



ORDER – WILDLIFE HABITAT AREAS # 8-426 to 8-433
Half-moon Hairstreak – Okanagan Shuswap Natural Resource District

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

1. The Regional Executive Director of the Thompson Okanagan Region, Ministry of Forests, Lands and Natural Resource Operations, being satisfied that

- i. the following areas contain habitat that is necessary to meet the habitat requirements for Half-moon Hairstreak (*Satyrus semiluna*);

orders that

- a) the areas shown in the map set out in the attached Schedule As (# 8-426 to 8-433) and contained in the wildlife habitat area (WHA) spatial layer stored in the Geographic Warehouse (WHSE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLY) are established as wildlife habitat areas # 8-426 to 8-433 for Half-moon Hairstreak. The centre point of the line on the attached Schedule As is what establishes the WHA boundary; and
- b) if there is a discrepancy between the areas shown in the map set out in the attached Schedule A maps and the WHA spatial layer stored in the Geographic Warehouse (WHSE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLY), the areas as detailed in the WHA spatial layer will take precedent.

2. The Regional Executive Director of the Thompson Okanagan Region, Ministry of Forests, Lands and Natural Resource Operations, being satisfied that

- i. the general wildlife measures (GWMs) described below are necessary to protect or conserve Half-moon Hairstreak and the habitat of Half-moon Hairstreak; 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 # 8-426 to 8-433.

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.

Livestock attractants, means a substance or structure that draws livestock, including salt/minerals, supplements, and cattle oilers.

Range Development, in relation to the management for range purposes of range land or livestock, means

- (a) a structure,
- (b) an excavation,
- (c) a livestock trail indicated in a range use plan or a range stewardship plan as a range development, or
- (d) an improvement to forage quality or quantity on an area that results from
 - (i) the application of seed, fertilizer or prescribed fire to the area, or
 - (ii) the cultivation of the area.

Schedule 1 – General Wildlife Measures (GWMs):

Access

1. Do not construct roads.

Pesticides

2. Do not use pesticides, except for the application of herbicides to control invasive plants or noxious weeds if the herbicide is applied:
 - a. by stem injection, cut and paint, foliar wipe or other direct plant application; or
 - b. by spot spraying individual plants or a cluster of plants if direct plant application is not practicable.

Range

3. Do not conduct prescribed burning.
4. Do not place livestock attractants or water developments in the WHA except to meet the WHA goals of drawing livestock away from areas of hairstreak breeding habitat composed of patches of sagebrush and silky lupine.
5. Do not construct new range developments in the WHA except to meet the WHA goals of drawing livestock away from and/or restricting livestock from areas of hairstreak breeding habitat composed of patches of sagebrush and silky lupine.



Signed this 22 day of December, 2016

Gerry MacDougall, Regional Executive Director, Thompson Okanagan Region
Ministry of Forests, Lands and Natural Resource Operations

Appendix 1:

The following information is provided as background information and support to the order establishing WHAs # 8-426 to 8-433. This appendix is not part of the order.

1. **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*.

2. Authority to consider an exemption from these GWMs is provided in section 92(1) of the *Forest Planning and Practices Regulation*, section 79(1) of the *Woodlot Licenses 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 GWM 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 (MoFLNRO Regional Director of Resource Management) for the Region where 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.

3. **WHA goals:** In addition to meeting the practice requirements (General Wildlife Measures), the Range Use Plan (RUP) must be consistent with the goals of the WHA. The goals of the WHA are:
- a. Maintain sufficient cover of lupines and sagebrush (breeding habitat). Silky lupine has the potential to increase with high levels of grazing and/or soil disturbance. The goal of the WHA is to maintain a level of silky lupine consistent with mature to old seral shrub steppe ecosystems. The goal is not to increase silky lupine through a high level of grazing. Livestock stocking and grazing periods that result in light grazed ecosystems should be sufficient to maintain adequate breeding habitat. If the tenure

holder is unable to maintain sufficient stubble heights as a result of livestock grazing that are consistent with a healthy, late seral ecosystem, the Statutory Decision Maker may consider establishing a General Wildlife Measures to address this issue.

- b. Minimize soil disturbance.
- c. Minimize disturbance to adults and larvae.
- d. Maintain native vegetation.
- e. Minimize introduction and spread of invasive species.
- f. Livestock attractants must not be placed in patches of potential breeding habitat (sagebrush and silky lupine).

4. **Livestock attractants:** The tenure holder is to manage livestock attractant locations to meet WHA goals and maintain WHA values while meeting livestock management objectives. In managing livestock attractant locations, the tenure holder must account for values in adjacent and overlapping WHAs. The tenure holder will first avoid placing livestock attractants in the WHA. If this does not meet livestock management goals, the tenure holder will work collaboratively with Ministry of Forests, Lands and Natural Resource Operations to identify suitable locations for attractants that minimize impacts on WHA values.

5. **Additional management considerations:**

- Minimize spread of invasive species in and around the WHA. Non-herbicide weed control methods are preferred.
- Do not use fire on WHAs except when part of a habitat restoration/enhancement prescription for Half-moon Hairstreak.