	BCTS/C&E Headquarters Activities	BCTS	C&E	Comments and expectations
1	Providing advice to statutory decision-makers related to determinations.	Shared responsibility	Shared responsibility	• BCTS for s. 78, *BCTSR* and *ADDR* related determinations (e.g. auction-related and contractual non-conformance). • C&E for all other statutory provisions (e.g. FPC, FRPA, non-auction and non contractual related FA). • May require DM / TSM protocol agreement for expedited statutory related cancellation under s. 78.
2	Develop legislation, regulations, policies and procedures pertaining to the C&E program.		Sole responsibility	• C&E to consult BCTS on policies that may impact BCTS delivery.
3	Develop legislation, regulations, policies and procedures pertaining to BCTS.	Sole responsibility		• BCTS to consult C&E on policies that may impact C&E delivery.
4	Evaluation of legislation related to C&E.		Sole responsibility	• C&E function.
5	C&E training & communication.		Sole responsibility	• Joint training will be developed as necessary. • May require input from BCTS (e.g. collusion).
6	BCTS Training & communication.	Sole responsibility		• Joint training will be developed as necessary. • May require input from C&E (e.g. collusion).
7	Develop and maintain *Compliance Information Management System* (CIMS)		Sole responsibility	• C&E function. • BCTS may request reports as required. • Short-term technical problems preclude direct BCTS read only access to reporting function.
8	Develop and maintain *Enforcement, Review and Appeal System* (ERA).		Sole responsibility	• C&E function. • BCTS may request reports as required. • Short-term technical problems preclude direct BCTS read only access to reporting function.

9	Develop and maintain *BCTS Admin* and accompanying BCTS determination module.	Sole responsibility		• BCTS function. • Main system scheduled for launch Dec 03. • Determination module to be developed ~ June 04. • C&E may request reports as required.
10	Reporting out annually on licensee performance on statutory obligations.		Sole responsibility	• C&E function. • BCTS may request *ERA/CIMS* reports once any administrative processes have concluded.
11	Reporting out annually on licensee performance on contractual obligations (including auction related statutory matters) for TSLT.	Sole responsibility		• BCTS function. • C&E may request *BCTS Admin* reports as required.
12	Providing advice to C&E staff.		Sole responsibility	• C&E function.
13	C&E quality assurance evaluations.		Sole responsibility	• C&E function.
14	Administration of remediation sub-account.		Sole responsibility	• C&E function. • BCTS may request access fund to address outstanding statutory licensee obligations subject to existing protocols.
15	Liaison with RCMP and Crown Counsel at provincial level.		Sole responsibility	• C&E function.
16	Participation in inter-agency enforcement committee.		Sole responsibility	• C&E function.
17	Co-ordinate crime prevention initiatives (Crime Stoppers).		Sole responsibility	• C&E function. • BCTS may contribute if requested and subject to resource availability.
18	Investigate allegations of wrongdoing against region C&E staff.		Sole responsibility	• C&E function.

19	Investigate allegations of wrongdoing of BCTS Business Area staff.	Sole responsibility		• Primarily a BCTS function. • C&E may investigate where the allegation is related to a contravention or where the alleged misconduct may have compromised the integrity of the C&E program. • BCTS may request advice and assistance of C&E in carrying investigative activities • C&E may support subject to resource availability.
20	Participate in senior management meetings.	Shared responsibility	Shared responsibility	• As required.
				•
21	MSRM Planning Teams.	Sole responsibility		• BCTS as required.
22	COFI Bark Beetle Task Force.	Sole responsibility		• BCTS to participate as required. • C&E has an interest in any recommendations arising from this committee.
23	Staff safety/OHSP.	Shared responsibility	Shared responsibility	• C&E & BCTS must operate in a manner consistent with all Ministry OHSPolicies.
24	Program Administration.	Shared responsibility	Shared responsibility	• Each program area is responsible for its own cost accounting, asset management, budgeting and contracts.
25	Development of new TSL clauses.	Sole responsibility		• BCTS function. • BCTS HQ will liaise with MaG and C&E Branch as required.
26	Agency and public consultation.	Shared responsibility	Shared responsibility	• Each program will not represent or speak for the other program area in any consultative process.

	Regional C&E Activity	BCTS	C&E	Clarifications, comments and expectations
27	Conduct high impact investigations regarding environmental protection, forest crimes, and revenue and protection through Special Investigations Unit (SIU).		Sole responsibility	• C&E to conduct investigations regarding non-compliance with statutory requirements. • On a case by case basis, BCTS staff may be asked for input where determined advisable by the investigating C&E officer. • BCTS staff may act as experts in either administrative hearings or in court proceedings.
28	Conduct quality assurance on C&E program, data integrity and to ensure integrity of independence.		Sole responsibility	• C&E function.
29	Investigate allegations of wrongdoing against district C&E staff.		Sole responsibility	• See #18
30	Provide professional and technical expertise to district C&E – specialist support.		Sole responsibility	• C&E function. • Line authority protocols will be observed for both programs when requesting advice or guidance from the other program. • BCTS staff will not direct District C&E staff. • Regional C&E staff will not direct BCTS Business Area staff except for compliance notices.
31	Determine regional priorities regarding risks and temporarily re-assigning district C&E staff when needed for a regional high priority investigation.		Sole responsibility	• C&E determines its inspection schedule based upon risk assessments. • BCTS may contribute if requested and subject to resource availability. • BCTS will notify C&E of any perceived risks arising from BCTS conformance inspections.
32	Evaluate training needs and co-ordinate C&E training activities.		Sole responsibility	• C&E Branch develops and co-ordinates with the Regional Training Contacts. • Any BCTS related concerns will require consultation.

33	Provide compliance related advice and support to check scalers and revenue staff regarding audits, appraisal checks & check scaling & cruising.		Sole responsibility	• C&E function.
34	Uniforms.		Sole responsibility	• C&E to develop its own uniform policy and program.

	Business Area and District BCTS & C&E Activity	BCTS	C&E	Clarifications, comments and expectations
35	TSL risk assessment.	Shared responsibility	Shared responsibility	• BCTS will rate blocks for risk of non-conformance with site factors (EMS requirement) and contractual obligations. • BCTS will make information accessible for subsequent C&E use. • C&E will rate blocks for risk of non-compliance with statutory obligations.
36	Auction, award and issuance of TSLs.	Sole responsibility		• BCTS function.
37	Notification of tenure issuance.	Sole responsibility		• BCTS to notify C&E of tenure issuance. • C&E will have access to all relevant tenure information.
38	TSL pre work conference.	Sole responsibility		• BCTS function. • C&E may request to participate.
39	Notice of commencement of operations.		Licensee responsibility	• TSL holder is responsible for notifying C&E(ref. s. 85 of FPPR).
40	Authority to direct BCTS contractor or licensee.	Sole responsibility		• BCTS authorised to direct or instruct contractor/licensee under the terms of the contract. • C&E may take enforcement action, including SWOs, violation tickets and compliance notices on statutory matters.
41	Harvesting practises.	Shared responsibility	Shared responsibility	• C&E is responsible for enforcing statutory obligations. • BCTS is responsible for ensuring tenure conformance. • BCTS is not subject to administrative penalties.

42	Road Functions: design, construction, maintenance & deactivation carried out by license holder.	Shared responsibility	Shared responsibility	• C&E is responsible for enforcing statutory obligations. • BCTS is responsible for ensuring tenure conformance obligations, if any (e.g. design, construction, maintenance and deactivation requirements that have been made a contractual obligation). • BCTS is not subject to administrative penalties.
43	Road Functions: design, construction, maintenance & deactivation carried out by BCTS (e.g. major works construction).	Shared responsibility	Shared responsibility	• C&E is responsible for enforcing statutory obligations. • BCTS is responsible for ensuring contract conformance. • BCTS is not subject to administrative penalties.
44	Approval of road layout & designs associated with Road Permits issued by timber sales managers and roads constructed by BCTS.		District manager responsibility	• District manager function.
45	Site Plans amendments (e.g. movement of road, landing, spur road, trail).	Sole responsibility		• Licensees have no legal obligation to comply with a Site Plan unless made to do so vis á vis a contractual requirement. • BCTS is responsible for ensuring contract conformance. • C&E does not administer or amend site plans.
46	Operational Plan amendments (e.g. silviculture prescription).	Sole responsibility		• C&E does not administer or amend Operational Plans. • BCTS staff do not have the authority to grant field amendments to Operational Plans. • BCTS is responsible to liaise with district managers to obtain amendments if appropriate.

47	Establishing merchantability specifications.	Revenue Branch responsibility	Revenue Branch responsibility	• Merchantability specifications set through waste manual. • Linked to #55 (waste survey).
48	Fuel spill.	Shared responsibility	Shared responsibility	• BCTS and C&E will report observed and reportable spills to CO Service. • C&E will enforce statutory obligations. • BCTS will ensure conformance with contractual obligations.
49	FFPR/Fire tools.		Sole responsibility	• C&E function. • BCTS will report observed incidences of non-compliance to C&E.
50	Inspection/monitoring of the deactivation of roads and trails by licensee.	Shared responsibility	Shared responsibility	• C&E function where activity is a statutory requirement. • BCTS function where linked vis á vis contractual requirement, if any.
51	Inspection/monitoring of the deactivation of roads and trails by BCTS.	Shared responsibility	Shared responsibility	• C&E function where activity is a statutory requirement. • BCTS function where linked vis á vis contractual requirement, if any.
52	Ensuring disposal of landing and roadside debris accumulations.		Sole responsibility	• C&E function/will inspect based upon risk for compliance with statutory requirements. • Licensee is obligant. • BCTS will report observed incidences of non-compliance to C&E.
53	Notice of Completion of Operations.	Licensee responsibility	Licensee responsibility	• Where required by a contractual obligation, licensee will notify BCTS and C&E of completion of operations.
54	Inspection/monitoring soil disturbance obligations.		Sole responsibility	• C&E function (may request a survey for compliance purposes or conduct one themselves). • BCTS will report observed incidences of non-compliance to C&E.

55	Conducting waste assessment for TSLs and Forestry Licences to Cut issued by BCTS.	Sole responsibility		• BCTS function. • BCTS forwards W reports to field services for subsequent processing. • Field services may conduct audits.
56	Compliance inspection and patrols for statutory related enforcement actions.		Sole responsibility	• C&E function. • BCTS will notify C&E of observed incidences of statutory non-compliance. • Both programs will notify/inform licensee of: the purpose and limitations of any inspections; the results of those inspections; and, will undertake to explain the difference in their duties and responsibilities to the licensee as required (linked to communication plan recommendations in ***Jan. 27/04 Final Report***).
57	Conformance inspections related to contractual TSL obligations.	Sole responsibility		• BCTS function. • C&E will notify BCTS of observed incidences of contractual non- conformance. • Both programs will notify/inform licensee of: the purpose and limitations of any inspections; the results of those inspections; and, will undertake to explain the difference in their duties and responsibilities to the licensee as required (linked to communication plan recommendations in ***Jan. 27/04 Final Report***).
58	CIMS inspection entry.		Sole responsibility	• C&E function. • BCTS may request reports as required.
59	ERA data entry.		Sole responsibility	• C&E function. • BCTS may request reports as required.
60	Assist revenue staff in carrying out check scales.		Sole responsibility	• C&E function.

61	Assist protection staff with C&E activities.		Sole responsibility	• C&E function.
62	BCTS Admin (Genus application) data entry.	Sole responsibility		• BCTS function. • C&E will communicate results of their statutory non-compliance determinations including recommendations to BCTS for further action under s. 78 or BCTSR
63	Investigations of alleged non-compliance with statutory obligations.		Sole responsibility	• C&E function. • C&E will inform BCTS when an investigation has been initiated except where doing so may compromise an investigation. • C&E will inform BCTS when either a compliance or enforcement action has taken place.
64	Investigations of alleged non-conformance with contractual obligations.	Sole responsibility		• BCTS function. • BCTS will inform C&E when an investigation has been initiated and a contractual conformance action has occurred.
65	Issuance of Stop Work Orders.		Sole responsibility	• C&E function. • BCTS will advise licensee of concerns surrounding observed incidences of statutory non-compliance. • BCTS will advise C&E of observed incidences of statutory non-compliance.
66	Issuance of Violation Tickets.		Sole responsibility	• C&E function. • BCTS will advise licensee of concerns surrounding observed incidences of statutory non-compliance. • BCTS will advise C&E of observed incidences of statutory non-compliance.

67	Administrative remedies and prosecutions.		Sole responsibility	• C&E function. • C&E may request BCTS advice for administrative hearings and/or prosecutions on a case by case basis. • BCTS may be called as witnesses during administrative hearings or prosecutions, and when called upon to do so, will attend.
68	Disqualification.	Shared responsibility	Shared responsibility	• BCTS function vis-à-vis s. 78 of Forest Act. • Designated official (likely C&E) for collusion-related determinations under s. 164.1 (ref. Bill 45).
69	TSL suspension.	Shared responsibility	Shared responsibility	• S. 78 authorises TSMs to suspend for both statutory and contractual breeches. • S. 78.1 authorises DMs to suspend for statutory breeches. • Despite above, TSMs and DMs should consider the following recommended restrictions with respect to TSL suspensions: 1) TSMs lead for all contractual breeches as well as Forest Act breeches related to auctions, registration, and reporting (ref. s. 136). 2) DMs lead for all other Forest Act breeches non referenced under 1) as well as FRPA. • Despite above and where appropriate, TSMs/DMs should liaise with each other before suspending a TSL.
70	TSL cancellation.	Sole responsibility		• S. 78 authorises TSMs to cancel TSL for both statutory and contractual breeches. • Despite above and where appropriate, TSMs should liaise with DMs before cancelling a TSL for non compliance with a non-auction/registration/reporting related statutory requirement.

71	TSL closure/deposit disposition/final conformance report.	Sole responsibility		• BCTS function. • BCTS will provide C&E with a notice of intent to close an agreement 30 days prior to closure. • C&E will advise BCTS within the 30 days period if aware of an outstanding statutory obligation that might trigger the mandatory deposit forfeiture provisions of the ADDR. • TSM will make final determination if found to be an outstanding obligation/forwards final letter/FS 45D to licensee with copies to Field Services and MPR.
72	Fulfilment of FPC/FRPA silviculture obligations.	Sole responsibility		• BCTS is responsible for silviculture on BCTS timber sale licences (TSL), s. 13 (1.1) non-replaceable forest licences (NRFL) where the liability has been surrendered, and some forestry licences-to-cut linked to the s. 24 TSL conversion process. • BCTS is subject to government non-compliance policy.
73	Enforcement of FPC/FRPA silviculture obligations.		Sole responsibility	• C&E function.
74	Seizing timber related to TSL.		Sole responsibility	• C&E function. • C&E will inform BCTS when a seizure has occurred. • C&E may consult with BCTS on how to manage the seizure (e.g. storage, movement).
75	Disposal of seized timber (ref. s. 67 (3) of FRPA).		Sole responsibility	• C&E function. • BCTS may dispose.

76	Evaluate and co-ordinate district C&E training needs.		Sole responsibility	• C&E function. • Where there is a BCTS component to any C&E training needs, C&E will consult with BCTS on content, scheduling and delivery.
77	Respond to incidences of civil disobedience (e.g. road blockages, unauthorized occupations for forest sites).	Shared responsibility	Shared responsibility	• Both BCTS and C&E will adhere to the Guidebook on Civil Disobedience and both will report to the other any incidents of Civil Disobedience that may impact the other program area.
78	Other Acts/Fisheries/ Waste Management.			• C&E, DFO & CO will investigate and enforce within jurisdiction where necessary. • BCTS will report observed incidences of non-compliance to C&E, DFO & CO.
79	WCB compliance.			• WCB will investigate and enforce where necessary. • BCTS and C&E will report observed incidences of non-compliance to WCB.
80	Danger tree removal, green attack removal, minor salvage outside boundary, road R/W.	Sole responsibility		• BCTS has the authority to authorise minor volumes outside boundaries for danger tree purposes consistent with licence document. • Additional approvals must be granted in writing. • C&E has no authority to provide approvals.
81	EMS ledgers.	Sole responsibility		• BCTS will maintains a record of inspections in CMS. C&E may review this record during the course of an investigation.
82	EMS requirements.	Sole responsibility		• BCTS function.
83	Collection actions related to non-current accounts.		Sole responsibility	• Primary MPR function. • Secondary C&E function if seizure warranted/requested. • BCTS linkage to bidder eligibility (ss. 3 (3) of BCTSR and 81 of Forest Act).

84	Agency and public consultation.	Shared responsibility	Shared responsibility	• Each program will not represent or speak for the other program area in any consultative process.
85	Investigating government non-compliance		Sole responsibility	• C&E function