

IN THE MATTER OF THE FORESTERS ACT

S.B.C. 2003, CHAPTER 19

And

IN THE MATTER OF DEREK YODOGAWA, RFT

Consent Order

The following order is made by a panel of the Association of BC Forest Professionals ("ABC FP") discipline committee as required under Section 27(4) of the *Foresters Act*. The terms of this order represent a negotiated agreement between the subject member and the registrar as specified in bylaw 13.41 and 13.42. The panel accepts the following statements and conditions which will be carried out by the subject member under the direction of the ABCFP.

Background and Facts

1. The following facts form the basis for this order:
 - a. Mr. Yodogawa has been licensed as a Registered Forest Technologist ("RFT") since 2004;
 - b. Since 1996, Mr. Yodogawa has been employed by [REDACTED], formerly known as [REDACTED];
 - c. In 2013, the Forest Practices Board ("FPB") performed a special investigation of the planning, design and construction of bridges in five forest districts. The FPB inspected four bridges near Chilliwack, which were being installed by [REDACTED] as planned in part by Mr. Yodogawa;
 - d. On February 6, 2015, the ABCFP registered a complaint (#2015-01) regarding Mr.

Yodogawa's role as an RFT involved in the bridge construction (the "**Complaint**");

- e. On July 17, 2017 the ABCFP issued a citation to Mr. Yodogawa pursuant to section 24(4)(a) of the Foresters Act, SBC 2003, c 19 (the "**Citation**") alleging that in his capacity as planner and preparer of bridge crossings, Mr. Yodogawa:
 - a) Did not have adequate training, competence or knowledge to practice in the field of bridge design and preparation, pursuant to ABCFP Bylaws 11.3.7, 11.5.4 and 12.2.1.
 - b) Failed to ensure that bridge load ratings and hydrologic calculations were correct, pursuant to ABCFP Bylaws 11.3.9 and 12.2.2.

Admissions

- 2. Mr. Yodogawa admits that he:
 - a) Did not have adequate training, competence or knowledge to practice in the field of bridge design and preparation, pursuant to ABCFP Bylaws 11.3.7, 11.5.4 and 12.2.1.
 - b) Failed to ensure that bridge load ratings and hydrologic calculations were correct, pursuant to ABCFP Bylaws 11.3.9 and 12.2.2


Disposition

- 3. Mr. Yodogawa will pay a fine of \$1,000 to the ABCFP, payable within 30 days of the date of this Consent Order.
- 4. Mr. Yodogawa accepts a written reprimand from the ABCFP and agrees to have the reprimand remain on his file.
- 5. Mr. Yodogawa commits to no longer oversee bridge design or construction unless supervised by a qualified and registered member.
- 6. Mr. Yodogawa will complete a workshop or module on professional reliance.

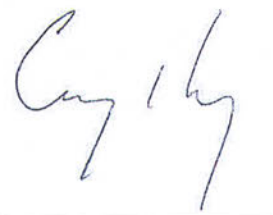
Consequences of the Consent Order

7. Mr. Yodogawa agrees to have his name and the details of the settlement published in a discipline digest.
8. Mr. Yodogawa consents to the publication by the ABCFP on the ABCFP's website, newsletter and magazine of the facts in this case, including the full text or summary of a consent order. This information may also be provided to the media at the ABCFP's discretion.
9. ABCFP and Mr. Yodogawa agree that this Consent Order may be executed in counterparts and delivered as an electronic document.

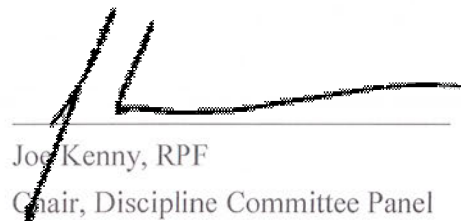
This Consent Order is approved and accepted by Mr. Yodogawa and the members of the Discipline Committee panel this 31 day of March, 2018.




Derek Yodogawa, RFT



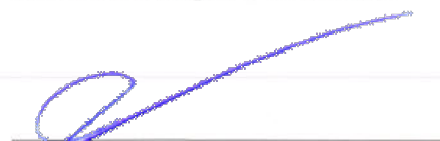
Casey Macaulay, RPF
Registrar, ABCFP



Joe Kenny, RPF
Chair, Discipline Committee Panel



Carolyn Stevens, RFT
Member, Discipline Committee



John Dunford, RPF
Member, Discipline Committee