



FILE NUMBER: 36470-20/FRPA/Notices& Orders/Nass Moose  
/Kalum Moose  
/NC Moose  
/Nass Grizzly Bear  
/Kispiox Goat  
/Kalum Goat

April 8, 2014

Re: Proposed GAR and EPMR Orders and Order amendments for Moose, Grizzly Bear & Mountain Goats, Skeena Region

Dear Sir/Madam;

The Ministry of Forests, Lands and Natural Resource Operations (FLNRO) is the responsible government agency for designating Ungulate Winter Ranges (UWR), Wildlife Habitat Areas (WHA) and Specified Areas (SA) under the *Forests and Range Practices Act (FRPA)* and the *Oil and Gas Activities Act (OGAA)*<sup>1</sup>. The purpose of this letter is to provide an opportunity to comment on the establishment/amendment of the following Government Action Regulation (GAR) Orders under FRPA and Environmental Protection and Management Regulation (EPMR) Orders under OGAA. These designations are proposed as they provide the necessary habitat protection for the species.

UWR designations under EPMR are considered by the Oil and Gas Commission, among the suite of Government's Environmental Objectives<sup>2</sup>, when adjudicating oil and gas activity permits. The following objectives with respect to wildlife and wildlife habitat are prescribed for the purposes of the definition of "government's environmental objectives" in section 1 (2) of OGAA:

- a. *that operating areas not be located within any of the following:*
  - i. *a wildlife habitat area, unless an operating area will not have a material adverse effect on the ability of the wildlife habitat within the wildlife habitat area to provide for the survival, within the wildlife habitat area, of the wildlife species for which the wildlife habitat area was established;*

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<sup>1</sup> Note that habitat designated as a Specified Area (SA) under FRPA will be simultaneously designated as a Wildlife Habitat Area (WHA) under OGAA.

<sup>2</sup> Government's Environmental Objectives are defined in OGAA as "the prescribed objectives of the government respecting the protection and effective management of the environment."

- ii. *an ungulate winter range, unless an operating area will not have a material adverse effect on the ability of the wildlife habitat within the ungulate winter range to provide for the survival, within the ungulate winter range, of the ungulate species for which the ungulate winter range was established.*

The management requirements outlined under GAR (the General Wildlife Measures (GWMs)) regulate primary forest activities as they relate to access, timber harvesting, silviculture and pesticide use. GWMs may also be established to regulate range activities and recreation. As such, GWMs may directly affect only *Forest Act* and *Range Act* agreement holders but can be considered to be guidance or best management practices for operating within the designation area.

The proposed orders include:

<b>Designation</b>	<b>Species</b>	<b>Area</b>	<b>Proposal</b>
UWR 6-018	Moose	Nass	New order
UWR 6-009	Moose	Kalum	New order
UWR 6-014	Moose	North Coast	New order
SA 6-282/ WHA 6-282	Grizzly Bear	Nass	New order
UWR 6-006	Mountain Goat	Kispiox	Order ammendment
UWR 6-001	Mountain Goat	Kalum	Order ammendment

Extensive consultation on the proposed moose Orders (U-6-018, U-6-009 and U-6-014) has taken place over the past ten years, with endorsement received by participating parties in 2011 (First Nations, forest licensee, Ministry of Forests & Lands, and the Kalum LRMP Plan Implementation Committee). Since then, the draft language of the Orders required some adjustments to improve clarity and meet legal requirements. The changes mostly pertain to access management and the orders maintain the management direction agreed to by participating parties.

The Nass grizzly bear SA/WHA (6-282) has also undergone extensive consultation and has been endorsed through the Nass South Sustainable Resource Management Plan (SRMP) process.

Amendments are proposed to the existing Kispiox/Cranberry and Kalum mountain goat UWRs (U-6-001 & 6-006). These were originally approved in 2006 and 2007, respectively. The amendments are based on objectives outlined in the Gitanyow Rights and Reconciliation Agreement, and are consistent with the existing Nass mountain goat UWR direction. The amendments provide measures specific to canyon and escarpment dwelling populations.

All of these Orders and associated information (order, map, spatial files) are available on the following FTP site.

[ftp://ftp.geobc.gov.bc.ca/publish/Regional/Smithers/EcoSystems/GAR\\_Orders\\_April\\_2014](ftp://ftp.geobc.gov.bc.ca/publish/Regional/Smithers/EcoSystems/GAR_Orders_April_2014)

Please let me know if you are unable to access the site or the posted material and I will provide hard copies of the information.

It is FLNROs intent to solicit information from stakeholders and First Nations to assist the delegated decision maker when deliberating on these orders. Please provide comments in writing with regards to any comments or concerns that you might have with the proposed orders/amendments. Please also include, if applicable, your support of these proposals (i.e., unconditional, conditional, or none) by **May 20, 2014**.

If you have questions or require clarification, please contact myself at 250-847-7326 or by email at [Len.Vanderstar@gov.bc.ca](mailto:Len.Vanderstar@gov.bc.ca), or alternately Jocelyn Campbell at 250-847-7655 or by email at [Jocelyn.Campbell@gov.bc.ca](mailto:Jocelyn.Campbell@gov.bc.ca). If there is no response by **May 20, 2014**, I will assume you have no concerns and the proposed designations will be moved forward towards a determination.

Sincerely,

*Len Vanderstar*

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