



ORDER – UNGULATE WINTER RANGE #U-6-001

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:

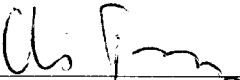
1. the ungulate winter range shown in the map set out in the attached Schedule A (#U-6-001) is established;
2. the ungulate winter range in the attached Schedule A is established for mountain goat (*Oreamnos americanus*); and
3. the general wildlife measures outlined in Schedule 1 are established for the ungulate winter range in the attached Schedule A:
4. 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 centre point of the line on the map denoting the ungulate winter range is what establishes the boundary;
5. 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 Kalum TSA, TFL 41 and TFL 1; and
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.

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.

1. Primary forest activities, except where exempted, will result in retention of all forest and vegetative cover within a mountain goat winter range.
2. Wherever feasible, operators should refrain from felling trees within mountain goat winter range. Felling of single trees, such as a danger, guy line anchor, or tail hold tree is permitted within a mountain goat winter range when it is required to address worker safety. Trees felled for the purposes of this Measure (2) will be left on site to provide coarse woody debris.
3. Primary forest activities that occur within 500 meters horizontal distance of a mountain goat winter range will not result in material or adverse disturbance to goats. Operational activities that have not been exempted will take place during the period starting June 15 and ending October 31.
4. Access roads and structures required for primary forest activities within 500 meters of mountain goat winter range will 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 forest harvesting activities.
5. All helicopter logging activities conducted within 2000 meters line of sight of a mountain goat winter range that have not been exempted will take place during the period starting June 15 and ending October 31.
6. Sections 2(2)(c) and (d) of the *Government Actions Regulation* apply to this order and for the purposes of clarity, this order does not apply to any cutblock that is:
 - a) wholly or partially within the boundaries of a ungulate winter range polygon established by this order, and
 - b) is confirmed by the Ministry of Forests and Range to be a Category A cutblock within an approved Forest Development Plan that is:
 - i) pertinent to the area of land within which the ungulate winter range polygon is located, and
 - ii) held by the British Columbia Timber Sales program, or an existing *Forest Act* agreement holder with current timber harvesting rights in the area of land, and
 - iii) that was in effect prior to the effective date of this order.


Signed this 24 day of November, 2005
Chris Trumpy, Deputy Minister
Ministry of Environment

Appendix 1

Note that the appendix is not part of the Order and is intended to provide guidance for areas covered under this Order.

1. Retention of forest cover in mountain goat winter range is required to deliver habitat attributes critical to the survival of this species. These attributes include patches of mature/old forest in areas adjacent to escape terrain that provide winter forage production, snow interception, and thermal/security cover.
2. Improvements in scientific and biological information may lead to amendment(s) consistent with the *Government Actions Regulation* of the mountain goat winter range measures including:
 - a) the addition of new, or deletion of existing, mountain goat winter range polygon units,
 - b) the adjustment of mountain goat winter range unit boundaries including their associated buffer sizes, and
 - c) modification of a specific measure to address operational constraints while protecting mountain goat populations and their habitat.
3. Primary forest activities should avoid road or trail construction within 500 meters horizontal distance of a mountain goat winter range. Where no other practical access options exist, roads and trails should utilize strategies to protect goats and their habitat from disturbance including:
 - a) placing adequate timber buffers around mountain goat winter range boundaries,
 - b) locating a road or trail no closer to mountain goat winter range than made necessary by operational site constraints, or
 - c) other suitable techniques.
4. A person conducting forestry activities may consider seeking 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 strategy for conservation of mountain goat winter range will assist in timely consideration of the matter when submitted to the Minister's delegate, and will inform the conditions, if any, of the exemption that may be granted.

Exemptions may be considered for:

- a) The construction of roads or trails in a mountain goat winter range, including the harvest of associated right-of-way timber, where it can be demonstrated that no other access options exist.

These roads and trails will be:

- i. designed, as much as possible, to prevent all motorized vehicle access outside of the June 15th to October 31st timing window, and
 - ii. will be deactivated as soon as practicable, and no later than one year, following primary forest activities.
- b) The construction of semi-permanent mainline roads within 500 meters horizontal distance of a mountain goat winter range when it can be demonstrated that no other road location options exist to access timber beyond a specific mountain goat winter range.

These roads and trails will be:

- i. designed, as much as possible, to prevent all motorized vehicle access outside of the June 15th to October 31st timing window, and
 - ii. will be deactivated (consistent with the definition for “deactivation” in the order) as soon as practicable, and no later than one year, following primary forest activities.
 - c) The extension of the early period of the timing window. Singular, site-specific extensions may be granted outside the normal window opening where it can be demonstrated by a qualified professional wildlife biologist that, due to exceptional circumstance(s), there is no risk to goats.
5. It is recommended that where forests within mountain goat winter range have been disturbed either by forest fire or prior logging, and where habitat is limited, these units be silviculturally treated to accelerate their restoration and rehabilitation to achieve mature and old forest habitat attributes (snow interception, security and thermal cover, and forage production). Treatments should be based on the recommendations of a qualified professional forester and qualified professional wildlife biologist.
 6. It is recommended that existing roads and trails within 500 meters of a mountain goat winter range be assessed for disturbance risk to mountain goat populations. Where assessment determines that access to mountain goat winter range on such roads and trails has increased risk to goats, plans for the deactivation of these roads should be developed and implemented. Where the deactivation of specific existing roads conflicts with operational activities, the licensee and the Minister’s designate should work cooperatively to develop strategies which address both operational objectives and minimize disturbance to mountain goats without constraining operational activities. This may include access restrictions on permanent roads through the development and implementation of an official Access Management Plan (as per 2002 *Kalum LRMP* recommendations).
 7. It is recommended that historic and planned (approved Category A) harvesting activities within mountain goat winter ranges be assessed to determine if these activities have, or will, place mountain goat populations and their habitat at risk. Where an assessment determines

that winter range is, or will be, limited relative to historic levels, the Minister's designate and the licensee(s) should work cooperatively to develop short and long term strategies aimed at offsetting and re-establishing winter range shortfalls (e.g. temporarily reserving mature or old forest reserves, silvicultural treatments [see item 5 above], and others as deemed appropriate). Where necessary, strategies should include the establishment and implementation of spatially explicit plans.

