

File: ARCS 140-03/Grants of Statutory Authority 2024

Re: Delegation of Minister of Forests' Authority under the *Forest and Range Practices Act*

I delegate the Minister's powers and duties under the *Forest and Range Practices Act*, as set out in the attachments to this memorandum.

This memorandum revokes and replaces the previous Delegation of the Minister's Authority under the *Forest and Range Practices Act* memorandum signed by the Minister of Forests and dated November 10, 2023.



March 28, 2024

Minister of Forests
(or authorized signatory)

Date

Melissa Sanderson,
A/Associate Deputy Minister

Printed Name and Title
(if authorized signatory)

Attachments:

1. Delegation of Minister of Forests Powers and Duties under the *Forests and Range Practices Act* and Regulations, April 2024

DELEGATION OF MINISTER OF FORESTS POWERS AND DUTIES UNDER THE FOREST AND RANGE PRACTICES ACT AND REGULATIONS APRIL 2024

ADM = Assistant Deputy Minister	IET = Integrated Enforcement Team
BCER = BC Energy Regulator	IRO = Integrated Resource Operations
BCWS= BC Wildfire Service	ENV = Ministry of Environment and Climate Change Strategy
BCTS = BC Timber Sales	NRO = Persons employed by the Compliance and Enforcement Branch, Ministry of Forests, designated as “natural resource officers” under section 2 of the <i>Natural Resource Compliance Act</i>
CEB = Compliance and Enforcement Branch	RED = Regional Executive Director
CF = Chief Forester	RST = Recreation Sites and Trails
DFCM = Deputy Fire Centre Manager	TSM = Timber Sales Manager
DM = District Manager	WLRS = Ministry of Water, Land and Resource Stewardship
DRM = Director, Resource Management	
ED = Executive Director	
FCM = Fire Centre Manager	
FOR = Ministry of Forests	
FTB = Forest Tenures Branch	

A reference to a delegate in the table below includes a person acting for the delegate.

All delegations are to positions within the Ministries of FOR or WLRS unless otherwise noted.

An expectation of the Minister of FOR is the Minister’s expectation of a delegate in the exercise of their delegated authority and is not a legally binding direction.

FOREST AND RANGE PRACTICES ACT					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
Part 1 – Definitions and Interpretation					
	Definition of “Official”	1 (1)	DM, may only designate Scaling Supervisors, Revenue Technicians and Check Scalers, who are also designated as Forest Officers under section 1 (1) the <i>Forest Act</i> , as officials under sections 59 (2) and (4), 60, 61 (2), and 67 (1) (a), (c), (i) (i), and (i) (ii) of the <i>Forest and Range Practices Act</i> . RED, may only designate Scaling Supervisors, Revenue Technicians and Check Scalers, who are also designated as Forest Officers under section 1 (1) the <i>Forest Act</i> , as officials under sections 59 (2) and (4), 60, 61 (2), and 67 (1) (a), (c), (i) (i), and (i) (ii) of the <i>Forest and Range Practices Act</i> .		It is expected that delegates will not sub-delegate.
Part 2 – Forest Stewardship Plan, Site Plan and Woodlot Licence Plan					
Division 1 – Forest Stewardship plan	Exemption from forest stewardship plans	4 (1) (d)	DM		

FOREST AND RANGE PRACTICES ACT					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
	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 for forest development units	7 (1.1)	DM		
	Mandatory amendments	8	DM		
	Proportional objectives	9	DM RED		
Division 3 – Woodlot Licence Plan	Woodlot licence plan required	12 (3)	DM		
	Content of woodlot licence plan	13 (1) (a) (i)	DM		
	Term of woodlot licence plan	14 (2)	DM		
		14 (3)	DM		
Division 3.1 – Forest Operations Map	Exemption from requirement to publish a forest operations map	15.3	DM		
Division 4 – General	Approval of forest stewardship plan, woodlot licence plan or amendment	16 (1)	DM RED		
		16 (1.1)	DM		
		16 (2.1)	DM		
		16 (3)	DM		
	Approval in emergency cases	17	DM		
Part 3 – Forest Practices					
Division 2 – Roads	Use of forest service roads for timber harvesting, silviculture or natural resource development	22.1	DM RED		

FOREST AND RANGE PRACTICES ACT					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
	purposes				
	Use of forest resource roads for timber harvesting, silviculture or natural resource development purposes	22.11	DM RED		
	Non-industrial use of a road	22.2 (3) (b) (i)	DM		
		22.2 (4)	DM		
	Notice of requirement for payment by user of road	22.3	DM		It is expected that delegates will not sub-delegate.
	Significant road work in relation to forest service roads	23.1	DM TSM, only to authorize a person to connect a road to a forest service road.		
	Order to deactivate road	23.2	DM RED TSM		It is expected that delegates will not sub-delegate.
	Exemption from deactivating road	23.3	DM RED TSM		It is expected that delegates will not sub-delegate.
Division 3 – Forest Health	Sanitation exemption	25	Director, Forest Science, Planning and Practices Branch, for cross-regional mountain pine beetle applications. DM, for infestations within a district. RED, for cross-district infestations.		
	Control of insects, diseases, animals or abiotic factors	26 (1)	DM RED, if control crosses district boundaries or districts do not have expertise.		
		26 (2)	DM RED, if control crosses district boundaries or districts do not have expertise.		
		26 (4)	DM RED		

FOREST AND RANGE PRACTICES ACT					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
		26 (6)	DM RED		
		26 (7)	DM RED		
		26 (8)	DM RED		
	Forest health emergency	27 (2)	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)	DM RED, if results in liability to government.		
		29.1 (3) (c)	DM RED, if results in liability to government.		
Part 4 – Range					
Division 1 – Range Use Plan and Range Stewardship Plan	Range use plan and range stewardship plan required	32 (2)	DM		
		32 (4)	DM		
	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		
	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 (3)	DM		
		37 (4)	DM		
	Mandatory amendments	38 (5)	DM		
	Cumulative impacts require plan amendment	39 (1)	DM		
		39 (2)	DM		
		39 (3)	DM		
	Proportional objectives	42	DM RED, for multi- or cross-district		

FOREST AND RANGE PRACTICES ACT					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
			tenures.		
Division 3 – General	General	45 (2)	DM		
Part 5 – Protection of Resources					
Division 1 – General	Protection of the environment	46 (3) (b)	DM		
	Invasive plants	47 (1) (b)	DM		
	Natural range barriers	48 (1) (d)	DM		
	Range developments	51	DM		
Division 2 – Unauthorized Timber Harvesting, Trespass and Tree Spiking	Unauthorized timber harvesting	52 (1) (b)	DM BCER, only for authorizations in the Northeast Forest Region as they relate to the Northeast Restoration Permitting Pilot Project.	Only the Commissioner will exercise the delegated authority of the BCER.	It is expected that the BCER will ensure occupancy requirements are met, and will consider the Guidance on the Use of <i>Forest Act</i> 52 and <i>Forest and Range Practices Act</i> 52 (1) (b), when issuing authorizations.
	Authorization for silviculture, stand tending, forest health or another purpose	52.1	DM BCER, only for authorizations in the Northeast Forest Region as they relate to the Northeast Restoration Permitting Pilot Project.	Only the Commissioner will exercise the delegated authority of the BCER.	It is expected that the BCER will ensure occupancy requirements are met, and will consider the Guidance on the Use of <i>Forest Act</i> 52 and <i>Forest and Range Practices Act</i> 52 (1) (b), when issuing authorizations.
	Unauthorized construction and occupation	54 (2)	DM		
	Protection of recreation and range	58	DM RED		

FOREST AND RANGE PRACTICES ACT					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
	resources on Crown land				
Part 6 – Compliance and Enforcement					
Division 1 – Inspecting, Stopping and Seizing	Delivery of records	61 (1)	Area Superintendent, Coast, CEB Area Superintendent, Interior, CEB Area Superintendent, North, CEB Area Superintendent, South, CEB Chief Director, CEB Director, Operations, CEB DM Superintendent, IET, CEB Superintendent, Strategic Engagement, CEB RED		
	Stop work order	66 (6)	Area Superintendent, Coast, CEB Area Superintendent, Interior, CEB Area Superintendent, North, CEB Area Superintendent, South, CEB Chief Director, CEB Director, Operations, CEB DM Superintendent, IET, CEB Superintendent, Strategic Engagement, CEB RED		It is expected that RED or DM will refer decision to a Director or Superintendent of CEB if it is likely a determination will be following.
Division 2 – Seizure	Seizure of timber, chattels, hay, etc.	67 (3)	DM RED		
	Seizure and forfeiture of livestock	68 (2) (b)	DM RED		
		68 (3)	DM RED		
	Common provisions for seizure and forfeiture	69 (1)	DM RED, if DM feels conflict in being involved with related investigation.		
	No interference with notice	70	NRO		
Division 3 – Administrative Remedies	Determination of contravention	71	DFCM Director, Business, BCTS Director, Sustainability and Forestry, BCTSDM ED, BCTS FCM RED		

FOREST AND RANGE PRACTICES ACT					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
	Administrative penalties	74	DFCM Director, Business, BCTS Director, Sustainability and Forestry, BCTS DM ED, BCTS FCM RED		
	Remedial work order for contraventions of Acts	74.2	DFCM Director, Business, BCTS Director, Sustainability and Forestry, BCTS DM ED, BCTS FCM RED		
	Non-compliance with remedial work order	74.4	DFCM Director, Business, BCTS Director, Sustainability and Forestry, BCTS DM ED, BCTS FCM RED		
	Remedial cost recovery order	74.6	DFCM Director, Business, BCTS Director, Sustainability and Forestry, BCTS DM ED, BCTS FCM RED		
	Power of intervention: general	77 (1)	DM RED		
		77 (2)	DM RED		
Division 4 – Corrections, Reviews and Appeals	Determinations stayed until proceedings concluded	78 (2)	ADM, Coast Area ADM, IRO ADM, North Area ADM, South Area CF		
	Review of a determination	80 (1)	RED		It is expected that delegates will not sub-delegate.
		80 (4)	DM RED		
	Requirement to publish	85 (1)	Chief Director, CEB Director, Operations, CEB		
		85 (2)	Chief Director, CEB Director, Operations, CEB		

FOREST AND RANGE PRACTICES ACT					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
Division 5 – Offences and Court Orders	Order for compliance	90 (1)	ADM, Coast Area ADM, IRO ADM, North Area ADM, South Area CF		It is expected that delegates will not sub-delegate.
	Interference, non-compliance and misleading	97 (3)	DM RED, if plan crosses district boundaries.		
	Disclosure of information	103.1	Chief Director, CEB Director, Operations, CEB		
Part 7 – General					
Division 1 – Liability and Privilege	Limitation 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)	DM RED, if pilot project crosses district boundaries.		

ADMINISTRATIVE REVIEW AND APPEAL PROCEDURE REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
Part 1 – Definitions					
	Definition of “reviewer”	1	ED, BCWS Director, BCWS DM RED		
Part 2 – Administrative Review Procedure					
Division 2.1 — Procedures after Receipt of Request for Review under the <i>Range Act</i>	Notification of parties following receipt of a request for review	7.2	DM RED		
	Deficient request for review	7.3	DM RED		
	Designation of reviewer	7.4	DM RED		
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)	DM RED		
		9 (2)	DM RED		
		9 (3)	DM RED		
	Deficient request for review	10	DM RED		
	Board’s deficient requirement for review	11	DM RED		
	Designation of reviewer	13	DM RED		
Division 4 — Procedures after Receipt of Request for Review under the <i>Wildfire Act</i>	Notification of parties following receipt of a request for review	15.2	ED, BCWS Director, BCWS DM Manager, Wildfire Risk		
	Deficient request for review	15.3	ED, BCWS Director, BCWS DM Manager, Wildfire Risk		
	Board’s deficient requirement for review	15.4	ED, BCWS Director, BCWS DM Manager, Wildfire Risk		
	Designation of reviewer	15.5	ED, BCWS Director, BCWS Manager, Wildfire Risk		

FOREST PLANNING AND PRACTICES REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
Part 1 – Interpretation					
	Definition of “authorized in respect of a road”	1 (1)	DM, may only authorize maintenance and deactivation.		
	Definitions “forest cover inventory”	1 (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 (5)	DM		
		12 (7)	DM		
Division 2.1 – Miscellaneous	Cumulative effect of multiple forest stewardship plans	19	DM		
	Limited content forest stewardship plans	19.1	DM RED		
Division 3 – Public Review and Comment	Providing notice	20 (2)	DM		
		20 (3)	DM		
	Review and comment	21 (1) (a)	DM		
Division 4 – Approvals and Extensions	Requiring additional information	24	DM		
	Consistency of results and strategies with established objectives	25 (2)	DM RED		
	Minister’s consideration of stocking standards	26 (1)	DM		
		26 (2)	DM		
		26 (3)	DM		
		26 (4)	DM		
		26 (5)	DM RED		
	Balancing objectives	27	DM		

FOREST PLANNING AND PRACTICES REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
	Extending term	28	DM		
Division 5 – Amendments	Mandatory amendments	28.1	DM		
	Amendment wrongly made	31 (1)	DM		It is expected that delegates will provide written rationale.
		31 (2)	DM		
	Exemption from review and comment process for mandatory amendments	32	DM		
Part 3.1 – Forest Operations Maps					
Division 1 – Forest Operations Map Prepared by a Hold of a Forest Stewardship Plan	Forest operations map requirements – forest stewardship plan holder	34.1	DM		
	Publication of notice – forest stewardship plan holder	34.2	DM		
	Review and comment – forest stewardship plan holder	34.3	DM		
	Report to minister – forest stewardship plan holder	34.4	DM		
Division 2 – Forest Operations Map Prepared by a Timber Sales Manager	Forest operations map requirements – timber sales manager	34.8	DM		
	Publication of notice – timber sales manager	34.9	DM		
	Review and comment – timber sales manager	34.10	DM		

FOREST PLANNING AND PRACTICES REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
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 (1) (b)	DM		
	Free growing stand – forestry licence to cut	46 (2)	DM		
		46 (3) (b) (i)	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					
	Retaining information	77	DM		
	Road maintenance	79	DM		
	Exemptions from section 22.1 of the Act	79.1 (3)	DM		
	Road use under forestry licence to cut	79.2	DM		

FOREST PLANNING AND PRACTICES REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
	Fibre recovery tenure holders – exemption from section 22.1 of Act	79.21 (4)	DM		
	Restricting road access to protect a community from wildfire	79.3 (2)	DM		
	Road deactivation	82 (3)	DM		
Part 6 – Notifying and Reporting to Government					
	Notification of timber harvesting or road construction	85	DM TSM		
	Annual reports	86 (3) and (5)	DM		
		86 (6)	CF		
	Annual report requirements inapplicable to certain agreements	86.2	DM		
	Site specific standards	87 (5)	DM		
	Silviculture treatment records	88 (3)	DM		
Part 7 – Exemptions and Relief from or Funding of Obligations					
Division 1 – Exemptions	Minister may grant exemptions	91	DM		
	Exemptions resulting from an established objective	92.1 (1)	DM RED		

FOREST PLANNING AND PRACTICES REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
Division 2 – Relief from or Funding of Obligations	Transfer of obligations	94 (1)	DM RED		
		94 (2)	DM RED		
		94 (4)	DM RED		
	Declaration regarding free growing stand obligations met to the extent practicable	97.1 (3)	DM		
		97.1 (4)	DM		
Part 10 – Transition					
	Amalgamating obligations to establish a free growing stand	111 (1)	DM		

GOVERNMENT ACTIONS REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
	Resource features	5 (1) (a)	CF DM RED		
		5 (1) (b)	CF DM RED		
		5 (1) (c)	CF DM RED		
		5 (1) (d)	CF DM RED		
		5 (1) (e)	CF DM RED		
		5 (1) (g)	ED, RST, ENV		
		5 (1) (h)	ED, RST, ENV		
		5 (2)	DM RED		
		5 (4)	CF DM RED		
	Scenic areas and visual quality objectives	7	DM		

RANGE PLANNING AND PRACTICES REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
Part 2 – Plans					
Division 1 – Exemption and Qualifications for Preparing a Range Stewardship Plan	Exemption from plan requirement	3 (1)	DM		
		3 (2)	DM		
Division 3 – Plan Content	Content of range use plans	13	DM		
	Content of range stewardship plans	14 (2)	DM		
Division 4 – Review and Comment	Notice	17	DM		
Division 5 – Approval and Amendments	Advisory committee	19	DM		
	Minor amendment wrongly made	21	DM		
	Mandatory amendments	22 (1)	DM		
	Balancing objectives	23	DM		
	Extending term	24	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, General Ecological Community Measures, Wildlife Habitat Features and Resource Features	Resource features	38 (2)	DM		
Division 5 – Range Development	Maintenanc e of range developmen ts	40 (2)	DM		
	Revegetatio n	41 (2)	DM		
Part 5 – Miscellaneous					
	Tagging	42	DM		
	Intervention orders and payment of expenses	45	DM		

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

SPECIAL TREE PROTECTION REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
Part 2 – Protection of Specified and Supporting Trees					
Division 1 – Protection	Exemption by minister	4 (2)	RED		It is expected that delegates will not sub-delegate.
		4 (3)	Director, FTB		It is expected that delegates will not sub-delegate.
Division 2 – Reporting	Report about specified tree	6 (3) (b)	Director, FTB		It is expected that delegates will not sub-delegate.
	Cutting, damaging or destroying specified tree under exemption	7 (2) (b)	Director, FTB		It is expected that delegates will not sub-delegate.

WOODLOT LICENCE PLANNING AND PRACTICES REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
Part 2 – Woodlot Licence Plans					
Division 1 – General	Exemptions from woodlot licence plan	5 (2)	DM		
		5 (3)	DM		
		5 (5)	DM		
	Term of woodlot licence plan	6 (1) (b)	DM		
Division 2 – Woodlot Licence Plan Content	Woodlot licence plan area	7	DM		
	Mapping and information	8 (2)	DM DRM, may only make exemptions for wildlife habitat areas.		
Division 3 – Review and Comment	Review and comment	17 (1)	DM		
		17 (2)	DM		
		17 (3)	DM		
Division 4 – Approvals and Amendments	Minister’s consideration of woodlot licence plan	18	DM		
	Minor amendments that require approval	20	DM		
	Minor amendments wrongly made	22	DM		
Part 3 – Practice Requirements					
Division 2 – Timber and Forest Health	Free growing stands	34 (1)	DM		
		34 (4)	DM		
	Requirements if free growing stand cannot be established	35.1 (2)	DM		
		35.1 (3)	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		

WOODLOT LICENCE PLANNING AND PRACTICES REGULATION					
Topic		Section	Delegation	Directions	Expectations of the Minister of FOR
Division 4 – Watersheds	Roads in a community watershed	50 (1)	DM		
Part 4 – Roads					
	Road deactivation	71 (3)	DM		
Part 5 – Notifying and Reporting to Government					
	Surveys	75 (1)	DM		
		75 (2)	DM		
		75 (4)	DM		
		75 (6)	DM		
		75 (7)	DM		
Part 6 – Exemptions and Relief from or Funding of Obligations					
Division 1 – Exemptions	Minister may grant exemptions	78	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		