

**DELEGATION OF MINISTER OF FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND RURAL DEVELOPMENT POWERS AND DUTIES UNDER THE *FOREST AND RANGE PRACTICES ACT* AND REGULATIONS,
January 2019**

ADM = Assistant Deputy Minister	FCM = Fire Centre Manager
CF = Chief Forester	IRO = Integrated Resource Operations
DCEB = Director, Compliance and Enforcement Branch	MOE = Ministry of Environment
DDCEB = Deputy Director, Compliance and Enforcement Branch	NRO = Persons employed by the Compliance and Enforcement Branch, Ministry of Forests, Lands, Natural Resource Operations and Rural Development, designated as “natural resource officers” under section 2 of the <i>Natural Resource Compliance Act</i>
DFCM = Deputy Fire Centre Manager	RED = Regional Executive Director
DM = District Manager	RMCEB= Regional Manager, Compliance and Enforcement Branch
DRM = Director, Resource Management	RPB = Resource Practices Branch
DRO = District Recreation Officer	TSM = Timber Sales Manager
DRST = Director, Recreation Sites and Trails	
EPS = Ecosystem Protection and Sustainability, MOE	

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

All delegations are to staff in FLNRO unless otherwise noted.

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

FOREST AND RANGE PRACTICES ACT				
Topic	Section	Delegation	Expectations of the Minister of FLNRO	
Part 1 – Definitions and Interpretation				
	Definition of “Official”	1 (1)	DM 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	
	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	7 (1.1)	DM	

FOREST AND RANGE PRACTICES ACT

Topic		Section	Delegation	Expectations of the Minister of FLNRO
	forest development units			
	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 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	
	16 (4)	DM RED		
Approval in emergency cases	17	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	Director, RPB, 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	
		26 (6)	DM RED	
		26 (7)	DM RED	
26 (8)	DM RED			

FOREST AND RANGE PRACTICES ACT

Topic		Section	Delegation	Expectations of the Minister of FLNRO
	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 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	
	Authorization for silviculture, stand tending, forest health or another purpose	52.1	DM	
	Unauthorized construction and	54 (2)	DM	

FOREST AND RANGE PRACTICES ACT

Topic		Section	Delegation	Expectations of the Minister of FLNRO	
	occupation				
Division 3 – Recreation	Interpretive forest sites, recreation sites and recreation trails	56 (1)	ADM, IRO		
		56 (2)	DRST RMRST		
		56 (3)	DRST RMRST		
		56 (4)	DRST RMRST		
	Unauthorized trail or recreation facility construction	57 (1)	DRO DRST RMRST		
		57 (2)	DRO DRST RMRST		
		57 (2.1)	DRO DRST RMRST		
		57 (4)	DFCM DM FCM RED		
		57 (5)	DRO DRST RMRST		
	Protection of recreation and range resources on Crown land	58	DM, only as authorities apply to range resources. DRST, only as authorities apply to recreation. RED, only as authorities apply to range resources. RMRST, only as authorities apply to recreation.		
	Part 6 – Compliance and Enforcement				
	Division 1 – Inspecting, Stopping and Seizing	Delivery of records	61 (1)	DCEB DDCEB DM RMCEB	
		Stop work order	66 (6)	DCEB DDCEB DM RED RMCEB	It is expected that RED or DM will refer decision to DCEB, DDCEB, or RMCEB 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	69 (1)	DM		

FOREST AND RANGE PRACTICES ACT

Topic		Section	Delegation	Expectations of the Minister of FLNRO	
	seizure and forfeiture		RED, if DM feels conflict in being involved with related investigation.		
	No interference with notice	70	NRO		
Division 3 – Administrative Remedies	Administrative penalties	71 (1)	DFCM DM FCM RED		
		71 (2)	DFCM DM FCM RED		
		71 (5)	DFCM DM FCM RED		
		71 (6)	DFCM DM FCM RED		
		Remediation orders	74 (1)	DFCM DM FCM RED	
			74 (2)	DFCM DM FCM RED	
	74 (3)		DFCM DM FCM RED		
	74 (4)		DFCM DM FCM RED		
	74 (5)		DFCM DM FCM RED		
	Power of intervention: general	77 (1)	DM RED		
		77 (2)	DM RED		
	Division 4 – Corrections, Reviews and	Determinations stayed until proceedings concluded	78 (2)	ADM, Coast Area ADM, IRO ADM, North Area	

FOREST AND RANGE PRACTICES ACT				
Topic		Section	Delegation	Expectations of the Minister of FLNRO
Appeals			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)	DCEB	
		85 (2)	DCEB	
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.	
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)	DM RED, if pilot project crosses district boundaries.	

ADMINISTRATIVE REVIEW AND APPEAL PROCEDURE REGULATION				
Topic		Section	Delegation	Expectations of the Minister of FLNRO
Part 1 – Definitions				
	Definition of “reviewer”	1	DFCM DM FCM 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	DFCM DM FCM RED	
	Deficient request for review	15.3	DFCM DM FCM RED	
	Board’s deficient requirement for review	15.4	DFCM DM FCM RED	
	Designation of reviewer	15.5	DFCM DM FCM RED	

FOREST PLANNING AND PRACTICES REGULATION

Topic		Section	Delegation	Expectations of the Minister of FLNRO
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)	Objectives set by government for wildlife	7 (2)	Director, EPS RED	It is expected that REDs will not sub-delegate.
		7 (3)	DRM	
	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	
Extending term	28	DM		
Division 5 – Amendments	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 4 - Practice Requirements				
Division 1 – Soils	Soil disturbance limits	35 (5)	DM	
Division 2 –	Secondary structure	43.1 (2) (c)	DM	

FOREST PLANNING AND PRACTICES REGULATION

Topic		Section	Delegation	Expectations of the Minister of FLNRO
Timber and Forest Health	retention in mountain pine beetle affected stands	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	
	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 from section 22.1 of the Act	79.1 (3)	DM	
	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				
	Annual reports	86 (6)	CF	
	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	

FOREST PLANNING AND PRACTICES REGULATION

Topic		Section	Delegation	Expectations of the Minister of FLNRO
	Exemptions by minister responsible for the <i>Wildlife Act</i>	92	DRM, may only grant an exemption where an environmental assessment certificate has been issued.	It is expected that all other exemption requests be referred to the Deputy Minister, FLNRO.
	Exemptions resulting from an established objective	92.1 (1)	DM RED	
		92.1 (2) (a)	DRM	
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	

FOREST RECREATION REGULATION				
Topic	Section	Delegation	Expectations of the Minister of FLNRO	
Part 2 – Public Recreation Orders on Crown Land				
	Public notice of recreation order	2 (1)	DRO DRST RMRST	
		2 (2)	DRO DRST RMRST	
		2 (3)	DRST RMRST	
Part 3 – Unauthorized Trail or Recreation Facility Construction				
	How to obtain authorization under section 57 of the Act	4 (1)	DRO DRST RMRST	
		4 (3)	DRO DRST RMRST	
		4 (4)	DRO DRST RMRST	
Part 5 - Fees				
	Fees for use of recreation site or trail	22 (2)	DRST RMRST	
		22 (3)	DRST RMRST	
		22 (4)	DRST RMRST	
		22 (6)	DRO DRST RMRST	
		22 (7)	DRO DRST RMRST	

GOVERNMENT ACTIONS REGULATION

Topic		Section	Delegation	Expectations of the Minister of FLNRO
	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) (f)	DRST	
		5 (1) (g)	DRST	
		5 (1) (h)	DRST	
		5 (2)	DM RED	
		5 (4)	CF DM RED	
	Lakeshore management zones and objectives	6	DM	
	Scenic areas and visual quality objectives	7	DM	
	Community watersheds and water quality objectives	8 (1)	DRM, may only order a minor boundary amendment to an existing order	
	General wildlife measures	9 (2)	RED	It is expected that delegates will not sub-delegate.

Wildlife habitat areas and objectives	10	ADM, Coast Area, may only establish an area as a wildlife habitat area for the marbled murrelet or northern goshawk. ADM, North Area, may only establish an area as a wildlife habitat area for the marbled murrelet or northern goshawk. ADM, Resource Stewardship, may only establish an area as a wildlife habitat area for the marbled murrelet or northern goshawk. DRM, may only order a minor boundary amendment to an existing order. RED	It is expected that ADMs and REDs will not sub-delegate. It is expected that REDs will refer decisions to the Deputy Minister, FLNRO, when the establishment of the ungulate winter range or wildlife habitat area: 1. Is inconsistent with or varies from a Cabinet or Minister approved land use plan such as land and resource management plan, regional land use plan or sustainable resource management plan. 2. Is likely to have substantial social, environmental or economic implications. 3. Is likely to have substantial political interest or there is potential for an announcement at the political level. It is expected that REDs will refer marbled murrelet and northern goshawk wildlife habitat area decisions to a delegated ADM.
Ungulate winter ranges and objectives	12	DRM, may only order a minor boundary amendment to an existing order. RED	It is expected that REDs will not sub-delegate.
Fisheries sensitive watersheds and objectives	14	DRM, may only order a minor boundary amendment to an existing order. RED	It is expected that REDs will not sub-delegate.

RANGE PLANNING AND PRACTICES REGULATION

Topic	Section	Delegation	Expectations of the Minister of FLNRO
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 2 – Objectives	Other objectives	12 (2)	DRM
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, Wildlife Habitat Features and Resource Features	General wildlife measures	36 (3)	DRM
	Wildlife habitat features	37 (2)	DRM
	Resource features	38 (2)	DM
Division 5 – Range Development	Maintenance of range developments	40 (2)	DM
	Revegetation	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	Expectations of the Minister of FLNRO
	Security	1 (1)	DM RED	
		1 (2)	DM RED	
		1 (3)	DM RED	
	Return of security	2	DM RED	

WOODLOT LICENCE PLANNING AND PRACTICES REGULATION

Topic		Section	Delegation	Expectations of the Minister of FLNRO
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.	
	Established objectives	9 (3)	Director, EPS	
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	
Division 4 – Watersheds	Roads in a community watershed	50 (1)	DM	
	Road deactivation	71 (3)	DM	
	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	The minister may grant exemptions	78	DM	
	Minister responsible for the <i>Wildlife Act</i> may grant exemptions	79 (1)	DRM	
		79 (2)	DRM	
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	