

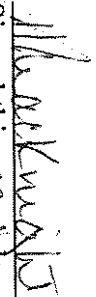


ORDER – WILDLIFE HABITAT AREA 2-250
ENVIRONMENTAL PROTECTION AND MANAGEMENT REGULATION

This Order is given under the authority of section 30 of the *Environmental Protection and Management Regulation* (B.C. Reg. 200/2010) (EPMR) under the *Oil and Gas Activities Act*.

The delegated decision maker, being satisfied that the following area contains habitat that is necessary to meet the habitat requirements of a category of species at risk, orders that:

- a) the areas shown in the map set out in the attached Schedule A (2-250) and contained in the wildlife habitat area (WHA) spatial layer stored in the Geographic Warehouse (WHE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLY) is established as wildlife habitat area 2-250 for Vananda Creek limnetic and benthic sticklebacks (*Gasterosteus species 16 and species 17*) for the purposes of the EPMR. The centre point of the line on the attached Schedule A is what establishes the WHA; and
- b) if there is a discrepancy between the areas shown in the map set out in the attached Schedule A and the WHA spatial layer stored in the Geographic Warehouse (WHE_WILDLIFE_MANAGEMENT.WCP_WILDLIFE_HABITAT_AREA_POLY), the areas as detailed in the WHA spatial layer will take precedent.


Signed this 23rd day of February, 2015

Heather MacKnight, Regional Executive Director, South Coast Region
Ministry of Forests, Lands and Natural Resource Operations

Schedule A – Wildlife Habitat Area 2-250 map

Environmental Protection and Management Regulation
Decision Rationale – Approval of Wildlife Habitat Area 2-250
Vananda Creek Limnetic and Benthic Sticklebacks (*Gasterosteus* spp. 16 & 17)

In approving this wildlife habitat area (WHA 2-250) each of the tests under the *Environmental Protection and Management Regulation* (EPMR) was considered.

EPMR 30 – Wildlife Habitat Area

1. *The Wildlife Habitat Area contains habitat necessary to meet the habitat requirements of the Vananda Creek Limnetic and Benthic Sticklebacks.*

I am satisfied that the WHA (2-250) approved by this Order contains habitat that is necessary to meet the habitat requirements of the Vananda Creek Limnetic and Benthic Sticklebacks.

The three small lakes in the WHA that these two species occupy are well known by scientists from around the world. The two closely related species are unique and occur nowhere else in the world. The WHA boundary was designed primarily by the National Recovery Team for Stickleback Species Pairs and includes the occupied lakes and surrounding upland forest in the watershed. This boundary is necessary to exert some control over sources of sediment and run-off from streams (and that may enter the occupied lakes) since sticklebacks are extremely sensitive to changes in water quality (e.g. turbidity).

EPMR 37 – Notice and Consultation

1. *Notice of the proposed Order was provided to:*
 - a) organizations representative of persons who
 - i. Conduct geophysical exploration, or
 - ii. Construct pipelines but who do not hold an associated drilling license or lease, that will be affected by the Order, and
 - b) holders of leases or drilling licenses under the Petroleum and Natural Gas Act that will be affected by the Order.
2. *Consultation with persons referred to above was provided if the Order may have a material adverse effect on that person.*

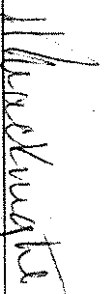
Due diligence was exercised to ensure that notice of the Order was given to:

 - a) organizations representative of persons who conduct geophysical exploration or construct pipelines, but who do not hold an associated drilling license or lease; and,
 - b) any holder of an agreement under the *Petroleum and Natural Gas Act* that would be affected by this Order.

I am aware that there was one *Petroleum and Natural Gas Act* agreement holder overlapping this WHA. Comments from FortisBC Energy (Vancouver Island) Inc.

received by the Ministry of Forests, Lands and Natural Resource Operations were made available for my consideration. Their comments were addressed and I am satisfied that establishing this Order will not affect their existing pipeline and right-of-way. I am satisfied that any future expansion opportunities or off-tenure temporary workspace requirements will be appropriately adjudicated by the Oil and Gas Commission. I note that none of their comments indicated that the Order would have a material and adverse effect on FortisBC Energy (Vancouver Island) Inc.

No comments were received by the Ministry of Forests, Lands and Natural Resource Operations from any of the four organizations representative of persons who conduct geophysical exploration or construct pipelines but who do not hold an associated drilling license or lease. Comments were received from the Oil and Gas Commission and they provided support for establishing the Order. Since there were no indications that the Order would have a material adverse effect on any person carrying out oil and gas activities, I am satisfied that consultation was not necessary.



Signed this 23rd day of February, 2015
Heather MacKnight, Regional Executive Director, South Coast Region
Ministry of Forests, Lands and Natural Resource Operations