

**ORDER – Wildlife Habitat Areas**  
**# 5-062 and 5-730**  
**Great Blue Heron – Quesnel Forest District**

This order is given under the authority of sections 9(2) and 10(1) of the *Government Actions Regulation* (B.C. Reg. 582/2004).

The Deputy Minister of Environment orders that:

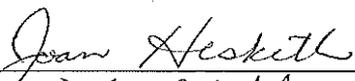
1. the wildlife habitat areas (WHAs) shown in the map set out in the attached Schedule As (5-062 and 5-730) and boundaries contained in the GIS file *twha\_bc* are established for great blue heron (*Ardea herodias herodias*);
2. the general wildlife measures (GWMs) outlined in Schedule 1 are established for the WHAs in the attached Schedule As and boundaries contained in the GIS file *twha\_bc*; and
3. where there is a discrepancy between the WHA boundaries as shown in the attached Schedule As and the GIS file *twha\_bc*, the boundaries as detailed in the GIS file will take precedent. The centre point of the line on the map denoting the WHA is what establishes the boundary.

### *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 there under, unless context indicates otherwise.

### Schedule 1 – General Wildlife Measures

1. Primary forest activities:
  - a. must not result in the construction (including blasting) of roads or trails within the core area; and
  - b. must not result in the construction (including blasting) of roads or trails within the management zone during the breeding season (March 1<sup>st</sup> to August 31<sup>st</sup>).
2. Do not conduct timber harvesting or silviculture activities:
  - a. within the core area; and
  - b. within the management zone during the breeding season (March 1<sup>st</sup> to August 31<sup>st</sup>).
3. Recreational sites and trails must not be established within the core area.
4. Primary forest activities must not result in the use of pesticides, except as provided by GWM 5.
5. GWM 4 does not apply for the application of herbicides to control for invasive plants or noxious weeds:
  - a. outside of the breeding season (March 1<sup>st</sup> to August 31<sup>st</sup>), unless there is no other practicable option, within the core area; and
  - b. at any time within the management zone.

  
Signed this 30 day of October, 2008  
Joan Hesketh, Deputy Minister  
Ministry of Environment

## Appendix 1:

The following information is intended to provide background information and support to the legal order establishing these WHAs. This appendix is not part of the legal order.

1. As per section 2(2) of the *Government Actions Regulation*, the order entitled "ORDER – Wildlife Habitat Areas 5-062 and 5-730" 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 FRPA; and
  - d. areas referred to in section 110 of the *Forest Planning and Practices Regulation* (FPPR).

In these instances the requirement to comply with the order and the GWMs does not apply.

2. Authority to consider an exemption from these GWMs is provided in section 92(1) of FPPR. 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, for the Region that the WHA is located) with a rationale describing the nature of the problem and options to integrate WHA conservation with proposed forest practices. 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 arrival. Incomplete packages will be returned to the proponent for re-submission.

