lands Manager in the form specified by Council or the Lands Manager;
2. The applicant provides a map showing the area where the timber is proposed to be cut or removed;
3. If requested by the Lands Manager, the applicant provides a copy of an Environmental Assessment and an archaeological overview or assessment;
4. If the permit is for CP lands, the applicant provides a signed and witnessed letter from the CP Holder(s) consenting to:
 - (a) the proposed timber cutting or removal;
 - (b) a permit being issued by Tzeachten for the cutting or removal of the timber; and
 - (c) any surplus timber being made available to Tzeachten Members at no cost;
5. The applicant agrees in writing to only use qualified fallers and to follow all applicable safety standards and regulations;
6. The applicant agrees to either:
 - (a) cut the timber and donate it to Elders and community Members for firewood, in which case no Timber Fee applies; or
 - (b) carry out a timber cruise and pay the Timber Fee established by Tzeachten on a per cubic meter basis to cut the timber for sale off of the Reserve;
7. For sale of timber under option 6(b), the applicant shall:
 - (a) provide a timber cruise from a certified professional to value the timber proposed for cutting or removal;
 - (b) ensure that all timber that is removed from the Reserve is scaled, stamped and licensed under the provincial system;
 - (c) pay the Timber Fee established by Tzeachten; and
 - (d) ensure that any non-markable timber is made available to Tzeachten members for firewood.