



Date: 2025-01-01

File: 36460-20/WHA 7-018

Regional District of Fraser-Fort George
155 George Street
Prince George, BC
V2L 1P8

To Whom it may concern

Re: Wildlife Habitat Area proposal for Southern Mountain Caribou in the Mackenzie Natural Resource District (WHA 7-018)

I am writing to advise you of the opportunity to comment regarding a Wildlife Habitat Area (WHA) being proposed for Southern Mountain Caribou by the Ministry of Water, Land and Resource Stewardship (WLRS), under authority of the *Forest and Range Practices Act* (FRPA) and the *Energy Resource Activities Act* (ERAA). WLRS is able to establish WHA designations under both the *Government Actions Regulation* (GAR) in FRPA and *Environmental Protection Management Regulation* (EPMR) in ERAA. Your agency may be affected by the Order establishing this WHA. All potentially affected stakeholders and First Nations are also being consulted.

The proposed WHA is necessary to meet the habitat requirements of Southern Mountain Caribou. The management requirements outlined under GAR include Objectives and General Wildlife Measures (GWMs) which regulate primary forest activities as they relate to access, timber harvesting, silviculture and pesticide use. Objectives and GWMs may also be established to regulate range activities and recreation. The draft Objectives and GWMs for WHA 7-018 are listed in Appendix 1.

For proponents involved in the energy sector, the BC Energy Regulator considers WHA designations under EPMR, among the suite of Government's Environmental Objectives¹, when adjudicating oil and gas activity permits. Section 6 of EPMR states:

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 the Act:

- a. *that operating areas not be located within any of the following:*

¹ Government's Environmental Objectives are defined in ERAA as "the prescribed objectives of the government respecting the protection and effective management of the environment."

- 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;*

Please visit the BC Box site below to find more information on the WHA proposal, which encompasses 8,524 hectares (ha) of low elevation winter range and a migratory corridor within the Mackenzie Natural Resource District. The BC Box site will be maintained for 54 business days from the date of this letter.

Note: BC Box is a secure on-line storage and retrieval platform supported by the Province. All data contained on the site has been prepared by the project manager and contains no restricted information. Clicking the link will invite you to download the folder and extract the documents as required. Should you not wish to download the folder, please send a request to wayne.crossland@gov.bc.ca indicating which documents that you require and a copy of the document(s) will be forwarded to you.

BC Box address:

<https://coms.api.gov.bc.ca/api/v1/object/2c8d24e1-f1b9-4569-804b-91e163b9d10a>

The BC Box site includes:

- 1) Read Me First file;
- 2) WHA 7-018 Draft GAR Order;
 - *Proposed Order of The Minister of Water, Land and Resource Stewardship Forest and Range Practices Act Ministerial Order WHA 7-018*
- 3) WHA 7-018 Draft ERAA Order,
 - *Proposed Order of The Minister of Water, Land and Resource Stewardship Energy Resource Activities Act Wildlife Habitat Area 7-018*
- 4) WHA 7-018 Draft Objectives and GWMs,
- 5) WHA 7-018 Background and Details;
 - *Background and Details of Proposed Wildlife Habitat Area (WHA 7-018) in the Mackenzie Natural Resource District to Support Recovery of the Kennedy Siding Caribou Subpopulation*
- 6) WHA 7-018 Timber Supply Impact Assessment;
 - *DRAFT Timber Supply Impact Assessment Potential Kennedy Siding Wildlife Habitat Area updated 2024-11-04*
- 7) WHA 7-018 Qualitative pre-assessment of Delivered Wood Costs
 - *Qualitative Assessment of Potential Impacts to Delivered Wood Costs for the Proposed Caribou Wildlife Habitat Area 7-018*
- 8) WHA 7-018 Frequently Asked Questions,
- 9) WHA 7-018 pdf map; and
- 10) WHA 7-018 Shapefiles Folder.

Where biologically appropriate, the WHA has been co-located with six Old Growth Management Areas, numbered as: *PRG_MM_03*; *PRG_MM_04*; *PRG_MM_05*; *PRG_MK_01*; *PRG_MK_02*; and *PRG_MK_03*. All of the WHA is located on Crown land. The impact to the mature timber

harvesting land base has been estimated by a qualified timber supply analyst at 4,421 ha, as described in 'WHA 7-018 Timber Supply Impact Assessment' provided in the BC Box site. This impact will be considered by the delegated decision maker when making a decision on this proposed WHA.

During a review of the authorized activities within the proposed WHA, it was found that there are numerous overlaps including but not limited to the following:

1. Designated Placer Area # 3 (a No Registration Reserve area) # 0330209;
2. No Registration Reserve; Partnership Agreement Area #'s 1006924 & 1006967;
3. Reserve/notation, sec 16, (reserve; quarrying; sand and gravel) # 0197435;
4. Petroleum tenures # 21210, 21529, 21828, 22237, 22238, 22246, 23113, 23114, & 23115;
5. Mineral and Placer, GM Shrum Generating Site # 328780;
6. BCER Ancillary Permits # 00233570, 00233571, & 00233572.

Prior to making a determination respecting this WHA, WLRS is committed to meeting several regulatory tests as set out in GAR. These include:

1. a review and comment period must occur with potentially affected *Forest Act* and *Range Act* agreement holders, and a consultation period is to occur with any parties on whom the Order may have a material adverse effect.
2. a WHA may only be established if the decision maker is satisfied that the area contains habitat that is necessary to meet the habitat requirements of the species at risk.
3. GWMs may be established under GAR if they protect or conserve the WHA to which the measure relates and if FRPA or another enactment does not otherwise provide for that protection and conservation (see Appendix 1 for draft GWMs).

The intent of point #1 is to address concerns. For each other test, qualified professionals with appropriate expertise have confirmed that the proposed WHA and measures meet the specified GAR requirements. In each case, the delegated decision maker must also be satisfied that the applicable GAR test has been met.

Although there are no similar tests under EPMP, there is a notice and consultation requirement. As such WLRS is committed to meeting the EPMP requirements with any potentially affected *Petroleum and Natural Gas Act* license or lease holders, or organizations that represent directly affected parties (section 37 of the EPMP).

We are asking for your review of this proposal. It would be appreciated if you could also provide comments in writing with regards to your support for these proposals (i.e., unconditional, conditional, or none) by 2025-04-04.

I can be reached by phone, at 250-645-9601, or by email, at wayne.crossland@gov.bc.ca, to discuss your comments or concerns. I would be happy to arrange a meeting to provide you with additional information at your request. If I do not hear from you within one month from the date of this letter, I will send one additional invitation to elicit comments. If there is no response by

today plus 54 business days, I will assume you have no concerns and the proposed WHA will be moved forward towards a determination.

Thank you for your attention to this matter.

Sincerely,



Wayne Crossland
Land and Resource Coordinator
BC Caribou Recovery Program
Ministry of Water, Land and Resource Stewardship, Omineca Region
250-645-9601
Wayne.crossland@gov.bc.ca

Appendix 1. DRAFT Objectives and General Wildlife Measures for WHA 7-018

All Objectives and all General Wildlife Measures apply to the entire spatial area of WHA 7-018.

Draft – Objectives		
Habitat	1)	Maintain and restore caribou-appropriate habitat that is dominated by low-density pine stands with 10 to 30% canopy cover capable of supporting moderate to high levels of lichen populations.
Disturbance	2)	Minimize the disturbance and displacement of caribou by planning construction, site improvement, maintenance and transportation operations for time periods when caribou are not present.
Disease	3)	Reduce or prevent disease transfers and conflicts between caribou and livestock.
Predation	4)	Avoid or prevent wolf predation on caribou while in the WHA by a. Using appropriate silviculture practices that reduce preferred moose forage, and b. Restricting or reducing road densities to no more than 0.5 km/km ² .
Draft – General Wildlife Measures		
Access	1)	Do not construct new, or re-establish ² pre-existing ³ , roads, landings or excavated or bladed trails, as defined within the Forest Planning and Practices Regulation
Harvest	2)	No Primary Forest Activities, as defined within the Forest Planning and Practices Regulation, are permitted
Range	3)	No Range Developments, as defined within the Forest and Range Practices Act, are permitted
	4)	No husbandry of livestock within grazing leases and grazing permits, as defined in the Range Act, is permitted.
	5)	No livestock attractants ⁴ are permitted
Chemical Applications	6)	No pesticides, herbicides, fungicides, soil binders or fertilizers and supplements are to be used except for: 1) the purpose of controlling species that are categorized within the British Columbia Priority Invasive Species database as i. Prevent, ii. Early Detection and Rapid Response, iii. Provincial Containment, and iv. Regional Containment/Control; and 2) when applied by stem injection, cut and paint, foliar wipe, spot spraying, or other direct plant application.

² Re-establish: means to return something to an earlier good condition or position.

³ Pre-existing: means something existing from an earlier time, including those that were deactivated, restored or have otherwise become unusable for the original intended purpose.

⁴ Livestock Attractant(s): means nutritional supplements, feed and artificial mineral licks intended for cattle, goats, horses, mules, asses, sheep, swine, llamas, alpacas, bison, poultry and exotic game animals and includes any other animal designated by regulation.