



**ORDER – Ungulate Winter Range #U-5-004**  
**North Island-Central Coast Forest District**  
**Mid Coast TSA**

This order is given under the authority of sections 9(2) and 12(1) of the *Government Actions Regulation* (B.C. Reg. 582/2004).

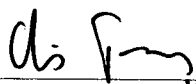
The Deputy Minister of Environment orders that:

1. The ungulate winter range shown in the map set out in the attached Schedule A (#U-5-004), and boundaries contained in the GIS file are *tuwra\_bc*, are established;
2. The ungulate winter range in the attached Schedule A is established for mountain goats (*Oreamnos americanus*);
3. The general wildlife measures outlined in Schedule 1 are established for the ungulate winter range in the attached Schedule A;
4. For the purposes of Section 92(1) of the Forest Planning and Practices Regulation, the management intent of the general wildlife measures established by this order is protecting the representation of winter habitat for mountain goats within the ungulate winter ranges established by this order;
5. Where there is any discrepancy between the ungulate winter range boundaries as shown in the attached Schedules A and the GIS file *tuwra\_bc*, the boundaries as detailed in the GIS file will take precedent. The boundaries are established as the centre point of the line delineating the ungulate winter range;
6. The general wildlife measures outlined in Schedule 1 do not apply for the purposes of exploration, development and production activities when these activities have been authorized for the purpose of subsurface resource exploration, development or production by the *Mineral Tenure Act*, the *Coal Act*, the *Mines Act*, the *Petroleum and Natural Gas Act*, the *Pipeline Act* or the *Geothermal Resources Act*;
7. Pursuant to Section 7(3) of the *Forest Planning and Practices Regulation* a person who is required to prepare a forest stewardship plan is exempt from the requirement to prepare results or strategies in relation to the objective set out in Section 7(1) of the *Forest Planning and Practices Regulation* for the winter survival of mountain goats in the Mid Coast Timber Supply Area;
8. Where it becomes evident that any component of this order is in conflict with initiatives to implement government's land use policy for the Mid Coast Timber Supply Area, this order will be subject to amendment or rescission to the extent of the identified conflict;
9. The ungulate winter range and general wildlife measures established by this order are in effect until December 31, 2009 at which time they will be reviewed and a determination made whether to continue, amend or rescind these measures; and
10. The general wildlife measures outlined in Schedule 1 do not apply to First Nations who are undertaking traditional use of forest resources.

## **Schedule 1 – General Wildlife Measures**

1. Subject to General Wildlife Measure 2, timber harvesting shall not occur within the designated ungulate winter ranges established by this order.
2. A person may carry out timber harvesting activities within the boundaries of individual ungulate winter range polygons established by this order, but may not impact the total area of ungulate winter range in a landscape unit by more than 10%.
  - (i) For information purposes, the Regional Manager, Ministry of Environment, Environmental Stewardship Division, Cariboo Region must be notified of timber harvesting activities to be carried out within individual ungulate winter range boundaries.
  - (ii) Maps of timber harvesting areas within ungulate winter ranges established by the order must be available to an official of the Ministry of Forests and Range or Ministry of Environment upon request.
3. Forest practices will not result in construction of new roads, trails, or landings in the ungulate winter range established by this order except where:
  - (a) the intent of these general wildlife measures will be achieved, or
  - (b) there is no other practicable option, and
  - (c) an exemption is granted under section 92(1) of the Forest Planning and Practices Regulation.
4. Where downed or damaged timber prevents goats from accessing an established winter range, an exemption from the requirement to comply with General Wildlife Measure 1 may be granted by the Minister of Environment or delegate.
5. An exemption from the requirement to comply with these general wildlife measures is not required for the purposes of activities related to safety matters, including but not limited to:
  - (a) felling of danger trees, guy line anchors, or tail hold anchor trees along adjacent cut block boundary,
  - (b) road maintenance, road deactivation,
  - (c) brushing and clearing on roads within wildlife habitat areas,
  - (d) construction of heli-drop sites on or along forest roads.
6. (a) Trees that must be felled under GWM 5, within an ungulate winter range established by this order, must be left as felled to provide coarse woody debris.  
(b) Despite (a), a felled tree that lies in whole, or in part, outside an ungulate winter range may be harvested.
7. Activities that occur within a goat UWR shall not be undertaken when ungulate winter ranges established by this order are occupied by mountain goats during the period November 1 to April 15.
8. If primary forest activities are scheduled between November 1 and April 15, and are situated within 500 meters of a goat winter range during severe winter conditions, an assessment will be carried out by a qualified professional to determine whether the activities should commence, and what conditions should apply, in order that the activities do not result in material adverse disturbance of wintering goats.

9. Range developments such as but not limited to, watering holes, fences, salt blocks, corrals, access roads or livestock trails, will be constructed in a manner that does not result in increased risk of impact to the habitat of wintering mountain goats that may be caused by concentrating livestock in the ungulate winter ranges established by this order.

  
Signed this 29<sup>th</sup> day of Feb, 2007  
Chris Trumpy, Deputy Minister  
Ministry of Environment

## Appendix 1

This Appendix is not part of this Order and is intended only to provide information that pertains to matters addressed by this Order. There is no requirement to comply with the information provided in this Appendix.

In this Appendix:

“Severe winter conditions” are to be determined on a case by case basis by the *Forest Act* agreement holder in consultation with the minister’s delegate considering current winter weather conditions. Mild winter conditions reduce the need for timing restrictions on operations within or proximal to goat winter habitat.

“Occupied” is determined by site specific evidence of goat presence (visual recording, sign, trails) during the specified time period.

“Line of sight” refers to unobstructed view line direct from centre of winter range to area of activity. Topographic features and forest cover may screen wintering goats from flight paths or operations that otherwise result in material adverse disturbance.

1. Within 1500 meters of occupied goat winter range, road building involving blasting should be avoided during severe winter conditions between November 1 and April 15.
2. Subject to weather conditions, safety considerations, assessment by qualified professional, and screening provided by topographic features or forest cover, helicopter logging activities should be avoided in the vicinity of occupied goat winter ranges, during severe winter conditions between November 1 and April 15.
3. Improvements in land resource inventory and scientific information may lead to amendment(s) consistent with the *Government Action Regulation* of the goat ungulate winter ranges and associated measures including:
  - a) the addition of new, or deletion of existing, goat winter range polygons
  - b) the adjustment of goat winter range boundaries and
  - c) modification of a specific measure to address operational constraints while protecting goat populations and their habitat.
4. Authority to consider an exemption from these general wildlife measures is provided in Section 92(1) of the *Forest Planning and Practices Regulation*. In instances where the intent of the general wildlife measures can be achieved, or where it is not practicable to comply with these measures, a person choosing to conduct primary forest activities may consider seeking an exemption from the requirement to comply with the general wildlife measures applicable to the matter at hand.

An exemption application should be submitted to the Minister’s delegate (Regional Manager – Ministry of Environment, Environmental Stewardship Division, Cariboo Region) with a rationale describing the nature of the problem, and options that integrate protection of the representation of mountain goat winter habitat with the

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. Exemption requests without supporting information will be returned to the proponent for resubmission. Forest practices must not commence prior to granting of the exemption, which may occur by facsimile to be followed up by written copy.

In cases where an exemption is being sought on the basis of section 92(1)(a) of the *Forest Planning and Practices Regulation*, it would be appropriate that a qualified professional biologist certify that intended forest practices will achieve the intent of the general wildlife measure(s) from which exemption is being sought. A rationale supporting the professional certificate would inform the exemption decision.

Upon receipt of an exemption application with supporting information, a determination will normally be made within 10 working days. If there are matters requiring clarification, the exemption applicant will be normally be contacted within 5 working days of receipt.