

ALBERTA - BRITISH COLUMBIA MEMORANDUM OF AGREEMENT
CONTROL AND MANAGEMENT OF MOUNTAIN PINE BEETLE INFESTATIONS
ALONG THE BRITISH COLUMBIA - ALBERTA BORDER

THIS MEMORANDUM OF AGREEMENT executed this 18th day of March, 2005.

BETWEEN:

The Government of the Province of ALBERTA
as represented by the Minister of Sustainable Resource Development
(hereinafter called "Alberta")

and

The Government of the Province of BRITISH COLUMBIA
as represented by the Minister of Forests
(hereinafter called "British Columbia")

(Collectively hereinafter referred to as "the Parties".)

WHEREAS Mountain Pine Beetle (MPB) infestations are present in large areas throughout much of central British Columbia, causing significant loss and degradation of forest resources, and have been detected close to the British Columbia – Alberta border,

WHEREAS British Columbia and Alberta agree there is a significant and urgent need to address the situation and suppress these infestations in order to prevent or minimize the further loss and degradation of forest resources in both provinces due to MPB infestations,

WHEREAS Alberta wishes to assist British Columbia to control infestations within British Columbia in order to prevent or minimize the potential of MPB infestations crossing the border eastward and moving into forested areas of Alberta, and

WHEREAS the Parties agree to cooperate fully in dealing with these MPB infestations,

Now, therefore, the Parties hereto AGREE as follows:

1. The Parties will develop each year a cooperative annual work plan to control and suppress MPB infestations since the severity of infestations, areas affected and effectiveness of annual control operations vary. The annual work plan will cover the period from November 1st to the following October 31st.
2. The annual work plans developed in accordance with Section 1 will establish annual, cooperative funding arrangements between the Parties, forestry techniques, methods and treatments to be completed each year to control MPB

- infestations, and any other conditions, factors or methods considered necessary in order to ensure that annual control and suppression operations are as effective as possible.
3. The Parties will conclude and agree to the annual work plan through an annual Letter of Agreement on or before October 31st each year.
 4. Alberta may appoint an advisor to monitor and assess the control and suppression techniques, treatments and methods conducted in British Columbia and British Columbia agrees to provide the advisor appointed by Alberta with the access necessary to monitor and assess the control and suppression techniques, treatments, and methods conducted by British Columbia, as contemplated by the annual work plan.
 5. British Columbia will execute the work described in the work plan that is within the boundaries of the Province of British Columbia.
 6. British Columbia shall hold harmless and indemnify Alberta from any and all claims, costs, demands or actions ("Claims") that Alberta may suffer or incur as a result of any act or omission of British Columbia or its employees, agents or contractors arising from the work or obligations that are the responsibility of British Columbia under this MOA. This indemnity shall not apply to the extent that any Claims arise from any independent negligent act of Alberta, its employees, agents or contractors.
 7. All communications with respect to this MOA are to be carried out through the following individuals or their successors:

R.G. (Bob) Clark
Provincial Bark Beetle Co-ordinator
Ministry of Forests
Box 190, Vanderhoof BC, V0J 3A0

D. (Doug) A. Sklar
Executive Director
Forest Management Branch
7th Floor, 9920-108 Street, Edmonton AB, T5K 2M4.

The communications will be deemed to have been made if served by mail or e-mail.

TERM:

This agreement will take effect on the day it is executed and will end on October 31, 2010 and may be renewed for an additional five years by mutual agreement of the parties.

This Agreement may be terminated by either of the Parties upon ninety (90) days notice in writing given to the other Party.

This Agreement may be amended at any time by mutual agreement of the Parties through an exchange of letters.

SIGNED:

The Honourable David Coutts
Minister of Sustainable Resource Development
Government of Alberta

The Honourable Michael de Jong
Minister of Forests
Government of British Columbia

The Honourable Ed Stelmach*
Minister of International and
Intergovernmental Relations
Government of Alberta
*Approved pursuant to the
Government Organization Act of Alberta