

ORDER – Wildlife Habitat Area

1-224

Scouler's Corydalis – South Island Forest 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 Deputy Minister of Environment, being satisfied that
 - i. the following area contains habitat that is necessary to meet the habitat requirements for Scouler's corydalis (*Corydalis scouleri*); and
 - ii. the habitat requires special management that is not otherwise provided for under GAR or another enactment;

orders that

- a) the area shown in the map set out in the attached Schedule A (1-224) and contained in the wildlife habitat area (WHA) spatial layer stored in the Land and Resource Data Warehouse (*twha_bc*) is established as wildlife habitat area 1-224 for Scouler's corydalis. The centre point of the line on the attached Schedule A is what establishes the WHA boundary; and
- b) if there is a discrepancy between the areas shown in the map set out in the attached Schedule A and the WHA spatial layer stored in the Land and Resource Data Warehouse (*twha_bc*), the areas as detailed in the WHA spatial layer will take precedent.

2. The Deputy Minister of Environment, being satisfied that
 - i. the general wildlife measures (GWMs) described below are necessary to protect and conserve Scouler's corydalis; 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 1-224.

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 there under, unless context indicates otherwise.

Schedule 1 – General Wildlife Measures

Access

1. Do not construct access structures in the core area.
2. Avoid developing access structures in the management zone, particularly upslope of the core area.
3. Ensure road maintenance activities:
 - a) do not damage or kill plants; and
 - b) use methods to prevent the spread of invasive species; except as provided in GWM 4, or unless there is no other practicable option.
4. GWM 3 does not apply where road maintenance activities are in accordance with section 2(3) of the *Forest Planning and Practices Regulation* (FPPR) and trees felled for this purpose, that fall within the WHA, are retained on-site.

Harvesting and silviculture

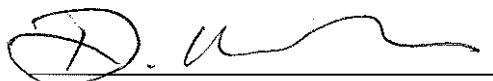
5. Do not harvest within the core area except for treatments aimed at maintaining or improving stand characteristics for Scouler's corydalis.
6. Use partial harvesting systems in the management zone that maintain approximately 60% basal stem area.
7. Do not salvage unless it can be done without disturbing important structural elements (e.g. dominant overstorey trees).

Pesticides

8. Do not use pesticides, except as provided in GWM 9.
9. GWM 8 does not apply for the application of herbicides to control for invasive plants or noxious weeds, if the herbicide is applied:
 - a) by stem injection, cut and paint, foliar wipe or other direct plant application if Scouler's corydalis are immediately within the area that would otherwise be spot sprayed; or
 - b) by spot spray for individual plants or cluster of plants.

Recreation

10. Do not establish recreation sites or trails within the core area.


Signed this 1 day of April, 2009
Doug Konkin, Deputy Minister
Ministry of Environment

Appendix 1:

The following information is provided by the Ministry of Environment (MoE) as background information and support to the order establishing this WHA. 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 FPPR. An exemption may be provided if the Minister's delegate is satisfied that the intent of the general wildlife measure 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 (Regional Manager – MoE, 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 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.

