



# Compliance and Enforcement Branch

## 2018 -2019 Annual Report

FOR FISCAL YEAR ENDING MARCH 31, 2019



THIS REPORT INCLUDES STATISTICS FOR COMPLIANCE AND ENFORCEMENT BRANCH ACTIVITIES AS RECORDED BY THE MINISTRY OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND RURAL DEVELOPMENT FROM APRIL 1, 2018 THROUGH MARCH 31, 2019.



Ministry of  
Forests, Lands, Natural  
Resource Operations  
and Rural Development

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# Introduction

**THE 2018-19 COMPLIANCE AND ENFORCEMENT BRANCH ANNUAL REPORT** was produced by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development.<sup>1</sup> It covers compliance<sup>2</sup> and enforcement activities related to forest management, land management, water management, wildfire management, resource road activities, and heritage and archaeological activities carried out by individuals and licence holders that make up what's commonly referred to as the regulated community.

This report summarizes the Compliance and Enforcement Branch's activities from April 1, 2018 to March 31, 2019 and serves as a follow-up to its previous annual reports.

Natural resource activities in British Columbia are regulated by a wide range of legislation. This report provides information related to the following acts: *Forest Act*, *Range Act*, *Wildfire Act*, *Forest and Range Practices Act*, *Forest Practices Code of British Columbia Act*, *Land Act*, *Water Sustainability Act*, *Heritage Conservation Act* and *Wildlife Act*, plus all the regulations associated with those acts.

**TABLE 1: KEY STATISTICS** April 1, 2018 to March 31, 2019

<b>INSPECTIONS/PATROLS RECORDED*</b>	<b>7,206</b>
<b>COMPLIANCE ACTIONS TAKEN*</b>	<b>2,666</b>
<b>ENFORCEMENT ACTIONS TAKEN*</b>	<b>641</b>

\*Data sourced from the Compliance and Enforcement Branch's data information systems.



1. Electronic copies of this report are available from the ministry's Compliance and Enforcement Branch or on the government website at: <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/natural-resource-law-enforcement/natural-resource-officers/compliance-reports>. If there are discrepancies between the printed copy of the annual report and the copy posted on the website, the website version is considered to be correct.

2. Many of the technical terms used in this report are defined in the glossary that can be found online at: <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/natural-resource-law-enforcement/natural-resource-officers>

# Service Plan Report: Final Statistics

**AS B.C.'S NATURAL RESOURCE MINISTRIES WORK TOGETHER** to streamline natural resource policies, regulations and legislation, the Ministry of Forests, Lands, Natural Resource Operations and Rural Development enforces compliance with applicable legislation.

The Compliance and Enforcement Branch's responsibilities have expanded in recent years to enhance natural resource stewardship in B.C. Areas that fall within the branch's mandate include: unauthorized land use and occupation; dam safety; water sustainability; forestry and range practices; fish and wildlife habitat; species at risk; and actions that support effective wildlife management.

Ongoing collaboration between government ministries and agencies and the continuing refinement of their mandates help ensure the efficient delivery of services. This approach supports a clear and consistent compliance and enforcement framework. The development and use of natural resources are guided by standards set out in the ministry's legislative and regulatory framework.<sup>3</sup>

The Compliance and Enforcement Branch not only seeks to promote the effective stewardship of British Columbia's natural resources, but also ensure that compliance and enforcement priorities can be modified quickly to respond to changing conditions.

## GOAL:

**the co-ordinated and sustainable management, use and stewardship of B.C.'s natural resources**

## PERFORMANCE MEASURE:

**the monitoring of statutory requirements within the natural resource sector**

PERFORMANCE MEASURE	2017-18 FORECAST <sup>1</sup>	2018-19 TARGET
<b>COMPLIANCE &amp; ENFORCEMENT (C&amp;E) PRESENCE <sup>1</sup></b>		
<i>Percentage of C&amp;E field staff time spent in the field (actual time divided by operational capacity, in hours)</i>	<b>80%</b>	<b>80%</b>

*Data source: Ministry of Forests, Lands, Natural Resource Operations and Rural Development information systems.*

1. Compliance and Enforcement "presence" is defined as the amount of C & E field staff capacity that is present with the regulated community, expressed as a percentage of actual time against available operational capacity. This performance measure was redefined in 2014. The former title was "Meeting management and use standards" and measured the "percentage of the regulated community's compliance with statutory requirements."

2. The performance measure baseline established in 2013-14 was 70%.

3. The government's management framework for the natural resource sector has been restructured in recent years and the ministry's compliance and enforcement responsibilities were expanded significantly beyond forest-related acts and regulations. The Compliance and Enforcement Branch now also enforces statutes such as the *Land Act*, *Water Act*, *Water Sustainability Act* and *Wildlife Act*.

# Compliance and Enforcement Branch

## Priorities for 2018-2019

PRIORITIES FOR 2018-2019	
<b>WILDFIRE INVESTIGATIONS</b>	<p>To ensure accountability for any human-caused wildfires, particularly fires that have threatened safety and infrastructure or caused significant damage to crown resources</p> <p>To provide information required for cost recovery</p>
<b>WILDFIRE PREVENTION AND PUBLIC HEALTH AND SAFETY</b>	<p>To protect human health and safety through the prevention of fire starts</p> <p>Use proactive inspections and enforcement patrols to monitor public and industry during periods of high fire risk</p>
<b>WATER MANAGEMENT</b>	<p>To educate the public and ensure the accountable, sustainable use of groundwater</p> <p>To protect fish-bearing streams</p>
<b>LAND MANAGEMENT</b>	<p>To protect sensitive ecosystems and ensure safety by preventing unauthorized use and occupation of Crown land</p>
<b>ARCHAEOLOGICAL PROTECTION AND ACCOUNTABILITY</b>	<p>To prevent removal, damage and looting of archaeological sites</p> <p>To identify previously unknown sites</p>
<b>FIRST NATIONS</b>	<p>To ensure we are upholding the government's commitment to reconciliation through outreach and relationship-building guided by the principles of the Truth and Reconciliation Commission's Calls to Action</p>
<b>ROAD USE AND SAFETY</b>	<p>To prevent user conflicts</p> <p>Eliminate unsafe infrastructure</p> <p>Ensure construction and maintenance issues do not pose a significant risk to values</p>
<b>DROUGHT RESPONSE</b>	<p>To fulfill our enforcement role in class 4 and 5 drought conditions</p> <p>To prevent unauthorized use on drought-sensitive streams outside of dry periods</p>
<b>PUBLIC EDUCATION AND AWARENESS</b>	<p>To promote compliance with natural resource legislation through maximizing our opportunities for positive media interaction</p>

# Presence

One of the Compliance and Enforcement Branch's performance measures is called "presence", which refers to the amount of time that Natural Resource Officers spend working in the field, engaging in priority tasks and publicly representing the branch.

Presence may also include time spent travelling in a fleet vehicle or working directly with the public or members of the regulated community.

Presence is a proactive measure that allows the government to gauge the effectiveness of its efforts related to community relations, industry engagement, public education and promoting compliance.

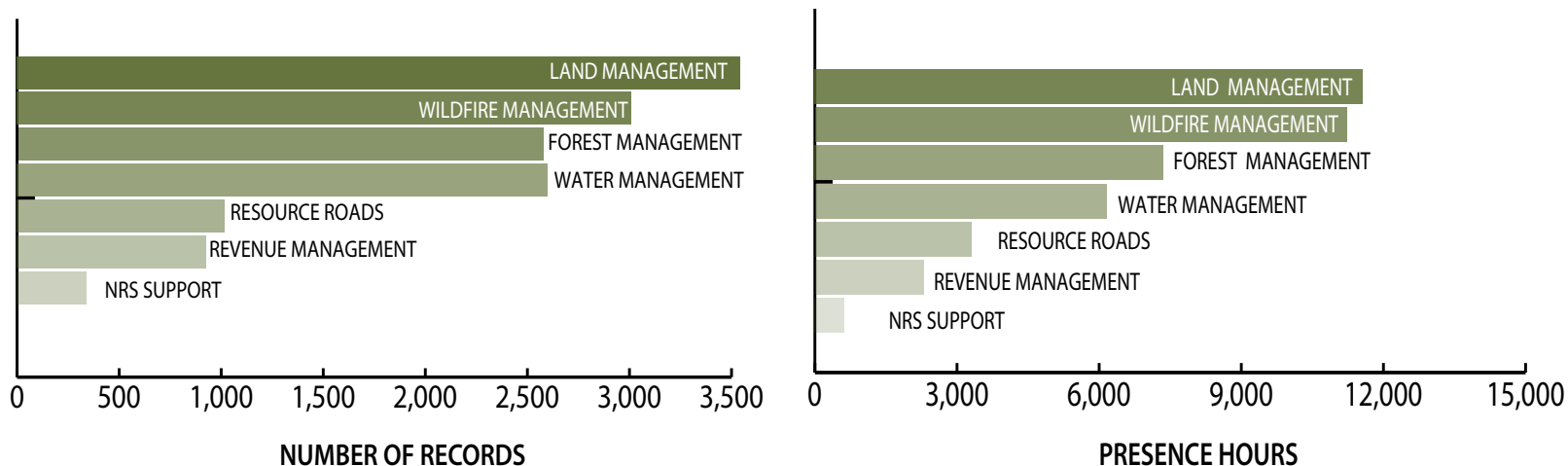
**TABLE 2: NUMBER OF RECORDS AND PRESENCE HOURS BY FUNCTION**  
April 1, 2018 to March 31, 2019

FUNCTION	PRESENCE HOURS	NUMBER OF RECORDS*
FOREST MANAGEMENT	7,411	1,856
LAND MANAGEMENT	11,905	2,989
NATURAL RESOURCE SECTOR SUPPORT	633	367
RESOURCE ROADS	4,302	879
REVENUE MANAGEMENT	2,970	687
WATER MANAGEMENT	7,273	2,103
WILDFIRE MANAGEMENT	11,169	2,452
<b>GRAND TOTAL</b>	<b>45,664</b>	<b>11,333</b>

Data sourced from the Compliance and Enforcement Branch's data information systems.

\*The "Number of Records" column heading refers to patrols, inspections and presence records.

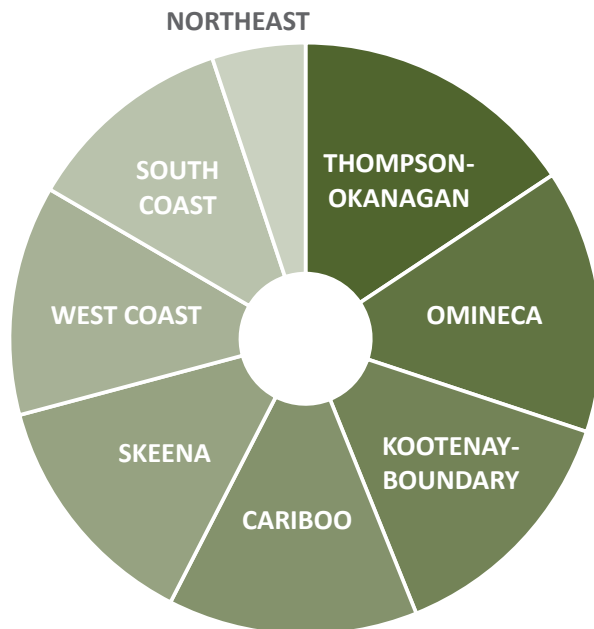
**CHART 1: COMPLIANCE AND ENFORCEMENT BRANCH PRESENCE HOURS AND NUMBER OF RECORDS**  
April 1, 2018 to March 31, 2019



# Inspections

**INSPECTIONS AND SITE VISITS** are conducted on a priority basis to determine whether forest, land, water and range activities are being conducted in compliance with legislation that falls within the mandate of the Compliance and Enforcement Branch. Natural Resource Officers evaluate the risks associated with various types of sites and activities, and then they prioritize their inspections to focus on activities with higher social, economic or environmental risks.

**CHART 2: INSPECTIONS AND PATROLS BY REGION** April 1, 2018 to March 31, 2019



REGION	# OF INSPECTIONS AND PATROLS
THOMPSON-OKANAGAN	1,136
OMINECA	1,028
KOOTENAY-BOUNDARY	1,001
CARIBOO	984
SKEENA	938
WEST COAST	906
SOUTH COAST	843
NORTHEAST	370
<b>GRAND TOTAL</b>	<b>7,206</b>

Data sourced from the Compliance and Enforcement Branch's data information systems.



## WHAT IS AN INSPECTION?

*An inspection is a systematic process to verify compliance with legal requirements. Inspections are done on a priority basis and may be either planned or spontaneous. Compliance and Enforcement Branch inspections cover the legal obligations of licensees, the government and the public.*

**TABLE 3: INSPECTIONS AND PATROLS BY FUNCTION April 1, 2018 to March 31, 2019**

FUNCTION	# OF INSPECTIONS AND PATROLS
LAND MANAGEMENT	1,828
WILDFIRE MANAGEMENT	1,606
FOREST MANAGEMENT	1,258
WATER MANAGEMENT	1,044
RESOURCE ROADS	715
REVENUE MANAGEMENT	660
NRS SUPPORT	95
<b>GRAND TOTAL</b>	<b>7,206</b>

*Data sourced from the Compliance and Enforcement Branch's data information systems.*

# Natural Resource Violation Reporting

The Natural Resource Violation Reporting (NRVR) system was developed to collect and record reports of alleged violations of natural resource legislation. It is intended for public use, but it also allows the ministry's partner agencies and other program areas within the natural resource sector to record issues identified by their staff members. Reports can be submitted online or by telephone.

All submitted reports are managed by FrontCounter BC staff, who administer the intake process. Every Natural Resource Violation Report is then reviewed by a Natural Resource Officer to determine the appropriate response. All reports of non-compliance submitted through the NRVR system are evaluated in light of the branch's identified priorities and action is taken accordingly.

Anyone can report Natural Resource Violations:

- by telephone: 1 877 952-7277
- online: [www.gov.bc.ca/nrv](http://www.gov.bc.ca/nrv)

TABLE 4: COMPLAINTS BY FUNCTION April 1, 2018 to March 31, 2019		
FUNCTION	NUMBER OF RECORDS	PERCENTAGE OF TOTAL
WILDFIRE MANAGEMENT	975	22.66%
FOREST MANAGEMENT	641	14.90%
LAND MANAGEMENT	1,161	26.99%
NATURAL RESOURCE SECTOR SUPPORT	272	6.32%
RESOURCE ROADS	164	3.81%
REVENUE MANAGEMENT	27	0.63%
WATER MANAGEMENT	1,062	24.69%
GRAND TOTAL	4,302	100.00%

Data sourced from the Compliance and Enforcement Branch's data information systems.

# Compliance

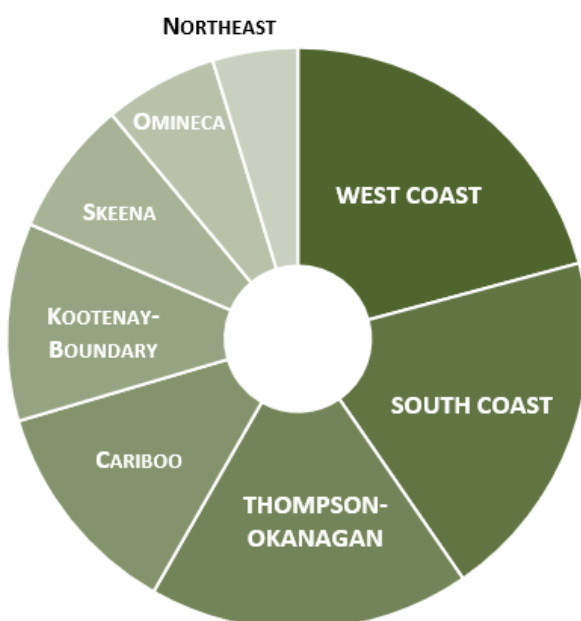
During a compliance verification visit or site visit, a Natural Resource Officer may find incidents of alleged non-compliance with provincial legislation, where an individual or a company may have acted in a manner that violated the law.

Compliance verification refers to the inspection of a site or activity, and it is part of a routine process to verify compliance with statutory obligations. These inspections are done on a priority basis and may either be planned ahead of time or conducted on the spot as needed.

**TABLE 5: COMPLIANCE ACTIONS BY FUNCTION April 1, 2018 to March 31, 2019**

FUNCTION	NO FURTHER ACTION WARRANTED	COMPLIANCE NOTICE	WARNING TICKET	GRAND TOTAL
FOREST MANAGEMENT	235	137	42	414
LAND MANAGEMENT	507	152	41	700
NRS SUPPORT	68	1	10	79
RESOURCE ROADS	62	125	13	200
REVENUE MANAGEMENT	17	42	69	128
WATER MANAGEMENT	319	60	34	413
WILDFIRE MANAGEMENT	547	97	88	732
<b>GRAND TOTAL</b>	<b>1,755</b>	<b>614</b>	<b>297</b>	<b>2,666</b>

**CHART 3: COMPLIANCE ACTIONS BY REGION April 1, 2018 to March 31, 2019**



REGION	# OF COMPLIANCE ACTIONS
WEST COAST	555
SOUTH COAST	522
THOMPSON-OKANAGAN	476
CARIBOO	325
KOOTENAY-BOUNDARY	293
SKEENA	201
OMINECA	168
NORTHEAST	126

Data sourced from the Compliance and Enforcement Branch's data information systems.

# Enforcement

VIOLATION TICKETS AND ADMINISTRATIVE PENALTIES	
TOTAL VIOLATION TICKETS ISSUED	518
MONETARY AMOUNT OF TICKETS	\$154,336
ADMINISTRATIVE PENALTIES LEVIED	25
MONETARY AMOUNT OF PENALTIES	\$397,788
THERE WERE 543 ENFORCEMENT ACTIONS TAKEN IN 2018-19.	

Enforcement actions are used when a Natural Resource Officer determines that legislation has been contravened and a formal sanction is warranted.

For example, an enforcement action may address contraventions that have damaged environmental, social or economic values. Individuals and companies that are subject to enforcement actions may appeal these actions.

Enforcement actions include:

- Violation Ticket
- Trespass Notice
- Licence Suspension
- Stop Work Order
- Order to Vacate
- Monetary Penalty
- Remediation Order
- Licence Cancellation
- Seizure/Forfeiture
- Prosecution

There were 543 enforcement actions taken throughout B.C. in 2018-19. (This figure includes actions involving penalties, but does not include compliance notices or warning tickets.)

**CHART 4: ENFORCEMENT ACTIONS** April 1, 2018 to March 31, 2019



VIOLATION TICKET	518
ORDER TO VACATE	96
PENALTY	25
NO ACTION	9
<b>GRAND TOTAL</b>	<b>648</b>

Data sourced from the Compliance and Enforcement Branch's data information systems.

**TABLE 6: ENFORCEMENT ACTIONS BY LEGISLATION** *April 1, 2018 to March 31, 2019*

LEGISLATION	NO ACTION	ORDER TO VACATE	PENALTY	VIOLATION TICKET	GRAND TOTALS
FOREST AND RANGE PRACTICES ACT	3		9	97	109
WATER SUSTAINABILITY ACT				106	107
WILDFIRE ACT	1		6	93	100
FOREST ACT	4		1	92	97
LAND ACT		70			70
OFF-ROAD VEHICLE ACT				62	62
FOREST RECREATION REGULATION (FRPA)		19		4	23
FOREST SERVICE ROAD USE REGULATION (FRPA)				22	22
WILDFIRE REGULATION (WFA)	1		6	9	16
FOREST RECREATION REGULATION (FPC)		7		1	8
TIMBER MARKING & TRANSPORTATION REGULATION (FA)				8	8
FOREST SERVICE ROAD USE REGULATION				7	7
ENVIRONMENTAL MANAGEMENT ACT				6	6
FOREST PLANNING & PRACTICES REGULATION (FRPA)			3	1	4
OPEN BURNING SMOKE CONTROL REGULATION (EMA)				4	4
SCALING REGULATION (FA)				2	2
MOTOR VEHICLE PROHIBITION REGULATION (196/99) (WLA)				1	1
OPEN BURNING SMOKE CONTROL CODE OF PRACTICE (SCHEDULE B IN OPEN BURNING SMOKE CONTROL REGULATION (145/93) (EMA))				1	1
RANGE PLANNING AND PRACTICES REGULATION (FRPA)				1	1
<b>GRAND TOTAL</b>	<b>9</b>	<b>96</b>	<b>25</b>	<b>518</b>	<b>648</b>

*Data sourced from the Compliance and Enforcement Branch's data information systems.*

# Reviews and Appeals

If a person is dissatisfied with an administrative determination made by a statutory decision-maker, they may ask for the decision to be reviewed by that government official if there is new evidence to consider. Alternatively, the person may challenge the decision by submitting a notice of appeal to the Forest Appeals Commission or to the Environmental Appeal Board.

For more information about the Forest Appeals Commission, visit

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

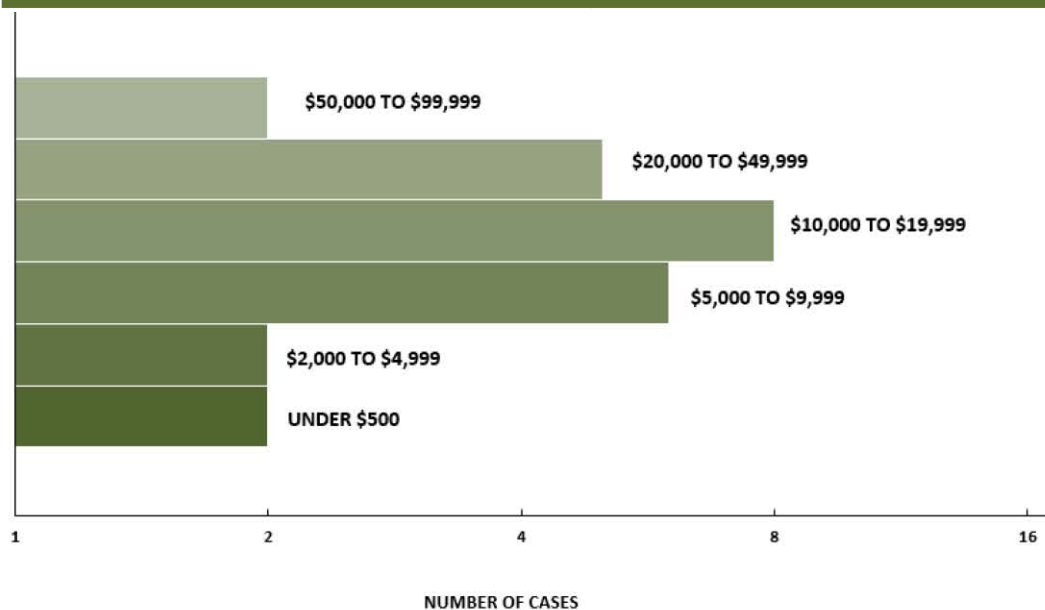
For more information about the Environmental Appeal Board, visit

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

# Monetary Penalties

Monetary penalties may be applied by a statutory decision-maker if they have determined that an individual or licensee has contravened legislation. Monetary penalties should not be confused with fines, which may be imposed by the courts if an individual or licensee is convicted of an offence.

**CHART 5: MONETARY PENALTIES BY CASE (TOTAL 25) April 1, 2018 to March 31, 2019**



PENALTY AMOUNT (GROUPS)	PENALTY AMOUNT	NUMBER OF CASES
UNDER \$500	\$450.00	2
\$500 TO \$999	\$-	0
\$1,000 TO \$1,999	\$-	0
\$2,000 TO \$4,999	\$6,301.30	2
\$5,000 TO \$9,999	\$37,076.20	6
\$10,000 TO \$19,999	\$90,533.04	8
\$20,000 TO \$49,999	\$113,427.60	5
\$50,000 TO \$99,999	\$150,000.00	2
<b>GRAND TOTALS</b>	<b>\$397,788.14</b>	<b>25</b>

# Government Non-Compliance Statistics

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In keeping with ministry policy, this section of the 2018-19 annual report lists any incidents of significant government non-compliance (as determined by a senior official) and the nature of any such contraventions. 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 2018-19 reporting period.

## Learn More

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For more information about the Compliance and Enforcement Branch and the role of Natural Resource Officers, please visit:

<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/natural-resource-law-enforcement/natural-resource-officers>



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