



**Council of the Haida Nation.
&
The Province of British Columbia.**

Haida Gwaii Cultural Wood Access Permit

I Mission Statement

The Council of the Haida Nation (CHN) and the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) will facilitate respectful access to the forest for the long-term benefit of Haida Culture for generations to come.

II. Purpose

This policy combines the framework and guidelines for Haida “Right to Access Permit” and the BC FLNRO “Free Use Permit” for the orderly exercise of cultural activity and, efficiency in management. It is intended that this process will evolve, with changes made upon agreement of the parties.

III. Management

Access Permits may be issued on behalf of the CHN and FLNRO under the following conditions:

- a) The project plan submitted by the applicant is acceptable to the Cultural Wood Access Advisory Board.
- b) The applicant agrees to the conditions of the permit.

IV. Roles and Responsibilities

The CHN and FLNRO Designate, including the Process Coordinator, will

- a) Ensure Haida values of respect, stewardship, and care for the forests are applied in the harvesting of wood, and manage access for the protection of cultural and environmental values;
- b) Ensure the application is consistent with the amount and type of wood necessary to complete the proposed project;
- c) Assist and direct Haida applicants to areas that are suitable for the project;

- d) require the clean up and restoration of the land under the permit to the satisfaction of the standards agreed to;
- e) inspect and monitor compliance with Access Permits and determine sustainable capacity in harvested areas;

The Applicant will:

- f) Fill out the Cultural Wood Access Permit Application Form as per Appendix A and B, include all supporting documentation, and submit them to the Process Coordinator.
- g) Harvest wood only for the purpose specified in the application, and comply with the Haida Gwaii Cultural Wood Access Permit's policies and procedures.

VI. Permits:

1. The Access Permit will reflect the volume and quality consistent with the required needs to complete the specific project applied for.
2. The Access Permit is limited to the stated use, area, and volume, and expires one year after issuance.
3. If required, the Permit holder may request an extension, which the Process Coordinator may approve. Additional extension requests will be forwarded to the Advisory Board for approval.
4. The permit holder must carry the Access Permit during cutting and while transporting wood from the area.
5. The Access Permit number must be clearly identified on all wood.
6. The Access Permit may be suspended or cancelled, where the holder does not comply with the terms and conditions of the Access Wood Permit.
7. A map identifying the area and location of each tree to be harvested will be attached to the Access Wood Permit Application.
8. Access permits are not transferable.

VII. Conditions:

- a) Wood accessed through this Cultural Wood Access Permit may not be traded for work associated to the project, i.e. logging, transportation, milling, etc. Any wood seized will be available to other legitimate cultural projects;
- b) Worker's Compensation Board of British Columbia and the forest area tenure holder standards regarding safety during harvesting and transportation must be adhered to;

- c) The permit holder will not be issued another Access Permit for the next 3 years, unless the Advisory Board decides otherwise;

In accordance with Haida stewardship values and the Province's standards for forest stewardship:

- d) Ditches, roads, and water (standing or flowing) will be kept clear of all debris;
- e) Tops and branches will be laid flush with the ground;
- f) Trees will be cut as low on the stump as will be safe;
- g) Quality of trees harvested will match the end product requirements;
- h) Applicants will consider how the site looks from the road;
- i) MNRO fire prevention standards will be met;

VIII. Evaluation of Applications:

1. The Cultural Wood Access Advisory Board will assess an application to harvest on the basis of the following criteria:
 - a) The quantity and quality of wood necessary to complete the project.
 - b) The Advisory Board will determine whether the project is "Cultural"
 - c) Cultural Access wood uses may be commissioned but are primary projects that are not commercial ventures.
 - d) Appendix A and B must be completed to the satisfaction of the Advisory Board.
 - e) The CHN and FLNRO designate will evaluate the application based on Appendix A and B and the supporting documentation, which will then be submitted with a recommendation to the Advisory Board for determination.

IX. Fees:

1. The permit holder is solely responsible for all costs associated with the permit including but not limited to harvesting, transportation, clean-up, insurance, any and all legal costs, which may arise from the harvest.
2. A Standard administrative fee will be paid to the Secretariat of the Haida Nation for the Cultural Wood Access Permit at the time the permit application is submitted.
3. Other administration costs may arise that will be determined on a fee for service basis in a quote by the Advisory Board and that fee will be payable to the Secretariat of the Haida Nation.

X. Monitoring:

The Process Coordinator will monitor and record:

- a) How many trees and how much volume was taken;
- b) Location of trees harvested;
- c) Timeframe of the project;
- d) If the permit holder has harvested wood only for the purpose, and under the terms of the Access Permit.

Upon completion of the project, the Permit holder will provide confirmation of project completion to the Process Coordinator to support elaboration of an annual report.

XII- Penalties

By signing this application and policy, the applicant fully understands and complies with the terms and conditions of this Access Permit including penalties. The Haida Nation and BC will discuss the appropriate penalty, which could be the laws of the Haida Nation, the laws of British Columbia, or both. Upon breach of permit terms, the following penalties may be imposed upon the permit holder:

- a) All logs or wood authorized under this permit will be seized
- b) The cost of any clean up required will be billed to the permit holder.
- c) The permit holder may not be eligible for future Access Permits if he or she has not completed the project or abused a previous Access Permit. This may include previously approved Right to Access and Free Use Permits.
- d) The permit holder will take full responsibility of any expenses associated with the harvest or cleanup of wood identified in the permit.
- e) FLNRO Compliance and Enforcement will take effect if Cultural Wood Access Permit policies and procedures are not complied with.

Definitions.

1. Haida Traditional Cultural Activities.

- a) Haida Culture is the spiritual and physical relationship with the lands and seas of Haida Gwaii.

2. Haida Hereditary Chief's council

(See definition in Constitution of the Haida Nation)

3. Traditional Cultural Activities

- a) Is generally the use of the materials, living and inanimate, as well as non-consumptive use of Haida Gwaii by members of the Haida Nation.
- b) Is the unique expression of utility objects, Art and architecture unique to the Haida Nation.

4. Haida Citizen

All people of Haida Ancestry are citizens of the Haida Nation (A2.S1, Constitution of the Haida Nation)

5. Haida Gwaii Stewardship Values

Care for the land with consideration for future generations and the ongoing culture through the next millennia.

6. Certificate of Possession

A document confirming that the permit applicant owns the land that will be used for construction of the proposed project, e.g., longhouse, carving shed, smokehouse or other structure, or has the permission of the owner of the land for the applicant's project.

7. Review Board

Made up of one representative from each Haida Village Council, one Hereditary Chief from each of the Village of Old Masset and Skidegate, one CHN representative and one FLMNRO delegate, to determine validity and access to wood, and also consider penalties as required.

APPENDIX A.

Cultural Wood Access Permit

CWP# _____

Application will include, as outlined in Appendix B:

- a) The name, address, and phone number of the applicant;
- b) The species, quality and volume of wood required and how the volume was estimated.
- c) A detailed description and work plan of intended harvest including:
 - A map identifying the proposed harvesting area;
 - The names of everyone involved in harvest and transportation.
 - The heavy equipment to be used; and
 - A detailed clean up plan.
- d) A detailed description and work plan for the project including:
 - The intended use of the wood;
 - A drawing of the building design, and
 - The desired time period for undertaking the activity.
 - Any other supporting documentation that the applicant feels would assist in the Review Board decision.

I, _____, submit that my information is accurate, and I understand and agree to comply with the Cultural Wood Access Permit Policies, Objectives, Procedures and Regulations. Further, I take full financial and legal responsibility for the project outlined in this permit.

Signature: _____ Date: _____

Authorization Signatures:

Authorized CHN Representative. Date: _____

District Manager, Ministry of Forest, Lands and Natural Resource Operations. Date: _____

APPENDIX B.
Cultural Wood Access Permit Application

Name:			Mailing Address:			
Email:		Phone:		Fax:		
Species:	Num.of trees:	Vol. reqrd:	Butt End dia:	Top dia:	Length:	
Date(s) of Harvest:		Exact Location of Trees (Specific Trees Must Be Identified):				
Area of Harvest:						
Purpose of Wood:			Project location:			
Projected Cost Of Harvest:		Cost of Transportation:				
Beginning Date:		Project End Date:				
Harvesting Crew names: 1. Faller: 2.		Address: 1. 2.		Phone: 1. 2.		
Transport Company:		Harvest Technique:		Heavy equipment to be used:		

Project Type:		
<input type="checkbox"/> Longhouse <input type="checkbox"/> Carving shed <input type="checkbox"/> Smokehouse <input type="checkbox"/> Other _____		
Size		
<input type="checkbox"/> Small <input type="checkbox"/> Medium <input type="checkbox"/> Large		
Is a Certificate of Possession provided		<input type="checkbox"/> Yes <input type="checkbox"/> No
Is a construction plan for the project provided		<input type="checkbox"/> Yes <input type="checkbox"/> No

Applicant Signature: _____

Date: _____

By signing this document I agree that I have read and understand all the costs and obligations associated with the Cultural Wood Access Permit.

FOR OFFICE USE ONLY		
CWP#:	piece[s] #:	Total volume: _____
Date received: _____	Expiry: _____	