

ORDER OF THE MINISTER OF WATER, LAND AND RESOURCE STEWARDSHIP

Forest and Range Practices Act

Ministerial Order No.

I, Matthew LeRoy, a designated signatory of Randene Neill, Minister of Water, Land and Resource Stewardship, being satisfied that the following described areas contain habitat that is necessary to meet the habitat requirements for Northern Goshawks (*Accipiter gentilis laingi*) 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) 1-574, 1-740, 1-768, 1-769, 1-770 in the South Island Natural Resource District, and 1-734, 1-750, 1-752, 1-754 in the Campbell River Natural Resource District, are established as set out in Schedule A and managed as provided in Schedule B.

May 26, 2025



Date

*Matthew LeRoy, Coast Area Executive
Director, Ministry of Water, Land and
Resource Stewardship*

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

Authority under which Order is made:

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

PROVINCE OF BRITISH COLUMBIA

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.

Part 2: Establishment of wildlife habitat areas

1. With respect to wildlife habitat areas (WHAs) 1-574, 1-734, 1-740, 1-750, 1-752, 1-754, 1-768, 1-769, 1-770:
 - a) The areas shown in the maps set out in the attached Schedule A (WHAs 1-574, 1-734, 1-740, 1-750, 1-752, 1-754, 1-768, 1-769, 1-770) and contained in the WHA spatial layer stored in the BC Geographic Warehouse (WHSE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLY) are WHAs 1-574, 1-734, 1-740, 1-750, 1-752, 1-754, 1-768, 1-769, 1-770 for Northern Goshawk (*Accipiter gentilis laingi*). The centre points of the lines on the attached Schedule A are what establish the WHA boundaries;
 - 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 (WHSE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_P OLY), the areas as detailed in the WHA spatial layer will take precedent.

Part 3: General Wildlife Measures (GWMs)

The following measures are established for the specified WHA(s):

Access

- 1) Do not construct roads in WHAs 1-740, 1-754, 1-769, or 1-770.
- 2) Do not construct roads, except for previously built Paul Road in WHA 1-752 (Appendix B), which can be reactivated by the the holder of a valid road use permit to access timber beyond the WHA.
 - a) Road reactivation, industrial use, and deactivation is restricted to the non-breeding season, September 16 through to February 14.
 - b) Road must be blocked, gated, or deactivated by February 15 until September 15 to restrict motorized access through WHA-1-752 when primary forest activities are not in progress.
- 3) Do not construct roads, except for previously built Eagle Heights Forest Service Road in WHA 1-574 (Appendix B), which can be reactivated by the the holder of a valid road use permit in the southwest of the WHA to access timber beyond the WHA.
 - a) Road construction, use, and deactivation is restricted to the non-breeding season, September 16 to February 14.

PROVINCE OF BRITISH COLUMBIA

- 4) Do not construct roads, except for Road Spur AT295-003 in WHA 1-734 (Appendix B), which can be built by the the holder of a valid road use permit to access timber beyond the WHA in Block L025C4MK.
 - a) Road construction and deactivation is restricted to the non-breeding season, September 16 to February 14.
- 5) Do not construct roads, except for previously built C501 road in WHA 1-750 (Appendix B), which can be reactivated by the the holder of a valid road use permit to access timber beyond the WHA in proposed blocks currently identified as 21052 and 21053.
 - a) Road construction, road deactivation, or hauling is restricted to July 2nd through February 14.
- 6) Do not construct roads, except for previously built HC110 road in WHA 1-768 (Appendix B), which can be reactivated by the the holder of a valid road use permit to access timber beyond the WHA.
 - a) Road construction, industrial use, and deactivation is restricted to the non-breeding season, September 16 to February 14.
- 7) In roads that may be reactivated through WHAs 1-574, 1-734, 1-750, 1-752, and 1-768 in accordance with GWMs 2 to 6, minimize road width to the extent practicable.
- 8) In roads that may be reactivated through WHAs 1-574, 1-734, 1-750, and 1-768 in accordance with GWMs 3 to 6, road will be deactivated following the completion of primary forest activities associated with their use.

Harvest

- 9) Do not harvest timber or conduct silviculture treatments in WHAs 1-740, 1-754, 1-769, or 1-770, except where guyline anchors and tailholds are required to facilitate worker safety during adjacent timber harvesting.
- 10) Do not harvest timber or conduct silviculture treatments in WHAs 1-574, 1-734, 1-750, 1-752, and 1-768, except for trees felled in accordance with GWM(s) 2 to 6 in the road rights-of-way, or where guyline anchors and tailholds are required to facilitate worker safety during adjacent timber harvesting.
- 11) Trees felled within the WHA in accordance with GWM 9, GWM 10 outside of the road rights-of-way, or Section 2(3) of the Forest Planning and Practices Regulation must be retained on-site to provide coarse woody debris.

Chemical Applications

- 12) Do not use pesticides, except for the application of herbicides to control for invasive plants or noxious weeds.

PROVINCE OF BRITISH COLUMBIA

APPENDIX A

Additional Management Recommendations: Minimizing Direct Disturbance, Timing Restrictions

These recommendations are not part of the legal order and are intended to provide guidance to minimize direct disturbance to goshawks by outlining recommended distances and timing windows for a variety of activities that have potential to disturb the birds.

As goshawks may nest in different locations each year within their breeding areas, attempts should be made by a qualified professional to locate the active nest and implement measures to minimize impacts during the goshawk breeding season. Goshawks, their eggs, and their nests, when occupied by a bird or its egg, are protected under Section 34 of the *Wildlife Act*. As the location of an active nest may not be known, these recommendations apply to the area of the WHA and to all known nests including those outside the WHA.

Minimize the risk of nest failure or abandonment from direct disturbance in the vicinity (within 1 km) of an active nest (if known) or all known nests and the area of the WHA, if the location of the active nest is unknown, by following the timing restrictions and setback distances in Section 8.4 of *Science-Based Guidelines for Managing Northern Goshawk Breeding Areas in Coastal British Columbia* (McClaren et al. 2015).

Table 8 (from McClaren et al. 2015) includes recommended minimum distances to keep activities away from the nearest active coastal goshawk nest site during periods of high and moderate risk (February 15 through to September 15):

Likelihood of impact	Activity	Timing restriction distance ^a
Very high	<ul style="list-style-type: none">• Repeated low-elevation flights (< 305 m)• Blasting• Continuously operating drilling rig or well flaring	More than 1 km
High	<ul style="list-style-type: none">• Road-building (without blasting)• Logging• Pipeline and well-site construction• Detonation of seismic charges• Wind tower construction• Seismic line cutting (mechanical)	More than 500 m
Moderate	Hauling and road maintenance (logs, heavy equipment, etc.)	More than 100 m
Low	<ul style="list-style-type: none">• Silviculture activities (e.g., planting and site preparation)• Seismic line cutting (manual)• Industrial and public traffic	More than 50 m, where practicable. Individual birds and young may be affected by these activities. If birds seem distressed (i.e., continuous calling, birds staying away from active nest, aggressive behaviours toward people/equipment, etc.), then the activity should cease until at least July 1.

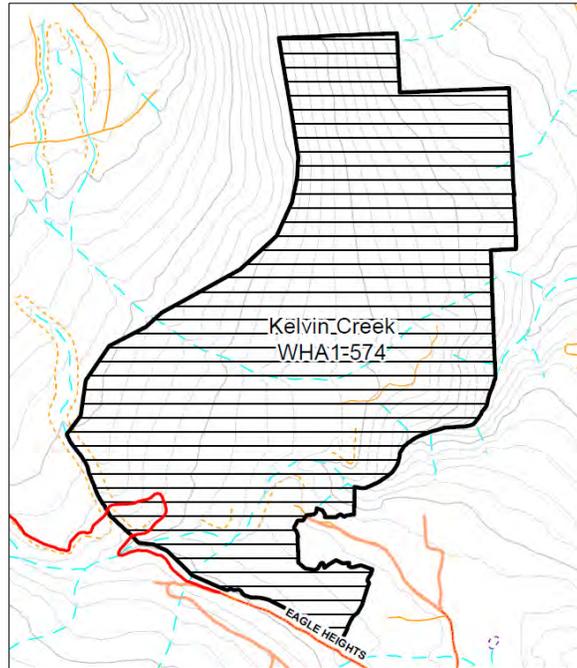
²This is the distance from the active nest site (if known), or all known nests and the area of the WHA otherwise, within which timing restrictions should be applied. Any activities that are farther away than this distance do not need to apply timing restriction.

PROVINCE OF BRITISH COLUMBIA

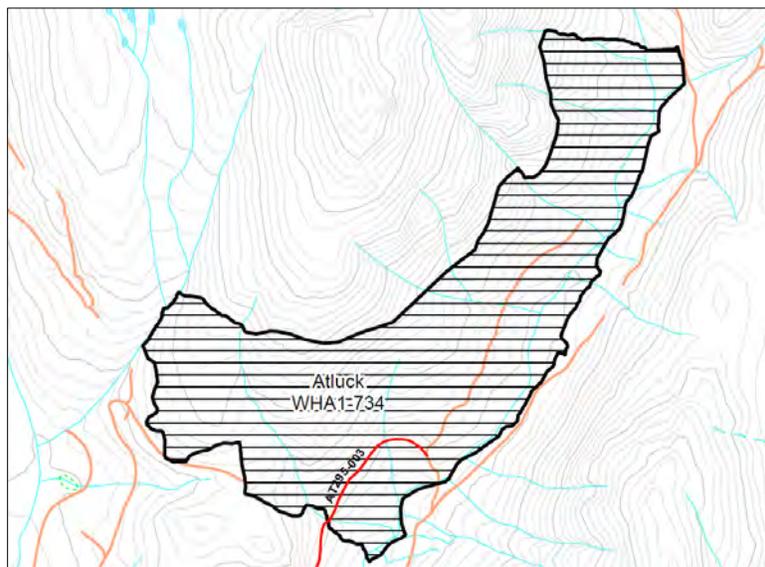
APPENDIX B.

Maps of road locations (red lines) referenced in this Order through each respective WHA

Kelvin Creek WHA 1-574: Eagle Heights Forest Service Road

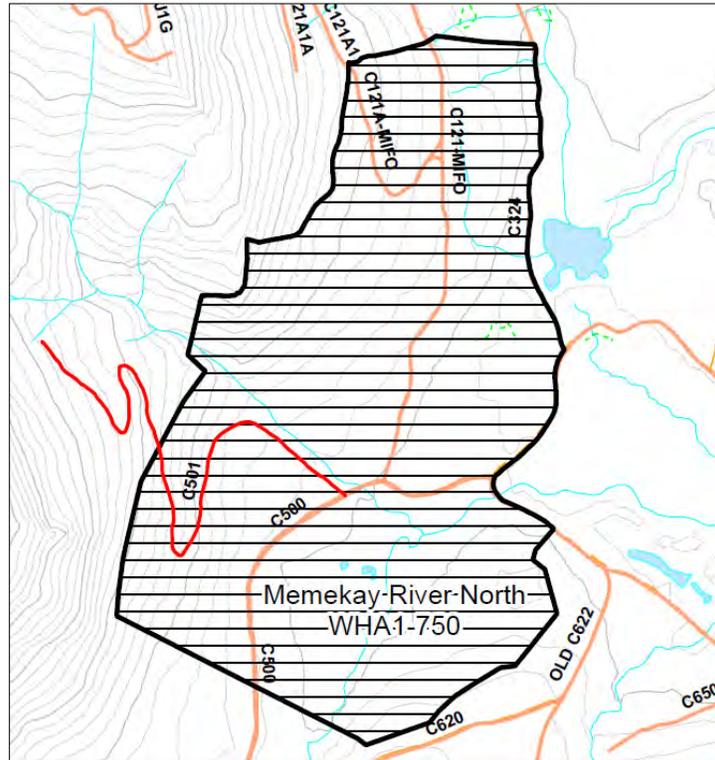


Atluck WHA 1-734: Road Spur AT295-003

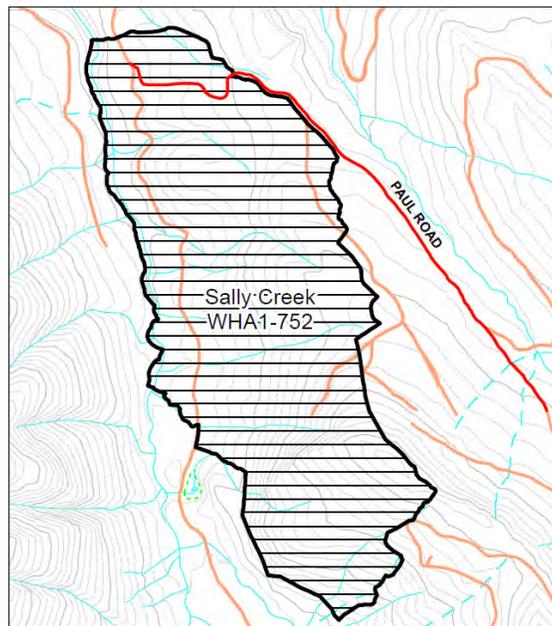


PROVINCE OF BRITISH COLUMBIA

Memekay River North WHA 1-750: C501 Road



Sally Creek WHA 1-752: Paul Road



PROVINCE OF BRITISH COLUMBIA

Harrison Creek WHA 1-768: HC110 Road

