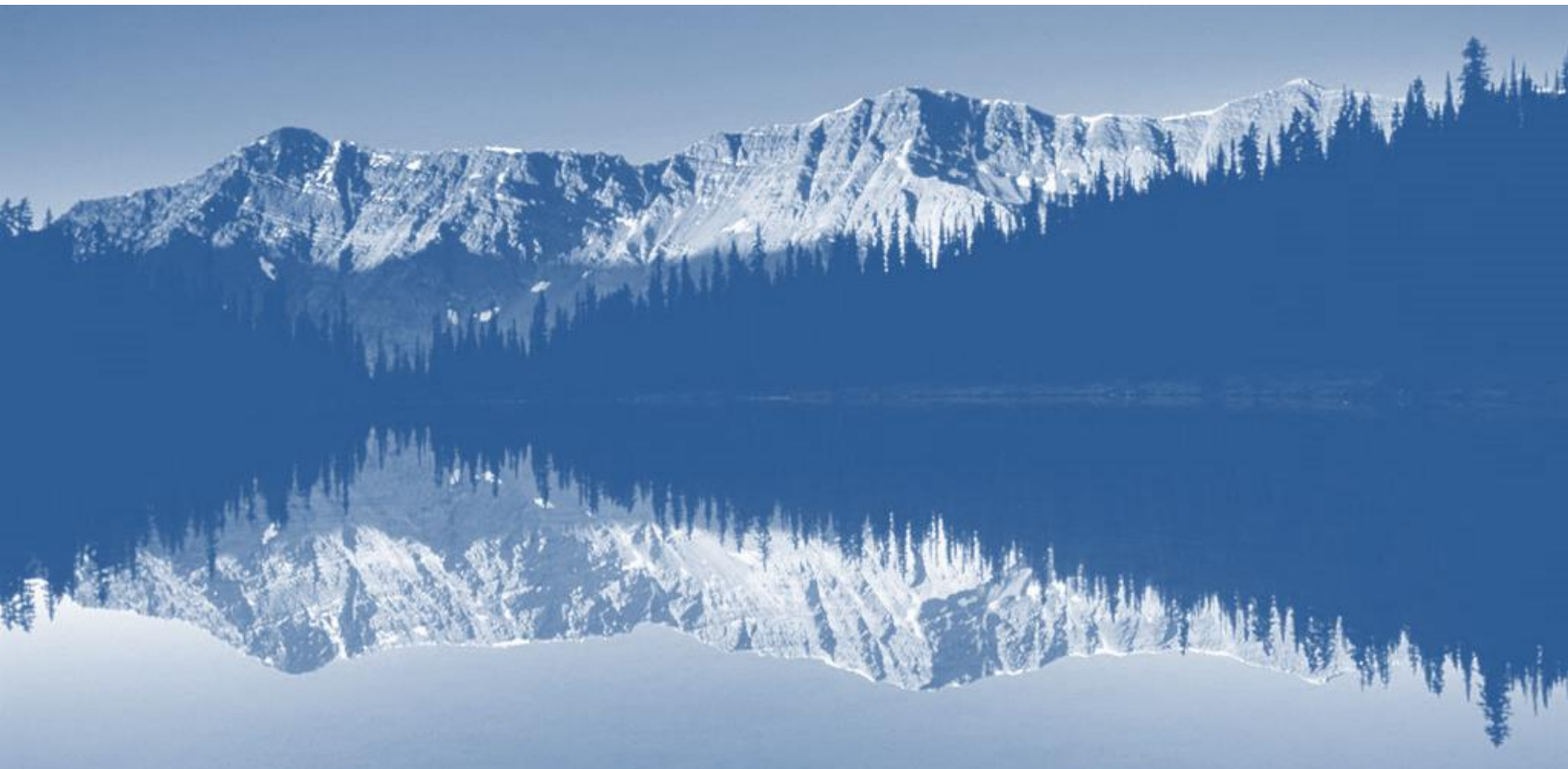


OVERDUE ENVIRONMENTAL COURT PENALTIES

Annual Report – December 2017



Protecting the Splendor of our Natural Places



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Overview

Government administers a broad suite of regulatory requirements to protect human health and safety, as well as the environment. The imposition of penalties under these requirements is meant to deter harmful behaviours – especially those most harmful behaviours that are prosecuted through the courts. British Columbia takes a tough stance on unpaid environmental penalties by naming names in public reports, aiming to increase the collection of fines from businesses and individuals that break environmental laws.

This Overdue Environmental Court Penalties Report provides the names of the **four companies** and **66 individuals** who have overdue environmental court penalties that were due between 2010 and 2015.

About Environmental Court Penalties

Monetary court penalties are comprised of a **fine**, and in some cases, a court-imposed creative sentencing **order**. Court fines are directed to government's Consolidated Revenue Fund. Under environmental statutes, creative sentencing orders are typically directed organizations such as the **Habitat Conservation Trust Foundation (HCTF)**. These organizations help remedy damage and improve the environment in the area impacted by the non-compliant activity. HCTF is the beneficiary of most of these orders. The Ministry of Environment and Climate Change Strategy ("the Ministry") works with HCTF to also report the names of businesses and individuals with outstanding HCTF orders.

Court penalties are comprised of a fine and sometimes a creative sentencing order

$$\text{FINE} + \text{CREATIVE SENTENCING ORDER} = \text{TOTAL PENALTY}$$

Overdue Environmental Court Penalties Summary

Environmental court fines due between 2010 and 2015 totaled **\$498,688** and were issued to 68 businesses and 1,691 individuals. As of Sept 30th 2017, the amount paid of this total was **\$467,474**, meaning that **\$31,214** remains **owing**. Three businesses and 47 individuals continue to have environmental court fines owing.

The payment rate of environmental court **fines** due between 2010 and 2015 is 94%

total due	paid	owing
\$498,688	\$467,474	\$31,214
	94%	6%

The total of overdue orders that were directed to the HCTF from 2010 to 2015 is **\$156,400**. Three businesses and 24 individuals continue to have HCTF orders owing, with several of these names overlapping with those owing court fines.

Background

The Ministry undertook an extensive review of payment rates for environmental court fines in 2013. The review found that **the payment rate for court fines due between 2004 and 2012 was only 40%**. In response, the Ministry led a special project to increase payment. This included annually reporting the names of all businesses and individuals with overdue fines.

The Ministry continues to follow up on overdue environmental court fines by working with the Ministries of Finance, Attorney General, and Forests, Lands, Natural Resource Operations, and Rural Development. These efforts include cancellation of hunting and angling licences, focused actions by debt collectors, including liens on properties, seizure of bank accounts, and referring files to the Canada Revenue Agency for seizure of tax returns and GST payments.

Targeted efforts increased the payment rate of environmental court fines			
reporting year			
2013	2015	2016	2017
40%	88%	91%	94%
2004 – 12	2008 – 13	2009 – 14	2010 – 15
reporting period			

The payment rate for court fines for the current reporting period, 2010 to 2015, is 97% for businesses and 93% for individuals, **with a combined average payment rate of 94%**. The payment rate has continued to increase over the last two years.

Legislation

The *Ministry of Environment Act* enables the disclosure of information regarding penalties that are due under the following pieces of legislation:

<i>Dike Maintenance Act</i>	<i>Forest Practices Code of BC Act</i>	<i>Protected Areas of BC Act</i>
<i>Drainage, Ditch and Dike Act</i>	<i>Integrated Pest Mgmt. Act</i>	<i>Riparian Areas Protection Act</i>
<i>Environmental Mgmt. Act</i>	<i>Land Act</i>	<i>Water Sustainability Act</i>
<i>Forest Act</i>	<i>Off-Road Vehicle Act</i>	<i>Wildfire Act</i>
<i>Forest and Range Practices Act</i>	<i>Park Act</i>	<i>Wildlife Act</i>

Businesses with Overdue Environmental Court Penalties

The table below identifies the four businesses that continue to owe court penalties. During the 2010 to 2015 period, businesses owed a total of **\$112,381** in environmental court fines. A total of \$109,006 was paid and \$3,375 remains owing, resulting in a payment rate of 97%. The table also shows businesses owing any HCTF creative sentencing orders.

		Court Fine	HCTF Order	Total
Pan-O-Ramic Farms Ltd. <i>Environmental Management Act</i>	owing	\$ 1,150	\$ 7,000	\$ 8,150
	original	\$ 1,150	\$ 7,000	\$ 8,150
Sable Resources Ltd. <i>Environmental Management Act</i>	owing	\$ 1,725	\$ 43,000	\$ 44,725
	original	\$ 2,300	\$ 43,000	\$ 45,300
Speedy Excavating Ltd. <i>Environmental Management Act</i>	owing	\$ 0	\$ 14,000	\$ 14,000
	original	\$ 1,000	\$ 14,000	\$ 15,000
Tenerife Packing Co. Ltd. <i>Environmental Management Act</i>	owing	\$ 500	\$ n/a	\$ 500
	original	\$ 575	\$ n/a	\$ 575
Total Owing by Businesses		\$ 3,375	\$ 64,000	\$ 67,375

Individuals with Overdue Environmental Court Penalties

The table below identifies the 66 individuals who continue to owe court penalties. During the 2010 to 2015 period, individuals owed a total of **\$386,307** in environmental court fines. A total of \$358,468 was paid and \$27,839 remains owing, resulting in a payment rate of 93%. The table also shows individuals owing any HCTF creative sentencing orders.

		Court Fine	HCTF Order	Total
Addison, Walker <i>Wildlife Act</i>	owing	\$ 230	\$ 4,700	\$ 4,930
	original	\$ 230	\$ 4,700	\$ 4,930
Apps, Bruce Edmund <i>Wildlife Act</i>	owing	\$ 0	\$ 1,000	\$ 1,000
	original	\$ 575	\$ 1,000	\$ 1,575
Azak, Richard Oswald <i>Wildlife Act</i>	owing	\$ 15	\$ 0	\$ 15
	original	\$ 115	\$ 900	\$ 1,015
Barratt, David Alan <i>Wildlife Act</i>	owing	\$ 0	\$ 2,000	\$ 2,000
	original	\$ 1,150	\$ 2,000	\$ 3,150
Benson, Kristopher Wayne <i>Wildlife Act</i>	owing	\$ 0	\$ 1,500	\$ 1,500
	original	\$ 500	\$ 1,500	\$ 2,000
Bisenberger, Jacob Wesley <i>Wildlife Act</i>	owing	\$ 230	\$ n/a	\$ 230
	original	\$ 230	\$ n/a	\$ 230

		Court Fine	HCTF Order	Total
Boyko, Benjamin Christopher <i>Water Act</i>	owing	\$ 0	\$ 2,500	\$ 2,500
	original	\$ 500	\$ 2,500	\$ 3,000
Bruneau, Marcel Joseph <i>Water Act</i>	owing	\$ 230	\$ n/a	\$ 230
	original	\$ 230	\$ n/a	\$ 230
Burke, Robert Jason <i>Forest and Range Practices Act</i>	owing	\$ 150	\$ n/a	\$ 150
	original	\$ 150	\$ n/a	\$ 150
Busatta, George <i>Wildlife Act</i>	owing	\$ 0	\$ 2,300	\$ 2,300
	original	\$ 260	\$ 2,300	\$ 2,560
Bush, Barry <i>Wildlife Act</i>	owing	\$ 950	\$ n/a	\$ 950
	original	\$ 1,150	\$ n/a	\$ 2,150
Carlton, Anthony Kim <i>Wildlife Act</i>	owing	\$ 500	\$ n/a	\$ 500
	original	\$ 500	\$ n/a	\$ 500
Cerenzie, Roccino Roy <i>Forest Act</i>	owing	\$ 825	\$ n/a	\$ 825
	original	\$ 825	\$ n/a	\$ 825
Charles, Kelly Andrew <i>Wildlife Act</i>	owing	\$ 300	\$ n/a	\$ 300
	original	\$ 300	\$ n/a	\$ 300
Choudhry, Faisal <i>Forest and Range Practices Act</i>	owing	\$ 133	\$ n/a	\$ 133
	original	\$ 200	\$ n/a	\$ 200
Clayton, William Sidney David <i>Wildlife Act</i>	owing	\$ 2,600	\$ n/a	\$ 2,600
	original	\$ 2,600	\$ n/a	\$ 2,600
Clear, Darcy Edward <i>Wildlife Act</i>	owing	\$ 1,150	\$ n/a	\$ 1,150
	original	\$ 1,150	\$ n/a	\$ 1,150
Crook, George Robert <i>Wildlife Act</i>	owing	\$ 0	\$ 2,300	\$ 2,300
	original	\$ 200	\$ 2,300	\$ 2,500
Dennison, Robert Lyn <i>Forest Practices Code of BC Act</i>	owing	\$ 80	\$ n/a	\$ 80
	original	\$ 80	\$ n/a	\$ 80
Dixon, Kenneth Charles <i>Wildlife Act</i>	owing	\$ 230	\$ n/a	\$ 230
	original	\$ 230	\$ n/a	\$ 230
Engel, Erwin Gerhardt <i>Forest Act</i> <i>Forest and Range Practices Act</i>	owing	\$ 518	\$ n/a	\$ 518
	original	\$ 518	\$ n/a	\$ 518
English, Brian <i>Wildlife Act</i>	owing	\$ 0	\$ 5,750	\$ 5,750
	original	\$ 2,300	\$ 6,000	\$ 8,300
Flint, Jesse-Lee <i>Park Act</i>	owing	\$ 345	\$ n/a	\$ 345
	original	\$ 345	\$ n/a	\$ 345

		Court Fine	HCTF Order	Total
Foote, Gary Steven <i>Wildlife Act</i>	owing	\$ 500	\$ n/a	\$ 500
	original	\$ 500	\$ n/a	\$ 500
Frenette, Nolan Robert <i>Wildlife Act</i>	owing	\$ 100	\$ n/a	\$ 100
	original	\$ 100	\$ n/a	\$ 100
Green, Kody Nathan <i>Wildlife Act</i>	owing	\$ 0	\$ 2,000	\$ 2,000
	original	\$ 575	\$ 2,000	\$ 2,575
Green, Tyler Matthew <i>Wildlife Act</i>	owing	\$ 15	\$ n/a	\$ 15
	original	\$ 115	\$ n/a	\$ 115
Heppner, Darren Darcy <i>Wildlife Act</i>	owing	\$ 863	\$ n/a	\$ 863
	original	\$ 863	\$ n/a	\$ 863
Hunter, Lee Roy <i>Wildlife Act</i>	owing	\$ 0	\$ 900	\$ 900
	original	\$ 100	\$ 1,900	\$ 2,000
Hutter, Heino Christian <i>Water Act</i>	owing	\$ 115	\$ n/a	\$ 115
	original	\$ 115	\$ n/a	\$ 115
Ilnicki, Edward <i>Environmental Management Act</i>	owing	\$ 0	\$ 17,000	\$ 17,000
	original	\$ 3,450	\$ 17,000	\$ 20,450
Jacobs, Troy Thomas <i>Wildlife Act</i>	owing	\$ 250	\$ n/a	\$ 250
	original	\$ 250	\$ n/a	\$ 250
James, Francis <i>Wildlife Act</i>	owing	\$ 300	\$ n/a	\$ 300
	original	\$ 300	\$ n/a	\$ 300
Joel, Mukesh <i>Wildlife Act</i>	owing	\$ 2,875	\$ 2,500	\$ 5,375
	original	\$ 2,875	\$ 2,500	\$ 5,375
Joseph, James Carl <i>Wildlife Act</i>	owing	\$ 0	\$ 7,000	\$ 7,000
	original	\$ 4,000	\$ 7,000	\$ 11,000
Leask, Vern <i>Fisheries Act (Provincial)</i>	owing	\$ 1,215	\$ n/a	\$ 1,215
	original	\$ 1,750	\$ n/a	\$ 1,750
Maillot, Andrew Mark <i>Wildlife Act</i>	owing	\$ 0	\$ 9,000	\$ 9,000
	original	\$ 1,000	\$ 9,000	\$ 10,000
McLean, Ernest <i>Water Act</i>	owing	\$ 1,000	\$ n/a	\$ 1,000
	original	\$ 1,000	\$ n/a	\$ 1,000
Morris, Sandy Jr <i>Wildlife Act</i>	owing	\$ 1,000	\$ n/a	\$ 1,000
	original	\$ 1,000	\$ n/a	\$ 1,000
Morven, Dionne <i>Wildlife Act</i>	owing	\$ 2,279	\$ n/a	\$ 2,279
	original	\$ 2,600	\$ n/a	\$ 2,600
Mowatt, Donald Peter <i>Wildlife Act</i>	owing	\$ 3,554	\$ n/a	\$ 3,554
	original	\$ 3,565	\$ n/a	\$ 3,565

		Court Fine	HCTF Order	Total
Nyce, Reynold Prescott <i>Wildlife Act</i>	owing	\$ 1,150	\$ n/a	\$ 1,150
	original	\$ 1,150	\$ n/a	\$ 1,150
Palfrey, Ernest Rodney <i>Environmental Management Act</i>	owing	\$ 736	\$ 7,000	\$ 7,736
	original	\$ 1,150	\$ 7,000	\$ 8,150
Partikian, Eric Jean <i>Wildlife Act</i>	owing	\$ 345	\$ n/a	\$ 345
	original	\$ 345	\$ n/a	\$ 345
Parton, Craig Leroy <i>Fisheries Act (Provincial)</i>	owing	\$ 500	\$ n/a	\$ 500
	original	\$ 500	\$ n/a	\$ 500
Peacock, Reydun Theloney <i>Wildlife Act</i>	owing	\$ 345	\$ n/a	\$ 345
	original	\$ 345	\$ n/a	\$ 345
Petrie, Jan Keith <i>Wildfire Act</i>	owing	\$ 50	\$ n/a	\$ 50
	original	\$ 50	\$ n/a	\$ 50
Piche, Kathleen Elizabeth <i>Wildlife Act</i>	owing	\$ 475	\$ n/a	\$ 475
	original	\$ 575	\$ n/a	\$ 575
Riede, Rick <i>Park Act</i>	owing	\$ 20	\$ n/a	\$ 20
	original	\$ 173	\$ n/a	\$ 173
Rogers, Joshua Edouard <i>Wildfire Act</i>	owing	\$ 5	\$ n/a	\$ 5
	original	\$ 185	\$ n/a	\$ 185
Royston, Perry <i>Wildlife Act</i>	owing	\$ 0	\$ 900	\$ 900
	original	\$ 115	\$ 900	\$ 1,015
Samuels, Clinton Allan <i>Wildlife Act</i>	owing	\$ 65	\$ n/a	\$ 65
	original	\$ 65	\$ n/a	\$ 65
Sancewicz, Waldemar <i>Wildlife Act</i>	owing	\$ 0	\$ 5,000	\$ 5,000
	original	\$ 2,500	\$ 5,000	\$ 7,500
Sargent, William Harold <i>Wildlife Act</i>	owing	\$ 0	\$ 1,500	\$ 1,500
	original	\$ 500	\$ 2,000	\$ 2,500
Schwartz, Blair Lovern <i>Wildlife Act</i>	owing	\$ 0	\$ 2,000	\$ 2,000
	original	\$ 230	\$ 2,000	\$ 2,230
Seymour, William Joseph <i>Wildlife Act</i>	owing	\$ 200	\$ n/a	\$ 200
	original	\$ 200	\$ n/a	\$ 200
Spence, Corey <i>Wildlife Act</i>	owing	\$ 575	\$ 1,700	\$ 2,275
	original	\$ 575	\$ 1,700	\$ 2,275
St. Onge, Eric John <i>Wildlife Act</i>	owing	\$ 0	\$ 350	\$ 350
	original	\$ 1	\$ 350	\$ 351
Syed, Yasir <i>Wildlife Act</i>	owing	\$ 0	\$ 2,700	\$ 2,700
	original	\$ 300	\$ 2,700	\$ 3,000

		Court Fine	HCTF Order	Total
Town, Mark <i>Fisheries Act (Provincial)</i>	owing	\$ 150	\$ n/a	\$ 150
	original	\$ 150	\$ n/a	\$ 150
Van Kruyssen, Frank <i>Forest Act</i>	owing	\$ 148	\$ n/a	\$ 148
	original	\$ 148	\$ n/a	\$ 148
Voisin, Craig Fernand <i>Wildlife Act</i>	owing	\$ 230	\$ 7,800	\$ 8,030
	original	\$ 230	\$ 7,800	\$ 8,030
Wakelyn, Shane Richard <i>Wildlife Act</i>	owing	\$ 0	\$ 3,000	\$ 3,000
	original	\$ 1,150	\$ 9,000	\$ 10,150
Wanskasmith, Jesse Anthony <i>Wildlife Act</i>	owing	\$ 86	\$ n/a	\$ 86
	original	\$ 86	\$ n/a	\$ 86
Williams, Trish Laree <i>Environmental Management Act</i>	owing	\$ 115	\$ n/a	\$ 115
	original	\$ 115	\$ n/a	\$ 115
Wy, Lisa Quan <i>Park Act</i>	owing	\$ 92	\$ n/a	\$ 92
	original	\$ 92	\$ n/a	\$ 92
Total Owing by Individuals		\$ 27,839	\$ 92,400	\$ 120,239

For more information about environmental enforcement reporting, visit:
www.gov.bc.ca/EnforcementReporting

Email questions about the Overdue Environmental Court Penalties Report to:
EVD@gov.bc.ca