

ORDER – Wildlife Habitat Areas
#8-328 and #8-331
Badger –Okanagan Shuswap 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 badger (*Taxidea taxus jeffersonii*); 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 As (#8-328 and 8-331) and contained in the wildlife habitat areas (WHAs) spatial layer stored in the Geographic Warehouse (*twha_bc*) are established as wildlife habitat areas 8-328 and 8-331 for badger. The centre point of the line on the attached Schedule As 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 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 the habitat of badger; 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 8-328 and 8-331.

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, water developments and cattle oilers.

Schedule 1 – General Wildlife Measures

Access

1. Do not construct roads.
2. Do not conduct road maintenance or deactivation activities during the maternal period (May 1st to August 15th).

Harvesting and silviculture

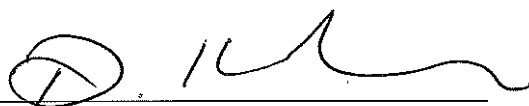
3. Do not conduct timber harvesting, except as provided in GWM 4.
4. GWM 3 does not apply when harvesting is required to support ecological restoration where:
 - a) stocking densities (<75 stems/ha; target of 20 stems/ha) and free-to-grow requirements are reduced, where practicable;
 - b) a selection of live and dead trees are retained to maintain site ecology, where practicable; and
 - c) timber harvesting occurs outside of the maternal period (May 1st to August 15th).

Pesticides

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

Range

6. Do not place livestock attractants within WHA.
7. Manage livestock grazing to ensure proper conditions (seral and structural stages) for prey species, by maintaining average stubble heights within the pasture as follows:
 - a) for WHA 8-328 of at least 15 cm for Pinegrass; and
 - b) for WHA 8-331 of at least 12 cm for Idaho fescue, and at least 15 cm for bluebunch wheatgrass.



Signed this 17 day of Dec., 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 WHAs 8-328 and 8-331. 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, 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 (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 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 1, consideration may be given to adding the following condition to the approval of the exemption:
- Closing roads after resource extraction is completed.
4. With respect to GWM 7, the main prey species in question is Colombian ground squirrel, which serves as an important source of prey for badgers in this area. Grazing should be managed with the goal of establishing later seral stages across the WHA that will provide structure/litter for hiding cover. Due to use by Colombian ground squirrel within the WHA patches of early seral stages should

occur naturally and will help to provide a range of structure and seral stages within the WHA.

5. Additional management considerations:

- Where appropriate, apply restoration treatments to maintain/create grassland and open forest conditions suitable as badger habitat.
- Where feasible, maintain disturbed, early seral NDT3 sites as badger habitat by delaying and/or reducing restocking.
- Encourage private land stewardship.
- Protect prey species. Do not use rodenticides.
- Off-road vehicle use (eg. ATV's) should be restricted in areas of high badger use.

6. Ministry of Environment goals:

- Maintain important habitat features including sufficient structure/litter to provide hiding cover, open- or non-forested land, grasslands in a range of seral stages, friable soils and prey.
- Control forest encroachment and in-growth.
- Manage livestock grazing to maintain suitable habitat for prey species (Columbian Ground Squirrel, Yellow-Bellied Marmot, microtine rodents).
- Minimize disturbance during the breeding season.