

KOOTENAY-BOUNDARY HIGHER LEVEL PLAN ORDER

ORDER -KBHLP -01

ORDER VARYING OBJECTIVE 2 and 3 OF THE KOOTENAY-BOUNDARY HIGHER LEVEL PLAN ORDER (OCTOBER 2002) WITHIN THE ARROW RESOURCE MANAGEMENT ZONE 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 proposed by Slocan Forest Products in order to help them meet their short term wood supply needs. Slocan had been shut down due to poor market conditions but has recently reopened. In an effort to secure cost competitive timber to maintain operations Slocan has made a proposal that will benefit caribou and biodiversity. The proposal on which this variance is based involves increasing caribou forest cover requirements within the Kuskanax Landscape Unit while reducing biodiversity requirements by an equal amount in the Wilson Landscape Unit. This exchange will result in the protection of forest stands with higher values for Caribou and biodiversity while providing Slocan and BC Timber Sales with access to cost competitive timber within forest stands not subject to caribou requirements and less valuable in terms of biodiversity. This proposal has been reviewed by a Registered Professional Biologist and he has indicated that this variance provides a clear benefit to caribou habitat and general biodiversity in the Kuskanax Landscape Unit while posing little corresponding risk in the Wilson Landscape Unit.

Section e) of the Delegation of Ministers' Powers memorandum, dated February 28, 2003 provides the Regional Director with the authority to vary Objective 2 (Old and Mature Forest) where information is provided that indicates harvesting would maintain or enhance the old growth conservation values or that there are other benefits for conservation values. In this case, there is information that shows that there are both benefits to old growth and Caribou conservation. This is achieved through the adjustment to Objective 3 (Caribou) to increase forest cover requirements. Section f) of the memorandum provides the Regional Director with the authority to adjust Objective 3 where new information indicates that adjustments have a neutral to positive impact on the social, economic and environmental balance of the region. Information presented indicates a positive impact.

This variance order should be viewed in concert with the Kootenay Boundary Higher Level Plan Order dated October 26, 2002.

Part 1- Resource Management Zone Objective Variance

Objective 2 of the Kootenay-Boundary Higher Level Plan Order for the Arrow Resource Management Zone is varied as follows:

To increase available timber, the requirement for maintaining >46 % mature + old for the ICHmw2 within landscape unit N525 (Wilson) is reduced by 608 hectares by:

- Allowing up to a maximum of 608 hectares of the mature component of existing mature + old seral forests in areas outside of mapped Caribou Habitat areas (Map 3.1) to be harvested.**
- Any deficit in mature + old existing prior to this order coming into effect must be addressed through recruitment from forest stands less than a mature age considering Objective 2 (5) of the October 26, 2002 Kootenay-Boundary Higher Level Plan Order.**

Objective 3 of the Kootenay-Boundary Higher Level Plan Order for the Arrow Resource Management Zone is varied as follows:

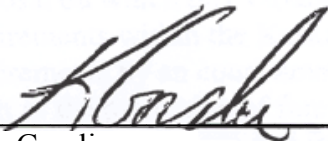
To enhance Caribou Habitat, the requirement for maintaining a minimum of 40% of the forested area in age class 8 or older within the ICH biogeoclimatic unit within landscape unit N528 (Kuskanax) below the Caribou line is increased by 608 hectares.

Part 2- Filing the Order

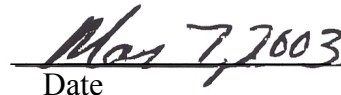
This order, KBHLP-01, will be filed with Regional Director, Kootenay Region Ministry of Sustainable Resource Management on May 8, 2003.

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.



Ken Gorsline
Acting Regional Director
Kootenay Region
Ministry of Sustainable Resource Management



Date