

Ministry of Forests and Range - Compliance & Enforcement Program



Providing statistics of Compliance Enforcement  
Activities recorded by the Ministry of Forests and  
Range from April 01.2007 to March 31.2008

08



Ministry of  
Forests and Range

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# Introduction

The 2008 Compliance & Enforcement (C&E) Annual Report is the 13th annual report produced by the Ministry of Forests and Range. The C&E Annual Report contains information on [inspections<sup>1</sup>](#), [compliance actions](#) and [enforcement actions](#) relating to legislation governing forest and range activities.

Forest and range activities in the province of British Columbia are regulated by a number of enactments. In this report, only information regarding the following Acts is provided, including: 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 may be affected by both pieces of legislation.

## Key Statistics

April 1, 2007 to March 31, 2008:

- **15,688** Inspections were recorded
- **403** Enforcement Actions were taken
- **10** Stop Work Orders were issued
- **11** Seizures were issued
- **2,212** 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, 2007 to March 31, 2008 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](http://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.

<sup>1</sup>underlined words are defined in the glossary at the end of this report.

## Service Plan Report Statistics

The ongoing work to monitor and enforce compliance with Forests and Range regulations included several milestones in 2007/08, including: a focus on pricing inspections leading to the recovery of Crown revenue; and a focus on enforcing the *Wildfire Act* resulting in a higher level of investigation resources being applied to wildfire compliance and enforcement.

### Goal:

1.3 Compliance is promoted and statutory obligations are enforced.

### Result:

|                                                                                       |     |
|---------------------------------------------------------------------------------------|-----|
| Percent of forest operators' compliance with standards that regulate forest practices | 94% |
|---------------------------------------------------------------------------------------|-----|

# 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, are done on a routine basis and can be planned or spontaneous. C&E inspections cover the legal obligations of licensees, government and the public.

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: Inspections by Region

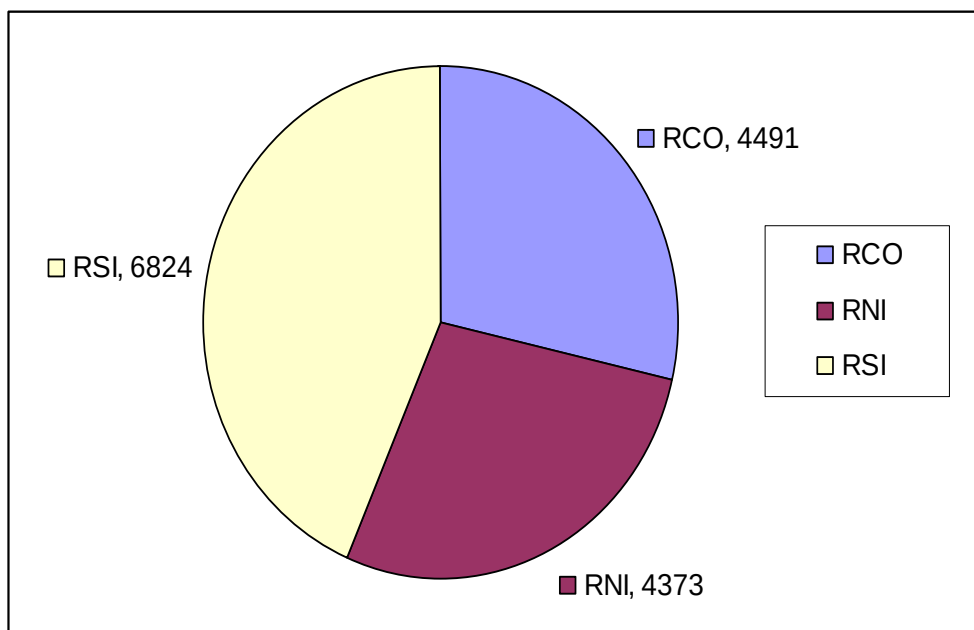


Figure 2: Inspections by Tenure Type

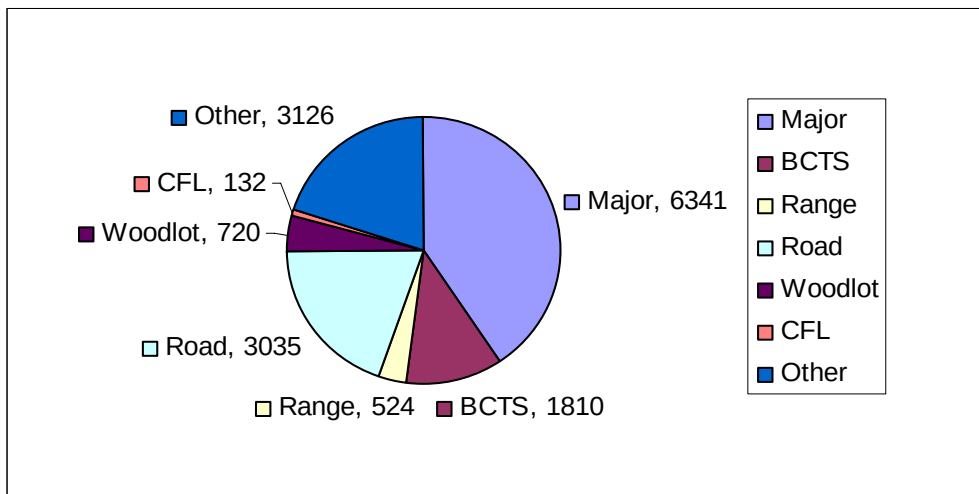
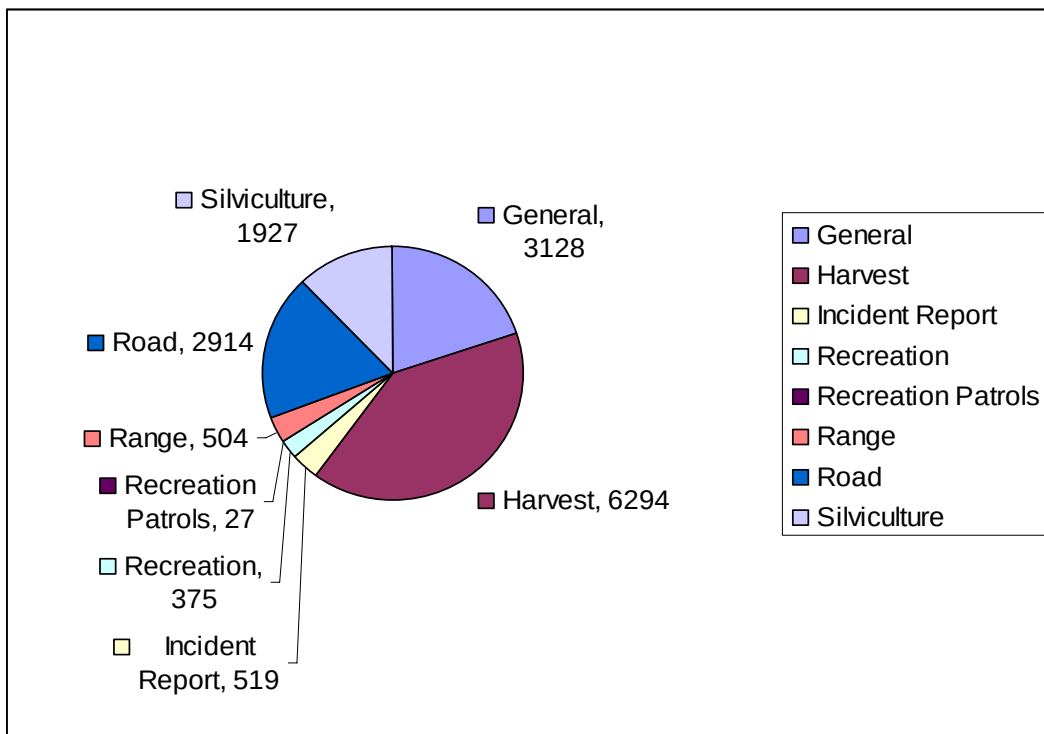


Figure 3: Inspections by Inspection Type



## 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.



# 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

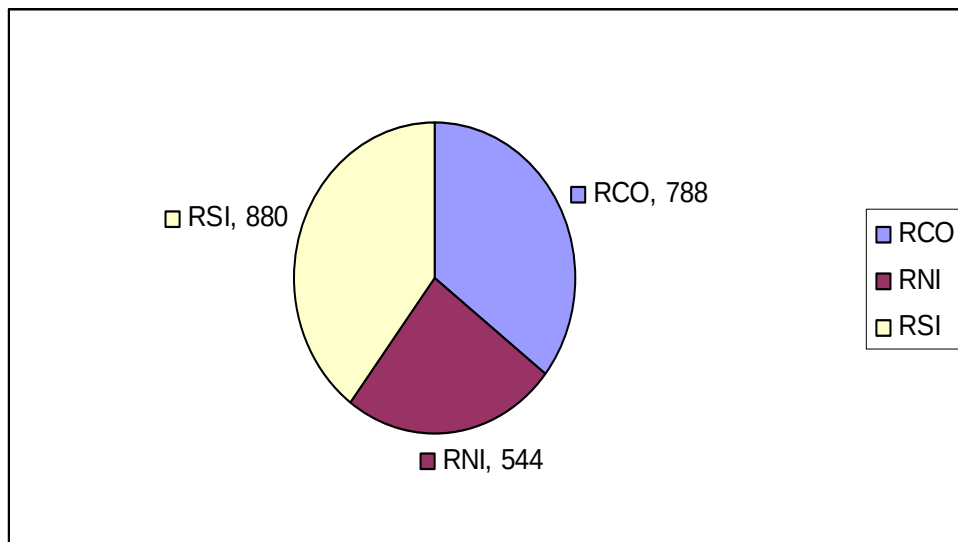


Table 1. Compliance Actions By Tenure Type

|                             | Major | BCTS | Range | Woodlot | CFL | Road | Other | Total |
|-----------------------------|-------|------|-------|---------|-----|------|-------|-------|
| <b>Compliance Notice</b>    | 380   | 130  | 1     | 142     | 7   | 393  | 389   | 1442  |
| <b>Compliance No Action</b> | 151   | 49   | 0     | 21      | 1   | 91   | 183   | 496   |
| <b>Warning Ticket</b>       | 24    | 17   | 0     | 5       | 0   | 18   | 210   | 274   |
| <b>Total</b>                | 555   | 196  | 1     | 168     | 8   | 502  | 782   | 2212  |

Figure 5: Compliance Actions by Compliance Action Type

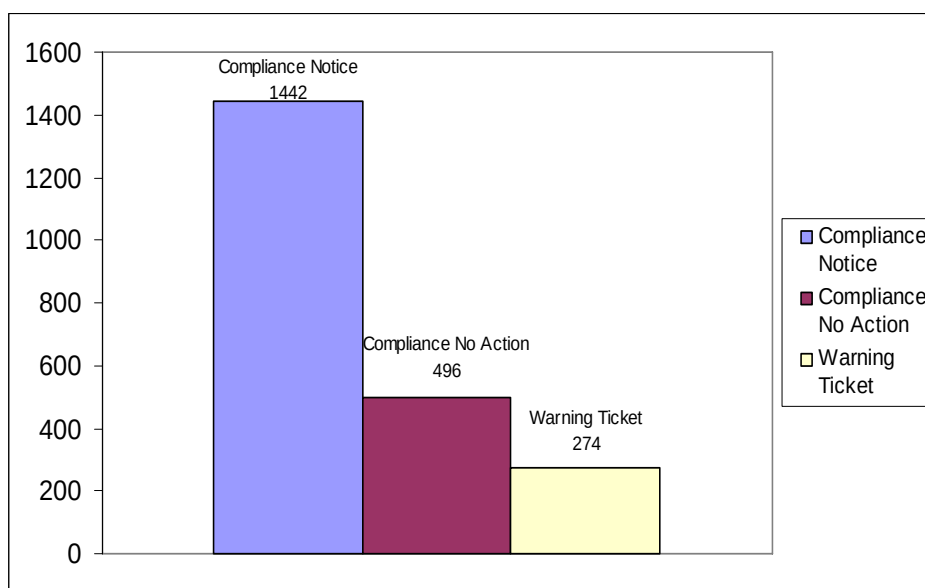
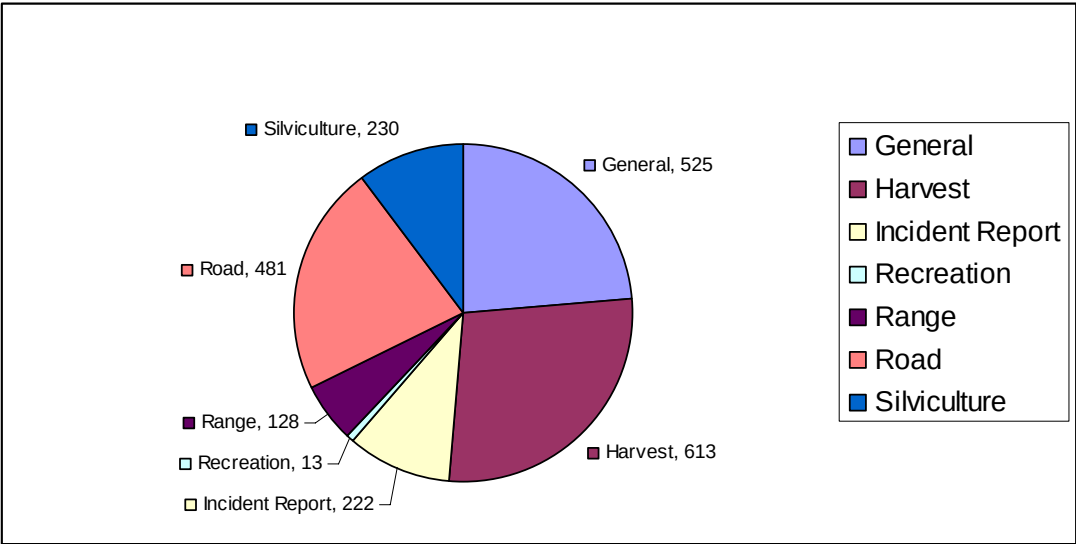


Figure 6: Compliance Action by Inspection Type



## Profile: C&E Program

The Compliance and Enforcement program has been built on the philosophical foundation of continuous improvement that is based on the premise that performance improvement is the ongoing responsibility of everyone in the organization. This foundation is guided by the following principles:

- A preventative approach
- Management by data
- Respect for employees & regulated community
- Commitment to ongoing improvement
- Cross functional problem solving
- Constancy of leadership commitment

During the 2007-2008 fiscal year the program has upheld the philosophy and principles through a number of improvement initiatives including:

- 1) Compliance procedures – The compliance procedures manual was revised to reflect the changing legislation and business needs of the program to address results and strategies inspections, protection inspections and timber pricing inspections.
- 2) Training updates – Training initiatives included revisions to the training matrix, development of new courses (Report to Designated Decision Makers, Compliance Inspections, Fish Passage, Basic Law Communication Module) and revisions to court procedures.
- 3) Job description review –Job descriptions were reviewed to ensure they reflected the activities and functions that staff were performing. In addition behavioural competencies were reviewed, revised or added to reflect a seamless model to address those requirements across all program staff. All job descriptions now require applicants be a Registered Forest Technologist.
- 4) Policy review – The foundation of the Compliance and Enforcement program relies on sound policy. Legislative changes, changing business and experience in conducting that business over the years since the inception of the Forest and Range Practices Act and the restructuring of the Ministry have required some minor policy revisions and clarification.

# 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,](#)
- [Orders to Vacate, and](#)
- **No Action (Although a contravention has been determined, it is not in the public interest to take further action).**

## Violation Tickets and Administrative Penalties

|                                 |                  |
|---------------------------------|------------------|
| Violation tickets issued        | <b>178</b>       |
| Monetary amount of tickets      | <b>\$32,165</b>  |
| Administrative penalties levied | <b>137</b>       |
| Monetary amount of penalties    | <b>\$112,385</b> |

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 10 Stop Work Orders issued in 2007-2008.

[Seizures](#) (forfeitures) may occur when an official has reasonable grounds to believe that a person has contravened a section of the Acts (*Forest Act*, *Range Act*, and *Forest and Range Practices Act*). This halts any potential loss or damage to environmental, social or economic values to the public, and allows time for the official to determine if an actual contravention has occurred. Seizures are not considered a finding of contravention.

There were 11 seizures issued in 2007-2008.

Figure 7: Enforcement Action by Region

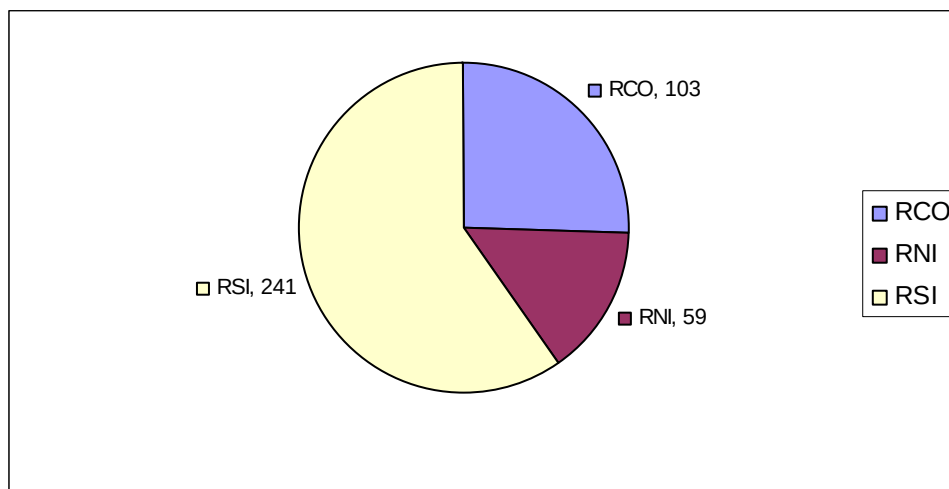


Table 2. Enforcement Actions By Tenure Type

|                         | Major | BCTS | Range | Woodlot | CFL | Road | Other | Total |
|-------------------------|-------|------|-------|---------|-----|------|-------|-------|
| <b>Violation Ticket</b> | 33    | 24   | 1     | 4       | 1   | 16   | 99    | 178   |
| <b>Penalties</b>        | 41    | 8    | 2     | 11      | -   | 12   | 63    | 137   |
| <b>No Action</b>        | 14    | 2    | -     | 4       | -   | 1    | 42    | 63    |
| <b>Remediation</b>      | 7     | -    | 3     | 1       | -   | 9    | 4     | 24    |
| <b>Order to Vacate</b>  | -     | -    | -     | -       | -   | -    | 1     | 1     |
| <b>Total</b>            | 95    | 34   | 6     | 20      | 1   | 38   | 209   | 403   |

Figure 8: Enforcement Actions by Enforcement Action Type

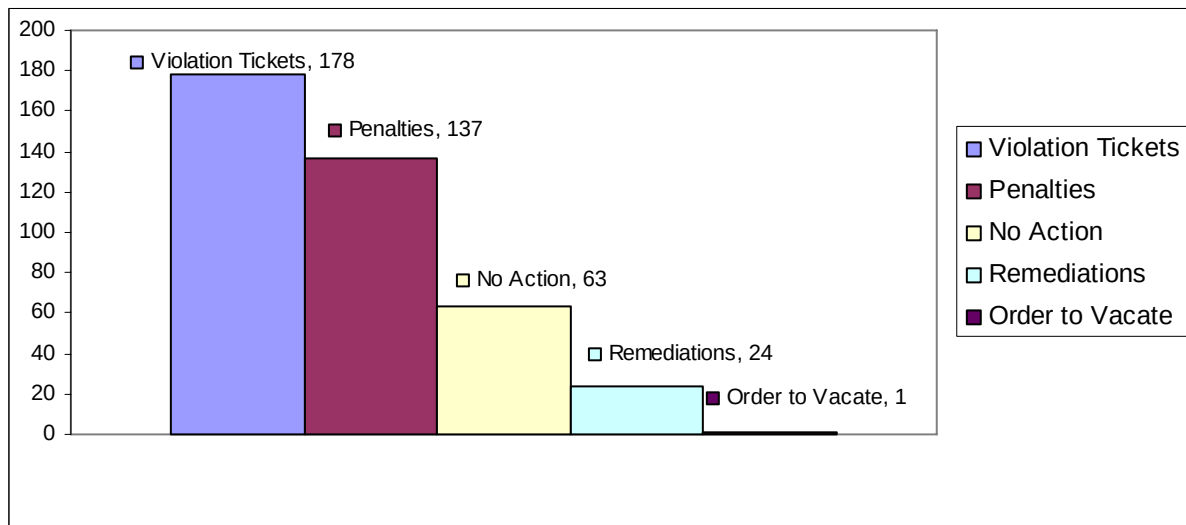
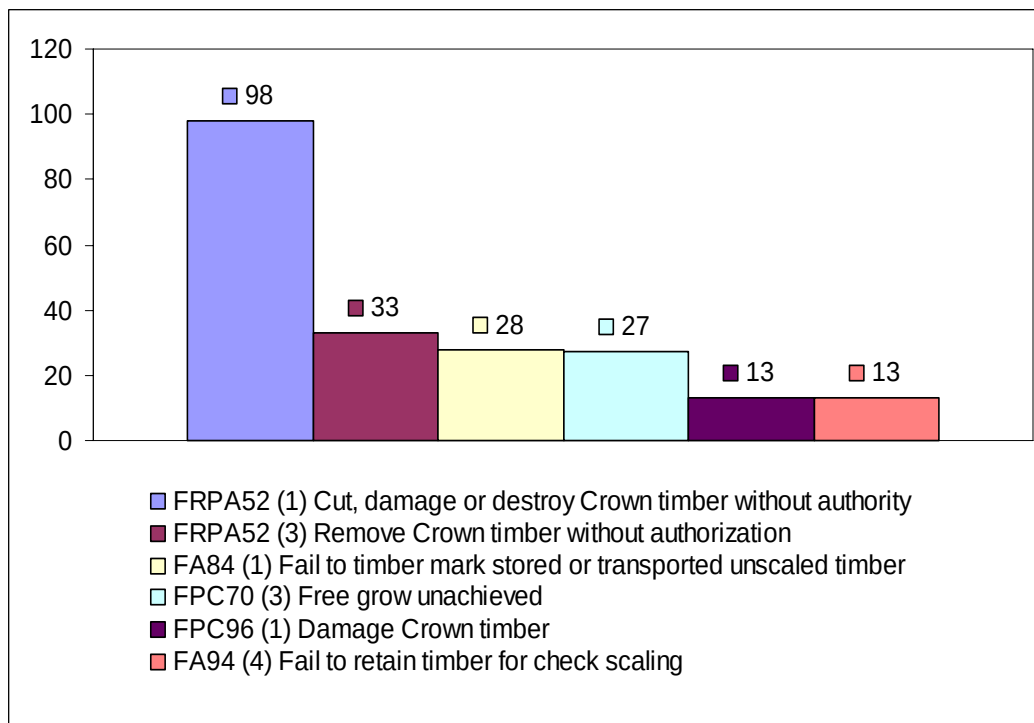


Figure 9: Top 6 Sections Most Often Contravened



## Reviews and Appeals

During the reporting period, one administrative review of an enforcement decision was conducted under forest and range legislation. The review decision confirmed the original decision, meaning that the review panel upheld the original decision.

### What is an appeal?

If the appellant is unsatisfied by a decision made, the appellant has the right to challenge the decision rendered to a higher authority, by submitting a Notice of Appeal to the Forest Appeal Commission (FAC). The FAC is an independent administrative tribunal, which provides a forum to appeal certain decisions made by government officials under the *Code*, the *Forest Act*, the *Forest Range and Practices Act*, the *Range Act* and the *Wildfire Act* and its regulations.

For more information about the Forest Appeals Commission, a link has been provided.

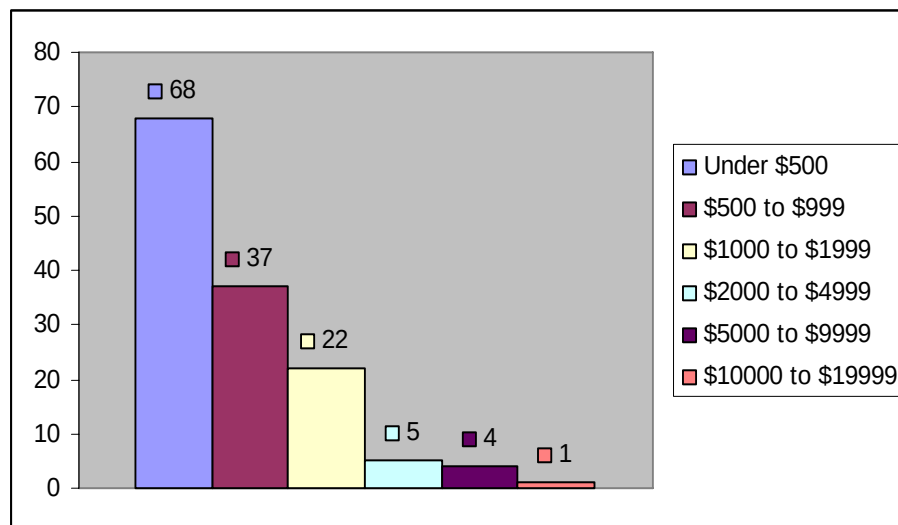
<http://www.fac.gov.bc.ca/>

## 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.

Figure 10: Summary Of Monetary Penalties by Case



## Profile: Results Based Inspections

The *Forest and Range Practices Act* (FRPA) is an example of a legislative “results based” model for managing public forest land in British Columbia. Among the FRPA goals are:

- reduce process that licensees had to complete to obtain cutting authority
- give licensees responsibility for achieving appropriate results
- maintain environmental protection standards

One pillar of the FRPA model is C&E inspection of completed licensee work (results). This enables the MFR to enforce licensee compliance with legislated requirements and approved results and strategies.

Forest Stewardship Plans (FSP) outline the results and strategies licensees plan to use to meet objectives set by government for 11 resource values. FSPs are approved by Delegated Decision Makers, which, for FSP approvals are the District Managers.

FSP's may have multi-block or landscape standards, cover multiple licensees or span more than one forest district, and focus on results, strategies, measures and stocking standards. This variability changes the scope and methods needed to measure compliance. For many of the multi-block or landscape level result or strategy obligations, it is more efficient and consistent to inspect licensees with an inspection project that targets multiple sites, rather than individual harvesting or road inspection methods, and is particularly useful to measure values such as biodiversity or wildlife tree retention areas which can not be assessed as well at a single site.

These new inspection methods, added to those already in use, provide a greater range of options for inspecting licensee compliance. For example, high risk FSP road building operations may need an interim site inspection; after annual reporting of harvesting completed, multi-site inspections by teams of C&E and specialist staff may be more effective. It is anticipated that the latter will become more common than single harvesting block inspections.

# 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         | 6,341  | 40.4 %     |
| Number of Compliance Actions  | 555    | 25.1%      |
| Number of Enforcement Actions | 95     | 23.6%      |

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.

| ABITIBI CONSOLIDATED COMPANY OF CANADA |                |             | 2007-08 Fiscal Year Inspections                                                                                    |                  |
|----------------------------------------|----------------|-------------|--------------------------------------------------------------------------------------------------------------------|------------------|
|                                        |                |             | 48                                                                                                                 |                  |
| Case No.                               | Discovery Date | Legislation | Description                                                                                                        | Determination    |
| DMK-25866                              | 02-May-07      | WFA6(1)     | Light, fuel or use of open fire in or within 1 km of forest or grass land by a person doing an industrial activity | Violation Ticket |

| ASPEN RIDGE CONSULTING LTD. |                |             | 2007-08 Fiscal Year Inspections                      |               |
|-----------------------------|----------------|-------------|------------------------------------------------------|---------------|
|                             |                |             | 5                                                    |               |
| Case No.                    | Discovery Date | Legislation | Description                                          | Determination |
| DVA-26067                   | 19-JUL-07      | WFA7(2)     | Fail to abate a fire hazard within prescribed period | Penalty (3)   |

| ATCO LUMBER LTD. |                |             | 2007-08 Fiscal Year Inspections |               |
|------------------|----------------|-------------|---------------------------------|---------------|
|                  |                |             | 5                               |               |
| Case No.         | Discovery Date | Legislation | Description                     | Determination |
| DAB-25438        | 19-JUN-06      | RDS9(1)C    | Drainage function               | Penalty       |
| DAB-25438        | 19-JUN-06      | RDS13(2)    | Water quality reduction         | Penalty       |

| BRAVE HOLDINGS LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|---------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                     |                |             | 20                                                    |                  |
| Case No.            | Discovery Date | Legislation | Description                                           | Determination    |
| DJA-26424           | 28-NOV-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| CATTERMOLLE TIMBER LTD. |                |             | 2007-08 Fiscal Year Inspections                                                                                   |               |
|-------------------------|----------------|-------------|-------------------------------------------------------------------------------------------------------------------|---------------|
|                         |                |             | 5                                                                                                                 |               |
| Case No.                | Discovery Date | Legislation | Description                                                                                                       | Determination |
| DCK-24324               | 21-JUL-05      | THSP14(1)B  | Fail to mitigate disturbance                                                                                      | Penalty       |
| DCK-24324               | 21-JUL-05      | THSP11(1)   | Track or wheels within 5 m of streambank                                                                          | Penalty       |
| DCK-24324               | 21-JUL-05      | FPC51(2)B   | Failure to advise district manager of location of a resource feature not identified on an approved plan or permit | Penalty       |

| FORT FRASER CHAMBER OF COMMERCE CORP. |                |             | 2007-08 Fiscal Year Inspections |               |
|---------------------------------------|----------------|-------------|---------------------------------|---------------|
|                                       |                |             | 0                               |               |
| Case No.                              | Discovery Date | Legislation | Description                     | Determination |
| DVA-23112                             | 15-JUN-04      | THSP14(1)B  | Fail to mitigate disturbance    | Penalty (2)   |

| INTERNATIONAL FOREST PRODUCTS LIMITED |                |             | 2007-08 Fiscal Year Inspections                                                                                         |                  |
|---------------------------------------|----------------|-------------|-------------------------------------------------------------------------------------------------------------------------|------------------|
|                                       |                |             | 292                                                                                                                     |                  |
| Case No.                              | Discovery Date | Legislation | Description                                                                                                             | Determination    |
| DNI-26605                             | 19-FEB-08      | FA94(4)     | Fail to retain timber for check scaling                                                                                 | Violation Ticket |
| DNI-26606                             | 19-FEB-08      | FA95(7)     | Fail to comply with conditions attached to scale site authorization                                                     | Violation Ticket |
| DNI-26079                             | 12-JUL-07      | TMT10(1)    | Fail to carry record of timber being transported                                                                        | Violation Ticket |
| DNI-26533                             | 22-JAN-08      | FA84(1)     | Fail to mark timber stored or transported unscaled timber                                                               | Violation Ticket |
| DCR-26187                             | 25-AUG-07      | FA84(3)     | Fail to conspicuously mark timber, unscaled timber being stored or transported                                          | Violation Ticket |
| DNI-26326                             | 08-AUG-07      | TMT10(3)A   | Timber mark holder (origin location) failure to ensure written records accurate &/ or retain/ remit copies as directed. | Violation Ticket |

| J.H. HUSCROFT LTD. |                |             | 2007-08 Fiscal Year Inspections |                  |
|--------------------|----------------|-------------|---------------------------------|------------------|
|                    |                |             | 14                              |                  |
| Case No.           | Discovery Date | Legislation | Description                     | Determination    |
| DKL-26197          | 22-AUG-07      | FPC67()     | Contrary operation              | Violation Ticket |

| K.N.C FOREST PRODUCTIONS LTD. |                |             | 2007-08 Fiscal Year Inspections           |                  |
|-------------------------------|----------------|-------------|-------------------------------------------|------------------|
|                               |                |             | 0                                         |                  |
| Case No.                      | Discovery Date | Legislation | Description                               | Determination    |
| DQC-24857                     | 10-Feb-06      | FRPA52(3)   | Remove Crown timber without authorization | Violation Ticket |

| KTUNAXA KINBASKET DEVELOPMENT CORPORATION |                |             | 2007-08 Fiscal Year Inspections                       |               |
|-------------------------------------------|----------------|-------------|-------------------------------------------------------|---------------|
|                                           |                |             | 1                                                     |               |
| Case No.                                  | Discovery Date | Legislation | Description                                           | Determination |
| DRM-25563                                 | 27-Dec-06      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Penalty       |

| MYATOVIC BROS. LOGGING LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-----------------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                             |                |             | 0                                                     |                  |
| Case No.                    | Discovery Date | Legislation | Description                                           | Determination    |
| DOS-25782                   | 23-Feb-07      | FPC96(1)    | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| PEYAH FOREST PRODUCTS LTD. |                |             | 2007-08 Fiscal Year Inspections |               |
|----------------------------|----------------|-------------|---------------------------------|---------------|
|                            |                |             | 0                               |               |
| Case No.                   | Discovery Date | Legislation | Description                     | Determination |
| DCS-24828                  | 27-Feb-06      | THSP44(1)   | Fail to kill insect brood       | Penalty       |

| POPE & TALBOT LTD. |                |             | 2007-08 Fiscal Year Inspections                       |               |
|--------------------|----------------|-------------|-------------------------------------------------------|---------------|
|                    |                |             | 198                                                   |               |
| Case No.           | Discovery Date | Legislation | Description                                           | Determination |
| DAB-25669          | 27-Feb-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Penalty       |

| REVELSTOKE COMMUNITY FOREST CORP. |                |             | 2007-08 Fiscal Year Inspections                                                      |                  |
|-----------------------------------|----------------|-------------|--------------------------------------------------------------------------------------|------------------|
|                                   |                |             | 64                                                                                   |                  |
| Case No.                          | Discovery Date | Legislation | Description                                                                          | Determination    |
| DCO-26332                         | 18-Oct-07      | FA84(3)     | Fail to conspicuously timber mark, unscaled timber being stored or transported       | Violation Ticket |
| DCO-25252                         | 23-Aug-06      | FPPR85(1)a  | Fail to provide start up notice to DM before beginning harvesting/ road construction | Penalty (2)      |
| DCO-26155                         | 17-Aug-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority                                | Violation Ticket |
| DCO-26157                         | 13-Jul-07      | FA84(1)     | Fail to timber mark stored or transported unscaled timber                            | Violation Ticket |
| DCO-26143                         | 18-Jul-07      | FA84(1)     | Fail to timber mark stored or transported unscaled timber                            | Violation Ticket |
| DCO-26167                         | 09-Feb-07      | FRPA22(2)   | Construct, maintain or deactivate road contrary to act and/or to applicable plan     | Violation Ticket |

| SANDERS & COMPANY CONTRACTING LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|------------------------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                                    |                |             | 0                                                     |                  |
| Case No.                           | Discovery Date | Legislation | Description                                           | Determination    |
| DCS-26003                          | 20-Jun-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| TAHTSA TIMBER LTD. |                |             | 2007-08 Fiscal Year Inspections                                                |               |
|--------------------|----------------|-------------|--------------------------------------------------------------------------------|---------------|
|                    |                |             | 33                                                                             |               |
| Case No.           | Discovery Date | Legislation | Description                                                                    | Determination |
| DND-24043          | 19-Apr-05      | FA84(3)     | Fail to conspicuously mark timber, unscaled timber being stored or transported | Penalty       |

| TEAL CEDAR PRODUCTS LTD. |                |             | 2007-08 Fiscal Year Inspections                           |                  |
|--------------------------|----------------|-------------|-----------------------------------------------------------|------------------|
|                          |                |             | 113                                                       |                  |
| Case No.                 | Discovery Date | Legislation | Description                                               | Determination    |
| DCK-25766                | 30-Mar-07      | FA84(1)     | Fail to mark timber stored or transported unscaled timber | Violation Ticket |

| TEMBEC INDUSTRIES INC. |                |             | 2007-08 Fiscal Year Inspections                                                      |                  |
|------------------------|----------------|-------------|--------------------------------------------------------------------------------------|------------------|
|                        |                |             | 187                                                                                  |                  |
| Case No.               | Discovery Date | Legislation | Description                                                                          | Determination    |
| DPC-24888              | 10-Mar-06      | FPC80(1)    | Fail to abate fire hazard                                                            | Penalty          |
| DRM-25091              | 16-May-06      | RDS9(1)C    | Drainage function                                                                    | Penalty          |
| DPC-24888              | 10-Mar-06      | THSP24(2)   | Fail to destroy insect brood                                                         | Penalty          |
| DRM-25091              | 16-May-06      | OSPR36.2(2) | Fail to meet site plan mapping requirements                                          | Penalty          |
| DRM-26618              | 20-Feb-08      | FA84(1)     | Fail to mark timber stored or transported unscaled timber                            | Violation Ticket |
| DRM-25502              | 21-Nov-06      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority                                | Penalty          |
| DRM-25502              | 21-Nov-06      | FPPR85(1)a  | Fail to provide start up notice to DM before beginning harvesting/ road construction | Penalty          |
| DRM-25091              | 16-May-06      | RDS7(1)     | Design nonconformity                                                                 | Penalty          |

| TERMINAL FOREST PRODUCTS LTD. |                |             | 2007-08 Fiscal Year Inspections                                |                  |
|-------------------------------|----------------|-------------|----------------------------------------------------------------|------------------|
|                               |                |             | 48                                                             |                  |
| Case No.                      | Discovery Date | Legislation | Description                                                    | Determination    |
| DSC-25908                     | 16-May-07      | FA84(1)     | Fail to mark timber stored or transported unscaled timber      | Violation Ticket |
| DSQ-26399                     | 26-Sep-07      | WFA2()      | Failure to report open unattended fire on forest or grass land | Violation Ticket |

| TIMBERWEST FOREST CORP. |                |             | 2007-08 Fiscal Year Inspections                                                |                  |
|-------------------------|----------------|-------------|--------------------------------------------------------------------------------|------------------|
|                         |                |             | 47                                                                             |                  |
| Case No.                | Discovery Date | Legislation | Description                                                                    | Determination    |
| DCR-26095               | 17-Jul-07      | FA84(3)     | Fail to conspicuously mark timber, unscaled timber being stored or transported | Violation Ticket |

| TOLKO INDUSTRIES LTD. |                |             | 2007-08 Fiscal Year Inspections                                                                     |                  |
|-----------------------|----------------|-------------|-----------------------------------------------------------------------------------------------------|------------------|
|                       |                |             | 694                                                                                                 |                  |
| Case No.              | Discovery Date | Legislation | Description                                                                                         | Determination    |
| DOS-24553             | 05-Dec-05      | FPC70(3)    | Fail to achieve free growing                                                                        | Penalty (15)     |
| DKA-22532             | 09-Jan-03      | FPC70(4)C   | Use seed, seedlings and vegetative propagules only in accordance with the regulations and standards | No Action        |
| DOS-25921             | 09-May-07      | FA84(1)     | Fail to mark timber stored or transported unscaled timber                                           | Violation Ticket |
| DOS-25820             | 05-Apr-07      | FA84(1)     | Fail to mark timber stored or transported unscaled timber                                           | Violation Ticket |
| DKA-22532             | 09-Jan-03      | FPC70(4)C   | Use seed, seedlings and vegetative propagules only in accordance with the regulations and standards | No Action (9)    |
| DKA-2004-0011         | 01-May-03      | FPC70(3)    | Fail to achieve free growing                                                                        | Remediation (7)  |
| DOS-25067             | 15-May-06      | FRPA52(3)   | Remove Crown timber without authorization                                                           | No Action        |
| DCS-26615             | 27-Feb-08      | FA84(1)     | Fail to mark timber stored or transported unscaled timber                                           | Violation Ticket |
| DOS-25067             | 15-May-06      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority                                               | Penalty          |
| DKA-2004-0011         | 01-May-03      | FPC70(3)    | Free Grow Unachieved                                                                                | No Action (2)    |

| WEST FRASER MILLS LTD. |                |             | 2007-08 Fiscal Year Inspections                                     |                  |
|------------------------|----------------|-------------|---------------------------------------------------------------------|------------------|
|                        |                |             | 840                                                                 |                  |
| Case No.               | Discovery Date | Legislation | Description                                                         | Determination    |
| DQU-26102              | 26-Jul-07      | FA94(4)     | Fail to retain timber for check scaling                             | Violation Ticket |
| DQU-26214              | 06-Sep-07      | FA95(7)     | Fail to comply with conditions attached to scale site authorization | Violation Ticket |

| WESTERN FOREST PRODUCTS INC. |                |             | 2007-08 Fiscal Year Inspections                                        |                  |
|------------------------------|----------------|-------------|------------------------------------------------------------------------|------------------|
|                              |                |             | 666                                                                    |                  |
| Case No.                     | Discovery Date | Legislation | Description                                                            | Determination    |
| DSC-25850                    | 13-Apr-07      | FPC67(2)A   | Unauthorized practice near stream                                      | Violation Ticket |
| DNC-24079                    | 27-Apr-05      | FPC70(3)    | Fail to achieve free growing                                           | Penalty          |
| DNC-24079                    | 27-Apr-05      | FPC70(4)E   | Free growing shortfall                                                 | Penalty          |
| DSI-26303                    | 06-Oct-07      | FA84(1)     | Fail to mark timber stored or transported unscaled timber              | Violation Ticket |
| DNI-25874                    | 02-May-07      | FA86(1)     | Fail to mark with scaled timber brand before transport from scale site | Violation Ticket |

| WESTWOOD FIBRE LTD. |                |             | 2007-08 Fiscal Year Inspections      |                  |
|---------------------|----------------|-------------|--------------------------------------|------------------|
|                     |                |             | 13                                   |                  |
| Case No.            | Discovery Date | Legislation | Description                          | Determination    |
| DKL-26254           | 14-Sep-07      | FPC68(1)    | Build bladed trail without authority | Violation Ticket |

| WEYERHAEUSER COMPANY LIMITED |                |             | 2007-08 Fiscal Year Inspections           |               |
|------------------------------|----------------|-------------|-------------------------------------------|---------------|
|                              |                |             | 162                                       |               |
| Case No.                     | Discovery Date | Legislation | Description                               | Determination |
| DSI-23345                    | 22-Apr-04      | FPC96(2)    | Remove Crown timber without authorization | No Action     |

| WHISKEY JACK LOGGING LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|---------------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                           |                |             | 0                                                     |                  |
| Case No.                  | Discovery Date | Legislation | Description                                           | Determination    |
| DCO-26321                 | 02-Oct-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| WYNDEL BOX & LUMBER COMPANY LIMITED |                |             | 2007-08 Fiscal Year Inspections    |                  |
|-------------------------------------|----------------|-------------|------------------------------------|------------------|
|                                     |                |             | 17                                 |                  |
| Case No.                            | Discovery Date | Legislation | Description                        | Determination    |
| DKL-25869                           | 27-Apr-07      | FPC67(1)    | Practices contrary to requirements | Violation Ticket |

# Timber Sales Licensees

## Statistics for Timber Sale Licensees

| Statistic                     | Number | % of Total |
|-------------------------------|--------|------------|
| Number of Inspections         | 1,810  | 11.5%      |
| Number of Compliance Actions  | 196    | 8.9%       |
| Number of Enforcement Actions | 34     | 8.4%       |

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.

| 527340 B.C. LTD. |                |             | 2007-08 Fiscal Year Inspections                           |                  |
|------------------|----------------|-------------|-----------------------------------------------------------|------------------|
|                  |                |             | 2                                                         |                  |
| Case No.         | Discovery Date | Legislation | Description                                               | Determination    |
| DNI-25889        | 08-May-07      | FA84(1)     | Fail to mark timber stored or transported unscaled timber | Violation Ticket |

| ASHLAUR TRADING INC. |                |             | 2007-08 Fiscal Year Inspections                  |                  |
|----------------------|----------------|-------------|--------------------------------------------------|------------------|
|                      |                |             | 10                                               |                  |
| Case No.             | Discovery Date | Legislation | Description                                      | Determination    |
| DNI-26406            | 27-Sep-07      | TMT10(1)    | Fail to carry record of timber being transported | Violation Ticket |

| BLUE VALLEY ENTERPRISES LTD. |                |             | 2007-08 Fiscal Year Inspections                    |               |
|------------------------------|----------------|-------------|----------------------------------------------------|---------------|
|                              |                |             | 6                                                  |               |
| Case No.                     | Discovery Date | Legislation | Description                                        | Determination |
| DJA-25054                    | 24-May-06      | FPC47(3.1)  | Maximum soil disturbance limits (s. 21.1) exceeded | Penalty       |

| BRISCO WOOD PRESERVERS LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-----------------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                             |                |             | 4                                                     |                  |
| Case No.                    | Discovery Date | Legislation | Description                                           | Determination    |
| DKL-26350                   | 22-Oct-07      | FPC96(1)    | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| GUDEIT    |                |             | 2007-08 Fiscal Year Inspections           |                  |
|-----------|----------------|-------------|-------------------------------------------|------------------|
|           |                |             | 10                                        |                  |
| Case No.  | Discovery Date | Legislation | Description                               | Determination    |
| DOS-26028 | 27-Jun-07      | FRPA52(3)   | Remove Crown timber without authorization | Violation Ticket |

| GURNEY CREEK TRADING INC. |                |             | 2007-08 Fiscal Year Inspections                           |                  |
|---------------------------|----------------|-------------|-----------------------------------------------------------|------------------|
|                           |                |             | 11                                                        |                  |
| Case No.                  | Discovery Date | Legislation | Description                                               | Determination    |
| DNI-26405                 | 19-Sep-07      | FA84(1)     | Fail to mark timber stored or transported unscaled timber | Violation Ticket |

| L. AND P. FOREST PRODUCTS LTD. |                |             | 2007-08 Fiscal Year Inspections                           |                  |
|--------------------------------|----------------|-------------|-----------------------------------------------------------|------------------|
|                                |                |             | 3                                                         |                  |
| Case No.                       | Discovery Date | Legislation | Description                                               | Determination    |
| DNI-25886                      | 08-May-07      | FA84(1)     | Fail to mark timber stored or transported unscaled timber | Violation Ticket |

| LEMARE LAKE LOGGING LTD. |                |              | 2007-08 Fiscal Year Inspections                                                 |                  |
|--------------------------|----------------|--------------|---------------------------------------------------------------------------------|------------------|
|                          |                |              | 13                                                                              |                  |
| Case No.                 | Discovery Date | Legislation  | Description                                                                     | Determination    |
| DCR-26355                | 13-Sep-07      | FA84(1)      | Fail to mark timber stored or transported unscaled timber                       | Violation Ticket |
| DNI-26599                | 19-Feb-08      | FA94(4)      | Fail to retain timber for check scaling                                         | Violation Ticket |
| DNI-26596                | 01-Feb-08      | FRPA52(1)    | Cut, damage or destroy Crown timber without authority                           | Violation Ticket |
| DNI-26530                | 22-Jan-08      | FA84(1)      | Fail to mark timber stored or transported unscaled timber                       | Violation Ticket |
| DNI-26602                | 19-Feb-08      | FA95(7)      | Fail to comply with conditions attached to scale site authorization             | Violation Ticket |
| DNI-26596                | 01-Feb-08      | FRPA22.1(1)a | Use of a road for timber harvesting, or related transportation, when prohibited | Violation Ticket |

| MORRISON  |                |             | 2007-08 Fiscal Year Inspections            |                  |
|-----------|----------------|-------------|--------------------------------------------|------------------|
|           |                |             | 0                                          |                  |
| Case No.  | Discovery Date | Legislation | Description                                | Determination    |
| DKA-25944 | 06-Jun-07      | THSP11(1)   | Tracks or wheels within 5 m of stream bank | Violation Ticket |

| MUNSON    |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-----------|----------------|-------------|-------------------------------------------------------|------------------|
|           |                |             | 0                                                     |                  |
| Case No.  | Discovery Date | Legislation | Description                                           | Determination    |
| DKA-26233 | 08-Feb-07      | FPC96(1)    | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| MYSTERY VALLEY LOGGING LTD. |                |             | 2007-08 Fiscal Year Inspections         |                  |
|-----------------------------|----------------|-------------|-----------------------------------------|------------------|
|                             |                |             | 4                                       |                  |
| Case No.                    | Discovery Date | Legislation | Description                             | Determination    |
| DSQ-26259                   | 20-Sep-07      | FA94(4)     | Fail to retain timber for check scaling | Violation Ticket |
| DSQ-26372                   | 01-Nov-07      | FA94(4)     | Fail to retain timber for check scaling | Violation Ticket |

| NORTH ENDERBY TIMBER LTD. |                |             | 2007-08 Fiscal Year Inspections                                     |                  |
|---------------------------|----------------|-------------|---------------------------------------------------------------------|------------------|
|                           |                |             | 5                                                                   |                  |
| Case No.                  | Discovery Date | Legislation | Description                                                         | Determination    |
| DOS-25941                 | 07-Jun-07      | FA95(7)     | Fail to comply with conditions attached to scale site authorization | Violation Ticket |

| P & D LOGGING LTD. |                |             | 2007-08 Fiscal Year Inspections                           |                  |
|--------------------|----------------|-------------|-----------------------------------------------------------|------------------|
|                    |                |             | 1                                                         |                  |
| Case No.           | Discovery Date | Legislation | Description                                               | Determination    |
| DAB-25743          | 07-Nov-06      | FA84(1)     | Fail to mark timber stored or transported unscaled timber | Violation Ticket |

| PACIFIC INTERNATIONAL LOG TRADING |                |             | 2007-08 Fiscal Year Inspections         |                  |
|-----------------------------------|----------------|-------------|-----------------------------------------|------------------|
|                                   |                |             | 2                                       |                  |
| Case No.                          | Discovery Date | Legislation | Description                             | Determination    |
| DCK-25779                         | 10-Apr-07      | FA94(4)     | Fail to retain timber for check scaling | Violation Ticket |

| RYAN HARVESTING LTD. |                |              | 2007-08 Fiscal Year Inspections                                                 |                  |
|----------------------|----------------|--------------|---------------------------------------------------------------------------------|------------------|
|                      |                |              | 2                                                                               |                  |
| Case No.             | Discovery Date | Legislation  | Description                                                                     | Determination    |
| DHW-26235            | 04-Sep-07      | FRPA22.1(1)a | Use of a road for timber harvesting, or related transportation, when prohibited | Violation Ticket |

| SPRINGER CREEK FOREST PRODUCTS LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-------------------------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                                     |                |             | 6                                                     |                  |
| Case No.                            | Discovery Date | Legislation | Description                                           | Determination    |
| DAB-26456                           | 07-Dec-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| STEELHEAD TIMBER LTD. |                |             | 2007-08 Fiscal Year Inspections         |                  |
|-----------------------|----------------|-------------|-----------------------------------------|------------------|
|                       |                |             | 2                                       |                  |
| Case No.              | Discovery Date | Legislation | Description                             | Determination    |
| DNI-25816             | 25-Feb-07      | FA94(4)     | Fail to retain timber for check scaling | Violation Ticket |

| TELFORD   |                |             | 2007-08 Fiscal Year Inspections                                                                                      |               |
|-----------|----------------|-------------|----------------------------------------------------------------------------------------------------------------------|---------------|
|           |                |             | 6                                                                                                                    |               |
| Case No.  | Discovery Date | Legislation | Description                                                                                                          | Determination |
| DCH-25546 | 13-Dec-06      | FRPA74(1)   | Fail to follow remediation order given under S. 74                                                                   | No Action (2) |
| DCH-25287 | 06-Sep-06      | WFR6(3)b    | Carry out high risk activity without required fire fighting tools & adequate fire suppression system on site         | Penalty       |
| DCH-25287 | 06-Sep-06      | WFA6(2)b    | Failure to carry out an industrial activity in a manner that would prevent fires from starting                       | Penalty       |
| DCH-25287 | 06-Sep-06      | WFA6(2)a    | Failure to carry out an industrial activity at a time that would prevent fires from starting                         | Penalty       |
| DCH-25287 | 06-Sep-06      | WFA3(1)     | Risking start of open fire by dropping, releasing or mishandling a burning substance or thing likely to cause a fire | Penalty       |
| DCH-25287 | 06-Sep-06      | WFR6(3)a    | Carry out high risk activity not in accordance with applicable restriction and duration as per Schedule 3            | Penalty       |

| WENDLAND  |                |             | 2007-08 Fiscal Year Inspections                                                             |               |
|-----------|----------------|-------------|---------------------------------------------------------------------------------------------|---------------|
|           |                |             | 0                                                                                           |               |
| Case No.  | Discovery Date | Legislation | Description                                                                                 | Determination |
| DMK-25576 | 28-Apr-06      | WFR22(3)    | Fail to ensure a category 3 open fires does not escape                                      | Penalty       |
| DMK-25576 | 28-Apr-06      | WFA6(3)b    | Fail to continue with fire control on a fire within 1 km of the site of industrial activity | Penalty       |

| WESTSIDE LOGGING LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-----------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                       |                |             | 0                                                     |                  |
| Case No.              | Discovery Date | Legislation | Description                                           | Determination    |
| DQU-25447             | 16-Nov-06      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| ZACHARIAS |                |             | 2007-08 Fiscal Year Inspections                                                            |                  |
|-----------|----------------|-------------|--------------------------------------------------------------------------------------------|------------------|
|           |                |             | 2                                                                                          |                  |
| Case No.  | Discovery Date | Legislation | Description                                                                                | Determination    |
| DND-26104 | 18-Jun-07      | FPC47(1)    | Exceed specified amount of soil disturbance while carrying out a silviculture prescription | Violation Ticket |

# Range Licensees

## Statistics for Range Licensees

| Statistic                     | Number | % of Total |
|-------------------------------|--------|------------|
| Number of Inspections         | 524    | 3.3%       |
| Number of Compliance Actions  | 1      | 0.05%      |
| Number of Enforcement Actions | 6      | 1.5%       |

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.

| ALEXIS CREEK RANCH INC. |                |             | 2007-08 Fiscal Year Inspections                                                              |               |
|-------------------------|----------------|-------------|----------------------------------------------------------------------------------------------|---------------|
|                         |                |             | 7                                                                                            |               |
| Case No.                | Discovery Date | Legislation | Description                                                                                  | Determination |
| DCH-25287               | 06-Sep-06      | WFA6(2)a    | Failure to carry out an industrial activity at a time that would prevent fires from starting | Penalty       |

| HALLIS LAKE COMMUNITY PASTURE |                |             | 2007-08 Fiscal Year Inspections                                      |               |
|-------------------------------|----------------|-------------|----------------------------------------------------------------------|---------------|
|                               |                |             | 0                                                                    |               |
| Case No.                      | Discovery Date | Legislation | Description                                                          | Determination |
| DQU-25007                     | 18-Apr-06      | FPC74(2)A   | Unauthorized range development                                       | Remediation   |
| DQU-25007                     | 18-Apr-06      | FPC45(1)    | Damage to the environment                                            | Remediation   |
| DQU-25007                     | 18-Apr-06      | RNP6(1)     | Tracks or wheels of ground-based machinery within 5 of a stream bank | Remediation   |

| LAMPERT   |                |             | 2007-08 Fiscal Year Inspections                                                       |               |
|-----------|----------------|-------------|---------------------------------------------------------------------------------------|---------------|
|           |                |             | 0                                                                                     |               |
| Case No.  | Discovery Date | Legislation | Description                                                                           | Determination |
| DVA-25038 | 17-May-06      | WFA5(1)     | Light, fuel or use of open fire in or within 1 km of forest or grass land by a person | Penalty       |

| SOUTHWICK |                |             | 2007-08 Fiscal Year Inspections                                                              |                  |
|-----------|----------------|-------------|----------------------------------------------------------------------------------------------|------------------|
|           |                |             | 0                                                                                            |                  |
| Case No.  | Discovery Date | Legislation | Description                                                                                  | Determination    |
| DFN-26644 | 17-Mar-08      | FRPA50(1)   | Allow livestock to grazed or be driven onto Crown land in contravention of legislation/ plan | Violation Ticket |

# Woodlot Licensees

## Statistics for Woodlot Licensees

| Statistic                     | Number | % of Total |
|-------------------------------|--------|------------|
| Number of Inspections         | 720    | 4.6 %      |
| Number of Compliance Actions  | 168    | 7.6%       |
| Number of Enforcement Actions | 20     | 5.0%       |

## 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.

| BOTLAND FEEDS |                |             | 2007-08 Fiscal Year Inspections     |               |
|---------------|----------------|-------------|-------------------------------------|---------------|
|               |                |             | 3                                   |               |
| Case No.      | Discovery Date | Legislation | Description                         | Determination |
| DQU-25494     | 02-Sep-06      | FPC70(3)    | Free Grow Unachieved                | Penalty       |
| DQU-25494     | 02-Sep-06      | WLFM88(3)   | Fail to provide Free Growing survey | Penalty       |

| FOREST AND FARMS ENTERPRISES LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-----------------------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                                   |                |             | 3                                                     |                  |
| Case No.                          | Discovery Date | Legislation | Description                                           | Determination    |
| DSI-25964                         | 08-Jun-07      | FPC96(1)    | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| GOETJEN   |                |             | 2007-08 Fiscal Year Inspections                       |               |
|-----------|----------------|-------------|-------------------------------------------------------|---------------|
|           |                |             | 3                                                     |               |
| Case No.  | Discovery Date | Legislation | Description                                           | Determination |
| DJA-24875 | 15-Mar-06      | FPC96(1)    | Cut, damage or destroy Crown timber without authority | Penalty       |

| HAMILTON  |                |             | 2007-08 Fiscal Year Inspections               |                  |
|-----------|----------------|-------------|-----------------------------------------------|------------------|
|           |                |             | 2                                             |                  |
| Case No.  | Discovery Date | Legislation | Description                                   | Determination    |
| DMK-26106 | 26-Jul-07      | FRPA63(2)e  | Fail to provide proof of identity as required | Violation Ticket |

| HARASYMYK |                |             | 2007-08 Fiscal Year Inspections            |               |
|-----------|----------------|-------------|--------------------------------------------|---------------|
|           |                |             | 0                                          |               |
| Case No.  | Discovery Date | Legislation | Description                                | Determination |
| DPC-25543 | 05-Oct-06      | FPC70(4)D   | Fail to establish or maintain regeneration | No Action     |
| DPC-25551 | 05-Oct-06      | FPC70(4)D   | Fail to establish or maintain regeneration | No Action     |

| KIRK      |                |             | 2007-08 Fiscal Year Inspections        |               |
|-----------|----------------|-------------|----------------------------------------|---------------|
|           |                |             | 2                                      |               |
| Case No.  | Discovery Date | Legislation | Description                            | Determination |
| DAB-24525 | 08-Jun-05      | WLFM88(3)   | Fail to provide Free Growing survey    | Penalty       |
| DAB-24525 | 08-Jun-05      | FPC70(4)E   | Free growing shortfall                 | No Action     |
| DAB-24525 | 08-Jun-05      | WLFM88(3)   | Fail to provide Free Growing survey    | Penalty       |
| DAB-24525 | 08-Jun-05      | FPC70(3)    | Fail to establish a Free Growing stand | Penalty       |

| LARSEN    |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-----------|----------------|-------------|-------------------------------------------------------|------------------|
|           |                |             | 9                                                     |                  |
| Case No.  | Discovery Date | Legislation | Description                                           | Determination    |
| DND-26452 | 08-Nov-07      | FPC96(1)    | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| MAGNOWSKI |                |             | 2007-08 Fiscal Year Inspections       |               |
|-----------|----------------|-------------|---------------------------------------|---------------|
|           |                |             | 1                                     |               |
| Case No.  | Discovery Date | Legislation | Description                           | Determination |
| DQU-25538 | 03-Aug-06      | FPC96(2)    | Remove Crown timber without authority | Penalty       |
| DQU-25538 | 03-Aug-06      | FPC96(1)    | Remove Crown timber without authority | Penalty       |

| MCLEAN    |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-----------|----------------|-------------|-------------------------------------------------------|------------------|
|           |                |             | 3                                                     |                  |
| Case No.  | Discovery Date | Legislation | Description                                           | Determination    |
| DQU-26642 | 17-Mar-08      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| PARMAR    |                |             | 2007-08 Fiscal Year Inspections       |               |
|-----------|----------------|-------------|---------------------------------------|---------------|
|           |                |             | 1                                     |               |
| Case No.  | Discovery Date | Legislation | Description                           | Determination |
| DPG-23333 | 01-Sep-04      | WLFM68(C)   | Fail to meet in-stream timing windows | Penalty       |
| DPG-23333 | 01-Sep-04      | WLFM68(D)   | Fail to remove stream cross           | Penalty       |
| DPG-23333 | 01-Sep-04      | WLFM68(B)   | Improper stream crossing              | Remediation   |

| RAHN      |                |             | 2007-08 Fiscal Year Inspections                       |               |
|-----------|----------------|-------------|-------------------------------------------------------|---------------|
|           |                |             | 7                                                     |               |
| Case No.  | Discovery Date | Legislation | Description                                           | Determination |
| DPG-24775 | 16-Feb-06      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | No Action     |

| ROBERTSON LOGGING LTD. |                |             | 2007-08 Fiscal Year Inspections                       |               |
|------------------------|----------------|-------------|-------------------------------------------------------|---------------|
|                        |                |             | 1                                                     |               |
| Case No.               | Discovery Date | Legislation | Description                                           | Determination |
| DCR-25043              | 30-May-06      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Penalty       |

# Community Forest Agreement Holders

## Statistics for Community Forest Agreement Holders

| Statistic                     | Number | % of Total |
|-------------------------------|--------|------------|
| Number of Inspections         | 132    | 0.8%       |
| Number of Compliance Actions  | 8      | 0.4%       |
| Number of Enforcement Actions | 1      | 0.2%       |

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

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

| BURNS LAKE COMMUNITY FOREST LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|----------------------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                                  |                |             | 75                                                    |                  |
| Case No.                         | Discovery Date | Legislation | Description                                           | Determination    |
| DND-26269                        | 24-Sep-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

# Road Licensees

## Statistics for Road Licensees

| Statistic                     | Number | % of Total |
|-------------------------------|--------|------------|
| Number of Inspections         | 3,035  | 19.3 %     |
| Number of Compliance Actions  | 502    | 22.7 %     |
| Number of Enforcement Actions | 38     | 9.4 %      |

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.

| AINSWORTH LUMBER CO. LTD. |                |             | 2007-08 Fiscal Year Inspections                    |               |
|---------------------------|----------------|-------------|----------------------------------------------------|---------------|
|                           |                |             | 12                                                 |               |
| Case No.                  | Discovery Date | Legislation | Description                                        | Determination |
| DCS-24359                 | 07-Jul-05      | FPC62(1)    | Construct road without complying with requirements | Penalty       |

| ALDRICH   |                |             | 2007-08 Fiscal Year Inspections                              |               |
|-----------|----------------|-------------|--------------------------------------------------------------|---------------|
|           |                |             | 0                                                            |               |
| Case No.  | Discovery Date | Legislation | Description                                                  | Determination |
| DKL-25785 | 30-Mar-07      | FPC67(1)    | Practices contrary to requirements                           | Remediation   |
| DKL-25785 | 30-Mar-07      | FPC64(1)    | Failure to deactivate a road as required                     | Penalty       |
| DKL-25785 | 30-Mar-07      | FPC67(1)    | Practices contrary to requirements                           | Penalty       |
| DKL-25785 | 30-Mar-07      | FPC64(1)    | Failure to deactivate a road as required                     | Remediation   |
| DKL-25785 | 30-Mar-07      | WLFM53(1)b  | Fail to ensure the drainage systems of a road are functional | Remediation   |
| DKL-25785 | 30-Mar-07      | WLFM53(1)b  | Fail to ensure the drainage systems of a road are functional | Penalty       |

| BACKER    |                |             | 2007-08 Fiscal Year Inspections                                                  |                  |
|-----------|----------------|-------------|----------------------------------------------------------------------------------|------------------|
|           |                |             | 4                                                                                |                  |
| Case No.  | Discovery Date | Legislation | Description                                                                      | Determination    |
| DQU-26386 | 16-Aug-07      | FRPA22(2)   | Construct, maintain or deactivate road contrary to act and/or to applicable plan | Violation Ticket |

| BLANCHETTE |                |             | 2007-08 Fiscal Year Inspections                                                                          |                  |
|------------|----------------|-------------|----------------------------------------------------------------------------------------------------------|------------------|
|            |                |             | 0                                                                                                        |                  |
| Case No.   | Discovery Date | Legislation | Description                                                                                              | Determination    |
| DPC-26494  | 03-Oct-07      | RDU4()      | Operate motor vehicle on forest service road at unsafe speed &/ or > the lesser of 80 km or posted speed | Violation Ticket |

| COASTAL MOUNTAIN EXCAVATIONS LTD. |                |             | 2007-08 Fiscal Year Inspections                                                  |                  |
|-----------------------------------|----------------|-------------|----------------------------------------------------------------------------------|------------------|
|                                   |                |             | 2                                                                                |                  |
| Case No.                          | Discovery Date | Legislation | Description                                                                      | Determination    |
| DSQ-26121                         | 25-Jul-07      | FRPA22(2)   | Construct, maintain or deactivate road contrary to act and/or to applicable plan | Violation Ticket |

| GUDEIT BROS. CONTRACTING LTD. |                |             | 2007-08 Fiscal Year Inspections        |                  |
|-------------------------------|----------------|-------------|----------------------------------------|------------------|
|                               |                |             | 0                                      |                  |
| Case No.                      | Discovery Date | Legislation | Description                            | Determination    |
| DAB-25066                     | 24-May-06      | FPC63(2)    | Failure to maintain a road as required | Violation Ticket |

| HANSEN    |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-----------|----------------|-------------|-------------------------------------------------------|------------------|
|           |                |             | 0                                                     |                  |
| Case No.  | Discovery Date | Legislation | Description                                           | Determination    |
| DQU-26465 | 19-Dec-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| HINSCHKE  |                |             | 2007-08 Fiscal Year Inspections                                                            |               |
|-----------|----------------|-------------|--------------------------------------------------------------------------------------------|---------------|
|           |                |             | 2                                                                                          |               |
| Case No.  | Discovery Date | Legislation | Description                                                                                | Determination |
| DMH-25297 | 18-Sep-06      | FPPR79.1(5) | Fail to maintain road in use by minor salvage operator                                     | Remediation   |
| DMH-25297 | 18-Sep-06      | FPPR79(6)b  | Fail to ensure road drainage systems functioning                                           | Remediation   |
| DMH-25297 | 18-Sep-06      | FPPR79(6)a  | Fail to protect the structural integrity of the road prism & clearing width                | Remediation   |
| DMH-25297 | 18-Sep-06      | RDU10(1)    | Damage forest service road thru use/ manner of operating/ causing to operate motor vehicle | Remediation   |
| DMH-25297 | 18-Sep-06      | FRPA22.1(6) | Fail to maintain road for the duration of exemption as required                            | Remediation   |

| INTERNATIONAL FOREST PRODUCTS LIMITED |                |             | 2007-08 Fiscal Year Inspections                                       |                  |
|---------------------------------------|----------------|-------------|-----------------------------------------------------------------------|------------------|
|                                       |                |             | 126                                                                   |                  |
| Case No.                              | Discovery Date | Legislation | Description                                                           | Determination    |
| DSC-25948                             | 12-Jun-07      | FPC60(1)B   | Construct or modify a road without an approved road layout and design | Violation Ticket |

| IVIS WOOD PRODUCTS LTD. |                |             | 2007-08 Fiscal Year Inspections                |                  |
|-------------------------|----------------|-------------|------------------------------------------------|------------------|
|                         |                |             | 1                                              |                  |
| Case No.                | Discovery Date | Legislation | Description                                    | Determination    |
| DCK-26051               | 25-Jun-07      | FPPR72()    | Fail to ensure road is safe for industrial use | Violation Ticket |

| JOHNSON   |                |             | 2007-08 Fiscal Year Inspections          |               |
|-----------|----------------|-------------|------------------------------------------|---------------|
|           |                |             | 1                                        |               |
| Case No.  | Discovery Date | Legislation | Description                              | Determination |
| DVA-24586 | 07-Dec-05      | RDS9(1)G    | Fail to mitigate stream bank disturbance | Penalty       |

| MCGRANDLE |                |             | 2007-08 Fiscal Year Inspections                                                                          |                  |
|-----------|----------------|-------------|----------------------------------------------------------------------------------------------------------|------------------|
|           |                |             | 0                                                                                                        |                  |
| Case No.  | Discovery Date | Legislation | Description                                                                                              | Determination    |
| DPC-26493 | 03-Oct-07      | RDU4()      | Operate motor vehicle on forest service road at unsafe speed &/ or > the lesser of 80 km or posted speed | Violation Ticket |

| MYSTERY LOGGING LTD |                |             | 2007-08 Fiscal Year Inspections                    |                  |
|---------------------|----------------|-------------|----------------------------------------------------|------------------|
|                     |                |             | 3                                                  |                  |
| Case No.            | Discovery Date | Legislation | Description                                        | Determination    |
| DSQ-25953           | 15-Jun-07      | FPC62(1)    | Construct road without complying with requirements | Violation Ticket |

| PAULSON   |                |             | 2007-08 Fiscal Year Inspections                                                                          |                  |
|-----------|----------------|-------------|----------------------------------------------------------------------------------------------------------|------------------|
|           |                |             | 0                                                                                                        |                  |
| Case No.  | Discovery Date | Legislation | Description                                                                                              | Determination    |
| DPC-26495 | 03-Oct-07      | RDU4()      | Operate motor vehicle on forest service road at unsafe speed &/ or > the lesser of 80 km or posted speed | Violation Ticket |

| POPE & TALBOT LTD. |                |             | 2007-08 Fiscal Year Inspections                                         |                  |
|--------------------|----------------|-------------|-------------------------------------------------------------------------|------------------|
|                    |                |             | 219                                                                     |                  |
| Case No.           | Discovery Date | Legislation | Description                                                             | Determination    |
| DAB-25978          | 26-Sep-06      | FPC60(1)B   | Construct or modify a road without an approved road layout and design   | Penalty          |
| DAB-26035          | 09-May-07      | FPPR79(2)   | Fail to maintain a road, bridge, fords, culvert, structures as required | Violation Ticket |

| REVELSTOKE COMMUNITY FOREST |                |             | 2007-08 Fiscal Year Inspections                                                  |               |
|-----------------------------|----------------|-------------|----------------------------------------------------------------------------------|---------------|
|                             |                |             | 10                                                                               |               |
| Case No.                    | Discovery Date | Legislation | Description                                                                      | Determination |
| DCO-25159                   | 31-May-06      | RDS9(1)B    | Failure to build proper drainage system                                          | Penalty       |
| DCO-25251                   | 02-Aug-06      | FRPA22(2)   | Construct, maintain or deactivate road contrary to act and/or to applicable plan | Penalty       |
| DCO-25251                   | 02-Aug-06      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority                            | Penalty       |
| DCO-25159                   | 31-May-06      | RDS9(1)C    | Failure to build proper drainage system                                          | Penalty       |

| SHIELS CONTRACTING LTD. |                |             | 2007-08 Fiscal Year Inspections                                                  |               |
|-------------------------|----------------|-------------|----------------------------------------------------------------------------------|---------------|
|                         |                |             | 0                                                                                |               |
| Case No.                | Discovery Date | Legislation | Description                                                                      | Determination |
| DQC-25248               | 23-Jun-06      | FRPA22(2)   | Construct, maintain or deactivate road contrary to act and/or to applicable plan | Penalty       |

| STRATHCONA CONTRACTING LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|-----------------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                             |                |             | 0                                                     |                  |
| Case No.                    | Discovery Date | Legislation | Description                                           | Determination    |
| DSC-25937                   | 30-May-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |
| DSC-25935                   | 30-May-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| TEMBEC INDUSTRIES INC. |                |             | 2007-08 Fiscal Year Inspections |               |
|------------------------|----------------|-------------|---------------------------------|---------------|
|                        |                |             | 28                              |               |
| Case No.               | Discovery Date | Legislation | Description                     | Determination |
| DRM-25088              | 12-Apr-06      | RDS13(2)    | Water quality reduced           | Penalty       |

| TIMBERWEST FOREST CORP. |                |             | 2007-08 Fiscal Year Inspections                                                |                  |
|-------------------------|----------------|-------------|--------------------------------------------------------------------------------|------------------|
|                         |                |             | 33                                                                             |                  |
| Case No.                | Discovery Date | Legislation | Description                                                                    | Determination    |
| DCR-26101               | 17-Jul-07      | FA84(3)     | Fail to conspicuously mark timber, unscaled timber being stored or transported | Violation Ticket |

| WEST FRASER MILLS LTD. |                |             | 2007-08 Fiscal Year Inspections                       |                  |
|------------------------|----------------|-------------|-------------------------------------------------------|------------------|
|                        |                |             | 228                                                   |                  |
| Case No.               | Discovery Date | Legislation | Description                                           | Determination    |
| DQU-26388              | 06-Sep-07      | FRPA52(1)   | Cut, damage or destroy Crown timber without authority | Violation Ticket |

| WEYERHAEUSER (DELTA) LIMITED |                |             | 2007-08 Fiscal Year Inspections                                       |                  |
|------------------------------|----------------|-------------|-----------------------------------------------------------------------|------------------|
|                              |                |             | 2                                                                     |                  |
| Case No.                     | Discovery Date | Legislation | Description                                                           | Determination    |
| DSI-26500                    | 19-Dec-07      | FPC60(1)B   | Construct or modify a road without an approved road layout and design | Violation Ticket |

| WOODPECKER TIMBER LTD. |                |             | 2007-08 Fiscal Year Inspections                    |               |
|------------------------|----------------|-------------|----------------------------------------------------|---------------|
|                        |                |             | 0                                                  |               |
| Case No.               | Discovery Date | Legislation | Description                                        | Determination |
| DSS-25182              | 01-Aug-06      | FPC62(1)    | Construct road without complying with requirements | No Action     |

| WUD'AT DEVELOPMENT CORPORATION |                |             | 2007-08 Fiscal Year Inspections         |               |
|--------------------------------|----------------|-------------|-----------------------------------------|---------------|
|                                |                |             | 1                                       |               |
| Case No.                       | Discovery Date | Legislation | Description                             | Determination |
| DSS-25184                      | 01-Aug-06      | WLFM49(1)c  | Failure to build proper drainage system | Remediation   |

# Other Licensees/Non-Tenure Holders

## Statistics for All Other Licensees and Non-Tenure Holders

| Statistic                     | Number | % of Total |
|-------------------------------|--------|------------|
| Number of Inspections         | 3,126  | 19.9 %     |
| Number of Compliance Actions  | 782    | 35.4 %     |
| Number of Enforcement Actions | 209    | 51.9 %     |

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.

There were no incidents of significant government non-compliance identified during the 2007-2008 reporting period.

# 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 B.C. 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 of 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.

## Seizure

Seizures (forfeitures) may occur when an official has reasonable grounds to believe that a person has contravened a section of the Acts (*Forest Act*, *Range Act*, and *Forest and Range Practices Act*). This halts any potential loss or damage to environmental, social or economic values to the public, and allows time for the official to determine if an actual contravention has occurred. Generally, seizures may involve timber, lumber, special forest products, tree seeds, hay, chattels, and livestock. Seized items may be returned, released, sold, destroyed or disposed of in another manner. Seizures are not considered a finding of contravention.

## 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.