

**DELEGATION OF MINISTER'S POWERS AND DUTIES UNDER
THE *FOREST AND RANGE PRACTICES ACT* and
FOREST AND RANGE PRACTICES ACT REGULATIONS, JULY 2010**

ADM = Assistant Deputy Minister	FCM = Fire Centre Manager
CF = Chief Forester	RCL = Regional Compliance Leader
C&E = Compliance and Enforcement Branch	RED = Regional Executive Director
DCL = District Compliance Leader	RSM = Regional Staff Manager
DM = District Manager	TSM = Timber Sales Manager
MTCA = Ministry of Tourism, Culture and the Arts	

FOREST AND RANGE PRACTICES ACT				
Topic		Section	Delegation	Directions
Part 2 Forest Stewardship, Site Plan & Woodlot Licence Plan				
Division 1 – Forest Stewardship Plan	Forest stewardship plan required	3 (1)	DM	
		3 (2)	DM	
	Exemption from forest stewardship plan	4 (1) (d)	DM	
	Content of forest stewardship plan	5 (1) (a) (i)	DM	Map scale should be 1:20000 coast and 1:50000 for interior
	Term of forest stewardship plan	6 (2)	DM	
	Limited protection	7 (1.1)	DM	
	Mandatory amendments	8 (1)	DM	
	Proportional objectives	9	RED DM	
Division 3 – Woodlot Licence Plan	Woodlot licence plan required	12 (1)	DM	
		12 (3)	DM	
	Content of woodlot licence plan	13 (1) (a)	DM	
	Term of woodlot licence plan	14 (2)	DM	
		14 (3)	DM	
	Amendments to a woodlot licence plan	15 (2)	DM	
Division 4 – General	Approval of forest stewardship plan, woodlot licence plan or amendment	16 (1)	DM RSM	
		16 (2)	DM	
		16 (2.1)	DM	
		16 (3)	DM	
		16 (4)	DM RSM	
	Approval in emergency cases	17	DM	

FOREST AND RANGE PRACTICES ACT				
Topic		Section	Delegation	Directions
	Review and comment	18	DM	
	Protection for cutting and road permits	19 (4)	DM	
	Minor amendments	20 (3)	DM	
Part 3 – Forest Practices				
Division 2 – Roads	Industrial use of a road	22.1 (4)	DM	
	Non-industrial use of a road	22.2 (3) (b) (i)	DM	
		22.2 (4)	DM	
	Consent to connect	23 (1)	DM TSM	
Division 3 – Forest Health	Sanitation exemption	25	DM RED Bark Beetle Co-ordinator	DM for infestations within a district RED for cross district infestations Bark Beetle Co-ordinator for cross-regional MPB applications only
	Control of insects, diseases, animals, or abiotic factors	26 (1)	RED DM	If control crosses district boundaries, or districts that do not have expertise, delegation is to RED
		26 (2)	RED DM	If control crosses district boundaries, or districts that do not have expertise, delegation is to RED
		26 (3)	RED DM	
		26 (4)	RED DM	
		26 (5)	RED DM	
		26 (6)	RED DM	
		26 (7)	RED DM	
		26 (8)	RED DM	
		26 (9)	RED DM	
	Forest health emergency	27 (2)	RED DM	RED, if order is directed to TSM
Division 4 – Silviculture and Gene Resources	Transfer of obligation to establish a free growing stand	29.1 (1) (c)	RED DM	RED if results in liability to the government
		29.1 (3) (c)	RED DM	RED if results in liability to the government

FOREST AND RANGE PRACTICES ACT

Topic		Section	Delegation	Directions
Part 4 – Range				
Division 1 – Range Use Plan and Range Stewardship Plan	Range use plan and range stewardship plan required	32 (1)	DM	
		32 (2)	DM	
		32 (3)	DM	
		32 (4)	DM	
Division 1 – Range Use Plan and Range Stewardship Plan (continued)	Content of range use plan for grazing	33 (1) (a)	DM	
		33 (1) (c)	DM	
	Content of range use plan for hay cutting	34 (1) (a)	DM	
		34 (1) (c)	DM	
	Content of range stewardship plan	35 (1) (a)	DM	
		35 (1) (b)	DM	
		35 (2)	DM	
		35 (3)	DM	
	Term of range use plan and range stewardship plan	36 (1)	DM	
		36 (2)	DM	
	Approval of a range use plan or range stewardship plan	37 (1)	DM	
		37 (2)	DM	
		37 (3)	DM	
		37 (4)	DM	
	Mandatory amendments	38 (2)	DM	
		38 (3)	DM	
		38 (4)	DM	
	Cumulative impacts require plan amendment	39 (1)	DM	
		39 (2)	DM	
		39 (3)	DM	
	Review and comment	41 (2)	DM	
	Proportional objectives	42	RED DM	RED for multi or cross district tenures
Division 3 – General	General	45 (2)	DM	
Part 5 – Protection of Resources				
Division 1 – General	Protection of the environment	46 (1) (a)	DM	
		46 (2)	DM	
		46 (3)	DM	
		46 (4)	DM	
	Invasive plants	47	DM	
	Natural range barriers	48	DM	
	Range development	51 (1)	DM	
		51 (2)	DM	
		51 (3)	DM	
		51 (4)	DM	
		51 (5)	DM	
		51 (7)	DM	

FOREST AND RANGE PRACTICES ACT

Topic		Section	Delegation	Directions
		51 (8)	DM	
		51 (9)	DM	
Division 2 – Unauthorized Timber Harvesting, Trespass and Tree Spiking	Unauthorized timber harvesting	52 (1) (b)	DM	
	Authorization for silviculture, stand tending, forest health or another purpose	52.1	DM	
	Unauthorized construction and occupation	54 (1)	DM	
		54 (2)	DM	
Division 3 – Recreation	Protection of recreation and range resources on Crown land	58 (1)	RED DM	Delegation applies to range related powers only
		58 (2)	RED DM	Delegation applies to range related powers only
		58 (3)	RED DM	Delegation applies to range related powers only
Part 6 – Compliance & Enforcement				
Division 1 – Inspecting, Stopping and Seizing	Delivery of records	61 (1)	RCL DCL DM	
Division 2 – Seizure	Stop work order	66 (6)	RCL DM	DM to refer to regional compliance leader if it is likely a determination will be following.
	Seizure of timber, chattels, hay, livestock, etc.	67 (3)	RSM DM	
	Forfeiture of livestock	68 (2)	DM	
		68 (3)	DM	
	Common provisions for seizure and forfeiture	69 (1)	RSM DM	RSM if DM feels conflict in being involved with related investigation
Division 3 – Administrative Remedies	No interference with notice	70	DCL	
	Administrative penalties	71 (1)	RED FCM RSM DM	
		71 (2)	RED FCM RSM DM	
		71 (5)	RED FCM RSM DM	
		71 (6)	RED FCM RSM DM	

FOREST AND RANGE PRACTICES ACT

Topic		Section	Delegation	Directions
Division 3 – Administrative Remedies (continued)	Defence in relation to administrative proceedings	72	RED FCM RSM DM	
	Remediation orders	74 (1)	RED FCM RSM DM	
		74 (2)	RED FCM RSM DM	
		74 (3)	RED FCM RSM DM	
		74 (4)	RED FCM RSM DM	
		74 (6)	RED FCM RSM DM	
	Power of intervention: general	77	DM RSM	
		77 (2)	RED DM	
Division 4 – Appeals	Determinations stayed until proceedings concluded	78 (2)	CF	
	Review of a determination	80 (4)	DM	
	Requirement to publish	85 (1)	Director, C&E	
		85 (2)	Director, C&E	
Division 5 – Offences and Court Orders	Order for compliance	90 (1)	Deputy Minister	
	Interference, non-compliance and misleading	97 (3)	RED DM	RED if plan crosses district boundaries
Part 7 – General				
Division 1 – Liability and Privilege	Limitations on liability of persons to government	107 (4)	DM	
		107 (5)	DM	
	Government may fund extra expense or waive obligation	108	DM	
Part 10 – Pilot Projects for Forest Practices or Range Practices				
	Public review and comment required before a pilot project may proceed	171 (1)	RED DM	RED if pilot project crosses district boundaries
	Pilot project regulation may be transferred from the Code	211	RED DM	RED if pilot project crosses district boundaries

ADMINISTRATIVE REVIEW AND APPEAL PROCEDURE REGULATION				
Topic		Section	Delegation	Directions
Part 1 – Definitions				
	Definitions	1	RED DM RSM	
Part 2 – Administrative Review Procedure				
Division 3 – Procedures after Receipt of Request for Review under the <i>Forest and Range Practices Act</i>	Notification of parties following receipt of a request for review	9 (1)	RED DM RSM	
		9 (2)	DM	
		9 (3)	DM	
	Deficient request for review	10 (1)	RED DM RSM	
		10 (2)	RED DM RSM	
	Board's deficient requirement for review	11 (1)	RED DM RSM	
		11 (3)	RED DM RSM	
	Designation of reviewer	13	DM	
Part 3 – Forest Appeals Commission Procedure				
	Notification of parties following receipt of notice of appeal	20	RED DM RSM	

FOREST PLANNING AND PRACTICES REGULATION

Topic		Section	Delegation	Directions
Part 1 – Interpretation				
	Definitions	1	DM	Delegation is limited to maintain and deactivate only
	Definitions “forest cover inventory”	1	CF	
	Removing Crown timber to protect a community from wildfire	4.01	DM	
Part 2 – Forest Stewardship Plans				
Division 1 – Content (Objectives)	Specifying results or strategies	12 (2)	DM	
		12 (5)	DM	
		12 (7)	DM	
	Exemptions – when undertaking given for compliance with specified regulations	12.1	DM RSM	
	Conditional exemption – sections 35 or 36	12.2	DM RSM	
	Conditional exemption -section 43.1(1)	12.21	DM	
	Conditional exemption – from one or more of sections 47 to 53	12.3	DM RSM	
	Conditional exemption – section 55, 56 or 57	12.31	DM RSM	
	Conditional exemption – section 59, 60 or 61	12.4	DM RSM	
	Conditional exemption – section 66 or 67	12.5	DM RSM	
Division 2 – Content (General)	Identifying forest development units	14 (1)	DM	
		14 (2)	DM	
		14 (3)	DM	
		14 (4)	DM	
		14 (5)	DM	
Division 2.1 - Miscellaneous	Cumulative effect of multiple forest stewardship plans	19	DM	
	Limited content forest stewardship plans	19.1	DM RSM	
Division 3 – Public Review and Comment	Providing notice	20 (2)	DM	
		20 (3)	DM	
		20 (6)	DM	
	Review and comment	21 (1)	DM	
Division 4 – Approvals and Extensions	Requiring additional information	24 (1)	DM	
		24 (2)	DM	
	Minister’s consideration of stocking standards	26 (1)	DM	
		26 (2)	DM	
		26 (3)	DM	
		26 (4)	DM	
		26 (5)	DM RSM	
	Balancing objectives	27	DM	
	Extending term	28	DM	

FOREST PLANNING AND PRACTICES REGULATION				
Topic		Section	Delegation	Directions
Division 5 – Amendments	Amendment wrongly made	31 (1)	DM	DM must provide written rationale
		31 (2)	DM	
	Exemption from review and comment process for mandatory amendments	32 (1)	DM	
Part 4 – Practice Requirements				
Division 1 – Soils	Soil disturbance limits	35 (5)	DM	
Division 2 – Timber and Forest Health	Secondary structure retention in mountain pine beetle affected stands	43.1 (2) (c)	DM	
		43.1 (4) (h)	DM	
	Free growing stands generally	44 (3)	DM	
	Free growing stand – forestry licence to cut	46 (2)	DM	
		46 (3) (b) (i)	DM	
	Free growing stands: community salvage licence	46.1 (1) (a)	DM	
		46.1 (3)	DM	
		46.1 (4)	DM	
	Requirements if free growing stand cannot be established	46.2 (2)	DM	
		46.2 (3)	DM	
Division 3 – Riparian Areas	Stream riparian classes	47 (6)	DM	
	Wetland riparian classes	48 (5)	DM	
	Lake riparian classes	49 (1) (b) (ii)	DM	
		49 (3)	DM	
Division 4 – Watersheds	Roads in a community watershed	62 (1)	DM	
Part 5 – Roads				
	Exemptions form section 22.1 of the Act	79.1 (3)	DM	
	Restricting road access to protect a community from wildfire	79.3	DM	
	Road deactivation	82 (3)	DM	
	Annual reports	86 (6)	CF	
	Site specific standards	87 (5)	DM	
	Silviculture treatment records	88 (3)	DM	
Part 7 – Exemption And Relief From Or Funding Of Obligations				
Division 1 – Exemptions	Minister may grant exemptions	91 (1)	DM	
		91 (2)	DM	
		91 (3)	DM	
	Exemptions resulting from an established objective	92.1 (1)	DM RSM	
Division 2 – Relief from or Funding of Obligations	Transfer of obligations	94 (1)	RED DM	
		94 (2)	RED DM	
		94 (4)	RED DM	
	Relief or funding	96 (1)	DM	
		96 (3)	DM	

FOREST PLANNING AND PRACTICES REGULATION				
Topic		Section	Delegation	Directions
	Declaration regarding free growing stand obligations met to the extent practicable	97.1 (3)	DM	
		97.1 (4)	DM	
Part 8 – Orders and Offences				
Division 1 – Orders	Intervention orders	100 (1)	RSM DM	
		100 (2)	RSM DM	
	Amalgamating obligations to establish a free growing stand	111 (1)	DM	
	Reporting requirements for roads	112 (4)	CF	
Part 10 – Transition				
	Bark beetle management powers	109 (1)	Provincial Bark Beetle Co-ordinator	

GOVERNMENT ACTIONS REGULATION				
Topic		Section	Delegation	Directions
Part 1 - Government Actions				
	Resource features	5 (1) (a)	CF RED DM	
		5 (1) (b)	CF RED DM	
		5 (1) (c)	CF RED DM	
		5 (1) (d)	CF RED DM	
		5 (1) (e)	CF RED DM	
		5 (1) (f)	Director, Recreation Sites and Trails Branch, MTCA MTCA RM	
		5 (1) (g)	Director, Recreation Sites and Trails Branch, MTCA MTCA RM	
		5 (1) (h)	Director, Recreation Sites and Trails Branch, MTCA MTCA RM	
		5 (2)	RED DM	
		5 (4)	CF RED DM	
	Lakeshore management zones and objectives	6	DM	
	Scenic areas and visual quality objectives	7 (2)	DM	

RANGE PLANNING AND PRACTICES REGULATION				
Topic		Section	Delegation	Directions
Part 2 – Plans				
Division 1 – Exemption and Qualifications for Preparing a Range Stewardship Plan	Exemption from plan requirement	3 (1)	DM	
		3 (2)	DM	
		3 (3)	DM	
	Qualifications – range stewardship plan	4	DM	
Division 3 – Plan Content	Content of range use plans	13 (1)	DM	
		13 (2)	DM	
	Content of range stewardship plans	14 (1)	DM	
		14 (2)	DM	
Division 4 – Review and Comment	Notice	17 (1)	DM	
		17 (2)	DM	
Division 5 – Approval and Amendments	Advisory committee	19	DM	
	Minor amendment wrongly made	21 (1)	DM	
		21 (2)	DM	
	Mandatory amendments	22 (1)	DM	
		22 (2)	DM	
		22 (3)	DM	
	Balancing objectives	23	DM	
	Extending term	24	DM	
	Transfer – range stewardship plan	26 (3)	DM	
		26 (4)	DM	
		26 (5)	DM	
26 (6)		DM		
Part 4 – Practice Requirements				
Division 1 – Forage	Range readiness	28 (2)	DM	
Division 2 – Riparian and Upland Areas	Protection of fish	32 (2)	DM	
Division 3 – Watersheds	Protecting water quality	33 (3)	DM	
	Water quality objective	34 (4)	DM	
Division 4 – General Wildlife Measures, Wildlife Habitat Features and Resource Features	Resource features	38 (2)	DM	
Division 5 – Range Developments	Restriction on range developments	39 (1)	DM	
		39 (2)	DM	
	Maintenance of range developments	40 (2)	DM	
	Revegetation	41 (2)	DM	
Part 5 – Miscellaneous				
	Tagging	42 (1)	DM	
		42 (2)	DM	
	Removal of livestock	44 (2)	DM	
	Intervention orders and payment of expenses	45 (1)	DM	
		45 (2)	DM	
		45 (3)	DM	
	Sale of seized livestock	47 (1)	RED	

SECURITY OF FOREST AND RANGE PRACTICE LIABILITIES REGULATION				
Topic		Section	Delegation	Directions
	Security	1 (1)	RED DM	
		1 (2)	RED DM	
		1 (3)	RED DM	
	Return of security	2	RED DM	

WOODLOT LICENCE PLANNING AND PRACTICES REGULATION				
Topic		Section	Delegation	Directions
Part 1 – Interpretation				
	Application and interpretation	2 (8)	DM	
Part 2 – Woodlot Licence Plans				
Division 1 – General	Exemptions from woodlot licence plan	5 (2)	DM	
		5 (3)	DM	
		5 (5)	DM	
Division 2 – Woodlot Licence Plan Content	Woodlot licence plan area	7	DM	
	Mapping and information	8 (2)	DM	
Division 3 – Review and Comment	Review and comment	17 (1)	DM	
		17 (2)	DM	
		17 (3)	DM	
		17 (5)	DM	
Division 4 – Approvals and Amendments	Minister’s consideration of woodlot licence plan	18 (1)	DM	
		18 (2)	DM	
		18 (3)	DM	
		18 (4)	DM	
	Emergency approval	19	DM	
	Minor amendments that require approval	20	DM	
	Minor amendments wrongly made	22 (1)	DM	
		22 (2)	DM	
	Mandatory amendments	23 (1)	DM	
		23 (2)	DM	
Part 3 – Practice Requirements				
Division 2 – Timber and Forest Health	Free growing stands	34 (1)	DM	
		34 (4)	DM	
Division 3 – Riparian Areas	Stream riparian classes	36 (6)	DM	
	Wetland riparian classes	37 (5)	DM	
	Lake riparian classes	38 (1)	DM	
		38 (3)	DM	
Division 4 – Watersheds	Roads in a community watershed	50 (1)	DM	
		50 (2)	DM	
	Road deactivation	71 (3)	DM	
	Surveys	75 (1)	DM	
		75 (2)	DM	
		75 (4)	DM	
		75 (6)	DM	
		75 (7)	DM	
	Annual reports	76 (2)	DM	
		76 (3)	DM	
Part 6 – Exemptions and Relief from or Funding of Obligations				
Division 1 – Exemptions	The minister may grant exemptions	78 (1)	DM	
		78 (2)	DM	
Division 2 – Relief from or Funding of Obligations	Payment of expenses	80 (1)	DM	
	Transfer of obligations	81 (1)	DM	
		81 (2)	DM	
		81 (4)	DM	
	Relief or funding	83 (3)	DM	

WOODLOT LICENCE PLANNING AND PRACTICES REGULATION				
Topic		Section	Delegation	Directions
Part 7 – Orders, Administrative Penalties and Offences				
Division 1 - Orders	Intervention orders	88 (1)	DM	
		88 (2)	DM	