

ORDER – Wildlife Habitat Areas
3-032 and 3-068
Western Screech-Owl – Cascades 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 (3-032 and 3-068 and boundaries contained in the GIS file *twha_bc* are established for Western Screech-Owl (*Megascops kennicottii macfarlanei*);
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 Western Screech-Owl in the notice for the Cascades Forest District.

Schedule 1 – General Wildlife Measures

Access

- Do not construct roads or stream crossings.

Harvesting and silviculture

- Do not harvest or salvage.

Pesticides

- Do not use pesticides.

Range

- Plan livestock grazing (timing, distribution, and level of use) to maintain desired structure of plant community, desired stubble height, and browse utilization.
- Do not place livestock attractants within WHA.
- Do not burn understorey vegetation.

Recreation

- Do not construct trails within 50 m of a known nest site.



Signed this 17 day of Mar, 2008

Joan Hesketh, Deputy Minister

Ministry of Environment

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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*, section 79(1) of the *Woodlot Licenses 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.
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 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 30 days of arrival. Incomplete packages will be returned to the proponent for resubmission.

