

MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS

# CCLUP Land Use Order

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Implementation Direction

June 21, 2011

## **1. Introduction**

The purpose of this document is to assist with implementation of the CCLUP legal land use order. The information is guidance only. No discussion is provided regarding caribou or mule deer management because both these species have been addressed through a separate legal process under the Forest and Range Practices Act (FRPA), Government Actions Regulation (GAR).

## **2. Scope of Application**

The land use order is enabled through the Land Use Objectives Regulation (LUOR) consistent with section 93.4 of the Land Act. It is applicable for the purposes of FRPA. The results and strategies contained in Forest Stewardship Plans (FSPs) must be consistent with the objectives in the legal order within the applicable time frame.

The CCLUP Land Use Order (LUO) was declared June 25, 2010. In accord with FRPA 16(2), all new FSPs submitted four months from the declaration date must be consistent with the order. FSPs already approved on the declaration date have up to two years before they must be consistent with the legal order. The order can be found at:

[ftp://ftp.geobc.gov.bc.ca/publish/Regional/WilliamsLake/Cariboo-Chilcotin\\_LUOR\\_Order](ftp://ftp.geobc.gov.bc.ca/publish/Regional/WilliamsLake/Cariboo-Chilcotin_LUOR_Order)

The CCLUP is not revoked because of the declaration of the land use order. For example, the mature + old seral targets are not included in the LUO but still apply under CCLUP. However, where the land use order provides more specific direction than the legal components of CCLUP, meeting the legal order will satisfy compliance with the CCLUP. Table 1 provides more guidance on this relationship. Other FRPA requirements and GAR orders still apply and are not affected by the order.

Legally, the land use order does not govern resource development activities other than forest and range management. However, the LU order and CCLUP are important considerations in all land developments. Proponents and decision makers are encouraged to maintain the land use objectives through careful consideration and mitigation of activities wherever possible.

## **3. Land Base**

The land base against which the land use objectives apply is the CCLUP productive forest land base. The definition of the productive forest land base from CCLUP (90 day report, p151) is as follows:

*Productive forest land base is defined as the total Crown forest area, determined by subtracting the following from the total area of the region:*

- *All non-Crown land*
- *All Crown land committed to non-timber use through a Land Act designation*
- *All non-forest Crown Land, and*
- *All forest area classified as brush or non-commercial cover in the Forest Inventory.*

#### **4. Exemptions and Amendments**

The delegated decision maker (the Regional Executive Director) may amend the order consistent with the terms of the land use objectives regulation, but individual exemptions from meeting objectives within the order are not available. Activities constituting legitimate exceptions to management objectives are included as specific objectives or clauses within objectives in the LUO. An example of this is objective 9 and 10 which describe the kinds of harvesting activities that are permitted in an OGMA, despite objective 8 which establishes OGMAs as no harvest areas.

Amendments to the LUO may address the objectives, the maps or both. A minor amendment to objective 20 (riparian reserves) was declared on May 24, 2011. There will also be future amendments to the map of OGMAs in order to address harvesting and BEC line changes that have occurred since the OGMAs were first mapped.

#### **5. Summary of the Land Use Order Objectives and Relationships to the CCLUP Higher Level Plan**

Table 1 lists specific LUO objectives and provides a summary of selected, legal CCLUP direction applicable to each objective. Interpretations are then made with regards to the relationship between that objective and CCLUP; namely whether the objective fully satisfies the CCLUP intent or not.

*“Fully completes”* means the objective in the LUO is considered to completely replace the corresponding goal, objective or strategy in CCLUP. *“Contributes”* means the LUO addresses a specific part of a goal, objective or strategy in CCLUP but there are aspects of CCLUP pertaining to that land value that may still require the proponent to prepare results and strategies in their FSP.

For the list of CCLUP legal direction applicable to forest planning see the May 5, 2005 document, “Summary of CCLUP Legal Requirement and Supporting Direction”:  
[http://archive.ilmb.gov.bc.ca/slrp/lrmp/williamslake/cariboo\\_chilcotin/legal\\_documents/files/legal\\_requirements/cclup\\_hlp\\_legal\\_direction.pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/williamslake/cariboo_chilcotin/legal_documents/files/legal_requirements/cclup_hlp_legal_direction.pdf)

**Table 1 LUO Objectives and Relationships to CCLUP**

LUO Objective	CCLUP Legal Direction Addressed by the LUO	Relationship
<b>Landscape units (#5)</b>	<ul style="list-style-type: none"> <li>To establish Landscape Units which include both the Special Resource Management Zone and adjacent Protected Area</li> <li>Conserve biological diversity through the establishment of Landscape Units ...</li> </ul>	LUO <i>fully completes</i> the intent of CCLUP by mapping and legalizing landscape units.
<b>Wildlife Tree Retention (#6,7)</b>	<ul style="list-style-type: none"> <li>Conserve biological diversity through the establishment of Landscape Units and objective for retention of... stand structure...and retention of wildlife trees.</li> </ul>	LUO <i>fully completes</i> the intent of CCLUP by establishing the WTP requirements. It replaces the FRPA requirement for WTR.
<b>Old Growth Management Areas (#8, 9)</b>	<ul style="list-style-type: none"> <li>To manage for the biodiversity targets...</li> <li>These seral stage targets are now revised to reflect the targets outlined in the guidebook.</li> <li>Conserve biological diversity through...objective for retention of old growth...</li> </ul>	LUO establishes old growth management areas (OGMAs) which <i>fully completes</i> the intent of the old growth seral retention direction in CCLUP.
<b>Critical Habitat for Fish (#12)</b>	<ul style="list-style-type: none"> <li>Conduct fish habitat inventories to identify fisheries sensitive/critical areas that require protection and site specific management actions.</li> </ul>	LUO objective establishes known sites of critical habitat for spawning and rearing of salmon and trout and fully addresses the forestry habitat management within those mapped Critical Habitat for Fish polygons.
		Outside of the critical habitat polygons for fish, all other legal provisions of CCLUP to manage for salmon and other freshwater fish still apply.

LUO Objective	CCLUP Legal Direction Addressed by the LUO	Relationship
<b>Community Areas of Special Concern (#14)</b>	<ul style="list-style-type: none"> <li>NOTE: The Community Areas of Special Concern (CASC) polygons address a mix of CCLUP objectives within a specific area.</li> </ul>	<p>Within the CASC polygons the following CCLUP objectives are <i>fully addressed</i>: backcountry recreational opportunities, biodiversity seral stage, landscape connectivity and tree species composition coarse woody debris, trout and salmon habitat, targets for important wildlife species (grizzly bear, furbearers, species at risk, bighorn sheep, mountain goat), streamside protection, visual areas and pine mushroom sites.</p> <p>Outside of the CASC polygons these values are not addressed by this objective.</p> <p>Access is not specifically addressed by this objective.</p>
<b>Lakeshore Classes (# 16)</b>	<ul style="list-style-type: none"> <li>To manage (CCLUP polygons and numbers of lakes) lakes as quality lakes for wilderness fisheries: priority area for Lake Management Planning</li> <li>Maintaining quality lake and stream fisheries through road access restrictions and visual quality management</li> </ul>	<p>LUO objective <i>fully completes</i> the intent of the CCLUP to classify quality lakes for wilderness fisheries.</p>
<b>Lake Management Classes (#17)</b>		<p>LUO <i>fully completes</i> the intent of CCLUP regarding road access to quality <u>lakes</u> and wilderness <u>lakes</u>.</p>
<b>Access to Refugia and Wilderness Lakes (#19)</b>		<p>In combination with scenic area objectives, these lake management objectives <i>fully completes</i> the CCLUP intent for recreation management of classified lakes.</p>

LUO Objective	CCLUP Legal Direction Addressed by the LUO	Relationship
<b>Riparian Reserve Zones and Suppression of Insect Pests (#20)</b>	<ul style="list-style-type: none"> <li>To maintain riparian habitats through the establishment of riparian management zones on all streams, lakes and wetlands ...</li> <li>To manage for “xxx” species, species at risk and other sensitive habitats within the areas identified as riparian buffers...</li> </ul>	<i>Contributes</i> to meeting riparian protection for fish and wildlife through specification of harvesting access provisions as related to forest health.
<b>Riparian Mgt Zones on S4 Streams (#21)</b>	<ul style="list-style-type: none"> <li>To manage the “xxx” River watershed for salmon stocks through riparian areas protection...</li> <li>Protect streamside and riparian areas by providing adequate buffer zones and through riparian management</li> <li>Maintain watershed and stream channel integrity and stability</li> <li>To manage for grizzly bear, moose, furbearer, species at risk and other sensitive habitats within the areas identified as riparian buffers...</li> </ul>	<p>In combination with FRPA riparian requirements, <i>fully completes</i> the CCLUP intent for riparian reserve requirements by adding reserves to all fish streams, including S4s.</p> <p><i>Contributes</i> to meeting riparian habitat protection in support of fish and wildlife and sensitive habitats.</p>
<b>Riparian Management Zones on W3,W4 wetlands and L3, L4 lakes (#22)</b>	<ul style="list-style-type: none"> <li>Management of critical habitat through....and Riparian Guidelines.... Safeguarding riparian habitats is of particular importance.</li> </ul>	<i>Contributes</i> to meeting riparian habitat protection in support of fish and wildlife and sensitive species by specification of key elements for retention in management zones.
<b>Riparian Reserve on L3 and Selected L1 Lakes (#23)</b>		<i>Contributes</i> to meeting riparian habitat protection in support of fish and wildlife and sensitive habitats by adding reserve zones to selected lakes.
<b>Mature Birch Retention (#24)</b>		<i>Contributes</i> to meeting First Nation need as identified in SRM planning.

LUO Objective	CCLUP Legal Direction Addressed by the LUO	Relationship
<b>Grasslands (#25)</b>	<ul style="list-style-type: none"> <li>• To manage in conjunction with the Protected Areas to maintain grassland complex species at risk.</li> <li>• (South Chilcotin) To manage in conjunction with the Protected Areas to maintain or enhance key grassland habitats, as per the Grasslands biodiversity strategy and Grazing resource strategies.</li> <li>• Planning and managing forest development to minimize or mitigate impacts to other values, including ...range....</li> <li>• To maintain the existing proportion of Animal Unit Months (AUMs) by Range Unit.</li> </ul>	<p>LUO <i>contributes</i> to meeting AUM targets and conservation of species at risk, many of which utilize grasslands.</p>
<b>Scenic Areas (#26,27,28,29)</b>	<ul style="list-style-type: none"> <li>• Management for the retention of visual qualities over key recreation resources, including key lakes.</li> <li>• Maintenance of visual quality surrounding existing tourism facilities and key tourist use areas.</li> <li>• To maintain the visual quality in the viewshed surrounding the key wilderness lakes</li> <li>• To maintain the visual quality in the viewshed surrounding existing tourism operations</li> <li>• To maintain the visual quality in the viewshed (various specific locations)</li> <li>• In order for the forest industry to operate in or near important tourism areas, their operations should incorporate tourism needs for high quality environments, including: <u>Scenic Quality</u>-forest operations should either avoid or minimize impacts on scenic quality.</li> <li>• For each polygon, the following recreation targets have been developed...The areas of the polygon which will be managed for visual quality.</li> </ul>	<p>LUO <i>fully completes</i> the intent of the visual area management direction in CCLUP</p>

LUO Objective	CCLUP Legal Direction Addressed by the LUO	Relationship
<b>Trails (#30)</b>	<ul style="list-style-type: none"> <li>• Maintenance of backcountry recreation opportunities along regionally significant rivers and trails.</li> <li>• Maintenance of backcountry recreation opportunities in a significant portion of the areas of the region that are presently in a backcountry condition, principally in the SRDZ.</li> <li>• Management for the retention of visual qualities over key recreation resources...</li> <li>• Backcountry condition (50%) Boss/Deception- all of the area above 5000 feet, the area surrounding key wilderness lakes ...and some trail networks connecting these areas.</li> <li>• To maintain the visual quality in the viewshed surrounding the Mackenzie/Grease trail...</li> </ul>	<p>LUO <i>contributes</i> to the CCLUP land use direction around backcountry recreation and Alexander Mackenzie Trail by identifying and buffering specific historic and recreational trails.</p> <p>Other trails and other backcountry values exist that are not addressed by this objective.</p>
<b>High Value Wetlands for Moose (#32)</b>	<ul style="list-style-type: none"> <li>• Additional buffering of wetlands (up to 200 meters) may be required adjacent to key wetlands or riparian habitats, particularly on the Chilcotin plateau.</li> </ul>	<p>LUO <i>fully completes</i> the CCLUP intent for <u>key</u> wetlands given current information.</p> <p>Other habitat management for moose, including other wetlands and upland areas is not addressed by this objective.</p>

LUO Objective	CCLUP Legal Direction Addressed by the LUO	Relationship
<p><b>Grizzly Bear Foraging Habitats (#33)</b></p> <p><b>Grizzly Bear &amp; Berry Production (#34)</b></p>	<ul style="list-style-type: none"> <li>Consistent with the targets, establish Wildlife Habitat Areas, Sensitive Areas and other appropriate classification as required to protect these species and habitats.</li> </ul>	<p>These objectives <i>contribute</i> to meeting CCLUP intent for managing for grizzly at a very site specific level. The specific sites will be identified by field staff during block planning and layout.</p> <p>Other management provisions regarding access management and habitat at the landscape scale are also required. Additional Wildlife Habitat Areas that capture known areas of high value to grizzly may also be established under GAR, consistent with meeting timber targets.</p>

## **5. Context and Intent of Selected LUO Objectives**

The following discussion is intended to provide additional guidance in understanding the LUO for the purposes of preparing results and strategies in Forest Stewardship Plans. Items are discussed in the order they occur in the LUO. Additional guidance is not provided for all objectives in the LUO.

### **Definition of Spatial Area (LUO objective 3)**

Links to spatial data sets are included in the order for convenience. Two different links are available. For simple viewing of spatial polygons, the *maps* link is available. For overlaying spatial polygons in a GIS environment, the digital layers can be accessed using the *Spatial Datasets* link.

### **Effective Date (LUO objective 4)**

See “Scope of Application”

### **Wildlife Tree Retention (LUO objective 6 and 7)**

Objective 6 sets wildlife tree retention targets by Landscape Unit-Biogeoclimatic Ecosystem Classification (LU-BEC) unit as listed in schedule 1. These targets replace the objective for wildlife tree retention in the Forest and Range Practices Act.

The intent of objective 7 is to prevent the progressive loss of legacy wildlife trees in partially cut stands. Stands that are partially cut (less than 50% pre-harvest basal area removed) are not subject to the same wildlife tree retention requirements than stands that are heavily cut (>50% pre-harvest basal area removed) because there is much green standing timber remaining. Nevertheless, because of safety hazards and other operational considerations, there is a risk that important wildlife trees, especially large, old trees, will be lost over time. This objective points to the need for careful cutblock design to retain these important stand level biodiversity components. They may be retained by leaving individual wildlife trees that are assessed as safe, or designating wildlife tree patches (no work zones) around wildlife trees that may pose a danger to workers.

### **OGMAs (LUO objectives 8-10)**

The vast majority of OGMAs in the Cariboo are managed as geographically fixed polygons. As the matrix of forest surrounding OGMAs is increasingly managed for timber production, the

opportunities for moving OGMA's are increasingly limited. Therefore the management intent for OGMA's is to keep them in existing locations, regardless of natural disturbance factors (Biodiversity Conservation Committee Update #14). With this management model, natural disturbance within OGMA's is accepted, hence objective 8 states that OGMA's serve the dual process of maintaining old forest and maintaining natural ecological processes. As a result, salvage harvesting following fire or insect attack is not acceptable inside an OGMA but sanitation harvesting for insect attacks that meet the requirements of objective 9(b) is allowed.

Objectives 9 and 10 describe the kinds of forest and range development activities permitted in OGMA's. Consistency with these provisions allows for reasonable activity within OGMA's without compromising their ecological intent. No other exemptions are available.

Objective 9(a) allows for small harvesting incursions to address possible mapping discrepancies where OGMA boundaries were clearly intended to follow a geographic boundary such as a creek or road but slivers were created because the polygon was incorrectly mapped beyond this feature. Although some OGMA boundaries follow timber type boundaries, alignment with timber type is not considered a mapping discrepancy. Where there is any doubt regarding the intended boundary, clients should seek clarification from NRO.

Objective 9(b) allows legitimate forest health activity in support of infestation control at the landscape level. The conditions stated in the objective are very important. Harvesting is only appropriate where the Beetle Management Unit (BMU) is classified as *suppression* and all the conditions of suppression harvesting are met, including removal of 80-100% of the known outbreaks in the unit. The insect activity within the OGMA must represent a severe threat as forest pathogens naturally exist at endemic levels and help create legacies such as wildlife trees and coarse woody debris. The threat must also be at the landscape level, not simply the stand itself and infestations outside the OGMA must be addressed before entries into the OGMA should be considered. A landscape is generally an area of 5000 hectares or more and is usually a watershed or sub-basin within a larger watershed.

Salvage harvest of non-infectious trees is only permitted in rotating OGMA's (objective 9(f)(i)) and transition OGMA's (objective 10(g)). This is because these types of OGMA's are considered transient and over time will be replaced by other contributing areas. The mortality requirements stated in the objectives must be met before any salvage harvest is permissible.

As of May 26, 2010, District Managers were delegated authority to make some OGMA amendments. The authority is limited to orders made under section 93.4 of the Land Act (applicable to the LUO for the Cariboo) and applies to:

- Additions or deletions to the boundaries of one or more OGMA polygons:
- Deleting existing OGMA polygons; and
- Establishing replacement polygons.

This authority is intended to facilitate easier implementation of land use orders while remaining within the legal limits, as well as the spirit and intent of the order. That is why the authority does not extend to situations where there are substantial economic and environmental implications. OGMAs in the Cariboo are an integral part of the overlapped land values that achieved the CCLUP targets. Changes to OGMAs that do not coincide with the LUO direction risk violating the economic and environmental balance achieved by the land use plan and therefore would be considered to fall outside this delegation.

### **Lakes Management (LUO objectives 16,17)**

Map 6a shows the classification of each lake with respect to lake shore management. The lakeshore zone is defined by the spatial data set. The objectives applicable to that zone are contained in schedule 2.

Map 6b shows the classification of each lake consistent with the lake management categories in schedule 3. No shoreline buffers are shown on these maps because management of the forest surrounding the lake is governed by the objectives in schedule 3. For refugium lakes, NRO should be contacted to determine the nature of the value to be protected.

### **Stream, Wetland and Lake Riparian Areas (LUO objectives 20, 21)**

Objective 20 has been amended from the June 2010 legal order. The purpose of the objective is to establish riparian reserves as no-harvest areas under the land use plan and to identify which forestry activities are permitted within the reserves. In part (b) the amended objective now lists the acceptable activities within the reserve area.

Objective 21 is intended to preserve the integrity and fisheries value of S4 (fish bearing) streams. Logging is permitted adjacent to the stream provided parts (a) and (b) of the objective are met. Streambank stability means the banks do not erode or slough into the stream because of removal of embedded or adjacent vegetation. Channel processes mean the volume, flow and quality of the water in the stream channel is unaffected by forestry developments.

Maintenance of stream shade and organic input requires retention of streamside vegetation to prevent elevated stream temperatures or loss of natural insect/vegetation input to the stream.

### **Grasslands (LUO objective 25)**

This objective is intended to help implement the CCLUP grasslands strategy. The maps and spatial datasets outline the grassland benchmark area. Where forest harvesting is conducted inside the benchmark area, silviculture activities to restore forest should not be undertaken. Retention of trees should be done consistent with the CCLUP guidance document, “Best Management Practice Guidelines for Harvesting Treatments on CCLUP Grassland Benchmark Sites”.

### **Scenic Areas (LUO objective 29)**

With respect to high elevation viewpoints, this objective pertains only to the configuration of new cutblocks. The intent is to maintain some visual landscape integrity from these high observation points by having cutblocks appear more natural by avoiding straight line edges and rectangles. Usually, cutblocks that follow the timber type will help ensure shapes are more natural.

### **Trails (LUO objective 30, 31)**

The trails are shown on the map coverage but not as a spatial dataset. This is because the trails are often fine lines that are only 1 or 2 meters wide. The map shows the approximate location of the trail but the exact location must be determined in the field.

Retention can be greater on one side of the trail than the other provided the average is 85%. Objective 31 allows for harvesting of blowdown where that harvest will contribute to maintaining the recreational value of the trail. This provision was included to address situations where trails pass through areas of high tree mortality due to fire or beetle attack and may be subject to extensive blowdown across the trail. Where trails are used by commercial backcountry recreation or guide-outfitters, the tenure holders should be contacted if logging is planned along the trail.

### **High Value Wetlands for Moose (LUO objective 32)**

Moose use these wetlands extensively in winter for browsing. They take shelter in adjacent trees and shrubs. This objective is intended to ensure vegetation is left adjacent to these important wetlands sufficient to hide (security cover) and reduce heat loss (thermal cover) by leaving vegetation taller than mature moose. Questions about cover types and specific sites should be directed to NRO.

### **Grizzly Bear (LUO objective 33)**

This objective pertains to specific, high value sites within the broad areas shown on the maps as moderate, high and very high grizzly habitat. The high value salmon and trout spawning areas and herb-dominated avalanche tracks must be identified in the field. They are not on the LUO map.

Security cover for grizzly would consist of dense vegetation next to the foraging area. Large trees within the security cover may be used for day-beds.