

Ministry of Forests and Range - Compliance & Enforcement Program



Annual Report

Year Ended March 31, 2007

Providing statistics of Compliance & Enforcement
Activities recorded by the Ministry of Forests and
Range from April 1, 2006 and March 31, 2007

07



Ministry of
Forests and Range

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Annual Report 2006-2007

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Introduction

The 2007 Compliance & Enforcement (C&E) Annual Report is the 12th 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.

Key Statistics

April 1, 2006 to March 31, 2007:

- **14,995** Inspections were recorded
- **502** Enforcement Actions were taken
- **13** Stop Work Orders were issued
- **2,147** Compliance Actions were taken

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 and cases that are appealed.
- The [Compliance Information Management System \(CIMS\)](#) serves as the Ministry's record of inspection activities and compliance actions taken.

This annual report covers C&E Program activities for the period of April 1, 2006 to March 31, 2007 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.

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 2006-2007 Annual Service Plan Report, available at: www.for.gov.bc.ca/mof/annualreports.htm

Percent of forest operator's compliance with statutory requirements that regulate forest practices.	96%
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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

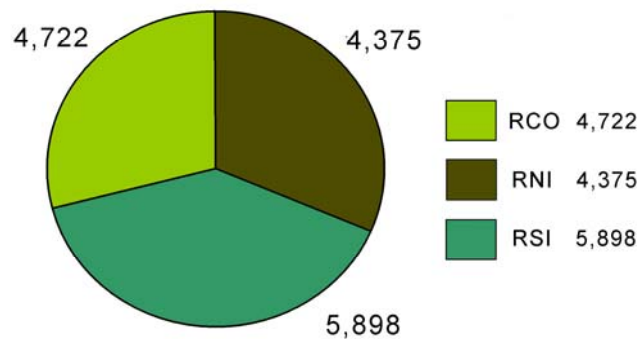
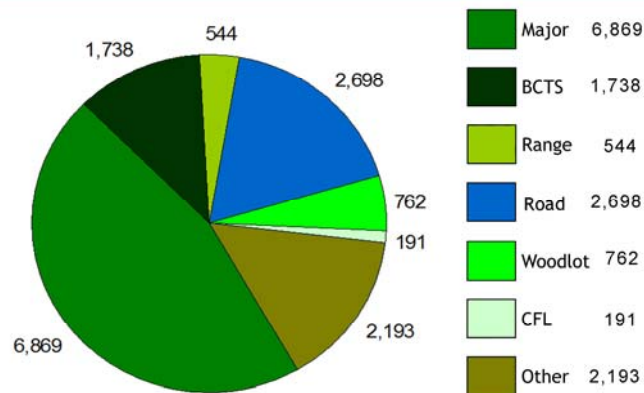
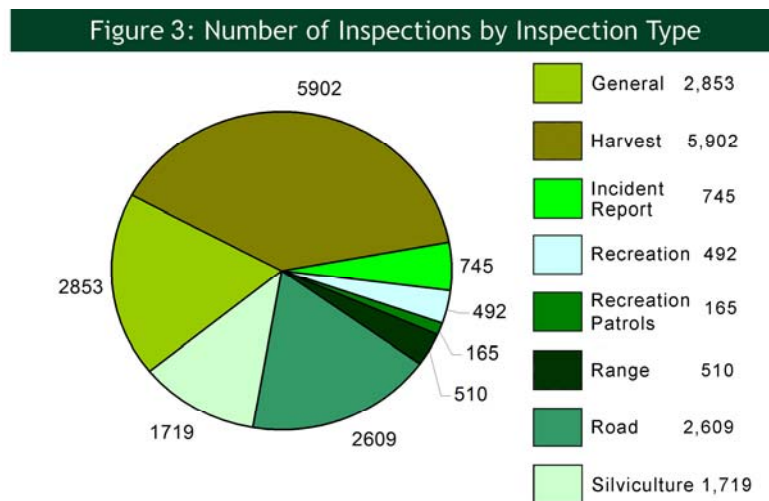


Figure 2: Number of Inspections by Tenure Type





Profile: Ecosystem Damage Caused by Recreational Activities

Recent changes to section 46 of the *Forest and Range Practices Act* make individuals who damage an ecosystem subject to a violation ticket with a fine of \$500 or penalties of up to \$100,000. If cases are prosecuted in the criminal courts, they carry a maximum fine of \$100,000, up to one year in jail, or both.

The goal is to prevent damage to the environment, not stop all recreational activities. Most people who use Crown land act responsibly – these penalties are targeted at those who do not.



In wetlands, repeated driving or driving at certain times of the year can cause irreparable changes to wetland functions.

Off-roading can change the very structure of the soil, making it difficult for plants to take root and grow because of a lack of air or nutrients.

Off-roading in wetlands kills birds and amphibians. Damaged wetlands may impact many generations of wildlife due to the lack of plant life and clean water.



Using ATVs, motorbikes and trucks in the alpine destroys plant cover and causes erosion. The alpine has a very shallow layer of growing soil that takes decades to rebuild.

Hill climbing causes rutting that channels runoff which can lead to severe erosion of the land and sedimentation of wetlands and waterways.

Noxious weeds and invasive plants take root in disturbed soil, displacing native plants and reducing food sources for wildlife and cattle.

The public is encouraged to enjoy public forests and range lands. Stay safe, tread lightly, and know your obligations under the law.

WARNING



NEW REGULATIONS

A person(s) causing
environmental damage
to Crown Land may be
subject to Penalties
of up to \$100,000.00

Forest and Range Practices Act Section 46(1.1)

Important Habitat Values at Risk

Okanagan Shuswap Forest District

For More Information Contact 250-558-1700
To Report a Forest Crime: 1-800-222-8477



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 encourage the individual or company that is in contravention to bring activities into compliance with the applicable legislation.

Compliance actions include:

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

Figure 4: Compliance Actions by Region

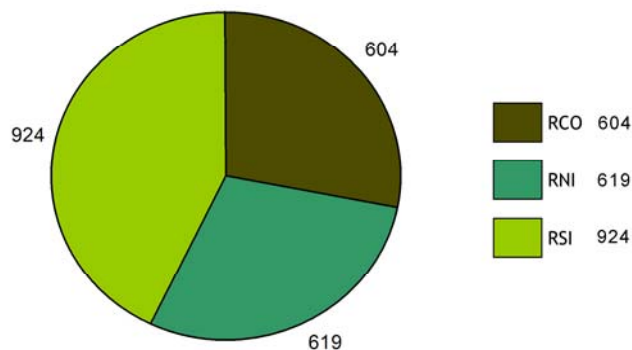
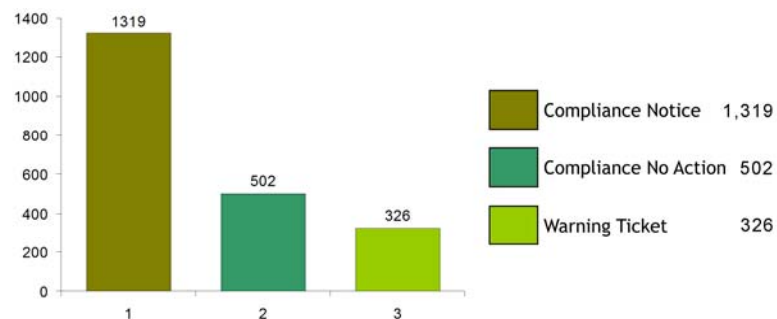


Table 1. Compliance Actions By Tenure Type

	Major	BCTS	Range	Woodlot	CFL	Road	Other
Compliance Notice	417	125	67	186	4	348	172
Compliance No Action	167	55	38	31	1	97	113
Warning Ticket	70	29	6	7	2	12	200
Total	654	209	111	224	7	457	485

Figure 5: Compliance Actions by Compliance Action Type

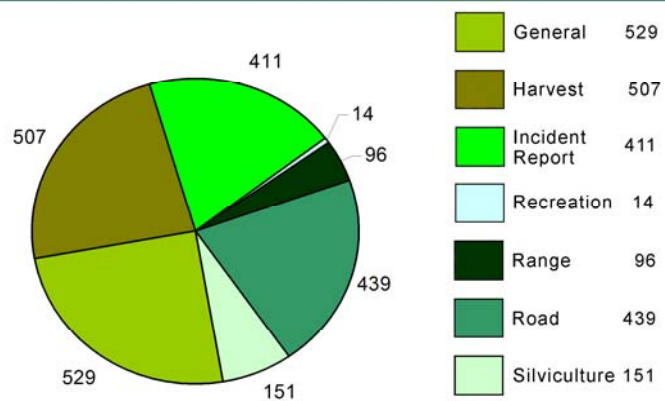


Stop Work Orders

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 13 Stop Work Orders issued in 2006-2007.

Figure 6: Compliance Actions by Inspection Type



Profile: Silviculture

Silviculture inspections are conducted to assess fulfillment of legal obligations such as regeneration and free growing. In addition, these inspections can verify whether the legislated seed transfer and annual reporting requirements have been met.

A silviculture inspection may be the only inspection an area receives after harvesting until the next rotation to ensure that the obligation to create healthy, free growing stands by the agreement holder is being met. Prompt reforestation with proper species and stand maintenance is critical to be consistent with the timber supply analysis and forest management assumptions that apply for an area. Achieving a Free Growing stand is the ultimate result in a “Results-based” regime, and is the legal benchmark for the fulfilment of the silviculture obligations.

For regeneration delay and free growing obligation inspections, C&E uses a comprehensive risk ranking process to determine which blocks or standard units are to be inspected. Inspection results may trigger an investigation leading to further actions, such as non-acceptance of a declaration, or a contravention determination.

For annual reporting and seed use transfer standards, an inspection may be conducted annually, following the reporting due date.



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	104
Monetary amount of tickets	\$19,024
Administrative penalties levied	151
Monetary amount of penalties	\$353,772

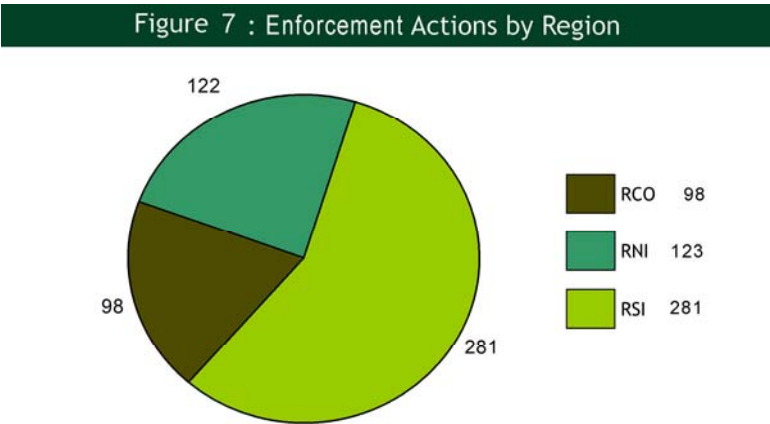


Table 2. Enforcement Actions By Tenure Type

	Major	BCTS	Range	Woodlot	Road	Other
Violation Ticket	35	9	-	3	11	46
Penalties	56	22	7	7	13	46
No Action	77	9	1	4	48	69
Remediation	1	-	1	-	5	3
Stop Work Order	-	-	-	1	3	9
Seizure	-	-	-	-	-	13
Order to Vacate	-	-	-	-	-	3
Total	169	40	9	15	80	189

Figure 8: Enforcement Actions by Enforcement Action Type

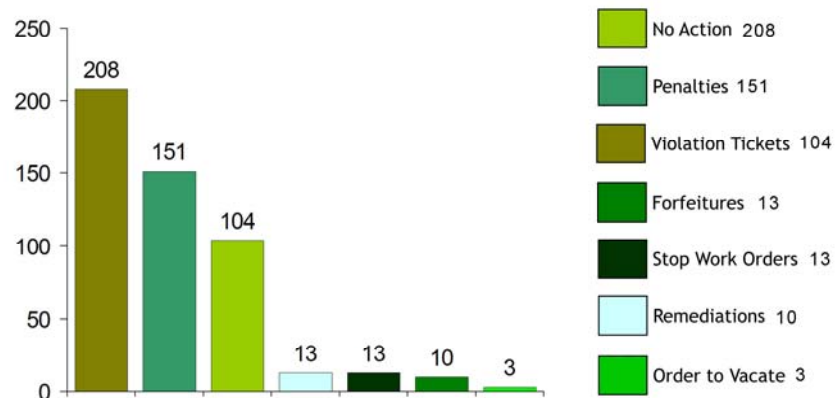
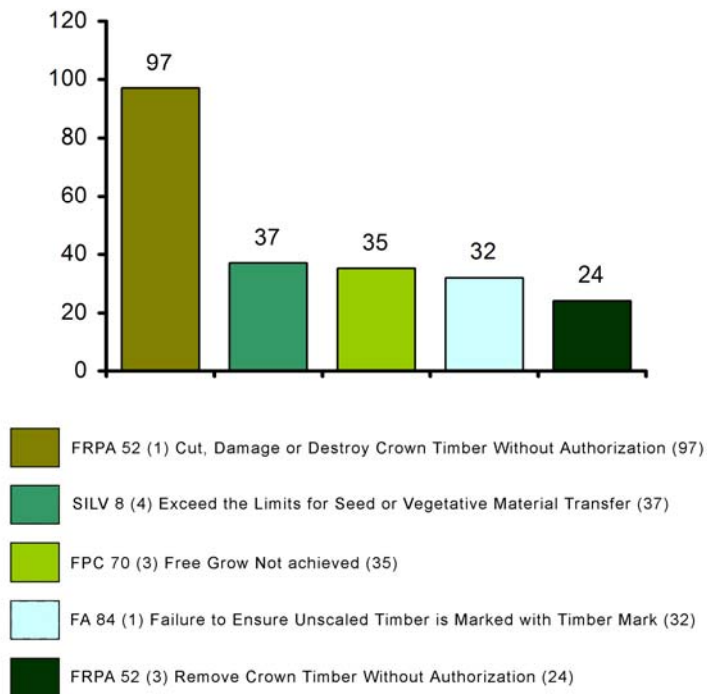


Figure 10: Top 5 Sections Most Often Contravened



Reviews and Appeals

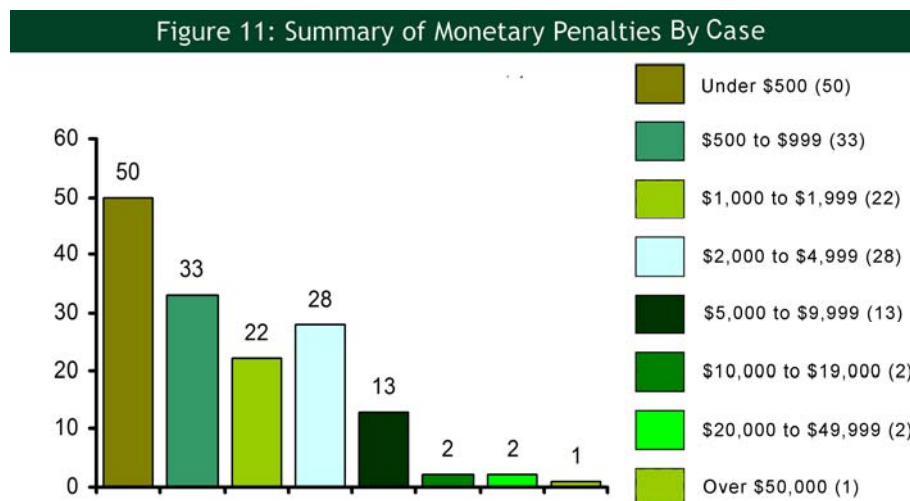
During the reporting period, three administrative reviews of enforcement decisions were included under forest and range legislation. A total of one review decision was released during the reporting period. It confirmed the decision, meaning that the review panel upheld the original decision.

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

FRPA also provides authority whereby government officials can choose to pursue the recovery of any economic gain that results from a person's act or omission that would have been a contravention or an offence if it were not for the successful application of one of the defences of due diligence, mistake of fact or officially induced error. It is worth noting that this is not considered a monetary penalty.



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 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, 2006 to March 31, 2007, 73 individual penalties for unauthorized harvesting ranged up to \$33,342 and totalled \$209,743. During the same period, 15 Violation Tickets, for less serious incidents of unauthorized harvesting, were issued, with fines totalling \$2,595.

Major Licensees

Statistics for Major Licensees

For the purposes of this annual report, [Major Licensees](#) are defined as companies that are the holder of a [tenure](#) considered to be a major licensee by the Ministry.

Statistics	Number	% of Total
Number of Inspections	6,869	45.8%
Number of Compliance Actions	654	30.5%
Number of Enforcement Actions	169	33.7%

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.

A & A Trading Ltd.			2006-07 Fiscal Year Inspections	
			19	
Case No.	Discovery Date	Legislation	Description	Determination
DCK-25346	2006-09-27	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Violation Ticket

Ainsworth Lumber Co. Ltd.			2006-07 Fiscal Year Inspections	
			42	
Case No.	Discovery Date	Legislation	Description	Determination
DCS-24744	2006-09-27	FPC 45 (1)	Environmental damage	Violation Ticket
DCS-24744	2003-10-20	FPC 62 (1)	Construct road without complying with requirements	Penalty
DCS-24744	2003-10-20	RDS 9 (1) C	Fail to ensure the draining system is draining appropriately	No Action
DCS-24744	2003-10-20	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DCS-24744	2003-10-20	FPC 45 (3)	Avoidable damage	Penalty
DCS-24744	2003-10-20	FPC 45 (1)	Environmental damage	Penalty

Ainsworth Lumber Co. Ltd. (Cont.)			2006-07 Fiscal Year Inspections	
			42	
Case No.	Discovery Date	Legislation	Description	Determination
DCS-2004-0002	2003-05-06	RDS 9 (1) C	Fail to ensure the draining system is draining appropriately	No Action
DCS-2004-0002	2003-05-06	FPC 45 (1)	Environmental damage	No Action
DCS-2004-0002	2003-05-06	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	No Action
DCS-2004-0002	2003-05-06	FPC 45 (3)	Avoidable damage	No Action

Balcaen Consolidated Contracting			2006-07 Fiscal Year Inspections	
			19	
Case No.	Discovery Date	Legislation	Description	Determination
DCO-25290	2006-09-06	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Basghelh Holdings Ltd.			2006-07 Fiscal Year Inspections	
			7	
Case No.	Discovery Date	Legislation	Description	Determination
DVA-23393	2004-09-15	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty (7)

Bell Pole Company			2006-07 Fiscal Year Inspections	
			16	
Case No.	Discovery Date	Legislation	Description	Determination
DCO-24646	2005-08-11	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	No Action

Carl Mclellan			2006-07 Fiscal Year Inspections	
			9	
Case No.	Discovery Date	Legislation	Description	Determination
DOS-25123	2006-06-28	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Penalty (3)
DOS-25123	2006-06-28	FRPA 52 (3)	Remove Crown timber without authorization	Penalty

Cattermole Timber Ltd.			2006-07 Fiscal Year Inspections	
			16	
Case No.	Discovery Date	Legislation	Description	Determination
DCK-23888	2004-07-19	SILV 8 (4)	Exceed Seed/Material Transfer Limit	No Action

Clinton Neitzel			2006-07 Fiscal Year Inspections	
			5	
Case No.	Discovery Date	Legislation	Description	Determination
DPG-25749	2005-04-10	FA 84 (3)	Fail to conspicuously timber mark, unscaled timber being stored or transported	Violation Ticket

Dale Miller Logging Ltd.			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DKA-24970	2005-12-02	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Darcy Torrans			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DAB-23768	2005-01-13	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Debra Millard			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DPG-24922	2006-02-20	FA 84 (3)	Fail to conspicuously timber mark, unscaled timber being stored or transported	Violation Ticket

Donald Campbell			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DPG-24541	2005-11-30	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Downie Street Sawmills Ltd.			2006-07 Fiscal Year Inspections	
			87	
Case No.	Discovery Date	Legislation	Description	Determination
DCO-25212	2006-08-10	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DCO-25428	2006-09-26	FPC 96 (2)	Remove Crown Timber Without Authorization	Violation Ticket

Eric Brigden			2006-07 Fiscal Year Inspections	
			4	
Case No.	Discovery Date	Legislation	Description	Determination
DCC-23807	2005-02-03	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DCC-23807	2005-02-03	FRPA 52 (3)	Remove Crown timber without authorization	Penalty

Federated Co-Operatives Limited			2006-07 Fiscal Year Inspections	
			45	
Case No.	Discovery Date	Legislation	Description	Determination
DOS-23506	2004-10-07	FPC 70 (3)	Failure to Establish Free Growing Stand	Penalty

Francois Hamel			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DVA-25084	2006-03-06	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Galloway Lumber Company Ltd.			2006-07 Fiscal Year Inspections	
			24	
Case No.	Discovery Date	Legislation	Description	Determination
DRM-24681	2006-01-09	FPC 70 (4) E	Free growing shortfall	Penalty (5)
DRM-24681	2006-01-09	FPC 70 (4) D	Regeneration shortfall	Penalty (5)

Gorman Bros. Lumber Ltd.			2006-07 Fiscal Year Inspections	
			46	
Case No.	Discovery Date	Legislation	Description	Determination
DOS-22752	2004-02-06	SILV 8 (4)	Exceed Seed/Material Transfer Limit	No Action (2)

Hayes Forest Services Limited			2006-07 Fiscal Year Inspections	
			7	
Case No.	Discovery Date	Legislation	Description	Determination
DSI-25440	2006-11-08	FA 95 (7)	Fail to comply with conditions attached to scale site authorization	Violation Ticket

Heartland Resources Inc.			2006-07 Fiscal Year Inspections	
			14	
Case No.	Discovery Date	Legislation	Description	Determination
DCS-25629	2007-02-06	FA 84 (3)	Fail to conspicuously timber mark, unscaled timber being stored or transported	Violation Ticket

International Forest Products Limited			2006-07 Fiscal Year Inspections	
			383	
Case No.	Discovery Date	Legislation	Description	Determination
DNI-25177	2006-07-27	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DNI-25177	2006-07-27	FA 86 (1)	Fail to mark with scaled timber brand before transport from scale site	Violation Ticket
DNI-25615	2007-01-25	FA 94 (4)	Fail to retain timber for check scaling	Violation Ticket
DSC-24906	2006-03-23	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Penalty
DSC-24986	2006-03-29	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Jackpine Forest Products Ltd.			2006-07 Fiscal Year Inspections	
			6	
Case No.	Discovery Date	Legislation	Description	Determination
DMH-24057	2005-04-18	RDS 9 (1) A	Fail maintain drainage patterns	No Action
DMH-24057	2005-04-18	RDS 9 (1) B	Fail to build bridges, fords or ditches, or install culverts at all crossings of permanent or seasonal systems	No Action
DMH-24057	2005-04-18	RDS 9 (1) C	Fail to ensure the draining system is draining appropriately	No Action
DMH-24057	2005-04-18	RDS 9 (1) E	Fail to prevent road embankment and waste materials from interfering with waterflow at culvert inlets and outlets	No Action
DMH-24057	2005-04-18	FPC 54 (1)	Unauthorized use of a road on Crown land for Forest practices	No Action
DMH-24057	2005-04-18	FPC 58 (2)	Unauthorized road construction	No Action
DMH-24057	2005-04-18	FPC 62 (1)	Construct road without complying with requirements	No Action

James Brigden			2006-07 Fiscal Year Inspections	
			4	
Case No.	Discovery Date	Legislation	Description	Determination
DCC-23807	2005-02-03	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DCC-23807	2005-02-03	FRPA 52 (3)	Remove Crown timber without authorization	Penalty

Jessie Mengler			2006-07 Fiscal Year Inspections	
			2	
Case No.	Discovery Date	Legislation	Description	Determination
DAB-24013	2005-05-04	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	No Action

Juggernaut Development Inc.			2006-07 Fiscal Year Inspections	
			4	
Case No.	Discovery Date	Legislation	Description	Determination
DAB-23768	2005-01-13	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Leslie Helm			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DKA-23599	2004-12-09	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DKA-23798	2005-02-10	FRPA 52 (3)	Remove Crown timber without authorization	Penalty
DKA-23798	2005-02-10	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Marvin Ryan			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DMH-25675	2007-02-22	TMT10(2)	Fail to include all required information on written record	Violation Ticket

McBride Forest Industries Ltd			2006-07 Fiscal Year Inspections	
			13	
Case No.	Discovery Date	Legislation	Description	Determination
DHW-23063	2004-06-04	THSP 9 (1)	Harvest reserve zone	Penalty
DHW-23063	2004-06-04	RDS 4 (2)	Road built within riparian area	Penalty
DHW-23063	2004-06-04	RDS 4 (2)	Road built within riparian area	Penalty

McBride Forest Industries Ltd (Cont.)			2006-07 Fiscal Year Inspections	
			13	
Case No.	Discovery Date	Legislation	Description	Determination
DHW-23063	2004-06-04	OSPR 36.2 (2)	Fail to meet site plan mapping requirements	Penalty
DHW-23063	2004-06-04	OSPR 36.2 (2)	Fail to meet site plan mapping requirements	Penalty

Mill & Timber Products Ltd.			2006-07 Fiscal Year Inspections	
			383	
Case No.	Discovery Date	Legislation	Description	Determination
DSC-25176	2006-07-30	FA 94 (4)	Fail to retain timber for check scaling	Violation Ticket

Michael Morley			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DVA-23752	2005-01-28	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DVA-23754	2005-01-31	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DVA-24417	2005-08-11	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Montane Ventures Ltd			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DMH-25169	2005-07-24	FPC 80	Fail to abate hazard	Violation Ticket

New Skeena Forest Products Inc.			2006-07 Fiscal Year Inspections	
			18	
Case No.	Discovery Date	Legislation	Description	Determination
DKM-23958	2004-07-27	RDS 13 (1)	Maintain a road without authorization	No Action (2)
DKM-23958	2004-07-27	RDS 12 (1)	Fail to maintain a road (bridge)	No Action (2)

Paul Murphy			2006-07 Fiscal Year Inspections	
			10	
Case No.	Discovery Date	Legislation	Description	Determination
DND-25774	2006-03-28	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Pope & Talbot Ltd.			2006-07 Fiscal Year Inspections	
			154	
Case No.	Discovery Date	Legislation	Description	Determination
DAB-24431	2005-07-06	RDS 9(1) B	Fail to build bridges, fords or ditches, or install culverts at all crossings of permanent or seasonal systems	Penalty
DAB-24431	2005-07-06	RDS 9 (1) C	Fail to ensure the draining system is draining appropriately	Penalty

Real Gamache			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DPG-25057	2005-06-30	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Revelstoke Community Forest			2006-07 Fiscal Year Inspections	
			49	
Case No.	Discovery Date	Legislation	Description	Determination
DCO-25253	2006-08-21	FRPA 52 (3)	Remove Crown timber without authorization	Penalty
DCO-25253	2006-08-21	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

RFP Timber Ltd.			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DCH-24064	2005-05-26	WFA 3 (1)	Risking start of open fire by dropping, releasing or mishandling a burning substance or thing likely to cause a fire	No Action
DCH-24064	2005-05-26	WFA 6 (2) B	Failure to carry out an industrial activity in a manner that would prevent fires from starting	No Action
DCH-24064	2005-05-26	WFA 6 (2) A	Failure to carry out an industrial activity at a time that would prevent fires from starting	No Action

Riverside Forest Products Limited			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DOS-22900	2004-04-06	FPC 45 (3)	Avoidable damage	Penalty
DOS-22900	2004-04-06	FPC 45 (1)	Environmental damage	No Action
DOS-23705	2005-01-18	FRPA 52 (3)	Remove Crown timber without authorization	No Action
DOS-23705	2005-01-18	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Simpco Development Co. Ltd.			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DKA-24961	2005-10-05	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Stamer Logging Ltd.			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DKA-25077	2006-05-11	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

T.R.C. Cedar Limited			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DPG-23075	2004-06-11	RDS13(2)	Fail to maintain a road or modify a road as per requirement	Penalty

Terminal Forest Products Ltd.			2006-07 Fiscal Year Inspections	
			44	
Case No.	Discovery Date	Legislation	Description	Determination
DSC-25200	2006-08-11	FA94(4)	Fail to retain timber for check scaling	Violation Ticket
DSC-25422	2006-11-02	FA94(4)	Fail to retain timber for check scaling	Violation Ticket

Tolko Industries Ltd.			2006-07 Fiscal Year Inspections	
			402	
Case No.	Discovery Date	Legislation	Description	Determination
DCC-25582	2007-01-29	FA 95 (7)	Fail to comply with conditions attached to scale site authorization	Violation Ticket
DCH-24544	2005-11-08	FPC 70 (3)	Failure to Establish Free Growing Stand	No Action
DCS-25711	2007-02-23	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DMH-25026	2006-04-18	FPC 80	Fail to abate hazard	Violation Ticket

West Fraser Mills Ltd.			2006-07 Fiscal Year Inspections	
			592	
Case No.	Discovery Date	Legislation	Description	Determination
DCC-23800	2005-02-07	FPC 70 (4) D	Regeneration shortfall	No Action (2)
DMH-25151	2006-07-18	FPC 80	Fail to abate hazard	Violation Ticket
DPC-25302	2006-01-12	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Violation Ticket
DQU-25574	2006-12-13	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Violation Ticket

Western Forest Products Inc			2006-07 Fiscal Year Inspections	
			612	
Case No.	Discovery Date	Legislation	Description	Determination
DCR-25483	2006-11-09	FA 86 (1)	Fail to mark with scaled timber brand before transport from scale site	Violation Ticket
DNI-25382	2006-09-29	FPC 67 (1)	Operation contrary to requirements	Violation Ticket
DSC-25478	2006-11-01	FA 94 (4)	Fail to retain timber for check scaling	Violation Ticket
DSI-25628	2007-02-14	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Western Forest Products Inc (Cont.)			2006-07 Fiscal Year Inspections	
			612	
Case No.	Discovery Date	Legislation	Description	Determination
DSI-25726	2006-09-21	FPC 67	Operation Contrary to Requirements	Violation Ticket

Weyerhaeuser Company Limited			2006-07 Fiscal Year Inspections	
			167	
Case No.	Discovery Date	Legislation	Description	Determination
DKA-24424	2005-10-06	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Penalty
DOS-22594	2003-12-19	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DOS-22594	2003-12-19	FPC 96 (2)	Remove Crown Timber Without Authorization	Penalty
DPE-2004-0002	2002-11-20	SILV 2 (3)	Exceed transfer limit	No Action (11)
DPE-2004-0002	2002-11-20	SILV 8 (4)	Exceed Seed/Material Transfer Limit	No Action (30)
DPE-2004-0003	2002-11-20	SILV 2 (3)	Exceed transfer limit	No Action (2)
DPE-2004-0003	2002-11-20	SILV 8 (4)	Exceed Seed/Material Transfer Limit	No Action (4)
DQC-21997	2003-07-24	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DSC-24425	2005-09-28	FPC 67	Operation Contrary to Requirements	Violation Ticket

Wilfred Boardman			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DCO-25163	2006-07-13	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	No Action

Timber Sales Licensees

Statistics for Timber Sale Licensees

Statistic	Number	% of Total
Number of Inspections	1,738	11.6%
Number of Compliance Actions	209	9.7%
Number of Enforcement Actions	40	8.0%

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.

Andrew Turner			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DQU-24854	2006-03-06	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	No Action
DQU-24854	2006-03-06	FPC 96 (2)	Remove Crown Timber Without Authorization	No Action

Ashlaur Trading Inc.			2006-07 Fiscal Year Inspections	
			12	
Case No.	Discovery Date	Legislation	Description	Determination
DNI-25443	2006-07-19	TMT 10 (2)	Fail to include all required information on written record	Violation Ticket

B.C. Custom Timber			2006-07 Fiscal Year Inspections	
			2	
Case No.	Discovery Date	Legislation	Description	Determination
DRM-26020	2006-06-06	FA 127	Unauthorized exportation of Crown timber	Violation Ticket

Dalmon Oler			2006-07 Fiscal Year Inspections	
			24	
Case No.	Discovery Date	Legislation	Description	Determination
DRM-24229	2005-07-14	FPC 62 (1)	Construct road without complying with requirements	Penalty
DRM-24229	2005-07-14	FPC 58 (2)	Unauthorized road construction	Penalty

Edward Reiersen			2006-07 Fiscal Year Inspections	
			6	
Case No.	Discovery Date	Legislation	Description	Determination
DOS-23565	2004-11-29	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty (3)

George Styran			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DHW-22665	2003-07-25	FPC 96 (1)	Cut, Damage or Destroy Crown Timber Without Authorization	Penalty
DHW-22665	2003-07-25	FPC 58 (2)	Unauthorized road construction	Penalty
DHW-22665	2003-07-25	FPC 68	Unauthorized trail	No Action

Gregory Spyker			2006-07 Fiscal Year Inspections	
			3	
Case No.	Discovery Date	Legislation	Description	Determination
DVA-24926	2006-03-30	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty (3)
DVA-24926	2006-03-30	FPC 58 (2)	Unauthorized road construction	Penalty
DVA-24926	2006-03-30	RDS 13 (1)	Maintain a road without authorization	Penalty

Inlet Towing Ltd			2006-07 Fiscal Year Inspections	
			2	
Case No.	Discovery Date	Legislation	Description	Determination
DNI-24989	2006-05-02	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Violation Ticket

James Oler			2006-07 Fiscal Year Inspections	
			24	
Case No.	Discovery Date	Legislation	Description	Determination
DRM-24753	2006-02-14	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Keith Balcaen			2006-07 Fiscal Year Inspections	
			7	
Case No.	Discovery Date	Legislation	Description	Determination
DCO-25284	2006-09-06	FPC 67 (1)	Practices not in Specifications	Violation Ticket

Klaus Orleans			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DNC-22727	2003-09-25	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DNC-22191	2003-09-25	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Lemare Lake Logging Ltd.			2006-07 Fiscal Year Inspections	
			12	
Case No.	Discovery Date	Legislation	Description	Determination
DNI-25378	2006-09-22	FA 86 (1)	Fail to mark with scaled timber brand before transport from scale site	Violation Ticket
DNI-25225	2006-08-22	FA 95 (7)	Fail to comply with conditions attached to scale site authorization	Violation Ticket

Mcculloch Log Sales Ltd.			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DOS-22919	2004-04-30	FPC 76 (1)	Light, fuel or make use of an open fire in or within 1 km of a forest against regulations	Penalty
DOS-22919	2004-04-30	FFPS 24 (2)	Fail to extinguish an open fire	Penalty

North Kootenay Reman Ltd			2006-07 Fiscal Year Inspections	
			3	
Case No.	Discovery Date	Legislation	Description	Determination
DKL-24956	2006-04-24	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Progressive Harvesting (2000) Ltd.			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DMH-23881	2005-02-17	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Violation Ticket

Richard Hogstead			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DNC-21959	2003-07-11	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	No Action
DNC-21959	2003-07-11	FPC 96 (2)	Remove Crown Timber Without Authorization	No Action

Sigurdson Bros. Logging Company Ltd.			2006-07 Fiscal Year Inspections	
			9	
Case No.	Discovery Date	Legislation	Description	Determination
DQU-24854	2006-03-06	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DQU-24854	2006-03-06	FPC 96 (2)	Remove Crown Timber Without Authorization	No Action

Steelhead Timber Ltd.			2006-07 Fiscal Year Inspections	
			10	
Case No.	Discovery Date	Legislation	Description	Determination
DNI-25508	2006-11-09	FA 94 (4)	Fail to retain timber for check scaling	Violation Ticket

Teddy Beddington			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DQU-24854	2006-03-06	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	No Action
DQU-24854	2006-03-06	FPC 96 (2)	Remove Crown Timber Without Authorization	No Action

Terri Basso			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DNC-22189	2003-09-24	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DNC-22729	2003-09-24	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DNC-22728	2003-10-07	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Thomas Stone			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DCC-23598	2004-10-06	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Range Licensees

Statistics for Range Licensees

Statistic	Number	% of Total
Number of Inspections	544	3.6%
Number of Compliance Actions	111	5.2%
Number of Enforcement Actions	9	1.8%

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

Range 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.

David Peterson			2006-07 Fiscal Year Inspections	
			6	
Case No.	Discovery Date	Legislation	Description	Determination
DKA-24723	2005-07-08	FRPA 45 (1) b	Graze livestock, cut hay, carry out / maintain range development contrary to range use or stewardship plan	Penalty

Douglas Lake Cattle Company			2006-07 Fiscal Year Inspections	
			4	
Case No.	Discovery Date	Legislation	Description	Determination
DCS-23615	2004-09-08	FRPA 52 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Hallis Lake Community Pasture			2006-07 Fiscal Year Inspections	
			3	
Case No.	Discovery Date	Legislation	Description	Determination
DQU-25007	2006-04-18	FPC 74 (2) A	Unauthorized development	No Action
DQU-25007	2006-04-18	FPC 45 (1)	Environmental damage	Penalty
DQU-25007	2006-04-18	RNP 6 (1)	Fail to ensure activities do not occur within 5m stream bank	Penalty

Kevin Olmstead			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DFN-22601	2003-10-10	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DFN-22601	2003-10-10	FPC 96 (2)	Remove Crown Timber Without Authorization	Penalty

Rainer Krumsiek			2006-07 Fiscal Year Inspections	
			5	
Case No.	Discovery Date	Legislation	Description	Determination
DCC-24540	2005-11-30	FRPA 51 (6)	Fail to comply with conditions of range development authorization	Remediation
DCC-24540	2005-11-30	FRPA 51 (6)	Fail to comply with conditions of range development authorization	Penalty

Woodlot Licensees

Statistics for Woodlot Licensees

Statistic	Number	% of Total
Number of Inspections	762	5.1%
Number of Compliance Actions	224	10.4%
Number of Enforcement Actions	15	3.0%

Woodlot 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.

Allan Bahen			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DSS-25056	2006-06-05	WLFM 89	Failure to submit Annual Report on time	Penalty

Allan Neville			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DCO-24044	2004-09-28	FPC 70 (4) E	Free growing shortfall	Penalty
DCO-24044	2004-09-28	FPC 70 (3)	Failure to Establish Free Growing Stand	Penalty

Botland Feeds Ltd.			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DQU-23305	2004-08-19	FPC 96(2)	Remove Crown Timber Without Authorization	No Action
DQU-23305	2004-08-19	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DQU-24220	2005-07-21	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty

Brian Fossum			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DPC-23135	2004-06-09	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	No Action

Lawrence Rustad			2006-07 Fiscal Year Inspections	
			2	
Case No.	Discovery Date	Legislation	Description	Determination
DPG-25116	2006-06-27	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Marjolaine Hart			2006-07 Fiscal Year Inspections	
			7	
Case No.	Discovery Date	Legislation	Description	Determination
DPG-25285	2006-09-12	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Mary Andersen			2006-07 Fiscal Year Inspections	
			2	
Case No.	Discovery Date	Legislation	Description	Determination
DND-25439	2006-11-10	WLFM 18 (1)	Failure to obtain district manager approval of site plan	Stop Work Order

Michael O'Nradly			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DRM-24856	2005-10-24	FPC 70 (4) D	Regeneration shortfall	Penalty
DRM-24855	2005-10-24	FPC 70 (4) D	Regeneration shortfall	Penalty

Niels Johnson			2006-07 Fiscal Year Inspections	
			19	
Case No.	Discovery Date	Legislation	Description	Determination
DOS-24302	2005-04-08	SILV 2 (3)	Exceed transfer limit	No Action

Snarpen Contracting Ltd.			2006-07 Fiscal Year Inspections	
			2	
Case No.	Discovery Date	Legislation	Description	Determination
DCR-25240	2006-08-29	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Violation Ticket

Thomas Steward			2006-07 Fiscal Year Inspections	
			1	
Case No.	Discovery Date	Legislation	Description	Determination
DPC-23137	2004-06-09	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	No Action

Community Forest Agreement Holders

Statistics for Community Forest Agreement Holders

Statistic	Number	% of Total
Number of Inspections	191	1.3%
Number of Compliance Actions	7	0.3%
Number of Enforcement Actions	0	0%

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 were no enforcement actions against a Community Forest Agreement Holder during the reporting period.

Road Licensees

Statistics for Road Licensees

Statistic	Number	% of Total
Number of Inspections	2,698	18.0%
Number of Compliance Actions	457	21.3%
Number of Enforcement Actions	80	15.9%

Road Licensees include the following licence types: Road Licences, Road Permits Licences, Forest Service Road Licences, Road Use Permits Licences, Non Status Road Licences.

Road 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.

275737 British Columbia Ltd.			2006-07 Fiscal Year Inspections	
			4	
Case No.	Discovery Date	Legislation	Description	Determination
DVA-25125	2006-06-23	RDS 9 (1) B	Fail to build bridges, fords or ditches, or install culverts at all crossings of permanent or seasonal systems	Penalty
DVA-25125	2006-06-23	FPC 45 (1)	Environmental damage	Penalty

Ainsworth Lumber Co. Ltd.			2006-07 Fiscal Year Inspections	
			11	
Case No.	Discovery Date	Legislation	Description	Determination
DCS-22439	2003-11-27	FPC 45 (3)	Avoidable damage	No Action
DCS-22439	2003-11-27	RDS 8 (1) F	Fail to conform with visual quality and archaeological requirements	Remediation
DCS-22439	2003-11-27	RDS 8 (1) F	Fail to conform with visual quality and archaeological requirements	No Action
DCS-22439	2003-11-27	FPC 45 (1)	Environmental damage	Remediation
DCS-22439	2003-11-27	FPC 45 (1)	Environmental damage	Penalty
DCS-22439	2003-11-27	FPC 62 (1)	Construct road without complying with requirements	Remediation
DCS-22439	2003-11-27	FPC 62 (1)	Construct road without complying with requirements	No Action

Ainsworth Lumber Co. Ltd. (Cont.)			2006-07 Fiscal Year Inspections	
			11	
Case No.	Discovery Date	Legislation	Description	Determination
DCS-22439	2003-11-27	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Penalty
DCS-22439	2003-11-27	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Remediation
DCS-22439	2003-11-27	FPC 45 (3)	Fail to stop forest practice that results in damage of environment	Remediation
DCS-22439	2003-11-27	FPC 45 (4)	Fail to prevent damage of environment	Penalty

C Mokko Manufacturing Ltd.			2006-07 Fiscal Year Inspections	
			2	
Case No.	Discovery Date	Legislation	Description	Determination
DSI-25709	2007-03-14	FPC 54 (1)	Unauthorized use of a road on Crown land for Forest practices	Violation Ticket

Cascadia Forest Products Ltd.			2006-07 Fiscal Year Inspections	
			28	
Case No.	Discovery Date	Legislation	Description	Determination
DSI-24962	2006-04-25	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket
DSI-24964	2006-04-25	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Coogin Industries Ltd.			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DSI-25198	2005-09-15	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Dalmon Oler			2006-07 Fiscal Year Inspections	
			6	
Case No.	Discovery Date	Legislation	Description	Determination
DRM-24229	2005-07-14	RDS 9 (1) C	Fail to ensure the draining system is draining appropriately	Penalty
DRM-24229	2005-07-14	FPC 63 (2)	Failure to maintain a road as required.	Penalty
DRM-24229	2005-07-14	RDS 8 (1) K	Waste area location	Penalty
DRM-24229	2005-07-14	RDS 8 (1) D	Unstable condition	Penalty
DRM-24229	2005-07-14	RDS 9 (1) C	Fail to ensure the draining system is draining appropriately	Penalty

Dalmon Oler (Cont.)			2006-07 Fiscal Year Inspections	
			6	
Case No.	Discovery Date	Legislation	Description	Determination
DRM-24229	2005-07-14	RDS 9 (1) C	Fail to ensure the draining system is draining appropriately	Penalty
DRM-24229	2005-07-14	FPC 54 (1)	Unauthorized use of a road on Crown land for Forest practices	Penalty
DRM-24229	2005-07-14	FPC 63 (1)	Uses a road without the authority of a road permit	Penalty

Downie Street Sawmills Ltd.			2006-07 Fiscal Year Inspections	
			33	
Case No.	Discovery Date	Legislation	Description	Determination
DCO-25228	2006-08-16	FPC 96 (1)	Cut, damage or destroy Crown timber without authorization	Violation Ticket

Gorman Bros. Lumber Ltd.			2006-07 Fiscal Year Inspections	
			9	
Case No.	Discovery Date	Legislation	Description	Determination
DOS-25044	2006-03-31	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Hat Lake Logging Ltd.			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DMK-25309	2006-09-22	RDU 6 (5)	Operate motor vehicle contrary to traffic control device on forest service road	Stop Work Order

Hauer Bros. Lumber Ltd.			2006-07 Fiscal Year Inspections	
			4	
Case No.	Discovery Date	Legislation	Description	Determination
DHW-24869	2006-03-06	FPC 62 (1)	Construct road without complying with requirements	Violation Ticket

Hayes Forest Services Limited			2006-07 Fiscal Year Inspections	
			0	
Case No.	Discovery Date	Legislation	Description	Determination
DSI-25300	2006-09-15	SCA 2	Owner and agreement holder failure to ensure timber scaled ASAP after cut	Violation Ticket

International Forest Products Limited			2006-07 Fiscal Year Inspections	
			189	
Case No.	Discovery Date	Legislation	Description	Determination
DMH-25230	2006-08-22	FPC 54 (1)	Unauthorized use of a road on Crown land for Forest practices	Stop Work Order

L. & M. Lumber Ltd.			2006-07 Fiscal Year Inspections	
			7	
Case No.	Discovery Date	Legislation	Description	Determination
DVA-24028	2005-05-11	RDS 9 (1) G	Fail to build bridges and install culverts to prevent or mitigate stream bank disturbance and to avoid adversely affecting downstream water quality;	No Action

New Skeena Forest Products Inc.			2006-07 Fiscal Year Inspections	
			2	
Case No.	Discovery Date	Legislation	Description	Determination
DKM-23958	2004-07-27	FPC 63 (1)	Uses a road without the authority of a road permit	No Action (22)
DKM-23958	2004-07-27	FPC 63 (2)	Failure to maintain a road as required.	No Action (22)

Tamihi Logging Co. Ltd.			2006-07 Fiscal Year Inspections	
			5	
Case No.	Discovery Date	Legislation	Description	Determination
DCK-25292	2006-09-12	FPC 63 (2)	Failure to maintain a road as required.	Violation Ticket

TEAL CEDAR PRODUCTS LTD.			2006-07 Fiscal Year Inspections	
			52	
Case No.	Discovery Date	Legislation	Description	Determination
DQC-25497	2006-12-11	FPPR 79 (6) c	Fail to ensure road is safe for industrial users	Stop Work order

Terminal Forest Products Ltd.			2006-07 Fiscal Year Inspections	
			35	
Case No.	Discovery Date	Legislation	Description	Determination
DSQ-25425	2006-10-11	FA 84 (1)	Failure to ensure unscaled timber is marked with timber mark	Violation Ticket

Western Forest Products Inc			2006-07 Fiscal Year Inspections	
			210	
Case No.	Discovery Date	Legislation	Description	Determination
DSI-25577	2007-01-25	FPC 64 (1)	Failure to deactivate a road as required	Violation Ticket

Other Licensees/Non-Tenure Holders

Statistics for All Other Licensees and Non-Tenure Holders

Statistic	Number	% of Total
Number of Inspections	2,193	14.6%
Number of Compliance Actions	485	22.6%
Number of Enforcement Actions	189	37.6%

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

Government Non-Compliance

Government Non-Compliance Statistics

In keeping with Ministry policy, this section 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, 2006 to March 31, 2007 there were no determinations of significant government non-compliance.

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 market Crown timber through competitive 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 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 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 refers to the amount of care that a person is required to take in any given situation. For the defence of due diligence to apply, an alleged contravener must have taken all reasonable care to avoid committing the prohibited act. 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 for the cutting and removal of timber.

Forest and Range Practices Act (FRPA)

The *Forest and Range Practices Act* and its regulations govern the activities of forest and range licensees in B.C. The statute sets the requirements for planning, road building, logging, reforestation, and grazing.

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 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 on which stumpage was paid.

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 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 occurs when an individual or company who contravened the law is prosecuted in the courts. Prosecutions are undertaken as a provincial judicial process and can only be carried out on sections of legislation that are designated as 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.

RCO

Coast Forest Region.

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.

RNI

Northern Interior Forest Region.

RSI

Southern Interior Forest Region.

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 must be completed or carried out as specified through legislation.

Stop Work Orders (SWO)

Stop Work Orders are used by officials to order a licensee or person to stop a forest or range practice or other activity that the official believes is in contravention of forest legislation. 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.