

**ORDER – Ungulate Winter Range**  
**#U-7-019**  
**Mountain Goat- Fort St. James Forest District**

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

1. The Deputy Minister of Environment, being satisfied that
- i. the following areas contain habitat that is necessary to meet the winter habitat requirements for Mountain Goat (*Oreamnos americanus*), and
  - ii. that 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-7-019) and contained in the ungulate winter range (UWR) spatial layer stored in the Geographic Warehouse (*tuwr\_bc*) are established as an ungulate winter range U-7-019 for Mountain Goat. The centre point of the line on the attached Schedule A is what establishes the UWR boundary,
- 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 Geographic Warehouse (*tuwr\_bc*), the areas as detailed in the UWR spatial layer will take precedent, and
- c) 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 mountain goat in the Fort St. James Forest District.

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 Mountain Goat, 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-7-019,
- b) for the purposes of section 2(3)(a) of the *Government Actions Regulation*, the GWMs outlined in Schedule 1 apply to minor tenures, and
- c) the GWMs 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*.

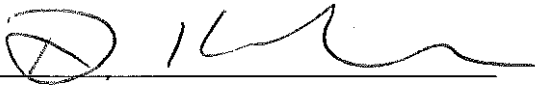
*Definitions:*

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.

Schedule 1 – General Wildlife Measures

Within all U-7-019 Mountain Goat Ungulate Winter Range Units:

1. Timber harvesting and road and trail construction must not occur within the mountain goat winter range.
2. GWM 1 does not apply to the extent that timber harvesting within the mountain goat winter range is necessary to create guyline tiebacks for timber harvesting, provided trees that fall within the Mountain Goat winter range boundary are retained on site to function as coarse woody debris.



Signed this 31 day of May, 2010  
Doug Konkin, Deputy Minister  
Ministry of Environment

## Appendix 1:

The following information is provided by the Ministry of Environment as background information and support to the order establishing UWR U-7-019. 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 General Wildlife Measures (GWMs) 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 GWMs.

An exemption may be provided if the Minister's delegate is satisfied that the intent of the General Wildlife Measure 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 - Ministry of Environment, Omineca or Skeena Region, depending where the UWR unit is located) with a rationale describing the nature of the problem and options to integrate winter range conservation with proposed forest practices. An exemption form for general wildlife measures in ungulate winter ranges (UWR) can be found 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 will normally be made within 14 days of receipt of the application. Incomplete packages will be returned to the proponent for re-submission.