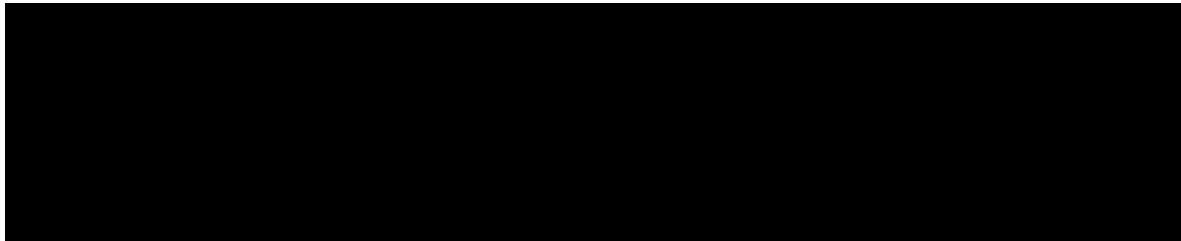


File: 97250-20/111001

October 3, 2011



**VIA EMAIL**

Dear Participants:

**Re: Complaint - File 111001 / Tyaughton Fire**

This letter is the Board's report on a complaint into the activities and decisions of the Wildfire Management Branch during the initial stages of the 2009 Tyaughton Lake fire.

The complainant requested a review of the actions of the Wildfire Management Branch to fight the fire. Key to the complaint is the assertion that air tanker support was called off on the morning of the second day and that this allowed the fire to grow. The complainant feels that those managing the activity should have known about the possible changing weather conditions that contributed to the fire escaping because a similar situation had occurred nearby approximately a month earlier with another fire.

The Kamloops Fire Centre has provided information regarding the daily resourcing of the fire to the Board. The following is a summary of the actions of the Wildfire Management Branch on the first and second days of the fire as provided by the ministry.

- The fire was first reported at 19:50 pm on May 29, 2009. Air tankers were sent to the fire and worked on the fire until dark. An initial attack crew of three was also dispatched to the fire and worked until approximately 3:30 am. A skidder and backhoe were also employed and constructed a machine guard around most of the fire that night.

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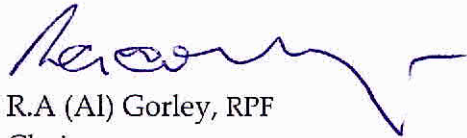
- A second crew of 10 relieved the initial attack crew on the morning of the second day, at which time the fire was estimated at 12 hectares. The radio log shows that the ground crew was to advise by 9:00 am on the 30<sup>th</sup> whether air tankers were required. At approximately 8:00 am the request for air tanker support was cancelled. The radio log shows that it was believed that the fire would be 100% contained once a skidder had completed a fire guard. It also indicates that, although winds were expected to pick up between 10:00 and 11:00 am, it was believed that by 12:00 pm the fire would be in mop up stage.
- At 13:49 pm an update indicated that the fire was still 12 hectares and that crews were working on a flare up in the northeast section. At 13:55 pm, air tanker support was requested. The request indicated that there was no risk to life or property. There was concern that the fire could jump the road.
- At 17:30 pm, it was reported that the fire was 40 hectares and had jumped the road.

The above information provided by the Wildfire Management Branch confirms the complainant's assertion that air tankers were cancelled on the morning of the second day. It also indicates the rationale for doing so. Basically it was believed that the fire was contained. In hindsight it is clear that this was not the case and air tanker support that morning may have led to a different result. However, in the Board's view the decision was made in good faith and was within the bounds of a reasonable decision given the information available at the time.

The complainant also made an assertion that the origin of the fire was on private property and not at the Pearson Pond campsite as rumoured, and was due to an escape from piles that a property owner was burning. Compliance and Enforcement conducted an investigation into the origin of the fire. The results of the investigation indicate that the fire likely started from burning piles on the private property as asserted by the complainant. However, it has been determined that there is not sufficient evidence to proceed with charges against the property owner. The Board is satisfied with this response from the ministry, in part because it is aware that the ministry has a track record of following through with charges when there is enough supporting evidence.

In conclusion, it is the decision of the Chair that the ministry has provided enough information to consider the complaint issues and that further investigation of this matter will not benefit the complainant. The fact that the incident happened more than two years ago is also a factor in this decision. The Board is satisfied that the decision to cancel the request for tanker support on the morning of May 30, 2009, was reasonable. However, it is clear that the behaviour of the fire was misjudged. The Board is also satisfied that the ministry has investigated the origin of the fire and determined that there is not sufficient evidence to lay charges. The Board will now close this investigation.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'R.A. Gorley', with a long horizontal flourish extending to the right.

R.A (Al) Gorley, RPF  
Chair