

**ORDER – Wildlife Habitat Areas**  
**# 9-089 to 9-096**  
**Boreal Caribou –Fort St. John Resource District**

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

1. The Deputy Minister of Forests, Lands and Natural Resource Operations (FLNRO), being satisfied that

- i. the following area contains habitat that is necessary to meet the habitat requirements for boreal caribou (*Rangifer tarandus caribou*); and
- ii. the habitat requires special management that is not otherwise provided for under GAR or another enactment;

orders that

- a) the areas shown in the map set out in the attached Schedule A (9-089 to 9-096) and contained in the wildlife habitat areas (WHA) spatial layer stored in the Geographic Warehouse (WHSE\_WILDLIFE\_MANAGEMENT.WCP\_WILDLIFE\_HABITAT\_AREA\_POLY) are established as wildlife habitat areas 9-089 to 9-096 for boreal caribou. 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 As and the WHA spatial layer stored in the Geographic Warehouse (WHSE\_WILDLIFE\_MANAGEMENT.WCP\_WILDLIFE\_HABITAT\_AREA\_POLY), the areas as detailed in the WHA spatial layer will take precedent; and
- c) pursuant to section 7(3) of the *Forest Planning and Practices Regulation* (FPPR) 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 FPPR for boreal caribou in the Notice for the Fort St. John Forest District.

2. The Deputy Minister of Forests, Lands and Natural Resource Operations, being satisfied that

- i. the general wildlife measures (GWMs) described below are necessary to protect and conserve the habitat of boreal caribou; 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 WHAs 9-089 to 9-096.

3. The Deputy Minister of Forests, Lands and Natural Resource Operations, being satisfied that
- i. the wildlife habitat area requires special management that has not otherwise been provided for under GAR or another enactment;
- orders that
- a) the objective outlined in Schedule 2 is established for WHAs 9-089 to 9-096.

### **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.

**access structure:** a road, landing, pit, quarry, excavated or bladed trail or other logging trail.

**coordinated access planning:** any and all activities that are designed to reduce the proliferation of access corridors in the WHA area, including but not limited to: coordinated access planning, coordinating development and deactivation schedules with other users operating on the WHA; use of existing linear corridors and shared access among users to minimize the creation of new access routes and overall road density

**disturbance:** indirect or direct negative impacts. Indirect disturbance includes non-physical, sensory stimuli associated with ground or aerial mechanized activity. Direct disturbance includes industrial activities that result in a physical, adverse alteration of habitat used by caribou.

**Historic trail:** a trail given heritage designation under the *Heritage Conservation Act*.

**material adverse disturbance:** in the context of disturbance or impacts, "material" means that the disturbance must be real, substantive, or significant. "Adverse" means the disturbance must have negative consequences for the affected species.

**pre-calving, calving, post-calving (post-parturition) periods:** timing subject to annual variation, but includes the period from March 15 through June 30.

**rutting period:** timing subject to annual variation, but includes the period from September 15 through October 31.

#### Schedule 1 – General Wildlife Measures

**A) Management of Vehicular Access:**

1. Do not construct new access structures.

**B) Timber Harvesting and Silviculture:**

2. Do not conduct timber harvesting or silviculture activities.
3. Do not disturb caribou during the pre-calving, calving, post-calving and rutting periods.

**C) Recreation:**

4. Do not develop recreation sites and trails.
5. Establishment of existing sites or trails is permitted where:
  - a) the trail is designated a Historic trail; and
  - b) establishment of the site or trail does not have material adverse disturbance to caribou or their habitat.

#### Schedule 2 – Wildlife habitat area objective

**A) Planning:**

1. Manage access through coordinated access planning.



Signed this 25 day of March, 2013

Doug Konkin, Deputy Minister

Ministry of Forests, Lands and Natural Resource Operations

## Appendix 1:

The following information is provided by the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) as background information and support to the order establishing WHAs 9-089 to 9-096. 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*.

(e) areas referred to in Section 81(1)(i) and 81(1)(e) of the *Fort St. John Pilot Project Regulation* (FSJPPR) and in Table 16 of the Forest Operations Schedule (FOS) in effect at the time of the approval

2. Authority to consider an exemption from these GWMs is provided in section 92(1) of the FPPR and section 25(1) of the FSJPPR. 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 (Director of Resource Management, Northeast), 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.

3. Regarding **GWMs 1 and 2**, an exemption should be submitted to access timber outside of the no harvest zone only if construction of any new roads, trails and linear corridors is conducted to the minimum extent necessary to access this area, and there is no other practicable option to access the area outside of the no harvest zone. An exemption to access isolated timber would normally be granted when (i) the cost associated to access isolated timber is significantly greater than compliance with the

GWMs associated with the WHA; (ii) impacts on the ecosystem outside of the WHA would be intensified by compliance with the GWMs, or (iii) established linear corridors are already present within the WHA, and thus additional road construction would not pose further threat to boreal caribou populations. Submissions for an exemption to the GWMs should be submitted to the Director of Resource Management, Northeast, following the direction in #2, above.

4. Exemptions for salvage of dead timber (non-infectious) resulting from severe natural disturbance will only be considered if the proposal is a net benefit to the WHA species being managed for, as opposed to taking no action.
5. An exemption is not required for any harvesting and/or road construction activities related to an approved cutblock (that is, a cutblock meeting definition of FRPA Section 196(1) or Section 196(2) as of December 12, 2008).
6. When reviewing options on how to best implement the GWMs, licensees should consider adopting the principle of adaptive management and employing the most appropriate methods to reduce impacts to boreal caribou.
7. Ministry of Forests, Lands and Natural Resource Operations acknowledges that, due to improved inventory data, there was a significant increase in timber harvesting land base (THLB) between timber supply review (TSR) 2 and TSR3. Timber supply impacts for this order were assessed and found consistent with current government policy. If government's policy, with respect to timber supply impacts, is revised then it is recommended that this order be reviewed and amended as necessary to ensure it remains consistent with that new policy.

## **Appendix 2 – Considerations for Selection of Practices:**

The following information is provided by the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) as background information and support to the order establishing WHAs 9-089 to 9-096. Professionals preparing operational plans and carrying out practices have site-specific discretion and flexibility in prescribing methods to achieve the desired habitat condition. This appendix is not part of the order.

### **Regarding GWMs 1 through 3:**

1. When planning access development for approved Section 196 (1) cutblock, or a cutblock meeting definition of Section 196 (2) as of December 12, 2008, licensees should consider, to the extent practicable, the following:
  - a. avoiding the construction of permanent, all weather, high-grade roads;
  - b. constructing secondary access as low-impact roads;
  - c. utilizing existing linear corridors or disturbances (e.g., seismic lines, roads, right-of-ways, etc.);
  - d. providing adequate visual screening along roads and minimizing line-of-sight on new roads;

- e. minimizing snow removal of access routes within and adjacent to caribou habitat to reduce predator use and minimize predation risk;
  - f. maintaining natural drainage patterns (surface hydrology and flow patterns);
  - g. promptly deactivating access corridors upon completion of activity;
  - h. permanently deactivating secondary and in-block roads to the highest standard possible upon completion of silviculture obligations;
  - i. maintaining critical habitat features, such as large, intact, treed fen-bog complexes with adequate thermal cover, security cover and forage species by
    - i. avoiding road construction through black spruce bogs, bog-fen complexes or lake clusters;
    - ii. maximizing forested buffers proximal to these areas;
    - iii. restricting access or using multiple use roads through large leave areas;
    - iv. maintaining connected forest cover;
  - j. minimizing disturbance during sensitive periods (pre-calving, calving, post-calving, and rutting periods); and
  - k. completing activities in as short a timeframe as practicable.
2. For any harvesting activities within an approved Section 196 (1) cutblock, or cutblock meeting definition of Section 196 (2) as of December 12, 2008, licensees should consider, to the extent practicable, the following:
- a. minimizing growth of early-seral forage species within harvested cutblocks
  - b. minimizing adverse impacts to lichen communities;
  - c. timing harvesting activities during frozen ground conditions with sufficient snow cover to improve terrestrial lichen survival and regeneration;
  - d. controlling slash build-up to improve lichen survival and regeneration;
  - e. retaining Wildlife Tree Patches (WTPs) as island to serve as dispersal sources for lichen propagules;
  - f. maintaining representative pre-harvest forest type as WTPs within harvest areas, according to Landscape Unit specific targets;
  - g. expediting the regeneration of lichen-bearing coniferous stands/patches within cutblocks, recognizing that cutblocks will be reforested to pre-harvest conditions (e.g., deciduous stands will be reforested to deciduous stands);
  - h. promoting regeneration of natural, pre-harvest ecosystems by avoiding artificial seeding of grass- and legume-based mixes. The use of herbicides may be used to promote natural regeneration;
  - i. maintaining natural drainage patterns;
  - j. completing activities in the shortest timeframe practicable; and
  - k. minimizing disturbance during sensitive periods for boreal caribou (pre-calving, calving, post-calving, and rutting periods).
3. When implementing access development under **Objective 1** for existing roads, licensees should discuss and consider development and deactivation schedules with other users operating within the UWR areas to help minimize direct and

indirect disturbances to boreal caribou and the cumulative impacts of access structures within their ranges.

## References:

The management direction and consideration for selection of practices was developed using information from the following sources:

- Bradshaw, C.J.A., D.M. Hebert, A.B. Rippin, and S. Boutin. 1995. Winter peatland habitat selection by woodland caribou in northeastern Alberta. *Canadian Journal of Zoology* 73: 1567-1574.
- Culling, D., B. Culling, T.J. Raabis, and A.C. Creagh. 2006. Ecology and seasonal habitat selection of boreal caribou in the Snake-Sahtahé Watershed, British Columbia, 2000 – 2004. Prepared for Canadian Forest Products Ltd, by Diversified Environmental Services, Fort St. John, BC. 80 pp.
- Dunford, J.S., P.D. McLoughlin, F. Dalerum, and S. Boutin. 2006. Lichen abundance in the peatlands of northern Alberta: implications for boreal caribou. *EcoScience* 13: 469-474.
- Goddard, A. 2009. Boreal caribou in northeastern British Columbia. Biological rationale, data summary and literature review, March 2009. Peace Region Technical Report, Ecosystems Section. 25 pp.
- Ministry of Environment. 2009. Peace Region least-risk timing windows, biological rationale. Peace Region Technical Report, Ecosystems Section, October, 2009. 45 pp.
- Ministry of Environment. 2011 (Draft). "Interim Operating Practices for Oil and Gas Activities in Identified Boreal Caribou Habitat in British Columbia – September 2011", BC Government, 8 pp.
- Ministry of Environment. 2011 (Draft). Implementation plan for the ongoing management of boreal caribou (*Rangifer tarandus caribou* pop. 14) in British Columbia. Prepared by Ministry of Environment. 17 pp.
- Rowe, M. 2007 (Draft). Boreal caribou and wolf movement and habitat selection within the Chinchaga Range. Peace Region Technical Report, Fish and Wildlife Section, June, 2007. 32 pp.

