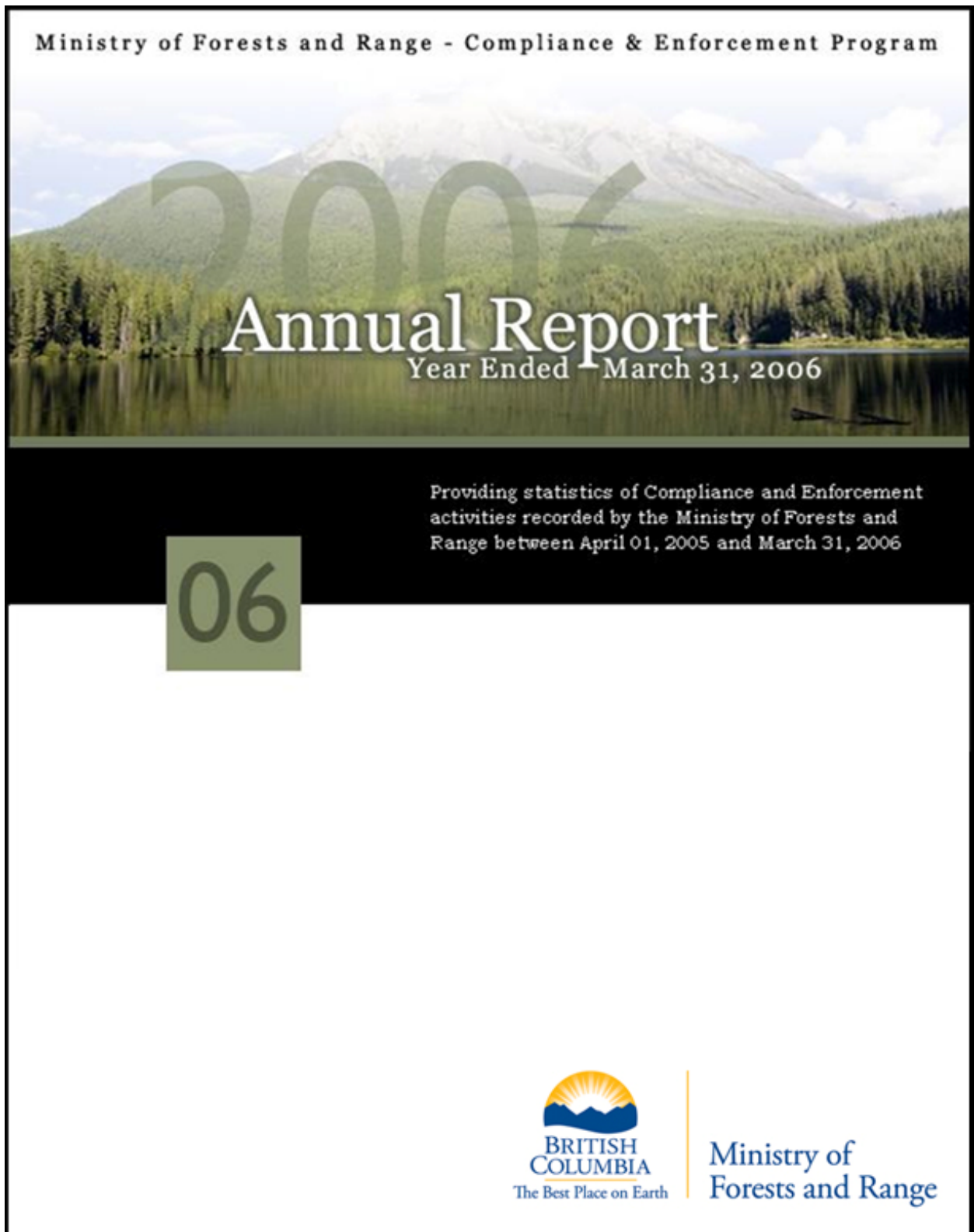




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Annual Report 2005-2006

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Introduction

The 2006 Compliance & Enforcement (C&E) Annual Report is the 11th annual report produced by the Ministry of Forests and Range. The C&E Annual Report contains information on [inspections¹](#), [compliance actions](#) and [enforcement actions](#) relating to legislation governing forest and range activities on [Crown land](#).

Forest and range activities in the province of British Columbia are regulated by a number of legislative acts. These acts include the [Forest Act](#), the [Range Act](#), the [Wildfire Act](#), the [Forest Practices Code of British Columbia Act](#), and the [Forest and Range Practices Act](#) and all the regulations associated with these acts. The *Forest Practices Code of British Columbia Act* (the Code) came into effect in 1995 and is currently being replaced by the *Forest and Range Practices Act* (FRPA) which came into effect on January 31, 2004. During this transition period, forest and range activities on Crown land are affected by both pieces of legislation.

This report contains statistics gathered from the C&E Program's two information systems:

- The [Enforcement Action, Administrative Review and Appeal Tracking System \(ERA\)](#) serves as the Ministry's record of enforcement activities. ERA documents cases that arise from alleged contraventions of the acts and regulations enforced by the Ministry, including the issuance of tickets, enforcement actions taken, and cases that are appealed.
- The [Compliance Information Management System \(CIMS\)](#) serves as the Ministry's record of inspection activities and compliance actions.

This annual report covers C&E Program activities for the period of April 1, 2005 to March 31, 2006 and provides a follow-up to previous C&E annual reports. The report covers compliance and enforcement activities with respect to forest and range activities carried out by various individuals and licence holders, including [major licensees](#), [community forest agreement holders](#), [timber sale licensees](#), [woodlot licensees](#), [range licensees](#) and mining, petroleum and natural gas companies holding [licences to cut](#).

Electronic copies of this report are available from the Ministry's Compliance & Enforcement Branch, or by accessing the government Internet page: www.for.gov.bc.ca/hen/index.htm

If there are discrepancies between the printed copy of the annual report and the copy on the website, the posted copy of the annual report on the website is considered correct.

Key Statistics

April 1, 2005 to March 31, 2006:

- **16,566** Inspections were recorded
- **464** Enforcement Actions were taken
- **11** Stop Work Orders were issued
- **2,959** Compliance Actions were taken

¹underlined words are defined in the glossary at the end of this report.

Service Plan Report Statistics

The Ministry's Annual Service Plan Report includes statistics about Compliance & Enforcement Program activities and forest operators' compliance. The following information is from the 2005/2006 Annual Service Plan Report, available at: www.for.gov.bc.ca/mof/annualreports.htm

Percent of forest operators' compliance with standards that regulate forest practices	93.6%
Percent of high and very high priority sites inspected for forest and range practices compliance	86.7%
Percent of high and very high pricing and revenue risk sites inspected for pricing and revenue compliance	82.8%

Inspections

[Inspections](#), or site visits, are conducted to determine whether forest and range activities are in compliance with forest and range legislation.

What are inspections?

Inspections are a systematic process to confirm compliance with statutory obligations and are done on a routine basis (planned or spontaneous). C&E inspections cover the legal obligations of both licensees and the government.

Because it is not possible to inspect every forest and range activity, C&E staff evaluate the risks associated with sites and activities, and focus inspections on activities with a higher social, economic or environmental risk.

C&E officials conduct seven primary types of inspections: General Inspections, Harvest Inspections, Road Inspections, Silviculture Inspections, Range Inspections, Recreation Inspections, and Recreation Patrols.

Figure 1: Number of Inspections by Forest Region

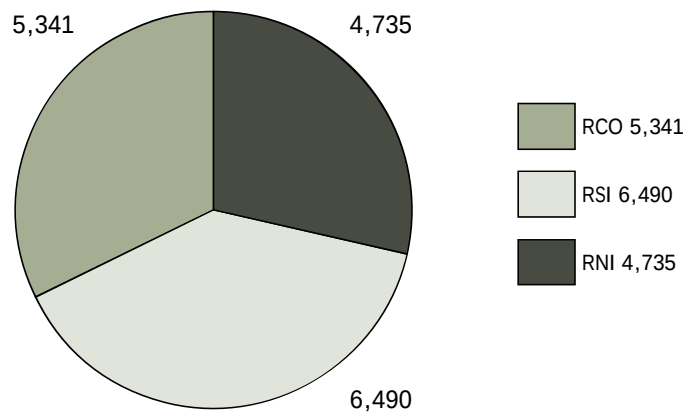


Figure 2: Number of Inspections by Tenure Type

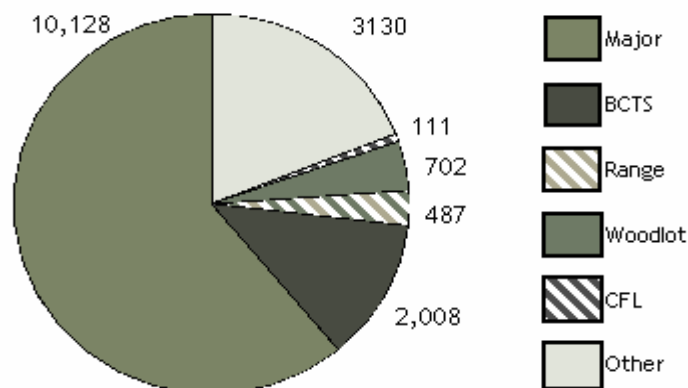
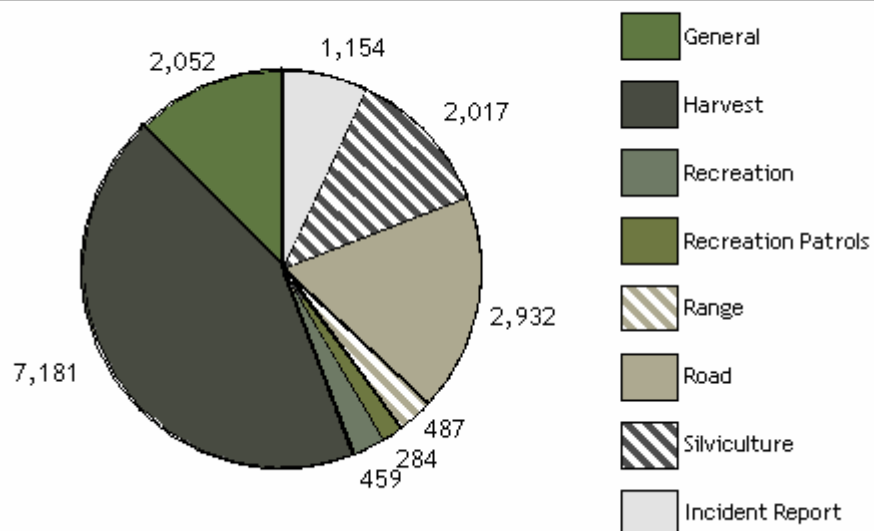


Figure 3: Number of Inspections by Inspection Type



Profile: Road Checks

Over the past few years, Compliance and Enforcement (C&E) staff have conducted province-wide road checks to assess compliance with regulations relating to timber transportation and the use of Forest Service Roads.

In 2005/2006, three province-wide road checks were organized, each of which resulted in the inspection of approximately 800 logging trucks. This is in addition to district-organized road checks, and random checks.

Inspections of logging trucks support government's efforts to improve safety in the forest sector, and also help to protect revenue interests associated with the use of Crown timber. To assess safety considerations associated with the Forest Service Road Use Regulation, officials inspect for vehicle speed, compliance with traffic control devices, proper insurance and vehicle maintenance.

Inspections for timber transportation requirements focus on proper timber-marking and load slips. C&E Officials hand out information pamphlets to help raise awareness about legal requirements, and to promote compliance.

Province-wide road checks generally show a compliance rate of about 80%. The most common problems found were improper marking of loaded timber and missing information on timber transport documents. Most contraventions were minor and resulted in verbal warnings, although more serious contraventions have led to violation tickets.

Other agencies frequently participate in road check events, including the RCMP, Ministry of Transportation and Highways, WorkSafeBC, the Conservation Officer Service, Industry Canada, and the Department of Fisheries and Oceans.



Compliance

During the course of an inspection, a C&E official may find incidents of possible non-compliance of forest and range legislation. Incidents of possible non-compliance, or contraventions, involve an individual or company that has been found to have acted in such a manner as to have violated the law. Possible non-compliance may be found during an inspection, or may be identified as a result of other sources such as tips from the public or Ministry staff, or self-reporting by licensees.

What are compliance actions?

Compliance actions include no action, compliance notices and warning tickets. Compliance actions are only appropriate if all of the elements of a contravention could be proven, through the formal enforcement process, but the severity of the alleged contravention does not warrant a formal enforcement action.

Based on the significance of the non-compliance, and other considerations, [Compliance actions](#) are used to get the individual or company that is in contravention into compliance with the applicable legislation.

Compliance actions include:

- [Compliance No Action](#)
- [Compliance Notice](#)
- [Warning Ticket](#)

Figure 4: Compliance Actions by Region

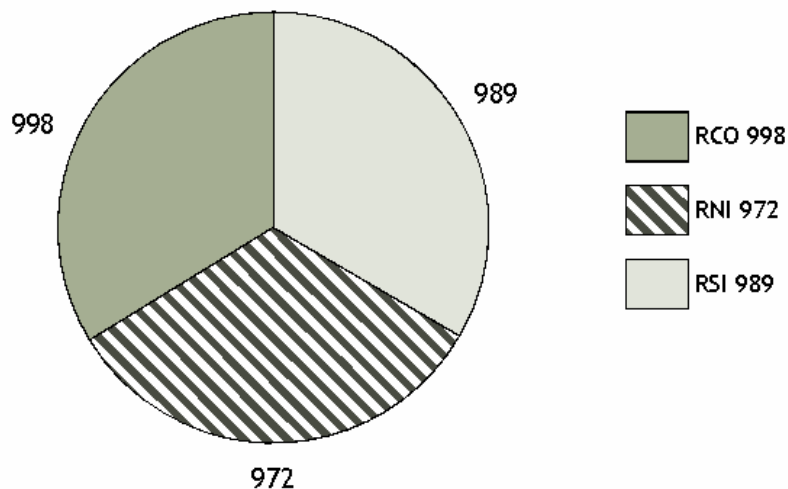


Figure 5: Compliance Actions by Tenure Type

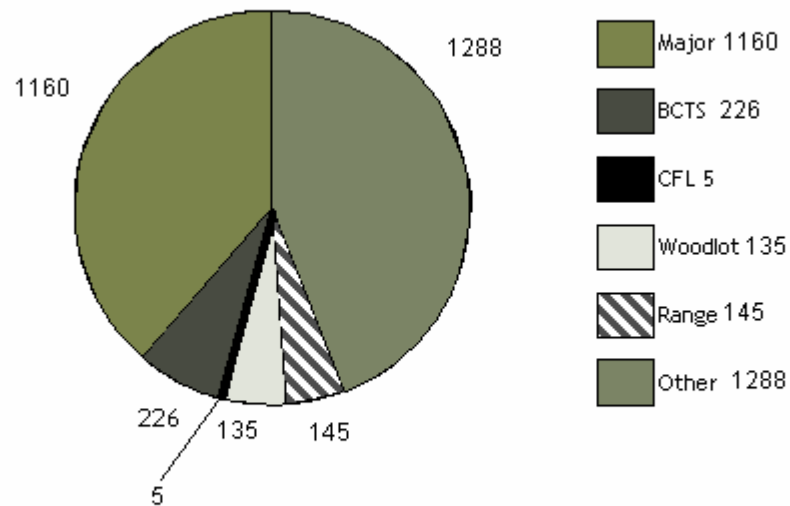
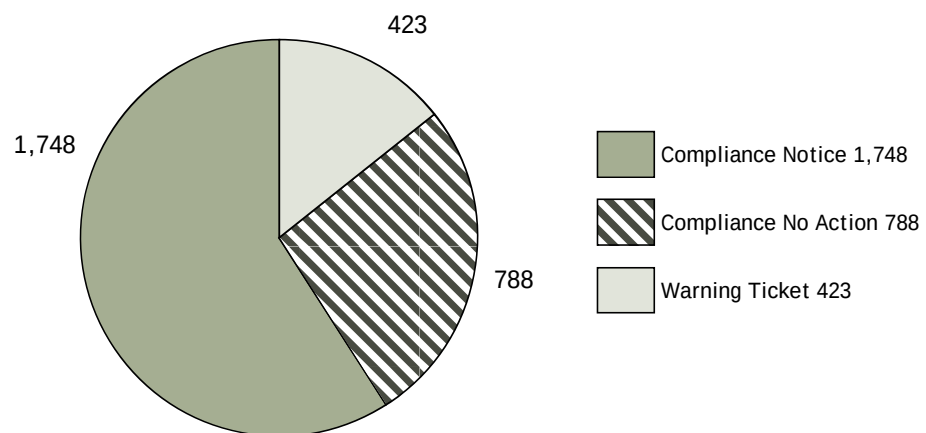


Figure 6: Compliance Actions by Compliance Action Type



Stop Work Orders

A [Stop Work Order](#) is used by an official to stop a forest and/or range practice that the official believes is in contravention. This halts any potential loss or damage to the environmental, social, or economic values on the site, and allows time for the official to determine if an actual contravention has occurred. Stop Work Orders are not considered a finding of contravention.

There were 11 Stop Work Orders issued in 2005/2006.

Enforcement

Enforcement actions are used when an official determines that legislation has been contravened, and a formal sanction is warranted. For example, an enforcement action may be used to address contraventions that result in loss or damage to the environmental, social, or economic values of a site. Individuals and companies subject to enforcement actions have an avenue to appeal the action.

Enforcement actions include:

- Violation Tickets,
- Monetary Penalties,
- Remediation Orders,
- Licence Suspension,
- Licence Cancellation, and
- Orders to Vacate.

Violation Tickets and Administrative Penalties

Violation tickets issued	173
Monetary amount of tickets	\$30,841
Administrative penalties levied	132
Monetary amount of penalties	\$265,295

Figure 7: Enforcement Actions by Type

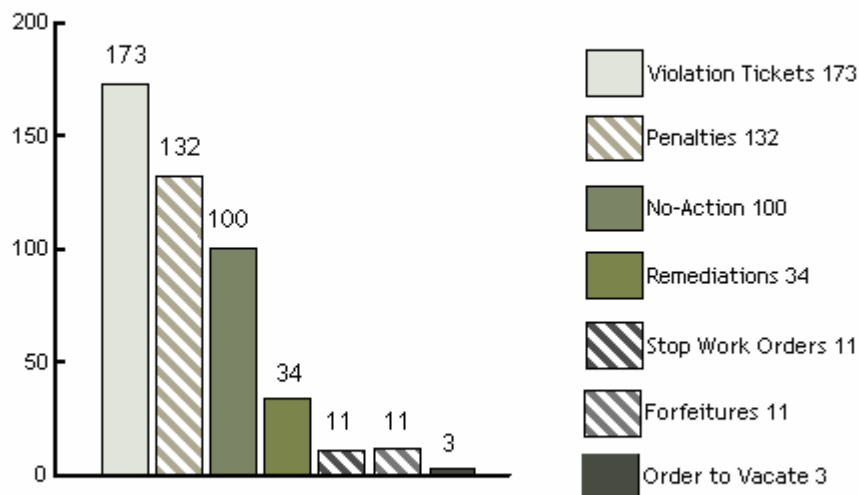


Figure 8: Legislation Most Often Contravened

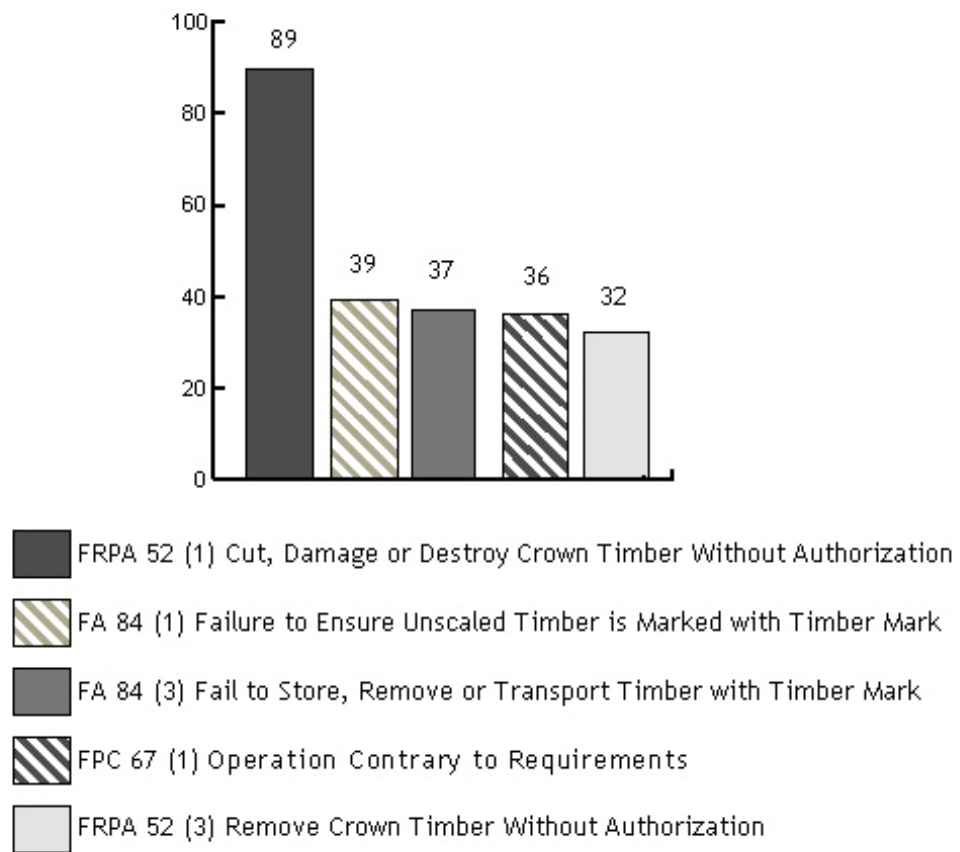
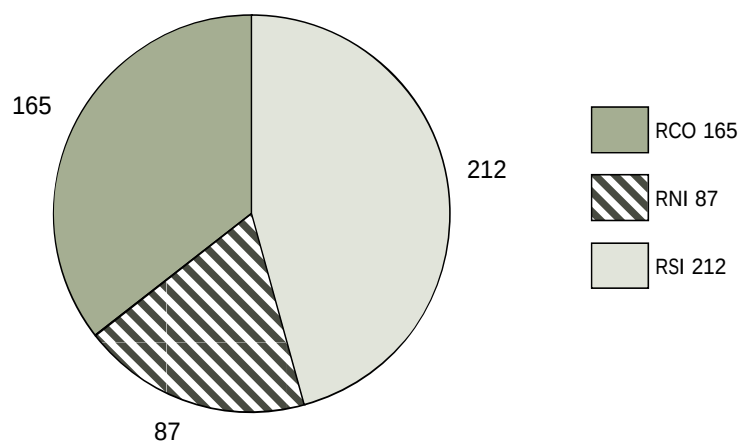


Figure 9: Enforcement Actions by Region



Reviews and Appeals

During the reporting period, there were three requests for administrative reviews of enforcement decisions made under forest and range legislation. A total of one review decision was released during the reporting period. It confirmed the decision, meaning that the review panel upheld the original decision.

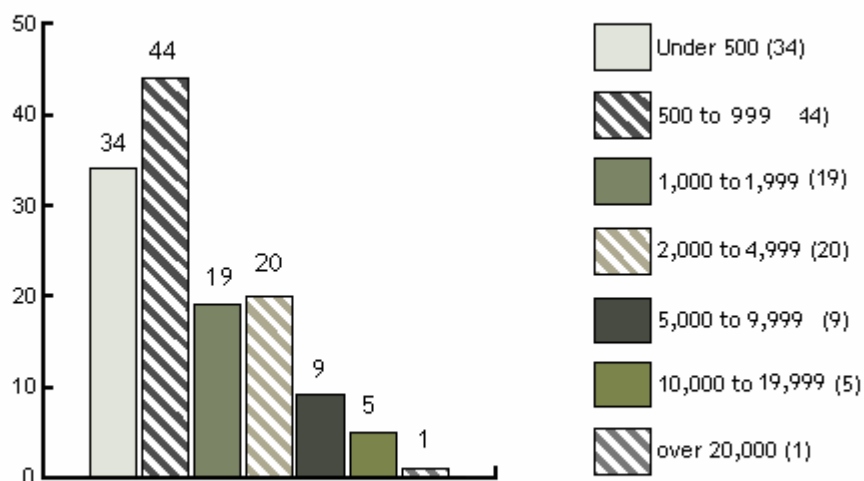
For information on appeals filed with the Forest Appeals Commission, see: <http://www.fac.gov.bc.ca>

Monetary Penalties

Monetary penalties may be applied by a senior government official when the official has determined that an individual or licensee has contravened the legislation. Penalties may also be applied when an official determines that one of the defences (due diligence, mistake of fact, or officially-induced error) applies, and therefore the individual or licensee did not contravene the legislation, but that a penalty is appropriate to remove economic benefit to the individual or licensee.

Monetary penalties should not be confused with fines that may be imposed by the courts if a licensee is convicted of an offence.

Figure 10: Summary of Monetary Penalties



Unauthorized Harvest

[Unauthorized Harvest](#) occurs when timber on Crown land is cut, damaged or destroyed without the appropriate authorization. Some incidents involved individuals who wilfully cut and removed Crown timber without authorization. Other cases involved licensees who were eligible for, but had not yet received a permit authorizing harvesting to take place. There are also various other types of incidents, such as wilful or negligent errors in boundary marking which resulted in harvesting outside of an authorized area.

From April 1, 2005 to March 31, 2006, individual penalties for unauthorized harvesting ranged up to \$36,500 for a single case, and totalled \$199,467. During the same period, 14 Violation Tickets, for less serious incidents of unauthorized harvesting, were issued, with fines totalling \$2,422.

As a result of a 2003 amendment to the Forest Act, stumpage is now payable on timber harvested without authority. Previously, the Crown was unable to collect stumpage on authorized harvests; instead, penalties issued included an amount equivalent to the stumpage as a means to compensate the Crown. The 2003 legislation change has reduced the total monetary amount of penalties.

Profile: Quality Assurance Program

C&E has an internal monitoring program to assess its own business practices and procedures, and to identify potential recommendations for improvement. In 2005/2006, the quality assurance program focused on examining C&E's own practices and procedures in investigating the legal obligations of government staff. For example, district managers are legally required to maintain forest service roads, and timber sale managers are required to conduct reforestation in areas harvested under the their program.

As part of its review, C&E staff inspected for compliance with these and other legal obligations, and investigated cases of possible non-compliance.

The quality assurance review found that C&E staff had properly applied Ministry policy in handling cases of potential government non-compliance. It was recommended that staff be given greater clarification regarding which areas of government non-compliance are to be considered significant versus insignificant, and that a process be developed to better document and support this decision.



In 2005/2006, staff also conducted follow-up reviews of the quality assurance projects carried out in previous years. This review showed that previous recommendations had or are being acted on.

More quality assurance work is planned as part of the C&E Program's ongoing effort to maximize the effectiveness of its business practices and procedures.



Major Licensees

Statistics for Major Licensees

For the purposes of this annual report, [Major Licensees](#) are defined as companies that:

- have a recorded [harvest volume](#) of more than 20,000 cubic metres per year, or
- are the holder of a [tenure](#) considered to be a major licensee by the Ministry, or
- were a holder of a major tenure in the last five years

Statistics	Number	% of Total
Number of Inspections	10,128	61.1%
Number of Compliance Actions	1,162	38.6%
Number of Stop Work Orders	3	27.3%
Number of Enforcement Actions	156	33.3%
Volume Billed	71,976,399 m ³	79.5%

Major Licensees include the following licence types: Tree Farm Licences, Timber Licences, Forest Licences, Pulpwood Agreements, and Major Timber Sale Licences.

Major Licensees with One or More Enforcement Actions

Ministry data indicates that the following actions were taken during the reporting period, regardless of when the actual contravention occurred.

Note that a portion of a licensee's volume may have been harvested by a separate company or contractor; the following listings do not include enforcement actions which might have been carried out against the activities of a separate company.

A.J.B. Investments Ltd.			Volume Billed	Inspections
			74,118 m ³	1
Case No.	Incident Date	Legislation	Description	Determination
DSC-24012	4/25/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Abitibi Consolidated			Volume Billed	Inspections
			94,388 m ³	129
Case No.	Incident Date	Legislation	Description	Determination
DMK-2003-0009	4/1/2001	SILV 22 (1)	Failure to destroy insect brood before emergence	Penalty
DMK-2003-0016	1/31/2003	FPC 17 (1)	Failure to carry out required assessments	Penalty
DMK-23953	3/21/2005	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DMK-23953	3/21/2005	THSP 38 (4)	Exceed limits for Seed or vegetative material transfer	Remediation

Ainsworth Lumber Company Ltd.			Volume Billed	Inspections
			279,256 m ³	59
Case No.	Incident Date	Legislation	Description	Determination
DCS-24225	7/26/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DCS-24309	8/24/2005	FPC 62 (1)	Construct/Modify Road not to Requirements	Violation Ticket

Aspen Ridge Consulting Ltd.			Volume Billed	Inspections
			129,994 m ³	9
Case No.	Incident Date	Legislation	Description	Determination
DPG-24122	12/1/2003	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DPG-24122	12/1/2003	FPC 96 (2)	Remove Crown Timber	No Action

Bell Pole Company			Volume Billed	Inspections
			140,121 m ³	70
Case No.	Incident Date	Legislation	Description	Determination
DAB-23674	5/17/2001	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DAB-23674	5/17/2001	SILV 8 (4)	Exceed Seed/Material Transfer Limit	Remediation
DCO-24397	10/4/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DCO-24446	10/18/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DCO-24458	10/28/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Burns Lake Community Forest Ltd.			Volume Billed	Inspections
			324,099 m ³	8
Case No.	Incident Date	Legislation	Description	Determination
DND-24787	2/6/2006	WLFM 18 (1)	Failure to obtain district manager approval of site plan	Stop Work Order

C.R.B. Logging Company Ltd.			Volume Billed	Inspections
			25,932 m ³	16
Case No.	Incident Date	Legislation	Description	Determination
DSQ-24924	3/30/2006	FPC 54 (1)	Unauthorized Road use	Stop Work Order
DSQ-24924	3/30/2006	RDU 6 (5)	Operate vehicle contrary to traffic control device on forest service road	Stop Work Order
DSQ-24924	3/30/2006	FPC 54 (1)	Unauthorized Road use	Violation Ticket

Canadian Forest Products Ltd.			Volume Billed	Inspections
			13,840,955 m ³	1,204
Case No.	Incident Date	Legislation	Description	Determination
DAB-23736	3/21/2002	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DAB-23738	3/21/2002	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DHW-23974	4/21/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DIC-23164	2/20/2004	FA 105.1	Failure to ensure information submitted is accurate	Penalty
DKL-23902	7/1/1993	SPR 6 (I)	Improper transfer of Seed or Seedlings	Remediation
DKL-23902	5/1/1994	SPR 21 (E)	Seed transferred to inappropriate area	Remediation
DKL-23902	6/1/1999	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DKL-23902	5/1/2000	SILV 8 (4)	Exceed Seed/Material Transfer Limit	Remediation
DND-24690	1/26/2006	FA 94 (1) b	Manufacture, sell, or transport unscaled Crown timber	Violation Ticket

Canadian Forest Products Ltd. (cont.)			Volume Billed	Inspections
			13,840,955 m ³	1,204
Case No.	Incident Date	Legislation	Description	Determination
DPG-23767	11/15/2004	FPC 67 (2) D	Damage or Harvest Leave Tree	Violation Ticket
DPG-23858	11/3/2003	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DPG-23860	1/19/2004	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DPG-23863	11/3/2003	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DPG-23864	11/3/2003	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DPM-2001-0080	12/13/2000	TIM 6 (3)	Failure to meet Riparian Objectives	No Action

Cascadia Forest Products Ltd.			Volume Billed	Inspections
			4,130,836 m ³	423
Case No.	Incident Date	Legislation	Description	Determination
DSC-24873	3/3/2006	FA 84 (3)	Failure to store, remove or transport timber with timber mark	Violation Ticket
DSC-24879	3/17/2006	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Cattermole Timber Ltd.			Volume Billed	Inspections
			76,351 m ³	27
Case No.	Incident Date	Legislation	Description	Determination
DCK-22275	4/23/2003	OPR 37 (1) C	Failure to carry out gully assessments	No Action
DCK-22275	4/23/2003	OPR 39 (4)	Stewardship Plan content requirements not met	No Action
DCK-22275	4/23/2003	FPC 67 (1)	Operation Contrary to Requirements	Penalty

Celcrest Timber Ltd.			Volume Billed	Inspections
			79,040 m ³	35
Case No.	Incident Date	Legislation	Description	Determination
DKL-23297	6/1/1994	SPR 21 (E)	Seed transferred to inappropriate area	Remediation
DKL-23297	6/1/1996	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DKL-23297	5/1/2000	SILV 8 (4)	Exceed Seed/Material Transfer Limit	Remediation

Chunzoolh Forest Products Ltd.			Volume Billed	Inspections
			65,484 m ³	5
Case No.	Incident Date	Legislation	Description	Determination
DPG-23146	6/16/2004	FPC 67 (1)	Operation Contrary to Requirements	Penalty

Downie Street Sawmills Ltd.			Volume Billed	Inspections
			95,282 m ³	101
Case No.	Incident Date	Legislation	Description	Determination
DCO-24145	11/15/2002	TIM 10 (3)	Unauthorized Harvest in Riparian Reserve Zone	Penalty
DCO-24145	10/15/2004	THSP 9 (1)	Unauthorized falling/ modification of trees in a Riparian Reserve Zone	Penalty

East Fraser Fiber Company Ltd.			Volume Billed	Inspections
			143,532 m ³	10
Case No.	Incident Date	Legislation	Description	Determination
DMK-24016	3/2/2005	FPC 54 (1)	Unauthorized Road use	Violation Ticket

Federated Co-Operatives Ltd.			Volume Billed	Inspections
			424,728 m ³	70
Case No.	Incident Date	Legislation	Description	Determination
DOS-22498	12/12/2003	FPC 70 (3)	Failure to Establish Free Growing Stand	Penalty
DOS-22539	8/1/2003	FPC 70 (3)	Failure to Establish Free Growing Stand	Penalty

Hagman & Son Logging Ltd.			Volume Billed	Inspections
			14,052 m ³	21
Case No.	Incident Date	Legislation	Description	Determination
DSC-23837	2/25/2004	FPC 60 (1) B	Construct/modify road without approved road layout and design	No Action
DSC-23837	7/9/2004	RDS 4 (2)	Road built within riparian area	Penalty

Huu-Ay-Aht First Nations			Volume Billed	Inspections
			162,946 m ³	13
Case No.	Incident Date	Legislation	Description	Determination
DSI-24882	3/21/2006	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket

International Forest Products			Volume Billed	Inspections
			3,616,194 m ³	945
Case No.	Incident Date	Legislation	Description	Determination
DCK-24134	6/22/2005	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket
DCR-24239	8/2/2005	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket
DCR-24643	11/5/2005	FA 84 (3)	Failure to store, remove or transport timber with timber mark	Violation Ticket
DIC-24418	10/13/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DNI-24596	11/14/2005	FA 84 (2)	Failure to ensure timber mark discernable on unscaled floating timber	Violation Ticket

International Forest Products (cont.)			Volume Billed	Inspections
			3,616,194 m ³	945
Case No.	Incident Date	Legislation	Description	Determination
DNI-24598	11/14/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DSC-23963	4/18/2005	FA 94 (4)	Failure to scale special forest products or timber	Penalty
DSI-2001-0090	10/1/1999	FPC 96 (2)	Remove Crown Timber	No Action

J.H. Huscroft Ltd.			Volume Billed	Inspections
			56,031 m ³	41
Case No.	Incident Date	Legislation	Description	Determination
DKL-23884	7/1/1991	SPR 6 (I)	Improper transfer of Seed or Seedlings	Remediation
DKL-23884	6/1/1994	SPR 21 (E)	Seed transferred to inappropriate area	No Action
DKL-23884	7/1/1999	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DKL-23884	7/1/1999	SILV 8 (4)	Exceed Seed/Material Transfer Limit	Remediation

Joe Kozek Sawmills Ltd.			Volume Billed	Inspections
			10,666 m ³	8
Case No.	Incident Date	Legislation	Description	Determination
DCO-23680	11/4/2004	FA 105.1	Failure to ensure information submitted is accurate	Penalty

Kalesnikoff Lumber Company Ltd.			Volume Billed	Inspections
			138,988 m ³	35
Case No.	Incident Date	Legislation	Description	Determination
DAB-23641	5/1/1993	SPR 6 (I)	Improper transfer of Seed or Seedlings	Remediation
DAB-23641	6/1/1994	SPR 21 (E)	Seed transferred to inappropriate area	Remediation
DAB-23641	8/1/1995	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DKL-23971	6/1/1993	SPR 6 (I)	Improper transfer of Seed or Seedlings	Remediation
DKL-23971	6/1/1994	SPR 21 (E)	Seed transferred to inappropriate area	Remediation
DKL-23971	6/1/1999	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DKL-23971	6/1/1999	SILV 8 (4)	Exceed Seed/Material Transfer Limit	Remediation

Louisiana-Pacific Canada Ltd.			Volume Billed	Inspections
			1,109,251 m ³	234
Case No.	Incident Date	Legislation	Description	Determination
DCO-24053	7/29/2004	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	No Action
DCO-24308	8/24/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Louisiana-Pacific Canada Ltd. (cont)			Volume Billed	Inspections
			1,109,251 m ³	234
Case No.	Incident Date	Legislation	Description	Determination
DCO-24703	1/31/2006	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

McBride Forest Industries Ltd.			Volume Billed	Inspections
			311,531 m ³	30
Case No.	Incident Date	Legislation	Description	Determination
DHW-23903	1/8/2005	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Violation Ticket

Meadow Creek Cedar Ltd.			Volume Billed	Inspections
			93,145 m ³	43
Case No.	Incident Date	Legislation	Description	Determination
DKL-22870	4/20/2004	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DKL-23188	5/1/1992	SPR 6 (I)	Improper transfer of Seed or Seedlings	Remediation
DKL-23188	5/1/1994	SPR 21 (E)	Seed transferred to inappropriate area	Remediation

Merrill & Ring Canadian Properties			Volume Billed	Inspections
			135,473 m ³	4
Case No.	Incident Date	Legislation	Description	Determination
DCR-2004-0006	5/1/2003	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DSC-24046	5/12/2005	FRPA 52 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	No Action
DSC-24046	5/12/2005	FRPA 52 (3)	Remove Crown Timber Without Authorization	No Action
DSC-24046	5/12/2005	FRPA 53 (1)	Failure to state boundaries of private land before allowing removal of timber	Penalty
DSC-24645	7/12/2005	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket

Mill & Timber Products Ltd.			Volume Billed	Inspections
			73,977 m ³	8
Case No.	Incident Date	Legislation	Description	Determination
* DPM-2003-0005	4/22/2002	FPC 62 (1)	Construct/Modify Road not to Requirements	No Action
* DPM-2003-0005	4/22/2002	RDS 12 (1) B	Construction not to Requirements	No Action

* This case was under appeal at the time of publishing.

Monte Lake Forest Products Inc.			Volume Billed	Inspections
			64,277 m ³	4
Case No.	Incident Date	Legislation	Description	Determination
DOS-24595	12/6/2005	FA 94 (1) b	Manufacture, sell, or transport unscaled Crown timber	Violation Ticket
DOS-24595	12/6/2005	FA 95 (7)	Failure to comply with scale site authorization conditions	Violation Ticket

Nicola Pacific Forest Products Ltd.			Volume Billed	Inspections
			48,874 m ³	11
Case No.	Incident Date	Legislation	Description	Determination
DCS-24106	5/11/2005	FRPA 52 (1)	Cut, damage or destroy Crown timber without authority	No Action
DCS-24106	5/11/2005	FRPA 52 (3)	Remove Crown Timber Without Authorization	No Action

Norske Skog Canada Ltd.			Volume Billed	Inspections
			2,659 m ³	1
Case No.	Incident Date	Legislation	Description	Determination
DSI-24221	7/13/2005	FA 95 (1)	Timber scaled without authorization	Violation Ticket

Northwest Specialty Lumber			Volume Billed	Inspections
			60,928 m ³	16
Case No.	Incident Date	Legislation	Description	Determination
DHW-24542	11/15/2005	FA 95 (7)	Failure to comply with scale site authorization conditions	Violation Ticket

Pope & Talbot Ltd.			Volume Billed	Inspections
			1,816,870 m ³	414
Case No.	Incident Date	Legislation	Description	Determination
* DAB-22421	11/20/2003	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DAB-22800	3/29/2004	FPC 45 (3)	Failure to Stop Practice to Avoid Environmental Damage	Penalty
DAB-22800	3/29/2004	RDS 13 (2)	Water Quality Reduction	Penalty

* This case was under appeal at the time of publishing.

Revelstoke Community Forest			Volume Billed	Inspections
			87,850 m ³	48
Case No.	Incident Date	Legislation	Description	Determination
DCO-24128	6/3/2005	THSP 58	Notice required for timber harvesting	Penalty
DCO-24129	7/3/2005	THSP 58	Notice required for timber harvesting	Penalty

Riverside Forest Products			Volume Billed	Inspections
			2,807,458 m ³	311
Case No.	Incident Date	Legislation	Description	Determination
DAB-23695	6/19/1997	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DCC-23572	6/1/2003	FPC 70 (4) E	Free growing shortfall	No Action
DMH-24578	12/13/2005	SCA 2	Failure to scale timber as soon as practicable	Violation Ticket
DOS-22496	12/10/2003	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Violation Ticket
DOS-23042	7/1/2003	FPC 70 (3)	Failure to Establish Free Growing Stand	Penalty
DOS-24275	8/2/2005	FA 95 (7)	Failure to comply with scale site authorization conditions	Violation Ticket
DOS-24275	8/2/2005	FA 96 (1)	Failure to follow metric prescribed procedures while scaling	Violation Ticket
DOS-24381	9/26/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Sigurdson Brothers Logging Company Ltd.			Volume Billed	Inspections
			197,550 m ³	25
Case No.	Incident Date	Legislation	Description	Determination
DCC-24358	8/17/2005	FA 94 (1) b	Manufacture, sell, or transport unscaled Crown timber	Violation Ticket

T.R.C. Cedar Ltd.			Volume Billed	Inspections
			45,850 m ³	21
Case No.	Incident Date	Legislation	Description	Determination
DHW-24169	5/11/2005	FA 95 (7)	Failure to comply with scale site authorization conditions	Violation Ticket

Tahtsa Timber Ltd.			Volume Billed	Inspections
			365,264 m ³	2
Case No.	Incident Date	Legislation	Description	Determination
DND-24843	3/1/2006	FA 94 (1) b	Manufacture, sell, or transport unscaled Crown timber	Violation Ticket

Tembec Industries Inc.			Volume Billed	Inspections
			1,909,737 m ³	275
Case No.	Incident Date	Legislation	Description	Determination
DKL-23714	6/1/1993	SPR 6 (I)	Improper transfer of Seed or Seedlings	Remediation
DKL-23714	6/1/1994	SPR 21 (E)	Seed trans. to inappropriate area	Remediation
DKL-23714	6/1/1999	SILV 8 (4)	Exceed Seed/Material Transfer Limit	Remediation
DKL-23714	6/1/1999	FPC 70 (4) C	Improper Use of Seed and Seedlings	Remediation
DRM-23665	12/20/2004	THSP 9 (1)	Unauthorized falling/ modification of trees in a Riparian Reserve Zone	Penalty
DRM-24296	8/10/2005	FRPA 52 (1)	Cut, damage or destroy Crown timber without authority	Penalty

Terminal Forest Products Ltd.			Volume Billed	Inspections
			317,032 m ³	168
Case No.	Incident Date	Legislation	Description	Determination
DSC-23666	12/15/2004	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DSC-23666	12/15/2004	FPC 96 (2)	Remove Crown Timber	No Action

Tolko Industries Ltd.			Volume Billed	Inspections
			2,353,255 m ³	176
Case No.	Incident Date	Legislation	Description	Determination
DQU-23523	11/15/2004	RDS 9 (1) C	Failure to Minimize Sediment	Penalty

Trevor White Contracting Ltd.			Volume Billed	Inspections
			70,887 m ³	15
Case No.	Incident Date	Legislation	Description	Determination
DVA-22384	10/29/2003	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty

Triumph Timber Ltd.			Volume Billed	Inspections
			157,030 m ³	41
Case No.	Incident Date	Legislation	Description	Determination
DNC-23194	4/7/2004	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	No Action

Tsain-Ko Forestry Development			Volume Billed	Inspections
			95,872 m ³	21
Case No.	Incident Date	Legislation	Description	Determination
DSC-23962	4/19/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

West Fraser Mills Ltd.			Volume Billed	Inspections
			7,166,198 m ³	708
Case No.	Incident Date	Legislation	Description	Determination
DCC-2004-0002	8/20/2002	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DCC-2004-0002	8/20/2002	FPC 67 (2) D	Damage or Harvest Leave Tree	Penalty
DCC-2004-0002	8/20/2002	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DCC-2004-0002	8/20/2002	FPC 96 (2)	Remove Crown Timber	No Action
DQU-23795	1/17/2005	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	No Action
DQU-24580	12/5/2005	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Violation Ticket

Western Forest Products Ltd.			Volume Billed	Inspections
			2,872,438 m ³	181
Case No.	Incident Date	Legislation	Description	Determination
* DQC-2002-0014	5/11/2001	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	No Action

* This case was under appeal at the time of publishing.

Weyerhaeuser Company Ltd.			Volume Billed	Inspections
			6,354,315 m ³	453
Case No.	Incident Date	Legislation	Description	Determination
DSC-22442	11/18/2003	SPPR 31	Forest Practice not Consistent with FSP	Penalty
DSI-22249	12/11/2002	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DSI-22249	12/11/2002	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DSI-22249	12/11/2002	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DSI-22249 ²	12/11/2002	FPC 67 (1)	Operation Contrary to Requirements	No Action
DSI-24015	5/1/2005	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket

Wood River Forest Inc.			Volume Billed	Inspections
			63,763 m ³	8
Case No.	Incident Date	Legislation	Description	Determination
DCO-23945	4/1/2005	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DCO-23945	4/1/2005	FPC 96 (2)	Remove Crown Timber	Penalty

² This case of multiple contraventions of the same legislation resulted in a total of 27 determinations including 24 no action determinations.

Major Licensees with No Enforcement Actions

The following lists major licensees who harvested more than 1,000 cubic metres of timber in the reporting period, were subject to one or more inspections, and had no enforcement actions taken against them.

A&A Trading Ltd.	Heartland Economics Ltd.	Slocan Forest Products Ltd.
Alcan Inc.	Heiltsuk Coastal Forest Products	Spitfire Contracting Ltd.
Aldco Wood Products Ltd.	Husby Forest Products Ltd.	Spiyu7Ullucw Ranch Corporation
Apollo Forest Products Ltd.	Iisaak Forest Resources Ltd.	Springer Creek Forest Products Ltd.
Ardeu Wood Products Ltd.	Island Timberlands Group Ltd.	Squamish Mills Ltd.
Aspen Planers Ltd.	Jackpine Forest Products Ltd.	Steeves Forest Consulting Ltd.
Atco Lumber Ltd.	Kispiox Forest Products Ltd.	Stellako Custom Wood Ltd.
B&T Forest Products Ltd.	Kitwanga Mills Ltd.	Stones Bay Holdings Ltd.
Babine Forest Products Ltd.	Kvamua Enterprises Ltd.	Stuart Lake Lumber Company Ltd.
Babine Timber Ltd.	L&M Lumber Ltd.	Stuwix Resources Ltd.
Basghelh Holdings Ltd.	Lakeland Mills Ltd.	T.W.D. Contracting Ltd.
Billyboy's Logging And	Lakeside Pacific Forest Products	Tahltan Nation Development
Blue Valley Enterprises Ltd.	Larworth Logging Ltd.	Takla Track & Timber Ltd.
Brave Holdings Ltd.	Lytton Lumber Ltd.	Tamihi Logging Company Ltd.
C. Ged Forest Products Ltd.	Marble Canyon Forestry Ltd.	Tanizul Timber Ltd.
C&C Wood Products Ltd.	McBride Community Forest	Teal Cedar Products Ltd.
C. Baggett Logging Ltd.	Montana Sundown Inc.	TFL Forest Ltd.
Cameron River Logging Ltd.	Nabesche Holdings Ltd.	Timber Baron Forest Products Ltd.
Canyon Tree Farms Inc.	Ndazkhot'En Forest Management Ltd.	True North Holdings Ltd.
Carrier Lumber Ltd.	Nootka Sound Economic Development	Ts'Aa7Ukw Forestry Ltd.
Cheslatta Forest Products Ltd.	Northwest Squamish Forestry Ltd.	Tsi Del Del Enterprises Ltd.
Coast Tsimshian Resources Ltd.	Northwood Inc.	Tsilhqot'In Forest Products Inc.
Cowichan Lake Community Forest	N'Quatqua Logging Company Ltd.	T'ugus Timber Ltd.
Creston Valley Forest Corp.	Parallel Wood Products Ltd.	Tyeewood Forest Resources Inc.
Delann Enterprises Ltd.	Probyn Log Ltd.	Ubleis Logging Ltd.
Double A Ventures Ltd.	Quinsam Reman Ltd.	Van Anda Logging Company Ltd.
Dunkley Lumber Ltd.	Richmond Plywood Corporation	Vanderhoof Custom Planer Mill Ltd.
F.A.B. Logging Company Ltd.	Scott Paper Ltd.	Western Forest Products Inc.
FL A49782 Holdings Ltd.	Secwepemc Economic Development	Winthro Contracting Ltd.
G&C Contracting Ltd.	Selkirk Forest Products Company	Winton Global Lumber Ltd.
Galloway Lumber Company Ltd.	Selkirk Timber Company	Wynndel Box & Lumber
Gilbert Smith Forest Products Ltd.	Simpcw Development Company Ltd.	Xat'Sull Logging Ltd.
Gorman Brothers Lumber Ltd.	Sitkana Timber Ltd.	Yun Ka Whu'Ten Holdings Ltd.
Gudeit Brothers Contracting Ltd.		
Gwa'Sala-'Nakwaxda'Xw Timber		
Halray Logging Ltd.		

Timber Sales Licensees

Statistics for Timber Sale Licensees

Statistic	Number	% of Total
Number of Inspections	2,008	12.1%
Number of Compliance Actions	226	7.5%
Number of Stop Work Orders ‡	3	27.3%
Number of Enforcement Actions	44	9.4%
Volume Billed	12,023,176 m ³	13.3%

Timber Sale Licensees include the following licence types: Competitive Timber Sale Licences, Value-added Timber Sale Licences, and roads associated with Timber Sales Licences.

Timber Sales Licensees with One or More Enforcement Actions

Ministry data indicates that the following actions were taken during the reporting period, regardless of when the actual contravention occurred.

9096 Investments Ltd.			Volume Billed	Inspections
			43,467 m ³	11
Case No.	Incident Date	Legislation	Description	Determination
DSC-24123	5/10/2005	FPC 67 (1)	Operation Contrary to Requirements	Violation Ticket

A&A Fibre Ltd.			Volume Billed	Inspections
			26,398 m ³	9
Case No.	Incident Date	Legislation	Description	Determination
* DSC-23215	6/15/2004	THSP 10	Deposited slash/ debris capable of damaging fish habitat or water quality	Penalty
* DSC-23215	6/15/2004	THSP 14 (2)	Failure to meet temperature stream crossing requirements	No Action

* This case was under appeal at the time of publishing.

B&G Road Building Ltd.			Volume Billed	Inspections
			6,737 m ³	3
Case No.	Incident Date	Legislation	Description	Determination
DIC-24306	6/29/2005	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket

B.W. Fink Enterprises Ltd.			Volume Billed	Inspections
			0 m ³	0
Case No.	Incident Date	Legislation	Description	Determination
DPC-2004-0002	5/27/2003	FPC 80	Failure to abate hazard	Violation Ticket

Brian Turner			Volume Billed	Inspections
			30,653 m ³	6
Case No.	Incident Date	Legislation	Description	Determination
DJA-24349	9/2/2005	FPC 2 (5)	Failure to obtain special use permit when using or occupying Crown land	Stop Work Order

Coastland Wood Industries Ltd.			Volume Billed	Inspections
			29,122 m ³	5
Case No.	Incident Date	Legislation	Description	Determination
DSI-24142	6/21/2005	FA 95 (7)	Failure to comply with scale site authorization conditions	Violation Ticket

Dan Hale			Volume Billed	Inspections
			4,699 m ³	6
Case No.	Incident Date	Legislation	Description	Determination
DKL-24779	2/22/2006	FPC 54 (1)	Unauthorized road use	Violation Ticket

Donald Halvorson			Volume Billed	Inspections
			5,594 m ³	1
Case No.	Incident Date	Legislation	Description	Determination
DSS-24241	5/2/2005	WLFM 89	Failure to submit annual report before May 01	No Action

Ecotone Consulting Ltd.			Volume Billed	Inspections
			3,219 m ³	3
Case No.	Incident Date	Legislation	Description	Determination
DSS-24914	2/28/2006	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Edward Reiersen			Volume Billed	Inspections
			1,706 m ³	2
Case No.	Incident Date	Legislation	Description	Determination
DOS-24069	11/1/2004	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Violation Ticket

Goldwood Industries Ltd.			Volume Billed	Inspections
			54,004 m ³	4
Case No.	Incident Date	Legislation	Description	Determination
DCR-23939	4/11/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DCR-23939	4/11/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Kwatna Timber Company Ltd.			Volume Billed	Inspections
			0 m ³	2
Case No.	Incident Date	Legislation	Description	Determination
DNI-24633	12/22/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DIC-24199	6/29/2005	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket

Lemare Lake Logging Ltd.			Volume Billed	Inspections
			0 m ³	24
Case No.	Incident Date	Legislation	Description	Determination
DNI-24546	11/28/2005	FA 95 (7)	Failure to comply with scale site authorization conditions	Violation Ticket

Lenard Dubois			Volume Billed	Inspections
			8,952 m ³	9
Case No.	Incident Date	Legislation	Description	Determination
DCO-24036	5/13/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

North Enderby Timber Ltd.			Volume Billed	Inspections
			44,221 m ³	6
Case No.	Incident Date	Legislation	Description	Determination
DOS-23245	7/21/2004	FPC 62 (1)	Construct/modify road not to Requirements	Violation Ticket

Patrick Lawrence			Volume Billed	Inspections
			41,820 m ³	4
Case No.	Incident Date	Legislation	Description	Determination
DOS-24001	4/29/2005	FPC 60 (1) A	Construct/modify road without approved road layout and design	Violation Ticket

R.N.R. Logging Ltd.			Volume Billed	Inspections
			15,959 m ³	2
Case No.	Incident Date	Legislation	Description	Determination
DCK-24150	6/7/2005	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket

Randolph O'Brien			Volume Billed	Inspections
			2,379 m ³	0
Case No.	Incident Date	Legislation	Description	Determination
* DQC-2003-0015	10/28/2002	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
* DQC-2003-0015	10/28/2002	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DQC-24200	5/10/2005	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket
* DQC-2003-0015	10/28/2002	FPC 67 (1)	Operation Contrary to Requirements	Penalty

* This case was under appeal at the time of publishing.

Ray Boyd Logging Ltd.			Volume Billed	Inspections
			32,264 m ³	13
Case No.	Incident Date	Legislation	Description	Determination
DSC-23545	11/22/2004	FPC 62 (1)	Construct/Modify Road not to Requirements	Penalty
DSC-23545	11/22/2004	FPC 46 (1)	Exceed maximum area occupied by permanent access structures	No Action

Roga Contracting Ltd.			Volume Billed	Inspections
			53,374 m ³	1
Case No.	Incident Date	Legislation	Description	Determination
DCR-24204	7/14/2005	FA 84 (3)	Failure to store, remove or transport timber with timber mark	Violation Ticket

Ron Wallace Trucking Ltd.			Volume Billed	Inspections
			50,021 m ³	0
Case No.	Incident Date	Legislation	Description	Determination
DOS-24353	9/13/2005	FPC 63 (2)	Failure to maintain a road as required.	Violation Ticket

Ross Warlow			Volume Billed	Inspections
			59,127 m ³	12
Case No.	Incident Date	Legislation	Description	Determination
DQU-24105	6/6/2005	RDU 10 (1)	Damage forest service road through use of motor vehicle	Stop Work Action

Russell Alden			Volume Billed	Inspections
			49,059 m ³	5
Case No.	Incident Date	Legislation	Description	Determination
DVA-22646	11/1/2003	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty

Selkirk Specialty Wood Ltd.			Volume Billed	Inspections
			17,686 m ³	16
Case No.	Incident Date	Legislation	Description	Determination
DCO-24278	8/9/2005	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Violation Ticket
DCO-24279	8/10/2005	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Terry Givens			Volume Billed	Inspections
			29,342 m ³	11
Case No.	Incident Date	Legislation	Description	Determination
DQU-22769	3/23/2004	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DQU-24189	7/11/2005	FA 97 (1) f	Failure to deliver scale return in prescribed time	Violation Ticket
DQU-24201	7/14/2005	FA 95 (7)	Failure to comply with scale site authorization conditions	Violation Ticket
DQU-24039	5/12/2005	FA 94 (4)	Failure to scale special forest products or timber	Violation Ticket

Thunderbolt Enterprises Ltd.			Volume Billed	Inspections
			63,512 m ³	16
Case No.	Incident Date	Legislation	Description	Determination
DCC-2004-0002	8/20/2002	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DCC-2004-0002	8/20/2002	FPC 67 (2) D	Damage or Harvest Leave Tree	Penalty
DCC-2004-0002	8/20/2002	FPC 67 (1)	Operation Contrary to Requirements	Penalty
DCC-2004-0002	8/20/2002	FPC 96 (2)	Remove Crown Timber	No Action

Triack Resources Ltd.			Volume Billed	Inspections
			17,355 m ³	20
Case No.	Incident Date	Legislation	Description	Determination
DSQ-24391	8/9/2005	RDU 6 (5)	Operate vehicle contrary to traffic control device on forest service road	Stop Work Action

Tyler Mengler			Volume Billed	Inspections
			2,694 m ³	0
Case No.	Incident Date	Legislation	Description	Determination
DAB-23791	7/1/2004	FRPA 52 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DAB-23791	2/15/2004	FRPA 52 (3)	Remove Crown Timber Without Authorization	Penalty

William Ramsey			Volume Billed	Inspections
			33,404 m ³	9
Case No.	Incident Date	Legislation	Description	Determination
DMK-23588	10/1/2003	FPC 58 (2)	Unauthorized Road Construction/Modification	No Action

Range Licensees

Statistics for Range Licensees

Statistic	Number	% of Total
Number of Inspections	487	2.9%
Number of Compliance Actions	145	4.8%
Number of Stop Work Orders	0	0%
Number of Enforcement Actions	15	3.2%
Volume Billed	N/A	N/A

Range Licensees include the following licence types: Range Licences, Grazing Permits/Licences, Hay Cutting Permits/Licences.

Enforcement Actions against Range Licensees

The following sections establish the number of enforcement actions against range licensees from April 1, 2005 to March 31, 2006. The first list shows how many licensees had one or more enforcement actions. The second table shows what sections of legislation were contravened, and how many times.

Number of Range Licensee Contraventions

Number of Licensees with 1 Enforcement Action	3
Number of Licensees with 2 Enforcement Actions	1
Number of Licensees with 4 Enforcement Actions	1

Total Enforcement Actions against Range Licensees 9

Range Licensee Contraventions by Legislation Contravened

Legislation	Description	Count
FPC 67 (1)	Range practices not within specifications	1
FPC 74 (1)	Irregular range use	1
FPC 74 (1) B	Practices contrary to range development	1
FPC 74 (2) B	Unapproved development of range area	1
FPC 74 (4)	Improper livestock identification	1
FPC 98 (A)	Unauthorized range use	1
FRPA 50 (1)	Allow livestock to be grazed or be driven onto Crown land in contravention of legislation/ plan	2
RNP 5 (1)	Failure to maintain the Range Development Plan	1

Woodlot Licensees

Statistics for Woodlot Licensees

Statistic	Number	% of Total
Number of Inspections	702	4.2%
Number of Compliance Actions	146	4.9%
Number of Stop Work Orders	1	9.1%
Number of Enforcement Actions	14	2.9%
Volume Billed	3,090,014 m ³	3.4%

Enforcement Actions against Woodlot Licensees

The following sections establish the number of enforcement actions against woodlot licence holders from April 1, 2005 to March 31, 2006.

Number of Woodlot Licensee Contraventions

Number of Licensees with 1 Enforcement Action	12
Number of Licensees with 2 Enforcement Actions	1

Total Enforcement Actions against Woodlot Licensees 14

Woodlot Licensee Contraventions by Legislation Contravened

Legislation	Description	Count
FA 84 (1)	Failure to timber mark stored or transported unscaled timber	1
FA 84 (3)	Failure to conspicuously timber mark unscaled timber being stored or transported	1
FPC 76 (1)	Light, fuel or make use of an open fire in or within 1 km of a forest against regulations	1
FPC 88 (2) B	Failure to immediately report a fire that the person cannot extinguish	1
FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	3
FPC 96 (2)	Remove Crown Timber	1
FRPA 52 (1)	Cut, damage or destroy Crown timber without authority	1
SCA 2	Owner and agreement holder failure to ensure timber scaled ASAP after cut	1
WLFM 42 (1) C	Failure to maintain surface drainage patterns when constructing or modifying a road	1
WLFM 89	Failure to submit Annual Report on time	3

Community Forest Agreement Holders

Statistics for Community Forest Agreement Holders

Statistic	Number	% of Total
Number of Inspections	111	0.7%
Number of Compliance Actions	5	0.2%
Number of Stop Work Orders	1	9.1%
Number of Enforcement Actions	1	0.2%
Volume Billed	767,342 m ³	0.9%

Community Forest Agreement Holders statistics include activities related to Community Forest Agreements and roads associated with Community Forest Agreements.

Enforcement Actions against Community Forest Agreement Holders

There was one enforcement action against a Community Forest Agreement Holder during the reporting period:

Legislation	Description	Count
WLFM 53 (1) A	Failure to ensure protection of the structural integrity of the road prism & clearing width	1

Other Licensees/Non-Tenure Holders

Statistics for All Other Licensees and Non-Tenure Holders

Statistic	Number	% of Total
Number of Inspections	3,146	19.9%
Number of Compliance Actions	1,325	44.0%
Number of Stop Work Orders	3	27.3%
Number of Enforcement Actions	239	50.9%
Volume Billed	2,686,957 m ³	2.9%

Other licensees and non-tenure holders statistics include: Licences to Cut, Special Use Permits, Free Use Permits, Christmas Tree Permits, Private Lands, Road Use Permits, Log Salvage, Small Scale Salvage, and Non-Tenure Holders.

Government Non-Compliance

Government Non-Compliance Statistics

In keeping with Ministry policy, the following table reports the number of incidents of [significant government non-compliance](#) as determined by a senior official during the reporting period, and the nature of the contravention. Significant government non-compliance is defined as not being trivial or inconsequential in nature.

For the reporting period of April 1, 2005 to March 31, 2006 there was one determination of significant government non-compliance.

Timber Sales Manager: Chinook

Incident Date	Contravention	Description
26-Sept-2004	RDS 9(1)(H)(ii)	Failure to construct road drainage that protects fish habitat

Glossary

BCTS (British Columbia Timber Sales)

BCTS licensees are individuals or companies that have been issued licences by BC Timber Sales via competitive auction. BC Timber Sales is an independent organization within the B.C. Ministry of Forests and Range created to develop Crown timber for auction to establish market price and capture the value of the asset for the public. The vision of BC Timber Sales is to be “An effective timber marketer generating wealth through sustainable resource management”.

C&E Program

The Compliance and Enforcement (C&E) program is the law enforcement arm of the Ministry of Forests and Range.

The purpose of the C&E program is to ensure that forest and range laws are being followed in B.C.'s public forests, and to take action where there is non-compliance.

Community Forest Agreement Holders

First Nations, Municipalities or Regional Districts that have entered into an agreement with the Crown to manage an allowable annual cut (AAC) in a specific area.

Compliance Action

Compliance actions include No Action, Compliance Notices and Warning Tickets.

A compliance action is only appropriate if all of the elements of a contravention could be proven, if necessary, through the formal enforcement process but the severity of the alleged contravention does not warrant a formal enforcement action.

Compliance Information Management System (CIMS)

CIMS is a web-based database application that serves as the Ministry's record of inspection activities and compliance actions. Staff use CIMS to document risk evaluations, inspection plans, and inspections.

Compliance, No Action

A compliance no action is given when an official finds that an alleged contravention has occurred, but no action is required to bring the party(s) responsible back into compliance with the legislation. Of the three compliance actions (no-action, compliance notice, and warning ticket) this is the least formal.

Compliance Notice

A compliance notice is given when an official finds that an alleged contravention has occurred and the official believes that the party(s) responsible should be given a written notice of the contravention for their records, but no formal action needs to be taken.

Contravention

A contravention occurs when an individual or company has not complied with the law, i.e. they have contravened a legal requirement. Alleged contraventions are investigated and may result in a formal determination of contravention.

Crown Land

Land owned by the people of British Columbia, also known as public land. Approximately ninety-two percent of the province is Crown land managed by the BC Government.

Due Diligence

Due diligence is a legal defence based upon the argument that everything was done that could reasonably have been done to prevent the event from occurring. The degree of care required increases with the potential seriousness of the foreseeable harm.

Enforcement Action

When there has been a determination that legislative requirements have been contravened and a formal sanction is warranted, an enforcement action is taken against the party(s) involved. Enforcement actions may include violation tickets, monetary penalties and remediation penalties as well as others as deemed appropriate by the decision maker. Parties subject to enforcement actions have an avenue to appeal the action.

Enforcement Action, Administrative Review and Appeal Tracking System (ERA)

ERA is a web-based database application that serves as the Ministry's record of enforcement activities. ERA documents cases that arise from alleged contraventions of the acts and regulations enforced by the Ministry, including the investigation details, determinations, enforcement actions and all appeals on cases.

Forest Act (FA)

The *Forest Act* provides authority to be given for the cutting and removal of timber.

Forest and Range Practices Act (FRPA)

The *Forest and Range Practices Act* provides for the approval of operational plans and establishes legal requirements relating to forest and range practices.

Forest Crime

Forest crime is the violation of provincial or federal (Criminal Code) law, and includes fraud, theft, arson and mischief.

Forest Practices Code of British Columbia Act (FPC or the Code)

Much of the *Forest Practices Code of British Columbia Act* has been repealed as a result of the implementation of the *Forest and Range Practices Act* and the *Wildfire Act*. The remaining provisions of the Code primarily relate to the issuance of special use permits to permit the use and occupation of Crown land, and continuation of the Forest Appeals Commission.

Forest Licensee

A holder of a forest tenure licence or agreement, engaged in activities related to harvesting Crown timber.

Government Non-Compliance

When an alleged contravention occurs where the provincial government is the obligation holder.

Harvest Volume

The volume (in cubic meters) of timber harvested from forestry activities on Crown land that stumpage was paid on.

In Compliance

Compliance is defined as "conforming to a specification, standard or law that has been clearly defined." To be in compliance means that the activity(s) is meeting all statutory requirements of standards, regulations and acts.

Inspections

Inspections are a systematic process to confirm compliance with statutory obligations and are done on a routine basis (planned or spontaneous).

Investigation

The process of collecting evidence by Compliance and Enforcement staff to determine if a contravention of forestry legislation has been committed.

Licence Cancellation

One of the available enforcement actions for a contravention of forestry legislation. If, after suspension, the party has not made changes to operate in compliance with the statutes, then the offending party's forest tenure licence may be cancelled.

Licence Holders

Individuals or companies that hold one (or more) of the many types forest tenure licences or forms of agreements under the *Forest Act* or the *Range Act*. C&E Branch divides these into the following categories of licence holders:

- Major Licensees;
- BCTS Licensees;
- Community Forest Agreement Holders;
- Woodlot Licensees;
- Range Licensees; and
- Other Licensees / Non-Tenure Holders

Licence Suspension

One of the available enforcement actions for a contravention of legislation that suspends all or part of the offending party's tenure licence.

Licence to Cut

A licence allowing the party(s) to harvest timber on Crown land or on private land when the timber has been reserved to the Crown.

Major Licensee

A license holder of one of the following types of licences: Forest Licence, Tree Farm Licence, Timber Sale Harvesting Licence, Timber Licence, Pulp Licence, Wood Pulp Lease, Timber Berth, Watershed Agreement, Forestry Licence to Cut with Cutting Permits, Consolidated Timber Licence, Forest Licence, Sec 47.3 F.A., Forestry Licence To Cut, Sec 47.3 F.A., and Pulpwood Agreements

Mistake of Fact

Mistake of Fact is a defence based on the notion that a person should not be penalized if their alleged wrongdoing was the result of honestly relying on information that, if correct, would not have led to a contravention. This defence is not available where persons are wilfully blind, deliberately ignorant, or not competent to carry out the activities.

Monetary Penalties

Monetary penalties are one of the administrative remedies available under forestry legislation. The fact that a licensee has been assessed a monetary penalty means that a delegated decision maker has determined that the licensee has contravened the law, and that the defences available (due diligence, officially induced error and mistake of fact) do not apply. Monetary penalties should not be confused with fines that can be imposed by a Court if a licensee is prosecuted and convicted for an offence.

Objectives

Government may set objectives in relation to one or more of the following subjects: (a) soils; (b) visual quality; (c) timber; (d) forage and associated plant communities; (e) water; (f) fish; (g) wildlife; (h) biodiversity; (i) recreation resources; (j) resource features; (k) cultural heritage resources, in order to protect or manage those values on behalf of the public. Forest Stewardship Plans must be consistent with the objectives set by government.

Official

Official (in the terms of this annual report) means an employee in the Ministry of Forests and Range, designated by name or title to be an official by the Minister of Forests and Range for the purpose of the provisions of forestry legislation.

Officially Induced Error

Officially Induced Error is a defence where an accused committed a contravention or offence as a result of having relied on erroneous legal opinion or advice from an official who is responsible for the administration of that particular law.

Opportunity to be Heard

An Opportunity to be Heard (OTBH) is an administrative hearing where a person has the right to present facts in their defence in regards to the alleged contravention of the legislation. An OTBH is heard by a delegated decision maker prior to a determination being made.

Orders to Vacate

This form of enforcement action is specific to a recreation site, trail or forest interpretive site, and requires the person receiving the order to leave the area by and for a specified period of time.

Prosecutions

A prosecution is where an individual or company who is alleged to have contravened the law is prosecuted in the courts. Prosecutions are undertaken as a provincial judicial process and can only be taken on sections of legislation that are an offence.

Range Act

The *Range Act* authorizes the Ministry to allocate and administer the use of range resources by the livestock industry through grazing and hay cutting agreements that provide revenue to the government.

Range Licensees

Individuals or companies that hold one (or more) range tenure licences or forms of agreements.

Remediation Orders

Remediation Orders are one of the administrative remedies available under legislation, used when work is needed to remedy the contravention and/or repair environmental damage caused by the contravention. The fact that a licensee has been assessed a remediation order means that a delegated decision maker has determined that the licensee has failed to meet a statutory requirement, and that the defences available (due diligence, officially induced error and mistake of fact) do not apply.

Risk Evaluation

A formal process that C&E undertakes to evaluate the forest or range practice risks. The evaluation looks at social, economic and environmental values or objectives of the Crown.

Statutory Obligations

Obligations required by legislation. A duty, task or responsibility, for which it is imperative that it be completed or carried out as specified through legislation.

Stop Work Orders (SWO)

Stop Work Orders are used by officials to order a licensee to stop a forest or range practice that the official believes is in contravention of the law. SWOs are not considered a finding of contravention.

Unauthorized Harvest

When Crown timber is being, or has been, cut, damaged, destroyed or transported without the appropriate authorization.

Violation Tickets

Violation tickets are issued for contravening specified sections of provincial legislation, and carry a specific monetary fine. Violation tickets are a form of prosecution under the *Offence Act*.

Warning Ticket

A warning ticket is issued when an official finds that a contravention has occurred and the party(s) responsible should be given a warning. A warning ticket can be given for any contravention that there is a violation ticket for, however, it is not a formal finding of contravention and there is no monetary fine.

Wildfire Act

In March 31, 2005 the *Wildfire Act* replaced the forest fire prevention and suppression provisions of the *Forest Practices Code of British Columbia Act* by moving them into a stand-alone act, and more clearly defining specific responsibilities of all users of the forest with respect to fire.

Woodlot Licensee

An individual or company that holds a licence to manage and harvest timber from a woodlot. A woodlot may be made up of both Crown and private land.