

**SUBJECT: MAPLE SUGARY  
LEASING POLICY**

**Policy Number:** CLM 005 2003  
**File Number:** 415-00-0008



**Effective Date:** February 14, 2011  
**To Be Reviewed:** February 14, 2015

**Approval:** Original Signed by Phil LePage, Deputy Minister,  
February 17, 2011

---

**Table of Contents**

<b>1. Purpose .....</b>	<b>3</b>
<b>2. General Policy Statement.....</b>	<b>3</b>
<b>3. Background.....</b>	<b>3</b>
3.1 NB Maple Industry .....	3
3.2 Maple Sugaries on Crown lands.....	4
3.3 Moratorium .....	4
3.4 Value-Added Policy Adoption.....	4
3.5 Recent Issues.....	5
<b>4. Objectives.....</b>	<b>5</b>
<b>5. Definitions .....</b>	<b>6</b>
<b>6. Maple Sugary Leasing Program.....</b>	<b>7</b>
6.1 Allocation of Lands.....	7
6.2 Request for Proposals.....	9
6.3 Land Use Application for Maple Sugary Expansions.....	9
6.4 Minor Additions to a Lease for Operational Requirements.....	9
6.5 Removal of Lands from a Lease .....	9
6.6 Site Criteria .....	11
6.7 Value-Added for a New Lease .....	11
6.8 Value-Added for Existing Lessees Applying for A Maple Sugary Expansion	11
6.9 Site Development Plan.....	11
6.10 Business Plan .....	12
<b>7. Requirements of Lessee .....</b>	<b>12</b>
7.1 Lands Administration Regulation.....	12
7.2 Value-Added Requirement for New Leases .....	12

7.3 Value-Added Requirements prior to March 12, 2003 .....	12
7.4 Value-Added Requirement for Maple Sugary Expansions.....	13
7.5 Liability Insurance.....	13
7.6 Security Deposit .....	13
7.7 Storage of Petroleum Products .....	14
7.8 Survey requirements .....	14
7.9 Registration of Lease .....	14
7.10 Use of Pesticides.....	15
7.11 Site Development Plan .....	15
7.12 Harvesting of Wood .....	15
7.13 Watercourse and Wetland Alteration Permit.....	15
7.14 Fire Safety .....	16
7.15 Sap Collection .....	16
7.16 Value-Added Reporting .....	16
7.17 Building Permit .....	17
7.18 Transfer of Lease .....	17
7.19 Lease Cancellation .....	17
<b>8. Activities on Lease .....</b>	<b>18</b>
8.1 Permitted Uses.....	18
8.2 Additional Permitted Uses .....	18
8.3 Additional Requirements .....	18
8.4 Extended Commercial Activities .....	18
<b>9. Activities Outside Lease Boundaries... ..</b>	<b>18</b>
9.1 Access and Forests Road .....	18
9.2 Tubing Corridor .....	19
9.3 Transmission and Utility Lines.....	19
<b>10.Site Inspections .....</b>	<b>19</b>
<b>11. Annual Rent Rate and Value-added Incentive.....</b>	<b>20</b>
<b>12.Scope and Application .....</b>	<b>20</b>
<b>13. Authority.....</b>	<b>20</b>
<b>14. Inquiries.....</b>	<b>20</b>

## 1.0 Purpose

---

The purpose of this policy is to:

- Promote the production of value-added maple products within the Province of New Brunswick.
  - Allocate, through the Request for Proposals process (RFP), any lands remaining available from the 2,000 hectares of Crown lands that were established for maple sugary operations in 2003; as well as any lands allocated for that use prior to 2003.
  - Allocate, through the RFP process, lands from viable inactive maple sugary leases.
  - Establish criteria, outside the RFP process, for small maple sugary expansions of up to 15 hectares that are either located adjacent to active maple sugary leases or located adjacent to freehold lands being operated as a commercial maple sugary by an existing Crown land maple sugary lessee.
  - Establish the terms and conditions for maple sugary leases.
- 

## 2.0 General Policy Statement

---

It is the policy of the Department of Natural Resources (DNR) that suitable Crown lands may be leased for the commercial tapping of sugar maple trees.

---

## 3.0 Background

---

### 3.1 NB Maple Industry

The Province of New Brunswick is the second largest maple producer in Canada with 1,527,000 kilograms extracted from 1,703,000 taps, valued at \$10.9 million. The average number of taps per producer is 9,000<sup>1</sup>.

The industry is in a transitional phase and is moving toward more value-added production.

---

---

<sup>1</sup> The statistics: Canadian Maple Products – Situation and Trends 2006-2007 – Agri-Food Canada, Statistics Canada, 2006.

---

### **3.2 Maple Sugaries on Crown Lands**

There are 161 active maple sugary leases on Crown lands divided amongst 89 lessees. This represents approximately 9,227 hectares of Crown lands or 64.85% of all Crown lands under lease. Leasing these lands generates \$300,000 in provincial revenues.

Lease sizes vary from 2.15 hectares to 503.31 hectares, with an average of approximately 60 hectares.

---

### **3.3 Moratorium**

In July 2000, the Department introduced a moratorium on the expansion of existing maple sugary leases and the establishment of new maple sugary leases on Crown lands. This was done because of concerns that:

- those using maple trees for saw logs might be facing a shortage of supply;
  - a large percentage of maple sugary production on Crown lands was being exported in bulk without the economic benefits of value-added production, while those using the same resource for saw logs were obliged to carry out value-added processing; and
  - some Crown Timber Licensees were being disproportionately affected by withdrawals of land for maple sugary production.
- 

### **3.4 Value-Added Policy Adoption**

In March 2003, the moratorium was lifted when the Department adopted a new Maple Sugary Leasing Policy, which established a Request for Proposals (RFP) process to allocate an additional 2,000 ha of Crown lands for maple sugary production (see Table 1).

**Table 1: Approximate Allocation of Lands for Maple Sugary Production in 2003.**

<b>Crown Timber License (CTL)</b>	<b>Total Allowable Allocation</b>
<b>1</b>	340 ha
<b>2</b>	160 ha
<b>7</b>	125 ha
<b>8</b>	125 ha
<b>9</b>	750 ha
<b>10</b>	500 ha

---

---

### **3.5 Recent Issues**

Following the 2008 RFP, the Department made a decision not to issue another RFP and review its 2003 Maple Sugary Leasing Policy as a result of the following issues:

- All allowable lands remain in CTLs 3, 7 and 8;
  - Maple sugary producers want additional lands allocated for maple sugary production in CTLs where all the allowable lands have been allocated;
  - There is an increased demand to lease maple sugar stands adjacent to maple sugary leases; outside the RFP process;
  - Producers must currently go through an RFP process to regain a recently cancelled lease as a result of a breach of terms and conditions (e.g., failure to pay rent);
  - In some cases, tapping has occurred outside the lease boundaries; and
  - Concerns have been expressed by both the forest and maple sugary industry regarding damage to existing forest roads.
- 

### **4.0 Objectives**

---

The objectives of this policy are to:

- Support growth of the New Brunswick maple industry and generate additional provincial revenues by:
    - Allocating the 435 hectares of Crown lands remaining from the 2,000 hectares allocated in 2003, and
    - Ensuring Crown lands allocated for maple sugary production prior to 2003 remain available for those purposes.
  - Have full value-added production on all new maple sugary leases and promote the Value-Added Incentive Program for existing maple sugary leases to maximize economic benefits.
  - Allow lease expansions up to 15 hectares adjacent to active maple sugary leases or located adjacent to freehold lands being operated as a commercial maple sugary by an existing Crown land maple sugary lessee, outside the RFP process.
  - Allow minor additions of up to one hectare for operational reasons.
-

## 5.0 Definitions

---

<b>Cutting Permit</b>	Wood cutting permit (commonly known as an X-permit) issued by DNR under policy TM-002.
<b>Dbh</b>	Diameter breast height, which is the diameter of a tree measured at breast height (generally 1.3 m above ground).
<b>Existing Leases</b>	For the purpose of this policy, all active leases and all leases approved prior to March 12, 2003 are considered existing leases, unless they have been terminated.
<b>Maple Sugary Expansion</b>	Viable sugar maple stands of up to 15 hectares which contain at least 150 taps per hectare and are located adjacent to a maple sugary lease or located adjacent to freehold lands being operated as a commercial maple sugary by an existing Crown land maple sugary lessee. Exceptions may be made where a natural or a physical feature, such as a road or a stream, is located between the stand and the lease or the freehold property.
<b>Operational Requirements</b>	Operational requirements are defined as installing a pumping station or other infrastructure required for the collection or transformation of sap. Tapping of trees is not considered an operational requirement.
<b>Tubing Corridor</b>	A sap transportation pipeline located outside the lease boundaries for the sole purpose of transporting sap from one lease area to another, a pumping station or to the production facility.
<b>Value-Added Maple</b>	<p>Value-added maple is defined as:</p> <ul style="list-style-type: none"><li>• maple syrup sold in containers smaller than five litres;</li><li>• products made from further processing the syrup into items such as: maple cream, maple butter, maple sugar or maple candies; and</li><li>• any other food using maple product as an ingredient.</li></ul> <p>Value-added maple can be obtained by processing the sap or syrup on site or by shipping it to a New Brunswick processing plant that does not ship any non value-added maple product out of the Province.</p>
<b>Viable Inactive Leases</b>	Former maple sugary leases involving lands that have a minimum of 150 taps per hectare and contain at least 1,000 taps in total.

---

## 6.0 Maple Sugary Leasing Program

---

### 6.1 Allocation of Lands

Prior to adopting this policy, the Department undertook two studies:

- A desktop study of forest inventory data was conducted for CTLs 3, 7 and 8. Results showed that there are sufficient potential viable lands in these CTLs to meet the existing allowable targets allocated for maple sugary production;
- A review of lands from inactive maple sugary leases that were never returned to the CTLs. Results showed that approximately 390 hectares of untapped inactive maple sugary leases could be returned to CTL to facilitate the allocation of an equal amount of hectares for maple sugary production in those CTL areas.

From the 2,000 additional hectares of Crown lands allocated toward maple sugary production in 2003 and from lands returned to CTLs, the new total of available lands is shown in Table 2 and in Figure 1.

**Table 2: Approximate Allocation of Lands for Maple Sugary Production**

<b>Crown Timber License (CTL)</b>	<b>Total Allowable Lands in 2003 (ha)</b>	<b>Total Lands Remaining in 2010 (ha)</b>	<b>Lands Returned to CTL in 2010** (ha)</b>	<b>New Total of Allowable Lands (ha)</b>
<b>1</b>	340	25	138	163
<b>3*</b>	160	160	0	160
<b>7</b>	125	125	0	125
<b>8</b>	125	125	0	125
<b>9*</b>	1,250	0	252	252

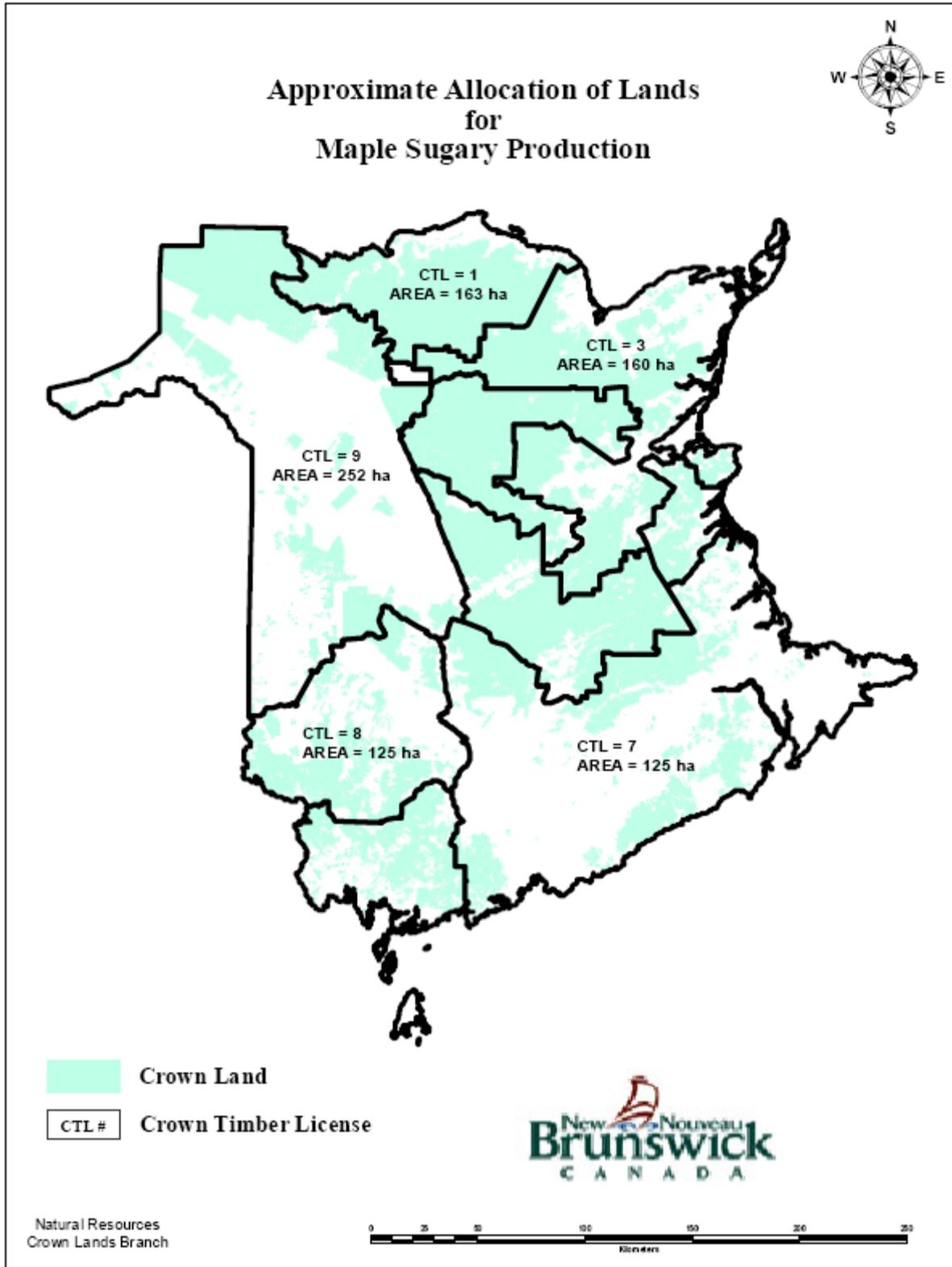
\*In 2007, CTLs 2 and 3 were amalgamated into CTL 3 and CTLs 9 and 10 were amalgamated into CTL 9.

\*\* Lands from untapped inactive maple sugary leases.

The lands, as identified in Table 2 will be made available by an RFP or by a land use application until all the allowable lands have been allocated. All viable inactive leases that have been tapped will continue to be made available for leases throughout the effective period of this policy.

---

Figure 1: Approximate Allocation of lands for Maple Sugary Production



---

**6.2 Request for Proposals**

Except as provided for in Sections 6.3 and 6.4, the lands remaining in Table 2, along with viable inactive leases will be allocated through a Request for Proposal (RFP) process.

Proposals will be evaluated and scored in accordance with the evaluation criteria of Table 3. The proponents that meet all minimal criteria and submit the best proposals may be allocated a lease.

---

**6.3 Land Use Application for Maple Sugary Expansions**

A first come, first served application process will be issued to facilitate expansions of up to 15 hectares for viable maple sugar stands that are either located adjacent to active maple sugary leases or located adjacent to freehold lands being operated as a commercial maple sugary by an existing maple sugary lessee as follows:

1. Applications will be accepted for a three-month period.
  2. Lessees must demonstrate in their application that their leases are being developed in accordance with the approved Site Development Plan.
  3. Once decisions are all made on all applications and any required leases are executed, an RFP process will begin.
  4. The RFP process must be completed and leases executed prior to accepting new applications for maple sugary expansions.
  5. This cyclical application/RFP pattern will continue until all the allowable lands as illustrated in Table 2 have been allocated.
- 

**6.4 Minor Additions to a Lease for Operational Requirements**

Minor modifications, up to one hectare in area, may be made to an active lease to accommodate operational requirements. Adding a small piece of land to the lease to install a pumping station or to install other infrastructure required for the collection or transformation of sap constitutes an addition for operational reasons. Adding a small piece of land to the lease to tap more trees does not constitute an addition for operational requirements.

A Plan of Survey will be required to show the new boundaries of the entire unsurveyed leased area as per Section 7.8. The lease and the Site Development Plan will have to be amended to reflect the change in the leased area.

---

**6.5 Removal of Land from a Lease**

Land may be removed from a lease at the request of the lessee subject to the approval of DNR.

A Plan of Survey plan will be required to show the new boundaries of the lands remaining in the lease as per Section 7.8. The lease and the Site Development Plan will have to be amended to reflect the change in the leased area.

**Table 3: Evaluation Criteria**

Applicant's Name:			Score
Criteria	Minimum Evaluation Requirements	Comments	
Site Suitability	The site must sustain a minimum of 150 taps/ha of sugar maple and contain a minimum of 1,000 taps in total.	Scoring will be based on the number of taps per hectare. The Site Suitability Report must be prepared by an RPF or a certified forest technician. Sites with relatively higher number of taps per hectare will receive a higher score.	/5
Industry Knowledge	Demonstrates that they have some knowledge or experience with operating a maple sugary.	Scoring will be based on the years of knowledge and experience in operating a maple sugary.	/4
Site Development and Decommissioning	Submits a complete site development plan and describes how the site will be rehabilitated when the lease terminates.	Scoring will be determined by the proponent's ability to describe the location, timing of the proposed development (i.e., infrastructure and tapping) as well as the proposed decommissioning.	/4
Expenditure and Financial Capability	Demonstrates that the capital investment is secured.	Scoring will be based on the details of the expenditure and how the capital investment is secured to cover all development cost.	/3
Value-Added and Markets	Undertakes to transform all sap or syrup into value-added products, demonstrates that there is a market for the product.	Scoring will be based on the proponent's ability to demonstrate that all sap or syrup will be transformed into value-added and there is a market for the product.	/3
Business Viability	Demonstrates that the proposed operation will be successful.	Scoring will be based on the proponent's ability to describe the proposed operations, including the organization, and demonstrate that the maple sugary will be a successful business.	/6
<b>Final Score:</b>			<b>/25</b>

**Note: The proponent must meet every minimal requirement outlined above, including those indicated as a “must” in the RFP, to be considered.**

---

**6.6 Site Criteria** To qualify for a maple sugary lease, the proposed area of Crown lands must be able to sustain a minimum of 150 sugar maple taps per hectare and contain at least 1,000 taps in total. Maple sugary expansions must have the same minimum of taps per hectare, but it is recognized that small expansions may not contain a total of 1,000 taps.

In measuring tap potential, the following requirements must be respected:

- trees with a dbh of 23 cm or less cannot be tapped;
- trees with a dbh between 24 cm and 35 cm can sustain one tap hole;
- trees with a dbh between 36 cm and 45 cm can sustain a maximum of two tap holes; and
- trees with a dbh greater than 45 cm can sustain three tap holes.

Proponents must provide the measured number of taps per hectare with the location of points where tap count was measured and the number of taps per hectare estimated for each point.

A registered professional forester or a certified forest technician must prepare this information.

---

**6.7 Value-Added for a New Lessee** Holders of new leases, including viable inactive leases, will have to show that all sap or syrup collected will be transformed into value-added products by a recognized facility in New Brunswick.

---

**6.8 Value-Added for existing lessees applying for a maple sugary expansion** Lessees of leases issued prior to March 12, 2003 will have to show that a portion of their gross sales, proportionate to the area of the additional lands or the lease expansion for which they apply, will be derived from value-added product.

This will be calculated as follows:<sup>2</sup>

$$\frac{\text{Additional leased area}}{\text{Total leased area}} \times \text{Total gross sales} = \text{Minimum gross sales to be derived from value-added products}$$

---

**6.9 Site Development Plan** The proponent must submit a Site Development Plan and comply with it throughout the term of any eventual lease.

---

---

<sup>2</sup> For example if a lessee holding a 50 ha lease obtains a 15 ha expansion, for a total of 65 ha, 23.1% of his or her gross sales will have to be derived from value-added products.

---

**6.10 Business Plan**

The proponent must provide a Business Plan that:

- Includes the proposed operation, current facilities and industry knowledge;
- Describes value-added and the markets;
- Provides complete financial information on cost estimates and funding requirements for the proposed plan; and
- Demonstrates that capital required to develop the site is secured (e.g., letter of credit from a bank).

Required financial statements shall be in accordance with generally accepted accounting principles and signed by a member of one of the following:

- Certified General Accountants Association of Canada (CGA), or
  - Chartered Accountants of Canada (CA), or
  - Certified Management Accountants of Canada (CMA).
- 

**7.0 Requirements of Lessee**

---

**7.1 Lands Administration Regulation**

The lessee will have to abide by all the requirements of Regulation 2009-62, *Lands Administration Regulation - Crown Lands and Forests Act*.

---

**7.2 Value-Added Requirement for New Leases**

The lessees of all new dispositions issued after March 12, 2003, including inactive maple sugary leases, will have to process all sap or syrup collected into value-added product.

---

**7.3 Value-Added Requirements prior to March 12, 2003**

Lessees of leases issued prior to March 12, 2003 must demonstrate that 50% or more of their gross sales are derived from value-added products to qualify for the Value-Added Incentive Program. Those that qualify will benefit for a reduced rental rate as established in the *Lands Administration Regulation-Crown Lands and Forests Act*.

---

---

**7.4 Value-Added Requirement for Maple Sugary Expansions**

For leases issued prior to March 12, 2003, lessees who wish to obtain a lease expansion will have to derive a proportionate share of their gross sales from value-added product. This will be calculated as described in Section 6.8. Applying for the Value-Added Incentive Program to qualify for the value-added rental rate is at the discretion of the lessee.

For leases issued after March 12, 2003, lessees who wish to obtain a small maple sugary expansion will have to process all sap or syrup collected into value-added products.

---

**7.5 Liability Insurance**

The lessee must obtain third party liability insurance in the amount of \$2,000,000.00.

Her Majesty the Queen in Right of the Province of New Brunswick must be named as an “additional-insured” in the policy.

A copy of the policy must be forwarded to DNR and a certificate of insurance must be provided prior to the execution of a lease or upon request.

---

**7.6 Security Deposit**

The lessee must provide a security deposit for the period that the maple sugary lease is under development.

The amount of the security deposit will be calculated as followed:

$$\begin{array}{l} \text{Total no. of ha} \\ \text{of the lease} \end{array} \times \$100/\text{ha} = \text{Amount of the security deposit}$$

The security deposit can be in the form of:

- a cash deposit, or
- an irrevocable letter of credit from an approved Canadian Chartered Bank.

If the security is in the form of a cash deposit, the money may be put toward payment of the lease fee once the lease has been fully developed. Upon the lease being fully developed, it is the lessee’s responsibility to request that the deposit be credited against any money owed to the Province of New Brunswick.

---

---

**7.7 Storage of Petroleum Products**

For the storage and use of petroleum, propane, natural gas or other fuels, the lessee shall comply with DNR's Policy on Storage of Petroleum Products on Crown Lands (CLM-004-2002) as well as the *Petroleum Products Storage and Handling Regulation (89-97)* under the *Clean Environment Act*.

---

**7.8 Survey Requirements**

A Plan of Survey will be required:

- any time there is an addition or a withdrawal of land from a lease;
- for all new leases;
- for all lease renewals, where the lease is not already surveyed;
- Upon the Minister's request for non surveyed leases for which
  - trespass is suspected,
  - the lease boundaries have been changed,
  - the lease boundaries are no longer visible on the ground, or
  - if it is unclear as to what are the boundaries.

The lessee will be responsible for the survey of the leased area.

The Plan of Survey must:

- be completed by a New Brunswick Land Surveyor; and
- be approved and recorded by the Crown Lands Branch.

The lessee must maintain the boundary lines established by a Land Surveyor without destroying survey evidence.

---

**7.9 Registration of Lease**

New leases or leases being renewed must be registered at Service New Brunswick (SNB).

The lessee will be responsible for:

- registering the lease; and
- forwarding a copy of the registration details to DNR within three weeks.

If the Crown land is in the Land Titles System, the lessee will have to register the lease in the Land Titles System.

Where the lessee desires to enter into an undertaking that requires the transfer of the leased lands from the Land Registry System to the Land Titles System, the lessee will be responsible for arranging the transfer and bear all associated costs.

---

---

**7.10 Use of Pesticides**

All use of pesticides must comply with the *Provincial Pesticides Control Act*.

---

**7.11 Site Development Plan**

The lessee shall abide by the Site Development Plan approved by the Minister as per the *Lands Administration Regulation – Crown Lands and Forests Act*.

At least 20% of the approved Site Development Plan should be carried out every year until the site is fully developed. The lessee is responsible to advise DNR once the site is fully developed and in full operation.

A Site Development Plan is part and parcel of a lease, even after the site is fully developed.

The Site Development Plan has to be amended and re-approved by DNR any time the lease area is modified or before any major works, other than the works approved in the original Site Development Plan, are undertaken on the site.

---

**7.12 Harvesting of Wood**

Before any trees are harvested from the site, the lessee must obtain a Cutting Permit and abide by all of its conditions.

The requirements of the Cutting Permit Policy (TM-002), Issuing of Permits under Section 56 of the *Crown Lands and Forests Act*, must be met. Non compliance may result in lease cancellation, and/or be subject to penalty.

The lessee shall keep all royalty accounts current (net 30 days).

---

**7.13 Watercourse and Wetland Alteration Permit**

If a watercourse is present on a lease, the lessee must obtain a Watercourse and Wetland Alteration Permit from the Department of Environment to conduct any work within 75 metres of the watercourse where the lease is located within a municipal drinking supply watershed, and within 30 metres elsewhere. The work shall be done by a certified contractor and in accordance with the conditions of such a permit.

---

---

**7.14 Fire Safety** Any burning of debris must be done in conformity with the *Forest Fires Act* and the *Clean Air Act* and their respective regulations.

---

**7.15 Sap Collection** The diameter of tap holes shall not exceed 8 mm and tapping shall be done by drill. This restriction applies to all new leases and to all lease renewals.

All spiles used in the collection of the sap shall be removed from the trees at the end of each tapping season and no later than June 1 of each year.

The use of non-mechanical flowage enhancers is prohibited.

For sap collection purposes or line support purposes, materials must be affixed so as not to be overgrown by the annual growth of trees and so as not to interfere with the health, economic value, or safe use of wood to be harvested in the future.

No nails or other similar deleterious materials are to be affixed to any tree within the lease.

---

**7.16 Value-Added Reporting** The lessee shall complete a value-added incentive form every year to qualify for the Value-Added Incentive Program by the deadline prescribed by DNR.

The value-added incentive program form must:

- show the total gross sales, and
- show the gross sales derived from value added products.

The lessee will have to provide a copy of their business financial statement:

- the first year of a new lease;
- the first time a lessee wishes to qualify for the value-added incentive as provided for in Section 7.3; and
- Upon request from DNR.

The lessee must maintain appropriate financial records. These records must be made available upon request by DNR for auditing purposes.

---

---

**7.17 Building Permit**

The lessee must comply with the Provincial Building Regulation and obtain a building permit from the appropriate planning authority before constructing any building on the lease.

Notwithstanding the above, buildings and structures must comply with the following:

- a) Exterior walls must have a protective finish;
- b) Logs used on an exterior wall do not require a protective outer finish; however, these logs must be debarked;
- c) Tar paper, cardboard, building paper or other similarly combustible material shall not be used to finish exterior and interior walls;
- d) Wooden shingles or shakes cannot be used as roofing material;
- e) The chimney shall be equipped with a spark arrester and/or rain cap and the chimney shall be maintained in a sound condition.

---

**7.18 Transfer of Lease**

A lease, where the site development has been started, may be transferred if the transferee:

- is in good standing with DNR,
- undertakes the development of the lease in accordance with the Site Development Plan or submits a new one to DNR for approval,
- adheres to the terms and conditions of the lease, and
- Obtains the required written consent of the Minister.

---

**7.19 Lease Cancellation**

Failure to abide by any of the requirements of this policy or any applicable legislation or regulatory requirements may lead to lease cancellation.

If a maple sugary lease is cancelled, the former lessee will have 30 days after the cancellation to submit an application for a new lease for the site. If no application is received by the Land Use Application Service Centre within this 30-day time period, any new lease may only be issued as outlined in Sections 6.2, 6.3 and 6.4 of this policy.

---

## 8.0 Activities on Lease

---

- 8.1 Permitted Uses** A lease authorizes the lessee to:
- collect sap,
  - transform sap, and
  - sell maple products on site.
- 

- 8.2 Additional Permitted Uses** The following activities may be permitted during the tapping season:
- public tours of the facilities,
  - food preparation and food service to clients,
  - value-added production facility, or
  - other activities related to a maple sugary operation.
- 

- 8.3 Additional Requirements** When additional activities are permitted in accordance with Section 8.2, the lessee is required to:
- modify the Site Development Plan showing:
    - the location of all facilities,
    - the traffic pattern, and
    - the parking space;
  - comply with the requirements of the *Health Act*; and
  - adhere to any other requirements that DNR deems necessary.
- 

- 8.4 Extended Commercial Activities** If the lessee wants to conduct activities permitted in Section 8.2 for a period of time lasting longer than the tapping season or conduct non-maple sugary-related activities, the lessee will have to obtain the appropriate lease and be subject to all the terms and condition of that lease.
- 

## 9.0 Activities Outside the Lease Boundaries

---

- 9.1 Access and Forest Roads** Following receipt of an application, DNR may issue a licence of occupation to a maple sugary lessee to construct, maintain and repair a road on Crown lands to access a maple sugary lease.

The lessee shall repair, at his or her own cost, any damage to forest roads as a result of activities associated with the operation of their maple sugary lease. Failure to comply may result in the cancellation of the lease.

---

---

**9.2 Tubing  
Corridor**

A maple sugary tubing corridor located outside the boundaries of a lease for the sole purpose of transporting sap to another leased area, a pumping station, a holding tank or a production or transformation facility may be authorized by a licence of occupation.

A licence of occupation shall be subject to amending the site development plan. The term of the licence will have the same expiry date as the associated maple sugary lease and may be renewed to coincide with the renewal of the lease.

Unless otherwise specified, the tubing pipeline must not be permanently affixed to the ground or above the ground. It must be established in such a fashion as to allow temporary removal if required by the Crown Timber Licensee or DNR. The tubing corridor shall be 5 to 10 metres in width as prescribed by DNR. Tapping within tubing corridors is prohibited. DNR may request the removal of the tubing corridor if it is required for resource management purposes.

---

**9.3  
Transmission  
and Utility Line**

Energy generation by such means as solar panels, wind mill or a fuel-powered generator may be permitted provided that:

- a) The energy generated is for the lessee's operational use;
- b) All applicable regulations for the placement, construction, securement and operation of such facilities are met;
- c) If a tower is used,
  - it does not exceed 20 metres in height above ground, and
  - it is properly anchored.

The lessees shall obtain a licence of occupation for any distribution line on Crown lands located outside the lease boundaries.

Lessees may connect to the N.B. power grid provided that there is no cost or liability for DNR and that all required approvals are obtained. Authorization (e.g., easement or licence of occupation) will be required from DNR for any transmission or utility lines connecting to the N.B. power grid that are on Crown lands, located outside the lease boundaries.

---

## 10.0 Site Inspections

---

All new maple sugary leases and lease expansions will be inspected by DNR staff at least once a year until full development is achieved.

Maple sugary leases, which are fully developed, will be inspected at least once every five years.

---

## 11.0 Annual Rent Rate

---

Rental rates for maple sugary leases are contained in Schedule B of the Regulation 2009-62, *Lands Administration Regulation – Crown Lands and Forests Act*.

---

## 12.0 Authority

---

The following sections of the *Crown Lands and Forests Act* provide authority for this policy:

- Lease - Section 24, *Crown Lands and Forests Act*
  - Easement – Section 25, *Crown Lands and Forests Act*
  - Licence of Occupaton – Section 26, *Crown Lands and Forests Act*
  - Issuing of Cutting Permits – Section 56, *Crown Lands and Forests Act*
  - Regulation 2009-62, *Lands Administration Regulation - Crown Lands and Forests Act*
- 

## 13.0 Inquiries

---

### 13.1 Written Inquiries

Inquiries concerning this policy may be made in writing to:  
Director, Crown Lands Branch  
Department of Natural Resources  
P.O. Box 6000, Fredericton, N.B. E3B 5H1

---

### 13.2 Phone Inquiries

Inquiries may be made by phone by calling the Land Use Application Service Centre at 1-888-312-5600

---

### 13.3 E-mail Inquiries

E-mail inquiries concerning this policy may be made by e-mailing the Land Use Application Service Centre at [CL\\_TCweb@gnb.ca](mailto:CL_TCweb@gnb.ca).