

K'omoks First Nation Woodlot W2030 Amendment #1

The following wording will be included as Strategies to meet the Order and Notice for Marbled Murrelet (*Brachyramphus marmoratus*), Woodlot W2030, in effect July 19, 2018:

Definitions for the purposes of this Woodlot Licence Plan

“**OGMA**” means Old Growth Management Area, as defined in *FPPR* s.1.

“**Order**” means the “Order for the Recovery of Marbled Murrelet (*Brachyramphus marmoratus*)”, effective December 2, 2021.

“**MAMU**” means the species Marbled Murrelet (*Brachyramphus marmoratus*).

“**Notice**” means the “Notice – Indicators of the Amount, Distribution and Attributes of Wildlife Habitat Required for the Survival of Marbled Murrelet (*Brachyramphus marmoratus*)”, effective December 2, 2021.

“**Planning Tables**” means areas of **Suitable Habitat** distributed across forest tenures in a given forest district, within each landscape unit aggregate and landscape unit portion, which may be varied consistent with Objective 3(4) of the **Order**.

“**Suitable Habitat**” means Marbled Murrelet nesting habitat, that has the attributes of wildlife habitat listed in Schedule 1 of the **Notice**.

“**WHA**” means Wildlife Habitat Area, as defined in *FPPR* s.1.

“**Working Group**” means Forest Stewardship Plan and Woodlot License Plan holders that:

- operate in areas with shared **Planning Tables**;
- wish to enable flexibility provisions in the **Order** and **Notice**; and
- have agreed to terms of assembly, regarding coordination and cooperation.

OBJECTIVE SOURCE: WILDLIFE: SPECIES AT RISK		
Authority	Category/Source	Effective Date of Objective
BC Reg. 21/2004 s.9(2)	Notice – Indicators of the Amount, Distribution and Attributes of Wildlife Habitat Required for the Survival of Marbled Murrelet (<i>Brachyramphus marmoratus</i>)	December 2, 2021
<p><i>The notice includes indicators of the amount, distribution and attributes of wildlife habitat required for the survival of the species at risk outlined in Schedule 1.</i></p> <p><i>Suitable habitat within approved Wildlife Habitat Areas is included in the indicators of the amount, distribution and attributes for each of the species outlined in Schedule 1. As per section 10 of the Woodlot Licence Planning and Practices Regulation, a woodlot licence holder is not required to specify a result or strategy in relation to the objective set out in section 9(2) of the Woodlot Licence Planning and Practices Regulation, for approved Wildlife Habitat Areas.</i></p> <p>SCHEDULE 1</p> <p>1) Marbled Murrelet (<i>Brachyramphus marmoratus</i>)</p> <p>Amount:</p> <p><i>1. Table 1 provides the minimum amount of Marbled Murrelet nesting habitat (Suitable Habitat) to be maintained within both Marbled Murrelet Wildlife Habitat Areas (WHAs) and Old Growth Management Areas (OGMAs) combined and the minimum amount of Suitable Habitat to be maintained within Marbled Murrelet WHAs within Forest Districts.</i></p>		

OBJECTIVE SOURCE: WILDLIFE: SPECIES AT RISK		
Authority	Category/Source	Effective Date of Objective
<p><i>Distribution:</i></p> <p>1. Table 2 provides the minimum amount of Suitable Habitat to be maintained within both Marbled Murrelet WHAs and OGMAs combined and the minimum amount of Suitable Habitat to be maintained within Marbled Murrelet WHAs within landscape unit aggregates.</p> <p>2. Table 3 provides the target and minimum amount of Suitable Habitat to be maintained within both Marbled Murrelet WHAs and OGMAs combined and the minimum amount of Suitable Habitat to be maintained within Marbled Murrelet WHAs within landscape unit portions.</p>		

Area amendment applies:

Sayward landscape unit portion within the Johnson Strait landscape unit aggregate

Strategy – “Notice – Indicators of the Amount, Distribution and Attributes of Wildlife Habitat Required for the Survival of Marbled Murrelet (*Brachyramphus marmoratus*)”

1. To meet the requirements of the **Notice**, each **Holder** will coordinate with other holders in a **Working Group**, as follows:
 - a. As a **Strategy**, to comply with the **Notice**, each **Holder** will:
 - i. Maintain at least:
 - I. For each landscape unit portion, the **MAMU WHA Suitable Habitat** Minimum listed in the **Notice**, Schedule 1, Table 3; and
 - II. For each landscape unit aggregate, the **MAMU WHA Suitable Habitat** Minimum listed in the **Notice**, Schedule 1, Table 2;
 - ii. Maintain at least:
 - I. For each landscape unit portion, the **MAMU WHA and OGMA Suitable Habitat** Minimum listed in the **Notice**, Schedule 1, Table 3; and
 - II. For each landscape unit aggregate, the **MAMU WHA and OGMA Suitable Habitat** Minimum listed in the **Notice**, Schedule 1, Table 2;
 - iii. Reach agreement on specific amounts, for each landscape unit portion:
 - I. Of an amount greater than or equal to the **MAMU WHA Suitable Habitat** Minimum, to be established as **MAMU WHAs**; and
 - II. Of an amount greater than or equal to the **MAMU WHA and OGMA Suitable Habitat** Minimum, to be established as **MAMU WHAs and OGMAs**;
 - iv. Identify, for each landscape unit portion, or several landscape unit portions within a landscape unit aggregate:
 - I. The equivalent amount of **Suitable Habitat** to be maintained above the **MAMU WHA Suitable Habitat** Target listed in the **Notice**, Schedule 1, Table 3; and
 - II. The equivalent amount of **Suitable Habitat** to be maintained above the **MAMU WHA and OGMA Suitable Habitat** Target listed in the **Notice**, Schedule 1, Table 3;
 - and
 - v. If agreement cannot be reached:

- I. Each **Holder** will apply the **Planning Tables** and notify other Forest Stewardship Plan and Woodlot License Plan holders until agreement is reached in the **Working Group** assembly; or
- II. The **Working Group** may request that the Minister establish proportional **Suitable Habitat** targets pursuant to **FPPR** s.19.

OBJECTIVE SOURCE: WILDLIFE: SPECIES AT RISK		
Authority	Category/Source	Effective Date of Objective
Land Act s.93.4	Order for the Recovery of Marbled Murrelet (<i>Brachyramphus marmoratus</i>)	December 2, 2021
<p>3. Objectives for Marbled Murrelet nesting habitat</p> <p>(1) Maintain Suitable Habitat as follows:</p> <p>(a) For each:</p> <p style="padding-left: 40px;">landscape unit aggregate in the order area:</p> <p style="padding-left: 40px;">Retain all timber in an amount equal to or greater than the minimum habitat threshold listed in Column "A" in Table 1 in Schedule "7".</p> <p>(b) For each:</p> <p style="padding-left: 40px;">landscape unit portion in the order area:</p> <p style="padding-left: 40px;">Retain all timber in an amount equal to or greater than the suitable habitat target listed in Column "A" in Table 2 in Schedule "7";</p> <p>(2) Despite subsection (1)(b), the amount of timber that must be retained within a landscape unit portion in the West and North Vancouver Island and Southern Mainland Coast Conservation Regions may be less than the suitable habitat target listed in Column "A" in Table 2 in Schedule "7", provided that:</p> <p style="padding-left: 40px;">The amount of timber retained is equal to or greater than the minimum habitat threshold listed in Column "B" in Table 2 in Schedule "7".</p> <p>(3) Despite subsection (1)(a), Suitable Habitat polygons shown in Schedule "1 to 6" in the East Vancouver Island Conservation Region may be harvested, provided that harvesting is required for road access, other infrastructure, or to address safety concerns, where there is no practicable alternative.</p> <p>(4) Variance from the Objectives in Sections 3.(1) to 3.(3) for the Suitable Habitat polygons shown in Schedule "1 to 6" may be allowed, provided that:</p> <p>(a) A Qualified Professional:</p> <p style="padding-left: 40px;">(i) Completes a field assessment that identifies the characteristics of Suitable Habitat using established standards; and</p> <p style="padding-left: 40px;">(ii) Confirms the alteration will result in no net loss or functional loss of Suitable Habitat.</p> <p>(b) A Regional Ministry of Forests, Lands, Natural Resource Operations and Rural Development biologist approves the alteration of the Suitable Habitat polygons.</p>		

Area amendment applies:

Sayward landscape unit portion within the Johnson Strait landscape unit aggregate

Strategy – "Order for the Recovery of Marbled Murrelet (*Brachyramphus marmoratus*)"

2. To meet the requirements of the **Order**, each **Holder** will coordinate with other holders in a **Working Group**, as follows:
 - a. As a **Strategy**, to comply with the **Order**, each **Holder** will:
 - i. Reach agreement on specific amounts of **Suitable Habitat** to maintain, by retaining all timber, equal to or greater than:
 - I. The amount listed in **Order**, Schedule 7, Table 2, Column "A", for each landscape unit portion; or

- II. The amount listed in the **Order**, Schedule 7, Table 1, Column “A”, for each landscape unit aggregate, and the amount listed in the **Order**, Schedule 7, Table 2, Column “B” for each landscape unit portion;

and

- ii. Use the **Planning Tables** as a basis to identify **Suitable Habitat** distribution to maintain, by retaining all timber, equal to or greater than:

- I. The amount listed in **Order**, Schedule 7, Table 2, Column “B”, for each landscape unit portion; and
- II. The amount listed in the **Order**, Schedule 7, Table 1, Column “A”, for each landscape unit aggregate;

and

- iii. If agreement cannot be reached:

- I. Each **Holder** will apply the **Planning Tables** and notify other Forest Stewardship Plan and Woodlot License Plan holders until agreement is reached in the **Working Group** assembly; or
- II. The **Working Group** may request that the Minister establish proportional **Suitable Habitat** targets pursuant to **FPPR** s.19.