



ORDER – UNGULATE WINTER RANGE #U-1-003

This order is given under the authority of sections 9(1), 9(2) and 12(1) of the *Government Actions Regulation* (B.C. Reg. 582/2004).

The Deputy Minister of Environment orders that:

1. the ungulate winter range shown in the map set out in the attached Schedule A (#U-1-003) is established;
2. the ungulate winter range is established for black-tailed deer (*Odocoileus hemionus columbianus*) and Mountain goat (*Oreamnus americanus*);
3. the general wildlife measures outlined in Schedule 1 are established for the ungulate winter range in the attached Schedule A;
4. the specified area as outlined in general wildlife measure 7, Schedule 1, is established;
5. for the purposes of section 2(3)(a) of the *Government Actions Regulation*, the general wildlife measures outlined in Schedule 1 apply to minor tenures;
6. where there is any discrepancy between the ungulate winter range boundaries as shown in the attached Schedules A and the GIS file *tuwra_bc*, the boundaries as detailed in the GIS file will take precedent. The centre point of the line on the map denoting the ungulate winter range is what establishes the boundary;
7. pursuant to section 7(3) of the *Forest Planning and Practices Regulation* the person(s) required to prepare a forest stewardship plan are hereby exempted from the obligation to prepare results or strategies in relation to the objective set out in section 7(1) of the *Forest Planning and Practices Regulation* for the winter survival of ungulates in Tree Farm License 25, Block 2; and
8. the general wildlife measures outlined in schedule 1 do not apply for the purposes of exploration, development and production activities when these activities have been authorized for the purpose of subsurface resource exploration, development or production by the *Mineral Tenure Act*, *the Coal Act*, *the Mines Act*, *the Petroleum and Natural Gas Act*, *the Pipeline Act* or *the Geothermal Resources Act*.

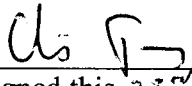
Definitions:

Authorized person is defined as per the definition in the *Forest Planning and Practices Regulation*.

Primary forest activity is defined as per the definition in the *Forest Planning and Practices Regulation*.

Schedule 1: General Wildlife Measures:

1. Road construction is not to occur within the designated ungulate winter ranges unless there is no other practicable option and an exemption is approved by the MOE designated authority.
2. An exemption is not required for road maintenance, road deactivation, felling of danger trees or brushing and clearing on existing roads within the UWR. These activities will be conducted in a manner that does not result in a material adverse impact on the ungulate winter range habitat within the designated ungulate winter range.
3. Harvesting is not to occur within the designated ungulate winter ranges unless an exemption is approved by the MOE designated authority. An exemption would normally only be considered for the purposes of enhancing the quality of the winter range.
4. An exemption is not required for harvesting within the designated ungulate winter ranges when it is required to address worker safety: felling of danger trees, felling for guy line anchors, felling of tail hold anchor trees within an UWR along adjacent cutblock boundaries. Harvesting will be conducted in a manner that does not result in a material adverse impact on the ungulate winter range habitat within the designated ungulate winter ranges.
5. Trees that must be felled within an UWR will be left onsite to provide coarse woody debris, unless the felled tree lies outside the UWR.
6. Salvage harvesting is not to occur within the designated ungulate winter ranges unless an exemption is approved by the MOE designated authority.
7. An authorized person who carries out a primary forest activity within 100m of a designated ungulate winter range, as per Schedule A, must ensure that the adjacent designated ungulate winter range is not materially adversely affected by foreseeable impacts of their activities.


Signed this 23rd day of May, 2006
Chris Trumpy, Deputy Minister
Ministry of Environment

Appendix 1

Note that the appendix is not part of the legal Order for U-1-003. It is intended to provide guidance for meeting the General Wildlife Measures addressed in the order.

1. Authority to consider an exemption from these general wildlife measures is provided in Section 92(1) of the *Forest Planning and Practices Regulation*. In instances where it is not practicable to comply with these measures, a person proposing to conduct forestry activities should consider seeking an exemption from the requirements to comply with the applicable General Wildlife Measures.

An exemption application should be submitted to the Minister's delegate (Regional Manager – Ministry of Environment, for the Region that the Ungulate Winter Range is located) with a rationale describing the nature of the problem and options to integrate winter range conservation with proposed forest practices. This submission will assist in timely consideration of the matter, and will inform the conditions, if any, of the exemption that may be granted prior to commencement of activities. Upon receipt of a complete exemption application, a determination will normally be made within 30 days of arrival. Incomplete packages will be returned to the proponent for resubmission.