

*The
Forest Resources
Management
(Saskatchewan
Environmental Code
Adoption)
Regulations*

being

[Chapter F-19.1 Reg 11](#) (effective January 5, 2015).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER F-19.1 REG 11
The Forest Resources Management Act

Title

1 These regulations may be cited as *The Forest Resources Management (Saskatchewan Environmental Code Adoption) Regulations*.

Interpretation

2 In these regulations:

- (a) **“Act”** means *The Forest Resources Management Act*;
- (b) **“code”** means the Saskatchewan Environmental Code.

7 Nov 2014 cF-19.1 Reg 11 s2.

Saskatchewan Environmental Code adopted

3 The chapters of the Saskatchewan Environmental Code, as set out in the Appendix, are adopted.

7 Nov 2014 cF-19.1 Reg 11 s3.

Information notes

4 Any information note that appears in the code is not part of the code, but is inserted for convenience of reference only.

7 Nov 2014 cF-19.1 Reg 11 s4.

Definitions

5 Definitions in the Act apply to the chapters of the code set out in the Appendix, except to the extent that a contrary intention appears in a chapter of the code.

7 Nov 2014 cF-19.1 Reg 11 s5.

The Interpretation Act, 1995

6 *The Interpretation Act, 1995* applies to the code.

7 Nov 2014 cF-19.1 Reg 11 s6.

Coming into force

7(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Forest Resources Management Amendment Act, 2010* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the coming into force of section 1 of *The Forest Resources Management Amendment Act, 2010*, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

7 Nov 2014 cF-19.1 Reg 11 s7.

Appendix**CHAPTER A.1.1*****Adoption of Standards Chapter***

Adopted pursuant to *The Environmental Management and Protection Act, 2010* and *The Forest Resources Management Act*

Adoption of standards

1-1(1) The following standards are adopted, as amended from time to time:

- (a) the Administrative Control Standard, as established by the minister on November 15, 2012;
- (b) the Bacteriological Follow-up Standard, EPB 505, as established by the minister on November 15, 2012;
- (c) the Discharge and Discovery Reporting Standard, as established by the minister on November 15, 2012;
- (d) the Endpoint Selection Standard, as established by the minister on November 15, 2012;
- (e) the Environmental Code of Practice for Elimination of Fluorocarbon Emissions from Refrigeration and Air Conditioning Systems, as established by Environment Canada in March 1996;
- (f) the Environmental Code of Practice on Halons, as established by Environment Canada in 1996;
- (g) the Forest Data Submission Standard, as established by the minister on November 15, 2012;
- (h) the Forest Management Planning Standard, as established by the minister on November 15, 2012;
- (i) the Forest Operating Plan Standard, as established by the minister on November 15, 2012;
- (j) the Forest Regeneration Assessment Standard, as established by the minister on November 15, 2012;
- (k) NSF/ANSI Standard 60: Drinking Water Treatment Chemicals -- Health Effects, as established by NSF International, May 2, 2011;
- (l) the Qualified Person Certification Standard, as established by the minister on November 15, 2012;
- (m) the Quality Assurance and Quality Control for Water Treatment Utilities Standard - Drinking Water Quality Management, EPB 542, as established by the minister on November 15, 2012;
- (n) the Reclamation Technology Standard, as established by the minister on November 15, 2012;

- (o) the Saskatchewan Environmental Quality Standard, as established by the minister on November 15, 2012;
 - (p) the Saskatchewan Water and Wastewater Works Operator Certification Standards, EPB 539, as established by the minister on November 15, 2012;
 - (q) the Scaling Standard, as established by the minister on November 15, 2012;
 - (r) the Sewage Works Design Standard, EPB 503, as established by the minister on November 15, 2012;
 - (s) the Visual Site Assessment Standard, as established by the minister on November 15, 2012;
 - (t) the Water Quality Contingency Planning Standard, EPB 540B, as established by the minister on November 15, 2012;
 - (u) the Water Quality Emergency Planning Standard - An Overview, EPB 541A, as established by the minister on November 15, 2012;
 - (v) the Waterwork Start-Up Standard, EPB 560A, as established by the minister on November 15, 2012;
 - (w) the Waterworks Design Standard, EPB 501, as established by the minister on November 15, 2012;
 - (x) the Waterworks Emergency Response Planning Standard, EPB 540, as established by the minister on November 15, 2012.
- (2) The following standards are adopted:
- (a) the ASTM Standard E2516-11, "Standard Classification for Cost Estimate Classification System" DOI: 10.1520/E2516-11, as established by ASTM International;
 - (b) the CAN/CSA-Z769-00 (R2013) - Phase II Environmental Site Assessment, as established by the Canadian Standards Association;
 - (c) the Guidelines for Canadian Drinking Water Quality--Summary Table, Health Canada (August, 2012);
 - (d) the Standard Methods for the Examination of Water and Wastewater, 22nd Edition, 2012, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

Minister to make public

- 1-2(1)** The minister shall cause the standards that are adopted pursuant to this chapter and that are established by the minister:
- (a) to be posted on the Internet website of the ministry; and
 - (b) to be made public in any other manner that the minister considers appropriate.

(2) With respect to the standards that are adopted pursuant to this chapter other than those mentioned in subsection (1), the minister shall cause information respecting where those standards may be accessed:

- (a) to be posted on the Internet website of the ministry; and
- (b) to be made public in any other manner that the minister considers appropriate.

CHAPTER D.1.1

Forest Regeneration Assessment Chapter

Adopted pursuant to *The Forest Resources Management Act*

PART 1 General

Application

1-1(1) This chapter applies to:

- (a) every person who holds a licence for the harvesting of forest products, and who is required by that licence to ensure that lands in the licence area that have been harvested are renewed; and
- (b) every person who conducts a forest regeneration assessment on behalf of a person mentioned in clause (a).

(2) This chapter does not apply to:

- (a) lands that were harvested before April 1, 2004 pursuant to a licence issued for the harvesting of forest products; or
- (b) a person who holds a forest product permit if that person also holds, with respect to the same land, a valid resource land disposition granted pursuant to *The Crown Resource Land Regulations*.

Compliance

1-2 Every person mentioned in subsection 1-1(1) shall comply with all the requirements established pursuant to:

- (a) Part 1; and
- (b) either:
 - (i) Part 2; or
 - (ii) Part 3.

General records

1-3(1) Every person mentioned in subsection 1-1(1) shall ensure that the following records are kept and retained for at least 15 years from the date the record was created:

- (a) all records respecting each harvest block or polygon assessed, including:
 - (i) the date, location, description and area of each harvest block or polygon assessed;
 - (ii) the name of the assessor and the person who conducted the assessment;

- (iii) the results of every assessment;
 - (iv) any notes on abnormal conditions, anomalies, discrepancies, insect or disease concerns or events observed during an assessment of a harvest block or polygon;
 - (v) any determinations reached respecting the renewal status of each harvest block or polygon;
- (b) if available, the Global Positioning System location records of each plot for ground surveys and the Geographic Information System shapefiles of aerial survey records;
- (c) all records required to be kept respecting regeneration assessments by the Forest Data Submission Standard in accordance with the Forest Data Submission Chapter;
- (d) any other records mentioned in Part 2 or Part 3.
- (2) Every person mentioned in subsection 1-1(1) shall ensure that the records required to be kept pursuant to this section are made available to the minister on request.

General reporting

1-4 Every person mentioned in subsection 1-1(1) shall submit information respecting forest regeneration assessments in accordance with the Forest Data Submission Standard.

PART 2
Alternative Solutions

Results-based objective

2-1(1) The results-based objective of this chapter is to limit the probability that, as a result of forest management activities, the long-term health and sustainability of forest resources, forest functions and associated ecosystems will be exposed to unacceptable impairment or damage.

(2) The results-based objective mentioned in subsection (1) must be satisfied by taking reasonable and prudent measures:

- (a) to assess and document whether harvested areas are adequately re-stocked with acceptable trees that are of an appropriate density and height; and
- (b) to identify contiguous harvested areas that are 4.0 hectares or larger that are not adequately re-stocked with acceptable trees that are of an appropriate density and height.

Operating plan

2-2 Every person mentioned in clause 1-1(1)(a) shall ensure that the operating plan:

- (a) sets out the methods that will be employed to satisfy the results-based objective described in section 2-1; and
- (b) contains components on assessment procedures, recording and reporting that satisfy the results-based objective described in section 2-1.

PART 3
Acceptable Solution

Obligation to conduct a forest regeneration assessment

3-1(1) Every person mentioned in clause 1-1(1)(a) shall ensure that the forest regeneration assessment is conducted in accordance with the Forest Regeneration Assessment Standard.

(2) Every person mentioned in clause 1-1(1)(b) who is conducting a forest regeneration assessment on behalf of a person mentioned in subsection (1) shall conduct the forest regeneration assessment in accordance with the Forest Regeneration Assessment Standard.

Glossary of Terms

Acceptable tree

A tree that satisfies the criteria set out in Appendix 1 of the Forest Regeneration Assessment Standard.

Density

A measure of the population of acceptable tree species in a given area.

Forest Data Submission Standard

The Forest Data Submission Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

Forest Regeneration Assessment Standard

The Forest Regeneration Assessment Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

Harvest block

An area of land from which trees have been harvested.

Polygon

An area of land from which trees have been harvested that is represented by a closed figure that is bounded by curved or straight lines and delineated on a map.

Stocked

A quantitative expression of the adequacy of tree cover on an area of land, in terms of number of trees.

Standards Referenced in this Chapter

The following standards, adopted pursuant to the Adoption of Standards Chapter, are referenced in this chapter:

Forest Data Submission Standard

Forest Regeneration Assessment Standard

CHAPTER D.1.2 *Forest Data Submission Chapter*

Adopted pursuant to *The Forest Resources Management Act*

Application

1-1(1) Subject to subsection (2), this chapter applies to every person who:

- (a) holds a licence pursuant to the Act;
- (b) operates a processing facility that accepts and processes timber, wood residue or wood chips that originate from Crown land; or
- (c) is a trustee pursuant to section 26 of the Act, or is designated by the minister pursuant to section 26 of the Act, and who is responsible for reporting to the minister on the activities of the forest management fund.

(2) This chapter does not apply to a person who:

- (a) holds a term supply licence or forest product permit with an annual harvest volume schedule of less than 50,000 cubic metres of timber;
- (b) has been granted two or more licences for the harvesting of forest products that cumulatively authorize the harvesting of an annual volume of less than 50,000 cubic metres of timber; or
- (c) operates a facility that only accepts and processes trees or parts of trees that originate from lands other than Crown land.

Forest data and other information to be submitted to minister

1-2(1) Every person mentioned in clauses 1-1(1)(a) and (b) shall submit data on forest management activities to the minister in accordance with the Forest Data Submission Standard.

(2) Every person mentioned in clause 1-1(1)(c) shall submit information respecting the forest management fund to the minister in accordance with the Forest Data Submission Standard and the terms and conditions of the agreement establishing the forest management fund.

Glossary of Terms

Act

The Forest Resources Management Act.

Data

Spatial and aspatial data described in the Forest Data Submission Standard.

Forest Data Submission Standard

The Forest Data Submission Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

Forest management activity

Forest management activities including the following:

- (a) the harvesting, renewal and scaling of timber;
- (b) the construction, operation, use, maintenance, closure or reclamation of surface water crossings and roads.

Harvest volume schedule

The maximum sustainable timber volume that can be harvested each year, as determined or approved by the minister, pursuant to *The Forest Resources Management Regulations*.

Timber

Any trees or parts of trees from Crown land, whether standing, fallen, cut, alive or dead.

Wood residue

The by-products from the processing of trees and parts of trees and includes slabs, tops, edgings, bark, shavings and sawdust but does not include wood chips.

Wood chip

A small thin piece of wood cut from a larger piece of wood by a mechanically operated knife section, showing two knife cuts and having a width greater than its thickness.

Standards Referenced in this Chapter

The following standard, adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

Forest Data Submission Standard

CHAPTER D.1.3***Forest Operating Plan Chapter***

Adopted pursuant to *The Forest Resources Management Act*

Application

1-1 This chapter applies to every person who holds a licence for the harvesting of forest products and who is required by the Act to submit an operating plan to the minister for approval.

Operating plan

1-2 Every person who holds a licence for the harvesting of forest products and who is required by the Act to submit an operating plan to the minister for approval shall ensure that an operating plan is prepared in accordance with the Forest Operating Plan Standard for each licence area.

General records

1-3 Every person mentioned in section 1-1 shall ensure that:

- (a) records respecting any consultations that are undertaken by that person in accordance with the Forest Operating Plan Standard are kept and retained for at least 5 years from the date the record was created; and
- (b) the records required to be kept pursuant to clause (a) are made available to the minister on request.

Glossary of Terms**Act**

The Forest Resources Management Act.

Forest Operating Plan Standard

The Forest Operating Plan Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

Standards Referenced in this Chapter

The following standard, adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

Forest Operating Plan Standard

CHAPTER D.1.4 *Forest Products Scaling Chapter*

Adopted pursuant to *The Forest Resources Management Act*

PART 1 General

Application

1-1(1) This chapter applies to:

- (a) every person who holds a licence for the harvesting of forest products, and who is required by that licence to ensure that forest products are scaled; and
- (b) every person who holds a licence to scale.

(2) This chapter does not apply to a person conducting a check scale in accordance with *The Forest Resources Management Regulations*.

Compliance

1-2 Every person mentioned in subsection 1-1(1) shall comply with all the requirements established pursuant to:

- (a) Part 1; and
- (b) either:
 - (i) Part 2; or
 - (ii) Part 3.

Scaling

1-3(1) Every person mentioned in clause 1-1(1)(a) shall ensure that all forest products required to be scaled are:

- (a) scaled by a person who holds a licence to scale; and
- (b) scaled to the accuracy tolerances set out in the Scaling Standard.

(2) Every person mentioned in clause 1-1(1)(b) shall scale all forest products required to be scaled to the accuracy tolerances set out in the Scaling Standard.

General records

1-4 Every person mentioned in subsection 1-1(1) shall ensure that:

- (a) all records respecting scaling activities are kept and retained for the period set out in the Scaling Standard; and
- (b) the records required to be kept pursuant to this section are made available to the minister on request.

General reporting

1-5 Every person mentioned in subsection 1-1(1) shall submit information respecting scaling activities in accordance with the Scaling Standard, an approved scaling plan and *The Forest Resources Management Regulations*.

PART 2 Alternative Solutions

Results-based objective

2-1(1) The results-based objective of this chapter is to limit the probability that, as a result of the activities addressed by this chapter, the volume of harvested forest products originating from Crown forest land is not accurately accounted for.

(2) The results-based objective mentioned in subsection (1) must be satisfied by taking reasonable and prudent measures to accurately scale harvested forest products originating from Crown land using units of measure set out in the Scaling Standard and expressing the volume of scaled wood in cubic metres.

Scaling plan

2-2(1) Every person mentioned in clause 1-1(1)(a) shall ensure that the scaling plan:

(a) sets out the methods that will be employed to satisfy the results-based objective described in section 2-1; and

(b) contains components on scaling procedures, recording and reporting that satisfy the results-based objective described in section 2-1.

(2) Every person mentioned in subsection (1) who has an approved scaling plan shall ensure that the scaling of forest products is conducted in accordance with the procedures set out in that approved scaling plan.

(3) Every person mentioned in clause 1-1(1)(b) who is scaling forest products on behalf of a person mentioned in clause 1-1(1)(a) shall scale forest products in accordance with an approved scaling plan and the terms of his or her licence.

PART 3 Acceptable Solution

Obligation to scale forest products

3-1(1) Every person mentioned in clause 1-1(1)(a) shall ensure that the scaling of forest products is conducted in accordance with the Scaling Standard, an approved scaling plan and the terms of his or her licence.

(2) Every person mentioned in clause 1-1(1)(b) who is scaling forest products on behalf of a person mentioned in clause 1-1(1)(a) shall scale forest products in accordance with the Scaling Standard, an approved scaling plan and the terms of his or her licence.

Glossary of Terms

Act

The Forest Resources Management Act.

Check scale

A scale by the chief scaler, an officer or a person authorized in writing by the minister performed in the same manner as the original scale for the purpose of checking accuracy and precision of volume estimates and compliance with the Scaling Standard.

Chief scaler

An officer of the ministry designated by the minister to administer Part V of *The Forest Resources Management Regulations*.

Licence to scale

A valid licence to scale issued to a person pursuant to section 53 of *The Forest Resources Management Regulations*, including an interim licence to scale issued pursuant to section 55 of those regulations.

Scaling plan

A scaling plan that:

- (a) is required pursuant to a forest management agreement, a term supply licence or a forest product permit;
- (b) sets out the scaling methods and reporting mechanisms to be used by the person who holds a licence for the harvesting of forest products mentioned in clause (a);
- (c) is prepared in accordance with the Act, *The Forest Resources Management Regulations* and the Scaling Standard; and
- (d) is approved by the minister.

Scaling Standard

The Scaling Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

Standards Referenced in this Chapter

The following standard, adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

Scaling Standard

CHAPTER D.1.5

Forest Management Planning Chapter

Adopted pursuant to *The Forest Resources Management Act*

Application

1-1 This chapter applies to every person who is required to submit a forest management plan pursuant to section 38 or 45 of the Act.

Forest Management Plan

1-2 Every person mentioned in section 1-1 who is required to prepare or revise a forest management plan shall, in accordance with the Forest Management Planning Standard:

- (a) establish a planning team, terms of reference, a work plan and a public consultation plan including:
 - (i) the establishment and implementation of a public advisory group;
 - (ii) a strategy for sharing information with First Nations and Métis communities whose ability to exercise Treaty or Aboriginal rights and carry out traditional uses is potentially adversely impacted; and
 - (iii) a schedule of public and First Nations and Métis community information sessions to be conducted during the period of the forest management plan development;

- (b) adhere to a staged-approval process during forest management plan development, where all requirements set out in clause (a), including the products set out as deliverables in the workplan, are:
- (i) presented and discussed with the planning team; and
 - (ii) submitted to the minister for review following a timeline specified in the work plan;
- (c) submit, on the request of the minister, any information that the minister considers necessary to review the requirements and deliverables set out in clause (a);
- (d) ensure that the following are included in the forest management plan:
- (i) the name of the licence holder and details respecting the licence holder required by the Forest Management Planning Standard;
 - (ii) information respecting persons residing or working in the licence area required by the Forest Management Planning Standard;
 - (iii) a description of:
 - (A) the licence area, including the water, land and forest, and planning boundaries;
 - (B) the current condition of the forest in the licence area;
 - (C) the activities and values associated with the forest found in the licence area; and
 - (D) the recent history of forest management in the licence area;
 - (iv) a digital planning inventory;
 - (v) a forest development report that includes both digital temporary sample plot data and yield curves;
 - (vi) a forest estate modelling report;
 - (vii) values, objectives, indicators and targets related to the licence area respecting:
 - (A) biological diversity;
 - (B) ecosystem condition and productivity;
 - (C) soil and water;
 - (D) role in global ecological cycles;
 - (E) economic and social benefits; and
 - (F) society's responsibility for sustainable development, including:
 - (I) consideration of the interests of other forest uses;
 - (II) maintenance or enhancement of benefits derived from the forest;

- (III) respect for Aboriginal and Treaty rights within the context of planning and implementing forest management activities;
 - (IV) avoidance of impacting culturally important sites;
 - (V) involvement of local communities in forest management activities;
 - (VI) maximization of the involvement of stakeholders in forest management plan development and implementation; and
 - (VII) details respecting how current forest management information will be made available to the public and First Nations and Métis communities;
- (viii) natural forest patterns for the licence area detailing how the following elements of ecosystem-based management will be applied to the plan:
- (A) residual trees within harvest events and blocks;
 - (B) harvest event size distribution;
 - (C) appropriate age class distribution on the landscape;
 - (D) landscape-level maintenance of softwood-dominated mixedwood and white spruce provincial forest types; and
 - (E) salvage activities;
- (ix) silviculture ground rules for all forest development types actively managed on the licence holder's licence area;
- (x) a digital tactical plan;
- (xi) an approach to fulfilling the licence holder's roles and responsibilities for wildfire within the licence area;
- (xii) an insect and disease strategy; and
- (xiii) a strategy for how the forest management plan will be implemented;
- (e) establish a management implementation team for the term of the forest management plan; and
- (f) submit an annual report that describes the progress made on achieving commitments set out in the forest management plan.

Glossary of Terms

Act

The Forest Resources Management Act.

Digital planning inventory

An inventory of forest resources that includes:

- (a) all the spatial layers necessary to formulate management strategies that can achieve a desired future forest condition;
- (b) individual coverages in the planning inventory collection;
- (c) composite planning inventory information products;

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- (d) management decision information; and
- (e) the following four planning coverages:
 - (i) planned harvest and natural resource features;
 - (ii) land use or values that may be affected by forest management;
 - (iii) road use strategy for existing roads;
 - (iv) road corridor locations for planned road construction.

Digital tactical plan

A 20-year forecast of forest management activities including spatial blocking of operating areas and other values identified in the selected management strategy.

Forest development report

A report that describes:

- (a) the development types used;
- (b) the yield curves for each forest development type;
- (c) the modelling process and data source from which the yield curves were derived; and
- (d) the equations and coefficients used to produce the yield curves.

Forest development type

An aggregation of forest stands for management purposes that have similar species composition, develop in a similar manner and are managed under the same silvicultural system.

Forest estate modelling report

A report that describes:

- (a) the forest management activities;
- (b) the operability requirements for the forest management activities mentioned in clause (a);
- (c) forest senescence by development type;
- (d) the expected treatment responses; and
- (e) the forest estate model formulation along with the associated model objectives and targets and the results of model scenarios.

Forest management activities

Activities associated with:

- (a) the harvest and renewal of timber; and
- (b) the construction, operation, use, maintenance, closure, and reclamation of watercourse crossings and roads.

Forest Management Planning Standard

The Forest Management Planning Standard, as established by the minister on November 15, 2012, and adopted pursuant to the Adoption of Standards Chapter.

Licence holder

A person who:

- (a) has entered into a forest management agreement with the minister in accordance with the Act; or
- (b) holds a term supply licence in accordance with the Act.

Planning team

A team of persons assembled to develop a new forest management plan that includes:

- (a) a core technical group that consists of staff employed by the licence holder and the ministry, and that will participate in all planning team meetings; and
- (b) persons who will provide advice and assistance to the core technical group as required.

Provincial forest types

A broad classification system used for assessing, analysing and reporting forest resource management goals and objectives at both the eco-regional level and the provincial level in Saskatchewan.

Selected management strategy

The management strategy developed from the forest estate modelling scenarios that best satisfies the diverse demands on the forest resource and directs the licence holder's forest management activities for the 20-year period following the date on which the forest management plan is approved.

Silviculture ground rules

A set of specifications and requirements developed during the forest management planning process that direct silviculture activities on a licence area during the period of a forest management plan.

Standards Referenced in this Chapter

The following standard, adopted pursuant to the Adoption of Standards Chapter, is referenced in this chapter:

Forest Management Planning Standard

