



ORDER – WILDLIFE HABITAT AREA # 8-425
Lewis's Woodpecker – 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 Lewis's Woodpecker (*Melanerpes lewis*);

orders that

- a) the area shown in the map set out in the attached Schedule A (#8-425) 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 # 8-425 for Lewis's Woodpecker. 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 map 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.

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 Lewis's Woodpecker and the habitat of Lewis's Woodpecker ; 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 # 8-425.

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.

Schedule 1 – General Wildlife Measures (GWMs):

Access

1. Do not construct roads unless there is no other practicable option.

Harvesting and Silviculture

2. Do not conduct timber harvesting.

Pesticides

3. Do not use pesticides, except for the application of herbicides to control invasive plants or noxious weeds.

Range

4. Limit browse utilization by livestock to no more than 10% of the current annual growth of shrub species.



Signed this 32 day of December, 2016

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 # 8-425. 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 where 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. Where an exemption is provided to the requirements of GWM 2, consideration may be given to adding the following conditions to the approval of the exemption:

- Protect and retain all ponderosa pine and black cottonwood live and dead trees >30 cm dbh for nesting and perching;
- Maintain at least six standing dead trees per ha. Where it is not possible to retain six >45cm dbh, use largest available. The highest practical density of snags is preferred. Hazardous snags or trees can be incorporated into group reserves (plan as a no work zone if appropriate); otherwise maintain snags within the operational setting as described in the Wildlife/Danger Tree Assessor's Procedures. Use partial cutting silvicultural systems to maintain widely spaced (<25% canopy cover) late seral ponderosa pine and Douglas-fir;

- Topping large diameter snags may be appropriate in areas where standing dead trees are few;
- Additional potential nest sites in intensely managed stands may be provided by leaving some high-cut (5 m) stumps of large (>45cm dbh) ponderosa pine or black cottonwood.

4. WHA goals:

- Provide an adequate supply of large diameter live and dead wildlife trees suitable for foraging and nesting.
- Maintain an open canopy.
- Maintain the integrity of nesting habitat.
- Maintain shrub cover.

5. Additional management considerations:

- Open forests resulting from regularly occurring burns provide prime nesting and foraging habitat for Lewis's Woodpeckers. Naturally occurring fire regimes in the ponderosa pine and Douglas-fir biogeoclimatic zones should be encouraged, and where possible, fire suppression should be minimized. The use of prescribed burning is a potentially useful habitat management tool.
- A high potential for habitat enhancement exists through a combination of mechanical removal of regenerating conifers and selective logging of mature timber. Planting of suitable "snags" in open habitats where natural snags are absent may be beneficial as well.
- Maximize the number of snags retained in suitable habitats.
- Implement protection measures to reduce the risk of stand-replacing fire. Encourage ground fires that keep regenerating ponderosa pine and Douglas-fir in check but do not kill mature trees.
- Use prescribed burning to create semi-open parkland habitats with sufficient grassland understorey to provide habitat for an abundance of insects, and presence of some snags for nesting.