



AMENDED ORDER – UNGULATE WINTER RANGE #U1-011

Kingcome TSA

This order is given under the authority of sections 9(1), 9(2) and 12(1) of the *Government Actions Regulation* (B.C. Reg. 582/2004).

The Deputy Minister of Environment orders that:

- 1) the order established on June 09, 2006 titled "ORDER – UNGULATE WINTER RANGE #U1-011" be replaced by this order;
- 2) (a) the ungulate winter range polygon unit number WAK-04 shown in the map set out in the attached Schedule A (Amendment to UWR U-1-011 Polygon Unit No. WAK-04), replace unit number WAK-04 established on June 09, 2006, and is established;
(b) the remaining ungulate winter range polygons shown in the map set out in the Schedule A (#U-1-011) established on June 09, 2006 are maintained;
- 3) the ungulate winter range is established for black-tailed deer (*Odocoileus hemionus columbianus*), Roosevelt elk (*Cervus elaphus roosevelti*), Rocky mountain goat (*Oreamnus americanus*), and Moose (*Alces alces*);
- 4) the general wildlife measures outlined in Schedule 1 are established for the ungulate winter range in the attached Schedule A;
- 5) the specified area as outlined in general wildlife measure 7, Schedule 1, is established;
- 6) for the purpose of section 2(3)(a) of the *Government Actions Regulation*, the general wildlife measures outlined in Schedule 1 apply to minor tenures;
- 7) where there is any discrepancy between the ungulate winter range boundaries as shown in the attached Schedules A and the GIS file *tuwra_bc*, the boundaries as detailed in the GIS file will take precedent. The centre point of the line on the map denoting the ungulate winter range is what establishes the boundary; and
- 8) 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 the winter survival of ungulates in the Kingcome Timber Supply Area; and
- 9) 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*.

Schedule 1: General Wildlife Measures:

1. Road construction is not to occur within the designated ungulate winter ranges unless there is no other practicable option and an exemption is approved by the MOE designated authority.

An exemption is not required for the construction of future extension of road P10 in UWR Unit No. NAH- 07, the Nahwitti East Mainline road in the upland portion of UWR Unit No. NAH- 03 north of Nahwitti River and Basin Mainline road in Unit No. KLA-03. The extension of these roads will be conducted in a manner that does not result in a material adverse impact on the ungulate winter range habitat.

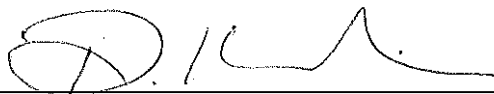
MOE recognizes that the lower boundary of the UWR Unit No. WAK-08 is proposed along the 620 metre above sea level elevation line in the northwest portion of this UWR. It is expected that road construction would occur below this elevation. Amendments to the UWR boundary will be considered if it is not practicable to construct the road below this elevation.

2. An exemption is not required for road maintenance, road deactivation, felling of danger trees or brushing and clearing on existing roads within the Ungulate Winter Range. These activities will be conducted in a manner that does not result in a material adverse impact on the ungulate winter range habitat within the designated ungulate winter range.
3. Harvesting is not to occur within the designated ungulate winter ranges unless an exemption is approved by the MOE designated authority. An exemption would normally only be considered for the purposes of enhancing the quality of the winter range. An exemption is not required for harvesting of Western Red Cedar trees within UWR Unit No. UK1-09 by selective helicopter removal ("single-stem harvest"). Maximum opening size for this operation will be less than 0.1 hectare. Licensees will notify the regional office of Ministry of Environment prior to initiating operations such that monitoring to evaluate vegetation response and animal use may be considered.

MOE recognizes that a 1 hectare helicopter drop zone is required for long term use in UWR Unit No. LKL-1. An exemption to general wildlife measure 3 will be considered subject to the extent of clearing and timing of use.

4. An exemption is not required for harvesting within the designated ungulate winter ranges when it is required to address worker safety: felling of danger trees, felling for guy line anchors, felling of tail hold anchor trees within an UWR along adjacent cutblock boundaries. Harvesting will be conducted in a manner that does not result in a material adverse impact on the ungulate winter range habitat within the designated ungulate winter ranges.
5. Trees that must be felled within an UWR will be left onsite to provide coarse woody debris, unless the felled tree lies outside the UWR.

6. Salvage harvesting is not to occur within the designated ungulate winter ranges unless an exemption is approved by the MOE designated authority.
7. An authorized person who carries out a primary forest activity within 100m of a designated ungulate winter range, as per Schedule A, must ensure that the adjacent designated ungulate winter range is not materially adversely affected by foreseeable impacts of their activities.



Signed this 17 day of March, 2009
Doug Konkin, Deputy Minister
Ministry of Environment

