

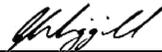
**ORDER OF THE MINISTER OF FORESTS, LANDS, NATURAL
RESOURCE OPERATIONS AND RURAL DEVELOPMENT**

Forest and Range Practices Act

Ministerial Order No.

I, Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development, being satisfied that the following described areas contain habitat that is necessary to meet the habitat requirements for Lewis's Woodpecker (*Melanerpes lewis*) and that the habitat requires special management that is not otherwise provided for under the Government Action Regulation (GAR) or another enactment, order that wildlife habitat areas (WHAs) 4-303 to 4-305 in the Selkirk Forest District are established as set out on Schedule A and managed as provided in Schedule B.

June 24, 2021
Date


Minister of Forests, Lands, Natural Resource
Operations and Rural Development
(or authorized signatory)

Garth Wiggill, Regional Executive Director
Printed Name and Title (if authorized
signatory)

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Regulation and section: Government Actions Regulation (B.C. Reg. 582/2004) ss. 9(2) and 10(1)

Schedule B

Part 1: Definitions

1. Unless otherwise specified, words and expressions not defined in this order have the meaning given to them under the *Forest and Range Practices Act* (FRPA) and the regulations made under it.
2. In this order and the schedules to this order:
 - a. **pest** means an injurious, noxious or troublesome living organism, but does not include a virus, bacteria, fungus or internal parasite that exists on or in humans or animals;
 - b. **pesticide** means a micro-organism or material that is represented, sold, used or intended to be used to prevent, destroy, repel or mitigate a pest, and includes
 - i. a plant growth regulator, plant defoliator or plant desiccant,
 - ii. a pest control product as defined in the *Pest Control Products Act (PCPA)* (Canada), and
 - iii. a substance that is classified as a pesticide by regulation under the PCPA,but does not include micro-organisms, materials, substances, or control products excluded from this definition by regulation under the PCPA.

Part 2: Establishment of wildlife habitat areas

3. Respecting the wildlife habitat areas (WHAs):
 - a) the areas shown on the map attached as Schedule A, with the centre point of the line on the attached Schedule 4 establishing the area boundaries, as Wildlife Habitat Areas (WHA) 4-303 to 4-305 and contained in the wildlife habitat area spatial layer stored in the British Columbia Geographic Warehouse (WHSE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLY) are wildlife habitat areas 4-303 to 4-305 for Lewis's Woodpecker (*Melanerpes lewis*);
 - b) if there is a discrepancy between the areas shown on the map attached as Schedule A and the WHA spatial layer stored in the British Columbia Geographic Warehouse

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Authority under which Order is made:

Regulation and section: Government Actions Regulation (B.C. Reg. 582/2004) ss. 9(2) and 10(1)

PROVINCE OF BRITISH COLUMBIA

(WHSE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLICY), the areas as detailed in the WHA spatial layer will take precedent.

Part 3: General Wildlife Measures (GWMs)

4. The following are established for the WHAs:

Access

- a) Do not construct roads.

Harvesting and Silviculture

- b) Do not conduct timber harvesting, except to maintain an open forest condition of 35% canopy closure or less.
- c) When harvesting to maintain the open forest condition of 35% canopy closure or less, ensure that:
 - i. trees greater than 30cm in diameter at breast height are not removed within 400 m of known nest trees; and
 - ii. harvesting activities do not occur between May 1 and August 31 (breeding period).

Pesticides

- d) Within WHA 4-303 and 4-305 pesticide use is only provided for control of invasive plants under the Invasive Plants Regulation (FRPA)
- e) Pesticide use is permitted within WHA 4-304 under the following conditions;
 - i. Pesticide is applied between September 1 and April 30 of any given year;
 - ii. Pesticide must only be applied to plant species prescribed as invasive plants under the Invasive Plants Regulation (FRPA)
 - iii. Pesticide application must be by selective application in a manner that does not result in drift to non-target species.

Range

- f) Limit browse utilization by livestock to no more than 10% of the current annual growth of saskatoon, rose, hawthorn, and other berry and nut producing shrub species.