

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF  
ENVIRONMENT AND CLIMATE CHANGE STRATEGY:  
WILDLIFE HABITAT FEATURES IN THE KOOTENAY BOUNDARY REGION

*Forest and Range Practices Act*

Ministerial Order No. M 213

This order is made under the authority of section 11 (1) of the Government Actions Regulation (B.C. Reg. 582/2004) under the *Forest and Range Practices Act*.

I, George Heyman, Minister of Environment & Climate Change Strategy, and Minister responsible for administration of the *Wildlife Act* in section 154 (2) (a) (ii) of the *Forest and Range Practices Act*, order that the features identified in section 1 are wildlife habitat features in the Kootenay Boundary Region for the purpose of section 11 (1) of the Government Actions Regulation.

This order comes into effect on July 1, 2018.

**1 Wildlife Habitat Features**

The following to be Wildlife Habitat Features wherever they are found within the Kootenay Boundary Region:

- (a) a nest of a Bald Eagle (*Haliaeetus leucocephalus*)
- (b) a nest of an Osprey (*Pandion haliaetus*)
- (c) a nest of a Flammulated Owl (*Psilosops flammeolus*)
- (d) a nest of a Western Screech-Owl *macfarlanei* subspecies (*Megascops kennicottii macfarlanei*)
- (e) a nest of a Great Blue Heron (*Ardea herodias*)
- (f) a nest of a Lewis's Woodpecker (*Melanerpes lewis*)
- (g) a nest of a Williamson's Sapsucker (*Sphyrapicus thyroideus*)
- (h) an American Badger burrow (*Taxidea taxus*)
- (i) a Grizzly Bear den (*Ursus arctos*)
- (j) a significant mineral lick
- (k) a significant wallow
- (l) a bat hibernaculum
- (m) a bat nursery roost
- (n) a hot spring or thermal spring

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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section: Forest and Range Practices Act, SBC 2002, c 69, s 154, Government Actions Regulation B.C. Reg. 582/2004

Other: \_\_\_\_\_

## PROVINCE OF BRITISH COLUMBIA

### 2 Definitions

(1) Words and expressions not defined in this order have meaning given to them in the *Forest and Range Practices Act*.

(2) In this order,

**nest** means the nest and its supporting structure that either (1) is currently occupied by a bird species identified in section 1 to hold its eggs or offspring, or (2) is habitually occupied and still capable of holding eggs or offspring of a bird species.

**American Badger burrow** means an excavated hole that descends below ground that either (1) is currently occupied for denning, shelter or foraging; or (2) is habitually occupied and still capable of providing for denning, shelter or foraging.

**Grizzly Bear den** means an excavated hole that descends below ground or under a tree root system or is a naturally occurring tree cavity that either (1) is currently used for winter denning, or (2) is habitually used and still capable of providing for winter denning.

**significant mineral lick** means a naturally occurring mineral lick that is used at least annually by one or more species as evidenced by:

- well-established trails or braided trail systems leading to the mineral lick site,
- extensive excavation or trampling, and/or
- teeth marks, pellets, tracks and hair.

**significant wallow** means a wallow that is:

- used by Moose (*Alces americanus*), Bison (*Bos bison*), Elk (*Cervus elaphus*), Mountain Goat (*Oreamnos americanus*) or Grizzly Bear (*Ursus arctos*); and
- used at least annually by multiple individuals of one or more of the species in (i) as evidenced by well-established trails leading to the wallow, tracks in the wallow, lack of vegetation in the center of the wallow, and/or vegetation disturbed by pawing, trampling, digging or rolling.

**bat hibernaculum** means a site where one or more bats hibernate in winter.

**bat nursery roost** means a feature that “houses” an aggregation of female bats and their young.

**hot spring or thermal spring** means a source of water that is heated geothermally and comes to the surface, as a seep or forming a pool of unspecified size or temperature.

May 29, 2018  
Date

George Selman  
Minister, Environment and Climate Change  
Strategy

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