

OVERDUE ENVIRONMENTAL COURT PENALTIES

Annual Report

Prepared December 2018
for the period of 2012 to 2017



Protecting the Splendor of our Natural Places



OVERDUE ENVIRONMENTAL COURT PENALTIES

Annual Report – Prepared December 2018

Overview

Government manages a variety of regulatory requirements to protect human health and safety, and the environment. The imposition of penalties under these requirements is meant to deter harmful behaviours – especially those most harmful behaviours that are prosecuted through the courts. British Columbia takes a tough stance on unpaid environmental penalties, and one way of doing this is to disclose names in public reports, with the goal of increasing the collection of fines from businesses and individuals that break environmental laws.

This Overdue Environmental Court Penalties Report provides the names of the **four companies** and **89 individuals** who have overdue environmental court penalties that were due between 2012 and 2017.

About Environmental Court Penalties

Monetary court penalties are comprised of a **fine**, and in some cases, a court-imposed creative sentencing **order**. Court fines are directed to government's Consolidated Revenue Fund. Under environmental statutes, creative sentencing orders are typically directed organizations such as the **Habitat Conservation Trust Foundation (HCTF)**. These organizations help remedy damage and improve the environment in the area impacted by the non-compliant activity. HCTF is the beneficiary of most of these orders. The Ministry of Environment and Climate Change Strategy (the Ministry) works with HCTF to also report the names of businesses and individuals with outstanding HCTF orders.

Court penalties are comprised of a fine and sometimes a creative sentencing order

$$\text{FINE} + \text{CREATIVE SENTENCING ORDER} = \text{TOTAL PENALTY}$$

Overdue Environmental Court Penalties Summary

Provincial environmental court fines due between 2012 and 2017 totalled **\$661,229** and were issued to 31 businesses and 573 individuals. As of Nov 8th, 2018, the amount paid of this total was **\$593,433**, meaning that **\$67,796 remains owing**. Three businesses and 70 individuals continue to have environmental court fines owing.

The payment rate of environmental court **fines** due between 2012 and 2017 is 90%

total due	paid	owing
\$661,229	\$593,433	\$67,796
	90%	10%

The total of overdue orders that were directed to the HCTF from 2012 to 2017 is **\$149,250**. Three businesses and 24 individuals continue to have HCTF orders owing, with several of these names overlapping with those owing court fines.

Background

The Ministry completed an extensive review of payment rates for environmental court fines in 2013. The review found that **the payment rate for court fines due between 2004 and 2012 was only 40%**. In response, the Ministry led a special project to increase payment. This included annually reporting the names of all businesses and individuals with overdue fines.

The Ministry continues to follow up on overdue environmental court fines by working with the Ministries of Finance, Attorney General, and Forests, Lands, Natural Resource Operations, and Rural Development. Efforts include cancellation of hunting and angling licences, and focused actions by debt collectors, such as liens on properties, seizure of bank accounts, and referring files to the Canada Revenue Agency for seizure of tax returns and GST payments.

Targeted efforts increased the payment rate of environmental court fines

reporting year				
2013	2015	2016	2017	2018
40%	88%	91%	94%	90%
2004 – 12	2008 – 13	2009 – 14	2010 – 15	2012 – 17
reporting period				

The payment rate for court fines for the current reporting period, 2012 to 2017, is 98% for businesses and 86% for individuals, **with a combined payment rate of 90%**.

Legislation

The *Ministry of Environment Act* enables the disclosure of information regarding penalties that are due under the following pieces of legislation:

<i>Dike Maintenance Act</i>	<i>Forest Practices Code of BC Act</i>	<i>Protected Areas of BC Act</i>
<i>Drainage, Ditch and Dike Act</i>	<i>Integrated Pest Mgmt. Act</i>	<i>Riparian Areas Protection Act</i>
<i>Environmental Mgmt. Act</i>	<i>Land Act</i>	<i>Water Sustainability Act</i>
<i>Forest Act</i>	<i>Off-Road Vehicle Act</i>	<i>Wildfire Act</i>
<i>Forest and Range Practices Act</i>	<i>Park Act</i>	<i>Wildlife Act</i>

Note when a violation ticket is disputed in court, it is recorded as a court conviction. Accordingly, this report includes a number of smaller penalty amounts against individuals who have unsuccessfully disputed violation tickets.

More information about specific court files can be found in the [Court Service Online searchable database](#).

Businesses with Overdue Environmental Court Penalties

The table below identifies the four businesses that owe court penalties. During the 2012 to 2017 period, businesses owed a total of **\$185,862** in environmental court fines. A total of \$182,487 was paid and \$3,375 remains owing, resulting in a payment rate of 98%. The table also shows businesses owing any HCTF creative sentencing orders.

		Court Fine	HCTF Order	Total
Pan-O-Ramic Farms Ltd.	owing	\$ 1,150	\$ 7,000	\$ 8,150
<i>Environmental Management Act</i>	original	\$ 1,150	\$ 7,000	\$ 8,150
Sable Resources Ltd.	owing	\$ 1,725	\$ 43,000	\$ 44,725
<i>Environmental Management Act</i>	original	\$ 2,300	\$ 43,000	\$ 45,300
Speedy Excavating Ltd.	owing	\$ 0	\$ 14,000	\$ 14,000
<i>Environmental Management Act</i>	original	\$ 1,000	\$ 14,000	\$ 15,000
Tenerife Packing Co. Ltd.	owing	\$ 500	\$ n/a	\$ 500
<i>Environmental Management Act</i>	original	\$ 575	\$ n/a	\$ 575
Total Owing by Businesses		\$ 3,375	\$ 64,000	\$ 67,375

Individuals with Overdue Environmental Court Penalties

The table below identifies the 89 individuals who owe court penalties. During the 2012 to 2017 period, individuals owed a total of **\$475,367** in environmental court fines. A total of \$410,946 was paid and \$64,421 remains owing, resulting in a payment rate of 86%. The table also shows individuals owing any HCTF creative sentencing orders.

		Court Fine	HCTF Order	Total
Antoniou, Demetre	owing	\$ 0	\$ 1,500	\$ 1,500
<i>Wildlife Act</i>	original	\$ 500	\$ 1,500	\$ 2,000
Apps, Bruce Edmund	owing	\$ 0	\$ 1,000	\$ 1,000
<i>Wildlife Act</i>	original	\$ 575	\$ 1,000	\$ 1,575
Badiuk, John	owing	\$ 375	\$ n/a	\$ 375
<i>Wildlife Act</i>	original	\$ 2,875	\$ n/a	\$ 2,875
Barratt, David Alan	owing	\$ 0	\$ 2,000	\$ 2,000
<i>Wildlife Act</i>	original	\$ 1,150	\$ 2,000	\$ 3,150
Beaudoin, Richard Michel	owing	\$ 2,875	\$ n/a	\$ 2,875
<i>Wildlife Act</i>	original	\$ 2,875	\$ n/a	\$ 2,875
Benson, Kristopher Wayne	owing	\$ 0	\$ 1,500	\$ 1,500
<i>Wildlife Act</i>	original	\$ 500	\$ 1,500	\$ 2,000

		Court Fine	HCTF Order	Total
Bisenberger, Jacob Wesley <i>Wildlife Act</i>	owing	\$ 230	\$ n/a	\$ 230
	original	\$ 230	\$ n/a	\$ 230
Blackmore, William <i>Wildlife Act</i>	owing	\$ 0	\$ 2,900	\$ 2,900
	original	\$ 100	\$ 2,900	\$ 3,000
Boyko, Benjamin Christopher <i>Water Act</i>	owing	\$ 0	\$ 2,500	\$ 2,500
	original	\$ 500	\$ 2,500	\$ 3,000
Braun, Damian <i>Park Act</i>	owing	\$ 345	\$ n/a	\$ 345
	original	\$ 345	\$ n/a	\$ 345
Breckeridge, Christopher <i>Wildlife Act</i>	owing	\$ 1,000	\$ n/a	\$ 1,000
	original	\$ 1,000	\$ n/a	\$ 1,000
Burke, Robert Jason <i>Forest and Range Practices Act</i>	owing	\$ 150	\$ n/a	\$ 150
	original	\$ 150	\$ n/a	\$ 150
Busatta, George <i>Wildlife Act</i>	owing	\$ 0	\$ 2,300	\$ 2,300
	original	\$ 260	\$ 2,300	\$ 2,560
Bush, Barry <i>Wildlife Act</i>	owing	\$ 950	\$ n/a	\$ 950
	original	\$ 1,150	\$ n/a	\$ 1,150
Callaghan, Patrick <i>Forest Practices Code of BC Act</i> <i>Forest and Range Practices Act</i>	owing	\$ 346	\$ n/a	\$ 346
	original	\$ 346	\$ n/a	\$ 346
Cerenzie, Roccino Roy <i>Forest Act</i>	owing	\$ 825	\$ n/a	\$ 825
	original	\$ 825	\$ n/a	\$ 825
Charles, Kelly Andrew <i>Wildlife Act</i>	owing	\$ 300	\$ n/a	\$ 300
	original	\$ 300	\$ n/a	\$ 300
Choudhry, Faisal <i>Forest and Range Practices Act</i>	owing	\$ 121	\$ n/a	\$ 121
	original	\$ 200	\$ n/a	\$ 200
Clayton, William Sidney David <i>Wildlife Act</i>	owing	\$ 2,600	\$ n/a	\$ 2,600
	original	\$ 2,600	\$ n/a	\$ 2,600
Collings, Timothy <i>Forest and Range Practices Act</i>	owing	\$ 175	\$ n/a	\$ 175
	original	\$ 175	\$ n/a	\$ 175
Crook, Bradley Dale <i>Wildlife Act</i>	owing	\$ 1,300	\$ 2,000	\$ 3,300
	original	\$ 2,300	\$ 2,000	\$ 4,300
Daniels, Daniel Peter <i>Wildlife Act</i>	owing	\$ 288	\$ n/a	\$ 288
	original	\$ 288	\$ n/a	\$ 288
Demski, Peter <i>Wildlife Act</i>	owing	\$ 345	\$ n/a	\$ 345
	original	\$ 345	\$ n/a	\$ 345
Dennison, Robert Lyn <i>Forest Practices Code of BC Act</i>	owing	\$ 80	\$ n/a	\$ 80
	original	\$ 80	\$ n/a	\$ 80

		Court Fine	HCTF Order	Total
Dixon, Kenneth Charles <i>Wildlife Act</i>	owing	\$ 230	\$ n/a	\$ 230
	original	\$ 230	\$ n/a	\$ 230
Dundas, Brandon <i>Wildlife Act</i>	owing	\$ 58	\$ 450	\$ 508
	original	\$ 58	\$ 450	\$ 508
Dunsford, Kevin Ronald <i>Wildfire Act</i>	owing	\$ 200	\$ n/a	\$ 200
	original	\$ 200	\$ n/a	\$ 200
Earl, Shawn Darren Julius <i>Wildlife Act</i>	owing	\$ 1,500	\$ n/a	\$ 1,500
	original	\$ 2,500	\$ n/a	\$ 2,500
Engel, Erwin Gerhardt <i>Forest Act</i> <i>Forest and Range Practices Act</i>	owing	\$ 518	\$ n/a	\$ 518
	original	\$ 518	\$ n/a	\$ 518
English, Brian <i>Wildlife Act</i>	owing	\$ 0	\$ 5,750	\$ 5,750
	original	\$ 2,300	\$ 6,000	\$ 8,300
Engstrom, Kayden Joseph <i>Wildlife Act</i>	owing	\$ 893	\$ n/a	\$ 893
	original	\$ 920	\$ n/a	\$ 920
Fauht, Rosally Dawn <i>Environmental Management Act</i>	owing	\$ 29	\$ n/a	\$ 29
	original	\$ 75	\$ n/a	\$ 75
Flint, Jesse-Lee <i>Park Act</i>	owing	\$ 345	\$ n/a	\$ 345
	original	\$ 345	\$ n/a	\$ 345
Foote, Gary Steven <i>Wildlife Act</i>	owing	\$ 500	\$ n/a	\$ 500
	original	\$ 500	\$ n/a	\$ 500
Frenette, Nolan Robert <i>Wildlife Act</i>	owing	\$ 100	\$ n/a	\$ 100
	original	\$ 100	\$ n/a	\$ 100
Garbitt, Jordon Patrick <i>Wildlife Act</i>	owing	\$ 0	\$ 3,500	\$ 3,500
	original	\$ 1,000	\$ 3,500	\$ 4,500
Gertner, Justin <i>Wildlife Act</i>	owing	\$ 3,450	\$ n/a	\$ 3,450
	original	\$ 3,450	\$ n/a	\$ 3,450
Gladstone, Jeffery Curtis <i>Wildlife Act</i>	owing	\$ 2,300	\$ n/a	\$ 2,300
	original	\$ 2,300	\$ n/a	\$ 2,300
Grein, Rayne Lee <i>Wildlife Act</i>	owing	\$ 200	\$ n/a	\$ 200
	original	\$ 200	\$ n/a	\$ 200
Griffin, William Howard <i>Wildlife Act</i>	owing	\$ 575	\$ n/a	\$ 575
	original	\$ 575	\$ n/a	\$ 575
Hansen, Jeffrey Neil <i>Wildlife Act</i>	owing	\$ 460	\$ n/a	\$ 460
	original	\$ 460	\$ n/a	\$ 460

		Court Fine	HCTF Order	Total
Harper, Robert John <i>Wildfire Act</i>	owing	\$ 75	\$ n/a	\$ 75
	original	\$ 75	\$ n/a	\$ 75
Heppler, Darren Darcy <i>Wildlife Act</i>	owing	\$ 863	\$ n/a	\$ 863
	original	\$ 863	\$ n/a	\$ 863
Holman, Luke Zane <i>Wildlife Act</i>	owing	\$ 2,875	\$ n/a	\$ 2,875
	original	\$ 2,875	\$ n/a	\$ 2,875
Hugstedt, Kore Nels <i>Wildlife Act</i>	owing	\$ 5,750	\$ n/a	\$ 5,750
	original	\$ 5,750	\$ n/a	\$ 5,750
Hutter, Heino Christian <i>Water Act</i>	owing	\$ 115	\$ n/a	\$ 115
	original	\$ 115	\$ n/a	\$ 115
Hyatt, Richard J <i>Wildlife Act</i>	owing	\$ 230	\$ n/a	\$ 230
	original	\$ 230	\$ n/a	\$ 230
Ilnicki, Edward <i>Environmental Management Act</i>	owing	\$ 0	\$ 17,000	\$ 17,000
	original	\$ 3,450	\$ 17,000	\$ 20,450
Jacobs, Troy Thomas <i>Wildlife Act</i>	owing	\$ 250	\$ n/a	\$ 250
	original	\$ 250	\$ n/a	\$ 250
James, Francis <i>Wildlife Act</i>	owing	\$ 300	\$ n/a	\$ 300
	original	\$ 300	\$ n/a	\$ 300
Jansen, Jordan John Frederick <i>Forest and Range Practices Act</i>	owing	\$ 21	\$ n/a	\$ 21
	original	\$ 225	\$ n/a	\$ 225
Joel, Mukesh Albert <i>Wildlife Act</i>	owing	\$ 2,875	\$ 2,500	\$ 5,375
	original	\$ 2,875	\$ 2,500	\$ 5,375
Jones, Cyril Domminic <i>Wildlife Act</i>	owing	\$ 1,465	\$ n/a	\$ 1,465
	original	\$ 4,025	\$ n/a	\$ 4,025
Joseph, James Carl <i>Wildlife Act</i>	owing	\$ 0	\$ 7,000	\$ 7,000
	original	\$ 4,000	\$ 7,000	\$ 11,000
Joyce, Trevor Gregory <i>Wildlife Act</i>	owing	\$ 0	\$ 500	\$ 500
	original	\$ 115	\$ 500	\$ 615
Laass, Barara Collette <i>Wildlife Act</i>	owing	\$ 115	\$ n/a	\$ 115
	original	\$ 115	\$ n/a	\$ 115
Laird, Matthew James Allan <i>Wildfire Act</i>	owing	\$ 200	\$ n/a	\$ 200
	original	\$ 200	\$ n/a	\$ 200
Leask, Vern <i>Fisheries Act (Provincial)</i>	owing	\$ 1,215	\$ n/a	\$ 1,215
	original	\$ 1,750	\$ n/a	\$ 1,750
Maillot, Andrew Mark <i>Wildlife Act</i>	owing	\$ 0	\$ 9,000	\$ 9,000
	original	\$ 1,000	\$ 9,000	\$ 10,000

		Court Fine	HCTF Order	Total
McLean, Ernest <i>Water Act</i>	owing	\$ 1,000	\$ n/a	\$ 1,000
	original	\$ 1,000	\$ n/a	\$ 1,000
Miller, Andrew Kurtis <i>Wildlife Act</i>	owing	\$ 2,000	\$ n/a	\$ 2,000
	original	\$ 2,000	\$ n/a	\$ 2,000
Moore, Alfred <i>Wildlife Act</i>	owing	\$ 1,000	\$ n/a	\$ 1,000
	original	\$ 1,500	\$ n/a	\$ 1,500
Morris, Sandy Jr <i>Wildlife Act</i>	owing	\$ 1,000	\$ n/a	\$ 1,000
	original	\$ 1,100	\$ n/a	\$ 1,100
Morven, Dionne Della <i>Wildlife Act</i>	owing	\$ 1,229	\$ n/a	\$ 1,229
	original	\$ 2,600	\$ n/a	\$ 2,600
Mowatt, Donald Peter <i>Wildlife Act</i>	owing	\$ 3,450	\$ n/a	\$ 3,450
	original	\$ 3,450	\$ n/a	\$ 3,450
Nookemus, Duane Eric <i>Forest and Range Practices Act</i>	owing	\$ 4,600	\$ n/a	\$ 4,600
	original	\$ 4,600	\$ n/a	\$ 4,600
Nyce, Reynold Prescott <i>Wildlife Act</i>	owing	\$ 1,150	\$ n/a	\$ 1,150
	original	\$ 1,150	\$ n/a	\$ 1,150
Overton, Dylan <i>Wildlife Act</i>	owing	\$ 288	\$ n/a	\$ 288
	original	\$ 288	\$ n/a	\$ 288
Palfrey, Ernest Rodney <i>Environmental Management Act</i>	owing	\$ 594	\$ 7,000	\$ 7,594
	original	\$ 1,150	\$ 7,000	\$ 8,150
Peacock, Reydun Theloney <i>Wildlife Act</i>	owing	\$ 345	\$ n/a	\$ 345
	original	\$ 345	\$ n/a	\$ 345
Piche, Kathleen Elizabeth <i>Wildlife Act</i>	owing	\$ 475	\$ n/a	\$ 475
	original	\$ 575	\$ n/a	\$ 575
Pinkerton, Jaysun <i>Wildlife Act</i>	owing	\$ 2,146	\$ 2,000	\$ 4,146
	original	\$ 2,300	\$ 2,000	\$ 4,300
Quan Wy, Lisa <i>Park Act</i>	owing	\$ 92	\$ n/a	\$ 92
	original	\$ 92	\$ n/a	\$ 92
Riede, Rick <i>Park Act</i>	owing	\$ 20	\$ n/a	\$ 20
	original	\$ 173	\$ n/a	\$ 173
Sancewicz, Waldemar <i>Wildlife Act</i>	owing	\$ 0	\$ 5,000	\$ 5,000
	original	\$ 2,500	\$ 5,000	\$ 7,500
Sargent, William Harold <i>Wildlife Act</i>	owing	\$ 0	\$ 1,500	\$ 1,500
	original	\$ 500	\$ 2,000	\$ 2,500
Seymour, William Joseph <i>Wildlife Act</i>	owing	\$ 200	\$ n/a	\$ 200
	original	\$ 200	\$ n/a	\$ 200

		Court Fine	HCTF Order	Total
Sidor, Denise Donna <i>Wildfire Act</i>	owing	\$ 50	\$ n/a	\$ 50
	original	\$ 50	\$ n/a	\$ 50
St. Onge, Eric John <i>Wildlife Act</i>	owing	\$ 0	\$ 350	\$ 350
	original	\$ 1	\$ 350	\$ 351
Stokkeland, Brandon Ole <i>Wildlife Act</i>	owing	\$ 1,614	\$ n/a	\$ 1,614
	original	\$ 2,600	\$ n/a	\$ 2,600
Thorne, Brandon James <i>Wildlife Act</i>	owing	\$ 1,035	\$ n/a	\$ 1,035
	original	\$ 1,035	\$ n/a	\$ 1,035
Thorne, Chase Douglas <i>Wildlife Act</i>	owing	\$ 0	\$ 2,000	\$ 2,000
	original	\$ 575	\$ 2,000	\$ 2,575
Town, Mark <i>Fisheries Act (Provincial)</i>	owing	\$ 150	\$ n/a	\$ 150
	original	\$ 150	\$ n/a	\$ 150
Van Kruyssen, Frank <i>Forest Act</i>	owing	\$ 148	\$ n/a	\$ 148
	original	\$ 148	\$ n/a	\$ 148
Vining, Matthew Leigh <i>Wildlife Act</i>	owing	\$ 1,500	\$ n/a	\$ 1,500
	original	\$ 1,500	\$ n/a	\$ 1,500
Von Kulmiz, Lucas Byrnes <i>Forest Practices Code of BC Act</i>	owing	\$ 225	\$ n/a	\$ 225
	original	\$ 225	\$ n/a	\$ 225
Wakelyn, Shane Richard <i>Wildlife Act</i>	owing	\$ 0	\$ 3,000	\$ 3,000
	original	\$ 1,150	\$ 9,000	\$ 10,150
Walchuk, Stanley <i>Wildlife Act</i>	owing	\$ 0	\$ 3,000	\$ 3,000
	original	\$ 1,150	\$ 4,000	\$ 5,150
West, James Darcy <i>Forest and Range Practices Act</i>	owing	\$ 100	\$ n/a	\$ 100
	original	\$ 100	\$ n/a	\$ 100
Total Owing by Individuals		\$ 64,421	\$ 85,250	\$ 149,671

For more information about environmental enforcement reporting, visit:
www.gov.bc.ca/EnforcementReporting

Email questions about the Overdue Environmental Court Penalties Report to:
NRCED@gov.bc.ca