

**ORDER OF THE MINISTER OF LAND, WATER
AND RESOURCE STEWARDSHIP**

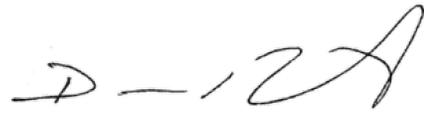
Forest and Range Practices Act

Ministerial Order No.

I, **Josie Osborne, Minister of Land, Water and Resource Stewardship**, being satisfied that the following described areas contain habitat that is necessary to meet the habitat requirements for Northern Goshawk (*Accipiter gentilis laingi*); and 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); 2-696 and 2-697 in the Chilliwack Forest District, 2-672, 2-679, 2-681, 2-682, 2-683, 2-686 in the Sunshine Coast Forest District and 2-688, 2-689, 2-690, 2-691 and 2-698 in the Squamish Forest District are established as set out in Schedule A and managed as provided in Schedule B.

October 4, 2022

Date



**Minister of Land, Water and Resource
Stewardship
(or authorized signatory)**

David Muter

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)

PROVINCE OF BRITISH COLUMBIA

Schedule A

[Maps Provided]

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:

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

- a. a plant growth regulator, plant defoliator or plant desiccant,
- b. a pest control product as defined in the *Pest Control Products Act (PCAP)* (Canada), and
- c. a substance that is classified as a pesticide by regulation under the PCAP,

Part 2: Establishment of wildlife habitat areas

1. Wildlife habitat areas (WHAs) are modified and established as follows:
 - a) The areas shown in the maps set out in the attached Schedule A (WHAs x-xxx) and contained in the WHA spatial layer stored in the BC Geographic Warehouse (WHSE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLY) are WHAs 2-696, 2-697, 2-672, 2-679, 2-681, 2-682, 2-683, 2-688, 2-689, 2-690, 2-691 and 2-698 for Northern Goshawk. 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_POLY), the areas as detailed in the WHA spatial layer will take precedent.

Part 3: General Wildlife Measures (GWMs)

The following measures are established for WHAs 2-696, 2-697, 2-672, 2-679, 2-681, 2-682, 2-683, 2-688, 2-689, 2-690, 2-691 and 2-698.

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Access

- a) Do not construct roads, trails, landings or stream crossings in the WHA.

Harvesting

- b) Do not conduct timber harvesting or salvage harvesting in the WHA.
- c) Felling of single trees for the purposes of removing danger trees, installing guy-line anchors, or tail-holds trees is permitted when required to address worker safety.
- d) Trees felled within a WHA must be retained on-site to provide coarse woody debris, unless the felled tree lies outside of the WHA. The portion that falls on the road, landing or outside the WHA boundary can be harvested.

Silviculture

- e) No silvicultural treatments except those required in legacy blocks to establish a free growing stand as per Section 29(2) of the Forest and Range Practices Act.

Pesticides

- f) Pesticide must only be applied to plant species prescribed as invasive plants under the Invasive Plants Regulation (FRPA)
- g) Pesticide application must be by selective application in a manner that does not result in drift to non-target species.

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Appendix A:

The following information is provided as background information and support to the Order establishing WHAs 2-696, 2-697, 2-672, 2-679, 2-681, 2-682, 2-683, 2-688, 2-689, 2-690, 2-691 and 2-698. This appendix is not part of the order.

These recommendations 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 the potential to disturb the birds.

Minimizing Direct Disturbance

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 guidelines apply during the breeding season to all known nests within a goshawk territory, unless a nest check and appropriate goshawk survey(s) by a qualified professional are done during the breeding season and the nest is determined to be unoccupied or no longer exists.

Timing Restrictions

Minimize the risk of nest failure or abandonment from direct disturbance by following the timing restrictions and setback distances in Section 8.4 of in *Science-Based Guidelines for Managing Northern Goshawk Breeding Areas in Coastal British Columbia* (McClaren et al. 2015).¹

Table 1. Recommended minimum distance to keep activities away from the nearest active coastal goshawk nest site during periods of high and moderate risk (February 15 to September 15) (from McClaren et al. 2015)

Likelihood of Impact	Activity	Timing Restriction Distance ¹
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	<ul style="list-style-type: none">• Hauling and road maintenance (logs, heavy equipment, etc.)	More than 100 m

¹ Available at: <http://jem-online.org/index.php/jem/article/viewFile/576/506>

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Likelihood of Impact	Activity	Timing Restriction Distance ¹
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.

¹ This is the distance from the known nest site within which timing restrictions should be applied. Any activities that are farther away than this distance do not need to apply timing restrictions. Individual goshawks will vary in their response to disturbance levels, depending on several factors that include habitat characteristics, breeding chronology, age, and individual variation.