

ORDER – MOUNTAIN GOAT UNGULATE WINTER RANGE # U-6-010

North Coast Timber Supply Area and Tree Farm License 25 – Block 5

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

1. The Deputy Minister of Forests, Lands and Natural Resource Operations, being satisfied that
 - i. the following area contains habitat that is necessary to meet the winter habitat requirements for Mountain Goat (*Oreamnos americanus*); 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 (U-6-010) and contained in the ungulate winter range (UWR) spatial layer stored in the British Columbia Geographic Warehouse (*tuwra_bc*) are established as UWR U-6-010 for Mountain Goat. The centre point of the line on the attached Schedule A is what establishes the UWR boundary; and
- b) if there is a discrepancy between the areas shown in the map set out in the attached Schedule A and the UWR spatial layer stored in the British Columbia Geographic Warehouse (*tuwra_bc*), the areas as detailed in the UWR spatial layer will take precedent.

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 Mountain Goat and winter Mountain Goat habitat; 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 UWR U-6-010, and
- b) the GWMs 4, 5 and 6, Schedule 1, are applied to the areas specified in those GWMs.

3. Pursuant to section 7(3) of the *Forest Planning and Practices Regulation* a person required to prepare a forest stewardship plan is exempt 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 Mountain Goats in the North Coast TSA and TFL 25 – Block 5.

4. 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*, or the *Geothermal Resources Act*.

Schedule 1 – General Wildlife Measures

In this schedule:

- a) “primary forest activity” is defined as in the *Forest Planning and Practices Regulation*,
 - b) “Mountain Goat winter range” are those winter ranges established by way of this Order, and
 - c) “deactivate” or “deactivation” refers to either partial or complete treatment of roads and trails with the intent to prevent, as much as possible, motor vehicle access while taking into account site specific operating constraints; where practicable this activity will include right-of-way revegetation activities to manage long term access.
 - d) “incursion” means new timber harvesting or road construction that crosses a goat winter range polygon.
1. Primary forest activities must not result in the removal of forest and vegetative cover within a Mountain Goat winter range, except as provided in GWMs 2 and 3.
 2. GWM 1 does not apply where:
 - a) guyline anchors and tailholds are required to facilitate timber harvesting; or,
 - b) trees are felled in accordance with section 2(3) of the *Forest Planning and Practices Regulation*; and,
 - c) trees felled for the purposes in (a) and (b) that fall within the designated Mountain Goat winter range are retained on-site.
 3. GWM 1 does not apply to the area of an incursion if:
 - a) the incursion is to provide for a logical harvesting boundary or a logical road location that uses a physical feature or administrative boundary;
 - b) the area of the incursion, or multiple incursions cumulatively, do not exceed:
 - i. 1 ha in the goat winter range polygons <30 ha; or
 - ii. 2 ha in goat winter range polygons >30 ha to ≤100 ha; or,
 - iii. 3 ha or 1% of the total area of the goat winter range polygon, whichever is greater, in goat winter range polygons >100 ha;
 - c) the areas of an individual harvest unit within the mountain goat winter range is less than the area of the same harvest unit outside of the mountain goat winter range polygon;
 - d) the incursion exceeds 0.5 ha, and the area of the incursion is replaced with an equivalent or greater area of equal or better habitat contiguous to the goat winter

range such that there is no net loss; and the incursion does not affect the intent or integrity of the goat winter range; and

- e) the incursion as per GWM 3 a) or b), and any replacement habitat as per GWM 3 d) are provided to the Director, Resource Management (via ESRI shape files) prior to the commencement of primary forest activities associated with the incursion.
4. Primary forest activities that occur within 500 metres horizontal distance of a Mountain Goat winter range will not result in material adverse disturbance to goats. Primary forest activities must take place during the period starting June 15 and ending October 31.
 5. Access roads and structures required for primary forest activities within 500 metres of Mountain Goat winter range must be constructed in a manner that will facilitate effective deactivation. All roads or structures that have not been exempted will be deactivated within one year following timber harvesting activities, where practicable.
 6. All helicopter logging activities conducted within 2000 metres line of sight of a Mountain Goat winter range must take place during the period starting June 15 and ending October 31.



Signed this 8 day of Aug, 2012
Doug Konkin, Deputy Minister
Ministry of Forests, Lands and Natural Resource Operations

Appendix 1

Note: this appendix is not part of the legal Order for U-6-010. It is intended to provide guidance for meeting the General Wildlife Measures addressed in the order.

1. 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 it is not practicable to comply with these measures, a person proposing to conduct forestry activities should consider seeking an exemption from the requirements to comply with the applicable General Wildlife Measures.
2. An exemption application should be submitted to the Minister's delegate (Director of Resource Management, Ministry of Forests, Lands and Natural Resource Operations), for the Region that the Ungulate Winter Range is located) with a rationale describing the nature of the problem and options to integrate winter range conservation with proposed forest practices (a template for exemption requests is available at: <http://www.env.gov.bc.ca/wld/frpa/index.html>). 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 for timing window exemptions will be processed within 10 calendar days, all other exemptions will be handled within 15 working days of arrival at the Regional FLNRO office. Incomplete packages will be returned to the proponent for resubmission.
3. Material adverse disturbance to Mountain Goat would normally be considered any activity that results in extended or permanent abandonment of a winter range area, severe flight response by individuals that may risk injury, or extended periods of incremental energy use as a result of an external stimulus.