

**Forest and Range Practices Act Decision Rationale**  
**Approval of UWR #U-6-013**  
**Takla Northern Caribou Herd (*Rangifer tarandus caribou*)**  
**Nadina Natural Resource District**

In approving this ungulate winter range (UWR) U-6-013 each of the tests under the *Government Actions Regulation* (GAR) was considered.

*GAR 2 – Limitations on Actions*

*(1)(a) The Order is consistent with established objectives.*

Having considered all available information pertaining to this Order, I find that there are no elements of this Order that would be inconsistent with established objectives applicable to forest and range practices and planning within the Lakes and Morice TSAs. The Order is consistent with the Lakes and Morice LRMPs.

*(1)(b) The order would not unduly reduce the supply of timber from British Columbia's forests.*

**LAKES TSA**

The total area identified in the proposed Takla Caribou Ungulate Winter Range portion in the Lakes TSA is 8,791 hectares (gross). Of the 2,902 ha of THLB overlap by the Takla Caribou UWR, 338 ha are mountain goat UWR and OGMA, resulting in a remaining THLB overlap of 2,564 ha and a netdown THLB overlap of 2,100 ha (100% reduction for high zone and 70% reduction for medium zone). This equates to a 0.8% total THLB reduction for the TSA and 1.1% of the live or green harvest (sensitivity analysis by Agate Bernard TSR 4, June 2019).

No Section 7 budget is allotted for Takla caribou within the Lakes TSA. The critical areas for this Takla herd were incorporated into the most recent Prince George TSR and 2008 Morice TSR, but not into the TSR for the Lakes TSA.

A mountain goat UWR is currently the only GAR order in the Lakes TSA. s and The 1% Identified Wildlife Mgt. Strategy (IWMS) capital for the Lake TSA has been partially used for mountain goats.

**MORICE TSA**

The total area identified in the proposed Takla caribou Ungulate Winter Range portion in the Morice TSA is 4,051 hectares (gross). The THLB overlap is 1,188 ha with a THLB netdown of 1,008 ha (100% reduction for high zone and 70% reduction for medium zone), which equates to a 0.15% THLB reduction for the TSA (total TSA THLB = 683,962 ha; TSR Analysis Report Feb. 2002)

The proposed UWR for Takla caribou in the Morice TSA have been identified and incorporated into the Morice LRMP and TSR 3 analysis. The final plan analysis of forest cover rules conducted for the LRMP calculated a THLB impact of 0.2% THLB. The S. 7

notice for Takla caribou for the Morice TSA is 1,378 ha, which accommodates the 1008 THLB netdown associated with this Order.

Considering all available information, I find this Order to be consistent with government's timber supply impact policy that pertains to establishment of ungulate winter ranges. As such, I find that this UWR Order will not unduly reduce the supply of timber from British Columbia's forests.

*(1)(c)(i) The benefits to the public derived from the Order would outweigh any material adverse impact of the Order on the delivered wood costs of a holder of any agreement under the Forest Act that would be affected by the Order.*

The information I have considered, including comments from affected *Forest Act* agreement holders, does not indicate that this Order would create a material adverse impact on delivered wood costs.

Loss of timber volume remains an issue with Babine Forest Products. However, not approving this Order will increase the risk of Federal Government action under the Species at Risk Act, designating critical habitat that will prohibit timber harvesting well beyond what is currently proposed with UWR 6-013.

I am satisfied that potential impacts on delivered wood costs are not materially adverse in nature due to the available THLB within the proposed UWR area.

In addition to considering the potential for this Order to have a material adverse impact on delivered wood costs, I have considered the public benefits that would be derived from this Order.

Historically, caribou were highly valued for First Nation sustenance use; ensuring population viability of this species remains of high importance to First Nations, as well as for licenced hunting and wildlife viewing. Concerns have arisen regarding the long-term viability of the Takla caribou given population trends. Proactive conservation measures are important to ensure continued viability of the Takla caribou herd.

*(1)(c)(ii) The benefits to the public derived from the Order would outweigh any undue constraint on the ability of a holder of an agreement under the Forest Act or the Range Act that would be affected by the Order to exercise the holder's rights under the agreement.*

The information I have considered, including comments from affected *Forest Act* agreement holders, (there are no affected *Range Act* agreement holders), do not indicate that this Order would constrain the ability of a holder of an agreement under the *Forest Act* or the *Range Act* to exercise the holder's rights under the agreement, other than Babine Forest Products stating otherwise, although their tenure is volume and not area based.

No other *Forest Act* agreement holders who provided comments indicated any outstanding undue constraints to exercise their rights with the establishment of the UWR by this Order.

This Order supports the sustainable management of caribou, which is a provincially blue listed (threatened), and are identified as a Species at Risk in the Identified Wildlife

Management Strategy (IWMS) under the Government Actions Regulation of the Forest and Range Practices Act.

The Province committed to implementation of the Lakes and Morice LRMPs, which specifically set ungulate winter range objectives, inclusive of caribou. In addition, there is a commitment within the Lake Babine Nation Reconciliation Framework Agreement (S. 5.2 c), to establish habitat objectives for the Takla caribou herd winter range.

In addition to considering the potential for this Order to unduly constrain the ability of an agreement holder to exercise their rights, I have considered the public benefits that would be derived from this Order (see GAR 1(c)(i) above). Considering the information available to me, I find the public benefit of this Order to be compelling relative to the lack of an indication of undue constraint on the ability of an agreement holder to exercise the holder's rights under the agreement.

### *GAR 3 – Consultations and Reviews*

*(1)(a) An opportunity for review and comment was provided to the holders of agreements under the Forest Act or the Range Act that would potentially be affected by the Order.*

*(2) Consultation was carried out with holders on whom the Order may have a material adverse effect.*

Due diligence was exercised to ensure that:

- a) any holder of an agreement under the *Forest Act* or *Range Act* that would potentially be affected by this Order was given an opportunity to review and comment on the proposed order;
- b) consultation was carried out with any holder on whom the Order may have a material adverse effect.

Consultation on this order began in the summer of 2008. It was re-initiated in the summer of 2015 after the file was transferred over to another government representative.

All comments received by MFLNRO during review/comment or consultation were made available for my consideration.

### *GAR 9 - General Wildlife Measures*

*(2)(a) The general wildlife measures are necessary to protect or conserve the species at risk.*

I am satisfied that the general wildlife measures established by this Order are necessary for the protection and conservation of Takla caribou within the Nadina Natural Resource District, Skeena Region. The measures are consistent with current standards and are supported by the best available science. The GWMs are consistent with the LRMP direction.

*(2)(b) The regulations under the Forest and Range Practices Act or another enactment do not otherwise provide for that protection or conservation.*

While other regulations or enactments may deliver some of the special management required for the protection or conservation of the candidate UWR, these restrictions are not specific to Takla caribou and there is no certainty that the mechanism will provide

ongoing protection to the species and its winter range. The General Wildlife Measures established by this Order are necessary and I am satisfied that the regulations under the *Forest and Range Practices Act* or another enactment do not otherwise provide for protection or conservation of the areas and species addressed by this Order.

*GAR 12 – Ungulate Winter Ranges*

*(1a) The ungulate winter range is necessary to meet the habitat requirements of a category of specified ungulate species.*

I am satisfied that the UWR approved by this Order contain habitat that is necessary to meet the habitat requirements of Takla caribou within the Nadina Natural Resource District, Skeena Region.

Protection of wintering habitat, along with seasonal disturbance avoidance, will help ensure the maintenance of Takla caribou population viability.

The total gross area covered by the this Order is 12, 842 ha., with a net THLB impact on the Nadina Natural Resource District (Lakes & Morice TSAs) of 2100 ha, taking into consideration overlap already accounted for by OGMAs and mountain goat winter range. The entire THLB impact is within the Lakes TSA.

*(1b) The ungulate winter range requires special management that has not otherwise been provided for under this regulation or another enactment.*

I am satisfied that the habitat approved by this Order provide special management that has not otherwise been provided for under this regulation or another enactment.



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Signed this 4 day of January, 2021

Geoff Recknell, Regional Executive Director

Ministry of Forests, Lands, Natural Resource Operations and Rural Development  
Skeena Region