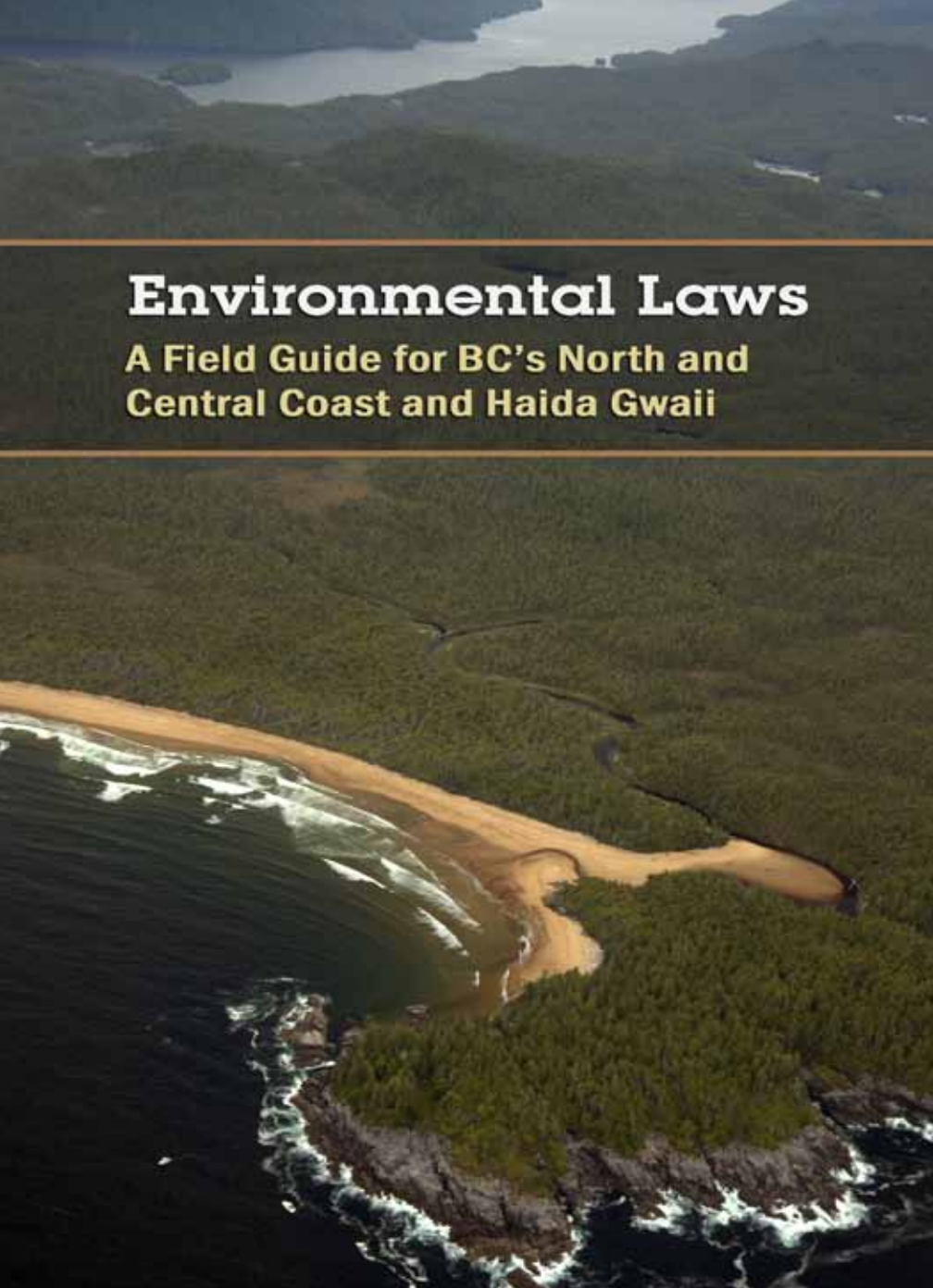


An aerial photograph of a coastal landscape. In the foreground, a dark, rocky shoreline with white foam from breaking waves meets a dense green forest. A narrow, light-colored sandy beach or dune extends from the forest into the dark water. The background shows a vast expanse of forested land and a body of water under a hazy sky.

# **Environmental Laws**

**A Field Guide for BC's North and  
Central Coast and Haida Gwaii**



# **Environmental Laws: A Field Guide for BC's Central and North Coast and Haida Gwaii**

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Any errors and omissions are our own.

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### **List of Illustrations:**

Illus 1 –Guardian Watchman on Duty (Agnes Lee)

Illus 2 –Collecting Evidence / Who, what, where and when (Audrey Roburn)

Illus 3 –Reporting: Observe, Record, Report, Enter (Agnes Lee)

Illus 4 –Necessary Tools of the Trade (Audrey Roburn)

Illus 5 –Changing Regulations: Laws Were Made to be Changed (Agnes Lee)

Illus 6 –Fishing (Audrey Roburn)

Illus 7 –Fax Machine for Fisheries Closures (Agnes Lee)

Illus 8 –Hunting and Trapping (Agnes Lee)

Illus 9 –White Bear Hunting (Audrey Roburn)

Illus 10 –Pollution (Audrey Roburn)

Illus 11 –Forest Practices and Logging (Audrey Roburn)

Illus 12 –Cultural and Archaeological Sites (Audrey Roburn)

Illus 13 –Parks and Other Protected Areas (Agnes Lee)

Illus 14 –Species at Risk (Audrey Roburn)

Illus 15 –Boating / Trespassing on Reserve Lands (Agnes Lee)

Illus 16 –Chapter Identification Illustrations (Audrey Roburn)

# Table of Contents

|                                                                                               |           |                                                 |           |
|-----------------------------------------------------------------------------------------------|-----------|-------------------------------------------------|-----------|
| About this Field Guide                                                                        | 9         | Guiding: Non-Tidal Waters Only                  | 40        |
| Introduction                                                                                  | 10        | Fishing Lodges:                                 | 41        |
| How to Use this Field Guide                                                                   | 11        | Commercial Fishing Laws And Offences            | 41        |
| <b>PART 1-</b>                                                                                |           | Licencing And Registration                      | 41        |
| <b>GETTING STARTED</b>                                                                        | <b>13</b> | Commercial Fishing Methods And Equipment        | 41        |
| Safety First!                                                                                 | 14        | Commercial Roe Herring Fishing                  | 42        |
| Helping You Identify a Potential Offence                                                      | 15        | Commercial Fishing For Salmon                   | 42        |
| Some Legal Background: What Must be Proven?                                                   | 15        | For Halibut                                     | 43        |
| Primary Elements (Who, When, Where)                                                           | 16        | For Crab And Prawns                             | 43        |
| What is evidence?                                                                             | 19        | Rockfish Conservation Areas                     | 43        |
| Using Your Notebook to Record Evidence and Information                                        | 20        | Commercial Harvesting Of Marine Plants          | 44        |
| The Importance of Your Notebook                                                               | 20        | WHEN YOU SEE A FISHING VIOLATION                | 44        |
| General Notebook Tips                                                                         | 20        | <b>HUNTING AND TRAPPING</b>                     | <b>45</b> |
| Details to include in your Notebook                                                           | 23        | General Laws                                    | 46        |
| Speaking to Resource Users                                                                    | 24        | Licences                                        | 46        |
| Talking to Witnesses                                                                          | 25        | Guiding                                         | 46        |
| Collecting and Preserving Physical Evidence                                                   | 26        | Big Game Hunting                                | 47        |
| Reporting the Suspicious Activity                                                             | 28        | General Rules                                   | 47        |
| <b>PART 2 - COMMON ENVIRONMENTAL OFFENCES ON BC'S NORTH AND CENTRAL COAST AND HAIDA GWAII</b> | <b>30</b> | Bag Limits                                      | 47        |
| What is the Law?                                                                              | 31        | Taking Meat                                     | 48        |
| <b>FISHING</b>                                                                                | <b>32</b> | Safety Rules                                    | 48        |
| Keep up with closures and other changing laws                                                 | 33        | Baiting/Attracting Wildlife                     | 48        |
| Sport Fishing/Recreational Fishing                                                            | 35        | Animals that cannot be hunted                   | 49        |
| Licence Requirements                                                                          | 35        | Hunting from Boats/Cars/ Aircraft               | 49        |
| Catch Limits and Salmon Stamps                                                                | 36        | Hunting in Parks and Protected Areas            | 50        |
| Equipment                                                                                     | 37        | Banned Weapons                                  | 50        |
| Hook and Line Rules                                                                           | 38        | BEAR HUNTING                                    | 51        |
| Shellfish Harvesting                                                                          | 38        | Weapons/Baiting                                 | 51        |
| Crabbing, Shrimp, Octopus                                                                     | 38        | Hunting Seasons                                 | 51        |
| Traps And Nets                                                                                | 39        | Bears that Cannot be Hunted                     | 52        |
| Transporting Sport Fish                                                                       | 39        | Some Areas where Grizzly Bears Cannot Be Hunted | 52        |
| Selling and Processing Fish:                                                                  | 40        | Some Areas where Black Bears Cannot Be Hunted   | 52        |
|                                                                                               |           | WHEN YOU SEE A HUNTING OR TRAPPING OFFENCE      | 53        |
|                                                                                               |           | <b>POLLUTION</b>                                | <b>54</b> |
|                                                                                               |           | Water Pollution                                 | 55        |
|                                                                                               |           | BC Sewage And Waste Rules                       | 55        |
|                                                                                               |           | Ship Sewage                                     | 56        |

|                                                                                                                 |           |                                                                             |            |
|-----------------------------------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------------------|------------|
| Untreated Ship Sewage                                                                                           | 56        | Natural Resources                                                           | 76         |
| Treated Ship Sewage                                                                                             | 56        | Cultural Resources                                                          | 76         |
| Bilge Water                                                                                                     | 57        | Wildlife and Hunting                                                        | 76         |
| WHEN YOU SEE A POLLUTION<br>OFFENCE                                                                             | 57        | Fishing                                                                     | 77         |
| <b>FOREST PRACTICES AND<br/>LOGGING</b>                                                                         | <b>58</b> | Aircraft                                                                    | 77         |
| General Rules                                                                                                   | 60        | Business Licences                                                           | 78         |
| Forest Practices Near Water<br>Bodies                                                                           | 60        | General (Camping, Garbage,<br>Closures, Domestic Animals,<br>etc.)          | 78         |
| Forestry Roads                                                                                                  | 61        | TO REPORT SUSPICIOUS OR<br>ILLEGAL ACTIVITIES IN<br>PROTECTED AREAS         | 79         |
| Cutblocks — Provincial Rules                                                                                    | 61        | <b>SPECIES AT RISK</b>                                                      | <b>80</b>  |
| Other Special Rules For The<br>Central And North Coast                                                          | 62        | Species                                                                     | 81         |
| Other Special Rules For<br>Haida Gwaii                                                                          | 63        | Habitat                                                                     | 81         |
| Fire Prevention                                                                                                 | 64        | Endangered And Threatened<br>Species (Species At Risk Act)                  | 81         |
| Non-Timber Forest Products                                                                                      | 64        | Protection Of Plants                                                        | 82         |
| WHEN YOU SEE ILLEGAL FOREST<br>PRACTICES OR LOGGING                                                             | 65        | TO REPORT SPECIES AT RISK<br>ISSUES                                         | 83         |
| <b>CULTURAL AND<br/>ARCHEOLOGICAL SITES</b>                                                                     | <b>66</b> | <b>BOATING</b>                                                              | <b>84</b>  |
| Damaging or Taking Artifacts,<br>Remains or CMTs                                                                | 67        | Whale Watching                                                              | 85         |
| Forest Stewardship Plan                                                                                         | 67        | Endangered And Threatened<br>Whales                                         | 86         |
| TO REPORT HERITAGE<br>CONSERVATION ACT<br>VIOLATIONS                                                            | 69        | WHEN YOU SEE A BOAT<br>OPERATED UNSAFELY (OR<br>TO REPORT AN ACCIDENT)      | 86         |
| <b>PARKS AND OTHER<br/>PROTECTED AREAS</b>                                                                      | <b>70</b> | WHEN YOU SEE A WHALE<br>WATCHING OFFENCE                                    | 86         |
| Provincial Parks And<br>Protected Areas                                                                         | 71        | <b>TRESPASSING ON RESERVE<br/>LANDS</b>                                     | <b>87</b>  |
| Rules In Provincial Parks And<br>Other Provincial Protected<br>Areas                                            | 71        | TO REPORT TRESPASSERS                                                       | 87         |
| Prohibitions In Provincial<br>Protected Areas                                                                   | 71        | <i>Appendix 1: Important<br/>Contact Numbers</i>                            | 88         |
| Fires                                                                                                           | 72        | <i>Appendix 2: Table of<br/>Abbreviations</i>                               | 90         |
| Causing A Disturbance                                                                                           | 72        | <i>Appendix 3: How to Find<br/>the Latest Law</i>                           | 91         |
| Hunting                                                                                                         | 73        | <i>Appendix 4: Maps</i>                                                     | 92         |
| Resource Extraction                                                                                             | 73        | <i>Appendix 5: Catch Limits<br/>for Fish</i>                                | 94         |
| Motorized Vehicle Use                                                                                           | 74        | <i>Appendix 6: Ecological<br/>Reserve Areas</i>                             | 97         |
| Ecological Reserves                                                                                             | 74        | <i>Appendix 7: Potential Violation<br/>Model Report Form</i>                | 98         |
| National Parks                                                                                                  | 75        | <i>Appendix 8: Some of the<br/>Larger Grizzly Bear<br/>No Hunting Areas</i> | 99         |
| Gwaii Haanas National Park<br>Reserve, National Marine<br>Conservation Area Reserve,<br>And Haida Heritage Site | 75        | <b>INDEX</b>                                                                | <b>100</b> |
| Cooperative Management<br>Permits                                                                               | 76        |                                                                             |            |

## DISCLAIMER:

This *Field Guide* is provided for general information as a public and educational resource. The law is complex and ever-changing and this publication is not and cannot provide a complete and accurate statement of the current law and should not be relied upon as such. We attempt to ensure the accuracy of the material provided; however, much of the information is produced by students, not lawyers, and we cannot guarantee that it is correct, complete or up to date. The Environmental Law Centre does not warrant the quality, accuracy or completeness of any information in this document. Such information is provided “as is” without warranty or condition of any kind. The information provided in this document is not intended to be legal advice. Many factors unknown to us may affect the applicability of any statement or comment that we make in this material to your particular circumstances. This information is not intended to provide legal advice and should not be relied upon. Please seek the advice of a competent lawyer.

# ABOUT THIS FIELD GUIDE



## WHOSE LAWS ARE WE TALKING ABOUT?

The laws described in this *Field Guide* are the federal and provincial laws that apply to most – but not necessarily all – British Columbians and visitors. In some situations, Aboriginal rights and title make certain laws inapplicable to First Nations people. For example, a member of a Nation may not need a normal licence to fish, or may be able to harvest plants or fish that the general public cannot.

Note that this *Field Guide* only addresses enforcement of *provincial* and *federal* law. First Nations assert the right to enforce their own laws in accordance with their own customs. They are working towards reconciling their laws with federal and provincial laws, and articulating and enforcing their own laws. Although enforcement of First Nations laws is an important topic, it is beyond the scope of this *Guide*.

Note that for convenience we use the common term “Crown Lands” to refer to provincial and federal lands. However, it should be noted that much, if not all, of the land referred to as Crown Land is subject to Aboriginal rights and title.

## Introduction

*Environmental Laws: A Field Guide for BC's Central and North Coast and Haida Gwaii* is designed to help First Nations Guardian Watchmen monitor and report environmental offences in their territories. The *Field Guide* is a quick reference for people in the field – and it provides a simple snapshot of the law.

When you see a suspicious activity in the field, the *Guide* helps you answer three basic questions:

- Is what I see illegal?
- What specific law applies? (What is the offence/contravention?)
- What kind of evidence do I need to prove the offence?

## How to Use this Field Guide

Part 1 of the *Field Guide* provides general **tips** on how to observe and record relevant evidence and how to report an offence.

Part 2 of the *Field Guide* **lists environmental offences and describes the key elements of each one**. Simply compare the suspect's actions with the offences described in the *Guide*. If the actions match an offence, you can then look for evidence to prove **every element** of that offence. The *Field Guide* also provides:

- The **section number** of the statute or regulation that creates major offences, placed in brackets beside those major offences. A **Table** at Appendix 2 contains the key that explains the abbreviations for the different laws.
- **Contact information** for relevant officials to call to report particular types of offences. See the end of each chapter and Appendix 1. (Note: the terms “government official” or “enforcement agency official” are used to describe the federal/provincial officials that respond to various offences – e.g., Fishery Officers from the Department of Fisheries and Oceans, BC Conservation Officers, BC Park Rangers, RCMP Officers, compliance and enforcement officials with the Ministry of Forests, and National Park wardens.)
- **Appendices** with additional resources and more detailed information on specific rules.
- An **Index** to help you easily find out whether the activity you see is against the law.

Note that the *Field Guide* is not comprehensive. It only covers offences that are important to Guardian Watchmen or common on the Central and North Coast. It does not go into detail but gives you a brief, highly simplified description that can get you started.

**For the sake of brevity, this *Field Guide* generally refers to breaches of the law as “offences.” Note that some breaches are technically “contraventions,” penalized with administrative penalties.**



# **Part 1**

## **Getting Started**

# Safety First!

- Always use caution when approaching the scene of a potential offence: Pay attention to potential dangers such as changing weather and tides, wildlife, dangerous terrain, hostile people, etc.
- Generally, observe and gather information from a safe distance.
- Use caution when talking to people. Be conscious of body language and threat cues.
- Be friendly and non-confrontational. Only continue with questions if the person is not hostile.
- Avoid talking to possible suspects in situations that may be dangerous – e.g., at night, when people have weapons or are drinking, if you are alone in an isolated place, or when the person may be committing a crime or major offence. If possible, it is usually better to leave questioning of suspects to agency officials.
- If the person is uncooperative, maintain your distance and make notes.
- What's a safe distance? If you hold your thumb up to eye level and you can still see the person, you are too close.
- Call in backup help earlier rather than later. Contact the responsible government agency.
- Remember that it can actually be an offence for you to interfere with a person who is hunting, fishing, guiding or trapping if the person has a licence or permit and is not committing any offences while doing so [s.80 WLDA].
- You do not have the legal powers of government officials to stop and board vessels, detain people to investigate, demand identification, seize gear, etc.

## The Main Purpose of this Field Guide: Helping You Identify a Potential Offence

When you see suspicious activity, use Part 2 this *Field Guide* to see if the activity is actually illegal. Once you find an offence that might apply, review the *Guide* description of the offence to see what the key **legal elements** of the offence are.

Legal elements are the **essential ingredients** of an offence – the facts or conditions that must be proven to convict. For example, for the offence of fishing in an area closed to fishing, two main legal elements need to be proven:

- fishing;
- that the area was closed to fishing of the type being done.

Once you know the legal elements of the offence, you can look for evidence to prove those **legal elements**. What evidence is there that the person was fishing? And what evidence is there that the area is closed to this type of fishing?

## Some Legal Background: What Must be Proven?

To prove an offence or contravention, it is necessary to prove:

1. Who, when, where – (the “primary elements”); and
2. What – (the “legal elements of the offence.”)

Remember:

**Primary Elements + Legal Elements of the Offence = Proof of the Offence**

In other words:

**Who + When + Where + What = Conviction**

Look for information and evidence to prove both the **primary elements** and the **legal elements** of the offence!

## More on the Elements

### Primary Elements (Who, When, Where)

When you see an offence, record information on the four essentials: the *who*, the *when*, the *where* and the *what*:

#### **Who – The Identity of the Offender**

It is necessary to prove that the person charged is actually the person who committed the offence. Write down as much information as possible about who did it. Identity can be proven by:

- jotting down a detailed description of the person and their boat/vehicle (including licence numbers, boat name);
- asking witnesses to identify the offender (get witness contact info!);
- if appropriate and safe, asking the person's name and who they are working for;
- asking to see identification and licences; and
- taking photos, if safe to do so.

Use caution if people are hostile – safety first! Note that while you can ask the person's name, place of work, identification and licenses, the person whom you ask does not have to give it to you.

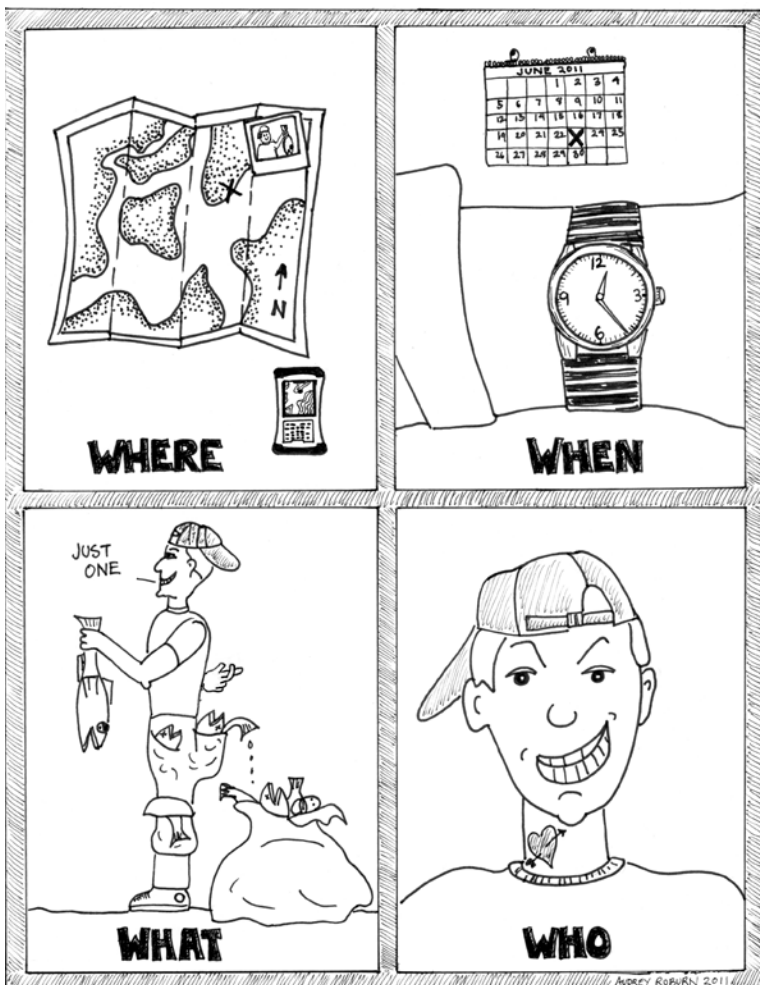
See “Using Your Notebook” below for more details.

#### **When – The Date and Time**

Make sure your watch shows the accurate time and date, and write that down. Cases can be lost if you have the time or date wrong – the defendant may prove he was somewhere else at the time you claim the offence took place.

If you don't know the exact time and date, estimate it as well as possible (“on or about [insert time and date].”) It is best to write down what you saw or what happened as soon as you can – so that your time is as accurate as possible.

If an offence lasts for more than one day (e.g., pollution leaking into a river for three days), make a note of the violation for every day that it happens – each day may constitute a new offence.



## Where – The Location

- Write down exactly where the offence occurred.
- Be specific: write down the dock name, distance and direction from landmarks, name of water body/area/park, other relevant description of surroundings.
- Use your GPS to identify exact latitude and longitude. Plotting on radar and charts is also useful.
- It may be helpful to mark it on a map, or draw a sketch in your notebook.
- Take photos of the area surrounding the offence to help locate it.
- If you can only estimate the location, note it down as “in or near (*name of location*)...”

Location is important because to file charges officials need to be able to specify where the offence took place. Remember that an activity that is an offence in one location may not be an offence elsewhere – it can depend on whether the activity took place in a park, in a conservancy, at an archaeological site, in an area closed to fishing, or on Crown land.

## What – Legal Elements of the Offence

As noted, the **legal elements** are the facts or conditions that have to be proven to convict someone. For example, s. 36(3) of the *Fisheries Act* has three essential elements:

- *deposit;*
- *of a deleterious (harmful) substance;*
- *in water frequented by fish.*

You have to prove that (1) the person deposited a substance, (2) that the substance was deleterious, and (3) that the water was frequented by fish.

This *Field Guide* sets out key elements of each environmental offence, in simple terms. When you read the description of the offences, look for the essential elements of the offence. Then try to record information and evidence to prove each and every element.

Hopefully, you will be able to report the offence that you saw – and the hard evidence that proves each element of that offence.

## What is evidence?

To convict the offender there must be **evidence** to prove all the elements: *who, when, where* and *what*. It is necessary to prove to **someone who wasn't there** that an offence took place and that the suspect did it. Convincing evidence is often needed!

Evidence is anything that tends to prove a fact. There are many different kinds of evidence, including:

- Your testimony about what you observed. This is usually based on your notes of what you saw, heard, smelled, and observed. In some cases your notebook itself may be entered as evidence.
- Testimony of what witnesses observed (take notes and get contact info.)
- The offender's statements, including admissions made to witnesses, agency officials, or to you.
- Photos/videos/recordings of the scene, the offence taking place, etc. Shots of the scene and surroundings can provide information not documented in your notes. Photos of things like closure signs may be critical. Some photos should include an object (e.g., a pen, hat, shovel) to offer perspective.
- Photos and other evidence proving the licence numbers and names of boats and vehicles.
- Sketches and maps drawn by you to show the exact location of items of evidence, their relative positions to each other, and distances between them. (You may use pre-printed maps, if available.)
- Objects and other physical evidence from the scene (e.g., water samples, pollution samples, shell casings, illegal traps and lines, etc.) See below.
- Government documents (e.g., to prove closures, that a species is endangered, etc.) and other relevant documents.
- Expert opinion evidence from qualified experts.
- Evidence of weather conditions (precipitation, temperature, sunny or cloudy, depth of snow, etc.) is often important and should be documented.

## **Remember:**

- **The better the evidence collected, the better the chance of proving the violation!**
- **As a general rule, do not disturb physical evidence until it is photographed -- and you are told to do so by a law enforcement officer.**

## **Using Your Notebook to Record Evidence and Information**

### **The Importance of Your Notebook**

Your notebook is key to making a **complete and accurate report**. In addition, if the case goes to court, you must have accurate notes to testify effectively. Many cases have been lost because the note-taker failed to get contact information for an important witness. Others have been lost because a witness's notes were inaccurate or incomplete. Remember that defence lawyers can examine your notes – and criticize them if they are inadequate or contradict the prosecution's case.

When you investigate, people will tell you things, provide names and addresses, and give descriptions. You may take measurements and observe important details. If your notes are not accurate, you won't be able to testify correctly about all this information. And defence lawyers can challenge your whole story if your notes are inadequate.

If the case doesn't go to court – or is dealt with by government officials considering an administrative penalty – your notes may not be as highly scrutinized, but they should still be as complete and credible as possible.

### **General Notebook Tips**

- Your notebook should be a bound book (not a three-ring binder). Record your name at the front of your notebook.
- Start every outing by filling out the Patrol Report from the Coastal First Nations Regional Monitoring Strategy and with an entry in your notebook. Make note of the time you leave and return and where you go. Even if nothing unusual or suspicious happens on that day, if you were



**THE FOUR ESSENTIALS: OBSERVE - RECORD - REPORT - ENTER**

“on the job” you must make note of that. Consistency in making entries is very important for the credibility of the notebook.

- Write down the name of anyone who is with you on a particular day in your notebook. Do not share notebooks – you should be the only person writing in it.
- Everyone at the scene who has a notebook should write what took place in their own books.

- Make notes as soon as possible after an offence happens. The sooner the writing happens, the more accurate and reliable the record is.
- Keep all your notebooks in a secure locked place – they may be needed a long time later. Never throw them out!
- Use only one notebook at a time.
- Write in black ink only.
- Capture all the details - but remember, quality matters, not just quantity
  - Details may include diagrams, maps, sketches, point form, incomplete sentences.
  - Noting things like the weather may be useful to help you remember what happened.
  - Odd things may be worth noting too because they will stand out in your memory.
- Print names and addresses carefully in block letters to avoid mistakes.
- Make corrections immediately. If you make a mistake, cross it out using just a single line through the error. **Do not erase the error or use correction fluid.** When you are finished making the correction, initial it.
- Make entries in the notebook as they happen. Do not skip pages or leave blank spaces or lines.
- **Do not tear pages out of your notebook** – a notebook with pages missing or blank pages may not be considered trustworthy by the court.
- Make sure your notes are as neat as possible.
- Use the margins to record times.
- Do **not** write unrelated things, like work lists and shopping lists in your notebook.

## Details to include in your notebook:

- Date.
  - Time of the offence. Note if the offence is ongoing.
  - Location – be specific (see “Where” above.)
  - Weather conditions.
  - Description of any physical evidence. Be specific. Instead of writing “empty can” write “empty, rusted, dented two litre Husky oil container.” Instead of writing “dead bear” write “dead grizzly cub.” Instead of writing “pile of garbage” write “pile of styrofoam chunks, netting, cans, cardboard, crab shells and other garbage.”
  - Diagrams, sketches or maps to show the location, the scene, where evidence was found, etc.
  - Take photos of the scene and all evidence, **as it was found** (see “What is evidence” above.)
  - Draw a sketch of the location of the photographed evidence. Note the date, time and weather conditions when photos were taken.
  - **For each photo**, write down the **number** of the photo, what the photo shows, time, map of the direction the photo was taken from, distance from the camera to the item you photographed, and other pertinent information.
  - Quickly make notes about things that may change soon. For example, pollution may flow down the stream, witnesses and suspects might leave or the weather might shift, so observe and record these things right away. Safety first! If you are not sure what the pollutant is, **STAY BACK**. See below.
  - Identify the kind of offence. Did it involve wildlife, fish, salmon, shell fish, logging, the forest, pesticides, oil spill, chemical spill, etc.? What action took place that was illegal?
  - Identify the people involved. Full names, addresses, phone numbers, email addresses (even dates of birth) of witnesses or persons of interest are useful if people are willing to volunteer that information.
  - Describe the people involved (by name if known; you may also describe them by age, height, build, weight, race, hair and eye colour, ears, nose, walk, dress, gender, scars, tattoos, or other distinguishing characteristics). Photos are ideal, if they can be taken safely, without antagonizing people.
-

- Describe vessels, vehicles and other property. Write down both the name and the licence number on vessels and licence numbers of vehicles. Also note colour, size, make, pattern, initials, or other identifying marks, as well as who was operating it. If available, note serial number, model number, licence and registration. Get photos, if safe to do so.
- Describe what you personally saw and did.
- Describe what witnesses say they observed. Describe exactly what you heard people say and who said it. **When quoting people, try to quote them “word for word” and as accurately as possible!** (See “Speaking to Resource Users” and “Talking to Witnesses” below.)
- If an offence is recurring on more than one day, make a note of each day you observed it.
- **Generally, record what actually happened, in as much detail as you can. Even if you are not sure that what you see is an actual offence, take notes and gather evidence in case it is. Remember that others may be able to gather more evidence of an offence.**

## Speaking to Resource Users

**Remember – Safety First! See above. Avoid confrontations and potentially unsafe situations. If possible, it is usually better to leave questioning of suspects to agency officials.**

*Possible Conversation Approach:*

- Greeting: “Good afternoon, sir/madam. It’s a nice day. How are you doing? Have you had any luck with your fishing?”
- Identify yourself and your affiliation: “I am Guardian Watchman (Your Name) of the (Your First Nation). We monitor compliance with environmental laws in our territory.”
- Give reason for engagement: “I stopped to talk to you today because you are fishing in an area that’s currently closed to fishing.”
- Request licence or identification if the person is not hostile: “You are not obliged to show me your licence, however would you mind showing it to me?” **Note that while you can ask for this information, the person whom you ask does not have to give it to you.** If they refuse, just move on in the conversation and avoid confrontation.

- Request: “I request your cooperation in reaching compliance by not fishing in this area because it’s closed ....”
- Provide detail and educate: outline the issue in reasonable terms.
- Closure: “Thanks for taking the time to speak with me, have a good day.”
- Document and report: When reporting what the person said, quote word for word, and as accurately as possible. Make good notes describing the people, their vehicle/vessel, etc.

## Talking to Witnesses

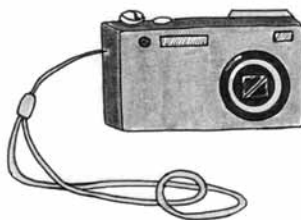
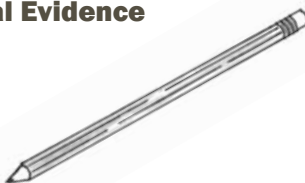
### See Safety First! above.

- Greeting: “Good evening sir/madam. It’s a nice evening tonight.”
- Identify yourself and your affiliation: “I am Guardian Watchman (Your Name) of the (Your First Nation). We monitor compliance with environmental laws in our territory to protect our natural resources.”
- Give reason for engagement: “I stopped to talk to you today because we are investigating possible fishing offences and collecting evidence that we will pass on to officials for possible prosecution. We’re hoping you can help us out.”
- Ask the witness to give you their story about what they saw.
- Start with non-intimidating, open-ended questions that allow the person to tell their story, not just answer yes or no: “What’s been going on here?”, “Can you start at the beginning and tell me what happened?”, “What do you know about this?”
- Be careful to not put your words into the mouths of witnesses.
- Write down their description of the events and the offence **in their own words**. Put quote marks around direct quotations.
- Avoid interrupting. Let the person finish their whole answer before you ask another question.
- Listen actively. Look up from note-taking to make eye contact. Encourage the person: “I see...”, “Go on...”, “M-m-m-m”, “What happened next?”, “Tell me more about...”, “That’s remarkable...”
- Allow silences after asking questions, to give the person time to think.
- Restate what the person has told you, then be quiet to let the person respond.

- Probe for more details when necessary.
- Ask closed questions about details (that require a yes or no answer, or a very specific answer to a narrow question) only after you've exhausted open-ended questions.
- Ask questions related to all elements of the offence: the “who,” the “what,” the “when” and the “where.”
- Make sure you have the **order** that things happened straight.
- In the end, summarize what you've heard.
- If possible, recap your notes for the witness and ask them if they are correct.

## Collecting and Preserving Physical Evidence

- **Evidence of Licences and Permits:**  
Guardian Watchmen do not have the authority to demand that a person produce their federal or provincial licences or permits – only federal/provincial officials can do this. However, even though a person has no legal duty to show you their licence/permit, you can simply ask to see it. The person may simply admit they don't have it.
- When possible, it is generally better to **let agency enforcement officers obtain the actual evidence and question suspects**. They have:
  - the legal power to compel production of evidence;
  - systems in place for collecting and storing evidence in a way that a court will accept;



- the advantage that their evidence is less likely to be thrown out by the court and will generally be given more weight.

As a general rule do not personally collect evidence from the scene of the violation unless a law enforcement official asks you to.

- Touching objects, walking on stains, and making footprints and tire marks can destroy evidence and create false leads. You don't have authority to order people to stay away from the scene of the offence – but you can place flagging tape around the site and encourage people to stay away until officers arrive. Explain what has happened to passersby, and ask for their cooperation in not going near the scene. Try to make sure that none of the evidence is touched or taken. Take notes of when, how, and why you took action to secure the scene.
- When you contact the government official, ask if someone will be sent to the area. If no-one will be sent, ask if you can gather the evidence for them. In some cases you may collect evidence that will disappear right away (such as pollutants dispersing in a stream). **You should have training in properly collecting and securing such evidence.**
- However, if you are not sure what the spilled substance is, **STAY BACK** and take photos and make notes from a distance. **DO NOT** approach chemical spills and stay upwind from the site. **DO NOT** collect toxic samples unless you have received training in how to do so safely.



- If you do collect items for evidence, they need to be preserved correctly. Take pictures of any object that you might collect before you pick it up. The pictures should show how the scene looked when you got there. Note pertinent information about the photo in your notebook, and record the location of the evidence on a scene map.
- Put on fresh latex gloves before picking up the evidence.
- Generally, when collecting evidence, package the items of evidence by following these steps:
  - Items should be collected in an appropriate clean container (e.g., bag, box, jar) with one item in each container.
  - Identify the item on the container (e.g., Item #1).
  - Seal package with tape.
  - Write the date, your initials and item # over the taped seal.
- Organic matter should be dried and contained in clean paper or fibre packaging material, to avoid contamination. After putting the organic evidence package into a proper container and labeling it, freeze the package to avoid deterioration of the evidence.
- Write in your notebook detailed and accurate notes about the evidence (who found it, where it was found, how it was marked, and how it was dealt with) at the time you collect it.
- Do not let anyone else handle the evidence, until you transfer it to a government official. If the evidence leaves your possession, make a record of who you gave it to and the time and date. Write down when and where the evidence was stored – and make sure the storage place is locked and not accessible by anyone else.
- Don't get discouraged if you don't have a complete set of evidence. Get all the evidence available and make the report. It may well be enough – or other evidence may turn up later to build a solid case.

## **Reporting the Suspicious Activity**

- Once you have finished writing your notes, review them to make sure they are complete and accurate.
- File a report with the appropriate federal/provincial agency as soon as you can. (See model report form at Appendix 7.) Be sure to confirm with the agency you contact that they are the appropriate authority! If not,

ask how to reach the right official.

- Ask the agency for a file number and a contact person for follow up. Provide your contact information.
- Ask the person who takes your report to contact you when a conservation officer, fisheries officer, park ranger or other official is assigned to the file. Tell them that you will be tracking their response and are interested in seeing the matter resolved as soon as possible.
- **Immediately enter your information into the Coastal First Nations Regional Monitoring Strategy online data management system** on the Coastal Guardian Watchmen Network website – or on other relevant and robust systems for recording information established for your Nation. It is important to keep track of all suspicious activities you come across, even if no charges are laid. All suspicious and illegal activities should be tracked and recorded.
- Documenting this information in the online data management system will help to:
  - identify trends in suspicious and illegal activities; and
  - document government officials' responses to Guardian Watchmen offence reports.
- Keep a copy of everything.

## Follow up

- Call the government official that was assigned to your file two weeks after you make the initial report.
- Document all conversations you have with the government officials.
- Log any follow up conversations you have with government officials onto the **Coastal First Nations Regional Monitoring Strategy online data management system** or other systems used by your Nation. It is important to track and document the response or lack of response from government agencies.

## **Part 2**

# **Common Environmental Offences on BC's North and Central Coast and Haida Gwaii**



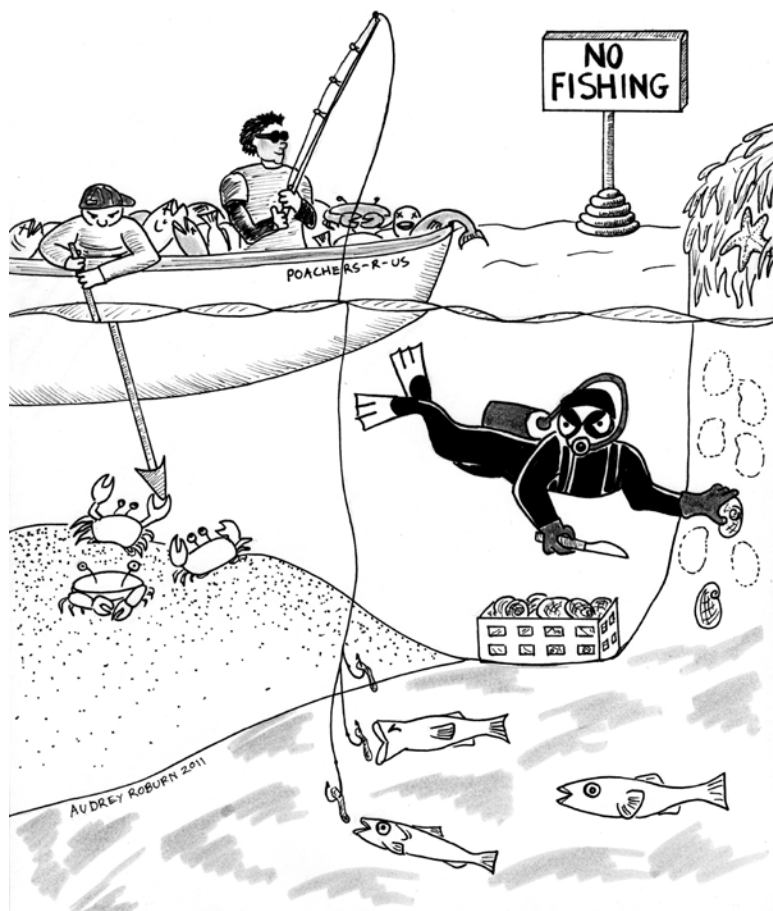
## What is the Law?

- Remember that the description of offences and contraventions in this *Field Guide* is very simplified and is offered for rough guidance. Consult the legislation for the definitive wording.
- Because laws are constantly changing, this *Field Guide* will soon be out of date. Check the latest version of the law:
  - Contact appropriate agencies.
  - Follow the links found in Appendix 3 to obtain up-to-date provincial and federal statutes and regulations.

### Note:

- Below we describe general laws and regulations. However, **additional rules** may apply to the individual businesses in your territory. For example, industrial projects, energy projects, resorts, commercial recreation businesses can be subject to additional legal rules found in:
  - their Crown lease or licence;
  - their Environmental Assessment Certificate;
  - government permits, licences, and approvals; or
  - other documents, such as forest stewardship plans, Integrated Fisheries Management Plans, etc.

# Fishing



## **BACKGROUND NOTES**



- Remember that general fishing laws may be subject to an Aboriginal right to fish traditional waters for food, social, ceremonial and sometimes commercial purposes.
- The laws for tidal (ocean) fishing and freshwater fishing are different. And some laws are different for sport fishing and commercial fishing.
- The Coast is divided into Fishing Management Areas, with different rules applying to different areas. See Appendix 4 for a **map** of Fishing Management Areas.

## **KEEP UP WITH CLOSURES AND OTHER CHANGING LAWS**

- Some Fisheries rules change weekly. Maintain regular communication with your local Fishery Officer to stay up to date on the latest rules on fishing closures, possession limits, rules on prohibited species, etc.
- Check the DFO website at [www.pac.dfo-mpo.gc.ca/recfish](http://www.pac.dfo-mpo.gc.ca/recfish) or call **1-866-431-3474** every week to find out about fishing closures.
- Contact the Prince Rupert DFO Fisheries Manager or your local DFO office to get on the distribution list for **weekly faxes** listing the current closed areas on the coast.
- Freshwater fishing closures and other rules are listed in the 2011-2013 *Freshwater Fishing Regulations Synopsis* at <http://www.env.gov.bc.ca/fw/fish/regulations/>. Ask your local conservation officer for a copy.



## **GENERAL LAWS**

### **(both sport and commercial fishing)**

- It is **illegal to fish for abalone** (s.34 BCSFR). Call DFO immediately if you see **dive boats** in Abalone waters and if you see divers without flags on the water. Abalone poachers sometimes use aircraft along with vessels.
- It is an **offence to fish for rockfish** in a Rockfish Conservation Area (BCSFR and FR variation orders 2011-30 and 2011-31). See Appendix 5 for a list of these Areas.
- It is **illegal** to take fish of a **prohibited size** and from **areas closed** to fishing.
- It is generally an **offence** for commercial fishers to fish by **snagging** or with **snares** (s.6 PFR) and for sport fishers to catch with snares or **foul hook** fish (s.10(1)(b) and (c) BCSFR; The foul hooking rule doesn't apply to sport fishers catching herring, northern anchovy, Pacific sand lance and squid).
- It is often **illegal** to use **lights** to attract fish:
  - For example, it is illegal for commercial fishers to use lights to attract (or repel) fish other than squid – or to use fishing gear with flashing lights attached (s.8 PFR).
  - It is illegal for freshwater sport fishers to use a light to attract fish unless the light is submerged and attached within one metre of a hook (2011-2013 FFRS).
- It is generally **illegal** to **waste fish** that is fit for human consumption (s.34(3) FR).
- It is **illegal** to **abuse fish** or cause unnecessary suffering (s.7 PFR).
- It is an offence to **throw** the **remains** of fish on the beach or shore (s.36(1)(b) FA).
- It is illegal to deposit a **deleterious (harmful) substance** into waters frequented by **fish**. The rule generally applies to any waters that contribute to the fish life cycle, spawning, rearing, food supply, etc. (s.36(3) FA).
- It is **illegal** to alter, destroy or otherwise **harm fish habitat** without a permit (s.35(1) FA).

## SPORT FISHING/RECREATIONAL FISHING



### **Valuable Sources of Info:**

- See the *BC Tidal Waters Sport Fishing Guide*; *2011-2013 Freshwater Fishing Regulation Synopsis*; and updates on federal Sport Fishing regulations found at the Recreational Fishing website: <http://www.pac.dfo-mpo.gc.ca/fm-gp/rec/index-eng.htm>.



## **Licence Requirements**

- It is **illegal** to fish without a required **licence**.
- **Tidal Waters:**
  - Adults and children must have a BC Tidal Waters Sport Fishing Licence to sport fish in tidal waters (s.26 PFR, s.18 BCSFR).
  - This includes **finfish, shellfish, crabs, shrimp and octopus**.
  - First Nations individuals do not require a Tidal Waters Licence if they are fishing under an **Aboriginal Communal Licence** where hook and

line (or rod and reel) have been identified. Federal officials require status cards as proof.

- **Freshwater:**

- Adults need a Non-tidal Angling Licence to sport fish in freshwater (s.2 FFR).
- Resident children under 16 can sport fish without a licence and are entitled to their own quota.
- Non-resident children under 16 years do not need a licence if accompanied by a licence-holder. However, fish caught by the child count against the quota of the licence-holder, unless the child has a separate licence.
- First Nations individuals with a **status card** are not required to have a licence in freshwater.

## **Catch Limits and Salmon Stamps**

- Catch Limits vary by species and change seasonally – See the DFO website that contains up-to-date catch limits. See <http://www.pac.dfo-mpo.gc.ca/fm-gp/rec/index-eng.htm> and click on the area that you are operating in.

To give you a general idea, at time of publication, catch limits include:

- **Salmon Catch Limits:**

- Maximum of **four salmon** in total may be caught and kept in a single day.
- Only **two** of these may be **Chinook** salmon
- A person cannot **possess** more than twice the daily catch limit.
- To catch and retain salmon, the fishing licence must also have a separately purchased **salmon conservation stamp** (s.18(1)(b) BCSFR).
- A person must promptly **record** (in ink) retained **Chinook salmon** and **lingcod** (where required) on their tidal waters fishing licence. On non-tidal angling licences, all adult Chinook retained must be recorded (s.22 BCSFR).

- **Other Limits:**

- **Halibut** catch limit is **one** per day;
- Halibut **possession** limit is **two**.



- In **tidal waters**, it is illegal to have in your **possession** more than **double** the daily limit of a species of fish, except at your ordinary place of residence. Campsites, motor homes and boats are not an ordinary place of residence unless the person lives there full time (s.13(1) BCSFR).
- In **tidal water**, a maximum of **30 Chinook salmon** may be caught and kept in one year. However, this can vary by area – check regional limits (s.47(d) BCSFR).
- In specified **non-tidal waters**, generally a maximum of **10 Chinook salmon** more than 50cm in length may be caught and kept in one year, although the number can vary by area – check regional limits (s.47(e) BCSFR).
- **Freshwater catch limits** can be found in the *2011-2013 Freshwater Fisheries Regulations Synopsis*. (Look under the Regional Chapters for Regional Daily Catch Quotas.) See [http://www.env.gov.bc.ca/fw/fish/regulations/docs/1113/fishing-synopsis\\_2011-13.pdf](http://www.env.gov.bc.ca/fw/fish/regulations/docs/1113/fishing-synopsis_2011-13.pdf).
- Generally the **freshwater possession limit** is no more than twice the daily catch limit. See [http://www.env.gov.bc.ca/fw/fish/regulations/docs/1113/fishing-synopsis\\_2011-13.pdf](http://www.env.gov.bc.ca/fw/fish/regulations/docs/1113/fishing-synopsis_2011-13.pdf).

## Equipment

- It is **illegal** to use a **trap or pen** to catch fish in **spawning-related areas**.
- It is **illegal** to fish or to injure fish using **explosives** (s.28 FA).
- No person shall fish for salmon other than by **angling** (unless authorized by commercial or aboriginal licences).
- Fishing equipment must not be **used in a way** that **interferes with boat travel**; and boaters must not **intentionally damage** lawful fishing equipment.

## Hook and Line Rules

- It is **illegal** to use **barbed hooks**:
  - In **streams and rivers**, including the tidal portion; or
  - In **tidal waters**, when fishing for **salmon, cutthroat trout or steelhead**.
- In **Tidal Waters generally**:
  - One must not attach more than **one hook, lure or fly to a fishing line** – unless it is a lure designed to catch one fish at a time, the hooks are holding a single piece of bait or the person is fishing for herring, anchovy, sand lance or squid (s.8 BCSFR).
  - **No limit** to the number of fishing rods a person may use at one time.
  - **Any line** in the water must be **attended**.
- In **freshwater generally**:
  - Only **one fishing line** may be used while sport-fishing – but a person **alone** in a boat on a **lake** may use **two lines** (s.6 BCSFR).
  - One must use a single **barbless** hook when fishing in streams and rivers (p.9 FFRS).
  - It is **illegal** to have **more than one artificial** fly attached to a single line (s.9 FFRS).
  - It is generally illegal to fish with nets (p.9 FFRS).
  - It is generally **illegal** to fish with a **set line**, except in designated burbot areas such as in Region 7. Any line in the water must be attended (p.9 FFRS).

## SHELLFISH HARVESTING

- It is **illegal** to gather shellfish in areas closed due to **paralytic shell fish poisoning** and **contamination**.

## CRABBING, SHRIMP, OCTOPUS

- **No female** crabs or **crabs with soft shells** may be **kept**.
- A **Dungeness** crab measuring less than **165mm** across the carapace must not be kept.

- A **red rock** crab measuring less than **115mm** across the carapace must not be kept (s.37(1) BCSFR).
- On the Central and North Coasts, a person must not keep more than **six male** Dungeness **crabs** and/or red rock crabs in **total** that have been **caught** in one day (s.36(c) BCSFR).



## Traps and Nets

- No person shall fish for **crab** with more than **two ring nets, dip nets and crab traps**, in total (s.39(1) BCSFR). No person shall fish for **shrimp** with more than **four shrimp traps** (s.40(1) BCSFR).
- All crab **traps** must have a **7cm x 20cm** or **11cm x 11cm** part of its wall or top replaced with **rotcord string** that will rot over time if the trap is lost.
- It is **illegal** to fish for crabs using a **sharp-pointed tool**, such as a spear or a rake.
- **Nets** or **traps** for crabs, shrimp and octopus must have a **buoy** or float attached to it. The buoy or float must also have the fisherman's name on it (ss.40(2), 41.1 BCSFR).
- It is illegal to **leave decaying fish** in any net or other fishing apparatus (s.36(1)(c) FA).
- **Traps** set in **navigation channels** may be removed by government officials.

## TRANSPORTING SPORT FISH

- Possession limits apply – generally **twice the daily** limit for the species.
- If you are transporting fish caught by someone else, you must generally carry a signed and detailed letter from that person (p.11 FFRS and p.11 TWSFG).
  - When packaging salmon for guests, saltwater fishing lodges and charter operations must provide **separate containers for each guest**, and label the container with:
    - the name and licence number of the guest; and
    - the number of fish by species, and number of packages  
(*Packaging and Transporting Your Catch*, DFO).

## Selling and Processing Fish:

- It is **illegal** to **buy, sell, or trade sport-caught** fish (s.35(2) FR and p.9 FFRS).
- It is **illegal** to possess sport-caught fish that have been **dressed** or packed in a way that the **species** of fish, the **number** of fish caught, or the regulated **weight** or **size** of the fish cannot be **easily** determined (s.36(1) FR). (Federal Law)
  - In **freshwaters, the head, tail and fins** must be left on the fish, and fish must not be frozen into an unrecognizable block (p.11 FFRS).
- The **shell of crabs** must not be removed until taken home or consumed.
- **Canning**, smoking, salting and curing fish is **not** generally allowed outside of a person's **ordinary residence** (or at commercial plants.) (*Packaging and Transporting Your Catch*, DFO and p.11 FFRS).
- See the *British Columbia Tidal Waters Sport Fish Packaging Guidelines* from DFO at: <http://www.pac.dfo-mpo.gc.ca/fm-gp/rec/points/packaging-emballage-eng.htm>.

## Guiding: Non-Tidal Waters Only

- To act as a **fishing guide in non-tidal waters**, a person must have an **angling guide licence** or an assistant guide licence for that **specific area** (s.49 WLDA).
- Everyone in the guided party must also have **all the licences** required by law (s.56 WLDA).
- If the person doesn't have a guiding licence, or the guiding licence is for another area, or one person in the party doesn't have a fishing licence, it is **an offence** to act as a guide.
- You **must not interfere** with a person who is **fishing, guiding or trapping** an animal, or **hunting** if that person has a licence or permit and is not committing any offences while doing so (s.80 WLDA).

## Fishing Lodges:



- It is **illegal** to **buy or sell sport-caught** fish. Therefore, it may be illegal for lodges to use sport fishing licences to catch fish and crabs and sell them to clients. (s.35(2) FR)

## COMMERCIAL FISHING LAWS AND OFFENCES

**Note:** Check on the specific requirements of individual fisheries by contacting your local DFO office and consulting the Integrated Fisheries Management Plan and other documents on the DFO website.

### Licencing and Registration

- **Vessels** used for commercial fishing **must be registered**, and must have a commercial fishing **licence** allowing it to catch that type of fish (ss.22(1) PFR).
  - **Everyone** 16 years old or older that is on a ship being used in commercial fishing must be **registered** as a commercial fisherman (i.e. have a Fishers Registration Card) (ss.19, 25 PFR).
- It is illegal to **process** fish on board a ship unless a Category P (“Processor”) licence has been issued to that ship. (This does not regulate washing, eviscerating, icing or freezing fish on the fish boat itself) (s.23 PFR).
- Ships used to **transport commercially caught fish must** be 1) **registered**, and 2) **either** a) be **licensed** to be used for commercial fishing, **or** b) have been issued a **Category D** (“Packing”) **licence** (s.24 PFR).

### Commercial Fishing Methods and Equipment

- It is illegal to fish using **snares** or by **snagging** (s.6 PFR).
- Generally, it is **illegal** to use **lights** to **attract** or repel **fish** other than squid (s.8 PFR).
- In tidal waters it is illegal to fish with more than one **gill net** at a time (s.9(a)).
- In tidal waters it is illegal to use a **gill net** if any part of the net’s

**corkline is underwater.** (Except for herring, where part of the line can be submerged) (s.9(b) PFR).

- **Gill nets** must be properly **marked**. Any end of the net that is not attached to a boat must be attached to a buoy (s.13(2) PFR).
- Mouths of **dip nets** must not be bigger than one metre. The depth from the top to the bottom of the net cannot be more than 1.5 metres (s.10 PFR).
- A **longline** used for fishing must have a floating buoy attached to each end (s.14 PFR).
- To legally fish commercially with traps or ring nets, each trap or net must be attached to a **floating buoy marked with identifying information**. However, if a number of traps or nets are attached to a single line, it is sufficient to have one buoy at each end of the line (s.15 PFR).
- Commercially caught salmon or roe herring can only be unloaded at a fish landing station, a registered vessel, or a vehicle that is licensed as a fish buying station. It is **illegal to unload these fish anywhere else** – except when selling salmon or roe herring directly to a person for the buyer's own consumption (s.17 PFR).
- It is **illegal** to **dump fish** from a **commercial fishing** boat (s.34(2) FR).

## Commercial Roe Herring Fishing

- When fishing for roe herring, each **gill net buoy** must be 1.25 metres in circumference. Each buoy that is attached to one net must be the same colour as the other buoys. A validation tab must be attached to a buoy (s.13(4) PFR).
- A ship does not have to be registered to catch roe herring in non-tidal waters, or using gill nets (ss.22(2) PFR).

## Commercial Fishing for Salmon

- Each **buoy** that is attached to a gill net used for **salmon** fishing must be orange and at least 1.25 metres in circumference. As well, there must be a lantern attached to the gill net where the buoy is. The lantern must provide a steady white light one hour after sunset until one hour before sunrise (s.13(3) PFR).

- It is generally **illegal** to **fish** for **salmon** using an **anchored gill net** (except in subareas 10 and 11 and in the Taku or Stikine Rivers) (s.57(2)(b) PFR).
- **Set gill nets** being used to catch **salmon must not** be left **unattended** (s.57(2)(a) PFR).



## Commercial Fishing for Halibut

- It is **illegal** to **catch halibut** between **October 31 and March 1** (s.74 PFR). (Dates vary from year to year.)
- It is **illegal** to use **anything other than a hook and line or a trap** to catch **halibut** (s.76 PFR).

## Commercial Fishing for Crab and Prawns

- Generally **commercial crab traps** cannot be **left** in the water for more than a designated time (e.g., **18 days**).
- **Prawn** fisherman cannot pull their prawn traps more than **once a day**.

## ROCKFISH CONSERVATION AREAS (commercial fishing)

- **Fishing for rockfish is not allowed** in rockfish conservation areas.
- In rockfish conservation areas, the only commercial fishing that can take place is fishing for:
  - invertebrates by hand picking or dive;
  - crab by trap;
  - prawn by trap;
  - scallops by trawl;
  - salmon by seine or gillnet;
  - herring by gillnet, seine and spawn-on-kelp;
  - sardine by gillnet, seine, and
  - trap;
  - smelt by gillnet;
  - euphausiid (krill) by mid-water trawl;
  - opal squid by seine; or
  - groundfish by mid-water trawl.

You can get a CD with maps and descriptions of Rockfish

Conservation Areas by calling **604-666-0384** or through the DFO website: [www.pac.dfo-mpo.gc.ca/fm-gp/maps-cartes/rca-acs/index-eng.htm](http://www.pac.dfo-mpo.gc.ca/fm-gp/maps-cartes/rca-acs/index-eng.htm).

## **COMMERCIAL HARVESTING OF MARINE PLANTS**

It is **illegal** to commercially harvest **marine plants** in British Columbia without a Licence to Harvest Marine Plants (s.71 PFR and s.24 FA).

## **TIPS – SUSPICIOUS ACTIVITIES**

A single **seine** (net) **boat fishing by itself** raises suspicions. Report this to DFO.

### **WHEN YOU SEE A FISHING VIOLATION:**

- For violations involving **salmon or tidal waters** phone **1-800-465-4336** (ORR line).
- For all other angling offences, phone **1-877-952-7277** or mobile phone **#7277** (RAPP line)

# HUNTING AND TRAPPING



Remember that some of the following laws may not apply to First Nations exercising Aboriginal rights and title.

## **GENERAL LAWS**

### **Licences**

- To possess a gun the person must have a **Possession and Acquisition Licence**, and the firearm must be registered with the Canadian Firearms Registry.
- Generally, it is **illegal** to hunt an animal unless you have both a provincial **Hunting Licence** and a species licence to hunt that **particular animal**. For limited entry hunts, you also need an LEH authorization (s.5 HLR).
- A person can only hunt if they are at least **10 years old** (s.15.01 WAGR). Children between 10 and 14 years old are issued a **Junior Hunting Licence**.
  - Anyone under the age of 18 must be accompanied by an adult with a Hunting licence (s.11(5) WLDA).
  - Any kills made by a child with a Junior Hunting licence go to the bag limit of the adult hunter (s.17(9) WLDA and s.21 HLR). However, if the child is accompanied by a licenced hunting guide, small game killed by that child count toward the child's own bag limit, and not the adult's (s.22 HLR).
- In order to set **traps** for a fur-bearing animal, a person generally must have a trapping licence and either a registered trapline for that area or a permit to trap there (s.41 WLDA).

### **Guiding**

- To act as a **hunting guide**, a person must generally have a **guide outfitter licence** or an assistant guide licence (s.48 WLDA).
- Everyone in the guided party must also have **all the licences** required by law (s.56 WLDA).
- It is an offence for a guide to guide an angler or hunter who does not have a licence.

## Big Game Hunting

- A person who is **not a resident of British Columbia**, can only hunt for big game if s/he is accompanied by a licensed **guide** or someone with a permit allowing the non-resident to accompany the hunter (s.47 WLDA).



## General Rules

- Generally, it is **illegal** to hunt or trap an **animal** outside of its **hunting season** (s.26(1)(c) WLDA).
- It is generally **illegal** to hunt from **one hour after sunset** until **one hour before sunrise** of the next day. The one hour rule changes to 30 minutes for migratory birds (s.14 HR).
- It is **illegal** to **hunt** a big game animal while the animal is **swimming** (s.30 WLDA).
- It is **illegal** to **hunt** or trap an animal that is **endangered** or **threatened** (s.26(1)(a) WLDA and SARA). See Species at Risk section below.
- It is **illegal** to **hunt** or trap an animal that is in a **wildlife sanctuary** or **ecological reserve** (s.26(1)(b) WLDA, s.1 ERR).
- It is generally illegal to **injure or kill** wildlife and not try to retrieve the animal's body and take the edible parts home, or to a meatcutter or cold storage plant (s.35 WLDA).
- A person who **kills** or **wounds** wildlife **accidentally** or in self-defence **must report it** (s.75 WLDA).
- In general, it is **illegal** for a person to have **any wildlife** live or dead, or any **parts** of wildlife (e.g., eagle feathers), unless that person has a licence or permit (s.33(1) WLDA).

## Bag Limits

- Once an animal is killed it must be entered into your **bag limit**.
- It is illegal to kill more animals than the **bag limit** (ss.10, 12 HR).
- The law sets maximum **possession limits** as well.
  - **Current bag limits and possession limits** for each species are found in the *2010-2012 Hunting and Trapping Regulations Synopsis* at

## Taking Meat

- It is **unlawful** to kill **any wildlife** and fail to take the **four quarters and loins**. This does not apply to grizzly bears, cougar or fur bearing animals with the exception of black bear. For grizzly bear, cougar and fur bearing animals, the hide must be taken by the hunter (s.35 WLDA, ss.12.01, 12.02 WAGR).
- It is **illegal** to kill a **game bird** and not take **both breasts** with you (s.12.02 WAGR).
- Hunters must retain **body parts** to establish the **sex** of the animal for elk, moose, deer and mountain goat and sheep (s.15(2) HR).
- For **game birds**, **one wing with its feathers** must be left attached to the carcass (s.15(6) HR).

## Safety Rules

- While hunting or trapping you must take reasonable care to **not endanger someone else's life**, safety or property (s.28 WLDA).
- It is **illegal** to shoot a gun while in a designated **no shooting area** (s.32 WLDA). Check the current set of regional hunting rules in the 2010-2012 *Hunting and Trapping Regulations Synopsis* for no shooting areas in your territory.

## Baiting/Attracting Wildlife

- Generally, it is **illegal to bait or feed dangerous animals** (s.33.1 WLDA).
- It is illegal to use **bait to hunt bears** (s.17 HR).
- It is **illegal** to hunt migratory **game birds** within **400 metres** of recently deposited **bait** (s.18(1)(c) HR).
- It is generally illegal to use **artificial light** in hunting (s.26(1)(e) WLDA).

## Animals that cannot be hunted

- It is **illegal to hunt**:
  - a **bear** less than **2 years old**;
  - a mature **bear with such a cub** (ss.13, 13.1 HR);
  - a **white (Kermode)** or **blue (glacier)**-coloured **black bear** (s.13.2 HR);
  - a **cougar kitten** or a mature cougar that is with a cougar kitten (s.13.3 HR); or
  - a **female** mountain goat if there is a **kid nearby** (s.13.4 HR).



## Hunting from Boats/Cars/Aircraft

- It is **illegal to shoot** a gun while **on a road** or **to shoot** a weapon **across a road** (s.31 WLDA).
- It is generally **illegal to fire a gun** from a **motor vehicle** or from a **boat propelled by a motor** ("motor vehicle" includes an ATV; s.27(1) WLDA).
- It is **illegal** to use any **mechanical device to herd** or harass wildlife (this includes ATVs, airplanes and boats (s.27(3) WLDA).
- In general, it is **illegal to hunt** an animal from an **aircraft** (s.27(2)(a) WLDA).
- In general, it is **illegal** to use a **helicopter** to transport **hunters** or animals (s.27(2)(b) WLDA).
- It is **illegal to hunt an animal** within six hours of **landing** in a **non-scheduled aircraft** (s.27(4) WLDA).
- When **hunting** migratory game **birds** any **power boat** being used must be **beached, anchored** or **tied to the blind** (s.17(1)(n) HR).



## Hunting in Parks and Protected Areas

See “Parks and Other Protected Areas” below for the special rules that apply to hunting in Parks, Conservancies, Recreation Areas, Ecological Reserves and other Protected Areas.

## Banned Weapons

- It is generally **illegal** to use the **following weapons and tools** for hunting (s.17 HR):
  - full metal **jacketed, tracer, incendiary** or explosive bullets;
  - **tracer or incendiary shot**;
  - a **rimfire cartridge** (for most big game);
  - a **shotgun** to hunt mountain sheep or goat, elk, moose, caribou, bison or grizzly bear;
  - a **shotgun** smaller than 20 gauge or with shot smaller than #1 buckshot to hunt deer, black bear, cougar, coyote, lynx, bobcat, wolverine or wolf;
  - a **pump-action, repeating, or auto-loading shotgun** with a **detachable magazine or a non-detachable magazine** that can hold

**more than two cartridges** (s.26(1)(h) WLDA);

- a **rifle** to hunt most game birds (except turkey, grouse and ptarmigan);
- a **set gun** (s.26(1)(g) WLDA);
- a **gun** that can be aimed and fired with **one hand**;
- **poison** (s.26(1)(f) WLDA).



## **BEAR HUNTING**

Grizzly bear hunting is highly regulated. Hunters are chosen from a lottery system, winning the right to kill one bear in a particular management unit. This lottery system is only open to residents of British Columbia.

- **Non-residents** must have a licenced **guide outfitter** with them in order to hunt grizzly bears.

## **Weapons/Baiting**

- It is illegal to hunt a **grizzly** bear using a **shotgun** (s.17(1)(d) HR).
- It is illegal to hunt a **black bear** with a **shotgun** that is less than 20 gauge or with a shell using smaller than #1 buckshot (s.17(1)(e) HR).
- It is illegal to use **bait** to hunt any type of **bear** (s.17(1)(m) HR).
- Dogs may be used to hunt grizzly and black bears (s.18(2) HR).

## **Hunting Seasons**

- It is illegal to hunt an animal when the animal's **hunting season** is not open.
- It is illegal to hunt in an **area closed to hunting**. Check the *Hunting and Trapping Regulations Synopsis* for such areas in your territory.
- There are two hunting seasons for bears – usually April-June and September-November. Check exact dates in the current *Hunting and Trapping Regulations Synopsis*.

## Bears that Cannot be Hunted

- It is **illegal to hunt**:
  - **a bear** less than **2 years old**;
  - a mature **bear with such a cub**; or
  - **a white (Kermode) or blue (glacier)-coloured black bear** (ss.13, 13.1, 13.2 HR).

## Some Areas where Grizzly Bears Cannot Be Hunted

- Geneese Creek/Walkus Lake (Region 5);
- In the coastal areas of Management Units 6-14 and 6-15, located north of the Skeena in Region 6 (for example Khutzeymateen);
- In the Grizzly Management Area of Region 6, for example the Khutze-Kitlope-Kimsquit Upper Dean-Tweedsmuir areas;
- Kakweikan River Grizzly Bear closed area MU 1-15;
- Transition area in the Skeena, east of the Kitimat River and south of Zymoetz River in portions of MUs 6-3 & 6-9;
- In the Grizzly Management Area of Region 1, the Ahnuhati;
- Kingcome Inlet and Wakeman Sound Grizzly Bear and Black Bear Closed Areas in Management Unit 1-14;
- Glendale Cove and Knight Inlet Grizzly Bear and Black Bear Closed Area in Management Unit 1-15.
- Appendix 8 maps some of the larger areas designated as Grizzly Bear No Hunting Areas.

## Some Areas where Black Bears Cannot Be Hunted

- Gribble Island, the Kitasoo Spirit Bear Conservancy, and the Whalen Creek estuary and one km surrounding the estuary. Reason: high number of Spirit/Kermode (white-phase) black bears;
- Kingcome Inlet and Wakeman Sound Grizzly Bear and Black Bear Closed Areas in Management Unit 1-14;

- Glendale Cove and Knight Inlet Grizzly Bear and Black bear Closed Area in Management Unit 1-15.

For more information on closed bear hunting areas, see: [http://www.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central\\_north\\_coast/plan/landusezones.html](http://www.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central_north_coast/plan/landusezones.html).



- It is generally **illegal** to possess, traffic, import or export **bear galls or genitalia**.
- It is generally **illegal** to import, export or traffic in **bear paws** separated from the carcass or hide (except for personal and ceremonial use).

### **WHEN YOU SEE A HUNTING OR TRAPPING OFFENCE**

**Call 1-877-952-7277 or #7277 on a mobile phone (BC Conservation Officer Service RAPP line.)**

# POLLUTION



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- Generally, businesses cannot release more pollution than the amount allowed under their Ministry of Environment **permits, authorizations, or the Waste Discharge Regulation** (s.6 EMA). Check with the Ministry of Environment to see what limits apply to individual businesses in your territory.
- Check the business's Environmental Assessment Certificate for additional requirements.
- It is illegal to **litter** in a public place, park or campground (s.12 EMA).



## **WATER POLLUTION**

- It is illegal to deposit **harmful substances** into waters frequented by **fish** or **migratory birds** (s.36(3) FA; s.5.1 MBCA). The fish rule generally applies to any waters that contribute to the fish life cycle, spawning, rearing, food supply, etc.
- It is illegal to **store a harmful substance** in a way that the substance could enter waters frequented by fish (s.36(3) FA).
- Federal or provincial permits or regulations may allow a business to release a certain amount of pollution. Ask DFO about the authorized limits on polluting industries in your territory.

## **BC SEWAGE AND WASTE RULES**

- It is generally **illegal** to discharge **unauthorized sewage** or pollution from a trailer, camper, transportable housing unit, boat or house boat (s.13 EMA).
- **Sewage from buildings** (including fishing and hunting lodges) must generally be discharged into a public sewer, a proper holding tank or an **authorized sewerage system**. It must not cause a health hazard or be discharged into land, surface or tidal waters, or sources of drinking water. Some exceptions apply (ss.2, 3, 12 SSR).
- Sewage from a logging, mining, construction or other industrial **remote camp** must be disposed in a way that **does not pollute** any stream, lake or other **body of water** (s.17 ICHR).

## **SHIP SEWAGE**

*(Ship sewage rules vary, depending on the size of the ship and on whether the sewage is treated. A large ship is defined as one that can legally carry more than 15 people, or exceeds 400 tons. Less than that, ships are considered “small.”)*

### **Untreated Ship Sewage**

- A **large ship** may only dump **untreated sewage** when the ship is at least **12 nautical miles** from shore, travelling at a **minimum speed of four knots**, and **dumps the sewage** at a **moderate rate**.
- A small ship may only **dump untreated sewage** into the water if it is travelling at the **fastest speed** that is **safely possible** for that ship, and it is at least **three nautical miles** from shore.
- **Dumping untreated sewage** from a ship in **any other way** than those listed above is an **offence** (s.128-9 RPPSDC).
- It is an **offence** to dump **any sewage** that leaves **visible solids** on the shore.

### **Treated Ship Sewage**

- **Any ship** may dump **sewage** in any waters, if the sewage has been **treated** and has a **low coliform** count.
- A **large ship** may dump **treated sewage** with a **high coliform** count, only if the ship is at least **three nautical miles** from shore.
- A **small ship** may dump **treated sewage** when the ship is at least **one nautical mile** from shore.
- Even without knowing coliform counts, **visual clues** can help indicate if the dumping was unlawful: If there are visible **solids** in the sewage, if the sewage creates a **sheen or a discoloration** of the water, or if the sewage leaves a **sludge** under the water or along the **shoreline**, report the incident (s.129 RPPSDC).

## Bilge Water

- It is generally **illegal** to **dump unfiltered oil** or **oily mixture** into water.
- It is generally **illegal** to dump **bilge water** in lakes and harbours.
- In general, an **oil tanker** may **dump** its **bilge water** only when it is at least **50 nautical miles** from the nearest shore (s.40-42 RPPSDC).



### WHEN YOU SEE A POLLUTION OFFENCE

- Phone the **Report All Poachers and Polluters (RAPP) Line**: 1-877-952-7277 or 1-800-663-9453 or #7277 on mobile phone.
- To report marine offenders call the **Marine Pollution Line** (Canadian Coast Guard): 1-800-889-8852.
- For serious non-marine pollution, also call the **Provincial Emergency Program**: 1-800-663-3456.
- Sewage issues can also be reported to environmental health officials at your **local Health Authority**.

# FOREST PRACTICES AND LOGGING



Later in this chapter you will find a number of general rules on forest practices. However, many of the rules that apply to forest activities are found in the local **forest stewardship plan**. Forest companies are required to develop forest stewardship plans that set out strategies and results consistent with **land use objectives and other objectives**, including:

- The Province has defined general **objectives** for soils; timber; wildlife; biodiversity; water, fish, wildlife and biodiversity within riparian areas; fish habitat in fisheries sensitive watersheds; water in community watersheds; visual quality and cultural heritage (ss.4.1-10 FPPR).
- Additional **objectives** govern wildlife habitat areas, ungulate winter ranges, etc.
- In addition, Coastal First Nations have negotiated special **land use objectives** to govern the Central and North Coast. See <http://ilmbwww.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/plan/objectives/index.html> for the land use objectives for the Central and North Coast.



It is the forest company's **forest stewardship plan** – and its statement of Results and Strategies – that is **enforceable**, not the original land use objectives. It is illegal for the company to break the provisions of its Plan's Results and Strategies (s.21 FRPA). You should be able to obtain forest stewardship plans from the local district office of the Ministry of Forests, Lands and Natural Resource Operations. See <http://www.for.gov.bc.ca/rco/> for district office websites on the Coast. Some forest districts post their approved forest stewardship plans on the district website.

A provincial website is being developed that should eventually have forest stewardship plans posted. See: <http://archive.ilmb.gov.bc.ca/dm/fsp/resources.html>.

If you see questionable forest practices, compare them with the **forest stewardship plan**. Or ask Ministry of Forests enforcement officials or the local First Nation resource manager to investigate whether the Plan is being followed. In addition, consider whether the person is violating **the general rules below**.

## **GENERAL RULES**

- Unauthorized forest practices (e.g., logging, road building) that cause:
  - **soil disturbance**;
  - changes to soil, a **landslide**, or a gully process; or
  - **deposition** of petroleum products, industrial equipment fluids or other **harmful substances** into a stream, wetland or lakeare **illegal**. However, if authorized in a forest stewardship plan or elsewhere, it may not be. (s.3, FPPR, s.46 FRPA).
- A person or company involved in forestry work must make sure that the work will not cause a **landslide** (s.37 FPPR).
- It is illegal to **cut** or damage **trees** on Crown lands **without a permit**. It is also illegal to cut trees outside the cutting permit or road permit boundaries (s.52(1) FRPA).
- It is illegal to **remove trees** from Crown lands without a permit. This can apply to log salvagers taking trees from land just above the high water mark (s.52(3) FRPA).
- A person must not **construct a structure** in a provincial forest without authorization (s.54(1) FRPA).
- A person must not **construct a trail** or other recreation facility on Crown land without authorization (s.57(1) FPPR).
- A person must not **damage** a designated resource feature or wildlife habitat feature, including **designated karsts, mineral licks** and nests of some species (s.70) FPPR).

## **FOREST PRACTICES NEAR WATER BODIES**

- A person cutting trees or constructing a road **too close to a stream**, lake, wetland or other water body may be violating the law. If activities are close to those water bodies, report it. There are numerous rules on this issue, found in:
  - ss. 47-53 of the *Forest Planning and Practices Regulation* set out **province-wide setback rules**. For example, depending upon the type of stream, logging may be generally prohibited in a riparian strip of **up to 50 metres** wide.

- The Central and North Coast Land Use Objectives set **regional** riparian standards. See ss. 8-14 of those Objectives at: <http://ilmbwww.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/plan/objectives/index.html>
- For example, on the Central and North Coast a person must not generally cut trees within an area that is **one-and-a-half tree-lengths from critical spawning** and rearing areas for anadromous fish, including estuaries, wet floodplain, kelp bed, and other areas that are critical for fish habitat (LUO 9).
- Forestry activities must **not adversely affect fish passage** (except for temporary authorized work when fish are not migrating or spawning). For example, **perched culverts** are generally prohibited in fish streams. (s.56 FPPR and FA) 
- Forestry companies must not carry out **activities** that are likely to **harm fish or fish habitat** (s.57 FPPR and FA).
- It is **illegal** to alter, destroy or otherwise **harm fish habitat** without a permit (s.35(1) FA).
- A person making changes in or about a stream (**dredging, working in a stream**, etc.) without lawful authority may commit an offence (s.93(2)(q) WTRA).
- Forestry activities must ensure that they do not cause unhealthy material to flow into a **licenced waterworks** (s.59 FPPR).

## **FORESTRY ROADS**

- Streams crossings must be built to **protect the stream** and its banks and **disturb** the stream as **little** as possible. Temporary stream crossing structures must be removed when no longer needed (s.55 FPPR).
- Those **maintaining a forestry road** must ensure that the road and its sides are **stable** and that the drainage systems of the road are working properly (ss.79(6)(a) and (b) FPPR).

## **CUTBLOCKS — PROVINCIAL RULES**

- If a forest company is cutting a cutblock that requires **more than 40 hectares** of net area to be reforested, it may be exceeding the maximum cutblock size (s.64 FPPR).

- Unless specifically exempted, forest companies must generally retain **coarse woody debris** on a cutblock, with a minimum of four logs per hectare (s.68 FPPR).
- A minimum area of **wildlife trees** must be retained in a cutblock (s.66 FPPR).
- If a forest company is harvesting a cutblock adjacent to another cutblock before the older cutblock has sufficiently grown back, there may be a violation (s.65 FPPR).

## **OTHER SPECIAL RULES FOR THE CENTRAL AND NORTH COAST**

Among other things, the **Central and North Coast Land Use Objectives** require companies to:

- Maintain a supply of standing cedar in each logging block for cultural use (**monumental cedar**) (s.6 CNCLUO, CNCO).
- Protect **culturally modified trees** and archaeological and historical artifacts (ss.4-5) (See “**Cultural and Archaeological Sites**” below for the specific rules on cutting **culturally modified trees (CMTs)**, **Monumental Cedar and other cedar**.)
- Ensure a supply of traditional resources like **plant foods and medicinal plants** (s.3).
- Not generally **clear-cut** more than **20%** of an important fisheries watershed (s.8).
- **Leave** at least **15%** of the total area of the cutblock standing, for cutblocks that are larger than 15 ha (s.16).
- **Maintain** at least **50%** of each type of **forest ecosystem** in an **old growth** state, with specific amounts required in each landscape unit (s.14).
- Forest practices on the North and Central Coast must not **disturb** a **plant community** that is **red-listed** in Schedule 5 under the Land Use Objectives. See [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC\\_schedule5.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC_schedule5.pdf) and [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC\\_schedule\\_5.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC_schedule_5.pdf) for the plant communities red-listed. If there is no other option but to disturb the plant community, no more than 5% of the plant community can be

affected by this activity (s.14 CNCLUO, CNCO).

- In addition, at least **70% of the area** in each **plant community** that is **blue-listed** in Schedule 6 under the Land Use Objectives must be protected (s.15). Relevant blue listed plant communities are listed at: [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC\\_schedule6.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC_schedule6.pdf) and [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC\\_schedule\\_6.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC_schedule_6.pdf).
- Generally **logging** of the best quality (Class 1) **grizzly bear feeding habitat** must be **avoided**. In much of the North and Central Coast, 50% of the Class 2 (next-best quality) grizzly bear feeding habitat must also be retained (s.17).
- In **Kermode Stewardship Areas** found on the northern end of Princess Royal Island and on Gribbell Island, there are restrictions on logging habitat for Kermode Bears. Among other things, clearcutting is restricted, and den trees and trees near dens cannot generally be logged (s.18).
- To review the specifics of the land use objectives for the Central and North Coast, see [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC\\_consolidated\\_order.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC_consolidated_order.pdf).
- For the similar South Central Coast Order, see [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC\\_consolidated\\_order.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC_consolidated_order.pdf).
- See <http://ilmbwww.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/plan/objectives/index.html> for general information and a description of objectives and other standards on the Central and North Coast.



## **OTHER SPECIAL RULES FOR HAIDA GWAI**

On Haida Gwaii, the **Haida Gwaii Land Use Objectives Order** and other measures provide for the following:

- **Logging** of **culturally modified trees and monumental cedar** (>120 cm) is generally **prohibited** without special authorization.
- **Cedar stewardship areas** (approximately 25,000 ha) are established where a maximum harvest is set – only 1% annually, up to a 10% total harvest.
- Additional Reserve areas are protected from logging for a variety of Haida traditional heritage and traditional forest features.

- **Yew stands** are protected from logging.
- **Logging** is prohibited in **riparian reserves** on all fish bearing streams – and around wetlands and lakes.
- Generally logging is prohibited in **floodplains** and alluvial fans.
- In sensitive watersheds a maximum 20% Equivalent Clearcut Area is allowed.
- Ecological representation targets must be met for rare and common old forest (70% and 30% retained respectively).
- Forest practices **must not disturb a plant community that is red-listed** in the Haida Gwaii Land Use Objectives Order. If there is no other option but to disturb the plant community, no more than 5% of any individual plant community can be affected by this activity.
- In addition, at least **70%** of the area in each plant community that is **blue listed** in the Order **must be protected**. Relevant red- and blue-listed plant communities are found at: [http://www.ilmb.gov.bc.ca/sites/default/files/resources/public/PDF/LRMP/haidaGwaii/HGLUOSched13\\_RedBlueList\\_20101125.pdf](http://www.ilmb.gov.bc.ca/sites/default/files/resources/public/PDF/LRMP/haidaGwaii/HGLUOSched13_RedBlueList_20101125.pdf).
- All **bear dens are protected** from logging (not just active ones).
- 75% of **marbled murrelet habitat** present in a landscape unit must be protected in forest reserves and other reserves (riparian corridors, etc.)
- **200 ha+ reserves** are established around all **goshawk nests**.
- **Reserves** must be respected around known **Great blue heron nest sites**, and protection must be provided around **saw-whet owl nest sites**.
- Explicit spatial reserves are being established to protect marbled murrelet and rare old ecosystems.

## **FIRE PREVENTION**

Forest companies and other industrial activities must take precautions to prevent wildfires and have equipment on site to fight a fire if one breaks out. See [www.bcwildfire.ca](http://www.bcwildfire.ca)

## **NON-TIMBER FOREST PRODUCTS**

- Generally, people may harvest non-timber products on Provincial *Crown land* without a licence or permit.

- However, it is **illegal** for the harvesters to **damage the environment** or damage timber (ss.46, 52 FRPA).
- If you see a person harvesting or destroying wild plants, botanical medicines and other traditional material, check with the local First Nations resource manager or check the forest stewardship plan for potential violations.
- To harvest on First Nation Reserve Land, permission from the First Nation is required, otherwise it is trespassing. See the “Trespassing on Reserve Lands” chapter below for more information.
- It is illegal to harvest plants in National and Provincial Parks.
  - See the “Parks and Other Protected Areas” chapter below for more information.



## WHEN YOU SEE ILLEGAL FOREST PRACTICES OR LOGGING

- Call **Compliance and Enforcement** officials in the Ministry of Forests, Lands and Natural Resource Operations:
  - North Coast: 250-638-5100
  - Central Coast: 250-956-5000
  - Haida Gwaii: 250-559-6200
- More serious offences such as log theft can be reported to:
  - BC Conservation Officer Service (RAPP) 1-877-952-7277 or #7277 on a mobile phone
  - Crimestoppers: 1-800-222-8477
- If compliance and enforcement officials do not respond to your report, call the Forest Practices Board at 1-800-994-5899 to ask for an investigation or appeal of the provincial government’s failure to respond.

Do not interfere with the work being done, but report it as soon as possible.

# CULTURAL AND ARCHEOLOGICAL SITES



Cultural and archaeological sites are areas that are important to culture and history, especially to First Nations in this area. To preserve these important sites, the law prohibits many activities that would destroy or disturb an area and its artifacts.

## **DAMAGING OR TAKING ARTIFACTS, REMAINS OR CMTs**

- A person **must not remove any object** or **human remains** from a **burial place** without a permit (s.13(2)(b) HCA).
- A person **must not damage or alter a burial place** without a permit (s.13(2)(b) HCA).
- It is an offence for a person to **dig for aboriginal artifacts** without a permit (s.14(1) HCA).
- A person **must not alter or move** an historical aboriginal **rock painting or rock carving** without a permit (s.13(2)(c) HCA).
- A person **must not damage, dig in or alter a site** where humans may have lived or used the area before 1846 without a special permit (ss.13(2)(d) and (g) HCA). Among other things, this provision protects pre-1846 culturally modified trees (CMTs).
- A person **must not remove an object from a site** where humans may have lived or used the area before 1846 without a permit (ss.13(2)(d) and (g) HCA). This protects pre-1846 CMTs also.
- In addition to the strong protection for pre-1846 culturally modified trees (CMTs) found above, **post-1846 CMTs may be protected** by the somewhat weaker protections in **forest stewardship plans**.



## **FOREST STEWARDSHIP PLAN**

- Check the local **forest stewardship plan**! By law, forest companies must protect cultural heritage resources in accordance with the cultural heritage provisions in their forest stewardship plans.

- The plans must contain strategies and results consistent with:
  - the provincial “objective” for conserving and protecting cultural heritage resources;
  - special Central and North Coast objectives which require forest stewardship plans to maintain a supply of standing cedar in each logging block for cultural use (monumental cedar) **and protect culturally modified trees** and archaeological and historical artifacts;
  - the Haida Gwaii Land Use Objectives Order. On Haida Gwaii, logging of **culturally modified trees and monumental cedar (>120cm)** is generally prohibited without special authorization.
- If you see someone:
  - **Interfering with archaeological or heritage features;**
  - **Cutting culturally modified trees (CMTs);**
  - **Cutting monumental cedar; or**
  - **Overcutting other cedar,**

report this to the local First Nation resource manager. The forest stewardship plan for the area provides protection for heritage features, culturally modified trees, monumental cedar and other cedar – and the company may not be following the plan.

- Remember, it is generally **illegal to cut, damage or remove trees** on Crown lands without provincial authorization (s.52 FRPA).

## TO REPORT *HERITAGE CONSERVATION ACT* VIOLATIONS

- **Call the Local RCMP**

- 250-957-2388 (Bella Coola)
- 250-799-5363 (Central Coast)
- 250-627-0700 or 250-632-7111 (North Coast)
- 250-626-3991 or 250-559-4421 (Haida Gwaii)

- Or call Crimestoppers at: 1-800-222-8477

- Or call the Archaeology branch of the Ministry of Forests, Lands and Natural Resource Operations at: (250) 953-3334



### **Breaches of the Forest Stewardship Plan can be reported to:**

- **Compliance and Enforcement** officials in the Ministry of Forest Lands and Natural Resource Operations.

- 250-638-5100 (North Coast)
- 250-956-5014 (Central Coast)
- 250-559-6200 (Haida Gwaii)

- If compliance and enforcement officials do not respond to your report, call the Forest Practices Board at 1-800-994-5899 to ask for an investigation or appeal of the failure to respond.

# PARKS AND OTHER PROTECTED AREAS



## **PROVINCIAL PARKS AND PROTECTED AREAS**

Parks and other protected areas have a higher degree of protection than the general landscape. Many of the general laws discussed elsewhere in this *Guide* apply in protected areas. But in addition, special rules apply in provincial protected areas, including:

- Parks;
- Conservancies;
- Recreation Areas;
- Ecological Reserves; and
- “Protected Areas” designated under the *Environment and Land Use Act*.

## **RULES IN PROVINCIAL PARKS AND OTHER PROVINCIAL PROTECTED AREAS**



### **Prohibitions in Provincial Protected Areas (Parks, Conservancies and Recreation Areas)**

(Note: Many of the following rules also apply to “Protected Areas” designated under the *Environment and Land Use Act*.)

- It is an offence to **take, damage or destroy plants, flowers, trees, animals, fossils, rocks**, or other natural resources from a park, conservancy or recreation area without authorization. It is generally illegal to remove things from a park, except when a park use permit allows for it, except for fish and wildlife taken while following applicable laws (s.9(1) PA).
- A person **must not conduct a business** or industry in a provincial park, conservancy or recreation area **without a park use permit** (s.16 PA).
- Park use permits are generally required for commercial uses in parks, conservancies and other protected areas. Companies that organize or lead **hikes, skiing, wildlife viewing, kayaking and canoeing tours, airplane tours, SCUBA diving or guiding for hunting and fishing** in a

park or conservancy need to have a park use permit to do so.

- Note that park use permits should be consistent with the **Management Plan** for the Protected Area.
- A person **cannot stay** in a provincial park, conservancy or recreation area for more than **14 days**, except with permission from a park officer or in a designated long-stay campsite (s.39 PCRAR).
- A person **cannot leave supplies** or fuel in a park, conservancy or recreation area for more than **14 days** in a calendar year, except with permission from a park officer (s.17 PCRAR).
- To act as a **guide** in a park, conservancy or recreation area, a person must have the necessary **licences** for guiding in general and a **park or resource use permit**. Guiding in a park without these things is an offence (s.4 PCRAR).
  - See the “HUNTING” and “FISHING” sections of this book for general laws about guiding).
- It is an **offence** to **feed wildlife** in a park, conservancy or recreation area (s.30 PCRAR).

## Fires

- In general, a person **must not have a fire** in a park, conservancy or recreation area **unless** the fire is **in a fireplace** provided by the ministry. This does not apply to large backcountry parks where fires are permitted and there are no provided fire rings (s.11 PCRAR).
- All **fires must be put out** before leaving the area (s.11 PCRAR).

## Causing a Disturbance

- It is an **offence** to cause an **unnecessary disturbance** in a park, conservancy or recreation area. Disturbances can include: excessive noise, shouting or swearing; fighting; drunkenness; impeding or molesting people; indecent exposure; firing a gun at night; racing vehicles around a campground, etc. (s.8 PCRAR and s.175(1) CC).

## Hunting

- Hunting in parks, conservancies protected areas and recreation areas is prohibited unless allowed under the regulations. For the areas and times that hunting is allowed, and for other hunting restrictions, see [http://www.env.gov.bc.ca/fw/wildlife/hunting/regulations/1012/docs/PARKS\\_HUNT.pdf](http://www.env.gov.bc.ca/fw/wildlife/hunting/regulations/1012/docs/PARKS_HUNT.pdf).
- A park use permit is required for guided hunting and fishing activities in a park, conservancy or recreation area.
- It is illegal to hunt an animal when that animal is not in “season” or when the area you are in is closed to hunting in general.
- It is an **offence** to have a **firearm** or bow outside of a vehicle, except during a designated open **hunting season** for that park, conservancy or recreation area (s.28 PCRAR).
- Fire arms may not be discharged within **400 metres** of either side of the centreline of a **park road** or highway (s.29 PCRAR).
- In **Khutzeymateen Park (M.U. 6-14)**, **hunting is not allowed** below **1,000 metres of elevation**.
- In the **Khutzeymateen Inlet Conservancies**, hunting is only allowed from **September 1 to June 30** during an open season.
- **Calvert Island**, Fiordland, Tsa-latí/Smokehouse, Koeye, Homathko, and Hakai Protected Areas are closed to hunting from July 1 to August 31.
- The **Homathko Estuary Park** is closed to hunting from June 16 to September 9 (ss.19(1), (4) HR).
- **Naikoon Park** on Haida Gwaii is closed to hunting from April 1 to September 14 (s.19(6) HR).
- It is **illegal** to **hunt** or trap an animal that is in a **wildlife sanctuary** (s.26(1)(b) WLDA).



For more Parks hunting information, visit: [http://www.env.gov.bc.ca/fw/wildlife/hunting/regulations/1012/docs/PARKS\\_HUNT.pdf](http://www.env.gov.bc.ca/fw/wildlife/hunting/regulations/1012/docs/PARKS_HUNT.pdf).)

See the **Hunting** section of this book for more information, including information on hunting bears in conservancies.

## Resource Extraction

- **Logging and mining** are not allowed in a Park, Conservancy, or

Ecological Reserve. **Large hydroelectric** power activities are banned from taking in place in conservancies (s.9(10) PA).

- Harvesting trees for First Nations cultural purposes may be allowed.
- Generally it is an **offence to salvage (non-manufactured) logs** in a park area.
- Commercial timber harvesting and commercial hydro-electric power projects are prohibited in designated **Biodiversity, Mining and Tourism Areas**.

## Motorized Vehicle Use

- All **motorized vehicles** must generally be kept on **park roads** or other designated areas. It is generally an offence to go “off-roading” in a park, conservancy or recreation area (s.24 PCRAR – This applies to ATVs).
- **Snow-mobiles** must be kept on **designated trails** in parks, conservancies and recreation areas (s.24 PCRAR).
- **Commercial aircraft** require a Park Use Permit to operate in parks and other types of protected areas.
- In certain parks, **aircraft** cannot be used, except in accordance with the rules laid out in Schedule A of the *Park Conservancy and Recreation Area Regulation*. Schedule A is found at: [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/180\\_90\\_02](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/180_90_02). (s.27(20 PCRAR).

## Ecological Reserves

- When in an ecological reserve, it is an offence to do anything that is destructive to that ecological reserve.
- **It is illegal to do the following in an ecological reserve:**
  - Cut trees;
  - Take trees;
  - Take plants;
  - Harass animals;
  - Hunt;

- Fish;
- Camp;
- Light fires;
- Build roads or trails;
- Use motorized vehicles; or
- Allow farm animals to graze (s.1 ERR).
- See the map of Ecological Reserves on the Central and North Coast in Appendix 6.

## **NATIONAL PARKS**

### **GWAII HAANAS NATIONAL PARK RESERVE, NATIONAL MARINE CONSERVATION AREA RESERVE, AND HAIDA HERITAGE SITE**



#### **Cooperative Management**

- **Gwaii Haanas National Park Reserve, National Marine Conservation Area Reserve, and Haida Heritage Site** are managed cooperatively by the Government of Canada and the Council of the Haida Nation through the Archipelago Management Board (AMB).
- **Gwaii Haanas** has three distinct designations. The Government of Canada separates Gwaii Haanas into two components: **terrestrial** (the National Park Reserve, which includes all lands above the high water mark) and **marine** (the National Marine Conservation Area Reserve, which includes all inter-tidal lands and water below the high water mark). Each federal designation is subject to a specific statute: the **Canada National Parks Act** applies above the high water mark, and the **Canada National Marine Conservation Act** applies below it. The **Haida Heritage Site** designation, declared by the Council of the Haida Nation, does not distinguish between the terrestrial and marine components of Gwaii Haanas.

## Permits

- All visitors to **Gwaii Haanas National Park Reserve and Haida Heritage Site** require a permit issued by the park superintendent and the Archipelago Management Board (s.7.1 NPGR – Authorization for Designated Activity).
- All natural or social science **research activities** conducted in **Gwaii Haanas National Park Reserve and Haida Heritage Site** require a permit issued by the park superintendent and the Archipelago Management Board (s.7 NPGR – Restricted Activity).

## Natural Resources

- It is illegal to **remove, deface, damage or destroy** any **flora or natural objects** (e.g. fossils, rocks, minerals, or other natural phenomena) in a National Park or National Park Reserve (s.10 NPGR).

## Cultural Resources

- It is illegal to **remove, deface, damage or destroy any prehistoric or historic artifacts or structures** in a National Park or National Park Reserve (s.14 NPGR).

## Wildlife and Hunting

- It is illegal to **hunt, disturb, hold in captivity or destroy any wildlife** within, or **remove any wildlife** from, a National Park or National Park Reserve (s.4 NPWR).
- It is illegal to **possess or traffic in wildlife** taken from a National Park or National Park Reserve (s.4 NPWR).
- It is illegal to **disturb or destroy a nest, lair, den or dam** in a National Park or National Park Reserve (s.4 NPWR).
- It is illegal to **touch, feed or entice wildlife** in a National Park or National Park Reserve (s.4 NPWR).
- It is illegal to possess a **firearm**, unless unloaded and transported in a case (or wrapped and tied securely with no part of the firearm exposed), in a National Park or National Park Reserve (s.20 NPWR).

## Fishing

- **Fresh water** fishing is **prohibited** in **Gwaii Haanas National Park Reserve and Haida Heritage Site** (Schedule IV NPCFR).
- Fishing in the marine waters of **Gwaii Haanas National Marine Conservation Area Reserve and Haida Heritage Site** is **permitted** with a valid Tidal Waters Sport Fishing Licence, subject to general **Fisheries Act** requirements.
- There are several designated areas within **Gwaii Haanas National Marine Conservation Area Reserve and Haida Heritage Site** that restrict the types of tidal water fishing activities permitted. These include:
  - **Fully Protected Areas** (where no fishing is permitted),
  - **Rockfish Conservation Areas** (where hook and line fishing is prohibited) and
  - Several annual and seasonal **sanitary closures** that restrict the collection of bivalve molluscs (i.e. shellfish with two shells).
  - **Paralytic Shellfish Poisoning** (PSP or 'Red Tide') closures may also be in effect.



See the Fisheries and Oceans Canada website ([www.pac.dfo-mpo.gc.ca/recfish](http://www.pac.dfo-mpo.gc.ca/recfish)), or call the general fishing information line at 1-866-431-3474.

## Aircraft

- It is illegal to **take off or land an aircraft** (including floatplanes and helicopters) within **Gwaii Haanas National Park Reserve and Haida Heritage Site** without a permit from the park superintendent and the Archipelago Management Board (s.2 NPCAAR).
- To take off or land within **Gwaii Haanas National Marine Conservation Area Reserve and Haida Heritage Site**, commercial aircraft require a business permit from the park superintendent and the Archipelago Management Board. Private aircraft require a visitor permit.
- Transport Canada guidelines set out a **minimum altitude of 2,000 feet above ground level** while flying over National Parks or National Park Reserves. It is illegal for an aircraft, except on approach, take-off or landing, to operate at a distance **less than 500 feet** from any person, vessel, vehicle or structure (s.602.14 CAR).

## Business Licences

- The most common types of business activities in **Gwaii Haanas National Park Reserve and Haida Heritage Site** are guided kayak tours, sailing vessel charters, and motor vessel-based day trips.
- It is illegal to **conduct a business** in a National Park or National Park Reserve (including charitable and non-profit activities) without a licence issued by the park superintendent (and the Archipelago Management Board) (s.3 NPCBR).

## General (Camping, Garbage, Closures, Domestic Animals, etc.)

- Campsites must be kept in a condition satisfactory to the park superintendent. In **Gwaii Haanas National Park Reserve and Haida Heritage Site**, visitors are expected to practice ‘**leave no trace**’ techniques and **secure wildlife attractants (food, cooking equipment, cutlery and utensils, toiletries, garbage, etc.)** at all times. (s.9 NPCCR).
- It is illegal to litter or **dump garbage** in a National Park or National Park Reserve. There are no garbage facilities in **Gwaii Haanas National Park Reserve and Haida Heritage Site**; visitors are required to pack out everything they pack in (s.8 NPCGR).
- It is illegal to **enter closed areas or engage in restricted or prohibited activities** (e.g. camping in an area closed to camping). There are several permanent closures and areas with limited access in **Gwaii Haanas National Park Reserve and Haida Heritage Site** in order to protect cultural, spiritual and ecological features. Seasonal closures may also be in effect. Check with Gwaii Haanas staff for current information (s.7 NPGR).
- Caching of food, fuel or other supplies is prohibited in **Gwaii Haanas National Park Reserve and Haida Heritage Site** (s.7 NPGR).
- Dogs must be under physical control at all times (i.e. on a leash < 3m). In **Gwaii Haanas National Park Reserve and Haida Heritage Site**, dogs are not permitted ashore at any of the staffed Haida cultural sites (i.e. Watchmen camps) (s.5 NPCDAR).

## **TO REPORT SUSPICIOUS OR ILLEGAL ACTIVITIES IN PROTECTED AREAS**

- In BC Protected Areas: RAPP (Report Poachers and Polluters) line at 1-877-952-7277.
- In an Ecological Reserve: notify the Reserve's Area Supervisor or phone the RAPP (Report Poachers and Polluters) line at 1-877-952-7277.
- In Gwaii Haanas National Park Reserve, National Marine Conservation Area Reserve, and Haida Heritage Site phone 1-780-852-3100 or toll-free at 1-877-852-3100.



# SPECIES AT RISK



The federal *Species at Risk Act* provides protection to endangered and threatened species that are aquatic or migratory bird species—or are in federal lands and waters. Endangered and threatened species on the Central and North Coast are listed below, for convenience.

The law protects both species and habitat.

## **SPECIES**

- It is illegal to **kill, harm, harass, capture, or take** a species (animal or plant) that is **listed** as endangered or threatened under the Act (s.32 SARA).
- It is illegal to **possess, buy, sell or trade** a species that is listed as endangered or threatened under the Act (s.32 SARA).
- It is illegal to **possess, buy, sell or trade** anything that is a **part** of a species that is **listed** as endangered or threatened (e.g., abalone shells) (s.32 SARA).

## **HABITAT**

- It is **illegal** to **damage** or destroy the **residence** of a species that is **listed** as endangered or threatened under the Act (s.33 SARA).
- It is **illegal** to destroy **designated critical habitat** that is essential to the survival of specified endangered and threatened species (ss.58, 61 SARA).



## **ENDANGERED AND THREATENED SPECIES (SPECIES AT RISK ACT) ON THE NORTH AND CENTRAL COAST**

### **Marine Mammals:**

- Orca/Killer Whale Northeast Pacific Resident Population (Threatened)
- Orca/Killer Whale Northeast Pacific Transient Population (Threatened)
- Fin Whale Pacific Population (Threatened)
- Humpback Whale North Pacific Population (Threatened)
- Blue Whale Pacific Population (Endangered)
- North Pacific Right Whale (Endangered)

- Sei Whale Pacific Population (Endangered)

#### **Marine Reptiles:**

- Leatherback Sea Turtle (Endangered)

#### **Fish and Molluscs:**

- Basking Shark Pacific Population (Endangered)
- White Sturgeon Nechako Population (Endangered)
- Northern Abalone (Endangered)

- Marbled Murrelet (Threatened)
- Northern Saw-whet Owl (Threatened)

- Olive-sided Flycatcher (Threatened)
- Horned Lark (Endangered)
- Short Tailed Albatross (Threatened)
- Northern Goshawk (Threatened)
- Red Knot (Threatened)
- Pink-footed Shearwater (Threatened)

#### **Birds:**

- Common Nighthawk (Threatened)

#### **Mammals:**

- Ermine (Threatened)

See also the Species at Risk website at: [www.sararegistry.gc.ca](http://www.sararegistry.gc.ca).

## **PROTECTION OF PLANTS ON THE NORTH AND CENTRAL COAST AND HAIDA Gwaii**

- Forest practices on the **North and Central Coast** must not **disturb** a **plant community that is red-listed** in Schedule 5 under the Land Use Objectives. See [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC\\_schedule5.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC_schedule5.pdf) and [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC\\_schedule\\_5.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC_schedule_5.pdf) for the plant communities red-listed. If there is no other option but to disturb the plant community, no more than 5% of the plant community can be affected by this activity (s.15 CNCLUO, CNCO).
- In addition, at least **70% of the area** in each **plant community** that is **blue-listed** in Schedule 6 under the Land Use Objectives must be **protected** (s.15 CNCLUO, CNCO). Relevant blue listed plant communities are listed at: [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC\\_schedule6.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/SCC_schedule6.pdf) and [http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC\\_schedule\\_6.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/CNC_schedule_6.pdf)

- Similarly in **Haida Gwaii, forest practices must not disturb** a plant community that is **red-listed** in the Haida Gwaii Land Use Objectives Order. If there is no other option but to disturb the plant community, no more than 5% of any individual plant community can be affected by this activity.
- In addition, at least 70% of the area in each plant community that is blue-listed in the Order must be protected. **Relevant red- and blue-listed plant communities** for Haida Gwaii are found at: [http://www.ilmb.gov.bc.ca/sites/default/files/resources/public/PDF/LRMP/haidaGwaii/HGLUOSched13\\_RedBlueList\\_20101125.pdf](http://www.ilmb.gov.bc.ca/sites/default/files/resources/public/PDF/LRMP/haidaGwaii/HGLUOSched13_RedBlueList_20101125.pdf).

See “Forest Practices and Logging” section above for more information.



## TO REPORT SPECIES AT RISK ISSUES

- **Forest Practices threatening red- and blue-listed plant species:**  
Phone Compliance and Enforcement officials in the Ministry of Forest Lands and Natural Resource Operations.
  - 250-638-5100 (North Coast)
  - 250-956-5014 (Central Coast)
  - 250-559-6200 (Haida Gwaii)
- **Species at risk issues in non-marine areas** – BC Conservation Officer Service (RAPP) 1-877-952-7277 or #7277 on a mobile phone
- **Species at risk issues in marine areas** DFO Hotline: 1-800-465-4336



## BOATING

- See *Pollution* above, for rules on sewage and bilge water, and the Marine Pollution Line number.
- All operators of motorized pleasure craft used for recreational purposes must have a Pleasure Craft Operator's Card on board at all times.
- It is **illegal to drive a boat** when impaired **by drugs or alcohol** (s253 CC).
- Boats must not exceed **speed limits**. For example, in parts of the Prince Rupert area, the Port Authority has created zones with a five knot speed limit.
- Fishing equipment must not be **used in a way** that **interferes with boat travel**; and boaters must not **intentionally damage** lawful fishing equipment.
- A number of safety rules apply to boating. See Transport Canada's publication, *Safe Boating Guide* at <http://www.tc.gc.ca/publications/EN/TP511/PDF/HR/TP511E.pdf>

## **WHALE WATCHING**

- It is an **offence to disturb a marine mammal**, unless you are legally fishing for marine mammals (s.7 MMR).
  - If a boater violates the **"Be Whale Wise" Guidelines**, the boater may be "disturbing" the whale. The Guidelines for orcas state:
    - A boat **should not approach or position itself closer than 100 metres to an orca**. The boat should keep clear of the whale's path.
    - The boat should **approach or depart orcas from the side**—and not approach whales directly from the front or behind.
    - Between **100 metres and 400 metres** of the nearest whale is a **slow speed zone** (no more than seven knots). Additionally, whale watching should not go for **longer than 30 minutes**.
    - A boat should **not be driven** through a pod of **whales**, or **dolphins**.
    - **Abrupt course changes** are to be **avoided** as much as possible when near whales or dolphins.
- For more information see the guide: <http://www.bewhalewise.org/guidelines/>.



## **ENDANGERED AND THREATENED WHALES**

Orcas, Blue Whales, Fin Whales, Humpback Whales, Grey Whales, North Pacific Right Whales and Sei Whales are listed under the **Species at Risk Act**. See the **Species at Risk** section above for laws protecting such species.

**Note:** Government is currently considering revising whale watching laws.

### **WHEN YOU SEE A BOAT OPERATED UNSAFELY (OR TO REPORT AN ACCIDENT)**

- Contact the Canadian Coast Guard Emergency Line: Channel 16 Marine VHF or \*16 on cell phone, or the local RCMP.
- To report a violator of the Prince Rupert Speed Zone, call 250-627-8899.

### **WHEN YOU SEE A WHALE WATCHING OFFENCE**

- Call DFO's **ORR line**: 1-800-465-4336.
- If a marine mammal is injured or dead, contact the **Marine Mammal Distress Line**: 1-800-465-4336.

# TRESPASSING ON RESERVE LANDS

- It is an **offence to trespass on reserve lands** (if a person goes onto a reserve land without permission, it is a trespass (s.30 IA).
  - However, it might not be trespassing if the person uses a boat to access a river and does not set foot on the land itself.
- The Indian Reserve Waste Disposal Regulations under the *Indian Act* prohibit dumping waste on an Indian Reserve without a permit.

## TO REPORT TRESPASSERS

- Call the Local RCMP:
  - 250-957-2388 (Bella Coola)
  - 250-799-5363 (Central Coast)
  - 250-627-0700 or 250-632-7111 (North Coast)
  - 250-626-3991 or 250-559-4421 (Haida Gwaii)



## Appendix 1: Important Contact Numbers

| If you see:                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FISHING VIOLATIONS</b>                              | <ul style="list-style-type: none"> <li>For violations involving <b>salmon or tidal waters</b> phone <b>1-800-465-4336</b> (ORR line)</li> <li>For all other angling offences, phone <b>1-877-952-7277</b> or mobile phone <b>#7277</b> (BC Conservation Officer Service RAPP line)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>HUNTING OR TRAPPING OFFENCES</b>                    | <ul style="list-style-type: none"> <li>Call <b>1-877-952-7277</b> or <b>#7277</b> on a mobile phone (<b>RAPP Line</b>)</li> <li><b>Crimestoppers 1-800-222-8477</b> (Complaint can be anonymous)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>POLLUTION</b>                                       | <ul style="list-style-type: none"> <li>Phone the <b>Report All Poachers and Polluters (RAPP) Line: 1-877-952-7277</b> or <b>#7277</b> on mobile phone (includes garbage issues)</li> <li>To report marine pollution call the <b>Marine Pollution Line</b> (Canadian Coast Guard): 1-800-889-8852</li> <li>Sewage issues can also be reported to environmental health officials at your <b>local Health Authority</b></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>ILLEGAL FOREST PRACTICES OR LOGGING</b>             | <ul style="list-style-type: none"> <li>Call <b>Compliance and Enforcement</b> officials in the Ministry of Forests, Lands and Natural Resource Operations:               <ul style="list-style-type: none"> <li>North Coast: 250-638-5100</li> <li>Central Coast: 250-956-5000</li> <li>Haida Gwaii: 250-559-6200</li> </ul> </li> <li><b>More serious offences such as log theft</b> can be reported to:               <ul style="list-style-type: none"> <li>BC Conservation Officer Service (RAPP) 1-877-952-7277 or <b>#7277</b> on a mobile phone</li> <li>Crimestoppers: 1-800-222-8477 (complaint can be anonymous)</li> </ul> </li> <li>If compliance and enforcement officials do not respond to your report, call the <b>Forest Practices Board</b> at 1-800-994-5899 to ask for an investigation or appeal of the provincial government's failure to respond.</li> </ul>                                                                                                                                                                           |
| <b>FOREST FIRES</b>                                    | <ul style="list-style-type: none"> <li><b>Report a Wildfire Line</b> (Ministry of Forests, Lands and Natural Resources): 1-800-663-5555 or *5555 on cell phone</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>DISTURBANCE OF ARCHEOLOGICAL AND CULTURAL SITES</b> | <ul style="list-style-type: none"> <li><b>Call the Local RCMP:</b> <ul style="list-style-type: none"> <li>250-957-2388 (Bella Coola)</li> <li>250-799-5363 (Central Coast)</li> <li>250-627-0700 or 250-632-7111 (North Coast)</li> <li>250-626-3991 or 250-559-4421 (Haida Gwaii)</li> </ul> </li> <li>Or call Crimestoppers: 1-800-222-8477</li> <li>Or call the Archaeology branch of the Ministry of Forests, Lands and Natural Resource Operations at: (250) 953-3334</li> <li><b>Breaches of the Forest Stewardship Plan can be reported to:</b></li> <li><b>Compliance and Enforcement officials</b> in the Ministry of Forest Lands and Natural Resource Operations:               <ul style="list-style-type: none"> <li>North Coast: 250-638-5100</li> <li>Central Coast: 250-956-5000</li> <li>Haida Gwaii: 250-559-6200</li> </ul> </li> <li>If compliance and enforcement officials do not respond to your report, call the Forest Practices Board at 1-800-994-5899 to ask for an investigation or appeal of the failure to respond.</li> </ul> |

|                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>If you see:</b>                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>SUSPICIOUS ACTS IN PROTECTED AREAS</b>                   | <ul style="list-style-type: none"> <li>• In <b>BC Protected Areas</b>: RAPP (Report Poachers and Polluters) line at 1-877-952-7277</li> <li>• In <b>Gwaii Haanas</b> National Park Reserve, National Marine Conservation Area Reserve, and Haida Heritage Site phone: 1-780-852-3100 or toll-free at 1-877-852-3100</li> <li>• <b>BC Parks Contacts</b>: <ul style="list-style-type: none"> <li>◦ 250-982-2701 (Central Coast)</li> <li>◦ 250-638-6530 or 250-798-2277 (North Coast)</li> <li>◦ 250-559-8431 (Haida Gwaii)</li> </ul> </li> <li>• In an <b>Ecological Reserve</b>: notify the Reserve's Area Supervisor or phone the RAPP (Report Poachers and Polluters) line at 1-877-952-7277</li> </ul> |
| <b>SPECIES AT RISK ISSUES</b>                               | <ul style="list-style-type: none"> <li>• <b>Forest Practices threatening red- and blue-listed species</b>: Phone Compliance and Enforcement officials in the Ministry of Forest Lands and Natural Resource Operations: <ul style="list-style-type: none"> <li>◦ North Coast: 250-638-5100</li> <li>◦ Central Coast: 250-956-5014</li> <li>◦ Haida Gwaii: 250-559-6200</li> </ul> </li> <li>• <b>Species at risk issues in non-marine areas</b>: BC Conservation Officer Service (RAPP) 1-877-952-7277 or #7277 on a mobile phone</li> <li>• <b>Species at risk issues in marine areas</b> – DFO Hotline: 1-800-465-4336</li> </ul>                                                                          |
| <b>UNSAFE BOATING/ BOAT ACCIDENTS AND EMERGENCIES</b>       | <ul style="list-style-type: none"> <li>• Contact the <b>Canadian Coast Guard</b> Emergency Line: Channel 16 Marine VHF or *16 on cell phone, or the local RCMP</li> <li>• To report a violator of the Prince Rupert Speed Zone, call (250) 627-8899</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>WHALE WATCHING OFFENCES/ DISTRESSED MARINE MAMMALS</b>   | <ul style="list-style-type: none"> <li>• Call DFO's <b>ORR line</b>: 1-800-465-4336</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>TRESPASSERS ON RESERVE LAND</b>                          | <ul style="list-style-type: none"> <li>• Call the <b>Local RCMP</b>: <ul style="list-style-type: none"> <li>◦ 250-957-2388 (Bella Coola)</li> <li>◦ 250-799-5363 (Central Coast)</li> <li>◦ 250-627-0700 or 250-632-7111 (North Coast)</li> <li>◦ 250-626-3991 or 250-559-4421 (Haida Gwaii)</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>EMERGENCIES (LANDSLIDES, FLOODING, OIL SPILLS, ETC.)</b> | <ul style="list-style-type: none"> <li>• Ministry of Environment, <b>BC Provincial Emergency Program</b>: 1-800-663-3456</li> <li>• Report All Poachers and Polluters (<b>RAPP</b>) Line (Ministry of Environment) 1-877-952-7277 or *7277 on cell phone</li> <li>• For marine oil spills call the <b>Marine Pollution Line</b> (Canadian Coast Guard): 1-800-889-8852</li> </ul>                                                                                                                                                                                                                                                                                                                           |

## Appendix 2: Table of Abbreviations (Statutes, Regulations, Guidebooks)

Note: Next to description of offences in the *Field Guide* are abbreviations for the law that applies. Below is the explanation of those abbreviations:

**BCSFR** – British Columbia Sport Fishing Regulations (*Fisheries Act*)

**CAR** – Canadian Aviation Regulations (*Aeronautics Act*)

**CC** – *Criminal Code of Canada*

**CNCLUO** – Central and North Coast Land Use Objectives (Central and North Coast Order)

**CNCO** – Central and North Coast Order (Ministry of Forests, Lands and Natural Resource Operations)

**CNPA** – *Canada National Parks Act*

**EMA** – *Environmental Management Act*

**ERA** – *Ecological Reserve Act*

**ERR** – *Ecological Reserve Regulations* (*Ecological Reserve Act*)

**FA** – *Fisheries Act*

**FFR** – *Freshwater Fish Regulation* (*Wildlife Act*)

**FFRS** – *Freshwater Fishing Regulations Synopsis* (Ministry of Forests, Lands and Natural Resource Operations)

**FPFR** – *Forest Planning and Practices Regulation* (*Forest and Range Practices Act*)

**FR** – *Fishery (General) Regulations* (*Fisheries Act*)

**FRPA** – *Forest and Range Practices Act*

**HCA** – *Heritage Conservation Act*

**HLR** – *Hunting Licensing Regulation* (*Wildlife Act*)

**HR** – *Hunting Regulation* (*Wildlife Act*)

**IA** – *Indian Act*

**ICHR** – *Industrial Camps Health Regulation* (*Public Health Act*)

**MBCA** – *Migratory Birds Convention Act, 1994*

**MMR** – *Marine Mammal Regulations* (*Fisheries Act*)

**NPCAAR** – *National Parks of Canada Aircraft Access Regulations* (*Canada National Parks Act*)

**NPCBR** – *National Parks of Canada Businesses Regulations* (*Canada National Parks Act*)

**NPCCR** – *National Parks of Canada Camping Regulations* (*Canada National Parks Act*)

**NPCDAR** – *National Parks of Canada Domestic Animals Regulations* (*Canada National Parks Act*)

**NPCFR** – *National Parks of Canada Fishing Regulations* (*Canada National Parks Act*)

**NPCGR** – *National Parks of Canada Garbage Regulations* (*Canada National Parks Act*)

**NPGR** – *National Parks General Regulations* (*Canada National Parks Act*)

**NPWR** – *National Parks Wildlife Regulations* (*Canada National Parks Act*)

**PA** – *Park Act*

**PCRAR** – *Park, Conservancy and Recreation Area Regulation* (*Park Act*)

**PFR** – *Pacific Fishery Regulations* (*Fisheries Act*)

**PHA** – *Public Health Act*

**RPPSDC** – *Regulations for the Prevention of Pollution from Ships and for Dangerous Chemicals* (*Canada Shipping Act*)

**SA** – *Canada Shipping Act*

**SARA** – *Species at Risk Act*

**SSR** – *Sewerage System Regulation* (*Public Health Act*)

**TA** – *Trespass Act*

**TWSFG** – *BC Tidal Waters Sport Fishing Guide* (Fisheries and Oceans Canada)

**WTRA** – *Water Act*

**WLDA** – *Wildlife Act*

**WAGR** – *Wildlife Act General Regulation* (*Wildlife Act*)

## Appendix 3: How to Find the Latest Law

### **What is the Latest Version of the Law?**

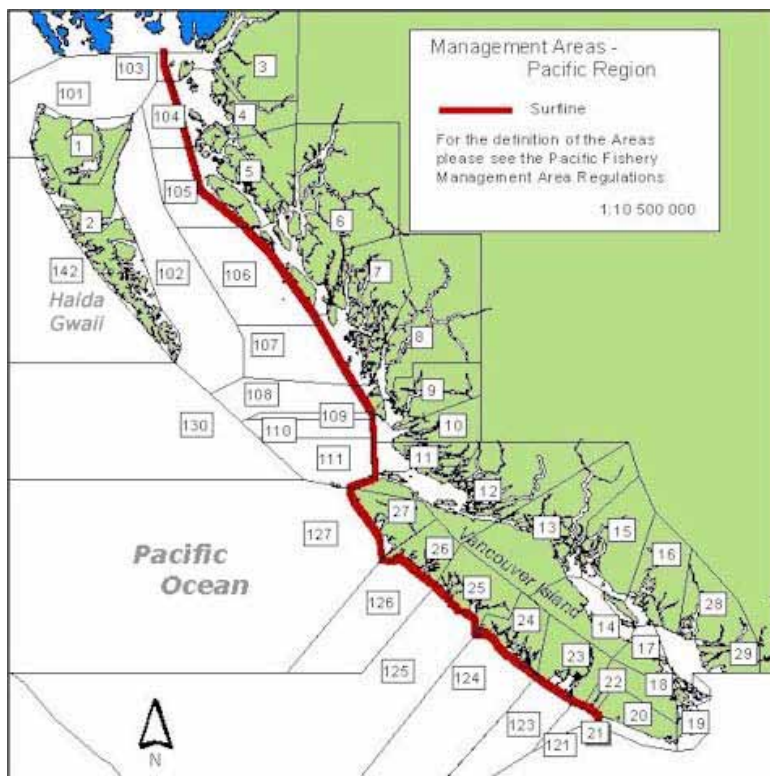
- Generally, for provincial laws, check the BCLaws website: <http://www.bclaws.ca/>
- Click the “Laws” tab, which brings up an alphabetical listing of all British Columbian statutes. All regulations under a particular statute are listed under the name of the statute. For example, to find the *Hunting Regulation* under the *Wildlife Act*, click on *Wildlife Act* first, and scroll down the Regulations until you come to the *Hunting Regulation*.
- For federal laws, check the federal laws website: <http://laws.justice.gc.ca/en/index.html>. Click on “Consolidated Acts” for statutes or click on “Consolidated Regulations” for regulations.

## Appendix 4: Maps

### Freshwater Fishing Areas:



## Tidal Fishing Areas:



An up to date map of Management Areas is available at:  
<http://www.pac.dfo-mpo.gc.ca/fm-gp/rec/index-eng.htm>

## Appendix 5: Catch Limits for Fish (by species)

This is a general guide. But remember these limits are subject to **constant change!** See <http://www.pac.dfo-mpo.gc.ca/fm-gp/rec/index-eng.htm> and click on the area you are in. **And stay in touch with your local fisheries officer about changes.**

| Species   | Area                                                   | Min. Size Limit | Daily Limit | Poss. Limit | Annual Limit | Season Open             | Gear Permitted                               | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------|--------------------------------------------------------|-----------------|-------------|-------------|--------------|-------------------------|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Codfish   | 1 to 29                                                | N/A             | 8           | 16          | N/A          | All Year                | Hook & line, spear                           | Species includes: Pacific cod, pollock and hake.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Eulachon  | 1 to 5 and 11 to 27                                    | N/A             | 20kg        | 40kg        | N/A          | All Year                | Gillnet, dip net                             | Gillnet cannot exceed 7.5 m in length, mesh size must be greater than 25 mm and less than 50 mm. A floating buoy clearly marked with the name of the operator must be attached to each end of the net.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|           | 6 to 10, 28 and 29                                     | N/A             | 0           | 0           | N/A          | Closed                  | N/A                                          | Due to conservation concerns harvesting of eulachon is prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Greenling | 1 to 29                                                | N/A             | 3           | 6           | N/A          | All Year                | Hook & line, spear                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Halibut   | 1 to 29<br>-- see exceptions for Areas 121, 23 and 123 | N/A             | 1           | 2           | N/A          | Effective March 1, 2011 | Hook & line, spear                           | <a href="#">FN0109</a><br><b>Areas 121, 23 and 123: Effective March 1, 2011 to December 31, 2011:</b><br>- No person shall fish for or retain halibut, rockfish and lingcod in Area 121 outside the 12 nautical mile limit seaward of a line that begins at 48 degrees 34.000 minutes North latitude and 125 degrees 17.386 minutes West longitude and continues south easterly at a bearing of 116 degrees True to a point at 48 degrees 28.327 minutes North latitude and 125 degrees 01.687 minutes West longitude.<br>- Electronic licence conditions will be continued as follows:<br>"Only a Canadian resident may fish for or retain halibut under an electronic licence in management Areas 121, 23 and 123." |
| Herring   | 1 to 29                                                | N/A             | 20 kg       | 40 kg       | N/A          | Jan 1-Dec 31            | Dip net, herring jig, herring rake, cast net | Harvesting of herring roe-on-kelp is prohibited.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

|                                                                                                                                               |                                                                |       |      |       |     |                    |                                              |                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-------|------|-------|-----|--------------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                               | 1 to 10                                                        | None  | 3    | 6     | N/A | Apr 1-Mar 31       | Hook & line, spear                           |                                                                                                                                                            |
|                                                                                                                                               | 12-14                                                          | 65 cm | 1    | 2     | 10  | Open               | Hook & line, spear                           |                                                                                                                                                            |
| <a href="#">Lingcod</a>                                                                                                                       | 12-1 to 12-13, 12-15 to 12-48, 13 to 19, 20-5 to 20-7 and 29-5 | 65 cm | 1    | 2     | 10  | May 1-Sep 30, 2011 | Hook & line, spear                           | <a href="#">FN0275</a>                                                                                                                                     |
|                                                                                                                                               | 11, 20W to 27                                                  | 65 cm | 3    | 6     | N/A | Apr 1-Nov 15       | Hook & line, spear                           | West of a line from Sheringham Point to the International Boundary (Area 20W)                                                                              |
|                                                                                                                                               | 28, 29 (except for Subarea 29-5)                               | N/A   | 0    | 0     | N/A | Closed             | N/A                                          | Due to conservation concerns, there is no fishing for lingcod.                                                                                             |
| <a href="#">Mackerel</a>                                                                                                                      | 1 to 29                                                        | N/A   | 100  | 200   | N/A | All Year           | Hook & line, dip net, herring jig, cast net  |                                                                                                                                                            |
| Northern Anchovy                                                                                                                              | 1 to 29                                                        | N/A   | 20kg | 40kg  | N/A | All Year           | Dip net, herring jig, herring rake, cast net |                                                                                                                                                            |
| Pacific Sand Lance                                                                                                                            | 1 to 29                                                        | N/A   | 5 kg | 10 kg | N/A | All Year           | Dip net, herring jig, herring rake, cast net | Also known as Needlefish.                                                                                                                                  |
| <a href="#">Pacific Sardine</a>                                                                                                               | 1 to 29                                                        | N/A   | 100  | 200   | N/A | All Year           | Dip net, herring jig, herring rake, cast net | Also known as Pilchard.                                                                                                                                    |
| <a href="#">Perch</a>                                                                                                                         | 1 to 29                                                        | N/A   | 8    | 16    | N/A | All Year           | Hook & Line                                  | Includes all species of perch, pile perch, and shiners.                                                                                                    |
| <a href="#">Rockfish</a><br>Note: Rockfish Conservation Areas are in effect in some areas. <a href="#">Follow this link prior to fishing.</a> | 1 to 10                                                        | N/A   | 5    | 10    | N/A | Apr 1-Mar 31       | Hook & line, spear                           | Aggregate daily limit for all rockfish is 5, no more than 3 may be Yelloweye.                                                                              |
|                                                                                                                                               | 12 to 19, 20-5 to 20-7 and 29-5                                | N/A   | 1    | 2     | N/A | May 1-Sep 30, 2011 | Hook & line, spear                           | <a href="#">FN0275</a>                                                                                                                                     |
|                                                                                                                                               | 11, 20W to 27, 111, 121, 123 to 127                            | N/A   | 3    | 6     | N/A | Apr 1-Mar 31       | Hook & line, spear                           | West of a line from Sheringham Pt. to the International Boundary (Area 20W). Aggregate daily limit for all rockfish is 3, no more than 2 may be Yelloweye. |
|                                                                                                                                               | 28, 29 (except for Subarea 29-5)                               | N/A   | 0    | 0     | N/A | Closed             | N/A                                          | Due to conservation concerns, there is no fishing for Rockfish                                                                                             |
| Sablefish                                                                                                                                     | 1 to 29                                                        | N/A   | 4    | 8     | N/A | All Year           | Hook & line                                  | Also known as Black Cod                                                                                                                                    |
| Sculpin                                                                                                                                       | 1 to 29                                                        | N/A   | 8    | 16    | N/A | All Year           | Hook & line                                  |                                                                                                                                                            |

|                                                                                                                                                  |          |      |      |      |     |                                   |                                              |                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------|----------|------|------|------|-----|-----------------------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Basking, Tope, Bluntnose Sixgill, Blue, Brown Cat & Great White Sharks                                                                           | 1 to 29  | N/A  | 0    | 0    | N/A | Closed                            | N/A                                          | There is no fishing for these species of shark.                                                                                                                                                       |
| Spiny Dogfish                                                                                                                                    | 1 to 29  | N/A  | 4    | 8    | N/A | Apr 01 - Mar 31                   | Hook and line                                |                                                                                                                                                                                                       |
| <a href="#">Salmon Shark</a>                                                                                                                     | 1 to 29  | N/A  | 1    | 2    | N/A | June 1, 2011 until further notice | Hook & line                                  | <a href="#">FN0389</a>                                                                                                                                                                                |
| <a href="#">Sixgill Shark, Shortfin mako, Common thresher, Bigeye thresher, Smooth hammerhead, Pacific angel shark and Pacific sleeper shark</a> | 1 to 29  | N/A  | 0    | 0    | N/A | June 1, 2011 until further notice | N/A                                          | <a href="#">FN0389</a>                                                                                                                                                                                |
| Skate                                                                                                                                            | 1 to 29  | N/A  | 1    | 2    | N/A | All Year                          | Hook & line                                  |                                                                                                                                                                                                       |
| <a href="#">Smelt</a>                                                                                                                            | 1 to 27  | N/A  | 20kg | 40kg | N/A | All Year                          | Gillnet, dip net                             | Gillnet cannot exceed 7.5 m in length, mesh size must be greater than 25mm and less than 50mm. A floating buoy clearly marked with the name of the operator must be attached to each end of the net.  |
|                                                                                                                                                  | 28, 29   | N/A  | 20kg | 40kg | N/A | Aug 16 - Jun 14                   | Gillnet, dip net                             | The fishery is only open from 8am Thursday to 8am Monday.                                                                                                                                             |
| <a href="#">Sole &amp; Flounder</a>                                                                                                              | 1 to 29  | N/A  | 8    | 16   | N/A | All Year                          | Hook and line and spear fishing while diving | Includes all species of flounder and sole but not halibut.                                                                                                                                            |
| <a href="#">Sturgeon</a>                                                                                                                         | 1 to 29  | N/A  | 0    | 0    | N/A | Jan 1 - Dec 31                    | Hook & line                                  | Catch and release only.                                                                                                                                                                               |
| <a href="#">Trout</a>                                                                                                                            | 1 to 10  | 30cm | 2    | 4    | N/A | All Year                          | Hook & line                                  | Species includes hatchery steelhead, cutthroat, brown and dolly varden. Only 1 fish per day may be greater than 50cm. Daily limit is 0 in the tidal waters of Tlell River in <a href="#">Area 2</a> . |
|                                                                                                                                                  | 11 to 29 | 30cm | 2    | 4    | N/A | All Year                          | Hook & line                                  | Retention of hatchery marked fish only. No retention of wild fish south of Cape Caution.                                                                                                              |
| Wolfel                                                                                                                                           | 1 to 29  | N/A  | 0    | 0    | N/A | All Year                          | N/A                                          |                                                                                                                                                                                                       |
| All other species                                                                                                                                | 1 to 29  | N/A  | 20   | 40   | N/A | All Year                          | Hook & line                                  |                                                                                                                                                                                                       |

## **Rockfish Conservation Areas**

You can get a CD with **maps and descriptions** of **Rockfish Conservation Areas** by calling **604-666-0384** or through the DFO website: [www.pac.dfo-mpo.gc.ca/fm-gp/maps-cartes/rca-acis/index-eng.htm](http://www.pac.dfo-mpo.gc.ca/fm-gp/maps-cartes/rca-acis/index-eng.htm)

## Appendix 6: Ecological Reserve Areas



The green diamonds represent ecological reserves



## Appendix 7: Potential Violation Model Report Form

### Violation Witnessed

|                           |  |
|---------------------------|--|
| Type of Violation         |  |
| Location: Lat/Long        |  |
| Location: Description     |  |
| Date: Time                |  |
| Boat/ Vehicle description |  |
| Licence No.               |  |
| Boat Name                 |  |
| Make: Model               |  |
| Colour                    |  |
| Unusual Marks             |  |

### Description of Suspects

|                                       |  |             |  |
|---------------------------------------|--|-------------|--|
| Name (if known)                       |  |             |  |
| Sex                                   |  | Age         |  |
| Height                                |  | Weight      |  |
| Eye Colour                            |  | Hair Colour |  |
| Physical marks, scars or facial hair: |  |             |  |
| Clothing (hat, coat, etc.)            |  |             |  |
| Peculiarities                         |  |             |  |
| Description of other Suspects         |  |             |  |

### Details of Violation

|                             |  |
|-----------------------------|--|
| Observed actions of suspect |  |
| Evidence at the Scene       |  |
| Other Details               |  |

### Other Evidence at Scene

|  |
|--|
|  |
|--|

### Photos were/were not taken

|  |
|--|
|  |
|--|

### Remarks:

|  |
|--|
|  |
|--|

### Notes

|                     |
|---------------------|
| See Notes attached. |
|---------------------|

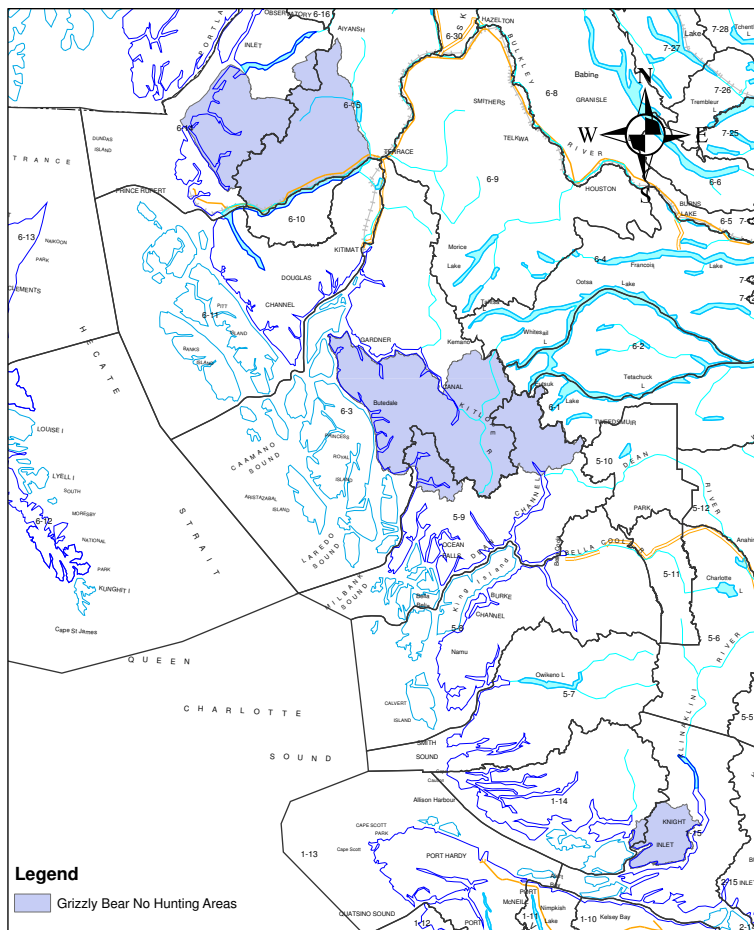
### My contact information:

|           |  |
|-----------|--|
| Name      |  |
| Telephone |  |
| Email     |  |
| Address   |  |

### Other witnesses:

|           |  |
|-----------|--|
| Name      |  |
| Telephone |  |
| Email     |  |
| Address   |  |
| Name      |  |
| Telephone |  |
| Email     |  |
| Address   |  |

## Appendix 8: Some of the Larger Grizzly Bear No Hunting Areas



# Index

## A

abalone 34, 81, 82  
aircraft 49, 74, 77  
alcohol 14, 72, 85  
anchovy 34, 38, 95  
archaeological sites  
62, 67, 68  
artifacts 62, 67, 68,  
76

## B

bag limits 47  
baiting 48, 51  
bear habitat 63, 64  
bear hunting 48-53,  
73, 99  
big game 47, 50  
bilge water 57, 85  
blue-listed plant com-  
munities 63,  
64, 82, 83, 89  
boating 37, 49, 55,  
85, 87, 89  
burial sites 67

## C

canning 40  
catch limits 36, 37, 94  
causing disturbance  
72  
cedar 62, 63, 68  
commercial fishing 33,  
34, 41-43  
conservancies 50,  
71-74  
cougar 48, 49, 50

crab 35, 38-41, 43  
critical habitat 81  
cultural sites 67-69,  
79  
culturally modified  
trees 62, 63,  
67, 68  
cutting trees 60-65, 74

## D

dogs 51, 78  
dumping 56, 78, 87,  
88

## E

ecological reserves 50,  
71-74, 97  
elements of offence  
15-18  
evidence 19-20, 27-  
28, 98  
explosives 37

## F

feeding wildlife 72  
fires 64, 72, 75, 88  
firearms 46  
fish habitat 34, 60, 61  
fish processing 40  
fish selling 40  
fishing 33-44  
fishing closures 33,  
94-96  
fishing freshwater 33,  
35-38, 40, 92  
fishing lodges 39, 41,

55  
fishing tidal waters  
33-44, 77, 88,  
94-96  
forest practices 59-65  
forest stewardship  
plans 59, 65,  
67-69, 89  
forestry roads 61  
fuel 72, 78

## G

game birds 48, 49, 51  
garbage 78  
goat 48, 49, 50  
grizzly bears 48, 50,  
51-53, 63, 99  
guiding 40, 46, 71, 72  
Gwaii Hanaas National  
Park Reserve  
75-79

## H

halibut 37, 43, 94  
heritage features 59,  
63, 67-69  
herring 34, 38, 42,  
43, 94  
hooks 38  
human remains 67  
hunting 46-53  
hunting from boats 49  
hunting licenses 46  
hunting seasons 51

## **L**

land use objectives 59,  
62-64, 68, 82  
landslides 60, 89  
laws 10, 31, 90, 91  
lights 34, 41  
lines 38  
littering 55, 78  
lodges 31, 39, 41, 55  
logging 55, 59-65, 68,  
74, 88  
log salvaging 60, 74  
longline 42

## **M**

marine plants 44  
monumental cedar 62,  
63, 68  
motorized vehicles 72,  
74, 75

## **N**

national parks 75-79  
nets 34, 39, 42  
non-timber forest prod-  
ucts 64  
no shooting area 48  
notebooks 20-24

## **P**

parks and protected  
areas 71-79  
park use permits 71,  
72, 73, 74  
pollution 55-57, 88  
possession limits 32,

39, 47, 94-96  
potential offence 15-  
20  
prawns 43  
provincial parks 50,  
71-74

## **R**

recreational fishing 33,  
34, 35-41  
red-listed plant com-  
munities 62,  
64, 82, 83  
reporting 28, 88-89,  
98  
Reserve lands 87  
riparian reserves 60,  
61, 64  
roads 61  
rockfish 34, 43, 77,  
94, 96  
rods 38

## **S**

safety 14, 24, 25, 48,  
85  
salmon 36-39, 42-43,  
88  
selling fish 40  
sewage 56, 57, 88  
shellfish 35, 38, 77  
ship sewage 56-57  
shrimp 35, 38-39  
small game 46  
species at risk 47, 81-  
83, 86, 89  
speed limits 85

Spirit Bear 52  
sport fishing 33, 34,  
35-41  
squid 34, 38, 41, 43  
streams 38, 60, 61,  
64

## **T**

tidal fishing areas 93  
traditional plant  
resources 62,  
63, 65  
transporting fish 39  
trapping 46, 48, 52,  
88  
trespassing on Re-  
serve 65, 87

## **V**

vehicles 49, 73, 74,  
75, 78

## **W**

waste 34, 55, 87  
water pollution 55  
weapons 46, 49, 50,  
51  
whale watching 85, 86  
wildlife habitat 59, 60  
witnesses 16, 19, 23,  
25-26





