

KOOTENAY-BOUNDARY HIGHER LEVEL PLAN ORDER (KBHLPO)

ORDER- KBHLP-05

ORDER VARYING OBJECTIVES 2, 3, 5, AND 9 OF THE KOOTENAY-BOUNDARY HIGHER LEVEL PLAN ORDER (OCTOBER 2002) PURSUANT TO SECTIONS 3 (2) AND 3 (7) OF THE *FOREST PRACTICES CODE OF BRITISH COLUMBIA ACT* (THE ACT).

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 in response to a request from Tembec (forest licensee) to harvest 4 blocks in a Caribou habitat area. The purpose of the variance is to allow for harvest of areas infested with Mountain Pine Beetle. In reviewing this variance consideration was given to its significance to the public. Given the relatively small area involved and the fact that the affected blocks are Lodgepole Pine leading stands which are not considered to be good Caribou habitat, it was felt that approval of this variance would not significantly affect the public. For this reason it was decided that this variance would not be publicly advertised.

The following information was considered in approving this variance. The licensee presented information showing that the stands proposed for harvest are dominated by Lodgepole Pine stands that have been rated as having a high risk to Mountain Pine Beetle in a forest health strategy for the area. The harvesting of the proposed blocks would reduce the amount of beetle green attack by 12 %. Information was also presented that showed the block areas were currently being considered for removal from the existing KBHLPO Caribou habitat maps. Telemetry information provided by Tembec showed that no Caribou had used these proposed blocks. A review of the variance proposal by the Ministry of Forests indicated they had no concerns with proceeding with the proposed variance. The Ministry of Water, Land, and Air Protection also reviewed the proposal and indicated that a variance was appropriate for addressing the Mountain Pine Beetle attack but requested that salvage harvest should be limited to the Lodgepole component of the stand. This was considered but due to operational considerations was felt to be impractical to limit the harvest to pine.

Section o) of the Delegation of Ministers' Powers memorandum, dated February 28, 2003 provides the Regional Director with the authority to vary these objectives where necessary to deal with forest health issues to the extent necessary to reasonably deal with the unforeseen event.

This variance order should be viewed in concert with the Kootenay Boundary Higher Level Plan Order dated October 26, 2002 and variances to this order made after this date.

Part 1- Resource Management Zone Objective Variance

Objectives 3 is varied to the extent necessary to allow harvesting of mountain pine beetle infested forest stands contained in Forest Licence A19040, Cutting Permit 499, Blocks 560, 561, 564 and 568. These blocks contain an area of approximately 30.6 ha and are as shown on the attached map. This variance applies only within the Cranbrook Resource Management Zone.

Part 2- Filing the Order

This order will be filed with Regional Director, Southern Interior Region, Ministry of Sustainable Resource Management on February 2, 2004.

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. Despite Section 10 (d) of the *Forest Practices Code of British Columbia Act*, all forest development plans submitted after the effective date must be consistent with this order.

Originally signed by Steve Carr

Steve Carr MSc. RPF
Regional Director
Southern Interior Region
Ministry of Sustainable Resource Management

Date: January 29, 2004

 Tembec Industries Inc.

CUTTING PERMIT OVERVIEW MAP

Licence: A19040

Permit: 499

Location: Emerg. Bark Beetle Salv.

Map Reference: 82F060 82F070 82F059 82G051 82G042

Forest District: Rocky Mountain

Forest Region: S Interior

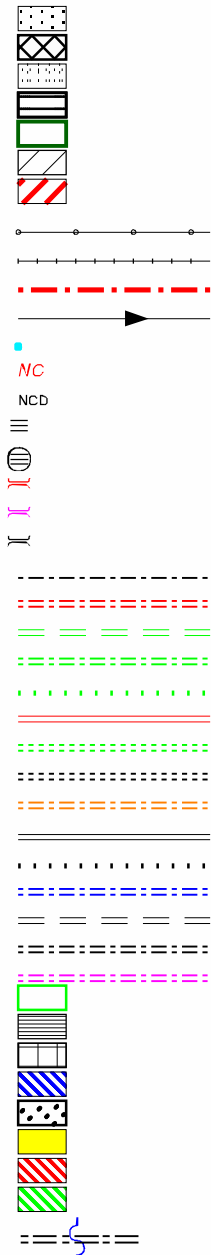
Source: G.P.S

Supply Block: A

Date: 29-Jan-2004

References

Wildlife Tree Patch Reserve
Riparian Reserve Zone
Reserve - Other
Non-Productive Area
Cut Block
Crown Grant - Private Admin.
Crown Grant - Park
Transmission Line
Railway
Managed Forest Boundary
Gas Line
Reach Break
Non-Commercial Area
Non-Classified Drainage
Landing (proposed)
Landing (existing)
Bridge (MOF)
Bridge (portable)
Bridge (permanent)
Trail
Reconstructed Road
Proposed Temporary Road
Proposed Permanent Road
Proposed For/Yard Trail
Private Road
Operational Road
Old Existing Road
Mainline Road
Highway
Forwarding/Yarding Trail
Forest Service Road
Existing Temporary Road
Existing Permanent Road
Block Road
Standards Unit
Seepage Area
Riparian Management Zone
Machine Free Zone
Logged
Deletion
Addition
Stream Crossing (Culvert)



Scale: 1:20000

