

VARIANCE KBHLP-04 PREAMBLE

This preamble is meant to provide the context in which this variance was reviewed and approved and does not form part of the variance.

This variance was initiated to improve the management of Caribou within the plan area and also to improve the clarity of the existing Caribou Objective. The variance includes revised mapping for the Central Selkirk, Central Rockies, South Selkirk and South Purcell Caribou herds. There are new management objectives for the South Selkirk and South Purcell herds and some new direction for the Central Selkirk herd. These changes have been proposed based on work completed by the Regional Caribou Committee lead by the Ministry of Water, Land and Air Protection. Members of this committee also included the Ministry of Forests and the forest industry. The variance proposed has been jointly developed between the Ministries of Sustainable Resource Management and Water, Land and Air Protection.

This variance proposal was submitted to the Minister of Sustainable Resource Management for decision as the variance was considered by the Regional Director to have potentially significant social, economic and environmental impacts on the region. This order was drafted considering the public input received through the review and comment period. This order is only one facet of government's plan to improve Caribou management and more information regarding government's plans for caribou management can be obtained from the Kootenay Region of the Ministry of Water, Land and Air Protection.

Variance KBHLP-04 replaces Objective 3 (Caribou) of the Kootenay Boundary Higher Level Plan Order dated October 26, 2002 and those parts of variance orders KBHLP-03 and 06 which pertain to Objective 3. This variance order should be viewed in concert with the Kootenay Boundary Higher Level Plan Order dated October 26, 2002 and other variances not incorporated into this order. This order does not supersede Orders KBHLP 1 and 5 and these Orders need to be considered in conjunction with this Order.

Implementation of this Order should be guided by the contents of implementation policies and data preparation reports developed to support this Order. Existing and future policy and information documents can be found on the following website-
<http://srmwww.gov.bc.ca/kor/rmd/>.

KOOTENAY-BOUNDARY HIGHER LEVEL PLAN ORDER

ORDER- KBHLP-04

ORDER VARIES RESOURCE MANAGEMENT ZONE OBJECTIVE 3 (CARIBOU) OF THE KOOTENAY-BOUNDARY HIGHER LEVEL PLAN ORDER DATED OCTOBER 26, 2002

PURSUANT TO

SECTIONS 3(2), AND 9.1 OF THE *FOREST PRACTICES CODE OF BRITISH COLUMBIA ACT (THE ACT)*

PART 1

Variance of Resource Management Zone Objective 3

Objective 3 of the Kootenay-Boundary Higher Level Plan Order (October 26, 2002) is varied by replacing Objective 3 with the new Objective 3 outlined below. Pursuant to Section 3(2) of the Act, Objective 3 is varied effective the date of this order being filed, as a Resource Management Zone objective for all Resource Management Zones established in the October 26, 2002 Order.

3. Caribou:

- (1) Retain seasonal habitats for mountain caribou in order to contribute to maintaining the viability of the existing subpopulations according to the forest cover requirements shown in Table 3.1 within the caribou management zones shown on Map 3.1 (Central Selkirks), Map 3.2 (Central Rockies), Map 3.3 (South Purcell) and Map 3.4 (South Selkirks).
- (2) In the Central Selkirks (Map 3.1), forest cover requirements must be applied by individual Caribou Management Zones by landscape unit and retained in mapped priority areas according to the following priorities:
 1. Priority Area 1
 2. Priority Area 1A
 3. Priority Area 2
- (3) Where subsections 1 and 2 above can not be achieved due to deficits in minimum forest retention area percentages, deficits must be recruited from the next youngest forest cover age class stands to achieve targets in the shortest time frame or through an alternate recruitment strategy. Alternate recruitment strategies must be submitted to the Regional Director Ministry of Sustainable Resource Management (MSRM) for approval. The Regional Director may approve specific recruitment strategies provided:
 - (a) the strategy has been developed by a registered professional biologist;
 - (b) the strategy contains a professional opinion from the registered biologist indicating that the strategy will benefit caribou habitat in the future;
 - (c) the strategy is spatially explicit;
 - (d) the strategy is not in conflict with any existing caribou recovery plan for the specific herd;
 - (e) and the Regional Director is satisfied that the strategy will benefit caribou habitat.
- (4) Promote the development of future Caribou habitat through reforestation and silviculture treatments on all areas harvested within a Caribou Management Zone.

Table 3.1 Caribou Habitat Requirements

Caribou Management Zone⁽¹⁾	Zone Located On Map(s)	Forest leading species³	Minimum forest retention area⁴	Forest age class⁵	Exceptions
1	All	All	100%	All age classes	Previously harvested stands require future decisions.
2	Maps 3.3 and 3.4	Spruce (S), Balsam (B), Whitebark Pine (Pa), Alpine Larch (La), Cedar (C) or Hemlock (H)	100%	All age classes	
		Lodgepole Pine (Pl), Douglas-fir (Fd) or Western Larch (Lw)	N/A	All age classes	
3	Maps 3.3 and 3.4	S, B, Pa, C or H ⁽²⁾	70% 40%	≥4 ≥8	
		Pl, Lw or Fd	N/A		
4	Maps 3.3 and 3.4	All	33%	≥5	Stands may be partial cut to maintain 250-800 stems/ha and connect cross valley.
5	Maps 3.1 and 3.2	All	≥70%	≥8	
6	Maps 3.1 and 3.2	All	≥70%	≥8	
7	Maps 3.1 and 3.2	All	≥40%	≥8	
			≥10% (1/4 of the 40% above)	9	
8	Maps 3.1 and 3.2	All	≥30%	≥8	
			≥10% (1/3 of the 30% above)	9	
			Plus 20% Partial cut (with ≥ 70% basal area maintained)	≥7	

1 All Caribou Management Zones have been mapped.

2 The intent is to allow a maximum of 30% of these stands to be harvested every 80 years.

3 Forest leading species is the first species listed in the forest inventory type label unless the leading species is Pl and it makes up less than 50% of the stand, in which case the second leading species shall be considered the forest leading species for the purposes of this table.

4 Forest retention requirements for table 3.1 are determined by applying percentages to the Crown forested land base within the mapped caribou habitat of each individual landscape unit. Crown forested land base excludes Provincial Parks, Protected Areas, Ecological Reserves and Federal Parks. The resultant forest retention requirements are applied to slopes less than 80 percent.

5 Forest stand ages will be based on the best available information.

(5) Timber harvesting to deal with 2003 fires and mountain pine beetles is permitted despite the requirements of subsections 1 to 3 above, in the following circumstances:

1. A qualified professional^p (registered professional biologist or registered professional forester) provides a written opinion indicating that the forest stand has been sufficiently damaged by fire to effectively eliminate its value as Caribou habitat and salvage operations will not adversely impact adjacent habitat. This applies only to areas that have been damaged by fire in 2003.
2. The Regional Director MSRM determines that harvesting in unburned forest stands within or adjacent to a 2003 fire area, would preclude conventional harvest (ground or cable) of adjacent burnt timber, and that timber harvesting is necessary to deal with forest health issues.
3. A strategy for managing mountain pine beetle is in place, which indicates that harvesting of lodgepole pine leading stands is necessary to reduce the risk of epidemic losses to mountain pine beetles and subject to the following requirements:
 - a. An assessment of Caribou habitat using a recognized methodology^o has been completed to determine caribou habitat values and management options.
 - b. Where caribou habitat values have been assessed as having moderate or higher caribou habitat value, harvesting is not allowed unless:
 - i. a qualified professional^p provides an opinion that indicates that the impact of the pine beetle on the affected stand will reduce the current habitat value below a moderate value or;
 - ii. strategies for maintaining the caribou habitat value to at least a moderate value level have been developed by a qualified professional and incorporated into harvesting plans.
 - c. New roads into unroaded areas must be assessed to determine if they will provide new motorized vehicle access points to important caribou habitat areas such as alpine and subalpine basin areas. Where a new road is identified as a likely access point, the proponent of harvesting must develop strategies and implement measures to restrict motorized access to these areas.

o Recognized methodology includes processes sanctioned by government for the specific herd area or in the absence of sanctioned methodology, processes developed by a qualified Registered Professional Biologist.

p A qualified professional is considered a registered professional biologist or registered professional forester who has appropriate training and experience in the field of work being completed.

PART 2

Filing the Order

This order will be filed with the Regional Director, Southern Interior Region and will take effect on March 25, 2005.

PART 3

Effective Date

This order comes into effect immediately. Despite subsection 16 (2) of the *Forest and Range Practices Act*, all forest stewardship plans submitted after the effective date must be consistent with this order.

The Honourable George Abbott
Minister of Sustainable Resource Management

Date

Kootenay Boundary HLP0 Caribou Habitat Areas MAP 3.1 Central Selkirk

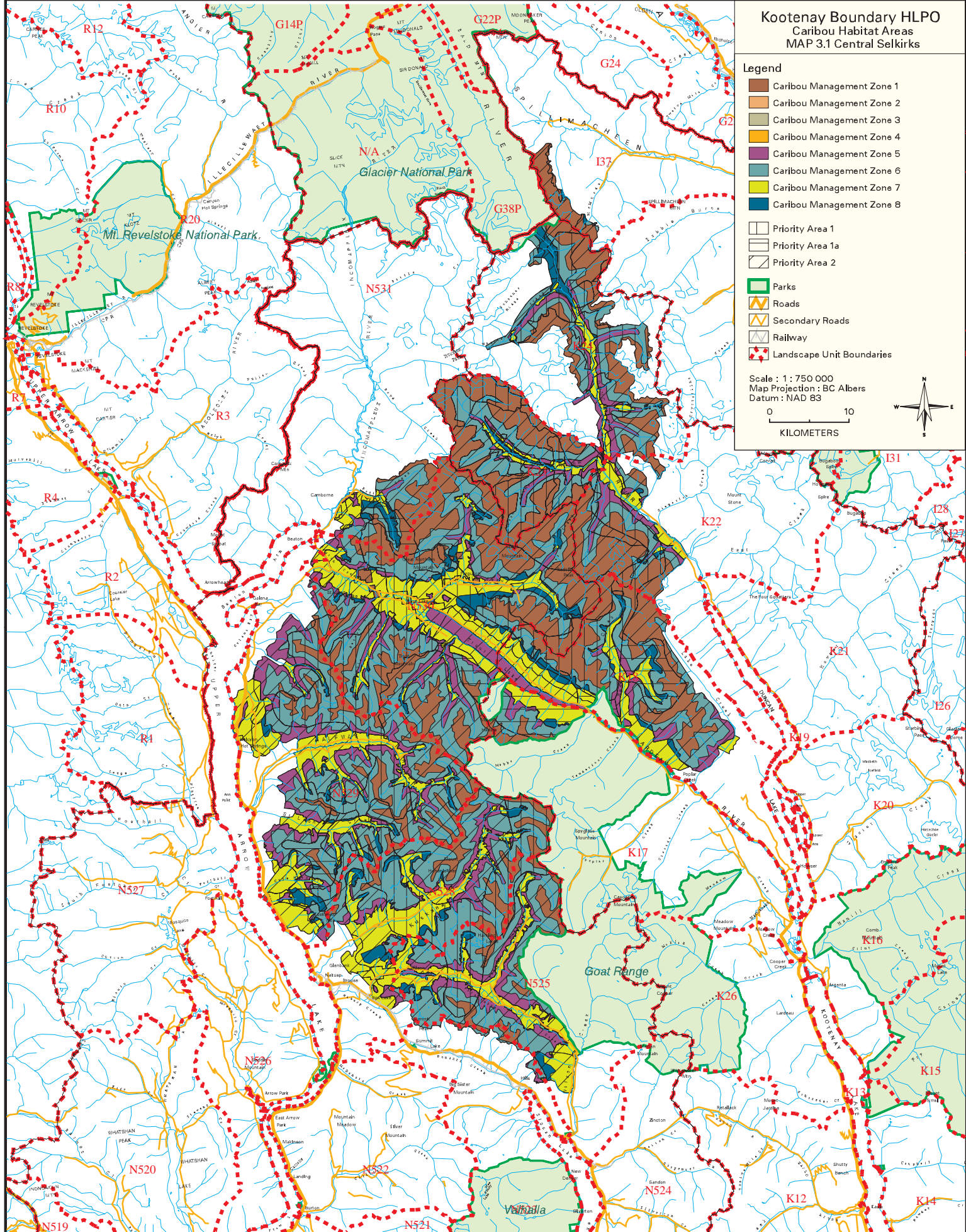
Legend

- Caribou Management Zone 1
- Caribou Management Zone 2
- Caribou Management Zone 3
- Caribou Management Zone 4
- Caribou Management Zone 5
- Caribou Management Zone 6
- Caribou Management Zone 7
- Caribou Management Zone 8

- Priority Area 1
- Priority Area 1a
- Priority Area 2
- Parks
- Roads
- Secondary Roads
- Railway
- Landscape Unit Boundaries

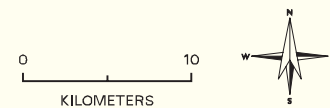
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Legend

- Caribou Management Zone
- Caribou Management Zone
- Caribou Management Zone
- Caribou Management Zone
- Caribou Management Zone
- Caribou Management Zone
- Caribou Management Zone
- Caribou Management Zone
- Parks
- Roads
- Secondary Roads
- Railway
- Landscape Unit Boundaries

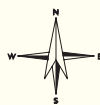


Kootenay Boundary HLPO Caribou Habitat Areas MAP 3.3 South Purcells

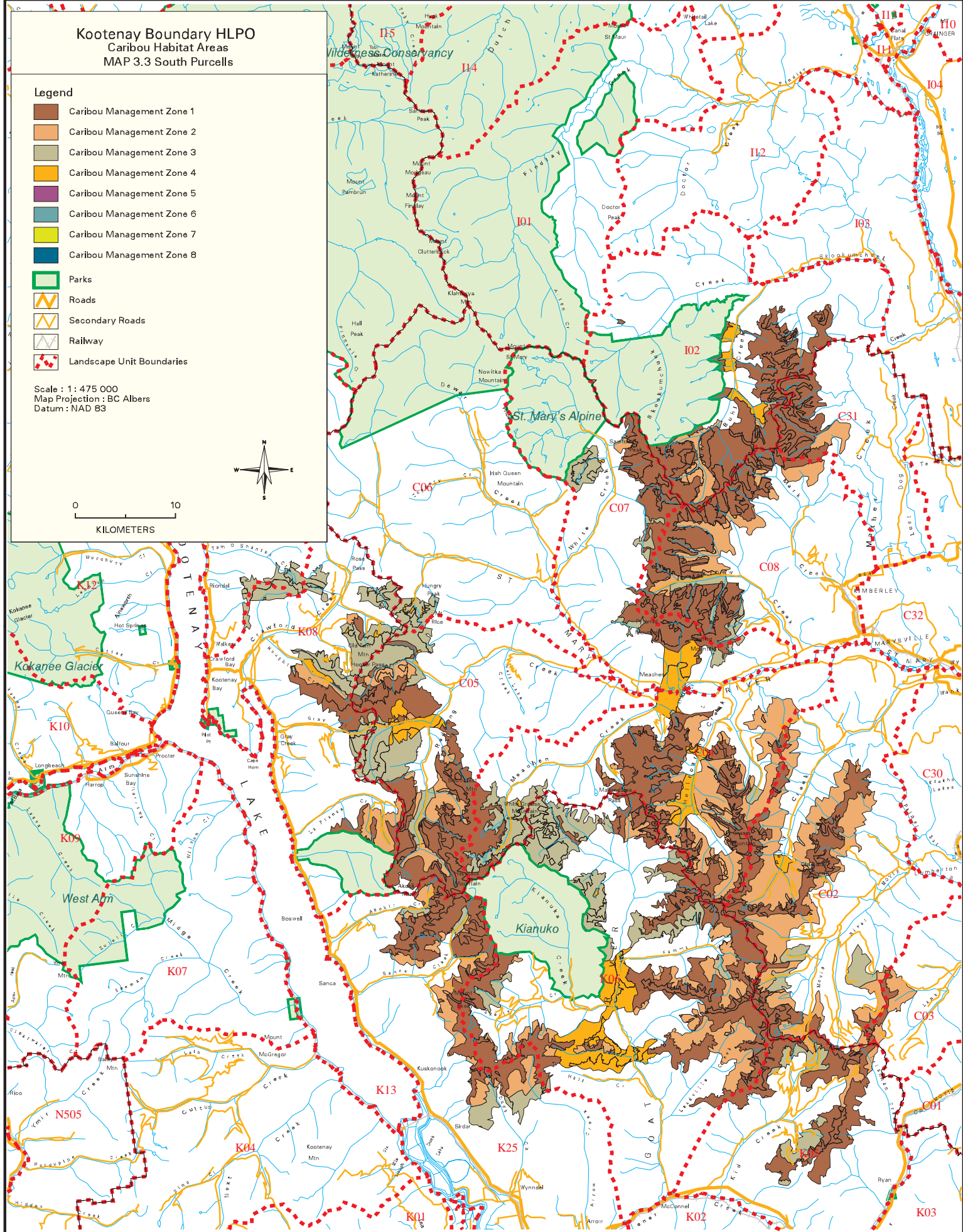
Legend

- Caribou Management Zone 1
- Caribou Management Zone 2
- Caribou Management Zone 3
- Caribou Management Zone 4
- Caribou Management Zone 5
- Caribou Management Zone 6
- Caribou Management Zone 7
- Caribou Management Zone 8
- Parks
- Roads
- Secondary Roads
- Railway
- Landscape Unit Boundaries

Scale : 1 : 475 000
Map Projection : BC Albers
Datum : NAD 83



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Kootenay Boundary HLP0 Caribou Habitat Areas MAP 3.4 South Selkirk

Legend

- Caribou Management Zone 1
- Caribou Management Zone 2
- Caribou Management Zone 3
- Caribou Management Zone 4
- Caribou Management Zone 5
- Caribou Management Zone 6
- Caribou Management Zone 7
- Caribou Management Zone 8
- Parks
- Roads
- Secondary Roads
- Railway
- Landscape Unit Boundaries

Scale : 1 : 300 000
Map Projection : BC Albers
Datum : NAD 83

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