



Cariboo Fire Centre, Williams Lake  
FCA - 28107

## CASE REPORT FCA-28107

RE: ALLEGED CONTRAVENTIONS OF  
Wildfire Act 5 (1)  
Wildfire Regulation 22 (3)

BY  
S22  
ON  
2009-05-29  
AT  
2009-C40096

DISCOVERED ON: 2009-05-29

Prepared BY  
Diane Lewthwaite, RFT

FIRE CENTRE:  
Cariboo Fire Centre, Williams Lake  
WILDFIRE MANAGEMENT BRANCH



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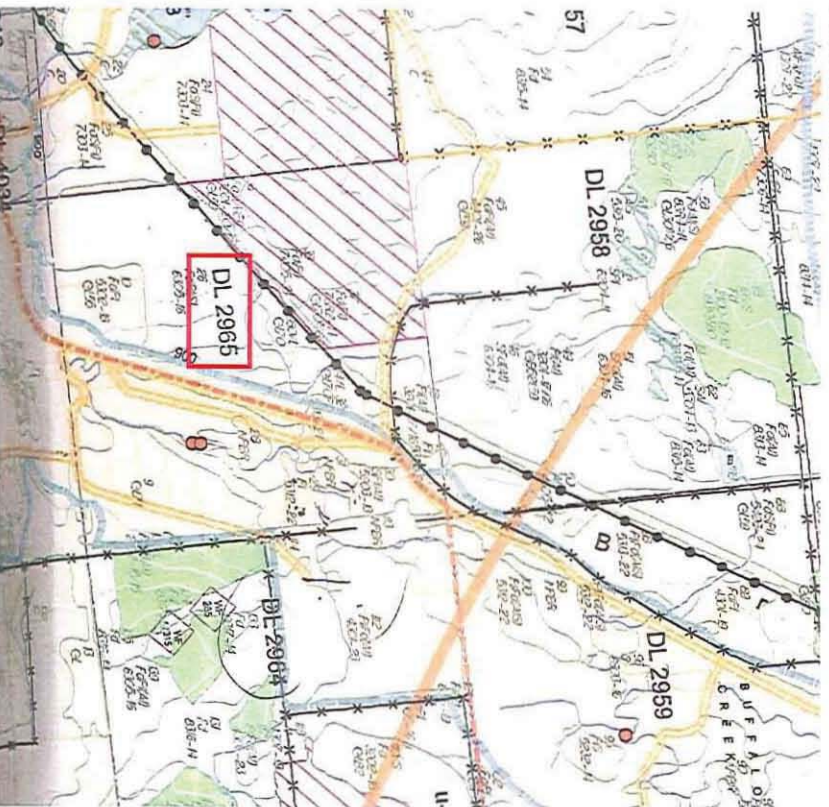
### BRITISH COLUMBIA FOREST SERVICE INCIDENT SUMMARY

File: FCA-28107

Date: February 17, 2011

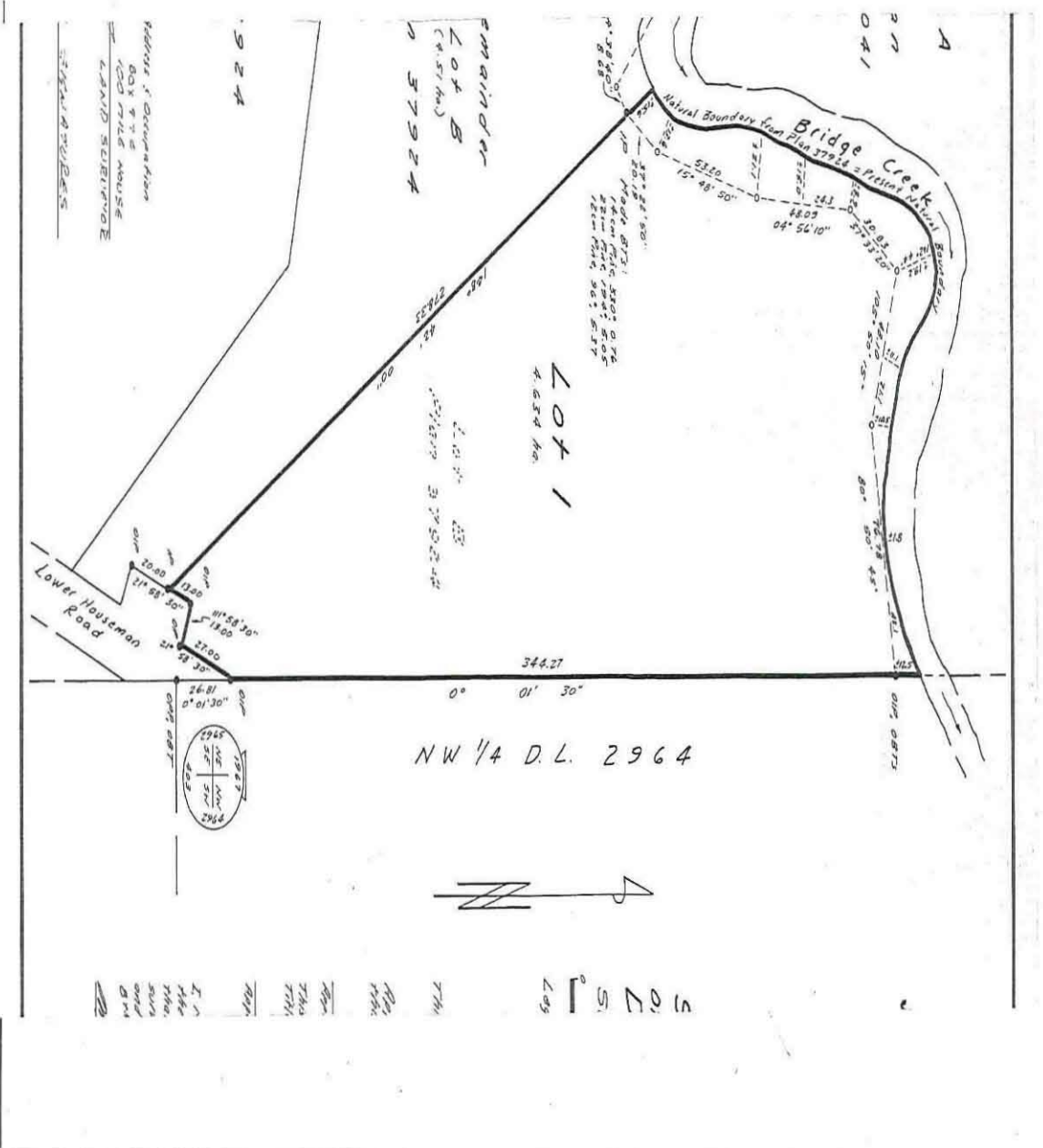
Prepared for: Ministry of Forests, Wildfire Management Branch, Cariboo Fire Centre  
Darrell Orosz, Fire Centre Manager, Designated Decision Maker  
Cariboo Fire Centre, Williams Lake

#### Site Map/Photo:





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Lot 1, District Lot 2965, Lillooet Land District, Plan 38359



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**List of Contraventions:**

Contravention #1: Wildfire Act, Section 5 (1)

Contravention #2: Wildfire Regulation (WRA), Section 22 (3)

**Summary of Incident:**

On May 29, 2009, at approximately 14:15 hours, a wild land fire occurred on Lot 1 of district lot 2965, Lillooet District, Plan 38359

approximately 12 kilometres northeast of 100 Mile House, in the community of Buffalo Creek. Buffalo Creek lies

Incident number C40096-2009 was assigned to the fire and it also became known as the Buffalo Creek fire.

On May 30, 2009 a fire origin and cause investigation was initiated by Forest Protection Officer, Steve RICHBURG and Compliance and Enforcement Specialist, Calvin GROLL. It was determined by this investigation that the fire had originated from a previously burnt debris pile

Numerous volunteer fire departments responded to the fire in conjunction with the Ministry of Forests and Range Wildfire Management Branch as private residences, outbuildings, both public and private values and the safety of the public was threatened and at risk.

On May 29, 2009, at approximately 20:21 hours, Compliance and Enforcement Specialist, Diane LEWTHWAITE arrived on site at C40096 in order to obtain statements from any witnesses to the incident.

A statement was obtained from

A statement was also obtained from

S22

then contacted the Forest Service and the Forest Grove Volunteer Fire Department.

S22

S15, S22

S15, S22

S15, S22

S15, S22





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Forest Grove Volunteer Fire Department arrived on scene at approximately 14:45 hours and the Forest Service arrived shortly after that.

S15, S22  
S22, S15  
Based on the completed Fire Origin and Cause Investigation, the approximate time of the fire ignition was 14:00 hours, fire discovery time was 14:15 hours, the first report to the 911 Emergency Dispatch was received at 14:39 hours and the fire attack time was 14:54 hours.

Weather data obtained from the Lone Butte weather station showed the air temperature at the estimated time of ignition was 24 degrees Celsius with a relative humidity of 21%. Wind direction was SSW at 221 degrees with an average wind speed of 22 kilometres per hour. Fire behavior indices at the time were estimated at intensity class 5 with a rate of spread potential of 4 – 6 metres per minute. At 14:58 hours, CIFAC 2 Officer, George WARR arrived on scene via helicopter and reported the fire at rank 3 and estimated the size at .5 hectares. WARR also noted the multitude of homes and private property values at risk nearby.

Final control of the fire was gained at 19:00 hours on June 3, 2009 and the final size of the fire was estimated at 150.0 hectares. By this time, numerous Crown and private values had been threatened or destroyed and the safety of the public in the community had been threatened.

Prepared By:

Diane Lewthwaite



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CLIENT PROFILE:

CLIENT #: S22

S22, S15

Joint Client(s):

Client History From 1995-06-15 to 2009-12-17

ERA Enforcement History:

Case No	Site	Article	Contravention Status	Outcome Status	Action Taken	Action Taken Date
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CIMS Compliance History:

S22, S15

Inspection Id	Site	Article	Action Taken	Action Taken date
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CONTRAVENTIONS AND ENFORCEMENT OPTIONS

Contravention #1: Wildfire Act, Section 5 (1).

General Nature of the Contravention:

A person, other than a person carrying out an industrial activity, must not light, fuel or use an open fire in forest land or grass land or within 1 kilometer of forest land or grass land.

Excerpt from Legislation:

Non-industrial use of open fires

- 5 (1) Except in prescribed circumstances, a person, other than a person carrying out an industrial activity, must not light, fuel or use an open fire in forest land or grass land or within 1 km of forest land or grass land.

Enforcement Action Options

Seizure	Remediation Order	Suspension	Cancellation	AAC Reduction
No	Yes	No	No	No

Penalty Details:

Max Penalty Amount:	10 000
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-Offence for s.5(1) up to \$500,000 fine or imprisonment for not more than 2 years, or both.

Contravention #2: Wildfire Regulation (WFA), Section 22 (3).

General Nature of the Contravention:

A person who lights, fuels or uses a category 3 open fire must ensure that the fire does not escape.

Excerpt from Legislation:

Category 3 open fire

- 22 (1) The circumstances in which a person described in section 5 (1) or 6 (1) of the Act may light, fuel or use a category 3 open fire in or within 1 km of forest land or grass land are as follows:
- (a) the person is not prohibited from doing so under another enactment;
  - (b) to do so is safe and is likely to continue to be safe;
  - (c) the person obtains a burn registration number for the fire
  - (i) by



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- (A) calling the telephone number made known by the government for that purpose,  
or  
(B) contacting an official by other means, and  
(ii) by providing the information referred to in section 24 of this regulation;  
*(d) the person takes all necessary precautions to ensure the fire is contained in the burn area;*  
*(e) the person establishes a fuel break around*  
*(i) the burn area, or*  
*(ii) each debris pile or windrow;*  
*(f) while the fire is burning and there is a risk of the fire escaping the person ensures that*  
*(i) the fuel break is maintained,*  
*(ii) a fire suppression system is available at the burn area, of a type and with a capacity adequate for fire control if the fire escapes,*  
*(iii) the fire is watched and patrolled by a person to prevent the escape of fire and the person is equipped with at least one fire fighting hand tool, and*  
*(iv) the fire does not exceed the capacity of the persons, fire fighting tools and heavy equipment on site for timely action to prevent any fire from escaping.*
- (2) A person who, in the circumstances setout in subsection (1), lights, fuels or uses a category 3 open fire on a burn area must ensure that  
*(a) no windrow on the burn area exceeds 200 m in length or 15 m in width, and*  
*(b) the category 3 open fire is extinguished by the date specified by the official or person who issued the burn registration number.*  
**(3) Without limiting subsection (1) or (2), a person who lights, fuels or uses a category 3 open fire must ensure that the fire does not escape.**

Seizure	Remediation Order	Suspension	Cancellation	AAC Reduction
No	Yes	No	No	No

**Penalty Details:**

<b>Max Penalty Amount:</b>	100000
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-offence for s.22(3) up to \$100 000 or imprisonment for not more than one year, or both.



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**Definitions from Legislation** (Wildfire Act and Wildfire Regulation)

**"category 3 open fire"** means a fire that burns

- (a) material concurrently in 3 or more piles each not exceeding 2m height and 3m in width.
- (b) material in one or more piles each exceeding 2m in height or 3m in width.
- (c) one or more windrows, or
- (d) stubble or grass over an area exceeding 0.2 ha;

**"industrial activity"** includes

- (a) land clearing, and
- (b) other activities included in this definition by regulation,
- (c) but does not include activities excluded from this definition by regulation;

**"fuel break"** means

- (a) a barrier or a change in fuel type or condition, or
- (b) a strip of land that has been modified or cleared to prevent fire spread;





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Chronology of Events:

2003 – 2005:	Approximate time frame of debris pile creation on Lot 1, District Lot 2965, LLD.	
	S22	
	S22, S15	
	S22, S15	
April 10-29, 2009:	Approximate time frame of monitoring of the debris pile by <i>(specifics of degree and extent of monitoring unknown as the client has chosen not to provide a statement detailing his actions or any measures in place based on legal advice provided him.)</i>	S22
April 29, 2009:	Approximate date of smoke observed emanating from debris pile.	
May 26, 2009:		
May 29, 2009: @1415		S15, S22
		S15, S22
May 29, 2009: @ 1439	Forest Grove Volunteer Fire Department receives dispatch to Lower Houseman Road.	S15, S22
May 29, 2009: @ 1441	Initial Phone Report, (1PR), ID 51599 received by Cariboo Fire Centre from	S22, S15
May 29, 2009: @1445	Approximate time Forest Grove Volunteer Fire Department arrives on scene at C40096.	
May 29, 2009: @1449	100 Mile House Volunteer Fire Department dispatched to fire, arrived on scene just after 1500 hours.	
May 29, 2009: @1454	Ground attack commenced on fire C40096.	



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May 29, 2009: @ 1500	Initial Fire Report, (IFR), provided to Cariboo Fire Centre by Cifac 2. At this time, the IFR documented C40096 as between 0.3 and 0.5 hectares in size, Rank 3 ( <i>vigorous surface fire, moderate spread, may see candling</i> ), wind speeds of 20-25 kilometres per hour and 5 – 6 properties directly in the vicinity of the fire.
May 29, 2009: @1533	Helicopter bucketing commenced on C40096.
May 29, 2009: @ 1530	Declaration of a State of Local Emergency issued by the Cariboo Regional District for Area "H" (Canlin Lake – Forest Grove)
May 29, 2009:	Evacuation Order issued for the area of Buffalo Creek between Jones Road and Buffalo Creek Road.
May 29, 2009: @1641	Air tankers launched for fire C40096.
May 29, 2009: @1708	Bird Dog 131 advises the Fire Centre that fire size is now approximately 15 hectares, rank 3. At this time, the bird dog advised that 2 structures had been lost and 6 more were immediately threatened. Additional tankers were also requested at this time.
May 29, 2009: @1732	Bird Dog 131 advises fire size now 20 – 25 hectares.
May 29, 2009: @1835	Bird Dog 131 advises fire size now approximately 50 hectares, rank 3 at head rank 2 on flank and fire intensity is diminishing, rate of spread has slowed.
May 29, 2009: @1907	Bird Dog 131 advises that they are getting control of the fire, however, it would appear that more than the original estimated number of structures (2) have been lost but difficult to confirm due to smoke.
May 29, 2009: @2020	Compliance and Enforcement Specialist, Diane Lewthwaite arrives on scene at C40096 staging area to interview and obtain statements from all relevant parties. The first statement taken was from the 100 Mile House Fire Chief, Darrell BLADES, however, he advised that the Forest Grove VFD was first on scene therefore the statement with BLADES was concluded in order to obtain a statement from the Forest Grove VFD.
May 29, 2009: @2030	Statement obtained from  S15, S22
May 29, 2009: @2031	Bird Dog 131 advises Cariboo Fire Centre that tanker action is now complete. He indicated that the total area including meadows and green fields could approach 150 hectares.



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May 29, 2009: @2130	Statement obtained from	
		S15, S22
		S22, S15
May 30, 2009: @0842	Fire Origin and Cause Investigators, Steve RICHBURG and Calvin GROLL arrive on site at the staging area for incident C40096 and commence their investigation process. On site weather readings were taken at this time.	
May 30, 2009: @1512	Origin and cause Investigators note	
		S15, S22
		S15, S22
May 30, 2009: @1930	The field portion of the fire origin and cause investigation was completed.	
May 31, 2009:	Evacuation Order for Buffalo Creek rescinded.	
June 2, 2009: @1530	Site visit to ANDERSEN as requested by Investigator RICHBURG. The purpose of the visit was to hand deliver an Order to Extinguish in order to deal with the hot slash pile remains	
		S15, S22
		S15, S22
		S15, S22



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S15, S22  
singled out for this exercise and that everyone that had been identified as having debris piles that were not fully extinguished were receiving the order. S15, S22  
extinguish his pile provided it was safe to do so S15, S22  
was ordered to fully

June 3, 2009: Final control of fire C40096 is gained.

June 8, 2009: Mop up of fire C40096 completed.

June 11, 2009: Fire C40096 officially declared out, final size estimated at 150.0 hectares.

July 8, 2009: Site visit to residence conducted by Investigator LEWTHWALLE in order to

S15, S22

November 18, 2009: Site visit to

S15, S22

S22, S15

November 19, 2009: Phone message received from

S22

S22

January 13, 2010: Phone call placed to

S15, S22

S15, S22



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***Investigator's Conclusion:***

Evidence gathered during the course of this investigation, and the Fire Origin and Cause investigation support the conclusion that Fire C40096 resulted from an unauthorized debris pile burning hangover. The debris pile in question

No evidence was

found that would imply a wilful or intentionally negligent act and it should be stated that site and weather conditions both played a significant role in this incident. Hot embers buried within the large ash pile were released during a significant wind event. Wind speeds recorded on the date, and time, of the fire's ignition indicated that the winds were gusting from 39 – 44 kilometres per hour from the south, southwest and the average wind speed was 22 kilometres per hour. This type of wind gust would have quickly fanned any smoldering embers within the ash pile. In addition, the fuel adjacent to, and surrounding, the debris pile was primarily cured, dry grass that would have supported fast and aggressive fire behaviour.

The Ministry alleges that contrary to Section 5(1) of the *Wildfire Act* on or about 10<sup>th</sup> April 20

lit or fuelled a category 3 open fire in circumstances which were not prescribed in Section 22(1) of the *Wildfire Regulation*, in particular contrary to Sections 22(1)(c), 22(1)(e) and 22(1)(f), did not obtain a burn registration number for the fire, did not establish a fuel break around the debris pile and while the fire was burning and there was risk of escape, did not maintain a fuel break or have a sufficient fire suppression system on site.

The alleged contraventions in this case are specifically:

1. *Wildfire Act*, Section 5(1) – **except in prescribed circumstances**, a person carrying out an industrial activity must not light, fuel or use an open fire in forest land or grass land or within 1 km of forest land or grassland.
2. *Wildfire Regulation*, Section 22(3) – without limiting subsection (1) or (2), a person who lights, fuels or uses a category 3 open fire **must ensure that the fire does not escape**.

The prescribed circumstances referred to in Section 5(1) of the *Wildfire Act* are specified in Section 22(1) of the *Wildfire Regulation* as stated below:

***Excerpt from Legislation:***  
***Category 3 open fire***

- 22 (1) The circumstances in which a person described in section 5(1) or 6 (1) of the Act may light, fuel or use a category 3 open fire in or within 1 km of forest land or grass land are as follows:
- (a) *the person is not prohibited from doing so under another enactment;*
  - (b) *to do so is safe and is likely to continue to be safe;*
  - (c) *the person obtains a burn registration number for the fire*
    - (i) by
      - (A) calling the telephone number made known by the government for that purpose, or
      - (B) contacting an official by other means, and
    - (ii) by providing the information referred to in section 24 of this regulation;





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- (d) *the person takes all necessary precautions to ensure the fire is contained in the burn area;*
- (e) *the person establishes a fuel break around*
- (i) the burn area, or
  - (ii) each debris pile or windrow;
- (f) *while the fire is burning and there is a risk of the fire escaping the person ensures that*
- (i) the fuel break is maintained,
  - (ii) a fire suppression system is available at the burn area, of a type and with a capacity adequate for fire control if the fire escapes,
  - (iii) the fire is watched and patrolled by a person to prevent the escape of fire and the person is equipped with at least one fire fighting hand tool, and
  - (iv) the fire does not exceed the capacity of the persons, fire fighting tools and heavy equipment on site for timely action to prevent any fire from escaping.
- (2) A person who, in the circumstances setout in subsection (1), lights, fuels or uses a category 3 open fire on a burn area must ensure that
- (a) *no windrow on the burn area exceeds 200 m in length or 15 m in width, and*
  - (b) *the category 3 open fire is extinguished by the date specified by the official or person who issued the burn registration number.*
- (3) *Without limiting subsection (1) or (2), a person who lights, fuels or uses a category 3 open fire must ensure that the fire does not escape.*

During the Fire Origin and Cause Investigation.

S22 statement advises that the debris pile that was lit in April of 2009 measured approximately 20 metres wide by 5 metres high. These would confirm that the size of the debris pile in question meets the legal definition of a category 3 fire. S15, S22

A thorough search of the Open Burning Registration database was conducted

S5, S22 or any other individual, for the location of the debris pile found to be the cause of fire C40096. It would appear that this circumstance, as required under Section 22 (1)(c) of the Wildfire Regulation, had not been met. Furthermore, the statement provided by S22, S15, S22

S5, S22 This evidence would suggest that the requirements of Section 22(1)(e) were not met. Based on the failure to meet these requirements under Section 22(1) of the Wildfire Regulation, it can be stated that Section 5(1) of the Wildfire Act has been contravened. In addition, given the resulting fire, and the determined origin and cause of fire C40096, it can also be stated that Section 22(3) of the Wildfire Regulation has been contravened.



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Given the above, consideration should be given to any measures that may have been taken by

S22, S15

S15, S22

following are measures that a reasonable person looking after a fire should have taken to ensure that the fire was out: S15, S22

- establishing a fuel break around the entire perimeter of the debris pile
- maintaining the fuel break post-burn
- spreading of the ash pile post-burn
- hosing down the spread ashes with water
- physically inserting a hand into the ash pile to determine if any heat remains (cold-trailing)
- seeking advice or guidance from Wildfire Management Branch staff or district staff

In summary, this investigation has concluded that the evidence gathered in this case clearly shows that Section 5(1) of the *Wildfire Act* and Section 22(3) of the *Wildfire Regulation* were contravened by

It is the Ministry's intent to proceed under Section 27 of the *Wildfire Act* to allow for an administrative penalty to be levied if the Designated Decision Maker determines that Section 5(1) of the *Wildfire Act* and/or Section 22(3) of the *Wildfire Regulation* have been contravened.

In addition, it is also the Ministry's intent to proceed under Section 25 of the *Wildfire Act* if it is deemed that cost recovery for the fire should be sought.



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BACKGROUND CONSIDERATIONS

1.	<b>Any policy established by the Minister with regard to the legislation involved.</b> N/A – No policy established.
2.	<b>The gravity and magnitude of the contravention(s).</b> In this incident, the gravity and magnitude of the contraventions is high and should be given significant consideration. Fire C40096 originated on private land within a community where numerous residences were within close proximity. The fire spread through a portion of the community threatening human safety and private property. Private structures belonging to neighbouring residents were lost due to this fire. In addition, an evacuation order had to be put in place in order to address human safety concerns and various other Crown agencies expended time and resources to deal with this incident.
3.	<b>Was the violation(s) repeated or continuous?</b> No. Not repeated or continuous, one time occurrence.
4.	<b>Was the contravention(s) deliberate?</b> No. None of the evidence gathered during this investigation or the Origin and Cause investigation support the premise that the contravention was deliberate.
5.	<b>Any economic benefit derived by the person from the contravention(s)?</b> No economic benefit derived from the contravention.
6.	<b>Was the person cooperative and made efforts to correct the contravention(s)?</b> 1 S22, S15
7.	<b>Previous contraventions of a similar nature by the person, including the enforcement actions taken.</b> S22, S15
8.	<b>Any other considerations that the Lieutenant Governor in Council may prescribe?</b> N/A



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9.	<p><b>Other considerations.</b></p> <p>1. Costs and Impacts to resource values: (Please see <b>Tab 16</b>, for impact assessment statements for infrastructure and habitat values.</p> <p>a) <b>Identified Resource Value Costs:</b></p> <p>Fire C40096 was comprised entirely of private land, therefore, there are no impacts or damages to Crown grass land or timber values. The following are the estimated costs associated with Crown values and/or resources that were impacted or destroyed as a result of Fire C40096:</p> <p>*Infrastructure: \$0.00</p> <p>**MOTI: \$609.60</p> <p><b>TOTAL DAMAGES: \$609.60</b></p> <p><b>*Infrastructure</b> – BC Hydro advised that no damage recorded to poles and/or transformers as a result of C40096.</p> <p><b>**MOTI</b> – Costs incurred by the Ministry of Transportation and Infrastructure were for 1 staff member who worked on Fire C40096 under the Provincial Emergency Program. (PEP). This amount will have been captured under the total fire suppression costs. (Please see <b>Tab 20 and Binder #2</b>)</p> <p><b>Private structures</b> – Several private structures were either damaged or destroyed as a result of this fire. While a cost has not been attributed to this value due to the structures being private, and not Crown values, the loss of these structures should be a consideration for impact and magnitude.</p> <p>b) <b>Rehabilitation Costs:</b>(Please see <b>Tab 11</b> for rehabilitation details under the Fire Suppression Rehabilitation Plan. Please see <b>Binder #2</b> for any supporting invoices)</p> <p>Private Land: \$3620.00</p> <p><b>TOTAL: \$3620.00</b></p> <p>Rehabilitation costs include the rehabilitation of 5.164 kilometres of machine guards, access roads and/or trails, re-establishing natural drainage patterns where required, smoothing and grass seeding of disturbed areas and fence repairs. This amount represents an <u>estimate</u> only and may not be reflected under the total fire suppression costs.</p> <p>c) <b>Fire Suppression Costs:</b> The following are the fire suppression costs associated with Fire C40096. (Please see <b>Tab 20 and Binder #2</b> for the full detailed fire suppression costs report)</p> <p><b>Total Fire Suppression Costs Attributed to C40096: \$ 775,629.54</b></p>
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<p>2. <u>Client Cooperation:</u>  As stated earlier in this file</p>	<p>S22, S15</p> <p>S15, S22</p>
<p>3. <u>Additional Resources:</u>  As a result of Fire C40096, additional resources in the form of RMCP, Provincial Emergency Program and Carboo Regional District were required. While the use of some of these agencies did not incur a direct cost to the Crown, the fire did place additional pressure on these resources and potentially pulled them away from other emergency incidents.</p>	





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Division 2 – Cost Recovery and Administrative Remedies  
(Wildfire Act)

Recovery of fire control costs and related amounts

25

(1) After the government has carried out, for a fire on Crown land or private land, fire control authorized under section 9, the minister may

*(a) determine the amount of the government's costs of doing so, calculated in the prescribed manner,*

*(b) determine the amount that is equal to the dollar value of any*

- (i) Crown timber,
- (ii) other forest land resources,
- (iii) grass land resources, and
- (iv) other property

of the government damaged or destroyed as a direct or indirect result, of the fire, calculated in the prescribed manner, and

*c) determine the costs*

- (i) that have been or will be incurred by the government in re-establishing a free growing stand as a direct or indirect result of the fire, and
- (ii) that have been incurred by the government for silviculture treatments that were rendered ineffective as a direct or indirect result of the fire.

(2) Subject to subsection (3), the minister, except in prescribed circumstances, by order may require a person to pay to the government the amounts determined under subsection (1) (a) and (b) and costs determined under subsection (1) (c), subject to any prescribed limits, if the person

*(a) is a holder of a leasehold interest, under a lease in a prescribed category of leases from the government, of the Crown land on which a fire referred to in subsection (1) originated,*

*(b) is an occupier of Crown land that is subject to a lease referred to in paragraph (a) who occupies the Crown land with the permission of the holder of the lease, or*

*(c) is an owner of the private land on which a fire referred to in subsection (1) originated or is a holder of a leasehold interest in that private land, or is an occupier of that private land with the permission of the owner or holder.*

(3) The minister must not make an order under subsection (2) unless the minister, after giving the holder, occupier or owner an opportunity to be heard or after one month has elapsed after the date on which the person was given the opportunity to be heard, determines that the holder, occupier or owner caused or contributed to the fire or the spread of the fire.



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- (4) The minister must give written notice of an order made under subsection (2) to the person who is the subject of the order, accompanied by a copy of the order and informing the person of
- (a) *the amounts payable by the person to the government under the order and the person's liability under section 130 of the Forest Act to pay that amount,*
  - (b) *the reasons for the order, and*
  - (c) *the person's right to a review under section 37 or to an appeal under section 39, including an address to which a request for a review or appeal may be delivered.*

2007-18-97.

Comment [Nd1]: Royal Assent – May 31, 2007 (Bill 18)

Contravention orders

- 26 After giving a person who is alleged to have contravened a provision of this Act or the regulations an opportunity to be heard, or after one month has elapsed after the date on which the person was given the opportunity to be heard, the minister by order may determine whether the person has contravened the provision.

Administrative penalties and cost recovery

27. (1) If the minister determines by order under section 26 that the person has contravened a provision, the minister by order
- (a) may levy an administrative penalty against the person in an amount that does not exceed a prescribed amount,
  - (b) may determine the amount of the government's costs of fire control under section 9 for a fire that resulted, directly or indirectly, from the contravention, calculated in the prescribed manner,
  - (c) may determine the amount that is equal to the dollar value of any
    - (i) Crown timber,
    - (ii) other forest land resources,
    - (iii) grass land resources, and
    - (iv) other property
- of the government damaged or destroyed as a result, directly or indirectly, of the contravention, calculated in the prescribed manner,
- (c-1) may determine the costs
    - (i) that have been or will be incurred by the government in re-establishing a free growing stand as a direct or indirect result of the contravention, and
    - (ii) that have been incurred by the government for silviculture treatments that were rendered ineffective as a direct or indirect result of the contravention, and
    - (d) except in prescribed circumstances, may require the person to pay the amounts determined under paragraphs (b) and (c) and the costs determined under paragraph (c-1), subject to the prescribed limits, if any.
- (2) The minister must give written notice to the person who is the subject of an order under section 26, accompanied by a copy of the order and informing the person of
- (a) the amount of any administrative penalty levied against the person by an order under subsection (1) (a) and of the person's liability under section



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- 130 of the *Forest Act* to pay that amount,
- (b) the provision contravened and the reasons for the order or orders,
  - (c) the amount of any costs of the government determined under subsection (1) (b), itemized particulars of those costs and the person's liability under section 130 of the *Forest Act* to pay that amount,
  - (d) any amount determined under subsection (1) (c), itemized particulars of that amount and the person's liability under section 130 of the *Forest Act* to pay that amount,
  - (d.1) any costs determined under subsection (1) (c.1), itemized particulars of those costs and the person's liability under section 130 of the *Forest Act* to pay those costs, and
  - (e) the person's right to a review under section 37 or to an appeal under section 39, including an address to which a request for a review or appeal may be delivered.
- (3) Before the minister levies an administrative penalty under subsection (1), he or she must consider
- (a) previous contraventions of a similar nature by the person,
  - (b) the gravity and magnitude of the contravention,
  - (c) whether the contravention was repeated or continuous,
  - (d) whether the contravention was deliberate,
  - (e) any economic benefit derived by the person from the contravention, and
  - (f) the person's cooperativeness and efforts to correct the contravention.
- 2004-37-27; 2007-18-98.

## Wildfire Regulation

### **Determination of government fire control costs**

- 31 (1) For the purposes of section 25 (1) (a) and 27 (1) (b) of the Act, the manner in which the amount of the government's fire control costs in respect of a particular fire is to be calculated is
- (a) by ascertaining the sum of the following costs, expenditures and charges that are attributable to the fire:*
- (i) hourly wages and overtime wages of responding employees, including payroll loading costs;
  - (ii) distance charges for use of government and private vehicles;
  - (iii) food, transportation and accommodation expenditures;
  - (iv) costs for expendable supplies and materials consumed;
  - (v) air tanker fuel costs and flight costs;
  - (vi) helicopter fuel costs and flight costs;
  - (vii) aircraft basing charges (preparedness) for contracted aircraft;
  - (viii) retardant and other suppressant costs;
  - (ix) rent on use of equipment;
  - (x) replacement, repair or cleaning of damaged or used vehicles or equipment, directly resulting from the fire control;
  - (xi) private goods and services contracted, hired, rented or purchased;
  - (xii) investigation, research and analysis services related to





Cariboo Fire Centre, Williams Lake  
FCA-28107

- (A) post-incident evaluation,
- (B) contingency plan reviews, and
- (C) other incident follow-up activities;
- (xiii) consulting and other professional charges;
- (xiv) rehabilitation and/or slope stabilization costs, and
- (b) *by adding to the sum ascertained under paragraph (a) for overhead an amount equal to the greater of*
  - (i) \$200, and
  - (ii) 20% of the amount determined under paragraph (a)to arrive at the total dollar amount of the government's fire control costs for the fire.
- (2) The rates to be charged for the purposes of subsection (1) (a) are,

*(a) for wages,*

- (i) the rates, if any, that
    - (A) are applicable and in effect in the part of British Columbia in which the particular fire occurs, and
    - (B) have been established as terms and conditions of employment by collective agreement or by another method,
  - (ii) if the minister is satisfied that the person to be paid is
    - (A) an employee who immediately before carrying out the compensable fire control was paid at greater rates of remuneration than the rates under subparagraph (i), or
    - (B) an employer who carried out the compensable fire control through employees and was paying employees at greater rates of remuneration than the rates under subparagraph (i),
- the rates agreed to between the minister and the person, or
- (iii) in the absence of rates as described in subparagraph (i) or (ii), the rates set out in Schedule 4, and
- (b) for use of equipment,*
- (i) the rates, if any, for that type of equipment that are set out in the Equipment Rental Rate Guide authorized by the government, as amended or reissued from time to time,
  - (ii) if the minister is satisfied that the equipment supplier's costs for the equipment used in carrying out the fire control are at rates greater than those referred to in subparagraph (i), at rates agreed to between the minister and the supplier, or
  - (iii) in the absence of rates as described in subparagraph (i) or (ii), reasonable rates to be approved by the minister.

April 2005 (B.C. Reg. 206/05)



Cariboo Fire Centre, Williams Lake  
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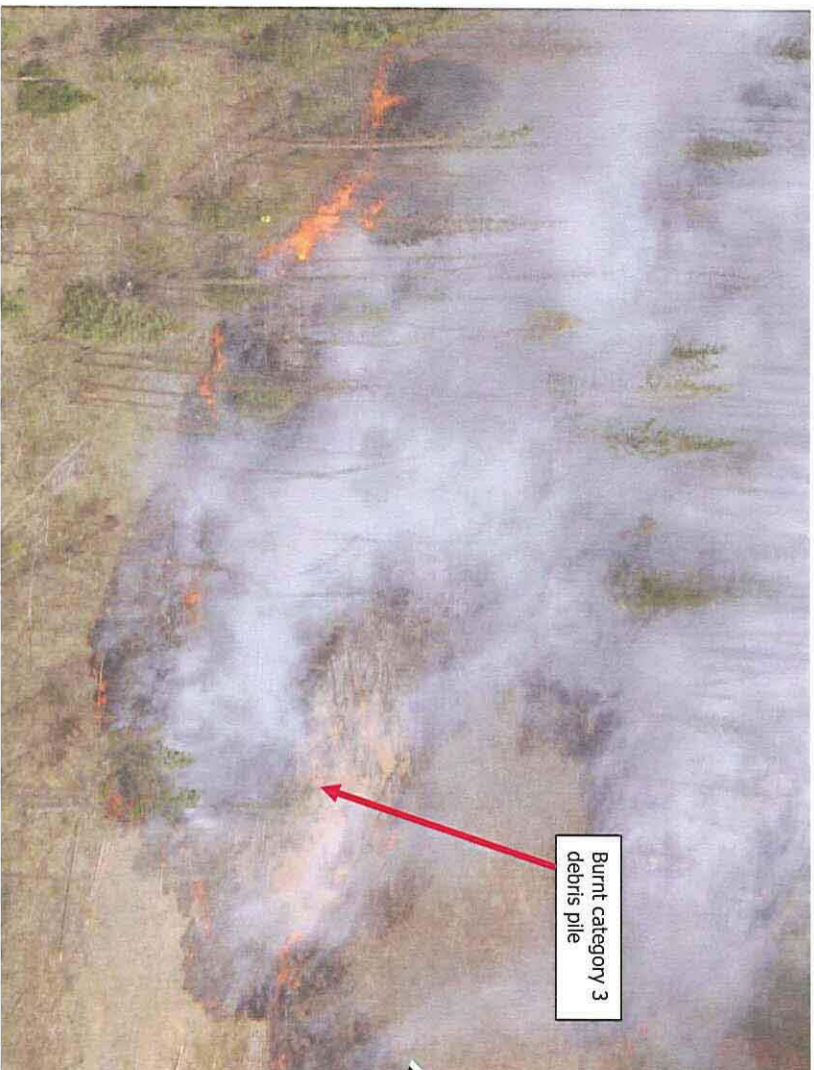


Photo 1

Photo taken at 14:58 May 29 2009 by Initial Attack Crew Leader George Warr.  
This photo was the first photo taken of the area of fire origin on Incident C40096.

Photo shows area of origin on Fire C40096 as determined by origin and cause investigators.  
Area of origin lies

S22  
S15, S2





Cariboo Fire Centre, Williams Lake  
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S15, S22

Photo 2

Aerial overview photo taken at 16:08 on May 29 2009  
This is an overview of the heel area of the fire.



Cariboo Fire Centre, Williams Lake  
FCA-28107

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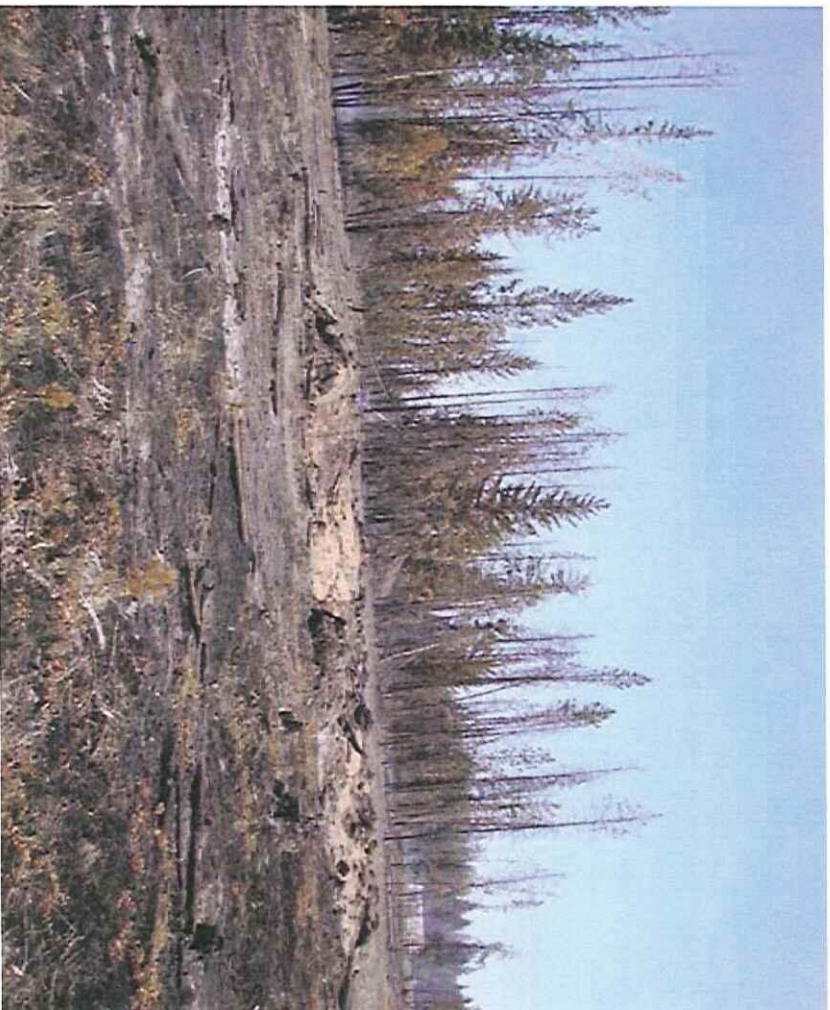


Photo 3

Page 27 redacted for the following reason:

-----

s.15, 22



Cariboo Fire Centre, Williams Lake  
FCA-28107

S15, S22

Photo 5  
Overview of area of fire origin and location of

S22

residences



## Task Action Report

File #: C40096

Task #: - 2

Action Date: 2009-05-29 @ 2030

Action Location: Staging area for fire C40096 (Forest Gr [redacted] School)

Action Taken: Interview with Forest Grove VFD members Bob FALKER (Fire Chief), and [redacted]

- The VFD received the dispatch at 1439 on May 29, 2009 and were on scene prior to 1500.

- Upon arrival at Lower Houseman Road, they saw a big hot spot.

- An old burn area was noted in the middle of the fire where an old debris pile was.

S22, S15

S15, S22

stated that

S22, S15

S22, S15

S22, S15

S2, S15

S15, S22





Province of  
British Columbia Ministry  
of Forests



## INCIDENT STATEMENT

ERA CASE FILE NO.

PAGE OF

C40096

1

STATEMENT OF WITNESS NAME

Forest Globe VFD

ADDRESS

S22, S15, S15

TELEPHONE  
(HOME NO.)

STATEMENT TAKEN AT

Forest Globe Elementary School

S22, S22, S15

(BUSINESS NO.)

DATE Y M D TIME

2009 05 29 20:30

I am a Forest Official with the British Columbia Ministry of Forests, and I am investigating a possible violation of the (circle AND state which) Forest Practices Code of British Columbia Act, Forest Act, Range Act, Wildlife Act & Wildlife Act Regulations, Criminal Code of Canada relating to:

☒ I am interviewing this person as a potential witness.

☐ I have reason to believe that this person is a suspect, and have therefore cautioned the person of his/her rights.

☐ I have reason to believe that this person may feel he/she is being detained, and have read him/her the Canadian Charter of Rights and Freedoms warning.

FOREST  
OFFICIAL'S  
SIGNATURE

PRINTED NAME

Diandra Leckstewart

EMPLOYEE NO.

S22

I wish to make the following statement:

Relieved Dispatch @ 1439, on scene  
Prior to 1430. We arrived at house Hoosman.  
San Rita Hwy 501

S15, S22

S15, S22

SIGNATURE OF PERSON MAKING STATEMENT

SIGNATURE OF FOREST OFFICIAL STATEMENT

FNR-201P009 59

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Province of  
British Columbia Ministry  
of Forests



## INCIDENT STATEMENT

ENR CASE FILE NO.

PAGE OF

1 2

STATEMENT OF (FULL NAME)

AS PER PAGE 1

ADDRESS

TELEPHONE

(HOME NO.):

(BUSINESS NO.):

STATEMENT TAKEN AT

DATE Y M D TIME

2009 05 29

I am a Forest Official with the British Columbia Ministry of Forests, and I am investigating a possible violation of the (circle AND state which) *Forest Practices Code of British Columbia Act, Forest Act, Range Act, Wildfire Act* Regulations; *Criminal Code of Canada* relating to:

☒ I am interviewing this person as a potential witness.

☐ I have reason to believe that this person is a suspect, and have therefore cautioned the person of his/her rights.

☐ I have reason to believe that this person may feel he/she is being detained, and have read him/her the *Canadian Charter of Rights and Freedoms* warning.

FOREST  
OFFICIAL'S  
SIGNATURE

PRINTED NAME

D. Leuthardt

EMERGENCY NO

S22

I wish to make the following statement: -

S15, S22

S15, S22

STATEMENT OF PERSON MAKING STATEMENT

Interview concluded @ 20:50

SIGNATURE OF FOREST OFFICIAL TAKING STATEMENT





Province of  
British Columbia



Ministry  
of Forests

# INCIDENT STATEMENT

ERA CASE FILE NO.

470096

PAGE OF

1 | 2

STATEMENT OF (FULL NAME)

DARREN BLADES - 166 Mitchell Road, Chilliwack

ADDRESS

TELEPHONE  
(HOME NO.):

(BUSINESS NO.):

STATEMENT TAKEN AT

Forest Grove

DATE Y M D TIME

2009 10 28 20:30

I am a Forest Official with the British Columbia Ministry of Forests, and I am investigating a possible violation of the (circle AND state which) *Forest Practices Code of British Columbia Act, Forest Act, Range Act,* Regulations, *Criminal Code of Canada* relating to:

☒ I am interviewing this person as a potential witness.

☐ I have reason to believe that this person is a suspect, and have therefore cautioned the person of his/her rights.

☐ I have reason to believe that this person may feel he/she is being detained, and have read him/her the *Canadian Charter of Rights and Freedoms* warning.

FOREST  
OFFICIAL'S  
SIGNATURE

PRINTED NAME

EMPLOYEE NO.

I wish to make the following statement:

- Forest Grove UFD 1<sup>st</sup> on scene
- 100 mile caucet out by Forest Grove UFD
- Just AFTER 1500 on MAY 29, 2009
- Exact time of initial call was 1439
- For Forest Grove UFD
- 100 mile caucet at 14:49

SIGNATURE OF PERSON MAKING STATEMENT

SIGNATURE OF FOREST OFFICIAL TAKING STATEMENT

Interviewed CONCLUDED @ 20:30  
To speak w/ 1<sup>st</sup> on scene (Forest Grove UFD Chief)



Province of  
British Columbia  
Ministry  
of Forests



## INCIDENT STATEMENT

ERA CASE FILE NO.

240096

PAGE OF

1 2

STATEMENT OF (FULL NAME)

DARELL BARNES - 166 mile House Fire Chief

ADDRESS

TELEPHONE

(HOME NO.):

(BUSINESS NO.):

STATEMENT TAKEN AT

Forest Grove

DATE Y M D TIME

2009 05 29 20:30

I am a Forest Official with the British Columbia Ministry of Forests, and I am investigating a possible violation of the (circle AND state which) Forest Practices Code of British Columbia Act, Forest Act, Range Act, Criminal Code of Canada relating to: Regulations;

☒ I am interviewing this person as a potential witness.

☐ I have reason to believe that this person is a suspect, and have therefore cautioned the person of his/her rights.

☐ I have reason to believe that this person may feel he/she is being detained, and have read him/her the Canadian Charter of Rights and Freedoms warning.

FOREST  
OFFICIAL'S  
SIGNATURE

PRINTED NAME

EMPLOYEE NO.

I wish to make the following statement: \_\_\_\_\_

Forest Grove VFD 1<sup>st</sup> on scene

100 mile caued out by forest grove VFD  
just after 1500 on may 29, 2009

Exact time of initial call was 1439  
for forest grove VFD

100 mile caued at 14:49

Interviewed concluded @ 20:30

To speak w/ 1<sup>st</sup> on scene (Forest Grove  
VFD Chief)

SIGNATURE OF PERSON MAKING STATEMENT

SIGNATURE OF FOREST OFFICIAL TAKING STATEMENT

FNR-2011-00159

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# WILDLAND FIRE ORIGIN & CAUSE DETERMINATION REPORT

## FIRE REPORT DETAILS

<b>Fire Date (YYYY-MM-DD)</b> 2009-05-29		<b>Fire Number</b> C40096		<b>Fire Centre / Zone</b> Cariboo Fire Centre / 100 Mile House	
<b>Geographic Location</b> Buffalo Creek					
<b>1. General Description of Point of Origin</b> S22, S23 Lower Houseman Road, Buffalo Creek B.C. Lot 1 District lot 2965 Lillooet District Plan 38359					
<b>Tenure Holder / Legal / Responsible Owner</b> S22, S15					
<b>Name</b> Same as above					
<b>Address</b> Buffalo Creek B.C. S22, S15					
<b>Latitude</b> 51 42.810	<b>Longitude</b> 121 09.945	<b>Fire Ignition Time (24 hr)</b> 14:00	<b>Fire Report Time (24 hr)</b> 14:39	<b>Fire Attack Time (24 hr)</b> 15:02	
<b>I/C Responding</b> George Warr		<b>Origin &amp; Cause Investigator</b> Steve Richburg Calvin Groll	<b>Date (YYYY-MM-DD)</b> 2009-05-30	<b>Time (24 hr)</b> 11:15	
<b>Description of Weather at Time of Ignition</b> No weather info taken on site Estimated weather info taken from Lone Butte 22 kilometres south, readings shown are 13:00 PST and 14:00 PST Other relevant weather info provided in the detailed Fire Weather System reports FWI 35 - 40		<b>Temperature (C°)</b> 24	<b>RH %</b> 21	<b>Wind Speed &amp; Direction</b> 22 kph SSW	
<b>Representative Weather Station Name</b> Lone Butte		<b>Weather Station Number</b> 218			
<b>WEATHER READINGS ON SITE</b>					
<b>Time (24 hr)</b> 1400 PST	<b>Temperature (C°)</b> 25	<b>RH %</b> 17	<b>Wind Speed (kmph)</b> 24	<b>Wind Direction (deg.)</b> 225	
<b>WITNESSES</b>					
<b>Surname</b> S22, S15	<b>Given Name(s)</b> S22, S15	<b>Statement Taken (Y/N)</b> Y	<b>Address</b> S22, S15	<b>Contact Number</b>	
Warr	George	Y	Cariboo Fire Centre	250 989 2600	
<b>Other Agencies Involved</b>					
100 Mile House Fire Department		<b>Statement Taken (Y/N)</b> Y	<b>Address</b> 100 Mile House BC		<b>Contact Number</b> 250 395 2123
FNR-2011-001 Darrell Blades Fire Chief					





# WILDLAND FIRE ORIGIN & CAUSE DETERMINATION REPORT

## FIRE CAUSE ELIMINATION AND EXPLANATION

Forest Grove VFD	Y	
S22, S15		S22, S15



Ministry of  
Forests and Range



# WILDLAND FIRE ORIGIN & CAUSE DETERMINATION REPORT

## FIRE CAUSE ELIMINATION/AND/EXPLANATION

<b>LIGHTNING</b> Excluded. A search for information from the Canadian Lightning Network (CLDN) for the period of May 1 2009 10:00 hours through to 1000 hours on May 29, 2009, indicated the nearest lightning strikes had occurred 16.2 kilometres North east on May 26 <sup>th</sup> at 16:28 No evidence of lightning was found within the area of the fire's origin.
<b>CAMPFIRE</b> Excluded. A campfire or other fire use has been excluded as a cause of ignition. There was no evidence of a campfire (fire ring) or signs of camping activity observed at the site. There was no evidence suggested by witnesses noting other persons camping at or near the fire site immediately prior to the fire ignition.
<b>SMOKER</b> Excluded. There was no evidence found (discarded cigarette butts) or suggested ( <i>witness statements</i> ) that the fire resulted from a discarded cigarette. Environmental factors at the time of ignition were within the tolerances that would allow a lit cigarette to ignite the dry fine fuels that was present on site. Local weather records indicate that on May 29th at 1300 hours PST, the RH % was < 22% and the FFMG > 90. The readings meet the minimum, thresh-hold values that a cigarette can ignite fine fuels; however the temperature recorded at this time was approximately 24 degrees Celsius, which is below the minimum thresh-hold value of 27 degrees Celsius.
<b>DEBRIS BURNING</b> Fire cause indicators located in and around the area of origin and witness statements support the belief that the fire was caused as a results of a hang-over fire from previous debris pile burning at the location of the area of origin
<b>RAILROAD</b> Excluded. No rail line in the area of ignition
<b>CHILDREN</b> Excluded. There is no evidence found or suggested that indicated that children may have been a possible cause of this fire
<b>INCENDIARY</b> There is evidence found and suggested indicating that the escaped hold over slash pile located at the area of ignition of fire incident C40096, was wilfully and deliberately set without an open burning authorization.
<b>EQUIPMENT USE</b> Excluded. No evidence of recent equipment use at the area of origin
<b>HYDRO-LINE</b> Excluded. No evidence was found or suggested that indicated that fire C40096 was caused by a power line failure. No power lines were in the immediate area of origin
<b>MISCELLANEOUS / OTHER</b> Excluded. There was no evidence found or suggested that indicated that fire C40096 was as a the result of other miscellaneous causes such as fireworks, explosives, fire arm use, grinding ,metal cutting or welding etc.
<b>ARSON</b> There no evidence found or suggested that indicated that fire C40096 was a result of arson. No mechanical, chemical or petrochemical ignition devices were found nor was any evidence located to



# WILDLAND FIRE ORIGIN & CAUSE DETERMINATION REPORT

## FIRE CAUSE ELIMINATION/AND EXPLANATION

suggest a hot fire start. No evidence was found or suggested that any wilful intent to do damage to others property was a motive.

### DETERMINED CAUSE (explain)

Based on the information observed and collected on site by Richburg and Groll as well as witness observations, it is believed that the fire was caused by an escape of an unauthorized debris pile burning holdover.

### Comments

S22, S15

S15, S22

### LEGISLATION CONTRAVENTIONS IDENTIFIED

Below are the alleged contraventions of the Wildfire Act and Regulations as identified in the Origin and Cause investigation of fire C40096

Wildfire Act Section 5 (1),

Light, fuel or use fire against regulations

Offence for S.5. (1) A person who contravenes section 3 (1) or (2), 5 (1) or (2) or 6 (1), (2) or (3), (a), (b) or (c) commits an offence and is liable on conviction to a fine not exceeding \$500 000, or to imprisonment for not more than 2 years, or to both.

Wildfire Regulation Section 22(1),(a),(b),(c),(d),(e),(f) and 22(3),(4)

Maximum Administrative Penalty for S, 22(1), S.22(3),(4)

Up to \$100 000 for the contravention of section 6 (1), (2) (a) or (b) or (3), 7 (2) or (4), 22 (1) or 56 (2),

Offence for 22(3), (4) a fine not exceeding \$100 000 or to imprisonment for not more than one year or to both.





Ministry of  
Forests and Range



# WILDLAND FIRE ORIGIN & CAUSE DETERMINATION REPORT

## FIRE INVESTIGATION CONCLUSION

Photos taken (Y/N) Yes	Site Plan Map (Y/N) Yes	Exhibits (Y/N) N	INVESTIGATION CONCLUDED Date (YYYY-MM-DD) 2009-05-31		Time (24 hr) 10:04
SUMMARY OF FINDINGS					
<b>AREA OF ORIGIN DESCRIPTION</b> The area of origin is a large accumulation of ash with the smoking remains of woody debris, located about 100 m from a flat semi cleared area surrounded by standing red and dead pine. clearing slash. The fire origin and cause investigation revealed that the general area of origin location was the remains of a previously burnt woody debris pile, which was still in the process of releasing smoke during the investigation. See photos #9, 10,11, 12,18, 19, 22,25,26,27,28,29,					
<b>POINT OF ORIGIN DESCRIPTION</b> A large pile about 1 meter high and measured 20x17 meters wide, of smouldering hot and cold ash mixed with buried woody debris which was still smoking during investigation See photos # 2,19, 21,22, 29					
<b>IGNITING OBJECT</b> Dry grasses and small pieces of fine dead woody debris were the receptive ignition fuel sources directly adjacent and downwind from the ash pile.					
<b>FORM OF HEAT OF IGNITION</b> The form of heat was the hot ash particles dispersed from the ash pile with strong gusty winds south to south westerly winds present at the time of ignition					
<b>MATERIAL FIRST IGNITED</b> Ground fuels including dry pine grass, small diameter woody stems, and other organic duff materials surrounding the area around the debris pile See photos # 22,23,24,29,					





# WILDLAND FIRE ORIGIN & CAUSE DETERMINATION REPORT

## FIRE CAUSE ELIMINATION AND EXPLANATION

### ACT OR OMISSION

The slash pile fire lit on private land was ignited without authority under the Wildfire Act and without fulfilling the Wildfire Regulations requirements.

S15, S22



Ministry of  
Forests and Range



# WILDLAND FIRE ORIGIN & CAUSE DETERMINATION REPORT

## INVESTIGATOR COMMENTS

Based on the field examination, evidence gathered and a complete review of the facts, I offer the following:

<b>Investigator Name</b> Steve Richburg	<b>Title</b> Wildfire Origin and Cause Investigator	<b>Signature</b>	<b>Date (YYYY-MM-DD)</b> 2009-07-20
--	---	------------------	--



**Cariboo Fire Centre  
BC Ministry of Forest and Range  
Wild land Fire Origin and Cause Investigation Report  
Incident C40096 2009  
ERA # FCA 28107**

**SYNOPSIS**

On May 29<sup>th</sup>, 2009 at approximately 14:15 hours, a wild land fire occurred on private land ~~Lot #1~~<sup>S22, S23</sup> of District Lot # 2965, Lillooet District Plan 38359, located at ~~the~~<sup>S22, S23</sup> Buffalo Creek community, west of 100 Mile House.

(See Map 1 and overview ~~maps~~<sup>S22, S23</sup> images # 1-7)

Within the 150 hectare area affected by this wind driven wild fire, was a multitude of privately owned structures, including private homes, outbuildings, fences, timber and other valued assets.  
Significant public safety risk challenges were apparent during this event.

On May 29<sup>th</sup> 2009 at 18:15 hours, **Steve Richburg** was assigned the task of beginning a Fire Cause and Origin determination on incident C40096 located in Buffalo Creek area west of 100 Mile House.

**Steve Richburg** had requested the CFC Regional Operations Coordinator **Doug Yano** to contact 100 Mile House District C and E Officer **Diane Lewthwaite**, and requested her to attend this incident and to take statements from any witnesses that were on hand.

May 29<sup>th</sup> 2009 at approximately 20:21, **Diane Lewthwaite** arrived on the incident and began interviewing various witnesses relevant to this case.

~~S22, S23~~

**Steve Richburg** also had requested Operations to contact **Calvin Groll C** and **E Officer** from Quesnel Forest District to assist with the investigation.  
On May 30<sup>th</sup> at 08:40 **Steve Richburg** and **Calvin Groll** arrived on site C40096 to begin the origin and cause investigation on C40096.  
After examining the area of the fire origin, **Steve Richburg** and **Calvin Groll** determined the cause as an escaped slash pile burning event.  
This observation was based on the use of the recognized NFPA 921, the *National Fire Protection Association* endorsed scientific method of examining burn pattern indicators, fire weather, fire behavior data, and other physical evidence and relevant witness statements, at the scene.

As a result of this process, **Steve Richburg** determined that fire incident C40096 had been caused by an unauthorized debris pile burning hangover, located on



Hot embers buried within the large ash pile, had been released during a significant wind event on the afternoon of May 29<sup>th</sup> 2009. <sup>82, S15</sup>

No recent open burning authorization registration had been recorded a being issued for this location and landowner.

This report details the results of Richburg's fire origin and cause investigation and his conclusions as to the specific cause of the fire.

#### DETAILS OF THE INVESTIGATION

**Fire Date:** 2009-05-29    **Fire Incident Number:** C40096

**Geographic Location:** In the Community of Buffalo Creek on Lower Houseman road, approximately 500 meters SE of the Forest Grove-Canim Lake road. The town of 100 Mile House is approximately 15 kilometers west of this location.

**Coordinates of the Point of Origin:** 51 42.810 x 121 09.945

**Fire Ignition Time:** 14:00 (approximate time fire left the debris pile area)

**Fire Discovery Time:** 14:15 (Time witness first observed the escape)

**Fire Report Time:** 14:39 (911 Emergency Dispatch) First Report

**Fire Attack Time:** 14:54

**Responding Incident Commander:** George Warr, Call Sign: Cifac 2  
**Responding Fire Officer:** Shelley Harden, Call Sign C41

**Nearest BC FS Weather Stations:** Lone Butte, Timothy

**Fire behavior and Weather Conditions at Ignition time of Fire**

**Weather for Ignition Time:** 14:00 DST

Based on the data available, from the nearest weather station at Lone Butte.

At 13:00 PST the estimated time of ignition, the air temperature was 24 degrees Celsius and a Relative Humidity of 21%, wind direction was SSW at 221 degrees at an average wind speed of 22 Km/hr.

#### **Fire Behavior Data**

Fire behavior indices were estimated at a FPMC of 91.7, BUI 65, ISI of 16.4 and a FWI of 35.5- 43. Intensity class of 5, with a rate of spread potential of 4-6 meters per minute.

These indices would allow for the near onset of extreme fire activity with continuous Crown fire potential in red and dead pine stands, passive crown and

candling fire, and a highly vigorous surface fire and short aerial bursts in most conifer stands.

**Legal Land Description of Point of Origin:**

Lot #1 of District Lot # 2965, Lillooet District Plan 38359,  
Buffalo Creek BC.

S22

S15, S22

S22, S15

**Tenure Holder/Responsible/Legal Owners:**

S22, S15

**NARRATIVE**

Based on witness statements the following pre fire info was forthcoming.

On or about April 10 2009 S22 was observed burning and checking a large brush pile of about 20 meters wide X 5 meters high

S22 Apparently the woody debris pile had been on this property

S22, S15

S15, S22

About one month prior to the fire escape, a puff of smoke was observed coming out of the burnt slash pile remains.

S22, S15

and the old burnt pile appeared to be out.

No smoke was visible

S22, S15

On May 29<sup>th</sup> at around 14:15 S22, S15 observed flames coming from the pile location, there was a large flame on one side of the old pile area and a smaller flame on the opposite side of the pile. S22, S15 also observed several spot fires burning away from the debris pile. S22, S15

around 14:30 and then called the Forest Grove VFD at the recorded time of 14:39.

At 14:41 an IPR was received by the provincial Fire Reporting Centre.

The Forest Grove VFD arrived around 14:45, soon

followed by the Forest Service staff according to S22

Cifac 2 George Warr arrived via Helicopter XVI over head at 14:58 as per the IPR info.

George Warr first reported the fire at rank 3 and fire size of .5 hectares and was concerned about the multitude of homes and private property values at risk nearby.

(See IFR in Appendix 3)



15:19 Air Attack Officer Jeff Austin reports fire spotting 2-300 meters and burning south to north in the fire spread pattern.

*See IRT for more fire control details*

Jeff Austin's and George Warr's photo's shown below in Figures 1 and 2 shows a significant wind driven fire event during the first hour of this incident.



**Figure 1**

Photo taken at 14:58 May 29 2009 by Initial Attack Crew Leader George Warr

This photo in figure 1 was the first photo taken of the area of fire origin, on Incident C40096.

Photo shows fire backing and lateral behavior toward the left and right lower corner of photo. The head of the fire has already advanced several hundred meters from the slash burn ash pile by this time. The prevailing wind had driven the fire rapidly toward the North-northeast at the top of the photo.

Cifac 2 George Warr and crew provided fire suppression actions on this area during first hour of his activities. See George Warr photos 867-874 in Appendix 7

s.22, S15

**Figure 2**

AAO Photo taken at 16:08 on May 29 2009

This is an overview of the heel area of the fire. See Overview photos #1,2,3,4,5 for site details.

At the time of George Warr's arrival at the fire the Forest Grove VFD was on the scene at the near the area of origin located <sup>S22</sup> statement in Annex 9 described their observations of where they thought the fire first ignited <sup>S15, S22</sup> and the fire behavior at the time.

20:21 Diane Lewthwaite the 100 Mile District Compliance and Enforcement Specialist arrives at C40096 and begins the witness interview process.



May 30 2009

08:42 Steve Richburg and Calvin Groll arrive at incident C40096 to begin the Origin and Cause determination process.

09:19 Richburg takes weather readings on site the staging area at the school temperature was 13 degrees with a RH of 30% winds gusting 12 kms out of the west.

11:00 Richburg and Groll interviewing witness

11:15 Richburg and Groll examining site of alleged area of origin observed a large pile of both cold and hot still smoking ash, well charred woody debris and clumps of burnt soil material. (see photo # 1)

After examining the burn pattern indicators surrounding the alleged area of origin, and having followed the advancing fire indicators from 200 meters beyond the heel of the fire back to the alleged area of origin, it was evident that the source of the fire was in fact the burnt debris ash pile shown in photo #1 below.

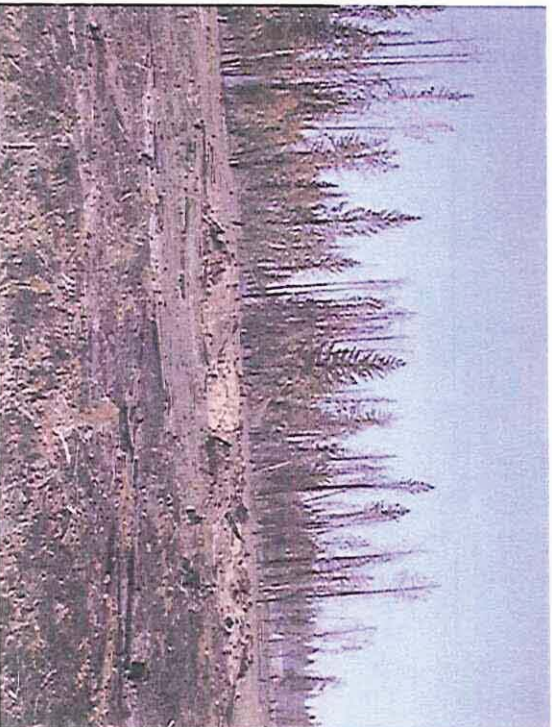


Photo #1

11:55 Investigation team Richburg and Groll begins photo evidence documentation of observations on site the area of origin.

See Appendix 5 for investigation site sketch maps and photos.

Photos 1- 21 where taken from photo point #1, photos 22-27 were taken from photo point # 2.

15:12 Calvin Groll and Steve Richburg met with the

S15, S22

S22, S15



S15, S22

15:57 Richburg and Groll returned to the area of origin to continue with evidence gathering after finishing the interview with S22, S23

17:22 Richburg and Groll measured debris ash pile area and found it to be 20 x 17 meters.

18:04 Richburg flew in a Helicopter over the fire perimeter to photograph overview of fire origin area other relevant areas of the fire perimeter.  
(Photos #32-48 were taken.)

19:30 Investigation team Richburg and Groll completed the field portion of fire cause determination process and compiled the findings.

*See the Wildland Fire Origin and Cause Determination Report FS 1348 for the Investigator's conclusions and details of the findings.*

Signed

Steve Richburg 2009 -06- 25

Steve Richburg  
Forest Protection Officer  
Fire Cause and Origin Investigator  
Cariboo Fire Centre  
Wildfire Management Branch  
BC Forest Service



Cariboo Fire Centre, Williams Lake  
FCA-28107

---

**Fire C40096**

**May 29, 2009**

**Fire Origin and Cause Photo Array**

**Fire direction vectors definitions displayed on the following photographs**



**Advancing fire indicators –**

Indicates direction of the main fire travel as characterized by rapid fire spread with higher intensity



**Lateral fire indicators –**

Indicates the direction of less rapid fire spread, lateral to the main fire travel



**Backing fire indicators -**

Indicates the direction of fire spread characterized by slow rate of spread and low intensity, backing into the wind

**Note:** Coloured flags denoting the above fire direction vectors were placed in the ground during the origin and cause determination. The above symbols were added to the photographs for display purposes.

C 40096-09 MAY 30/09

U Basking  
V (transitionally)  
LAZARUS  
- Advancing

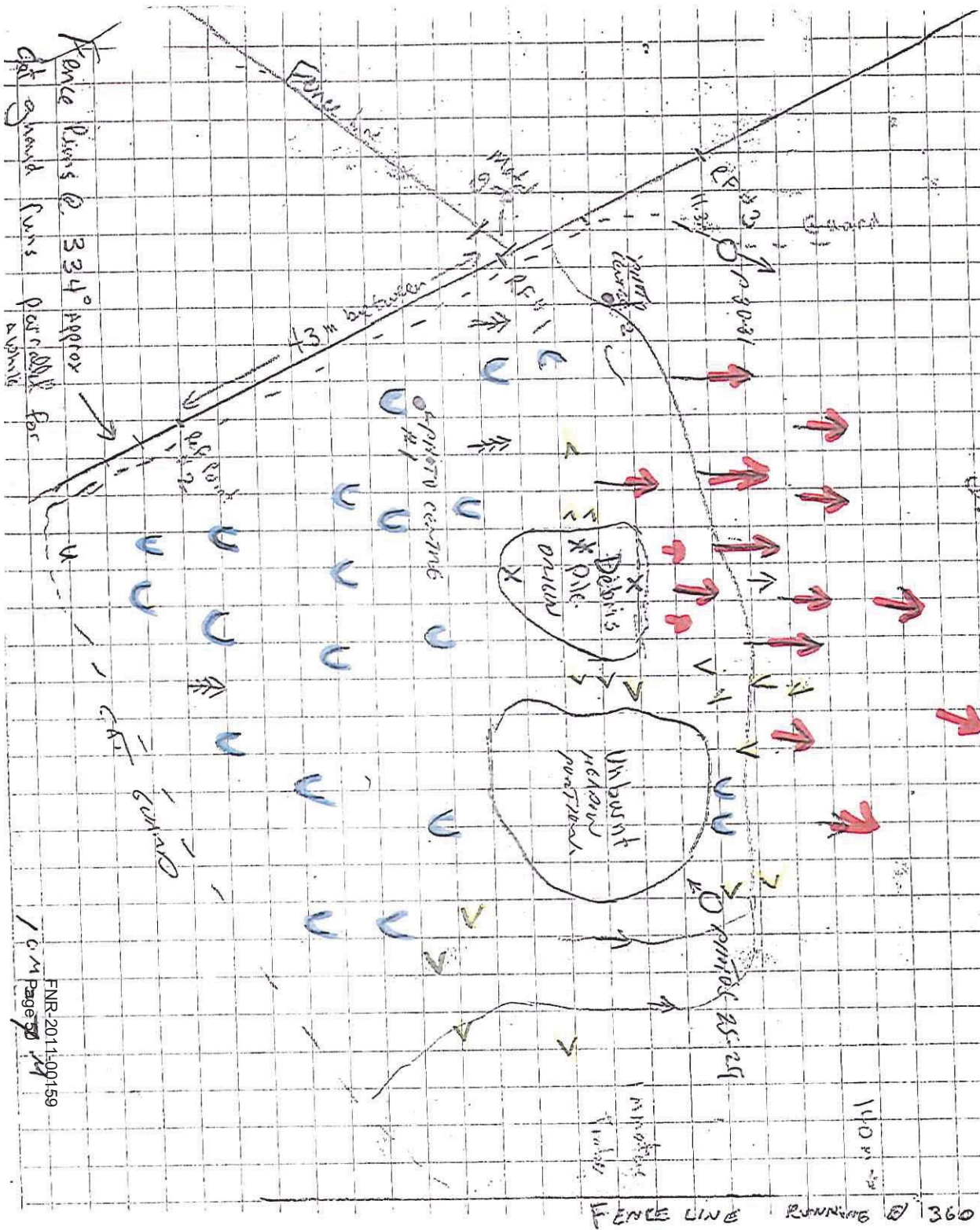
C1 w/ grass

Pine  
SD

Translucent  
Tyrone

140m

FENCE LINE RUNNING @ 360°







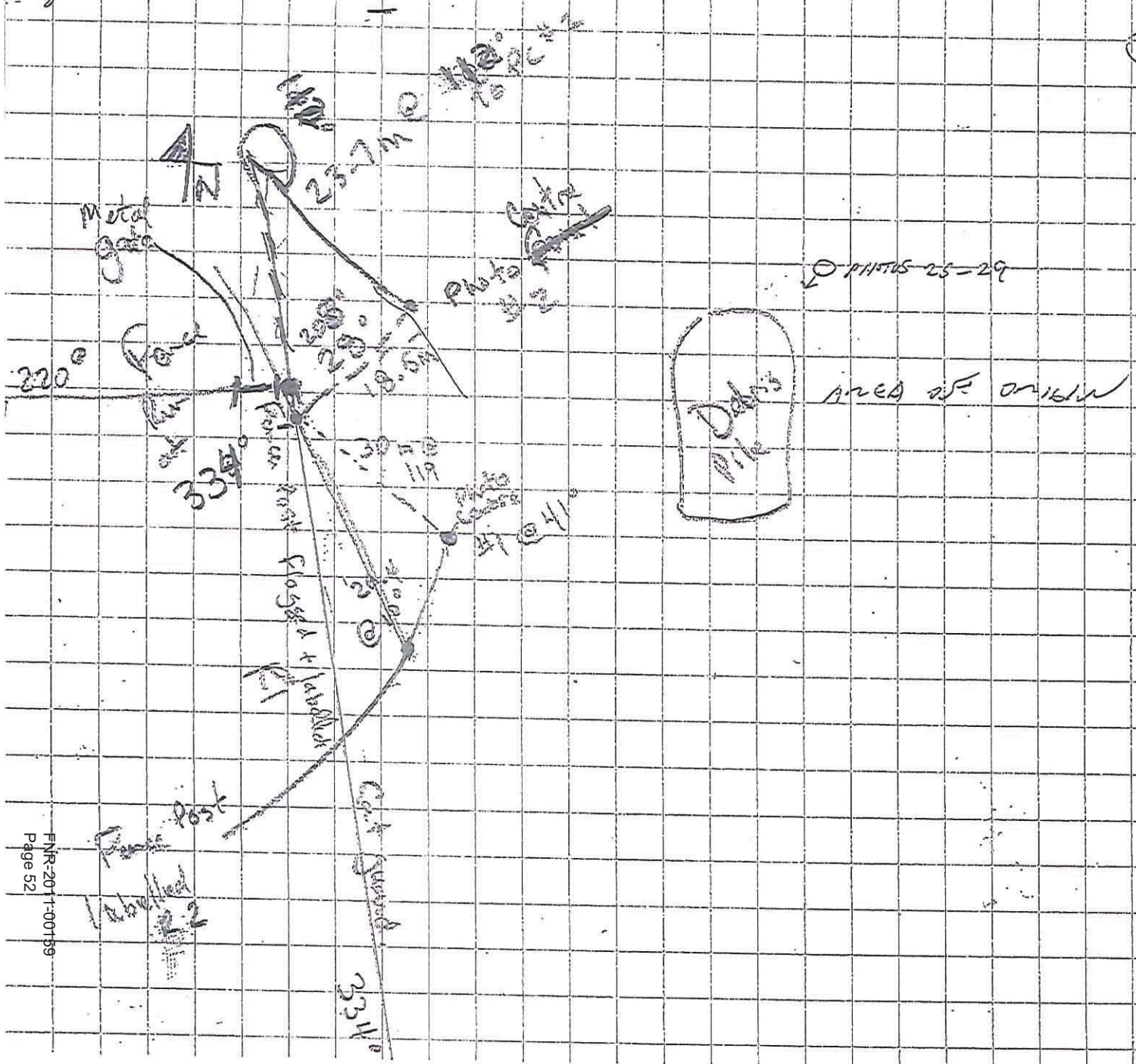


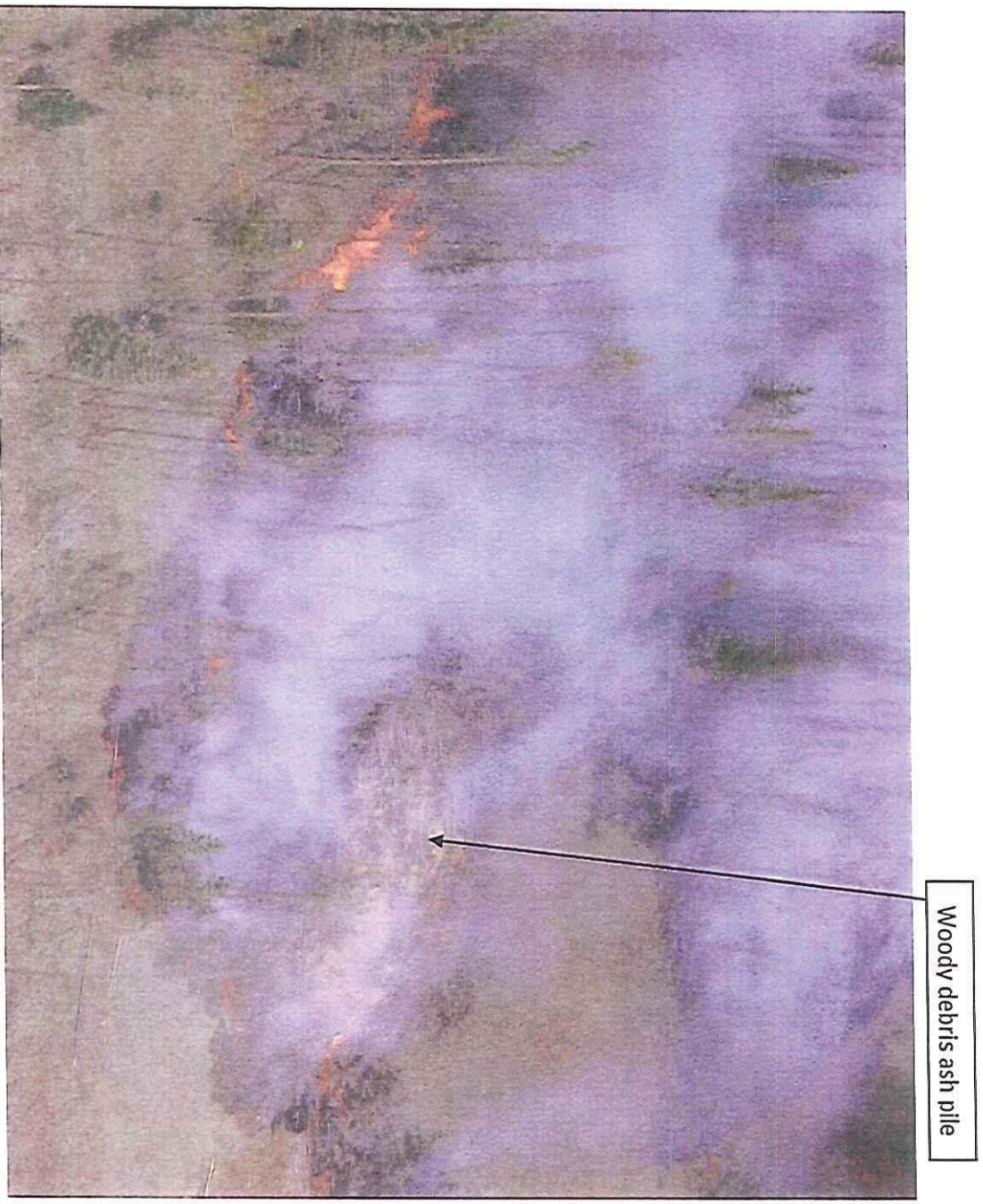
MAY 30/09

C 40096 - c

Wk DATA

QTC

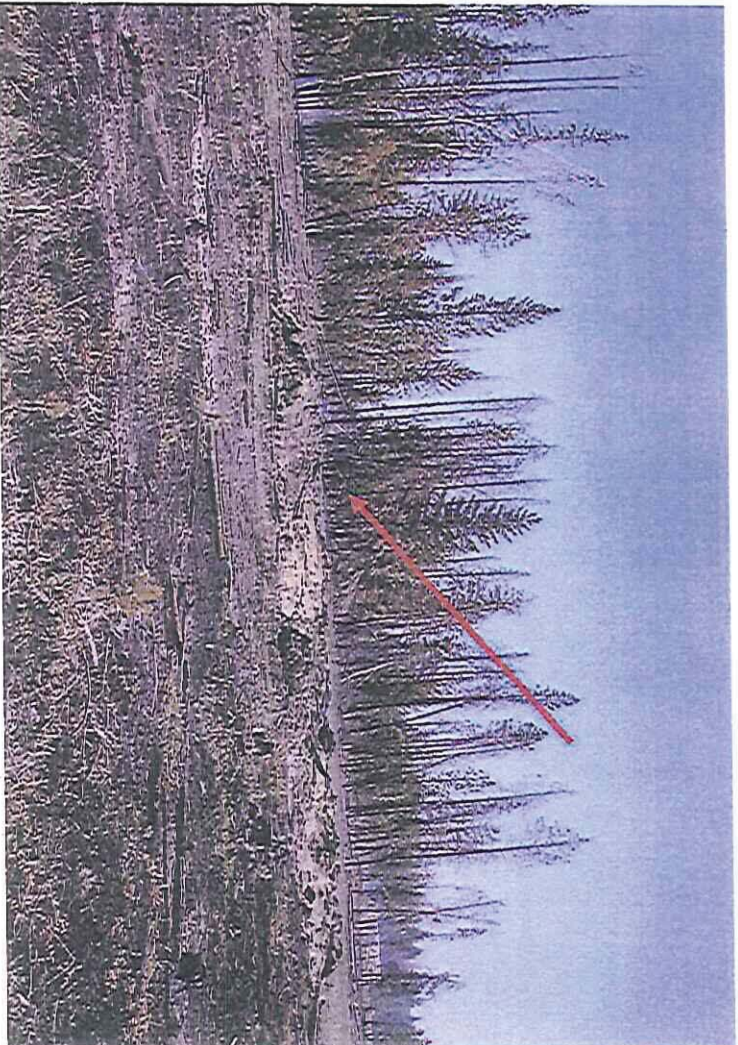




**Figure 1** Photo taken at 14:58 May 29 2009 by Initial Attack Crew Leader George Warr

First photo taken of area of origin on Incident C40096. Photo shows the head of the fire backing and lateral behaviour toward the right lower corner of photo. The head of the fire has already advanced away from the ash pile a considerable distance by this time. The prevailing wind had driven the fire rapidly toward the North-northeast at the top of the photo.





**Photo 1** View is to the N. Red arrow points to area of fire origin and previously burnt woody debris pile said to be lit around April 10. Photo taken from photo centre 1 on sketch map diagram



**Photo 2** Close up of area of origin (hang over debris pile burn) in mid photo. View is to the N. Note smoke still coming out of the ash remains.

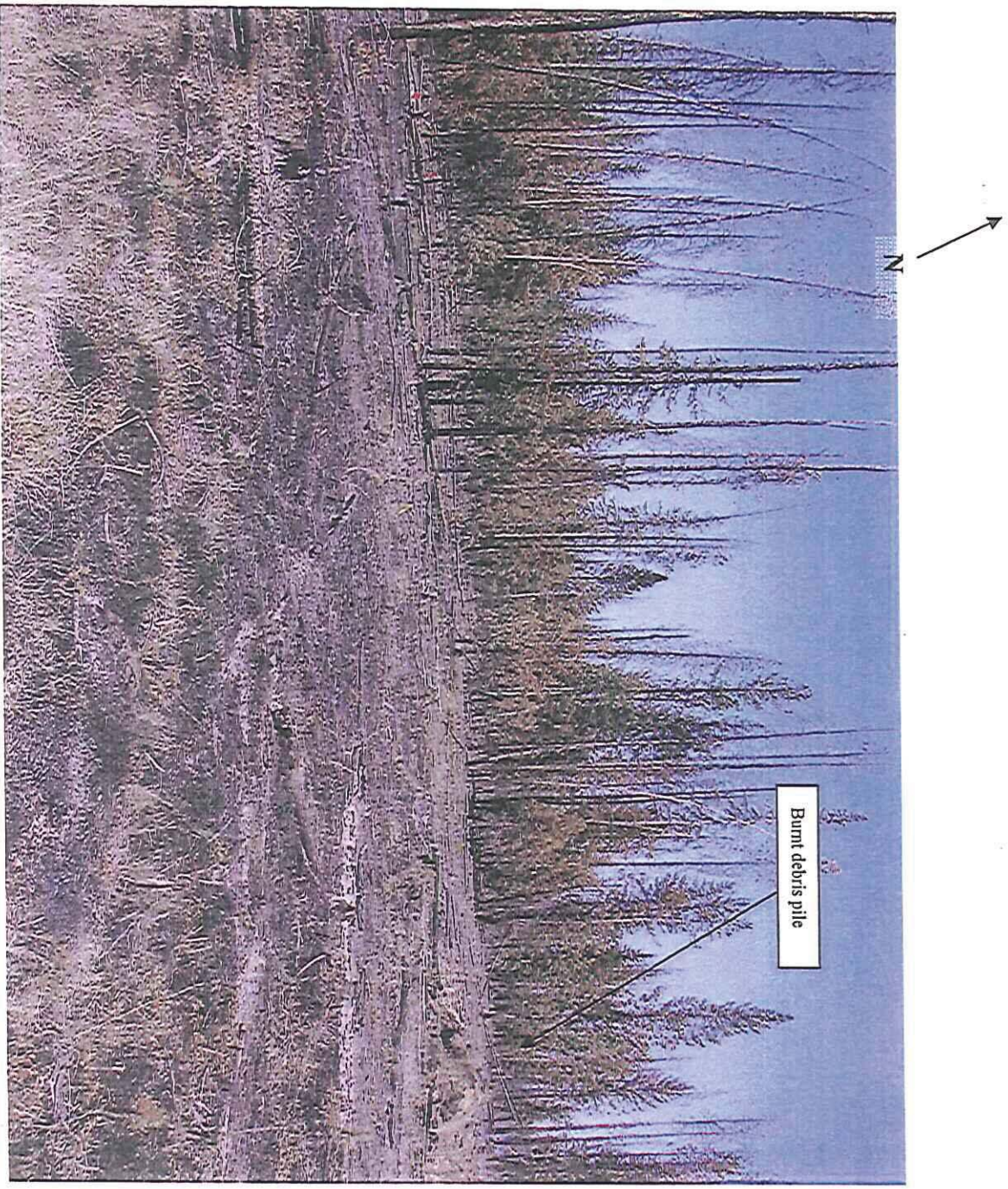




### Photo 5

View is 352° NNW photo 4 zoomed in, to show the effect of a wind driven radiant heat freezing of pine foliage and angle of char on tree. These are fire direction indicators of an advancing fire.  
Red arrows show advancing fire direction at indicators.  
Yellow arrows show lateral fire spread.





**Photo 6**  
26 degree NE view of point of origin and directional flagging of fire created indicators  
Red Flags indicate evidence of advancing fire, yellow flags indicate lateral-transitional  
burn patterns

s.22, S15

**Photo 9**

60° ENE view shows ash remains of slash pile and area the area of backing fire indicators flagged with blue flagging, and a lateral fire indicators with yellow flagging (difficult to see in this photo) marked with yellow arrows in mid frame.





**Photo 10**  
104° view of area of backing fire area shown with blue flagging

s.22, S15

**Photo 11**

Blue flags showing backing indicators.  
S15, S22

Backing indicator symbol

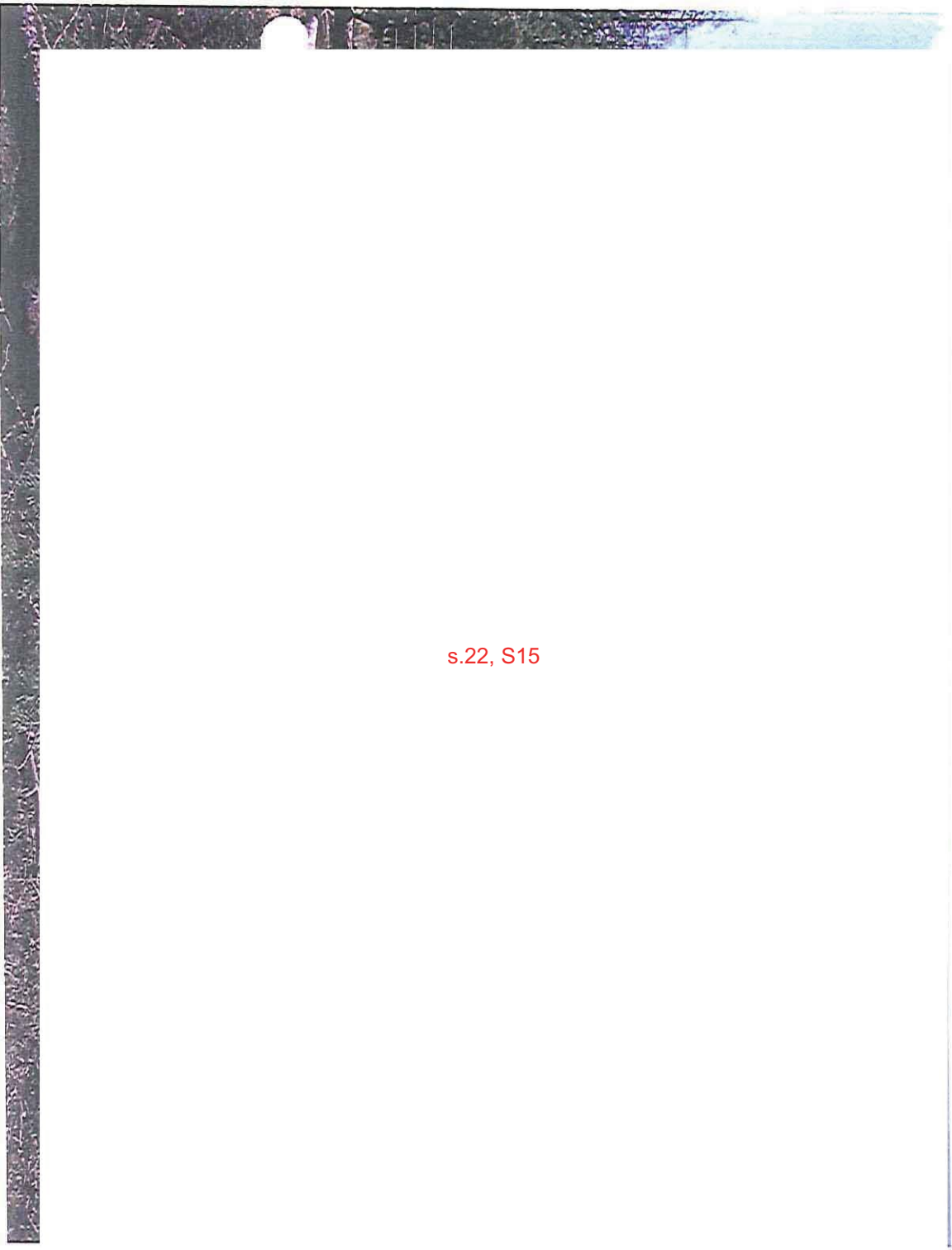




s.22, S15

**Photo 12**

190° view of photo reference point 2# .yellow flagging tape on fence post.  
Area of backing fire, indicator flag shown in left mid frame



**Photo 13**  
240° view of

S22, S15

s.22, S15

s.22, S15

**Photo 15**

View at 299° is reference point #1 with yellow flagging tape on fence post  
Photo is zoomed in .





**Photo 17**

View is 354° of fire directional flags showing advancing and transitional fire patterns



s.22, S15

**Photo 19**

View is 40° of the point of the fire's origin which was the remains of a large burnt slash pile. Four white flags mark hot spots in the ash pile. (White arrows point at white flags). There was an accumulation of burnt soil and charred wood chunks mixed with the cold and hot ash in this location.

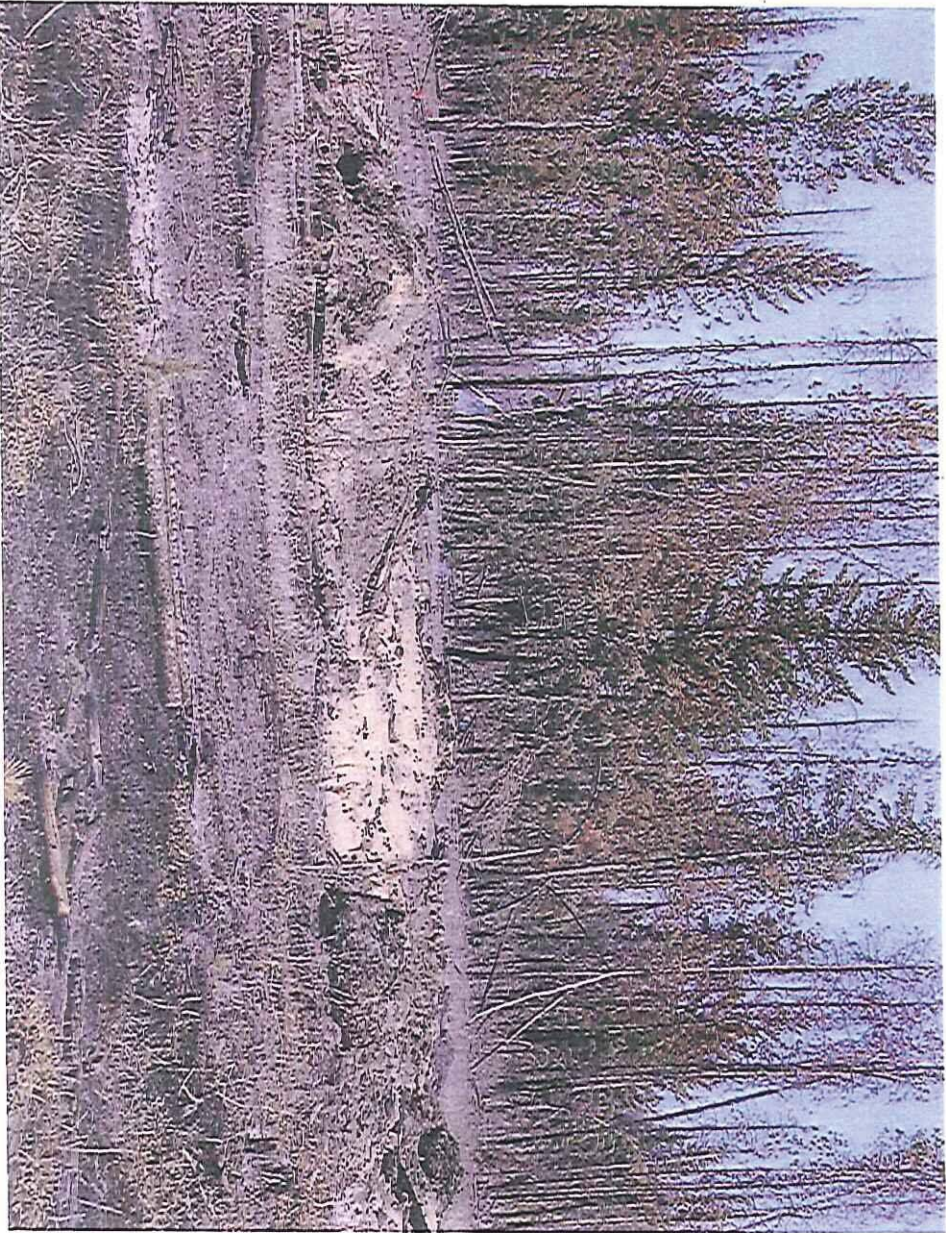


Photo 21

34 o zoomed view of area of point of ignition shown with white flag markers





**Photo 22 (Photo is taken photo centre #2)**

View is 108° of arc of origin with advancing fire indicators showing pine needle and branch freezing above the red advancing indicator flags



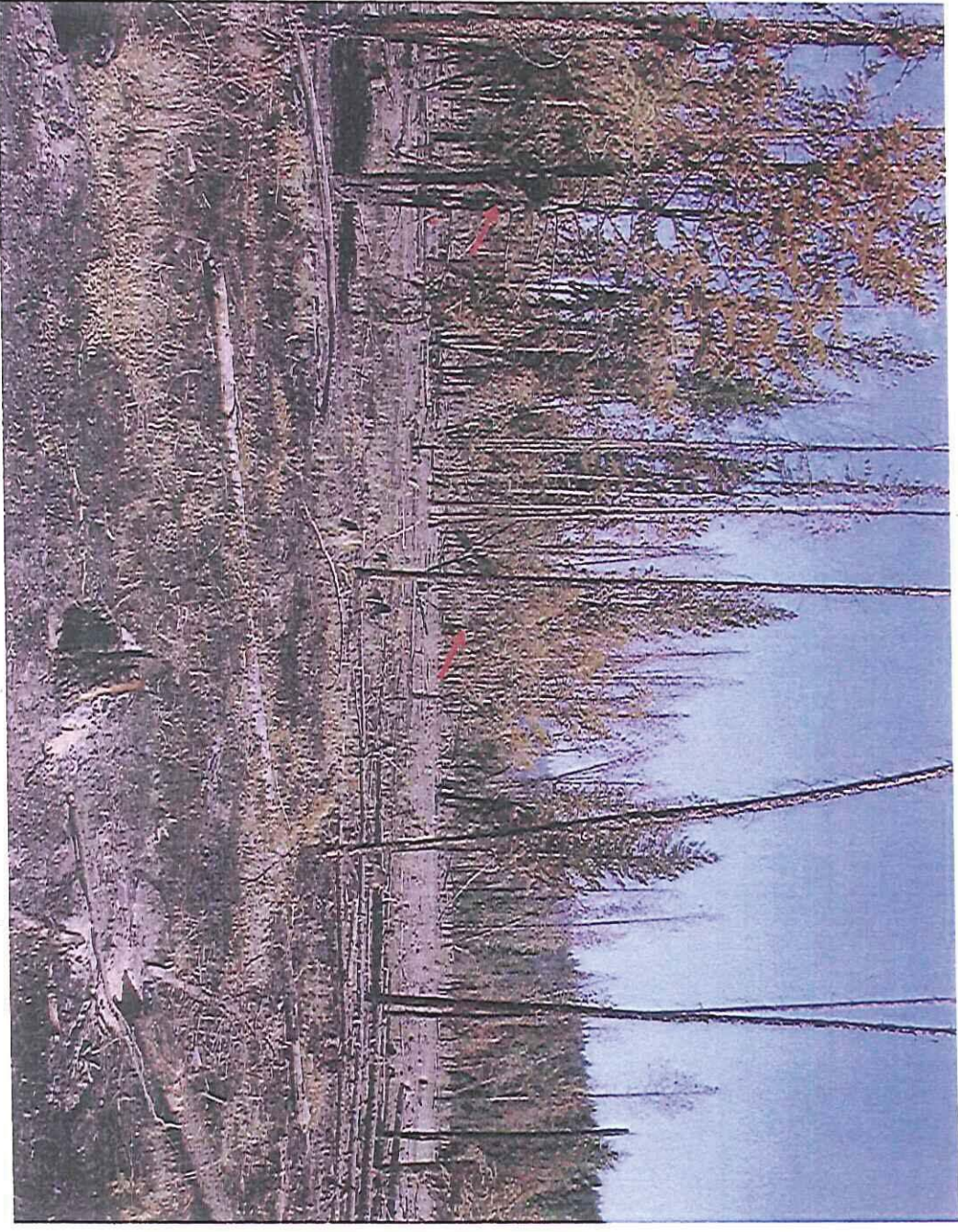


Photo 23

View is 58° of advancing fire indicators from photo centre #2





**Photo 24**

View is 30° from photo centre #2 of advancing fire indicators

s.22, S15

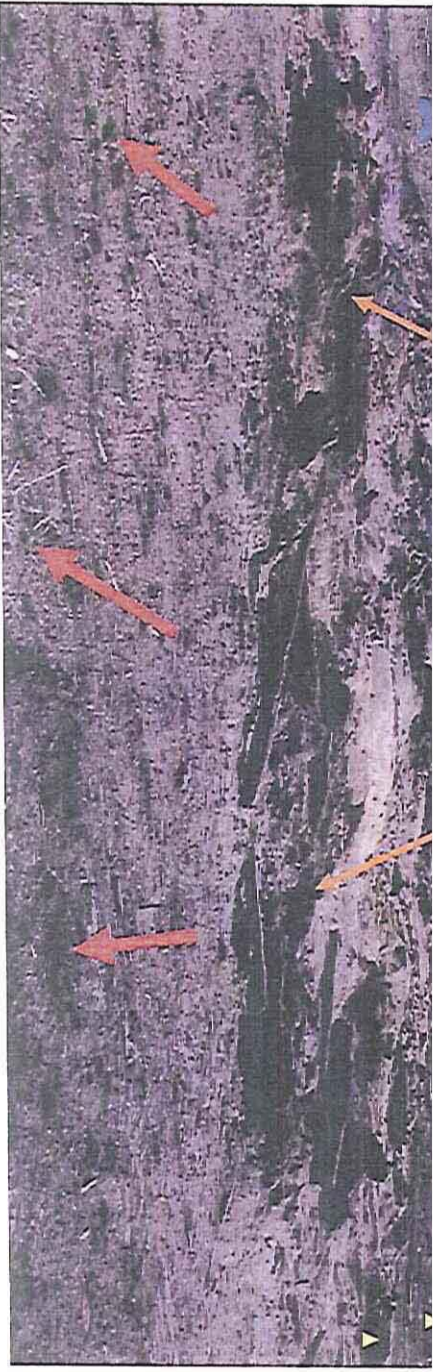
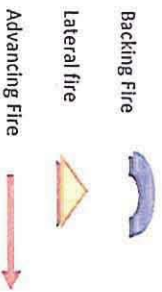


Photo 25

View to the SW toward reference point 2 across the area of origin the hangover debris pile burn.  
The debris burned at this location was determined to have caused a hangover fire, first ignited around  
April 10<sup>th</sup> 2009.

S22, S15







**Photo 26**

Zoomed in view is taken on the North side looking south and downward at the ash pile at point of origin.

Photo is of an undisturbed section of a previously burnt log still burning under old ash and dirt mixed debris. The winds had uncovered the buried smouldering debris from the deep layer of old ash, fanning and rekindling the fuel with the added oxygen available.





**Photo 27**

Photo same as photo 26 normal unzoomed exposure same location





Photo #29

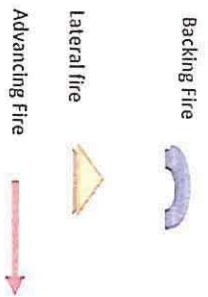
Point of fire's ignition to scale with Investigator Calvin Groll as scale reference object.

S15, S2

s.22, S15

Photo 39

Aerial View to the SW of area of origin and fire spread direction





CH0096-09

Revised 6.5

447 29-30 2nd

PHOTO 5-19

Cost:

Back to meow

78 file (Pang)

Grade Velocity

will call

6m022 3c 46

ASST.

27:30	AT WE FOR THE
-------	---------------

216411 07:00 57407

MC106N1 #C40096

rusty black

51042X/2109.937

51042.620x

Meig 027 Tynk

14:41

CH2 15.0v 15.10

157 covered 14,477 CIP2

11/11/2016 11:27



	3P21 in scene at
	21:45
	20:16 6 LOONAR CROW
	on SITE WITH 142
	2 structures left
	Around 16:08
	6 THUNDERBOLTS
	14:40 FIRE STARTED
	S.22, S15
	LOONAR HOUSEWORK
	NOAD
	S15, S22
	S22, S15
	6-8 TREES CAUGHT TO
	on FIRE PHIT
	STREAS
	HOUSEHOLE DOWN
	APPARENTLY
	FEAT 30/09
07:00	C346 & MYSELF
	OFF WILLYS LAKE
	TO C40096
08:40	on SITE C40096
	CLEAN NETS
	WINDS LIGHT
	THUNDER & LOONAR SITE
	WE STARTED
	LOST RECONSTRUCTIVE
	ST AREA
09:15	TENP & S1100L
	SITE 13° 50' 0" N
	WINDS CRYSTAL TO
	12 km/h ON AT WEST



09.40

S22, S15

15 PEN

S22

11:15 ON SITE PASSAGE

AREA OF GARDEN,

CAME OUT OF 12

COLO R-HOT ASH

ASSASSIN TIME

SCENT

PHOTO # TAKEN

@

REF #2 @ 26.4m

130m

WEL #1 @ 30m 149°

PARROT OF P00

MANOVEN SLEIGH PUC

FLAME 4/10 ME

TRUNK HOT PUC

14:31 PHOTO TAKEN

WENT COVERED

4 PHOTO LOG.

COMPLETED 13

PHOTO ESSAY AT

PHOTO 1, 2, 3.

MANOVEN HOT (PUC)



15:19

S15, S22

15:31

S22, S15

15:40

S15, S22

S15, S22

15:57 count 15

actual site

To map isobutylene



MAY 30/04

11:45 CALVIN P 1

ARE COMPLETE. A

MAP TO SCALE

1<sup>st</sup> EXAMINER

SEARCH FOR REMAINS

FOR HANDLED

CONFIRMATION.

WILL TAKE PHOTOS

HOLOGRAPHIC AREAS

OF ASH. STILL HOT

IN SUBSURFACE AND

SURFACE AREAS,

16:55 PHOTO 25 TAKEN

OF THE WE SITE OF

SEARCH FOR REMAINS

FALLING SW. NOTING

SUBSURFACE HOTSPOT

WITHIN CIRCULAR

BURN AREA

PHOTO 26

- VISITING

SECTION OF PARVOISIT

BURN, LOG STILL

BURNING UNDER

OLD ASH & BURN

REMOVED REMAINS.

PHOTO 27

SHADE LOCATION

REGULAR PHOTO

LOOKING SW. IN PILE

THAT IS NOT OF

OVERLAP AREA.

THAT SHADE LOCATION.

THE PHOTO OF BURN

ONCE TO SCENE WITH

CALVIN.

17:27 RETURNING TO PILE AREA

17:27 RETURNING TO PILE AREA



Photo 30 KJ1

Taken @ reference  
point #3 facing

mouth of Wisconsin

river type stream

to types about

within the first

segment.

18:44 Field over

Fire with 1W3

from aerial shots

of area of origin.

04:57 MPTB

18:16 down at school

house, 18

18:40 checking road

patterns. road

was clear

Area of origin

with clear.

18:52 AT 100 mile of fire

expanding in

with roads

some about casts.

MAY 31/09

08:30 meeting with

clear to movements

investigation forward.

09:45 check leaves for

quercus, 1 check in

with 96 J8A &

plus

10:04 approximately 100 mile

for all, 19



## Task Action Report

File #: C40096

Task #: - 3

---

Action Date: 2009-06-02

Action Location: Calvin GROLL'S telephone

Action Taken: Telephone message from  
Fire Investigator

S22, S15

left for Calvin GROLL,

S22, S15

\*\*\*See original note attached



OT response of blues, f

Haska S22

Mill road CTFAC II  
10 x 10 S22

Saturday 40886 42000  
Erie kopobiki - CTFAC II  
Revised 40 Dec 096

Free Cars

Star

S22, S15

# Coast Hotels & Resorts

www.coasthotels.com or 1-800-663-1144

CANADA Alberta-Calgary, Edmonton Downtown, Edmonton South, Jasper, Medicine Hat  
British Columbia-Abbotsford, Campbell River, Kamloops, Kelowna, Langley City, Nanaimo,  
Osoyoos, Prince George, Prince Rupert, Revelstoke, Sun Peaks, Terrace,  
Tsawwassen, Vancouver Downtown, Vancouver Airport, Victoria  
North West Territories-Yellowknife  
USA Alaska-Anchorage California-Santa Cruz, Santa Barbara, Burbank, Long Beach  
Hawaii-Maui Idaho-Boise Oregon-Portland Washington-Seattle Downtown,  
Seattle-Tacoma Airport, Bellevue, Wenatchee  
Associate Hotels-Las Vegas, Nevada





1875



28

Food:

1310 Enforce to Overage

14:30 In Quersnd - gas

1445 back at Quind District

০৫৭০

1500 Colled Steve Pinkburg to

let him know it was in Tok.

Minshok ut Foud,

1600	skinned hoar.
------	---------------

1845	- Call from Doug Kinney.
------	--------------------------

Five copies. Dispatch to

Fire Ecology & Forest Growth

for Rice Investment

Tonett w/ Richbourg

2000

1st Quoted as follows to

ph. - Nighted in vol. 29

Mar 30 0700 net w/ Richburg to

Tim's and drove to 100 mile

0840 Ensta @ Ryphdo Lule Elact cur



[illegible]

Told that Diane L. CFE

from 100 mile west beam on site.

Previous <sup>15</sup> attending and Kaduna

22, S

S2

S2

Change.

1100	On site possible fix
------	----------------------

Original

S22, S15

ca They increased that way

believed if the ~~Pro~~ stated on

Delvin H.  
s.22, S1

S22, S15

1.330 P.O. Origin - 51.42.810 FNR 2



- Taking Photos of Fire

Origin area after Flagg  
Inhabits of Area

- Had good investigations area

S22, S15

S22, S15

- 14/10 Estrella. Photo taken

#2 w/ Reference points to

Fire:

- Photos taken. From photos

Photo centers were documented

on separate pages and

numbered. Photo 1-5



Taken prior to placing  
indicator flags - All from  
photo center #1

- Photos 6-21 Taken  
after indicator flag - Wilson

photo center #4

- photos 22-24 Taken from

photo center #2

1838

S22, S15

1846 - Taken w/

S22, S15

S15, S22



took photos, I documented  
them, measured distance  
across bed of fire using hip  
chain and along fence line.

- Using measurements measured out area  
on acreage scale.

- Buck at off 100 mil off area

1930

- At about 1500 mil w/ w/

S22, S15



S22, S15

info about what happened.



S22, S15



[illegible]



S22, S15



46

0830	Stops.
------	--------

1230 @ Quenel - collect P. 15e

Mar 13	Ad. 1	4000
--------	-------	------

1030	Call from Fire Centre.
------	------------------------

FNR-2019-000499





MINISTRY OF FORESTS & RANGE  
Box 129  
100 Mile House, BC V0K 2E0  
Ministry of Forests  
and Range

100 MILE HOUSE

2010 MAR -2 11:11 AM

RECEIVED

S22, S15



FS 405 HIS 03/08 7530133001



File: 23060-20 – FCA-28187

Client Number:

S22, S23

December 17, 2009

And

512,

Buff

S22, S15

VOK 1G0

Dear

S22, S15

Re: Notice of Investigation under the *Wildfire Act* and *Wildfire Regulation*.

I am writing to inform you that we are currently investigating the following activities:

- the lighting of a Category 3 open fire located on Lot 1, District Lot 2965, Lillooet Land District.



We have information indicating that it is possible that these activities may have caused the 2009-C40096 fire, also known as the Buffalo Creek fire, which occurred on May 29, 2009.

In addition, we also have information indicating that it is possible that these activities may be in contravention of section 5(1) of the *Wildfire Act* and section 22(3) of the *Wildfire Regulation*. Specifically, light, fuel or use an open fire in forest land or grass land or within 1 km of forest land or grass land, and, fail to ensure a Category 3 open fire does not escape.

The lead investigator is Diane Lewthwaite. Please feel free to contact her at 250-395-7884 if you have any questions or information regarding this investigation.

Yours truly,

A handwritten signature in blue ink, appearing to read "Diane Lewthwaite".

Diane Lewthwaite, RFT  
Compliance and Enforcement Specialist  
100 Mile House Forest District

cc: Rob Bardossy, Wildfire Management Branch, Cariboo Fire Centre

Ministry of Forests  
and Range

100 Mile House Forest District

Location:  
300 Cariboo Highway 97  
100 Mile House, British Columbia

Mailing Address:  
PO Box 129  
100 Mile House, BC V0K 2T0  
Tel: (250) 395-7800  
Fax: (250) 395-7810



BRITISH  
COLUMBIA

The Best Place on Earth

File: 23060-20 – FCA-28107

Client Number:

March 2, 2010

Dear

Re: Notice of Investigation under the *Wildfire Act* and *Wildfire Regulation*.

I am writing to inform you that we are currently investigating the following activities:

- the lighting of a Category 3 open fire located on Lot 1, District Lot 2965, Lillooet Land District.

We have information indicating that it is possible that these activities may have caused the 2009-C40096 fire, also known as the Buffalo Creek fire, which occurred on May 29, 2009.

In addition, we also have information indicating that it is possible that these activities may be in contravention of section 5(1) of the *Wildfire Act* and section 22(3) of the *Wildfire Regulation*. Specifically, light, fuel or use an open fire in forest land or grass land or within 1 km of forest land or grass land, and, fail to ensure a Category 3 open fire does not escape.

The lead investigator is Diane Lewthwaite. Please feel free to contact her at 250-395-7884 if you have any questions or information regarding this investigation.

Yours truly,

Diane Lewthwaite, RFT  
Compliance and Enforcement Specialist  
100 Mile House Forest District

cc: Rob Bardossy, Wildfire Management Branch, Cariboo Fire Centre.

Ministry of Forests and Range 100 Mile House Forest District

Location:  
300 Cariboo Highway 97  
100 Mile House, British Columbia

Mailing Address:  
PO Box 129  
100 Mile House, BC V0K 2E0

Tel: (250) 395-7800  
Fax: (250) 395-7810





Page 95 redacted for the following reason:

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S 20



## Task Action Report

File #: C40096

Task #: - 1

Action Date: 2009-05-29 @ 2130

Action Location:

Action Taken: Interview with

S22

S15, S22

first saw flames in the middle of the field  
at approximately 1415 on May 29, 2009.

S22, S15  
S22, S15

S15, S22

S15, S22





Province of  
British Columbia Ministry  
of Forests



## INCIDENT STATEMENT

ERA CASE FILE NO.	PAGE	OF
C40096	1	24

STATEMENT OF (FULL NAME)

ADDRESS

STATEMENT TAKEN AT

TELEPHONE  
(HOME NO.):

(BUSINESS NO.):

DATE	Y	M	D	TIME
2009	10	09	21	30

I am a Forest Official with the British Columbia Ministry of Forests, and I am investigating a possible violation of the (circle AND state which) Forest Practices Code of British Columbia Act, Forest Act, Range Act, Wildlife Act AND Regulations, Criminal Code of Canada relating to:

☒ I am interviewing this person as a potential witness.

☐ I have reason to believe that this person is a suspect, and have therefore cautioned the person of his/her rights.

☐ I have reason to believe that this person may feel he/she is being detained, and have read him/her the Canadian Charter of Rights and Freedoms warning.

FOREST  
OFFICIAL'S  
SIGNATURE

PRINTED NAME

D. Leathwaite

E

1601

I wish to make the following statement:

I SAW A BIG TRUCK IN THE MIDDLE OF THE FIELD AND

APPROX. 14:15

1 SIGNATURE OF PERSON MAKING STATEMENT

SIGNATURE OF FOREST OFFICIAL MAKING STATEMENT

FNR-201 Page 99

S22, S15

S22, S15

S15, S22

S22

S22, S15

S22, S15

S22, S15

S22, S15

S22, S15



# INCIDENT STATEMENT

EHRA CASE FILE NO.	PAGE	OF
C40696	2	4

STATEMENT OF (FULL NAME)

ADDRESS

S22, S15

AS PER PAGE 1

TELEPHONE  
(HOME NO.):

(BUSINESS NO.):

STATEMENT TAKEN AT

DATE	Y	M	D	TIME
2009	10	5	29	21 30

I am a Forest Official with the British Columbia Ministry of Forests, and I am investigating a possible violation of the (circle AND state which) Forest Practices Code of British Columbia Act, Forest Act, Range Act, WILDLIFE ACT Regulations;  
Criminal Code of Canada relating to:

☒ I am interviewing this person as a potential witness.

☐ I have reason to believe that this person is a suspect, and have therefore cautioned the person of his/her rights.

☐ I have reason to believe that this person may feel he/she is being detained, and have read him/her the Canadian Charter of Rights and Freedoms warning.

FOREST  
OFFICIAL'S  
SIGNATURE

*[Signature]*

PRINTED NAME

D. LEONTHAKIS

EMPLOYEE NO.

S22

I wish to make the following statement

S15, S22

S15, S22

SIGNATURE OF FOREST OFFICIAL TAKING STATEMENT

*[Signature]*





Province of  
British Columbia Ministry  
of Forests



## INCIDENT STATEMENT

ERA CASE FILE NO.

PAGE OF

STATEMENT OF (FULL NAME)

ADDRESS

S22, S15

TELEPHONE  
(HOME NO.):

(BUSINESS NO.):

STATEMENT TAKEN AT

DATE Y M D TIME

2009 05 29 2130

I am a Forest Official with the British Columbia Ministry of Forests, and I am investigating a possible violation of the (circle AND state which) *Forest Practices Code of British Columbia Act, Forest Act, Range Act, WILDFIRE ACT +* Regulations; *Criminal Code of Canada* relating to:

☒ I am interviewing this person as a potential witness.

☐ I have reason to believe that this person is a suspect, and have therefore cautioned the person of his/her rights.

☐ I have reason to believe that this person may feel he/she is being detained, and have read him/her the *Canadian Charter of Rights and Freedoms* warning.

FOREST  
OFFICIAL'S  
SIGNATURE

PRINTED NAME

D. Pleushwate

EMPLOYEE NO.

S22

I wish to make the following statement:

S15, S22

S15, S22

REGULATIVE OR PREVENTATIVE STATEMENT

SIGNATURE OF FOREST OFFICIAL TAKING STATEMENT

FNR-2011-00159

FS-425A IEN 95/12

DISTRIBUTION: WHITE - FILE COPY;

CANARY - PERSON MAKING STATEMENT; PINK - EXTRA COPY

Page 99

FNR-2011 Page 99



Province of  
British Columbia Ministry  
of Forests



# INCIDENT STATEMENT

FRMA CASE FILE NO.

PAGE OF

C40096

414

STATEMENT OF (FULL NAME)

Address

S22, S15

AS per 1  
AS PAGE

TELEPHONE  
(HOME NO.):

(BUSINESS NO.):

STATEMENT TAKEN AT

DATE Y M D TIME

2009 10 29 2130

I am a Forest Official with the British Columbia Ministry of Forests, and I am investigating a possible violation of the (circle AND state which) Forest Practices Code of British Columbia Act, Forest Act, Range Act, Wildlife Act + Wildfire Act + Criminal Code of Canada relating to: Regulations;

☒ I am interviewing this person as a potential witness.

☐ I have reason to believe that this person is a suspect, and have therefore cautioned the person of his/her rights.

☐ I have reason to believe that this person may feel he/she is being detained, and have read him/her the Canadian Charter of Rights and Freedoms warning.

FOREST  
OFFICIAL'S  
SIGNATURE

PRINTED NAME:

D LEOHART

EMPLOYEE NO.

S22

I wish to make the following statement

S15, S22

S15, S22

Interview concluded @ 22:10

SIGNATURE OF PERSON MAKING STATEMENT

SIGNATURE OF FOREST OFFICIAL TAKING STATEMENT