

# **Central and North Coast Order March 2009**

## **Consolidated Version<sup>1</sup>**

### **For Communication Only**

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<sup>1</sup> This document is a consolidation of the Central and North Coast order and incorporates the March 2009 amendments made to the Order. While every effort has been made to ensure the accuracy and completeness of this consolidated version, users should refer to the Central and North Coast Amendment Order to review all legal amendments made to the order.

## Central and North Coast Order

### Preamble

It is the goal of the Province through land use objectives and other measures to implement ecosystem based management within the Central and North Coast area. The Province is committed to implementing ecosystem based management in a manner that maintains ecosystem integrity and improves human well-being concurrently. Ecosystem integrity is being maintained when adverse effects to ecological values and processes are minimal or unlikely to occur. A high level of human well-being is being achieved when the quality of life in communities is equal to or better than the Canadian average.

The *Land Use Objectives Regulation* also requires the provision of an appropriate balance of social, economic and environmental benefits.

These land use objectives support implementation of ecosystem based management. They protect important First Nations' cultural values, support ecosystem integrity and provide environmental benefits by maintaining the diversity and abundance of organisms within the Central and North Coast area. Human well-being will be supported through policies and initiatives designed to achieve social and economic benefits, including carbon values, for First Nations and other citizens dependent upon the Central and North Coast area, ensuring worker safety and by maintaining a viable forest industry, which includes significant First Nations' involvement.

The implementation of ecosystem based management will be monitored and, if monitoring results determine that ecosystem integrity is not being maintained or human well-being improved, this order may be reviewed and amended. Progress will be assessed in terms of ecological and human well-being performance indicators such as maintenance of high levels of old forest representation (i.e. 70 % of the range of natural variation (RONV)) and increases in employment levels (i.e. equal to the Canadian average). For the purpose of this Order, the intent is to maintain old forest representation at 50% of the range of natural variation across the combined area covered by the South Central and Central and North Coast Orders.

This preamble is provided for context and background and does not form part of the order.

# Ministry of Agriculture and Lands

## Ministerial Order

### Central and North Coast

#### Part 1 - Interpretation

##### 1. Relationship with *Forest and Range Practices Act* Objectives

- (1) Pursuant to section 93.4 of the *Land Act*, the following objectives are established as land use objectives for the purposes of the *Forest and Range Practices Act*, and apply to the landscape units shown on Schedule 1.
- (2) In accordance with section 5 of the *Land Use Objective Regulation* (B.C. Reg. 357/2005), the objective made in section 10 of the *Forest Planning and Practices Regulation* (B.C. Reg. 14/2004) under the *Forest and Range Practices Act* is disclosed as being in conflict with this order, for the landscape units shown on the map attached as Schedule 1.
- (3) A person required to prepare a woodlot licence plan is not required to specify results or strategies for the objectives established in this order for land that is subject to a woodlot licence.
- (4) A person required to prepare a forest stewardship plan is not required to specify results or strategies for the objectives established in this order for land that is subject to a community forest agreement.
- (5) Results or strategies specified in a forest stewardship plan may apply to more than one objective contained in this order.
- (6) This ministerial order establishes land use objectives in accordance with section 93.4 of the *Land Act*, and nothing in, under or arising out of this ministerial order abrogates or derogates from any aboriginal rights, aboriginal title or treaty rights of any applicable First Nation and does not relieve the Province of any obligation to consult with any applicable First Nation.

##### 2. Definitions

- (1) In this order:
  - “**active fluvial unit**” means an active floodplain, where water flows over land in a normal flood event, and includes low and medium benches and the hydro-geomorphic zone of an active fan;

- “adaptive management plan”** means, for the purposes of this Order, a monitoring or research initiative that is developed and implemented during the operational planning and primary forestry activity phase to examine the outcomes of management strategies and practices that vary from default requirements;
- “applicable First Nation”** means any First Nation claiming an aboriginal right, aboriginal title or a treaty right to the area under consideration;
- “blue-listed plant communities”** means plant communities set out in Schedule 6;
- “cedar stewardship areas”** means areas identified in Schedule 8;
- “critical black bear habitat”** includes beaches and beach margins, estuaries, rich non-forested fens, forested and non-forested bog edges, herb-dominated patches on avalanche chutes, herb-dominated subalpine parkland meadows, skunk cabbage swamps, floodplain ecosystems, and areas where bears fish for salmon;
- “culturally modified tree”** means a tree that has been modified by First Nations people as part of their cultural use of the tree;
- “culturally modified tree area”** means an area where more than 10 culturally modified trees are all found within one tree length of each other;
- “cultural cedar use”** means the use of monumental cedar or other cedar to fulfill the domestic needs of the applicable First Nation for such things as shelter, transportation, tools, fuel, and art, but does not include the use of monumental cedar or other cedar for purposes of sale, trade, barter, financing, or the production of assets;
- “cutblock”** means an area within which a tenure holder is authorized to harvest timber, as identified in a cutting permit;
- “equivalent clearcut area”** means an indicator that quantifies the percentage of the forested portion of a watershed where the hydrologic response resulting from alteration of the forest by harvesting, fires, insects and disease is equivalent to the hydrologic response of a clearcut;
- “forested swamp”** means a forested mineral wetland or a forested peatland with standing or gently flowing nutrient rich water in pools or channels and the water table is usually at or near the surface of the wetland or peatland. It does not include poorly drained areas transitional to uplands where Folisolic growing substrate (i.e. folic material derived from the litter of trees and lesser vegetation of upland sites) occupies 50% or more of the site or hydromorphic organic matter (organic material accumulated under saturated conditions) and wetland species hydrophytes occupy less than 50% of the site area;
- “functional riparian forest”** means forest that has reached hydrologically effective greenup and that also contains some large trees adjacent to streams to provide for large organic debris;

**“high value fish habitat”** means critical spawning and rearing areas for anadromous and non-anadromous fish including:

- (a) estuaries (including eel grass beds and salmonid and eulachon rearing areas);
- (b) wet floodplains (including main channel salmonid and eulachon spawning habitats, and off channel habitat used for rearing and spawning); and
- (c) marine interface areas (including shallow intertidal areas, kelp beds, herring spawning areas, and other nearshore habitats used by marine invertebrates for reproduction and rearing);

**“hydrologically effective greenup”** means the stage in the process of hydrologic recovery of a disturbed area at which a regenerating stand of trees has sufficient height, stocking density and canopy closure to prevent the hydrologic response of the disturbed area from causing material, adverse changes in hillslope hydrology, stream channel condition, or stream flows;

**“important fisheries watersheds”** means watershed areas identified in Schedule 3, except watersheds composed of S5 and S6 streams as defined in the *Forest and Range Practices Act*, flowing directly to the ocean;

**“information-sharing or consultation”** means information-sharing by a person required to prepare a forest stewardship plan or consultation by the Province, or both, as the context requires, and, when requested by the applicable First Nation, includes the provision to the First Nation for any applicable:

- (a) watershed assessment;
- (b) adaptive management plan; and
- (c) site specific information;

**“mid-seral”** means a stand of trees 40 years or older but less than:

- (a) 80 years for the Coastal Western Hemlock biogeoclimatic zone;
- (b) 100 years for the Interior Cedar-Hemlock biogeoclimatic zone;
- (c) 120 years for the Engelmann Spruce-Subalpine Fir biogeoclimatic zone; and
- (d) 120 years for the Mountain Hemlock biogeoclimatic zone;

- “monumental cedar”** means a large old western red cedar tree or a large old yellow cedar tree that will fulfill the domestic needs of the applicable First Nation for cultural cedar use;
- “natural boundary”** means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself;
- “old forest”** means a stand of trees 250 years or older;
- “qualified professional”** means an applied scientist or technologist, acting alone or together with another professional, if:
- (a) The individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association’s code of ethics and subject to disciplinary action by that association; and
  - (b) The individual is acting within that individual’s area of expertise.
- “red-listed plant communities”** means plant communities set out in Schedule 5;
- “site series”** means sites capable of producing the same late seral or climax plant communities within a biogeoclimatic subzone or variant;
- “stand of monumental cedar”** means an area where more than 10 monumental cedars are all found within close proximity of one another;
- “stand retention”** means a forested area that is located:
- (a) in a cutblock or contiguous to a cutblock where a clearcut silvicultural system is used; or
  - (b) in a cutblock where a partial cut silvicultural system is used;
- “traditional forest resources”** means monumental cedar and other wild plant foods, botanical medicines and forest resources that are utilized by a First Nation for food, social, treaty or ceremonial purposes, and includes wildlife;
- “traditional heritage features”** means culturally modified trees and other archaeological and historical artefacts, sites and locations that are important to the cultural practices, knowledge and heritage of a First Nation, but does not include traditional forest resources; and
- “upland streams”** means streams with a slope greater than 5% that are classified as S4 to S6 streams in section 47 of the *Forest Planning and Practices Regulation*.

- (2) Words and expressions not defined in this order have the meaning given to them in the *Forest and Range Practices Act*, the *Forest Act*, the *Heritage Conservation Act*, the *Range Act* and the regulations made thereunder, unless the context indicates otherwise.
- (3) Where an objective refers to an area shown on a schedule and the area is also defined by a spatial dataset, the boundaries of the area as defined by the spatial dataset apply in the event of any inconsistency. A complete list of spatial datasets is contained in:  
[ftp://ftpnan.env.gov.bc.ca/dist/gisdata/cclrmp/ebm\\_data/](ftp://ftpnan.env.gov.bc.ca/dist/gisdata/cclrmp/ebm_data/)

## **Part 2 - First Nations**

### **3. Objectives for First Nations' traditional forest resources**

- (1) Maintain traditional forest resources in a manner that supports First Nations' food, social, treaty and ceremonial use of the forest.

### **4. Objectives for First Nations' traditional heritage features**

- (1) Protect traditional heritage features, other than culturally modified trees, and include a management zone of sufficient size to protect the integrity of the traditional heritage feature.
- (2) Despite subsection (1), a traditional heritage feature, other than a culturally modified tree, may be altered or removed when, through information-sharing or consultation with the applicable First Nation, it is determined that:
  - (a) the traditional heritage feature is not of continuing importance to the First Nation; or
  - (b) the alteration or removal is required for road access, other infrastructure, or to address a safety concern.
- (3) Where information-sharing or consultation under subsection (2 (b)) with the applicable First Nation identifies a material adverse impact to a traditional heritage feature that is of continuing importance to the applicable First Nation and there is no practicable alternative, identify specific measures to address or seek to accommodate the material adverse impact.

### **5. Objectives for culturally modified trees**

- (1) In areas proposed for road construction and harvesting, identify and protect culturally modified trees and include a management zone of sufficient size to protect the integrity of the culturally modified trees.

- (2) Despite subsection (1), a culturally modified tree may be altered or harvested when, through information-sharing or consultation with the applicable First Nation it is determined that:
  - (a) the culturally modified tree is not of continuing importance to the First Nation; or
  - (b) alteration or harvesting is required for road access, other infrastructure, or to address a safety concern; or
  - (c) protection of all of the culturally modified trees in the cutblock would make harvesting the cutblock economically unviable.
- (3) Where information-sharing or consultation under subsection (2 (b) or (c)) with the applicable First Nation identifies a material adverse impact to a culturally modified tree that is of continuing importance to the applicable First Nation and there is no practicable alternative, identify specific measures to address or seek to accommodate the material adverse impact.
- (4) Reserve culturally modified tree areas at the landscape and stand level, where practicable, through information-sharing or consultation with the applicable First Nation.

## **6. Objectives for monumental cedar**

- (1) Maintain a sufficient volume and quality of monumental cedar to support the applicable First Nation's present and future cultural cedar use of monumental cedar, following information-sharing or consultation with the applicable First Nation, and to the extent practicable.
- (2) For the purposes of subsection (1) in areas where road construction and timber harvesting are proposed, identify and reserve monumental cedars where information sharing with the applicable First Nation has indicated the monumental cedar may be suitable for cultural cedar use.
- (3) Despite subsection (1) and (2), a monumental cedar may be harvested when, through information-sharing or consultation with the applicable First Nation, it is determined that:
  - (a) the monumental cedar is not suitable or required for a cultural cedar use;  
or
  - (b) the monumental cedar will be provided to the applicable First Nation; or
  - (c) harvesting the monumental cedar is required for road access, other infrastructure, or to address a safety concern.
- (4) Where information-sharing or consultation under sub-section (3) with the applicable First Nation identifies a material adverse impact to a monumental cedar that is identified as being suitable for cultural use by the applicable First



Nation, and there is no practicable alternative, identify specific measures to address or seek to accommodate the material adverse impact.

**7. Objectives for stand level retention of western red and yellow cedar**

- (1) Maintain a sufficient volume and quality of western red cedar and yellow cedar to support the applicable First Nation's cultural cedar use of western red cedar and yellow cedar, to the extent practicable.
- (2) For the purposes of subsection (1), where Cedar Stewardship Areas have been identified, maintain or recruit western red cedar and yellow cedar in the Cedar Stewardship Areas to support the applicable First Nations' use of western red cedar and yellow cedar.
- (3) Within a cutblock, for the first 15% of the pre-harvest stand retained in stand level retention, as specified in section 16(1), design aggregate and dispersed stand retention to maintain a range of diameters of mature and old western red cedar and yellow cedar representative of the pre-harvest stand.

**Part 3 - Aquatic Habitats**

**8. Objectives for important fisheries watersheds**

- (1) Maintain an equivalent clearcut area of less than 20% in important fisheries watersheds as set out in the areas shown in Schedule 3.
- (2) Despite subsection (1), an equivalent clearcut area of more than 20 % may be maintained after:
  - (a) information-sharing or consultation with the applicable First Nation;
  - (b) a coastal watershed assessment or similar assessment of watershed sensitivity to forest development disturbance is completed by a qualified professional;
  - (c) maintaining an amount, type and distribution of forest cover that is sufficient to sustain natural hydrological and fluvial processes, based on the assessment in subsection (2)(b); and,
  - (d) to the extent practicable, an adaptive management plan is developed and implemented.

**9. Objectives for high value fish habitat**

- (1) Adjacent to high value fish habitat, maintain a reserve zone with a width, on average, of 1.5 times the height of the dominant trees, and do not alter or harvest the forest in the reserve zone unless there is no practicable alternative.

- (2) For the purposes of subsection (1), the width of the reserve zone in any one location may be increased or decreased by up to 0.5 tree heights to address site specific values, including reserving critical habitat for species at risk.
- (3) Where some or all of the forest within the reserve zone required under subsection (1) has been previously altered or harvested, recruit functional riparian forest in that reserve zone, to the extent practicable.
- (4) Despite section (1) above, for the lower portion of the Kimsquit River, identified in Schedule 7, maintain a reserve zone width of 150m on each side of the natural boundary, unless there is no practicable alternative, for future road access, other infrastructure, or to address a safety concern, subject to information-sharing or consultation with the applicable First Nation. Current road access and infrastructure is exempt from this reserve provision.

**10. Objectives for aquatic habitat that is not high value fish habitat**

- (1) Adjacent to the following aquatic habitat:
  - (a) S1 to S3 streams, as defined in the *Forest and Range Practices Act*;
  - (b) lakes greater than 1.0 hectares; and
  - (c) marsh and fen wetlands greater than 1.0 hectares in size;retain 90% of the functional riparian forest in management zones with a width, on average, of 1.5 times the height of the dominant trees.
- (2) Adjacent to lakes and marsh and fen wetlands that are between 0.25 and 1.0 hectares in size, retain 90% of the functional riparian forest in management zones with a width, on average, of 1.0 times the height of the dominant trees.
- (3) The width of the management zone in subsection (1) and (2) may be increased or decreased by 0.5 tree heights, in any one location, to address site specific values, including reserving critical habitat for species at risk.
- (4) Despite subsection (1) and (2), the amount of functional riparian forest retained in the management zones for S1 to S3 streams, lakes and marsh and fen wetlands may be reduced to 70% after:
  - (a) ascertain and retain the amount of functional riparian forest sufficient to maintain stream bank stability and stream channel integrity;
  - (b) develop and implement an adaptive management plan to the extent practicable;
  - (c) engaging in information-sharing or consultation with the applicable First Nation.

- (5) Where some or all of the forest in the management zone required in subsections (1), (2) and (3) has been previously altered or harvested, to the extent practicable, recruit functional riparian forest in that management zone.

## **11. Objectives for forested swamps**

- (1) Adjacent to forested swamps greater than 0.25 hectares, retain 70% of the functional riparian forest in a management zone with a width, on average, equal to 1.5 times the height of the dominant trees.
- (2) For the purposes of subsection (1), the width of the management zone in any one location may be increased or decreased by up to 0.5 tree heights to address site specific values, including reserving critical habitat for species at risk.
- (3) Despite subsection (1), an additional 10% of the forest in the management zone adjacent to the forested swamp may be altered or harvested where:
  - (a) alteration or removal is required for road access, other infrastructure, or to address a safety concern; or
  - (b) where 70% retention would make harvesting the cutblock economically unviable.
- (4) Before altering or harvesting the functional riparian forest pursuant to subsection (3):
  - (a) ascertain and retain the amount of functional riparian forest sufficient to maintain the integrity of the forested swamp;
  - (b) develop and implement an adaptive management plan to the extent practicable; and
  - (c) engage in information-sharing or consultation with the applicable First Nation.
- (5) Where some or all of the forest in the management zone required in subsection (1) has been previously altered or harvested, to the extent practicable, recruit functional riparian forest in that management zone.

## **12. Objectives for upland streams**

- (1) Maintain 70% or more of the forest, in the portion of the watershed where upland streams occur, as functional riparian forest.
- (2) For the purposes of subsection (1), allocate retention to include upland stream reaches with unique microclimate or other rare ecological or geomorphological characteristics.

- (3) Despite subsection (1), less than 70% of the forest in the portion of the watershed occupied by upland streams may be maintained as functional riparian forest after:
  - (a) information-sharing or consultation, with the applicable First Nation;
  - (b) a coastal watershed assessment or similar assessment of watershed sensitivity to forest development disturbance is completed by a qualified professional;
  - (c) maintaining an amount, type and distribution of forest cover that is sufficient to sustain natural hydrological and fluvial processes, based on the assessment in subsection (3)(b); and
  - (d) developing and implementing an adaptive management plan to the extent practicable.

### **13. Objectives for active fluvial units**

- (1) Adjacent to active fluvial units, retain 90% of the functional riparian forest in a management zone with a width, on average, equal to 1.5 times the height of the dominant trees.
- (2) For the purposes of subsection (1), the width of the management zone may be increased or decreased by 0.5 tree heights, in any one location, to address site specific values including reserving critical habitat for species at risk.
- (3) Despite subsection (1), up to an additional 10% of the forest may be altered or harvested in accordance with subsection (4).
- (4) Before altering or harvesting the functional riparian forest pursuant to subsection (3):
  - (a) ascertain and retain the amount of functional riparian forest sufficient to maintain bank stability and channel integrity on the active fluvial unit;
  - (b) develop and implement an adaptive management plan to the extent practicable; and
  - (c) engage in information-sharing or consultation with the applicable First Nation.

## Part 4 - Biodiversity

### 14. Objectives for landscape level biodiversity

- (1)
  - (a) For each site series surrogate in a landscape unit, retain an amount of old forest equal to or greater than the landscape unit default target listed in Schedule 4, (using site series surrogate targets listed in Schedule 4(b)), except where alteration or harvesting is required for road access, other infrastructure, or to address a safety concern.
  - (b) For each site series surrogate listed in Schedule 4(c), also maintain an amount of old forest equal to or greater than that specified for each site series surrogate listed in Schedule 4(c).
- (2)
  - (a) As an alternative to 14(1) (a), for each site series, or grouping of site series in a landscape unit, retain an amount of old forest equal to or greater than the landscape unit default target listed in Schedule 4, (using site series or site series grouping targets listed in Schedule 4 (a), except where alteration or harvesting is required for road access, other infrastructure, or to address a safety concern.
  - (b) As an alternative to 14 (1) (b), for each site series or site series grouping in Schedule 4 (d) also maintain an amount of old forest equal to or greater than that specified for each site series or site series grouping listed in Schedule 4 (d).
- (3) Where there is less than the default old forest target available in a landscape unit required in 14 (1) or 14 (2) as the case may be, to the extent practicable, recruit forest to meet the representation requirements within 250 years.
- (4) Maintain, in each landscape unit, to the extent practicable, less than 50% of each site series or site series surrogate for each of the landscape units listed in Schedule 4 in mid-seral forest age classes.
- (5) Where there is more than 50% of any site series or site series surrogate for each of the landscape units listed in Schedule 4 in mid-seral age classes then, to the extent practicable, reduce the mid-seral age class in that site series or site series surrogate in that landscape unit to less than 50%, within 80 years.
- (6) Despite subsection 14(1)(a), 14(2)(a), and 14(3) less than the default target amount of old forest may be retained in a landscape unit after:
  - (a) information-sharing or consultation with the First Nation(s);
  - (b) a landscape unit habitat assessment for species at risk and regionally important wildlife is completed by a qualified professional;

- (c) old forest is retained to provide sufficient habitat to sustain species at risk and regionally important wildlife, based on the assessment in 14(6)(b);
  - (d) old forest is retained to meet the risk managed target in Schedule 4; and
  - (e) an adaptive management plan is developed and implemented to the extent practicable.
- (7) To the extent practicable, include within old forest retention areas, stands of monumental cedar for future cultural cedar use, red and blue-listed plant communities, habitats important for species at risk, ungulate winter ranges, and regionally important wildlife, including, but not limited to:
- (a) mountain goats;
  - (b) grizzly bears;
  - (c) northern goshawks;
  - (d) tailed frogs; and
  - (e) marbled murrelets.

**15. Objectives for red-listed and blue-listed plant communities**

- (1) Protect each occurrence of a red-listed plant community during a primary forest activity.
- (2) Despite subsection (1), up to 5% of each occurrence of a red-listed plant community may be disturbed if there is no practicable alternative for road access, other infrastructure or to address a safety concern.
- (3) Protect at least 70% of each occurrence of a blue-listed plant community set out in Schedule 6 during a primary forest activity or protect at least 70% of each type of blue-listed plant community that occurs in a landscape unit.

**16. Objectives for stand level retention**

- (1) Maintain forest structure and diversity at the stand level:
  - (a) by establishing stand retention equal to or greater than 15% of the cutblock; and
  - (b) in cutblocks 15 hectares or greater in size, by distributing 50% of the stand retention within the cutblock, except in second growth stands where a windthrow hazard assessment indicates a high biophysical hazard for windthrow.
- (2) To the extent practicable, include the following within stand retention:

- (a) habitat elements important for species at risk, ungulate winter range, and regionally important wildlife;
- (b) representation of ecosystems and plant communities that are red-listed or blue-listed in the watershed and landscape;
- (c) functional riparian forest adjacent to active fluvial units, forested swamps, fen and marsh wetlands and upland streams with unique climate and other characteristics;
- (d) western red cedar and yellow cedar, in a range of diameters representative of the preharvest stand, and important for future cultural cedar use; and
- (e) wildlife trees and coarse woody debris.

**17. Objectives for grizzly bear habitat**

- (1) Maintain 100% of class one grizzly bear habitat, as set out in Schedule 2, except as provided in 17(3), 17(4) and 17(5).
- (2) Maintain 50% of class 2 grizzly bear habitat, as set out in Schedule 2.
- (3) Despite 17 (1), grizzly bear habitat referred to in 17(1) may be altered or harvested after:
  - (a) obtaining from a qualified professional confirmation that the disturbance will not cause a material adverse impact to the suitability of the grizzly bear habitat;
  - (b) to the extent practicable preparing and implementing an adaptive management plan; and
  - (c) engaging in information sharing or consultation with the applicable First Nation
- (4) Despite 17 (1), grizzly bear habitat referred to in 17(1) may be altered or harvested after:
  - (a) obtaining from a qualified professional confirmation that the disturbance will not cause a material adverse impact to the suitability of the grizzly bear habitat;
  - (b) the alteration or harvesting is required to accommodate minor boundary adjustments to a proposed cutblock and will impact less than 5% of the area of a polygon set out in Schedule 2; and
  - (c) engaging in information sharing or consultation with the applicable First Nation.
- (5) Despite 17 (1), grizzly bear habitat referred to in 17 (1) may be altered or harvested after:
  - (a) a qualified professional has determined that:

- (i) there is no other practicable alternative for road access, the road-right-of-way clearing width is the minimum safe width necessary to accommodate the road and, to the extent practicable, avoids or minimizes any material adverse impact to grizzly bear habitat;
  - (ii) there is no practicable alternative for other infrastructure; or
  - (iii) the alteration or harvesting is required to address a safety concern;
- and
- (b) engaging in information sharing or consultation with the applicable First Nation.


**18. Objectives for Kermode habitat**

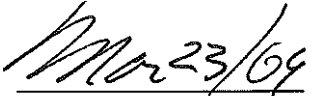
- (1) Within the Kermode Stewardship Areas shown in Schedule 9:
  - (a) Maintain a maximum of 30% early seral and 40% mid seral within identified watersheds;
  - (b) Maintain a maximum 70% crown closure within managed stands by the declaration of free-growing;
  - (c) establish windfirm reserves adjacent to known black bear dens; and
  - (d) do not alter critical black bear habitat.
- (2) Despite subsection (1) (d), up to 5% of a critical habitat occurrence may be altered if there is no practicable alternative for road access, other infrastructure or to address a safety concern, after information sharing or consultation with the applicable First Nation.

**Part 5 - Transition**

**19. Application of this order**

- (1) This order and the land use objectives in this order, except 14(2), take effect on the date that notice of this order is published in the Gazette.
- (2) The period of time under section 8(2)(b) of the *Forest and Range Practices Act* is six months, starting on the date this order comes into effect as specified in subsection (1).
- (3) Objective 14(2) takes effect on December 30, 2009.

  
Minister of Agriculture and Lands

  
Date



## **Schedules to this Order**

Schedule 1 - Landscape Units Covered by this Order

Schedule 2 - Grizzly Bear Habitat

Schedule 3 - Important Fisheries Watersheds

Schedule 4 - Landscape Units and Default / Risk Managed Old Forest  
Representation Targets

Schedule 4(a) - Site Series RONV Requirements for Landscape Unit Targets in  
Schedule 4

Schedule 4(b) - Site Series Surrogate RONV Requirements for Landscape Unit  
Targets in Schedule 4

Schedule 4(c) - Modal, Rare, and Very Rare Site Series Surrogate Analysis Unit  
Representation Targets

Schedule 4(d) - Modal, Rare, and Very Rare, Site Series Analysis Unit  
Representation Targets

Schedule 5 - Red-listed Plant Communities

Schedule 6 - Blue-listed Plant Communities

Schedule 7 - Map of Lower Kimsquit River

Schedule 8 - Cedar Stewardship Areas

Schedule 9 - Kermode Stewardship Areas