

PROVINCE OF BRITISH COLUMBIA  
Department of Lands, Forests, and Water Resources  
BRITISH COLUMBIA FOREST SERVICE

## WORK PROGRESS REPORT

Project Blaeberry Bridge (M. 21)  
Contractor Evans Products Co. Ltd.  
Address P.O. Box 170  
Golden, B.C. VOA 1H0

File.....  
Contract dated.....  
Estimate No. 1  
Period of this estimate April 1976 - Nov. 1976

Item No.	DESCRIPTION	Unit	Estimated Quantity	This Estimate	Previous Estimate	Total to Date	Unit Price	Amount \$
1.	Labour and Benefits							5,169.33
2.	Equipment Rental							5,466.19
3.	Transportation:							
	Personel							915.25
	Equipment							322.25
4.	Engineering							929.73
5.	Supervision							1,404.43
6.	Accounting							400.00
7.	Supplies and Materials							
	Concrete Forms							3,111.97
	• Concrete							1,511.83
	Stringers							1,150.26
	Timbers							198.19
	Miscellaneous (Warehouse)							1,002.85

Retention this estimate ( %) - \$.....	Total value of works at <u>December 31</u> , 1976.....	\$ <u>21,582.28</u>
	Less value of previous works - - - -	\$ - -
Payable to contractor ( %) \$.....	Value of works, this period - - - -	\$ <u>21,582.28</u>

Certified correct: W.H. Dreyer  
Forest Officer.  
Date January 17, 1977

Vote.....  
Approved:.....  
Officer in Charge.  
Date....., 19.....

GOLDEN PLYWOOD AND  
REGIONAL ADMINISTRATION  
TELEX 048-796  
TELEPHONE 604-344-2261

**EVANS** / KINBASKET  
PRODUCTS COMPANY LIMITED OPERATIONS  
P.O. BOX 170 - GOLDEN, B.C.

DONALD LUMBER TELEX NO. 048-771  
LUMBER SALES TEL. 604-344-6115  
LUMBER ADMINISTRATION  
TEL. 604-344-5281

January 19, 1977



District Forester  
B.C. Forest Service  
518 Lake Street  
Nelson, B.C.

Attention: R. M. Brock

Dear Sir:

Please find enclosed, the final progress report on the 21 Mile Blaeberry Bridge. (T.S.H.L. A02118 Stumpage Offset)

The initial engineering commenced in January 1976. The plans were finalized and the concrete forms were pre-fabricated by our machine shop in April. The actual bridge construction started on May 11th and was completed May 26th. A final coat of Creosote was applied to the bridge this fall.

The total cost of the project was \$21,582.28.

Yours truly,

EVANS PRODUCTS COMPANY LIMITED

*W. H. Dreyer*

W. H. Dreyer  
Asst. Engineer & Construction Superintendent

WHD/jly

cc: Ranger Younghusband  
B.C. Forest Service - Golden  
D. Ollenberger

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Withheld pursuant to/removed as

s.14



Province of  
British Columbia

Ministry of  
Forests

344-5991

Forest Service  
Box 1380  
Golden, B.C.  
VOA 1H0

September 22, 1980

File: 01784

Sivertz, Brecknell and  
Kiehlbauch  
Barristers and Solicitors  
Box 190  
316 Hudson Street N.E.  
Salmon Arm, B.C.  
VOE 2T0

Attention: Mr. E.R. Brecknell

Dear Sir,

With reference to your letter of September 5, 1980 claiming damages on behalf of Mr. R. Kramer's truck in the Blaeberry Bridge failure.

I have forwarded the claim to our Legal Services Branch who will be in contact with you regarding the claim.

Yours truly,

D. E. Gill  
District Manager

DEG/das

C.C. Nelson

*R.D. 3-copy*

Page 07 of 27 to/à Page 09 of 27

Withheld pursuant to/removed as

s.14

\*  
BCFS REG NLSN

BCFS DIS GLN

SEPTEMBER 16/80 1200

ATTENTION R BROCK

RE BRECKNELL LETTER ON BLAEBERRY BRIDGE

WE HAVE MISPLACED OUR COPY AND REQUEST YOU FORWARD XEROX

COPY FOR OUR FILE THANKS

D E GILL

DISTRICT MANAGER RD 3

\*  
BCFS DIS GLN

BCFS REGMNLN  
174 SEPT 16/80 SILEXXX FILE 01784

ATTN D GILL

RE BLAEBERRY BRIDGE LETTER FROM MR BRIXX BRECKNELL

PLS ACKNOWLEDGE RECEIPT OF LETTER AND INDICATE TO HIM THAT THE  
MATTER HAS BEEN REFERRED TO OUR LEGAL SERVICES BRANCH FOR ADVICE.

L F RENSHAW  
RIMBER///XXX TIMBER RANGE AND RECREATON

14:04 MH

\*  
BCFS DIS GLN

# FOREST SERVICE

PROVINCE OF BRITISH COLUMBIA

Date 22 September, 1980

To RD#3 Office.

Your File No.

From EN9'9

Our File No. 01784

Attention District Manager

Referring to The attached.

Please find copy of Brockwell letter on  
Blaeberry Bridge as per your telex of  
80-09-16.

F.S. 297—(50)-0

(Signature)

E. Allie for  
R.M. Brock

TM\*  
BCFS DIS GLN  
U\*  
B N  
\*  
BCFS REG NLSN  
BCFS DIS GLN

SEPTEMBER 29/80

FILE 01784

ATTENTION L D HOWARRD

RE YOUR TELEX OF SEPT 29/80

TRUCK DRIVEN BY MR R KRAMER WAS PRIVATE VEHICLE

DE E GILL  
DISTRICT MANAGER

□ F D 3

\*  
BCFS REG NLSN  
BCFS DIS GLN

\*  
BCFS REG NLSN

BCFS DIS GLN

DEC 2/80

10:00

FILE 01784

File

ATTN R M BROCK

RE YR TLX 1-12-80 ON BLAEBERRY RBRIDGE FAILURE  
ANSWERS IN SEQUENCE TO YOUR QUESTIONS.

- 1.) GROUND INSPECTION OF BRIDGE MADE BY LES YOUNGHUSBAND AND DON GILL APRIL 22/80 WITH REQUEST FOR ENGINEERING APPRAISAL ON APRIL 24/80
- 2.) ACCIDENT REPORTED BY R KRAMER JUNE 11/80 BETWEEN 14:00 AND 14:30
- 3.) INITIAL INSPECTION OF ACCIDENT CARRIED OUT BY G LARSEN AND D DRAPER JUNE 11/80 WITH FOLLOW UP BY L YOUNGHUSBAND AND D DRAPER JUNE 12/80
- 4.) YES:- NUMEROUS BY FS STAFF AND FENERAL PUBLIC
- 5.) NO:- IT HAD FLOATED DOWN RIVER
- 6.) 15 FXXX 16 FEET
- 7.) 1970 INTERNATIONAL TADXXX TANDEM WITH DR480 BARKO GRAPPLE LOADER
- 8.) NO
- 9.) VIEWED AT LATER DATE IN RIVER ESTIMATE LOGS TO BE 15-20 FEET LONG
- 10.) ESTIMATE ONLY 14 CEDAR LOGS AVERAGE SIZE TOP 10 INCH BUTT 16 INCH LENGTH 16 FEET
- 11.) 1975 CASE CRAWLER TRACTOR MODEL 1150B C/W 6 WAY BLADE AND WINCH ESTIMATE WEIGHT 20 TON
- 12.) BRIDGE MATERIAL 7-16 FOOT LOGS, 12-16' 6 X 6 X TIMES AND XXX 6 X 6 CROSS TIES AND 200 LINEAR FEET 3X10 RUNNING PLANKS
- 13.) ESTIMATE WEIHGT OF BRIDGE MATERIAL 5 TONS
- 14.) NOV 20/79
- 15.) YES
- 16.) NO

CORRECTION

7.) SHOULD BE DF480 BARKO NOT DR480

D E GILL

\*  
BCFS REG NLSN

BCFS DIS GLN



To: Mr. Cym Williams  
Director  
Engineering Branch  
Ministry of Forests  
1450 Government Street  
From: Victoria, B.C.

MINISTRY OF FORESTS

AUG 6 1981

MAIL ROOM  
VICTORIA, B.C.

*D.M. Golden*

Date: August 4, 1981

943-7507

FILE NO. F320-3 Kramer

Re: Kramer and Kramer Contracting Ltd.

For your records I enclose copies of releases obtained from the above noted in respect of the Blaeberry Bridge collapse.

I trust this will conclude the matter to your satisfaction.

D. A. Doyle  
Barrister & Solicitor  
Resource Section  
Civil Law Department

✓ C.C. DISTRICT MANAGER GOLDEN

✓ C.C. REGIONAL MANAGER, NELSON

Att: R.M. Brock

) For your information.

PC CPW  
Sept 11/81  
Information  
C.P.K.  
81-09-02

R E L E A S E

IN CONSIDERATION of the payment of the sum of \$21,034.00 Dollars, receipt of which is hereby acknowledged, the undersigned does hereby for himself, his heirs, executors, administrators, successors and assigns release and forever discharge Her Majesty the Queen in right of the Province of British Columbia from any and all actions, causes of action, claims and demands for, upon or by reason of any damage, loss or injury to person and property which heretofore has been or hereafter may be sustained in consequence of the collapse of a bridge on the Blaeberry Forest Road occurring on or about the 11th day of June, 1980.

And for the said consideration the undersigned hereby further agrees not to make claim or take proceedings against any other person or corporation which might claim contribution or indemnity under the provisions of any statute or otherwise.

.../2

And it is understood and agreed that the said payment is not deemed to be an admission of liability on the part of Her Majesty the Queen in right of the Province of British Columbia.

Dated at Salmon Arm, in the Province of British Columbia, this 14 day of July, 1981.



Witness

E. R. (TED) BRECKNELL  
BARRISTER  
BOX 190, SALMON ARM  
B.C. V0E 2T0

Full Name

Address

Occupation

  
ROBERT KRAMER



To:  
*DM - Golden*

*Bob Brock*

February 10, 1981

F320-3 Kramer/Blaeberry

Sivertz, Brecknell & Kiehlbauch  
Barristers & Solicitors  
P. O. Box 190  
316 Hudson Street, N.E.  
Salmon Arm, B. C.  
V0E 2T0

~~92-01784-01~~

PROS-#7507

Attention E. R. Brecknell, Esq.

Dear Sirs:

Re: Robert Kramer and R. Kramer Contracting Ltd.  
Your File No. 4043

Thank you for your letter of January 27th, 1981 and  
enclosures.

As a result of further discussion with officials of the  
Nelson Forest Region I am able to confirm that Mr. Gill,  
an employee of the Ministry of Forests, did indeed make  
a cursory inspection of the bridge on April 22nd, 1980  
and was concerned enough about its condition to request  
an engineering report on its safety. I am not sure that  
this fact would materially affect the liability of the  
Crown as Mr. Gill is not an engineer and the attached case  
of Seymour v. R. in the right of British Columbia will  
indicate a general concern or knowledge on the part of  
a servant or agent of the Crown does not necessarily  
impart the Crown with the knowledge that can only be  
derived through a proper engineering inspection.  
The Crown cannot be imparted with any knowledge that  
its servants or agents are not qualified to rule on, and  
Mr. Gill obviously felt that he was unable to rule on  
the structural stability of the bridge since he did re-  
quest that the Regional Engineering Office make an inspec-  
tion.

In any event I understand that separate from our dealings  
your client has been in contact with the Minister's



*[Handwritten signature]*  
81-3-12

.../2

E. R. Brecknell, Esq.

- 2 -

February 10, 1981

s.14 office with a view to obtaining some type of reimbursement for his losses. I understand that the Engineering Division of the Ministry of Forests is considering some kind of ex gratia payment without admission of liability, and I trust your client will be discussing this matter with you in the near future. }

\*

Yours very truly,

D. A. Doyle  
Barrister & Solicitor

DAD/tf

Encl.

cc Mr. Ken Williams, Engineering Branch  
[REDACTED] Regional Engineering Officer

s.14

FOREST SERVICE

Province of British Columbia

FILE No. 01784

DATE FEB 6 1981

SUBJECT CALL FROM MR. D. DOYLE  
(ATTORNEY GENERAL'S OFFICE) RE  
KRAMER'S ACCIDENT ON FAILURE  
OF BLAZEBERRY BRIDGE.

ATTENTION OF:

File Note.

REMARKS

CALL 14:50 } FEB 6 1981.  
TO 15:00 }

MR DOYLE REQUESTED FOLLOWING  
INFORMATION.

1) WHO INSPECTED BRIDGE PRIOR TO  
FAILURE?

ANS. LIES YOUNG, HUSBAND & DON GILL

2) WHAT ACTION REQUESTED?

REQUESTED NELSON REGIONAL ENGINEERING  
APPRAISE BRIDGE FOR USE & POST  
AT 5 TO 10 TON LIMIT.

3) HAD WE (I) REQUESTED EVAN'S  
TO GIVE US A COST ESTIMATE  
ON REPLACING BRIDGE?

YES. MARK HALLEY WAS TO  
SUBMIT COST FOR NEW BRIDGE.

4) ON OUR INITIAL INSPECTION APRIL  
22/80 WHAT REASON DID WE REQUEST  
THE ENGINEER TO INSPECT BRIDGE?

DUE TO DRY ROT IN STRINGER  
WE (I) REQUESTED ENGINEERING TO  
DO FURTHER INSPECTION TO FIND OUT  
EXTENT OF ROT.

SIGNATURE



To: Ministry of Forests  
Engineering Branch  
Victoria, B. C.

*To: DM- Golden*

From: Nelson  
Date: 1980-12-15  
File: 01784

ATTENTION: Mr. R. F. Bryant, Manager  
FSR Administration

RE: Blaeberry Bridge Failure - Your letter of 1980-11-26.

Below please find more information and particulars regarding Kramer's accident on the above mentioned bridge. The questions were compiled by the Regional Engineering Officer and reply made by the District Manager at Golden.

1. On what knowledge or inspection was your request for inspection by engineering office based?

GROUND INSPECTION OF BRIDGE WAS MADE BY LES YOUNGHUSBAND, OPERATIONS SUPERINTENDENT, AND DON GILL, DISTRICT MANAGER, ON APRIL 22/80 WITH REQUEST FOR ENGINEERING APPRISAL ON APRIL 24/80.

2. We understand accident was reported to FS on June 12th/80. Who reported it and what time to best of your knowledge was report made?

ACCIDENT REPORT BY R. KRAMER JUNE 11/80 BETWEEN 14:00 and 14:30.

3. When accident was reported did District Manager or a member of his staff go immediately to inspect the situation?

INITIAL INSPECTION OF ACCIDENT CARRIED OUT BY G. LARSEN, ROAD FOREMAN, AND D. DRAPER, CREW MEMBER, ON JUNE 11/80 WITH FOLLOW UP BY L. YOUNGHUSBAND AND D. DRAPER ON JUNE 12/80.

4. Were pictures taken of the scene?

YES. NUMEROUS BY FS STAFF AND GENERAL PUBLIC.

5. Was the log load in evidence?

NO. IT HAD FLOATED DOWN THE RIVER.

6. What was the length of box or deck?

16 FEET.

7. What was type of truck?

1970 INTERNATIONAL TANDEM WITH DF480 BARKO GRAPPLE LOADER.

8. Had logs been scaled?

NO.

1980-12-15

Page 2

9. If yes to 8. What were lengths of scaled logs?  
VIEWED AT LATER DATE IN RIVER. ESTIMATE LOGS TO BE 15-20 FEET LONG.
10. Is there any way to determine load size?  
ESTIMATE ONLY. 14 CEDAR LOGS AVERAGE SIZE TOP 10 INCH, BUTT 16 INCH, LENGTH 16 FEET.
11. What was make and model of Kramer's tractor hauled over bridge?  
What was its weight if known?  
1975 CASE CRAWLER TRACTOR MODEL 1150B C/W 6 WAY BLADE AND WINCH.  
ESTIMATE WEIGHT 20 TON.
12. What bridge material did he haul?  
BRIDGE MATERIAL 7-16 FOOT LOGS, 12-16' 6 X 6 X TIMES AND 6 X 6 CROSS TIES AND 200 LINEAL FEET 3 X 10 RUNNING PLANKS.
13. Can we determine the probable size of his load of bridge material?  
ESTIMATE WEIGHT OF BRIDGE MATERIAL 5 TONS.
14. When was cash sale of cedar salvage awarded to Kramer?  
NOVEMBER 20/79.
15. Did award predate District Manager's observation of the bridge condition?  
YES.
16. If yes to 15. Was any mention made as to condition of structure?  
NO.

  
R. M. Brock  
Regional Engineering Officer

/caa



*✓ District Manager  
Golden*

DATE: 1980-07-03

FILE No. 01784

SUBJECT: Blaeberry River Bridge Failure.

ATTENTION OF: Frank Renshaw, Manager  
Timber, Range & Recreation

REMARKS:

Submitted herewith is my report on the failure of the Blaeberry River bridge at km 6.75 of the Blaeberry River Forest Service Road. The report lacks technical details but these are not considered important in establishing the cause of the accident.

We have not yet received a claim either from Mr. Kramer or from I.C.B.C. but we anticipate one will be forthcoming in the near future.

We offer no excuse for this incident. An accident of this nature was inevitable sooner or later considering the staff capacity made available to us to meet the growing demands of a very large area and organization. We have repeatedly pleaded our case for higher levels of staff and funding but have not been heard. In this, as in all other aspects of our work our intensity of input is dictated by the available resources. If we accept a minimal level of input we must accept some failures and should not be surprised or shocked when they occur. It is very fortunate that this incident did not result in serious injury or death.

R. M. Brock  
Regional Engineering Officer

RMB/caa  
bcgeu



DATE: 1980-07-03

FILE No. 01784

**SUBJECT:** Report of Failure of the Blaeberry River  
Bridge at KM 6.75 of the Blaeberry River  
Forest Service Road.

**ATTENTION OF:** F I L E N O T E

**REMARKS:** At approximately 2 pm on June 11th, 1980, a loaded tandem axel truck, owned and driven by Mr. Robert Kramer, 1304-11th Street, Golden, B. C. broke through a bridge over the Blaeberry River at km 6.75 of the Blaeberry Forest Service Road causing the entire structure to collapse. The downstream side of the bridge failed first, throwing the truck into the river before the remainder of the structure collapsed. The truck landed on its right side crushing the passenger side of the cab and was prevented from rolling over only by the self-loading crane mounted on the truck. Kramer escaped uninjured but his truck is estimated to have sustained up to \$30,000 in damages.

The bridge was constructed in 1972 by Evans Products Company Limited, replacing an earlier bridge approximately three miles further upstream. The structure and approaches were built in trespass. An application was made by Evans on August 12th, 1974 to have their R/W 0239160 expiring November 24th, 1974 extended and amended to include the bridge and approaches but apparently the Letter-of-Consent was never renewed and on January 22nd, 1979 the R/W was deleted. The road, including the bridge, was subsequently established as the Blaeberry Forest Service Road by Gazette notice dated March 20, 1979. No inspection of the bridge was made prior to gazetting.

In late April, 1980 District Manager Don Gill advised the regional engineering office that the Blaeberry River bridge needed replacement and that Evans was prepared to do the work under Section 88 of the Forest Act and were proceeding with preparation of a cost estimate. He also advised that there was no hauling planned for the road until this fall.

An inspection of the bridge was scheduled for the week of June 9th, 1980 but this was deferred until June 17th due to a budget seminar planned for June 10th and 11th and subsequently cancelled. The accident occurred on June 11th.

The inspection, carried out by Field Engineer, Al Coombs, and the writer revealed that:

1980-07-03

Page 2

- (a) The stringers were of a size sufficient to permit standard highway loading for a short term (3 to 5 years) only but were still in place after approximately seven years.
- (b) The unpeeled spruce stringers were 30 to 50% rotten.

This spring Kramer worked under hire agreement for the Golden District, assisting foreman Gordon Larsen to replace a bridge across Willowbank Creek just beyond the Blaeberry bridge. The hire agreement was for supply of a small cat and the truck complete with operator. The truck was used to transport the cat and sundry bridge materials, including log stringers, to the Willowbank Creek bridge site. Kramer was advised at the time that the Blaeberry River bridge was to be replaced and that caution should be used in crossing it to avoid acceleration, braking, etc. so as not to impose additional loading due to impact.

Kramer subsequently purchased some cedar logs from the area by a cash sale from the Ministry and was hauling the timber over the bridge when the accident occurred.

During his term of work with the Ministry, Kramer appears to have picked up fragments of misinformation concerning our bridge design practise which led to his misjudgement of the capacity of the structure. This information was apparently reported to the Golden Star newspaper, by Kramer, after the accident as follows:

"Forest Service bridges of the sort constructed by Bob Kramer are constructed of Douglas Fir which is creosoted and has a life expectancy of 25 years.

He used the bridge knowing it was suspect, because he knew that such structures were built to carry twice a normal load, and therefore, even with a weak stringer, should be alright with a load of cedar which is quite light."

We have no way of knowing the size or configuration of the load but even with light cedar, if the logs are quite long it is possible that most of the weight may have been concentrated on the rear wheels and could have induced bending stresses exceeding normal highway loading.

The Golden Star reported that "It appeared at the time of writing that the Forest Service intends to accept liability in the matter although Don Gill (District Manager) could not be explicit on the point." Mr. Gill has advised that he made no commitment as to Ministry liability.

Notwithstanding Kramer's awareness that the bridge was suspect, it is my opinion that the Ministry must acknowledge responsibility at three levels:

1. The Regional Engineering Officer failed to have the bridge inspected and posted for load rating at the time of its declaration as a Forest Service Road.
2. The District Manager implied that the bridge was safe for use by Kramer's truck when Kramer, as his employees, used it while replacing the Willowbank Creek bridge and when he sold Kramer timber which could only be removed over the bridge.
3. Senior Management has failed to recognize the need for and to provide for sufficient staffing and funding to properly inspect and maintain the large inventory of roads and bridges for which the Ministry is either directly or indirectly responsible.

The incident pinpoints an additional area of concern which in our opinion requires clarification viz:

When a Licensee who has constructed a road on Provincial Forest Land under authority of a Road Permit, relinquishes deemed ownership by so declaring as provided for in Section 95 of the Forest Act, what then is the responsibility of the Ministry as administrative authority over the land which includes the road. It is true that such agreements contain a clause indemnifying the Crown against claims etc. arising from use of the road by the Licensee, but is the Crown really protected in case the Licensee is unable to pay such claims?

  
R. M. Brock, P. Eng., R.P.F.  
Regional Engineering Officer

RMB/caa  
bcgeu

*File:  
Blairberry F.R.*

# Kramer still seeking fair compensation

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