

**ORDER – Wildlife Habitat Areas**  
**#5-088 to 5-117**  
**Mountain Caribou – Quesnel Highlands Planning Unit**

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

1. The Deputy Minister of Environment, being satisfied that
  - i. the following areas contain habitat that is necessary to meet the habitat requirements for mountain caribou (*Rangifer tarandus caribou*), and
  - ii. the habitat requires special management that is not otherwise provided for under GAR or another enactment.orders that
  - a) this order cancels and replaces the order that became effective on February 12, 2009, entitled “ORDER – Wildlife Habitat Areas #5-088 to 5-117”,
  - b) the areas shown in the map set out in the attached Schedule A (5-088 to 5-117) and contained in the wildlife habitat area (WHA) spatial layer stored in the Land and Resource Data Warehouse (*twha\_bc*) are established as wildlife habitat areas 5-088 to 5-117 for mountain caribou. The centre point of the line on the attached Schedule A is what establishes the WHA boundary, and
  - c) if there is a discrepancy between the areas shown in the map set out in the attached Schedule A and the WHA spatial layer stored in the Land and Resource Data Warehouse (*twha\_bc*), the areas as detailed in the WHA spatial layer will take precedent.
  
2. The Deputy Minister of Environment, being satisfied that
  - i. the general wildlife measures (GWMs) described below are necessary to protect and conserve the habitat of mountain caribou, and
  - ii. GAR or another enactment does not otherwise provide for that protection or conservation.orders that
  - a) the GWMs outlined in Schedule 1 are established for WHAs #5-088 to 5-117.

Schedule 1 – General Wildlife Measures applicable to WHAs 5-088 to 5-117

**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 under it unless context indicates otherwise.

**helicopter landing** means a location where individuals disembark the helicopter, most often at the top of a ski run.

**helicopter pickup** means a locations where individuals embark the helicopter, most often at the bottom of a ski run.

**mineral exploration activity** means an activity involving the cutting of trees or construction and or maintenance of roads and trails related to the exploration and development of a mineral or placer tenure under the *Mineral Tenures Act* and which requires a Notice of Work permit under the *Mines Act*.

**mineral cell** means a Mineral Titles Online claim acquisition unit and is 16 to 21ha, depending on latitude.

**ski run development** means cutting non-merchantable timber (<15cm diameter at stump height for PL, < 20cm diameter at stump height for all other species), and removing hazardous stems through primarily hand falling techniques. This includes glading in mature forests, cutting in old burns, spacing in avalanche chutes and alder cutting. This is not considered logging, as no cut trees are extracted from the area.

**snow trail** means winter snow trails for cat-ski travel. They are developed using snow and may have trees cut or removed for access. Snow trails rarely have side-cuts into mineral soils.

**treatment area** means the specific geographic area identified in tenure management plans for adventure tourism tenure holders as an individual run and referred to as the “identified ski terrain” or “ski-pod”. Treatment areas can be defined spatially as having a running length and width.

**General Wildlife Measures:**

The purpose of these GWMs is to conserve and protect mountain caribou habitat within the polygons specified in this order. These measures are consistent with the Cariboo-Chilcotin Land Use Plan and government policy pertaining to recovery of mountain caribou populations.

**A. Caribou No-Harvest** – WHAs 5-092, 5-096 to 5-110, 5-112 to 5-115 and 5-117

1. Timber harvesting and road construction must not occur within WHAs 5-092, 5-096 to 5-110, 5-112 to 5-115, and 5-117 except as provided in GWMs C and D.

**B. Caribou Modified Harvest** – WHAs 5-088 to 5-091, 5-093 to 5-095, 5-111 and 5-116

1. Forest practices within WHAs 5-088 to 5-091, 5-093 to 5-095, 5-111 and 5-116 will occur by way of group selection harvesting up to 33% of each stand by area (including all skid trails and in-block roads) on an 80 year cutting cycle and will:
  - (i) result in openings that are not more than 0.2 to 1.0 hectares in size with a mean opening size less than or equal to 0.5 ha.
  - (ii) result in distribution of the openings throughout the block so that subsequent entries can be well distributed.
  - (iii) result in a residual stand (and boundary) that can be considered windfirm.
  - (iv) result in no damage or minimal damage to residual trees. Minimal is defined as a maximum of 5% of post-harvest stems. Damage refers to both crown or bole damage and is defined as: 1) loss of ¼ or more of the crown, or 2) loss of bark (to or beyond the cambium) amounting to either 1000 cm<sup>2</sup> or from 1/3 or more of the circumference of the tree.
  - (v) result in a variation of opening shapes to incorporate natural clumps of trees within the stand.
  - (vi) result in a distribution of openings throughout the block and keeping openings at least 2 tree lengths apart.
  - (vii) result in regenerating or retaining the pre-harvest proportion of *Abies* versus spruce and a clumpy distribution of stems. Meeting these proportions at the time of planting will be considered adequate. Lodgepole pine must not be planted.
  - (viii) result in the maintenance of caribou habitat by limiting access and human disturbance to the lowest levels practicable, for example through road deactivation and reducing active road density.
  
2. Where forest practices designed to address forest health activities within WHAs 5-088 to 5-091, 5-093 to 5-095, 5-111 and 5-116 cannot comply with GWM 1, timber harvesting and road construction will be limited to the minimum extent necessary to manage forest health sanitation. Sanitation is defined as harvest of trees with live brood only.

**NOTE:** Forest health issues can be dealt with under an exemption as per Appendix 2.

### **C. Mineral Exploration Activities**

1. GWM A(1) [no harvest] does not apply for the purposes of mineral exploration activities if:
  - a) exploration activities occur outside of the peak calving period of May 15<sup>th</sup> – June 15<sup>th</sup>;
  - b) exploration activities use existing clearings, trails and roads unless it is not practicable to do so;
  - c) new trails and roads are not built in areas closed to snowmobile use under the *Wildlife Act* using *Motor Vehicle Prohibition Regulation*, Schedule 7, Section 7.1;
  - d) any necessary tree harvesting avoids mature stands ( $\geq$  80 years old) and avoids the removal of lichen-bearing trees, unless it is not practicable to do so;
  - e) an individual forest opening (defined as the total tree harvested area created for the purposes of mineral exploration and mining activity) is not greater than 1ha, not including forest openings for the purposes of building trails and roads;
  - f) the total of individual forest openings (defined as the total tree harvested area created for the purposes of mineral exploration and mining activity), including those created for the purposes of building trails and roads does not exceed:

- i. 10 percent of the mineral cell, OR
    - ii. 10 percent of any defined aggregate of mineral cells up to a maximum of 25 mineral cells;
  - g) new trails and roads do not have a running width greater than 6m except for the purposes of safety or culvert placement; and
  - h) actions are taken on newly constructed or reconstructed trails and roads to restrict access. This will be site-specific and could include, but is not limited to:
    - i. Use of signage and gates on active trails and open roads where practicable;
    - ii. Use of signage and safe (defined as large and clearly visible), impassable barricades across seasonal or permanently deactivated road surface widths.
2. GWM B [modified harvest] does not apply for the purposes of mineral exploration activities if:
- a) an individual forest opening (defined as the total tree harvested area created for the purposes of mineral exploration and mining activity) is not greater than 1ha, not including forest openings for the purposes of building trails and roads.

#### **D. Guided Adventure Tourism Activities**

1. GWM A(1) [no harvest] does not apply for the purposes of guided adventure tourism activities if:
- a) For the purposes of ski run development, construction and maintenance:
    - i. ski run development does not occur within the calving period of May 15th to June 15th;
    - ii. use of existing forestry openings or natural openings is maximized in order to minimize cutting in treatment areas;
    - iii. individual tree spacing within treatment areas is 5-8m, with retention of forest 'clumps' (10-20 trees or 1-2 tree lengths in size) spaced at <100m intervals throughout the treatment area;
    - iv. >90% of conifer stems >20cm DBH in treatment areas are retained from cutting. The full range of tree species, ages and sizes must be represented following treatment, similar to pre-treatment forest stand species composition and size-class distribution;
    - v. individual ski run development/treatment areas are separated from adjacent treatment areas by an area at least 3-4 times the treatment area;
    - vi. forest stands with trees bearing lichen on slopes <40% are avoided when selecting treatment areas, unless there is no other practicable option;
    - vii. any harvesting avoids mature stands (>80 yrs old) and avoids removal of trees bearing lichen, unless there is no other practicable option; and
    - viii. areas of forest stands requiring removal of large veteran legacies or a significant number of standing dead snags to make the work site safe shall be avoided, unless there is no other practicable option.
  - b) For the purposes of helicopter landings and pickup site development, construction and maintenance:
    - i. helicopter landing and pickup site development does not occur within the calving period of May 15th to June 15th;
    - ii. use of existing forestry openings or natural openings is maximized in order to minimize cutting when selecting helicopter landings and pickup sites;

- iii. where harvesting is required the amount of cutting will not result in the total opening size to exceed 1 ha; and
  - iv. any harvesting avoids mature stands (>80 yrs old) and avoids removal of trees bearing lichen, unless there is no other practicable option.
- c) For the purposes of snow trail development, construction and maintenance:
- i. snow trail development does not occur within the calving period of May 15th to June 15th;
  - ii. snow trail development does not occur in areas closed to snowmobile use under the Wildlife Act using Motor Vehicle Prohibition Regulations Schedule 7, Section 7.1;
  - iii. existing forestry openings or natural openings are used to minimize cutting when developing snow trails;
  - iv. the volume of timber to be removed does not exceed 50m<sup>3</sup> of per 3 km of individual trail when developing a snow trail. An individual snow trail is defined as a contiguous snow trail route used by a snow-cat machines for the purpose of transporting skiers to skiable terrain;
  - v. any harvesting avoids mature stands (>80 yrs old) and avoids removal of trees bearing lichen, unless there is no other practicable option; and
  - vi. actions are taken on snow trails to restrict summer access. This will be site-specific and could include, but not limited to the use of large, impassable boulders, root balls, and felled trees.
2. GWM B [modified harvest] does not apply for the purposes of guided adventure tourism activities if:
- a) for the purposes of helicopter landings and pickup site development, construction and maintenance, where harvesting is required the amount of cutting will not result in the total opening size to exceed 1 ha.



Signed this 9 day of Dec., 2009

Doug Konkin, Deputy Minister  
Ministry of Environment

The following information is provided by the Ministry of Environment (MoE) as background information and support to the order establishing WHAs #5-088 to 5-117. This appendix is not part of the order.

**Appendix 1: Summary of WHAs for Mountain Caribou in the Ministry of Environment Region 5. <sup>1</sup>**

<b>WHA #</b>	<b>FEATURE</b>	<b>NOTES ON THE SUBSTANCE OF CHANGE</b>	<b>HECTARES</b>
5-088	Barkerville Modified Harvest	No change	767.06
5-089	Barkerville Modified Harvest	No change	4,072.94
5-090	Barkerville Modified Harvest	No change	1,764.96
5-091	Barkerville Modified Harvest	No change	440.99
<b>5-092</b>	<b>No Harvest Area</b>	<b>Modified Harvest to No Harvest</b>	<b>524.87</b>
5-093	Barkerville Modified Harvest	No change	14,880.25
5-094	Barkerville Modified Harvest	No change	975.85
5-095	Barkerville Modified Harvest	No change	600.42
5-096	Horsefly No Harvest	No change	820.42
5-097	Barkerville No Harvest	No change	5,772.83
5-098	Barkerville No Harvest	No change	3,274.72
5-099	Barkerville No Harvest	No change	2,558.35
5-100	Barkerville No Harvest	No change	19,583.54
<b>5-100</b>	<b>Incremental No Harvest Area</b>	<b>New polygon added to existing WHA #5-100</b>	<b>839.06</b>
5-101	Barkerville No Harvest	No change	213.19
<b>5-102</b>	<b>No Harvest Area</b>	<b>Modified Harvest to No Harvest</b>	<b>1,258.98</b>
<b>5-103</b>	<b>No Harvest Area</b>	<b>Modified Harvest to No Harvest</b>	<b>726.76</b>
<b>5-104</b>	<b>No Harvest Area</b>	<b>Modified Harvest to No Harvest</b>	<b>609.51</b>
<b>5-105</b>	<b>No Harvest Area</b>	<b>Modified Harvest to No Harvest</b>	<b>170.40</b>
5-106	Stevenson No Harvest	No change	62,668.81
5-107	Stevenson No Harvest	No change	50.77
5-108	Stevenson No Harvest	No change	748.56
<b>5-109</b>	<b>Incremental No Harvest Area</b>	<b>New polygon added to existing WHA #5-109</b>	<b>15,714.5</b>
<b>5-109</b>	<b>No Harvest Area</b>	<b>Modified Harvest to No</b>	<b>50,124.75</b>

WHA #	FEATURE	NOTES ON THE SUBSTANCE OF CHANGE	HECTARES
		<b>Harvest</b>	
5-110	Junction No Harvest	No change	1,260.52
5-111	Horsefly Modified Harvest	No change	1,628.53
5-112	<b>No Harvest Area</b>	<b>Modified Harvest to No Harvest</b>	<b>5,075.07</b>
5-113	<b>No Harvest Area</b>	<b>Modified Harvest to No Harvest</b>	<b>4,427.73</b>
5-114	<b>No Harvest Area</b>	<b>Modified Harvest to No Harvest</b>	<b>3,566.56</b>
5-115	<b>No Harvest Area</b>	<b>Modified Harvest to No Harvest</b>	<b>2,726.44</b>
5-116	Horsefly Modified Harvest	No change	821.10
5-117	Horsefly No Harvest	No change	43,224.13
5-117	<b>Incremental No Harvest Area</b>	<b>New polygon added to existing WHA #5-117</b>	<b>2,456.89</b>
<b>ADJUSTED WHAs(area)</b>			<b>TOTAL HECTARES</b>
5-100	<b>Original area – 19,583.54 ha.</b>	<b>Add 839.06 ha.</b>	<b>20,422.60</b>
5-109	<b>Original area – 50,124.75 ha.</b>	<b>Add 15,714.50 ha.</b>	<b>65839.25</b>
5-117	<b>Original area – 43,224.13 ha.</b>	<b>Add 2,456.89 ha.</b>	<b>45,681.01</b>

<sup>1</sup> Changes are shown in bold

## Appendix 2:

1. Further guidance on management practices in mountain caribou habitat can be obtained from the *Mountain Caribou Strategy* dated October 2000, prepared under the Cariboo-Chilcotin Land Use Plan, and approved by the Inter-Agency Management Committee (IAMC) and Regional Resource Committee (RRC).
2. **Activities to which the order does not apply:** Section 2(2) of the *Government Actions Regulation* states

An order under any of sections 5 to 15 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 the Act, and
  - (d) areas referred to in section 110 of the Forest Planning and Practices Regulation.
3. Authority to consider an exemption from these GWMs is provided in section 92(1) of the *Forest Planning and Practices Regulation* and section 36(3) of the *Range Planning 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.

An exemption application should be submitted to the Minister's delegate (Regional Manager – MoE, 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 and/or range 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.

Salvage of dead timber (non-infectious) resulting from severe natural disturbance may be proposed as an exemption if the proposal is a net benefit to caribou as opposed to taking no action.

Where an exemption is granted, then notification of the exemption and the conditions will be provided to the IAMC (Cariboo Managers Committee) and the Regional Resource Committee.

4. GWM C(1): When conducting mineral exploration activities within the no harvest zone, the requirements of no timber harvesting and no road building do not apply if the conditions outlined in GWM C(1) are met. These conditions are consistent with Notice of Work permit conditions that have been developed to address mineral exploration activities in mountain caribou habitat (see document titled "Notice of Work Permit Conditions and Operational Guidance for Mineral

Exploration Activity in Mountain Caribou Habitat”). Where activities are carried out consistent with the permit conditions, activities will also be consistent with the conditions outlined in GWM C(1) and can proceed without an exemption from the Ministry of Environment. Where either the conditions outlined in GWM C(1) or associated Notice of Work permit conditions cannot be met, an exemption will be required from the Ministry of Environment prior to work proceeding. In addition to the conditions outlined in GWM C(1) persons conducting mineral exploration activities should also consider the operational guidance that has been developed and available in the document referenced above. Permit conditions 9 and 10 have not been included in the conditions outlined in GWM C(1) because these are not activities managed under the *Forest and Range Practices Act*.

5. GWM D(1): When conducting activities associated with guided adventure tourism, specifically the development of ski runs, helicopter landing and pick up sites and snow trails, the requirements of no timber harvesting and no road building do not apply if the conditions outlined in GWM D(1) are met. These conditions are consistent with the standard operating practices developed for these activities (see the document titled “Standard Operating Practices for Ski Run Development, Helicopter Landing and Pickup Site Development, and Snow Trail Development in Mountain Caribou Habitat”). Where activities are carried out consistent with the standard operating practices, activities will also be consistent with the conditions outlined in GWM D(1) and can proceed without an exemption from the Ministry of Environment. Where either the conditions outlined in GWM D(1) cannot be met, an exemption will be required from the Ministry of Environment prior to work proceeding. In addition to the conditions outlined in GWM D(1) persons conducting guided adventure tourism activities should also consider the operational guidance that has been developed and available in the document referenced above.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud. The text outlines the various methods used to collect and analyze data, including the use of statistical techniques and computerized systems. It also discusses the challenges of data collection and the need for standardized procedures to ensure consistency and reliability of the information.

The second part of the document focuses on the application of these principles in a specific context, such as the analysis of a particular dataset. It provides a detailed description of the data sources and the methods used to process and analyze the information. The text highlights the importance of understanding the limitations of the data and the potential for bias or error in the analysis. It also discusses the implications of the findings and the need for further research to address any remaining questions or uncertainties.