

Annual Report 2022-23

Compliance and Enforcement Branch

For the period of April 1, 2022 to March 31, 2023

Prepared for: Province of British Columbia

Prepared by: Ministry of Forests, Compliance and Enforcement Branch

VISION

Trusted to safeguard and regulate British Columbia's valued cultural and natural resources



Ministry of
Forests

**THIS REPORT INCLUDES STATISTICS FOR
COMPLIANCE AND ENFORCEMENT BRANCH ACTIVITIES
AS RECORDED BY THE MINISTRY OF FORESTS
FROM APRIL 1, 2022 TO MARCH 31, 2023**

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Introduction

The 2022-23 Compliance and Enforcement Branch (CEB) Annual Report was produced by the Ministry of Forests¹.

On April 1, 2022, the Ministry of Forests was created, informed by the Natural Resource Secretariat's review of the organizational effectiveness of the Natural Resource Sector (NRS). Notwithstanding the significant reorganization that occurred, the Compliance and Enforcement Branch remained within the Integrated Resource Operations Division (IROD) and there were no changes to the Branch's mandate, or the Natural Resource Officer (NRO) authorities granted under the *Natural Resource Compliance Act*².

Following the ministry reorganization, CEB adopted a new branch structure that included reducing the number of geographic areas from eight Regions to four Areas: Coast, Interior, North and South. The new structure also included the addition of Indigenous Relations and Restorative Justice Officers and Deputy Superintendents of Operations for each Area. This year's report will reflect and expand on some of these changes.

The report covers compliance³ and enforcement activities related to forests, land, water, wildfire, resource roads, heritage and archaeology. This report summarizes CEB's activities⁴ from April 1, 2022 to March 31, 2023 and serves as a follow-up to its previous annual reports.

The Branch continues to focus on inspections and investigations that are aligned with our clients' priorities. Natural resource activities in British Columbia are regulated by a wide range of legislation.

¹ Electronic copies of this report are available from the Ministry's Compliance and Enforcement Branch or on the government website at [Natural Resource Compliance Reports and Statistics](#). 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 https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/11021_01

³ Many of the technical terms used in this report are defined in the glossary that can be found online at: [Natural Resource Law Enforcement](#)

⁴ All data is sourced from CEB's data information systems

This report provides information related to the following Acts: *Forest Act, Range Act, Wildfire Act, Forest and Range Practices Act, Land Act, Water Sustainability Act* and the *Heritage Conservation Act*; including, all the regulations associated with those Acts.

TABLE 1: KEY STATISTICS

1-Apr-2021 to 31-Mar-2022

Inspections/Patrols Recorded	3,179
Compliance Actions Taken	514
Enforcement Actions Taken	605
Total Number of Staff	125

Service Plan Report: Overview

CEB's responsibilities have expanded over the last decade to enhance natural resource stewardship in B.C. Ongoing collaboration between government ministries and agencies helps ensure the efficient delivery of services. This client-focused approach supports clear and consistent compliance and enforcement direction with well-established priorities. CEB maintains effectiveness by quickly responding to changing priorities and conditions. The development and use of natural resources are guided by standards set out in the Ministry's legislative and regulatory framework.

Compliance and Enforcement Branch Priorities for 2022-23

Objective	Description
Public Safety	<ul style="list-style-type: none"> • Support for fire, flood, drought, earthquake, pandemic, etc. • Fire prevention/preparedness • Resource road use, maintenance, and construction • Dam and dugout construction and maintenance
Social License	<ul style="list-style-type: none"> • Building relationships and trust with First Nations and Indigenous communities • Conservation of heritage, ancestral belongings (artifacts) and archaeological sites
Protecting Resources	<ul style="list-style-type: none"> • Water management • Forest harvesting, silviculture and range practices
Ensuring Crown Revenue	<ul style="list-style-type: none"> • Timber pricing and appraisals, marking and transport
Protecting Authorized Use	<ul style="list-style-type: none"> • Unauthorized use and occupation of Crown land and resources, including foreshore development

Provincial Emergency Support Efforts

Over the years, British Columbia has faced various critical issues such as the COVID-19 pandemic and extreme climate-related events, including floods and wildfires. These events have caused severe consequences for many citizens and significant damage to Crown land across the province. As these occurrences have become more frequent and severe, the Branch continues to prioritize public safety during emergency response efforts. During these challenging circumstances, CEB was able to assist with the provincial emergencies while also being dedicated to working collaboratively with local governments and First Nations partners to implement emergency response actions.

The CEB Operational Priorities Document⁵ states the importance of prioritizing human health and safety. NROs are committed to providing support for emergencies as needed, following the guidance of provincial emergency response teams and directives.

CEB is well-prepared for responding to environmental emergencies such as wildfires, floods and landslides as the Branch structure adheres to the Incident Command System⁶ (ICS). This structure ensures that each NRO understands the role, responsibilities and the chain of command. This allows the Officers to respond quickly, pivot and integrate with the emergency response effort. The efficient hierarchy, as well as the training, equipment and tools provided to the NROs is what defines CEB as a provincial agency.

⁵ The Operational Priorities Document is internal to CEB and Ministry of Forests personnel. The identified priorities provide consistency across the Branch and allow for Area variation. It assists NROs in daily planning and encourages Officers to focus on building awareness, inspections, investigations and enforcement actions.

⁶ Introduction to the Incident Command System: <https://www2.gov.bc.ca/assets/gov/environment/air-land-water/spills-and-environmental-emergencies/docs/intro-ics.pdf>

Time Spent

“Time spent” refers to the amount of time that NROs engage in carrying out their core functions and overseeing natural resource activities related to the legislation they are mandated to enforce.

Time spent is a measure that allows the government to gauge the success of its efforts related to effective enforcement, timely completion of investigations, protecting the financial interests of the Crown through the administration of legislative sanctions and partnerships that support reconciliation with Indigenous peoples.

TABLE 2: TIME SPENT HOURS BY FUNCTION

1-Apr-2022 to 31-Mar-2023

Function	Hours
Forest Management	5,927
Wildfire Management	4,661
Land Management	4,329
Water Management	4,261
Revenue Management	2,176
Resource Roads	2,101
Provincial Emergency	58
Natural Resource Sector Support	57
Grand Total	23,570

Inspections

An inspection is a systematic process to verify compliance with legal requirements. CEB inspections cover the legal obligations of licensees, the government and the public. Inspections are conducted on a priority basis to determine whether forest, land, water, heritage and range activities are actioned in compliance with legislation that falls within the mandate of CEB. NROs evaluate the risks associated with various types of sites and activities and prioritize their inspections to focus on activities with higher human health and safety, environmental, economic or social risks.

TABLE 3: INSPECTIONS BY FUNCTION

1-Apr-2021 to 31-Mar-2022

Function	Number of Records
Forest Management	732
Land Management	567
Wildfire Management	548
Water Management	533
Revenue Management	446
Resource Roads	344
Natural Resource Sector Support	14
Provincial Emergency	5
Grand Total	3,179

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. NRVR is for public use, but the system also allows the Ministry's partner agencies and other program areas within the Natural Resource Sector (NRS) to record issues identified by their staff.

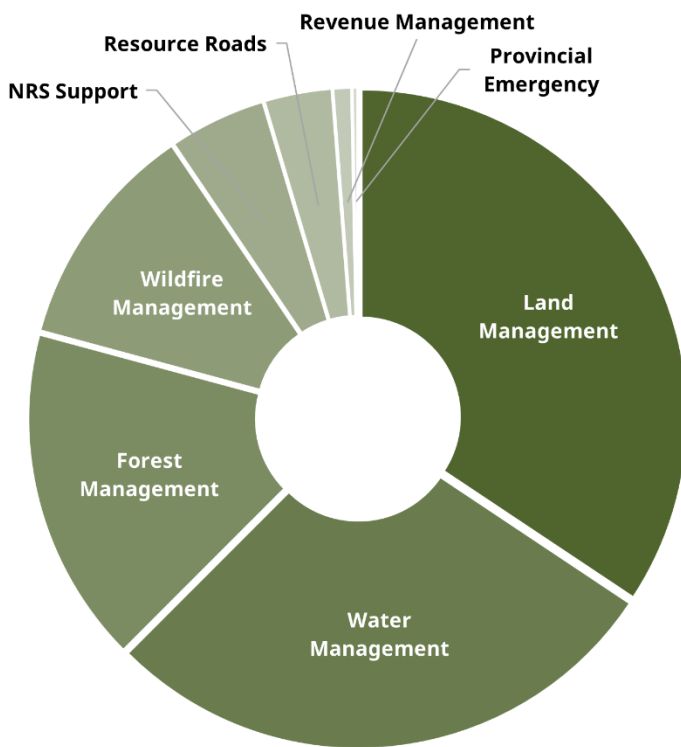
Reports can be submitted online or by telephone. All submitted reports are received by FrontCounter BC staff who administer the intake process. Every violation report is reviewed by an NRO Supervisor and evaluated considering the Branch’s identified priorities to determine an appropriate response. Reports of alleged violations help the Branch determine where inspections and investigations need to be conducted.

Anyone can report a Natural Resource Violation:

- by telephone: 1-877-952-7277
- online: [Report of a Natural Resource Violation](#)

CHART 1: VIOLATION REPORT BY FUNCTION

1-Apr-2022 to 31-Mar-2023



Function	Records
Land Management	1,184
Water Management	974
Forest Management	572
Wildfire Management	388
Natural Resource Sector Support	176
Resource Roads	116
Revenue Management	33
Provincial Emergency	2
Grand Total	3,508

Compliance Actions

An inspection of a site or activity is part of the routine process to verify compliance with statutory obligations. These inspections are done on a priority basis and may either be planned or conducted on the spot as needed. During an inspection, an NRO 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. When appropriate, an NRO will choose to use a compliance action to address minor or correctable violations identified during the inspection.

TABLE 4: COMPLIANCE ACTIONS BY FUNCTION

1-Apr-2022 to 31-Mar-2023

Function	No Action	Compliance Notice	Warning Ticket	Grand Total
Forest Management	52	50	15	117
Land Management	42	57	2	101
Water Management	44	23	19	86
Revenue Management	31	28	26	85
Wildfire Management	28	21	26	75
Resource Roads	12	34	3	49
NRS Support	1	0	0	1
Provincial Emergency	0	0	0	0
Grand Total	210	213	91	514

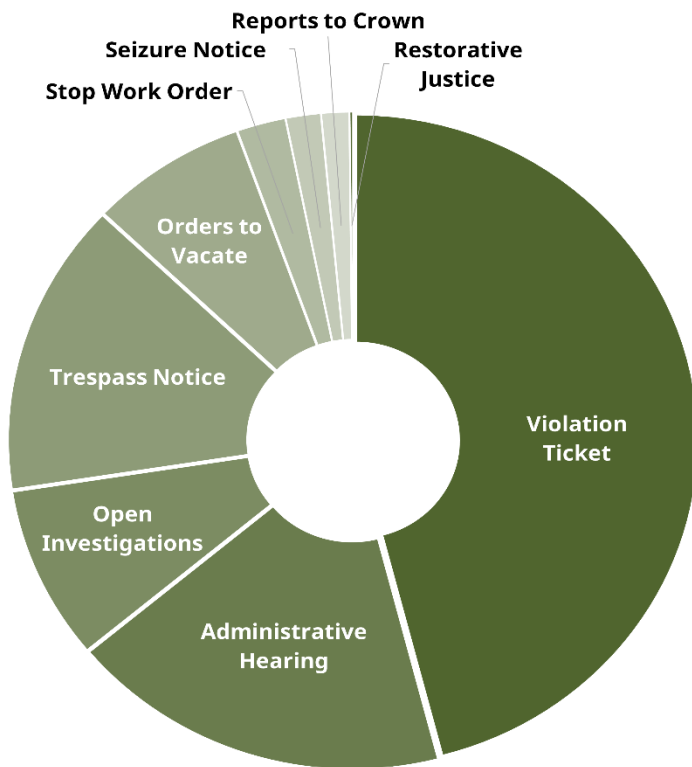
Enforcement Actions

Enforcement actions are used when an NRO determines that legislation has been contravened and a formal sanction is warranted. For example, enforcement actions may address contraventions that have damaged environmental, social or economic values.

Enforcement actions may include violation tickets, seizure/forfeiture, prosecution, an administrative hearing, a restorative justice forum, a Trespass Notice, Stop Work Order, or an Order to Vacate. There were 605 enforcement actions taken by NROs throughout B.C. in 2022-23. This figure includes actions involving penalties but does not include compliance notices or warning tickets.

CHART 2: ENFORCEMENT ACTIONS BY TYPE

1-Apr-2022 to 31-Mar-2023



Enforcement Action	Records
Violation Ticket	278
Administrative Hearing	109
Trespass Notice	88
Open Investigations pending determination	52
Orders to Vacate	45
Stop Work Order	14
Seizure Notice	10
Reports to Crown	8
Restorative Justice	1
Grand Total	605

TABLE 5: VIOLATION TICKETS AND ADMINISTRATIVE PENALTIES

1-Apr-2022 to 31-Mar-2023

Violation Tickets Issued	278
Monetary Amount of Tickets Issued	\$80,134
Administrative Penalties Levied	26
Monetary Amount of Penalties	\$956,031
Cost Recovery and Damages Incurred	\$2,454,023

Heritage Conservation Act

The purpose of the *Heritage Conservation Act* (HCA) is to encourage and facilitate the protection and conservation of heritage property and archeological sites in B.C. The HCA also provides substantial penalties for the destruction or unauthorized disturbance of archaeological sites. Protecting and conserving this fragile legacy and these non-renewable cultural resources is valuable to First Nations, local communities and the public.

As part of the Division and Ministry, CEB is committed to enhancing reconciliation with Indigenous peoples through the protection of First Nations' cultural heritage. As part of our mandate, CEB conducts inspections and investigations for compliance with the HCA. HCA specialists within the Branch's Integrated Enforcement Team (IET) provide support and guidance to NROs across the province.

CHART 3: HCA COMPLAINTS AND INSPECTIONS BY AREA

1-Apr-2022 to 31-Mar-2023

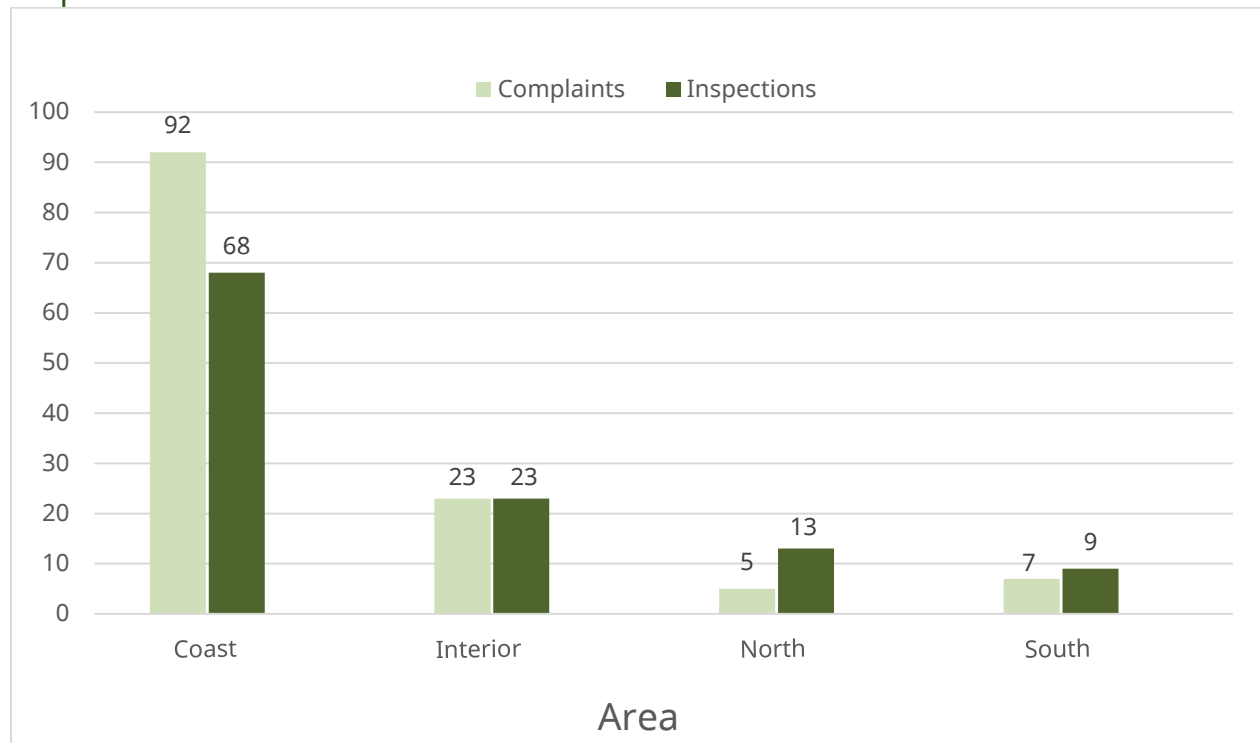
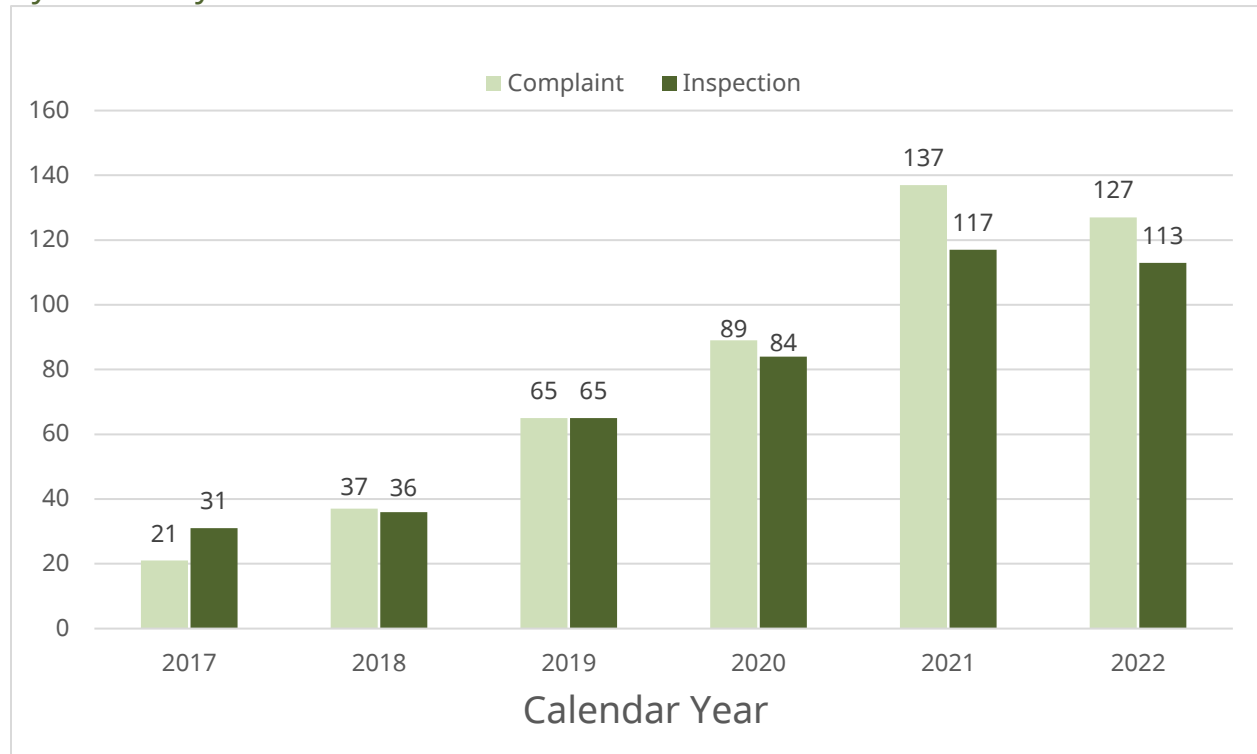


CHART 4: HCA COMPLAINTS AND INSPECTIONS

By calendar year 2017 to 2022*



*Data parameters: NRIS Complaints, Archaeology, 2022, Entire Province

The upward trend is largely due to increased awareness of CEB's responsibility for ensuring compliance with the HCA, increased reporting related to this and increased dedication to HCA files within CEB.

Indigenous Partnerships

Musqueam Indian Band Secondment Agreement

On April 22, 2022, a Secondment Agreement was signed between the Musqueam Indian Band (MIB) and the Compliance and Enforcement Branch (CEB). This agreement proposes a collaborative effort between the MIB and CEB to train and authorize a member of the MIB to work as a Natural Resource Officer. The two-year agreement that commenced on May 2, 2022 aims to enable MIB to support compliance and enforcement efforts and utilize CEB's legislative processes to monitor and protect MIB resources. With skills in archaeology site identification and ecosystem relationships, the MIB NRO is a contributing member of the CEB team and is creating a positive impact on the Branch.

Indigenous Reconciliation and Restorative Justice Program

CEB places great importance on ensuring the relationships with our Indigenous partners are genuine and collaborative. We are committed to supporting the implementation of the Provincial reconciliation mandate and the United Nations Declaration on the Rights of Indigenous Peoples. The introduction of the Indigenous Relations and Restorative Justice Officer program (IRRJ) aims to achieve this.

The diverse cultural and geographical characteristics associated with each of the provincial Areas nurture unique skills for the IRRJ Officers, making each position a specialized resource for the Branch. NROs with investigation files that engage in Indigenous relations will be advised and supported by the Area's IRRJ Officer. The NRO will be assisted in directing the files accordingly through First Nation government partners' priorities as clarified by the IRRJ Officer. Reaching out to our Indigenous partners for consultations, the IRRJ Officers provide support for any necessary amendments or developments in legislation and policy. The IRRJ Officers approach Indigenous relations with a knowledgeable and strategic presence, navigating a broad spectrum of topics and initiatives.

Restorative Justice

NROs consider the most appropriate tool to address non-compliance and promote general deterrence. A Community Environmental Justice Forum (CEJF) is among the spectrum of tools and approaches available. When considering the use of a CEJF, NROs and program staff consult on the facts of the case, the magnitude of the harm done and the capacity and willingness of the offender to participate.

A CEJF may be considered for any case when the successful completion of the forum is expected to achieve the following benefits:

- Restore or compensate for harm done to the environment
- Promote a sense of responsibility in the offender
- Acknowledge and repair the harm done to a community
- Improve long-term compliance (reduces the likelihood of a repeated violation)

- Build positive relationships between the offender, the community and regulators
- Promote general deterrence

CEB established its Restorative Justice procedure in 2018. CEB's IRRJ Officers will be specialized in facilitating CEJFs. Currently, CEB has one CEJF in progress.

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 are imposed by the courts if an individual or licensee is convicted of an offence.

TABLE 6: MONETARY PENALTIES BY GROUP

1-Apr 2022 to 31-Mar 2023

Penalty Amount (Group)	Penalty Amount (Total)	Number of Penalties
\$50,000+	\$713,176	5
\$20,000 to \$49,999	\$140,660	5
\$10,000 to \$19,999	\$73,395	5
\$5,000 to \$9,999	\$10,000	2
\$2,000 to \$4,999	\$15,650	6
\$1,000 to \$1,999	\$3,150	3
\$500 to \$999	\$0	0
Under \$500	\$0	0
Grand total	\$956,031	26

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 the decision maker 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:

[Forest Appeals Commission](#)

For more information about the Environmental Appeal Board, visit

[Environmental Appeal Board](#)

Government Non-Compliance Statistics

Significant government non-compliance is defined as “not being trivial or inconsequential in nature.” Three incidents of significant government non-compliance were identified during the 2022-23 reporting period.

Learn More

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

[Natural Resource Law Enforcement- Natural Resource Officers](#)

Mission

Provide focused enforcement services that meet the needs of our clients and partners to achieve responsible stewardship. We are committed to doing this with integrity, professionalism, accountability, and genuine collaboration.

