

ORDER – Wildlife Habitat Areas
9-035, 9-036, 9-037, 9-038, 9-039, 9-040, 9-102 and 9-103
Northern Caribou – Mackenzie Forest District

This order is given under the authority of sections 9(2) and 10(1) of the *Government Actions Regulation* (B.CReg582/04).

The Deputy Minister of Environment orders that:

1. the wildlife habitat areas (WHAs) shown in the map set out in the attached Schedule As (9-035, 9-036, 9-037, 9-038, 9-039, 9-040, 9-102 and 9-103) and boundaries contained in the GIS file *twha_bc* are established for northern caribou (*Rangifer tarandus*);
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. 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;
4. the general wildlife measures outlined in Schedule 1 do not apply for the purposes of exploration, development and production activities when these activities have been authorized for the purpose of subsurface resource exploration, development or production by the *Mineral Tenure Act*, the *Coal Act*, the *Mines Act*, the *Petroleum and Natural Gas Act*, the *Pipeline Act* or the *Geothermal Resources Act*; 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* to the extent that these WHAs address the amount included for northern caribou in the notice for the Mackenzie Forest District.

Schedule 1 – General Wildlife Measures

Definition

- **Primary forest activity:** as defined in the *Forest Planning and Practices Regulation* of the *Forest and Range Practices Act*.

Access

- 1) Primary forest activities will not result in the construction of roads or trails.

Harvesting and silviculture

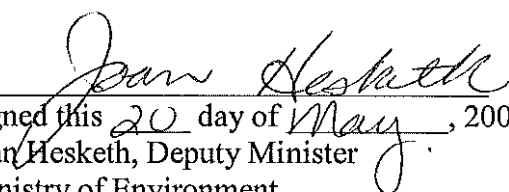
- 2) Primary forest activities will not result in the removal of forest cover.
- 3) Primary forest activities will not result in the use of domestic sheep or goats.

Pesticides

- 4) Primary forest activities will not result in the use of pesticides.

Recreation

- 5) Primary forest activities will not result in the development of recreation sites or trails.


Signed this 20 day of May, 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*. 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.

