

DECIDUOUS TIMBER ALLOCATION CERTIFICATE

PURSUANT TO the *Forests Act*, and the regulations passed thereunder, I, the Minister of Environment and Sustainable Resource Development (“the Minister”), do hereby grant to:

X

(“the Certificate Holder”)

this Deciduous Timber Allocation (DTA) Certificate (“the Certificate”), which entitles the Certificate Holder to an annual allowable cut (AAC) of deciduous timber in Forest Management Unit (FMU) **X** (“the FMU”) on the following terms and conditions:

TERMS AND CONDITIONS

1. The Certificate Holder is entitled to harvest deciduous timber subject to the terms and conditions of successive timber licences, this Certificate, the provisions of the *Forests Act* and any Act passed in substitution thereof and any regulations passed thereunder, as amended from time to time.
 - (1) Provided the Certificate Holder is not and has not been in default or breach of the *Forests Act* or the *Regulations* either during the term or at the expiration of this Certificate and in the Minister’s opinion there is adequate timber available in the FMU to justify renewal, the Certificate Holder is entitled to have this Certificate renewed, subject to any modifications or conditions the Minister considers necessary.
2. The Certificate Holder shall have the right under the authority of this Certificate to harvest deciduous timber in periodic cuts adjusted to the AAC stated herein on areas licensed to the Certificate Holder.
3. Neither this Certificate nor any timber license issued to the Certificate Holder shall be construed to contain any implied warranty or condition as to the quantity, quality or fitness for a particular purpose of the allowable cut authorized by this Certificate.
4. The AAC to which the Certificate Holder is entitled pursuant to this Certificate will be comprised of the deciduous volume in the approved AAC calculation as defined in the approved Forest Management Plan (FMP) for the FMU. The approved AAC will be sequenced in stands according to the approved FMP. In the absence of an FMP the approved AAC will be sequenced in stands according to the approved Final Harvest Plan (FHP). The Certificate Holder shall adhere to the spatial harvest sequence unless otherwise approved, in writing, by the Minister.

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5. The authorized production for this Certificate is as described in the attached Schedule "A".
6. Quadrant Authorized Allowable Cut (QAAC) for this Certificate:
 - (1) This Certificate provides for the issuance of timber licenses for harvesting deciduous timber volumes in the FMU on the basis of five year quadrants in accordance with the *Forests Act* and the Timber Management Regulation.
 - (2) Subject to written adjustment by the Minister during a quadrant, the Certificate Holder is permitted to cut the volume of deciduous timber specified by the Minister in the attached Schedule "B" at the commencement of each quadrant.
7. All deciduous timber used in the calculation of the approved AAC for this Certificate is chargeable as production against this quota, unless otherwise approved, in writing, by the Minister.
8. The chargeability of deciduous timber salvage shall be determined in accordance with the approved FMP for the FMU.
9. At the request of either party, the Minister and the Certificate Holder shall meet to review the production requirements of this Certificate.
10. The Certificate Holder shall comply with all Acts of the Province of Alberta and regulations thereunder in force from time to time that apply to the Certificate Holder or to this Certificate either specifically or generally by express wording or by implication.
11. The Certificate Holder shall cut deciduous timber in accordance with the deciduous timber utilization standard as indicated in the attached Schedule "A".
12. The Certificate Holder shall participate in the preparation of the FMU FMP that meets the requirements of the Alberta Forest Management Planning Standard.
13. The Certificate Holder will have the opportunity to practise enhanced forest management activities consistent with the approved FMP, to enhance the AAC associated with this Certificate, on those lands consisting of stands which form part of the AAC of this Certificate.
14.
 - (1) In accordance with strategies acceptable to the Minister for maintaining coniferous growth in deciduous stands with identified coniferous understories and if sequenced in the approved FMPs and Annual Operating Plan(s) (AOPs, singularly AOP), the Certificate Holder shall harvest deciduous timber from deciduous stands with identified coniferous understories.

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- (2) To the extent reasonably possible under the circumstances, operations of the Certificate Holder must be conducted to avoid damage to any young coniferous growth that occurs in mixture with deciduous timber. The actual method(s) for minimizing this damage may vary and will be defined by the AOP of the Certificate Holder.
15. The Certificate Holder has the following responsibilities in relation to other disposition holder(s) in the FMU:
- (1) The Certificate Holder shall not obstruct or interfere with the lawful operations of the other timber disposition holder(s) in the FMU.
 - (2) The Certificate Holder shall integrate its planning, spatial harvest sequencing and reporting with the other timber disposition holder(s), through joint planning of Forest Management Plan(s).
 - (3) The Certificate Holder shall integrate its timber operations and reporting with the other timber disposition holder(s), through joint planning of General Development Plan(s) (GDP), Final Harvest Plans (FHP) and Annual Operating Plan(s) (AOPs, singularly AOP).
 - (4) AOPs submitted by the Certificate Holder will not be approved by the Minister until conflicts between the Certificate Holder and the other timber disposition holder(s) have been resolved to the satisfaction of the Minister.
 - (5) The Certificate Holder is not entitled to compensation for any incidental damage to deciduous timber caused by the logging operations of the other timber disposition holder(s) in the FMU.
16. The Certificate Holder shall harvest and accept deciduous timber from integrated operations on a priority basis over the harvest of pure deciduous stands. The Minister has final say over the order of priority of harvest.
17. (1) Any notice required to be given under this Certificate shall be deemed to be well and sufficiently given if delivered to the addresses set out below or if mailed at any post office in Canada by prepaid registered mail addresses as follows:
- (i) to the Certificate Holder:
X
X
X

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(ii) to the Minister:

Executive Director
Forest Industry Development Branch
9th Floor, 9920 - 108 Street
Edmonton, AB T5K 2M4

(2) Any change of address may be effected by notice.

18. Any Special Conditions for the Certificate are as described in the attached Schedule "C".

19. This Certificate shall commence on X Date and shall expire on X Date.

IN WITNESS THEREOF this Minister and the Certificate Holder have executed the Certificate.

HER MAJESTY THE QUEEN in right of the Province of Alberta, as represented by the Minister of Environment and Sustainable Resource Development by his duly authorized representative

Per:

Date

Printed Name:

Witness

Position Held:

Certificate Holder:

X

Signature of Certificate Holder: Per:

Date

Printed Name:

Witness

Position Held:

Printed Name of Witness

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Schedule "A"

Authorized Production and Utilization Standard

The authorized production for this Certificate is X m³ primary deciduous timber and X m³ of secondary deciduous timber in Forest Management Unit (FMU) X, as outlined on the attached Schedule D map. The utilization standard for this Certificate shall be deciduous timber with a stump diameter of X centimetres or larger, measured X centimetres above ground level and a minimum top diameter of X centimetres.

Special Conditions regarding the above Authorized Production and Utilization Standard: X

HER MAJESTY THE QUEEN in right of the Province of Alberta, as represented by the Minister of Environment and Sustainable Resource Development by his duly authorized representative

Per:

Date

Printed Name:

Witness

Position Held:

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Schedule "B"

Quadrant Authorized Allowable Cut (QAAC)

Quadrant Authorized Allowable Cut for this Certificate is as follows:

IN THE X QUADRANT from X Date to X Date, X m³ of deciduous timber.

DTAXXXXXXX Quadrant Authorized Allowable Cuts

X Quadrant Segment Start Date	Quadrant Segment End Date	Years in Quadrant Segment	Primary Approved Harvest Level (m ³ /yr) at 15+/10/30cm	Secondary Approved Harvest Level (m ³ /yr) at 15+/10/30cm	Primary Quadrant Contribution (m ³)	Secondary Quadrant Contribution (m ³)	Total Quadrant Contribution (m ³)
X	X	X	X	X	X	X	X
Quadrant Reconciliation Volume (m ³)						X	X
QAAC Total					X	X	X

Formula used to calculate the above QAAC:

$(AAC \times \# \text{ of yrs in the quadrant}) + \text{or - adjustments from previous quadrant} = QAAC$

Special Conditions regarding the above QAAC: X

HER MAJESTY THE QUEEN in right of the Province of Alberta, as represented by the Minister of Environment and Sustainable Resource Development by his duly authorized representative

Per:

Printed Name:

Position Held:

Date

Witness

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Schedule "C"
Special Conditions

- 1. The timber harvested in the FMU will be made available as follows:
(1) Unless otherwise set out in the approved AOP, all merchantable coniferous trees harvested by the Certificate Holder shall be felled, skidded, decked and left for removal by the coniferous timber disposition holder(s).
(2) Unless otherwise set out in the approved AOP, all merchantable deciduous trees harvested by the coniferous timber disposition holder(s) shall be felled, skidded, decked and left for removal by the Certificate Holder.
(3) Both the Certificate Holder and the coniferous disposition holder(s) shall be compensated for the cost of felling, skidding and decking for the other party in either of two ways:
i) As mutually agreed between the Certificate Holder and the coniferous timber operator(s), or failing such agreement,
ii) As determined by the Minister either to require the parties to exchange equivalent volumes of timber or to require the parties to make monetary payment to each other equal to the contract cost for felling, skidding and decking the timber.
(4) All parties shall be required to fell, skid and deck all timber to the reasonable specifications of the other party, provided such specifications are required by such party for other timber supplied to it by third parties.
(5) Timber dues are payable by the Certificate Holder on all deciduous timber produced from stands cut by or for the Certificate Holder in the FMU regardless of which party conducts the harvesting or hauling operations.

HER MAJESTY THE QUEEN in right of the Province of Alberta, as represented by the Minister of Environment and Sustainable Resource Development by his duly authorized representative

Per:

Date

Witness

Printed Name:

Position Held:

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Schedule "D"

Forest Management Unit Map

Sample Template