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Contact: Dan Graham, Director, HEN, Ph: 356-9785, Fax: 387-2539

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April 1, 2005

Mr. Jerome Marburg, LL.B., MBA
Association of BC Forest Professionals
1030 – 1188 West Georgia Street
Vancouver, British Columbia
V6E 4A2

Dear Jerome Marburg:

Re: Compliance and Enforcement Staff and the *Foresters Act*

This will confirm the agreement reached between the British Columbia Forest Service (BCFS) and the Association of British Columbia Forest Professionals (ABCFP) regarding the application of the Foresters Act to the compliance and enforcement functions within the BCFS:

(1) Subject to paragraph 2, if a BCFS compliance and enforcement officer is:

(a) making decisions or determinations about subject matter that falls within the definition of the practice of professional forestry under the Foresters Act; and

(b) those decisions or determinations go beyond the measurement of objective physical states of being, so as to require the synthesis or analysis of information or data at a level requiring the specialized education, knowledge, training and experience of a registered member of the ABCFP,

the compliance and enforcement officer must then:

- Be a registered member;
- Rely on advice of a registered member for that decision or determination; or
- Be supervised by a registered member in making those decisions or determinations.



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Ministry of
Forests

Compliance and Enforcement
Branch

Location:
1st Floor, 1520 Blanshard Street
Victoria, British Columbia
V8W 3C8

Mailing Address:
PO Box 9505 Stn Prov Govt
Victoria, BC V8W 9C1

Tel: (250) 356-9841
Fax: (250) 387-2539

Jerome Marburg

(2) The exercise of prosecutorial discretion, that is, deciding when or if to take any compliance or enforcement action, whether or not touching on matters within the scope of paragraph 1, does not constitute the practice of professional forestry and is not within the jurisdiction of the ABCFP.

I trust the foregoing accurately represents our agreement. If so, please signify your agreement by signing both copies of this letter in the space indicated below and by returning one executed copy to me for our files.

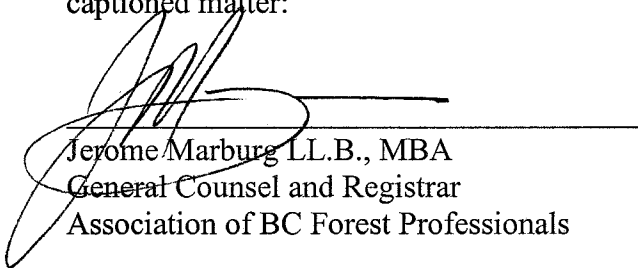
Jerome, thanks for your help in coming to a resolution on this.

Yours truly,



Dan Graham
Director
Compliance and Enforcement Branch

I confirm that this letter accurately reflects the agreements the parties have reached on the captioned matter:



Jerome Marburg LL.B., MBA
General Counsel and Registrar
Association of BC Forest Professionals

1 April 2005
Date