



DECISION NOS. 2005-FA-069(a)/070(a)/094(a)/095(a)/096(a)/097(a)/098(a)/  
124(a)/125(a)/126(a) and 127(a) and 2006-FA-001(a)/002(a)/021(a)/022(a)/  
029(a)/030(a)/039(a) and 040(a)

**IN THE MATTER OF APPEALS TO THE FOREST APPEAL COMMISSION  
UNDER s. 147 OF THE *FOREST ACT*, R.S.B.C. 1996, c. 157**

BETWEEN:	TEAL CEDAR PRODUCTS LTD.	APPELLANT
AND:	GOVERNMENT OF BRITISH COLUMBIA	RESPONDENT

**CONSENT ORDER**

WHEREAS Stephen J. Edwards, Regional Appraisal Coordinator of the Ministry of Forests issued the nineteen Stumpage Advisory Notices setting out stumpage rate determinations under s. 105 of the *Forest Act* for certain cutting authorities held by Teal Cedar Products Ltd. as identified in Appendix 1 to this Order (collectively, the "Determinations");

AND WHEREAS the Appellant Teal Cedar Products Ltd. has appealed each of the Determinations under the Appeal Nos. identified in Appendix 1;

AND WHEREAS the Appellant and the Respondent agree to conclude these appeals by way of a consent order of the Forest Appeals Commission;

NOW THEREFORE the Forest Appeals Commission orders, by consent and pursuant to its powers under section 149 of the *Forest Act* that:

1. Each of the determinations be rescinded and remitted to the Regional Appraisal Coordinator for re-determination;
2. The Regional Appraisal Coordinator determine the stumpage rate using Shoal Island as the appraisal log dump for the purposes of calculating
  - (a) the Estimated Winning Bid under Chapter 4; and
  - (b) the applicable Tenure Obligation Adjustments under Chapter 5 of the Coast Appraisal Manual;

3. The Regional Appraisal Coordinator issue new stumpage advisory notices for each of the cutting authorities identified in Appendix 1 based on the determination referenced in paragraph 2 of this Order.

Dated at Victoria, British Columbia, this 19<sup>th</sup> day of February 2007.

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Alan Andison, Chair  
Forest Appeals Commission

BY CONSENT:

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Peter G. Voith, Q.C.  
Counsel for the Appellant

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Alan V.W. Hincks  
Counsel for the Respondent

APPENDIX 1

Stumpage Advisory Notices Appealed From

	<b>Date of Stumpage advisory Notice</b>	<b>Tenure</b>	<b>Cutting Permit</b>	<b>Timber Mark</b>	<b>FAC Appeal No.</b>
1.	April 8, 2005	TRL 46	13L	46/13L	2005-Fa-069
2.	April 8, 2005	T0142	D	T0142D	2005-FA-070
3.	August 10, 2005	TFL 46	13M	46/13M	2005-FA-094
4.	August 10, 2005	T0142	E	T0142E	2005-FA-095
5.	September 1, 2005	TFL 46	4M	46/4M	2005-FA-096
6.	September 1, 2005	T0113	K	T0113K	2005-FA-097
7.	September 1, 2005	T0077	G	T0077G	2005-FA-098
8.	Nov. 30, 2005	TFL 46	11M	46/11M	2005-FA-124
9.	Nov. 30, 2005	TFL 46	11N	46/11N	2005-FA-125
10	Dec. 1, 2005	TFL 46	4P	46/4P	2005-FA-126
11	Dec. 1, 2005	TFL 46	13P	46/13P	2005-Fa-127
12	Jan. 3, 2006	TFL 46	13Q	46/13Q	2006-FA-001
13	Jan. 3, 2006	T0137	B	T0137B	2006-FA-002
14	March 27, 2006	TFL 46	25E	46/25E	2006-FA-021
15	March 27. 2006	T0063	G	T0063G	2006-FA-022
16	May 24, 2006	TFL 46	13R	46/13R	2006-FA-029
17	May 24. 2006	T0137	C	T0137C	2006-FA-030
18	June 16, 2006	TFL 46	6N	46/6N	2006-FA-039
19	June 16, 2006	T0113	L	T0113L	2006-FA-040