

ORDER – Wildlife Habitat Areas
4-012 and 4-105
Coeur d’Alene Salamander – Kootenay Lake Forest District

This order is given under the authority of sections 9(2) and 10(1) of the *Government Actions Regulation* (B.C. Reg. 582/04).

The Deputy Minister of Environment orders that:

1. the wildlife habitat areas (WHAs) shown in the map set out in the attached Schedule As (4-012 and 4-105) and boundaries contained in the GIS file *twha_bc* are established for Coeur d’Alene salamander (*Plethodon idahoensis*);
2. the general wildlife measures outlined in Schedule 1 are established for the WHAs in the attached Schedule As and boundaries contained in the GIS file *twha_bc*;
3. for the purposes of section 2(3)(a) of the *Government Actions Regulation*, these general wildlife measures apply to minor tenures;
4. 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; and,
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 Coeur d’Alene salamander in the notice for the Kootenay Lake Forest District.

Schedule 1 – General Wildlife Measures

Access

- Do not construct roads unless there is no other practicable option. When roads are determined to be necessary, locate downslope from the WHA to prevent siltation. If roads must be built upslope, ensure every measure is taken to prevent water diversion, which can lead to desiccation of habitat downslope.
- Do not build stream crossings unless there is no other practicable option. Where crossings are determined to be necessary, use open-bottomed structures (e.g., bridges or log culverts). Ensure adequate silt and sediment control measures are implemented.
- Do not remove rock or talus.

Harvesting and silviculture

- In core area, do not harvest or salvage, except when there are serious forest health concerns and disturbance to aquatic habitats are minimized.
- Do not harvest within management zone between May 1st and October 30th. Up to 30% basal area or greater, where topographic shading dominates the microsite, may be removed in the management zone to create a windfirm boundary zone and maintain the microclimatic conditions of the core area.
- Leave wildlife trees, deciduous trees, and shrubs in the management zone.
- Leave coarse woody debris, moss, and understorey intact.
- Do not disturb substrate.
- Burning should not be carried out in the management zone or core area.

Pesticides

- Do not use pesticides.

Recreation

- Do not establish recreation sites.


Signed this 17 day of Mar, 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. Authority to consider an exemption from these general wildlife measures is provided in section 92(1) of the *Forest Planning and Practices Regulation* and section 79(1) of the *Woodlot Licenses and Practices Regulation*. 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.
2. 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 30 days of arrival. Incomplete packages will be returned to the proponent for resubmission.

