

Current Facts & Statistics

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Environment and Sustainable Resource Development

Enforcing Forestry Standards

A key to sustainable forest management is ensuring forestry-related regulations, policies and directives are appropriate and that they are followed. The department has systems in place to ensure all companies and individuals comply.

The Alberta government monitors forest operations and timber production with planned audits, field inspections (Figure 1) and mandatory self-reporting by forest companies and individuals.

In 2008, the department introduced a new forestry inspection program called Forest Operations Monitoring Program (FOMP), which supplements other monitoring initiatives. FOMP achieved and has maintained the International Organization for Standardization (ISO) certification to the ISO 9001:2008 standard in 2009 and will be undertaking a re-registration in 2012 for another 3 year term.

Consistent with the department's business plan, there is a strong need to ensure environmental protection and to deliver a consistent and efficient enforcement program. To help achieve this objective, the department formalized its forestry enforcement program in 1998 with the development of a Framework document and creation of the Incident Reporting System database (IRS). Also, a dedicated forestry enforcement position was established in Head Office, and a Compliance Assurance Officer position was created at each Area Office.

Suspected violations or contraventions of standards are investigated. Where contravention is confirmed, the forest company or individual is required to address the problem. Appropriate enforcement actions, such as fines or penalties established by legislation, may also be assessed against those responsible.

Forest Officers choose the most appropriate enforcement response from a broad range of enforcement measures that range from proactive,

Figure 1. A field inspection of a forest operation to evaluate compliance.



educational or preventive actions, to remedial, administrative penalty or prosecution actions. These actions include Notices of Penalty Assessment, Notices of Warning and Notices of Penalty Waiver.

A Notice of Penalty Assessment letter is issued when the facts, evidence and information from an investigation support the conclusion that a company or individual contravened the *Forests Act* or Timber Management Regulation and that a monetary penalty is warranted.

A Notice of Warning letter is issued when an investigation confirms that the circumstances do not warrant a monetary penalty.

A Notice of Penalty Waiver letter is issued pursuant to a penalty recommendation where additional facts and circumstances, provided by the respondent, indicate that a warning is sufficient. As such, the administrative penalty is waived.

Current Statistics

Tables 1 and 2, and Figure 2 summarize the final enforcement actions from non-compliance or violations of the *Forests Act* and Timber Management Regulation. A total of 45 enforcement actions, including warnings (48.89%), waivers (6.67%) and assessed penalties (44.44%), were processed from May 1, 2010 to April 30, 2011. The assessed penalties resulted in fines totalling \$31,527.55.

The Lower Peace and Upper Athabasca regions had 50 per cent of the assessed penalties and 60 per

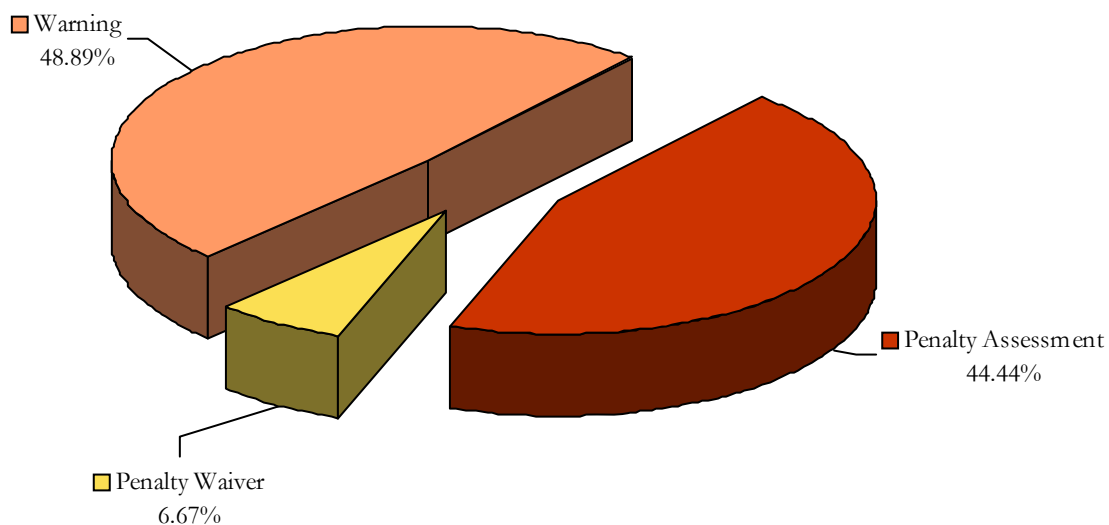
cent of the total dollar amount of assessed penalties. No penalties were assessed in the Red Deer region. The Red Deer Region is mainly comprised of non-forested private land.

The information from Table 1 was used to generate a 98.47 per cent compliance rate based on the 2,938 harvested areas reported during this period (Figure 3). This compliance rate was similar to the 2009/10 timber year.

Table 1. Forestry enforcement action in Alberta, 2010/11.

Type of enforcement action	Total no. of enforcement actions
Notices of penalty assessment	20
Notices of warning	22
Notices of penalty waiver	3
Provincial Total	45

Figure 2. Percentage of forestry enforcement actions in Alberta, 2010/11.



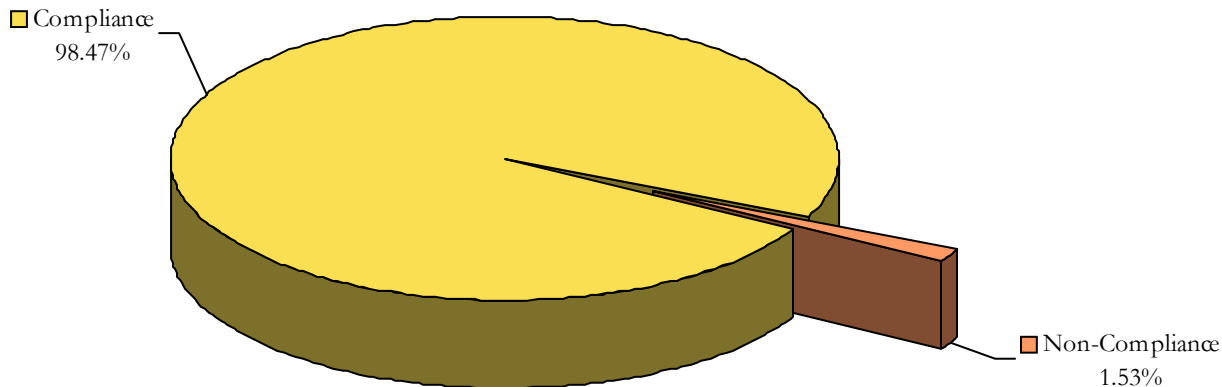
Current Statistics cont'd

Table 2. Forestry notices of penalty assessment by Land-use Framework Planning Region, 2010/11.¹

Land-use Framework Planning Region	Number of Notices of Penalty Assessment	Total Amount of Penalties Assessed (\$)
Lower Athabasca	2	\$750.00
Lower Peace	3	\$13,884.01
North Saskatchewan	2	\$4,161.06
Red Deer	0	\$0.00
South Saskatchewan	3	\$6,928.61
Upper Athabasca	7	\$4,914.27
Upper Peace	3	\$889.60
Provincial Total	20	\$31,527.55

¹Data have been estimated for each Land-use Framework Planning Region to indicate approximate location and value for comparison purposes only.

Figure 3. Results of forestry inspections on Alberta public land, 2010/11.



Historical Trends

The historical trends associated with the forestry enforcement program are illustrated in Table 3 and Figure 4. In 2008/09, the department established the Forest Operations Monitoring Program (FOMP) as a systematic approach to monitor forestry activities associated with timber harvest and reforestation (ISO 9001:2008 certified). With the introduction of this system it has taken time to calibrate activities with the protocols and in some cases required a change in

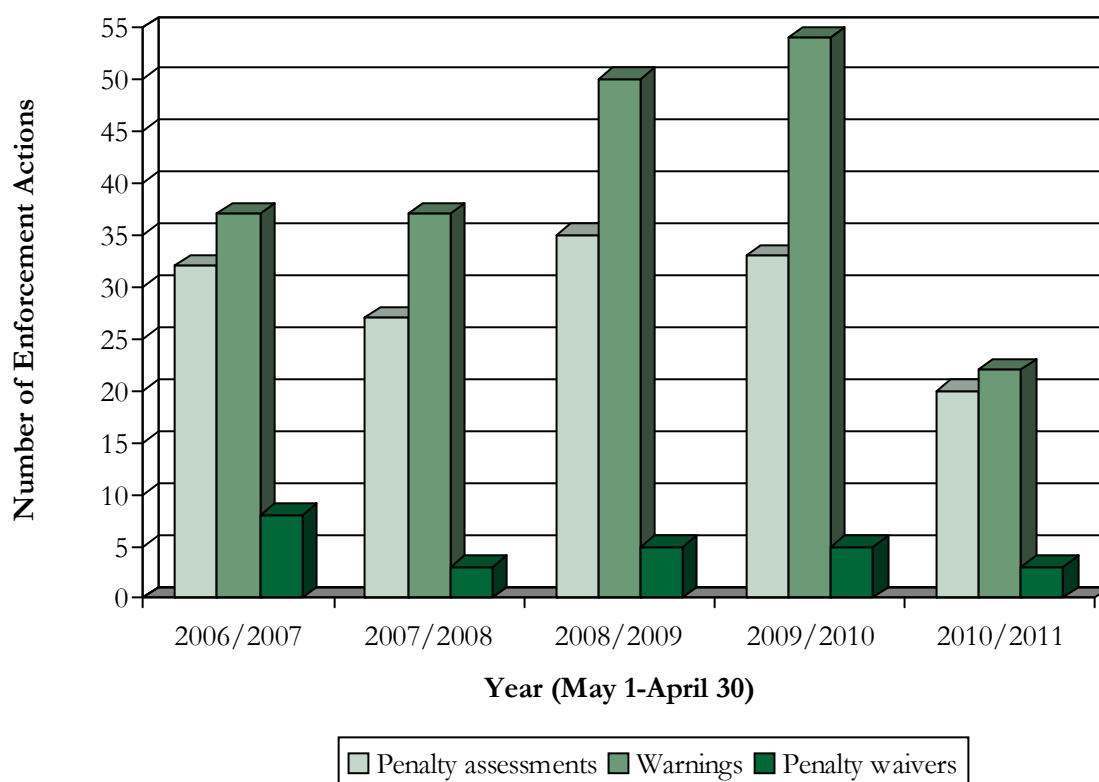
behaviour. During the implementation years, there was an average of 91 enforcement actions, as the program matures it is the expectation that enforcement levels should decline. For the 2010/11 a reduction in enforcement actions has occurred. Anecdotally, the reduction in enforcement numbers is being attributed to a number of factors, including but not limited to, greater awareness of legislative requirements as a result of FOMP and time spent on education.

Historical Trends cont'd

Table 3. Forestry enforcement actions in Alberta, 2006-2011.

Type of enforcement action	Year (May 1-April 30)				
	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Notices of penalty assessment	32	27	35	33	20
Notices of warning	37	37	50	54	22
Notices of penalty waiver	8	3	5	5	3
Provincial Total	77	67	90	92	45

Figure 4. Historical forestry enforcement actions in Alberta, 2006-2011.



Future Outlook

As the demands on Alberta's public lands and resources increase, there is a need to keep pace with a comprehensive compliance and enforcement program.

FOMP, which received ISO 9001 certification in 2009, will continue to provide monitoring information for the department.

Findings of non-compliance associated with this program will be addressed with an appropriate enforcement action consistent with the specific circumstances of each contravention.