

## Regulations - Forest Practices Code of BC Act

# FOREST FIRE PREVENTION AND SUPPRESSION REGULATION

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**Repealing B.C. Regs. 139/81 - Forest Fire Fighting Compensation Regulations  
and 52/92 - Forest Fire Prevention Regulation;  
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## **PART 4 - OPEN FIRES IN OR WITHIN 1 KM OF A FOREST**

## Division 1 - Scope and Open Fires for Cooking, Warmth and Ceremony

### Permitted open fires

**21.** (1) A person who lights, fuels or makes use of an open fire must comply with

- (a) this Part, and
- (b) the *Waste Management Act* and the regulations made under that Act.
- (2) If a requirement or specification relating to open fires in the following instruments differ, the more stringent requirement or specification prevails:

- (a) the Act;
- (b) this regulation;
- (c) the *Waste Management Act*;
- (d) a regulation made under the *Waste Management Act*;
- (e) a burn plan;
- (f) a condition specified under subsection (4);
- (g) a bylaw of a local government. (3) If a person wishes to light, fuel or make use of an open fire that
  - (a) is not described in section 21.1, 21.2 or 22, or
  - (b) is not a Category 1 to 8 Open Fire,
 the person must obtain the prior consent of a designated forest official. (4) In giving a consent under subsection (3), the designated forest official must specify the conditions that the person referred to in that subsection must meet with respect to the fire, and may require the submission of a burn plan acceptable to the designated forest official. (5) A person who obtains the consent of a designated forest official under subsection (3) must comply with the conditions specified under subsection (4).

### Open fires under local government bylaw

**21.1** This Part, except sections 21 (1) and (2) (c), (d) and (g) and 24, does not apply to an open fire that is subject to a bylaw of a local government that relates to the lighting, fueling or use of open fires.

### Open fires in stoves or permanent campsite fireplaces

**21.2** A person may light, fuel or make use of an open fire if the fire is in

- (a) a stove that uses a liquid or gaseous fuel or briquet, or
- (b) a permanent campsite fireplace if the person complies with the following conditions:
  - (i) the fireplace
    - (A) must comply with fire prevention requirements approved by a designated forest official, or
    - (B) must be located in a provincial park or a privately owned and supervised commercial campground or picnic site;
  - (ii) the fire must be extinguished before the person leaves the fireplace.

### Open fire for cooking, warmth and ceremony

**22.** (1) A person who lights, fuels or makes use of an open fire for cooking, warmth or ceremonial purposes where section 21.2 does not apply must do so in accordance with the following conditions:

- (a) before the fire is ignited, all combustible material must be removed for at least 30 cm in every direction from the perimeter of the fire;
- (b) the fire must be at least 3 m from any slash, snag, standing tree or wooden structure;
- (c) the fire must not be more than 1 m in diameter or width or 1 m in height;
- (d) a shovel, or a pail containing at least 8 litres of water, must be kept near the fire at all times;
- (e) the fire must be extinguished before the person leaves the fire.

### **Persons who may burn under Categories 1 to 8 Open Fires**

**23.** The following persons may light, fuel or make use of a Category 1 to 8 Open Fire if the burning is conducted in accordance with this regulation:

- (a) on private land, an owner of private land or a person authorized by the owner to burn on the land;
- (b) on Crown land,
  - (i) a person authorized to occupy or use Crown land under another enactment unless that enactment prohibits the person from lighting, fueling or making use of an open fire on Crown land, and
  - (ii) a designated forest official, or a person authorized by the government, for resource management purposes, research or training.

## **Division 2 - Small Open Fires**

### **Category 1 Open Fire - small open fire for waste material**

**23.1** A person who lights, fuels or makes use of one or more open fires on a burn area to burn accumulations of waste material that do not exceed 2 m in height and 3 m in diameter or width must do so in accordance with the following conditions:

- (a) before a fire is ignited, all combustible material must be removed for at least 1 m in every direction from the perimeter of the waste material to be burned;
- (b) the distance from a fire to any slash, snag, standing tree or wooden structure must be
  - (i) at least twice the diameter or width of the waste material, whichever is greater, or
  - (ii) at least 2 m, if twice the diameter or width of the waste material is less than 2 m;
- (c) during ignition and until all fires are extinguished there must be at least one adult person at the burn area who actively patrols to prevent the fires from escaping, and who is equipped with the following:
  - (i) a round nose shovel;
  - (ii) either an axe or a pulaski;
  - (iii) a pail containing at least 18 litres of water, or a means of water delivery that is at least equivalent to an 18 litre pail of water;
- (d) the person lighting, fueling or making use of the fires must, immediately on a fire escaping or threatening to escape, provide, in addition to the person patrolling, 2 adult persons with suitable fire fighting tools, and must ensure

- that they make reasonable attempts to extinguish the fire;
- (e) no more than 2 accumulations may be ignited or burning at one time;
- (f) if 2 accumulations are ignited or burning at one time
- (i) the accumulations must not be more than 50 m apart, and
- (ii) one of them must be extinguished before another accumulation is ignited.

## **Category 2 Open Fire - small open fire for grass or stubble**

**23.2** A person who lights, fuels or makes use of an open fire to burn grass or stubble where the burn area is less than 0.2 ha in size must do so in accordance with the following conditions:

- (a) before the fire is ignited, a fuel break must be established around the burn area to prevent the fire from escaping;
- (b) during ignition and until the fire is extinguished there must be at least 2 adult persons at the burn area who actively patrol to prevent the fire from escaping, and who are equipped with the following:
  - (i) a round nose shovel;
  - (ii) either an axe or a pulaski;
  - (iii) a means to deliver 400 litres of water to any place on the burn area in a manner which is appropriate for fire fighting;
- (c) the person lighting, fueling or making use of the fire must, immediately on the fire escaping or threatening to escape, provide, in addition to the persons patrolling, 2 adult persons with suitable fire fighting tools, and must ensure that they make reasonable attempts to extinguish the fire;
- (d) only one burn area may be ignited or burning at one time;
- (e) the fire on a burn area must be extinguished before another burn area is ignited.

## **Division 3 - Large Open Fires**

### **Category 3 Open Fire - large open fire more than 50 m from combustible material**

**23.3** A person who lights, fuels or makes use of one or more open fires at a burn area to burn piles or windrows that are more than 50 m from combustible material must do so in accordance with the following conditions:

- (a) before any fires are ignited, the person lighting, fueling or making use of the open fires must obtain a burning reference number;
- (b) during ignition and until all risk of the fires escaping is eliminated there must be at least one adult person at the burn area who actively patrols to prevent the fires from escaping and who is equipped with the following:
  - (i) a round nose shovel;
  - (ii) either an axe or a pulaski;
  - (iii) a hand-tank pump containing at least 18 litres of water, or something that is at least equivalent to such a pump;
- (b.1) adjacent windrows are separated by a fuel break that is at least 10 m in size;
- (c) the number of piles or windrows on the burn area that may be ignited or burning at one time must not be more than the number of ignited or burning piles or windrows that the person patrolling the fires is able to take timely action in respect of to prevent any of the fires from escaping;
- (d) all fires must be extinguished within 14 days from the date the reference number is issued.

## **Category 4 Open Fire - large open fire for root raked windrows**

**23.4** A person who lights, fuels or makes use of one or more open fires on a burn area to burn root raked windrows must do so in accordance with the following conditions:

- (a) before any fires are ignited
  - (i) the person lighting, fueling or making use of the open fires must obtain a burning reference number, and
  - (ii) all combustible material must be removed for at least 30 m in every direction from the perimeter of the root raked windrows; (b) during ignition and until all risk of the fires escaping is eliminated there must be at least one adult person at the burn area who actively patrols to prevent the fires from escaping, and who is equipped with the following:
    - (i) a round nose shovel;
    - (ii) either an axe or a pulaski;
    - (iii) a hand-tank pump containing at least 18 litres of water, or something that is at least equivalent to such a pump; (c) the number of root raked windrows on the burn area that may be ignited or burning at one time must not be more than the number of ignited or burning windrows that the person patrolling the fires is able to take timely action in respect of to prevent any of the fires from escaping;
- (d) all fires must be extinguished within 14 days from the date the reference number is issued.

## **Category 5 Open Fire - large open fire less than 50 m from combustible material**

**23.5** A person who lights, fuels or makes use of one or more open fires on a burn area to burn piles or windrows that are less than 50 m from combustible material must do so in accordance with the following conditions:

- (a) before any fires are ignited, the person lighting, fueling or making use of the open fires must obtain a burning reference number;
- (b) during ignition and until all risk of the fires escaping is eliminated there must be at least 2 adult persons at the burn area who actively patrol to prevent the fires from escaping, and who are equipped with the following:
  - (i) a round nose shovel;
  - (ii) either an axe or a pulaski;
  - (iii) either a piece of heavy equipment that is suitable for fighting fires on the burn area or a water delivery system; (c) before a fire is ignited, a fuel break must be established around the fire to prevent the fire from escaping and the fuel break must be equal in size to twice the diameter or width of the pile or windrow to be burned, whichever is greater;
- (c.1) adjacent windrows are separated by a fuel break that is at least 10 m in size;
- (d) the number of piles or windrows on the burn area that may be ignited or burning at one time must not be more than the number of ignited or burning piles or windrows that the persons patrolling the fires are able to take timely action in respect of to prevent any of the fires from escaping;
- (e) all fires must be extinguished within 14 days from the date the reference number is issued.

## **Category 6 Open Fires - large open fire for grass or stubble**

**23.6** A person who lights, fuels or makes use of an open fire to burn an area of grass or stubble that is greater than 0.2 ha in size must do so in accordance with the following conditions:

- (a) the fire is on private land or on Crown land subject to a lease under the *Land Act* or an agreement under the *Range Act*;
- (b) before any fires are ignited,
- (i) the person lighting, fueling or making use of the open fires must obtain a burning reference number, and
- (ii) a fuel break must be established around the burn area to prevent the fire from escaping;
- (c) during ignition and until all risk of the fires escaping is eliminated there must be at least 2 adult persons at the burn area who actively patrol to prevent the fire from escaping and who are equipped with the following:
  - (i) a round nose shovel;
  - (ii) either an axe or a pulaski;
  - (iii) a means to deliver 400 litres of water to any place on the burn area in a manner which is appropriate for fire fighting;
- (d) only one burn area may be ignited or burning at one time;
- (e) the fire on a burn area must be extinguished before another burn area is ignited;
- (f) all fires must be extinguished within 14 days from the date the reference number is issued.

**Additional requirements if a Category 3 to 6 Open Fire escapes or threatens to escape**

**23.7** If a Category 3 to 6 Open Fire escapes or threatens to escape from a burn area, in addition to any other requirements of the Act or the regulations, the person lighting, fueling or making use of the open fire must provide the requirements specified in one or more of the following paragraphs in whatever combination is necessary to limit or prevent the escape of the fire:

- (a) the number of adult persons with suitable fire fighting tools, up to a maximum of 10, that is necessary to limit or prevent the escape of the fire;
- (b) one water delivery system;
- (c) one piece of heavy equipment suitable for fire fighting on the burn area.

**Division 4 - Resource Management Open Fires**

**Category 7 Open Fire - resource management open fire for waste material**

**23.8** A person who lights, fuels or makes use of one or more open fires on a burn area to burn accumulations of waste material for resource management purposes must do so in accordance with the following conditions:

- (a) before any fires are ignited
- (i) the person lighting, fueling or making use of the open fires must obtain a burning reference number, and
- (ii) a fuel break must be established around the fire to prevent the fire from escaping;
- (b) during ignition and until all risk of the fires escaping is eliminated there must be at least 2 adult persons at the burn area who actively patrol to prevent the fire from escaping, and who are equipped

with the following:

- (i) a round nose shovel;
- (ii) either an axe or a pulaski;
- (iii) a piece of heavy equipment that is suitable for fighting fires on the burn area and a water delivery system that
  - (A) are capable of being delivered to the burn area within 2 hours, if the fire danger class is 3 or less, or
  - (B) are located on the burn area, if the fire danger class is greater than 3;
- (c) the number of accumulations on the burn area that may be ignited or burning at one time must not be more than the number of ignited or burning accumulations that the persons patrolling the fires are able to take timely action in respect of to prevent any of the fires from escaping;
- (d) if a fire escapes or threatens to escape from the burn area, in addition to any other requirements of the Act or the regulations, the person lighting, fueling or making use of the open fire must provide the requirements specified in one or more of the following paragraphs in whatever combination is necessary to limit or prevent the escape of the fire:
  - (i) the number of adult persons with suitable fire fighting tools, up to a maximum of 10, that is necessary to limit or prevent the escape of the fire;
  - (ii) one water delivery system;
  - (iii) 2 pieces of heavy equipment suitable for fire fighting on the burn area;
- (e) all fires must be extinguished within 14 days from the date the reference number is issued.

### **Category 8 Open Fire - broadcast burn resource management open fire**

**23.9** (1) In this section, "**broadcast burn**" means an open fire that is intentionally ignited and allowed to burn over a designated area within well-defined boundaries.

- (2) A person who lights, fuels or makes use of an open fire to carry out a broadcast burn for resource management purposes must do so in accordance with the following conditions:
  - (a) the burning is authorized under the Act, the regulations, an operational plan or by a designated forest official;
  - (b) the person lighting, fueling or making use of the open fire must
    - (i) at least 30 days before the proposed ignition date, prepare and submit to a designated forest official a burn plan that is acceptable to the official,
    - (ii) notify a designated forest official before igniting the fire, and
    - (iii) comply with the burn plan.
- (c) Repealed. [B.C. Reg. 102/99, s. 10 (a).]
- (3) The burn plan must include any or all of the following, in the manner and form specified by a designated forest official:
  - (a) the objective to be achieved by the fire;
  - (b) the fuel moisture codes and fire behaviour indices that are required to achieve all or part of the fire's objective;
  - (c) the date the fire is proposed to be ignited;
  - (d) the weather station requirements;
  - (e) the maximum allowable wind speed, relative humidity and temperature at the time of ignition;
  - (f) specifications and resources relating to the following:
    - (i) the preparation for the fire;
    - (ii) the ignition and control of the fire;



- (iii) the patrol and extinguishment of the fire; (g) the resources that will be provided to limit or prevent the escape of the fire in the event the fire escapes or threatens to escape;
- (h) the measures to be taken to notify adjacent landowners or other persons or agencies;
- (i) the methods to be used to communicate the status of the fire to persons patrolling the fire and persons who are not situated on the burn area;
- (j) measures to achieve smoke management objectives;
- (k) other information that the designated forest official determines is necessary to carry out the fire.

## **Division 5 - Miscellaneous**

### **Exemption from notice respecting open fires**

**23.91** A person who proposes to light, fuel or make use of a Category 8 Open Fire is exempt from the requirement to comply with a notice under section 78 of the Act that applies to the fire if the person

- (a) complies with this regulation with respect to the fire, and,
- (b) obtains, in writing, after the notice has been issued under section 78, the approval of a designated forest official to light, fuel or make use of the fire.

### **Fires not permitted**

**24.** (1) A person must not light, fuel or make use of an open fire when a reasonable person would know that the wind is strong enough to cause sparks or other burning material to be carried to combustible material.

(2) A person who lights, fuels or makes use of a fire must extinguish it immediately when ordered to do so by a designated forest official, designated environment official or peace officer.

### **Winter burning**

**24.1** A person who lights, fuels or makes use of an open fire in an area referred to in paragraph (a) does not have to comply with the requirements for a Category 3 to 7 Open Fire, except the applicable requirements under sections 23.7 and 23.8 (d) or under section 21 (3) to (5), if

- (a) a designated forest official has issued a public notice stating that winter burning conditions are in effect for an area,
- (b) before any fires are ignited, the person lighting, fueling or making use of the open fires must obtain a burning reference number, and
- (c) all fires are extinguished within 14 days of a designated forest official issuing a public notice stating that winter burning conditions are no longer in effect for the area.

### **Designated forest official may regulate burning in exempt area**

**25.** Repealed. [B.C. Reg. 102/99, s. 12.]]

### **Burning reference number**

**25.1** (1) A person who is required to obtain a burning reference number must do so by

- (a) calling the burning reference number telephone number or contacting a designated forest official, and
  - (b) providing the following information to the designated forest official or the person who answers the telephone:
    - (i) the name, address, phone number and facsimile number of the person who is lighting, fueling or making use of the proposed open fire;
    - (ii) the legal description of the proposed burn area;
    - (iii) information necessary to determine the category of the proposed open fire;
    - (iv) other information relating to the proposed open fire that the designated forest official or the person answering the telephone requires.
- (2) Unless the proposed open fire has been prohibited under section 78 of the Act, the person answering the burning reference telephone number or the designated forest official must assign a burning reference number to the proposed open fire and give it to the person who is required to obtain the burning reference number if
- (a) the person who is required to obtain the burning reference number complies with subsection (1), and
  - (b) the fire is a Category 3 to 7 Open Fire.

### Exemption from section 84 of the Act



**25.2** A person is exempt from the prohibition in section 84 (2) of the *Forest Practices Code of British Columbia Act*, R.S.B.C. 1996, c. 159, against entering a restricted area, if the person has the written consent of any designated forest official to enter the

restricted area.



## PART 5 - RAILWAYS

### Railways

**26.** (1) A person that operates a railway in British Columbia must

- (a) maintain the railway right of way so that it is substantially free from dead or dry grass, weeds and other combustible accumulations, and
  - (b) regularly patrol the railway right of way to provide for early detection of fires.
- (2) If in the opinion of a designated forest official the risk of fire in an area justifies the expense, the designated forest official may order a person that operates a railway in British Columbia to
- (a) plough or dig a strip of land on one or both sides of the railway tracks, and
  - (b) take other steps specified by the designated forest official as necessary in the area to reduce the possibility of a fire occurring,
- and the person must, on receipt of the order, comply with it promptly. (3) A person must not carry out rail grinding work for a railway in British Columbia unless
- (a) a designated forest official has approved
    - (i) a plan identifying the methods to be used to prevent and extinguish fires, and

(ii) a schedule identifying the dates and times when rail grinding work will occur, and (b) the work is carried out in accordance with the plan and schedule approved under paragraph (a).

## **PART 6 - FOREST PROTECTION**

### **Division 1 - Planning for Protection Operations**

#### **Exemption from requirement to submit a fire preparedness plan**

**26.1** a person is exempt from the requirement in section 91 (2) of the Act to submit to a designated forest official a fire preparedness plan if the person complies with sections 27 and 28 of this regulation.

#### **Requirement for a fire preparedness plan**

**27.** A person who is the holder of a major licence or woodlot licence, or a timber sale licence that is not a major licence, must, before carrying out an industrial activity in risk classification A or B in Table 1 of Schedule 1, prepare a fire preparedness plan for the person's area of operation if the activity

- (a) is to be carried out on the area between April 1 and October 31,
- (b) will occur over a period of more than 30 days, and
- (c) will normally involve 4 or more persons at all times.

#### **Content of fire preparedness plan**

**28.** (1) A person who is required under section 27 to prepare a fire preparedness plan, must ensure that the fire preparedness plan

- (a) meets the requirements of section 91 (1) (b) (ii) and (2) (a) of the Act, and
  - (b) specifies the following:
    - (i) the number of people, types of equipment and the anticipated location of the people and equipment during the carrying out of the industrial activity;
    - (ii) the names of key personnel and how they may be contacted;
    - (iii) the names of personnel who meet the prescribed training qualification;
    - (iv) the tools and equipment available in a central cache if a cache is required under section 11 for that type of industrial activity;
    - (v) the location of the weather stations that will be used to monitor the weather at the site of the industrial activity;
    - (vi) a schedule of industrial activity including proposed location and timing.
- (2) Unless otherwise exempted by a designated forest official, the person referred to in subsection (1) must
- (a) submit all of the information required by subsection (1)(b)(ii), (v) and (vi) to a designated forest official before carrying out an industrial activity specified in section 27, and;
  - (b) submit all or part of the information required by subsection (1)(b)(i), (iii) and (iv) to a designated forest official if requested to do so by that official.

#### **Training requirements**

**29.** (1) A person carrying out an industrial activity who is a holder of a major licence or woodlot licence, or a timber sale licence that is not a major licence, and who will be carrying out a timber harvesting operation that requires a fire preparedness plan under section 27, must ensure at all times during the operation that a person in charge is present on the site who has been trained to a level acceptable to the minister in the areas of fire suppression techniques, fire behavior and fire line safety.

(2) The following courses are prescribed for the purposes of section 91 (1)

(b) (ii) of the Act:

(a) Fundamentals of Fire Fighting s-130 (B.C.);

(b) Safety and Fire Behavior s-190 (B.C.);

(c) Portable Pumps and Water Use s-232 (B.C.);

(d) courses that, in the opinion of a designated forest official, are the equivalent of a course referred to in paragraphs (a) to (c).

## **Division 2 - Fire Hazard Assessment and Abatement**

### **Requirement for carrying out a hazard assessment**

**30.** (1) For the purposes of section 79 (1) of the Act and this section, a "**prescribed activity**" is any of the following activities that are carried on for the purposes of timber harvesting: felling; bucking; yarding; skidding; loading; logging road access construction or modification.

(2) For the purposes of section 79 (1) of the Act, a person who, on Crown land or on private land that is in a tree farm licence or a woodlot licence, harvests timber or carries out a prescribed activity, must prepare and submit to a designated forest official an assessment of the fire hazard that exists on the area from where the timber was harvested.

(3) The assessment must be received by a designated forest official

(a) within 30 days after the completion of the timber harvesting or prescribed activity, or

(b) if the timber harvesting or prescribed activity is completed between October 15 and March 15 of the following year, by June 30 of that following year. (4) [Repealed]

### **Content of a fire hazard assessment**

**31.** A person required to prepare an assessment of a fire hazard under section 30 (2) must complete an assessment substantially in the form of Schedule 7.

### **Interpretation**

**32.** For the purposes of section 33 and 34, "**fire hazard rating**" means the fire hazard rating that is determined in accordance with a fire hazard assessment prepared under section 30 (2).

### **Existence of a fire hazard**

**33.** For the purposes of section 80 (1) and (2) of the Act, a fire hazard exists on an area of land in or within 1 km of a forest if

- (a) timber harvesting using a clearcut or clearcut with reserves silvicultural system results in a fire hazard rating that is greater than 14, under Schedule 7, or
- (b) unless a designated forest official determines that the woody debris is not a fire hazard, woody debris has resulted from
  - (i) road right of way clearing, land clearing, other industrial activities, or timber harvesting related activities, or
  - (ii) timber harvesting using a silvicultural system other than clearcutting or clearcutting with reserves.

### **Abatement or removal of a fire hazard**

**34.** (1) To abate and remove a fire hazard, a person referred to in section 80 (1) or (2) of the Act must,

- (a) if the fire hazard is referred to in section 33 (a) of this regulation, take measures to reduce the fire hazard rating to a rating of 14 or less or to a rating that is acceptable to the designated forest official, and
- (b) if the fire hazard is referred to in section 33 (b) of this regulation, take measures to abate it that are acceptable to a designated forest official. (2) Slash accumulations created during the process of fire hazard reduction must be abated using measures that are acceptable to a designated forest official.
- (3) A person required to take measures under subsection (1) (a) or (b) or (2) must do so
  - (a) within 12 months of carrying out an assessment under section 30
  - (b) if no assessment was carried out, within 12 months of when the fire hazard was created, or
  - (c) when ordered by the designated forest official if, despite paragraph (a) or (b), in the opinion of the designated forest official public safety would be endangered by waiting for 12 months. (4) Despite subsections (1) and (3), a person does not have to abate, remove or both abate and remove a fire hazard if an operational plan or higher level plan specifies that the woody debris which constitutes the fire hazard is required to be left on the area of land on which the fire hazard exists.

## **Division 3 - Initial Fire Suppression and Site Rehabilitation**

### **Initial fire suppression**

**35.** (1) For the purposes of section 92 (1) (b) of the Act, a person carrying out an industrial activity must take appropriate action when a fire is first discovered to

- (a) contain or limit the spread of the fire, and
- (b) if possible, extinguish the fire. (2) The person must commit, if necessary to meet the requirements of subsection (1),
  - (a) all employees of the person who are working in the area of operation, and
  - (b) all tools and equipment required by and under this regulation, and
  - (c) any other tools and equipment that are available to the person, excluding aircraft, but including helicopters normally used in the industrial activities to extract logs or to move personnel and equipment to and from the area of operation.

## Site rehabilitation

**36.** (1) For the purposes of sections 89 (1) and 92 (1) (b) of the Act, a person who carries out fire control or fire suppression operations must stabilize all fire access trails, fire guards and other fire suppression works to ensure that natural drainage patterns are maintained and surface soil erosion is minimized.

(2) Without limiting subsection (1), a person carrying out rehabilitation must include the following activities:

- (a) stabilization and revegetation of soil disturbed or exposed by heavy equipment;
  - (b) disposal of slash and debris;
  - (c) stabilization of the stream channel and stream bed at stream crossings;
  - (d) stabilization of sump and dam locations.
- (3) A person responsible for stabilization activities under subsection (1) must prepare and submit a site rehabilitation plan to a designated forest official for approval not later than 10 days after the fire is suppressed if heavy equipment was used to construct fire access trails, fire guards, fire camps, staging areas or heliports.

## PART 7 - FOREST FIRE FIGHTING COMPENSATION

### Rates of compensation

**37.** (1) The rates of compensation under sections 93 and 95 of the Act for assistance in controlling a forest fire are as set out in Schedule 6.

(2) Despite subsection (1), if a person voluntarily attempts to control or extinguish a fire burning in or within 1 km of a forest, the rates of compensation by the government for persons employed by that person are at the rates for similar work established by collective agreements or terms of employment in effect in the area for workers in the forest industry in the area of British Columbia where the fire occurs.

(3) The rates of compensation by the government for equipment employed under section 94 of the Act are for the use of similar equipment set out in the Province of British Columbia, B.C. Hydro and Power Authority and B.C. Rail Ltd. Equipment Rental Rate Guide, as amended, whether amended before or after this section comes into force.

### First aid certificate

**38.** The rates of compensation under Schedule 6 for assistance in controlling a forest fire are increased by 50 cents per hour if the person is responsible for providing first aid and possesses a valid Occupational First-Aid Level 3 Certificate issued by the Workers' Compensation Board.

### Power saw

**39.** Repealed. [B.C. Reg. 6/98, s. 17.]

### Standby

**40.** Despite sections 37, 38 and 39, if a person is placed on standby

at marshaling points in readiness for immediate dispatch, the rate of compensation under section 93 or 95 of the Act that is payable by the government to the person is the minimum wage in British Columbia.

## **PART 8 - OFFENCES**

### **Offences**

**41.** (1) A person who contravenes section 4, 12, 13 (1) or (2), 14 (1) or (2), 17, 19, 24 (2) or 26 (2) commits an offence.

(2) A person who commits an offence is liable on conviction to a fine not exceeding \$5000 or to imprisonment for not more than 6 months or to both.

- Schedule 1
- Schedule 2
- Schedule 3
- Schedule 4
- Schedule 5
- Schedule 6
- Schedule 7