

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 AMENDMENT ORDER

Pursuant to section 93.4 of the *Land Act* and by this order, the Central and North Coast order is amended as follows. The amendments apply to the area shown on Schedule 1.

Part 1 – Definitions

Explanatory Note

1. The following six definitions are inserted:

“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;

“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;

“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;

“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;

“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”.

Explanatory Note

- 2. The definition for “blue-listed plant communities” is amended by repealing “that are of special concern in British Columbia and are”.**

Explanatory Note

- 3. The definition for “high value fish habitat” in subsection (c) is amended by deleting “spawning” and adding “spawn”.**

Explanatory Note

- 4. The definition for “important fisheries watersheds” is amended:**
- (a) by repealing “on” and substituting “in” before “schedule”;**
 - (b) by adding “as defined in the *Forest and Range Practices Act*” after “streams”.**

Explanatory Note

- 5. The definition for “information-sharing or consultation” is amended by repealing:**
- (a) “includes” and inserting “means”**
 - (b) “of” and inserting “for” after “Nation”.**

Explanatory Note

- 6. The subsection headings for the definition of “mid-seral” are amended to replace subsection headings (d), (e), (f) and (g) with (a), (b), (c) and (d).**

Explanatory Note

- 7. The definition for “monumental cedar” is amended as follows:**
- (a) Delete “monumental” in front of “western”, delete “monumental” in front of “yellow cedar”, delete “meet” in front of “the applicable”, delete “Nations” in front of “cultural” and delete “needs” at the end of the sentence.**
 - (b) Add “large old” after “means a”, add “cedar tree” after “western red”, add “large old” after “or a”, add “tree” after “yellow cedar”, add “fulfill the domestic needs of” after “that will”, add “Nation for” after “First”, and add “cedar use” after “cultural”.**

Explanatory Note

8. The definition for “red-listed plant communities” is amended by repealing “that are rare, threatened or extirpated in British Columbia and are”

Explanatory Note

9. The definition for “stand retention” is amended by repealing “silviculture” and substituting “silvicultural” in subsection (b).

Explanatory Note

10. The definition for “traditional forest resources” is amended by deleting the word “the” in front of “other wild plant foods”.

Explanatory Note

11. The definition for “traditional heritage features” is amended by deleting the word “the” in front of “other archaeological and historical artefacts”.

Explanatory Note

12. Objective 2, Section 3 is added:

“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/”

Part 2 – First Nations

Explanatory Note

13. Objective 4, Section 2 is amended by deleting “after” before “information sharing” and replacing with “when, through” and by deleting “determines” and replacing with “it is determined that”.

Explanatory Note

14. Objective 4, section 3 is amended by adding (b) after subsection 2.

Explanatory Note

- 15. Objective 5, Section 1 is amended by deleting “tree” and adding “trees” at the end of the sentence.**

Explanatory Note

- 16. Objective 5, Section 2 is amended by deleting “after” before “information sharing” and replacing with “when, through” and by deleting “determines” and replacing with “it is determined”.**

Explanatory Note

- 17. Objective 5, Section 2(c) is further amended by adding “all of” in front of “the culturally modified trees”.**

Explanatory Note

- 18. Objective 5, Section 3 is amended by adding “(b) or (c)” after “subsection 2”.**

Explanatory Note

- 19. Objective 5, Section 4 is amended by repealing the word “after” in front of “information sharing” and replacing with “through”.**

Explanatory Note

- 20. Objective 6, Sections 1, 2, and 3(a) are amended by adding “cedar” between the words “cultural use”.**

Explanatory Note

- 21. Objective 6, Section 3 is amended by deleting:**
- (a) “after” in front of “information sharing” and replacing with “when, through”;**
 - (b) “determines” in front of “that” and replacing with “it is determined” in front of “that”;**
 - (c) “or” after “to address a safety concern”; and**
 - (d) Subsections (d) and (e).**

Explanatory Note

- 22. Objective 7, Section 1 is amended by adding “cedar” between the words “cultural use”**

Explanatory Note

- 23. Objective 7, Section 2 is repealed and the following is substituted:**

“For the purposes of subsection (1), and where Cedar Stewardship Areas have been identified, maintain and 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.”

Explanatory Note

- 24. Objective 7, Section 3 is added:**

“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

Explanatory Note

- 25. Objective 8, Section 1 is amended by adding “as set out in the areas shown in Schedule 3”.**

Explanatory Note

- 26. Objective 8, Section 2, subsection (b) is amended by deleting “to relevant professional standards” and substituting “by a qualified professional.”**

Explanatory Note

- 27. Objective 8, Section 2, subsection (d) is amended by deleting “to monitor environmental impacts during any primary forestry activity”.**

Explanatory Note

- 28. Objective 9, Section 4 is added:**

“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.”

Explanatory Note

29. Objective 10, Section 1, is amended

- (a) by replacing “riparian” with “aquatic” and**
- (b) by adding “as defined in the *Forest and Range Practices Act*,” in subsection (a).**

Explanatory Note

30. Objective 10, Section 4, Subsection (a) is amended by deleting “ascertaining and retaining” and substituting “ascertain and retain”.

Explanatory Note

31. Objective 10, Section 4, Subsection (b) is amended by:

- (a) Deleting “to the extent practicable” at the front of the sentence and adding “to the extent practicable” at the end of the sentence;**
- (b) Deleting “developing and implementing” and replacing with “develop and implement”;**
- (c) Deleting “and monitor environmental impacts during any primary forest activity”.**

Explanatory Note

32. Objective 11, Section 2 is amended by adding “up to” in front of “0.5 tree heights”.

Explanatory Note

33. Objective 11, Section 4 is amended as follows:

- (a) In subsection (b), delete “to the extent practicable” from the front of the sentence and add “to the extent practicable” to the end of the sentence;**
- (b) in subsection (b) delete “and monitor environmental impacts during primary forest activity”**

Explanatory Note

34. Objective 12, Section 1 is amended by

- (a) Deleting “occupied by” in front of “upland streams”;**

(b) Adding “where” in front of upland streams and “occur” after “upland streams”.

Explanatory Note

35. Objective 12, Section 3, Subsection (b) is amended by deleting “to relevant professional standards” and substituting “by a qualified professional.”

Explanatory Note

**36. Objective 12, Section 3, Subsection (d) is repealed and replaced with :
“developing and implementing an adaptive management plan to the extent practicable.”**

Explanatory Note

37. Objective 13, Section 3, is amended by deleting “in the management zone” after “forest”.

Explanatory Note

38. Objective 13, Section 4, Subsection (b) is amended as follows:

(a) By deleting “to the extent practicable” at the beginning of the sentence and adding “to the extent practicable” to the end of the sentence.

(b) By deleting “and monitor environmental impacts during any primary forest activity”

Explanatory Note

39. Objective 14, Section 1, is repealed and replaced with the following new section 1 with subsections (a) and (b):

(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).”

Explanatory Note

40. Objective 14, Section 2 is repealed and replaced with the following new section 2 with subsections (a) and (b):

- (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).”

Explanatory Note

41. Objective 14, Section 3 is repealed and replaced with the following amendment:

“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”.

Explanatory Note

42. Objective 14, Section 4 is amended by:

- (a) adding “site series or” in front of “site series surrogate”;
- (b) adding “for each of the landscape units” after “surrogates”.

Explanatory Note

43. Objective 14, Section 5 is amended by:

- (a) Adding ‘site series or’ in front of “site series surrogate”;
- (b) Adding “for each of the landscape units” after “site series surrogate”
- (c) Adding “then, to the extent practicable” after “age classes”;
- (d) Adding ‘site series or’ in front of “site series surrogate”;
- (e) Deleting “in any landscape unit” in front of “reduce”;
- (f) Deleting “to the extent practicable” after “80 years”.

Explanatory Note

44. Objective 14, Section 6 is repealed and replaced with:

“Despite subsection (1a), (2a), and (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 (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.”

Explanatory Note

45. Objective 14, Section 7 is created:

“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 range, and regionally important wildlife, including, but not limited to:

- (a) Mountain goats
- (b) grizzly bears
- (c) Northern goshawks
- (d) Tailed frogs; and
- (e) Marbled murrelet

Explanatory Note

46. Objective 16, Section 2, subsection (d) is amended by striking out “and species” after “diameters” and inserting the word “cedar” between “ cultural use ”.

Explanatory Note

47. Objective 17 heading is amended by deleting “critical”.

Explanatory Note

48. Objective 17, Section 1 is repealed.

Explanatory Note

49. Objective 17, Section 1 is created:

“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).”

Explanatory Note

50. Objective 17, Section 2, is repealed.

Explanatory Note

51. Objective 17, Section 2 is created:

“Maintain 50% of class 2 grizzly habitat as set out in Schedule 2”.

Explanatory Note

52. Objective 17, Sections 3 to 5 are created:

- (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.”

Explanatory Note

53. Objective 18 is repealed.

Explanatory Note

54. Objective 18 is created:

- (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

Explanatory Note

55. Objective 19 is created by adding the following:

- (a) **Subsection 1** “This order and the land use objectives, except 14(2), in this order take effect on the date that notice of this order is published in the Gazette.”
- (b) **Subsection 2** “The period of time under 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).”
- (c) **Subsection 3** “Objective 14(2) takes effect on December 30th, 2009.”

Explanatory Note

56. Schedules 1, 2, 3, 4, 5, and 6 are repealed.

Explanatory Note

57. New Schedules 1, 2, 3, 4, 5, 6, 7, 8, and 9 are created:

- (a) "Schedule 1 –Landscape Units Covered by this Order.
- (b) Schedule 2 – Grizzly Bear Habitat
- (c) Schedule 3 – Important Fisheries Watersheds
- (d) Schedule 4 – Landscape Units and Default/ Risk Managed Old Forest Representation Targets
- (e) Schedule 4(a) – Site Series RONV Requirements for Landscape Units in Schedule 4
- (f) Schedule 4(b) – Site Series Surrogate RONV Requirements for Landscape Unit Targets in Schedule 4
- (g) Schedule 4(c) – Modal, Rare, Very Rare Site Series Surrogate Analysis Unit Representation Targets
- (h) Schedule 4(d) – Modal, Rare and Very Rare Site Series Analysis Unit Representation Targets
- (i) Schedule 5 – Red-Listed Plant Communities
- (j) Schedule 6 – Blue-Listed Plant Communities
- (k) Schedule 7 – Map of Lower Kimsquit River
- (l) Schedule 8 – Cedar Stewardship Areas
- (m) Schedule 9 – Kermode Stewardship Areas".

Explanatory Note

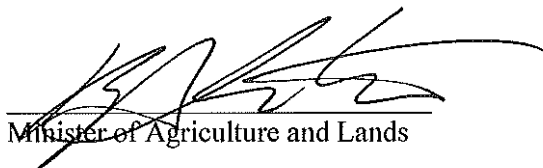
58. The following note has been added to Schedules 1, 2, 3, 7, 8, and 9:

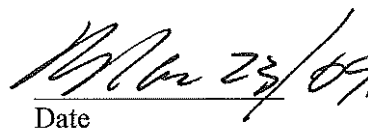
"Where an objective refers to an area shown on a schedule and the area is also defined by a spatial dataset, the boundaries of the area as defined by the spatial dataset apply in the event of any inconsistency. A complete list of spatial datasets is contained in http://ftpnan.env.gov.bc.ca/dist/gisdata/cclrmb/ebm_data"

59. Commencement

The amendments in this order take effect on the date that notice of this amendment order is published in the Gazette.

The applicable period 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 the clause above.


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