

**ORDER – UNGULATE WINTER RANGE #U-4-001 – WEST KOOTENAY (ARROW
TSA, KOOTENAY LAKE TSA, REVELSTOKE TSA, TFL 3, TFL 23)**

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:

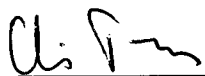
1. the boundary of ungulate winter range U-4-001, as shown on the map set out in the attached Schedule A (#U-4-001 Amended), is established and replaces the boundary established for ungulate winter range U-4-001 on December 13, 2005;
2. the ungulate winter range shown in the map set out in the attached Schedule A and boundaries contained in the GIS file *tuwra_bc* are established for Mule deer (*Odocoileus hemionius*), White-tailed deer (*Odocoileus virginianus*), Rocky Mountain elk (*Cervus elaphus nelsoni*) and moose (*Alces alces*);
3. the general wildlife measures outlined in the Schedule 1 replace the general wildlife measures approved for ungulate winter range U-4-001 on December 13, 2005 and are established for the ungulate winter range as shown on the attached Schedule A and boundaries contained in the GIS file *tuwra_bc*;
4. where there is any discrepancy between the ungulate winter range boundaries as shown in the attached Schedules A and the GIS file, the boundaries as detailed in the GIS file will take precedent. The centre point of the line on the map denoting the ungulate winter range is what establishes the boundary;
5. for the purposes of section 2(3)(a) of the *Government Actions Regulation*, these General Wildlife Measures apply to minor tenures;
6. pursuant to section 7(3) of the *Forest Planning and Practices Regulation*, 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 *Forest Planning and Practices Regulation* for the winter survival of ungulates in the Arrow TSA, Kootenay Lake TSA, Revelstoke TSA, TFL 3 and TFL 23;
7. these General Wildlife Measures do not apply for the purposes of exploration, development and production activities when these activities have been authorized for purposes 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; and
8. Private land, Federal land, Parks and Protected Areas, broadleaf stands and mixed treed – deciduous leading stands (as defined in the BC Land Cover Classification Scheme) are excluded from the application of these general wildlife measures.

Schedule 1 – General Wildlife Measures

1. Forest practices carried out within the boundaries of ungulate winter range polygons as shown in Schedule A must result in retention of forest cover that is not less than the forest cover retention requirements that apply as a percentage of the total Crown vegetated land base (excluding broadleaf leading stands) within each Management Unit as shown in Table 1.
2. Forest practices carried out within the boundaries of the ungulate winter range polygons as shown on Schedule A must not result in more than 40% of the Crown Forested Land Base (excluding broadleaf leading stands) of any Management Unit being less than 21 years of age.
3. Forest cover requirements prescribed for Forage Areas are determined from the sum of all Forage Areas within the ungulate winter range Management Unit. When spatially applied, forest cover distribution can be disproportionate among these Forage Areas.
4. Broadcast aerial application of herbicides is prohibited within UWR Management Units.

Table 1. Forest Cover Requirements for Ungulate Winter Range

Ungulate Winter Range Attribute	Priority Ungulate Species	BEC Subzones	Minimum Forest Cover Area	Forest Characteristics		Management Units
				Age (yrs)	Evergreen Crown Closure	
Snow Interception Cover	Mule deer	ICHxw IDFun,	20%	≥81	10-20%	326, 330, 332, 333, 334, 337
		ICHdw, MSdk	30%	≥81	≥40%	91, 99, 105, 108, 109, 115, 117, 118, 120, 122, 123, 129, 132, 136, 137, 140, 141, 142, 144, 145, 147, 148, 149, 151, 154, 157, 158, 160, 162, 164, 175, 176, 177, 178, 179, 180, 182, 186, 187, 189, 190, 193, 195, 196, 197, 198, 199, 201, 202, 203, 206, 207, 209, 216, 218, 219, 222, 223, 225, 227, 228, 229, 230, 236, 239, 241, 242, 245, 249, 251, 252, 254, 258, 260, 262, 266, 270, 271, 275, 279, 283, 287, 292, 293, 297, 300, 302, 305, 306, 307, 309, 315, 316, 317, 320, 321, 323, 324, 325, 329, 331, 335, 336, 340, 341, 342, 343, 346, 360, 367, 368
		ICHmw, ICHwk	40%	≥101	≥40%	37, 39, 40, 42, 43, 46, 47, 49, 51, 54, 57, 58, 60, 61, 64, 66, 67, 68, 72, 74, 80, 83, 85, 87, 88, 92, 93, 98, 165, 349, 363, 364, 367
	White-tailed deer	ICHdw, MSdk	40%	≥81	≥40%	155, 174, 191, 347, 365
	Elk	ICHdw,	20%	≥81	≥40%	224, 233, 237, 244
		ICHmw	30%	≥101	≥40%	69, 71, 75, 79, 350, 351
		Moose [mod. Snow]	All subzones	20%	≥61	≥40%
Forage Area	All Species	All subzones	10%	≥81	dispersed or patches	Where identified in Schedule A



Signed this 17th day of December, 2006
 Chris Trumpy, Deputy Minister
 Ministry of Environment

APPENDIX 1

The following information is intended to provide background information and support to the legal order establishing UWR 4-001. This appendix is not part of the legal order for UWR 4-001.

1. Private land, Federal land, Parks and Protected Areas, and broadleaf leading stands and mixed treed – deciduous leading stands (as defined in the BC Land Cover Classification Scheme, or defined as Inventory Type Groups 35-42) are excluded from the application of these general wildlife measures. In other words, these lands do not contribute to the area over which the percentage of minimum forest cover is applied. As well, they do not contribute to meeting the forest retention requirements.
2. All other crown forest stands within the areas identified in schedule A which are inoperable or constrained for timber harvesting and meet the characteristics described in Table 1, can contribute to meeting these measures.
3. Forest age and crown closure are based on the best available information at the time of Forest Stewardship Plan approval, or upon plan extension.
4. Forest cover retention requirements, in hectares, are applied within an Ungulate Winter Range Management Unit for single priority ungulate species by Biogeoclimatic Subzones [BEC]. In instances where an Ungulate Winter Range Management Unit contains more than one BEC, the forest cover requirement for the BEC that occupies the greater area is applied to the entire Management Unit.
5. Forest stands with suitable snow interception characteristics which are younger than the ages prescribed in Table 1 can contribute to meeting this objective in instances where a Qualified Professional has confirmed through field assessment that the younger stands have suitable snow interception characteristics. Documentation confirming this field assessment is to include the size and location of these stands and is to be submitted to the WLAP Regional Manager of Environmental Stewardship Division for information purposes.
6. Forest stands meeting the ages specified in Table 1, which have previously been subject to light partial cutting, can contribute to meeting these measures in instances where a Qualified Professional has confirmed through field assessment that these stands have suitable snow interception characteristics. Documentation confirming this field assessment is to include the size and location of these stands and is to be submitted to the WLAP Regional Manager of Environmental Stewardship Division for information purposes.
7. In instances where forest retention requirements are in deficit or early seral representation is exceeded, a person proposing forestry activities may apply for an exemption from the requirement to comply with the applicable General Wildlife Measures. Authority to consider an exemption is provided in Section 92(1) of the *Forest Planning and Practices Regulation*.

A spatially explicit recruitment strategy submitted to the Minister's delegate with a request for exemption will assist in timely consideration of the exemption request, and will inform the conditions, if any, of the exemption that may be granted prior to commencement of forestry activities.

8. In instances where forest retention requirements are in deficit or early seral representation is exceeded, a person proposing timber salvage to address wildfire or serious forest health concerns may apply for an exemption from the requirement to comply with the applicable General Wildlife Measures. Authority to consider an exemption is provided in Section 92(1) of the *Forest Planning and Practices Regulation*.