



ORDER – WILDLIFE HABITAT AREA # 8-416
Blotched Tiger Salamander and Great Basin Spadefoot – Okanagan Shuswap Natural
Resource District

This order is given under the authority of sections 9(2) and 10(1) of the *Government Actions Regulation* (B.C. Reg. 582/2004) (GAR).

1. The Regional Executive Director of the Thompson Okanagan Region, Ministry of Forests, Lands and Natural Resource Operations, being satisfied that

- i. the following area contains habitat that is necessary to meet the habitat requirements for blotched tiger salamander (*Ambystoma mavortium*) and Great Basin spadefoot (*Spea intermontana*);

orders that

- a) the area shown in the map set out in the attached Schedule A (# 8-416) and contained in the wildlife habitat area (WHA) spatial layer stored in the Geographic Warehouse (WHSE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLY) is established as wildlife habitat area # 8-416 for blotched tiger salamander and Great Basin spadefoot. The centre point of the line on the attached Schedule A maps is what establishes the WHA boundary;
- b) if there is a discrepancy between the area shown in the map set out in the attached Schedule A and the WHA spatial layer stored in the Geographic Warehouse (WHSE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLY), the area as detailed in the WHA spatial layer will take precedent; and
- c) 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* to the extent that wildlife habitat area # 8-416 addresses the amounts included for blotched tiger salamander and Great Basin spadefoot in the Notices for the Okanagan-Shuswap Natural Resource District.

2. The Regional Executive Director of the Thompson Okanagan Region, Ministry of Forests, Lands and Natural Resource Operations, being satisfied that

- i. the general wildlife measures (GWMs) described below are necessary to protect or conserve the blotched tiger salamander and the Great Basin spadefoot and the habitat of the blotched tiger salamander and the Great Basin spadefoot; and
- ii. GAR or another enactment does not otherwise provide for that protection or conservation;

orders that

- a) the GWMs outlined in Schedule 1 are established for WHA # 8-416.

Definitions

Words and expressions not defined in this order have the meaning given to them in the *Forest and Range Practices Act* (FRPA) and the regulations made under it, unless context indicates otherwise.

Livestock attractants: a substance or structure that draws livestock, including salt/minerals, supplements, and cattle oilers.

Range Development, in relation to the management for range purposes of range land or livestock, means

- (a) a structure,
- (b) an excavation,
- (c) a livestock trail indicated in a range use plan or a range stewardship plan as a range development, or
- (d) an improvement to forage quality or quantity on an area that results from
 - (i) the application of seed, fertilizer or prescribed fire to the area, or
 - (ii) the cultivation of the area.

Schedule 1 – General Wildlife Measures (GWMs):

Access

1. Do not construct roads.

Pesticides

2. Do not use pesticides, except for the application of herbicides to control invasive plants or noxious weeds if the herbicide is applied:
 - a. by stem injection, cut and paint, foliar wipe or other direct plant application; or
 - b. by spot spraying individual plants or a cluster of plants if direct plant application is not practicable.
 - c. with no direct application to any of tiger salamanders, spadefoots, or water.

Range

3. Do not place livestock attractants or water developments within the WHA.
4. Do not construct new range developments in the WHA except for the purpose of drawing livestock away from, or restricting livestock access to, wetlands, ponds, and associated riparian areas.



Signed this 4 day of MAY, 2017

Gerry MacDougall, Regional Executive Director, Thompson Okanagan Region
Ministry of Forests, Lands and Natural Resource Operations

Appendix 1:

The following information is provided as background information and support to the Order establishing WHA # 8-416. This appendix is not part of the Order.

1. **Activities to which the order does not apply:** Section 2(2) of the *Government Actions Regulation* states

An order under any of sections 5 to 15 does not apply in respect of

(a) any of the following entered into before the order takes effect:

(i) a cutting permit;

(ii) a road permit;

(iii) a timber sale licence that does not provide for cutting permits;

(iv) a forestry licence to cut issued by a timber sales manager under section 47.6 (3) of the Forest Act;

(v) subject to subsection (3), a minor tenure,

(b) a declared area,

(c) areas described in section 196 (1) of the Act, and

(d) areas referred to in section 110 of the *Forest Planning and Practices Regulation*.

2. Authority to consider an exemption from these GWMs is provided in section 92(1) of the *Forest Planning and Practices Regulation*, section 79(1) of the *Woodlot Licenses Planning and Practices Regulation* and section 36(3) of the *Range Planning and Practices Regulation*. An exemption may be provided if the Minister's delegate is satisfied that the intent of the GWM will be achieved or that compliance with the provision is not practicable, given the circumstances or conditions applicable to a particular area.

An exemption application should be submitted to the Minister's delegate (MoFLNRO Regional Director of Resource Management) for the Region that the WHA is located with a rationale describing the nature of the problem and options to integrate WHA conservation with proposed forest and/or range 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 14 days of arrival. Incomplete packages will be returned to the proponent for re-submission.

3. **WHA goals:** In addition to meeting the practice requirements (General Wildlife Measures), Range Use Plans (RUP) must be consistent with the goals of the WHA. The goals of the WHA are:

- a. Maintain or establish late seral plant communities on upland and riparian areas within the WHA. If the tenure holder is unable to maintain stubble heights as a result of livestock grazing that are consistent with establishing or maintaining healthy, late seral ecosystems in upland and riparian areas, the Statutory Decision Maker may consider establishing a General Wildlife Measure to address this issue.
- b. Minimize disturbance during the tiger salamander and great basin spadefoot breeding seasons.
- c. Minimize road mortality.

- d. Maintain water quality.
 - e. Maintain natural water levels.
 - f. Minimize soil disturbance and trampling of small mammal burrows, including those of northern pocket gopher.
 - g. Maintain important habitat features (i.e., small mammal burrows, riparian and emergent vegetation, and non-compacted soils).
 - h. Maintain or remediate riparian and aquatic habitats to a properly functioning condition.
4. **Livestock Attractants:** The tenure holder is to manage livestock attractant locations to meet WHA goals and maintain WHA values while meeting livestock management objectives. In managing livestock attractant locations, the tenure holder must account for values in adjacent and overlapping WHAs. The tenure holder will first avoid placing livestock attractants in the WHA. If this does not meet livestock management goals, the tenure holder will work collaboratively with Ministry of Forests, Lands and Natural Resource Operations to identify suitable locations for attractants that minimize impacts on WHA values.
5. **Fencing:** Fencing may be required due to the potential for livestock to impact blotched tiger salamander and Great Basin spadefoot adults, eggs, and larvae during the breeding and development season. Should it be determined that fencing is required, Ministry of Forests, Lands and Natural Resources Operations will work collaboratively with the range tenure holder to explore opportunities for funding assistance and to determine areas of responsibility for fence construction and maintenance.
6. **Additional management considerations:**
- Minimize road traffic.
 - Prohibit fish stocking in WHAs or any fishless water body.
 - Ensure all-terrain vehicles do not have access to critical habitats and prevent incompatible recreation activities.
 - Ensure irrigation intake lines are screened.
 - Ensure breeding sites do not experience water extraction to the point that reproduction is impaired.
 - Maintain ephemeral water features.
 - Maintain integrity of riparian areas of adjacent permanent and non-permanent wetlands.
 - Encourage private land stewardship where important habitats extend beyond Crown lands.