

From: [Gordon, Steve M FLNR:EX](#)
To: [Dale, Alec R ENV:EX](#); [Barr, Larry FLNR:EX](#); [Lidstone, Allan B FLNR:EX](#)
Cc: ["Steven F. Wilson"](#); [Ritchie, Chris FLNR:EX](#); [Quayle, James F ENV:EX](#); [Psyllakis, Jennifer FLNR:EX](#)
Subject: FW: Comments on June 27, 2014 Northern Goshawk meeting
Date: Friday, July 4, 2014 11:43:19 AM
Attachments: [Response to PCA June 27 NOGO mtg .docx](#)
Importance: High

As discussed during the NOGO project Director's update today.

SG

From: Gordon, Steve M FLNR:EX
Sent: Wednesday, July 2, 2014 2:37 PM
To: Gordon, Steve M FLNR:EX; 'ross.vennesland@pc.gc.ca'
Cc: 'Steven F. Wilson'; Ritchie, Chris FLNR:EX; Quayle, James F ENV:EX
Subject: RE: Comments on June 27, 2014 Northern Goshawk meeting

I just spoke with Ross & we agreed it would be wise to coordinate our messaging to clients re: NOGO.

We agreed on the following key messages:

- Can't pre-suppose the outcomes of decisions (Federal of Provincial)
- BC & PCA met at the technical-Manger level to discuss 2 mgmt. approaches (i.e. setting recovery/ populations objectives vs. protection of known nests) and discussed the pros and cons of each
- PCA is preparing to brief upwards on NOGO and aiming for an ~ early Sept. release of the Recovery Strategy
- BC is continuing our "Made in BC" approach, pursuing BA protection across the NOGO laingi range with FA habitat mgmt (TBD)
- We will continue to work with PCA/ EC to seek alignment on mgmt approaches

Anything to add or issues with this, let me know.

SG

From: Gordon, Steve M FLNR:EX
Sent: Wednesday, July 2, 2014 1:21 PM
To: 'ross.vennesland@pc.gc.ca'
Cc: 'Steven F. Wilson'; Ritchie, Chris FLNR:EX; Quayle, James F ENV:EX
Subject: Comments on June 27, 2014 Northern Goshawk meeting
Importance: High

Ross:

-

Thanks for the opportunity to meet on Friday. What follows is a summary of the major points we raised during the meeting, with some additional context based on information

you provided and on internal discussions. At this point our comments are based on our collective opinion and do not constitute a provincial position.

We invite further discussion to better align federal and provincial processes to further coastal goshawk conservation.

Steve Gordon, MSc., RPBio.
Manager, Biodiversity & Old-Growth
Resource Management Objectives Branch
Resource Stewardship Division
Ministry of Forests, Lands and Natural Resource Operations
(250) 751 7126

Ross,

Thanks for the opportunity to meet on Friday. What follows is a summary of the major points we raised during the meeting, with some additional context based on information you provided and on internal discussions. At this point our comments are based on our collective opinion and do not constitute a provincial position.

Recovery Objective

It is important to articulate a clear recovery objective for the Recovery Strategy, and to not confuse its critical habitat prescriptions with its recovery objective. At this point the objective is unclear, which makes it difficult to evaluate various options regarding approaches to protecting critical habitat.

There appears to be two options: 1) protect known nest sites; or, 2) establish range-wide population and distribution objectives. Option 1 is not actually an objective but is a prescription associated with an unstated objective, which is: to maximize the likelihood that currently known and occupied breeding areas and associated home ranges remain occupied.

Achieving this objective would protect only the portion of the estimated population that resides in areas where inventory has been conducted, and it would undermine our shared stewardship efforts by penalizing conservation partners who have invested in inventory and management. It would also remove all incentives for incremental stewardship actions. The clear result would be further conflict and an ineffective Recovery Strategy.

Establishing range-wide population and distribution objectives is a more defensible and durable approach; however, objectives need to be based on more than just an inferred population decline based on modelled habitat. Rather, objectives need to consider the balance of evidence regarding the risk to the species caused by ongoing human activity, recognizing that, despite long and intense logging histories in BC and other jurisdictions, there is little evidence of range contraction, fragmentation or population declines. In other words, the level of precaution reflected in objectives should be the result of a transparent risk analysis, rather than a simple reaction to scientific uncertainty.

Breeding Area Habitat Retention

Rather than requiring permanent breeding area reserves of >175 ha, we favour using floating reserves of 50-75 ha summed around alternative nests within breeding areas. Reasons for this include:

1. Protection of breeding areas should be sensitive to the number and arrangement of alternative nest sites, rather than applying a single, large reserve.
2. The history of occupancy of WHAs by goshawks suggests that a more flexible protection mechanism would be more effective than current practice. Static reserves do not serve a species that frequently changes nest sites, often in unpredictable ways.
3. There is little evidence that reserves >100 ha result in higher rates of occupancy or that goshawks are more likely to build alternative nest sites within larger reserves.
4. There is no evidence that occupancy rates of breeding areas are a reliable indicator of population change.

Because we believe that breeding area protection should be more dynamic than currently proposed, we suggest that linework not be included in the Recovery Strategy.

Home Range Habitat Retention

The relationship between retention levels of modelled foraging habitat and goshawk occupancy of home ranges is highly uncertain:

1. The amount of modelled foraging habitat around known nest sites in coastal BC is highly variable (0-89%) and does not differ significantly from random locations. This suggests that the proportion of modelled foraging habitat within home ranges is not a reliable predictor of suitable goshawk habitat.
2. Although studies have demonstrated that goshawks prefer specific stand attributes for foraging, there is little evidence that the current pattern of forest harvesting employed in goshawk home ranges has created foraging conditions incompatible with their continued use.

The proposed response to this uncertainty is a “no net loss” prescription. However, this is being proposed in the absence of a clear objective and without a transparent risk analysis of alternatives. There should be some estimate of the conservation benefit to coastal goshawks of this prescription compared to others.

Variation Among Conservation Regions

In general we believe the Recovery Strategy should recognize to the extent possible the differences in ecological circumstances among regions. For example, the Haida Gwaii goshawk population is likely more at risk due to a depauperate prey population, a small population size and its relative isolation. In contrast, areas of second growth forest on Vancouver Island appear to be highly productive. Regional differences addressed by the Recovery Strategy should extend beyond the application of home range diameters.

Concluding Comments

We have deliberately avoided discussing issues of socio-economic impacts in our comments because of their limited application at this stage of the recovery planning process. We believe there are sound technical reasons for rebalancing the conservation capital being proposed in the Recovery Strategy in a manner that generates a greater benefit to the coastal goshawk population.

We invite further discussion to better align federal and provincial processes to further coastal goshawk conservation.

From: [Dale, Alec R ENV:EX](#)
To: [MacDonald, Archie FLNR:IN](#); [Ethier, Tom FLNR:EX](#); [Zacharias, Mark ENV:EX](#); [Lidstone, Allan B FLNR:EX](#)
Subject: RE: Summary of approach on caribou/SARA from meeting
Date: Friday, August 8, 2014 3:34:00 PM

Thanks Archie, yes I was thinking the impact assessment would be an integral part of developing options, but it is good to highlight it here. Agree also with the second bullet, and yes we will be working closely with them (Ottawa) on this. By 'recognise' I was thinking of something official, but I will change the wording to better reflect the intent.

Thanks

Alec

From: Macdonald, Archie [<mailto:Macdonald@cofi.org>]
Sent: Friday, August 8, 2014 2:44 PM
To: Dale, Alec R ENV:EX; Ethier, Tom FLNR:EX; Zacharias, Mark ENV:EX; Lidstone, Allan B FLNR:EX
Subject: RE: Summary of approach on caribou/SARA from meeting

Hi Alec,

Thanks for compiling notes from the call.

A couple points for your consideration:

- Within the "Approach for Southern Mountain Caribou" I suggest engaging with industry to conduct an "impact assessment" based on the Science teams findings and recommendations. This information could be valuable to have when the package is taken to the NR Board and cabinet
- I strongly support the "made in BC" approach for dealing with SARA s.13 s.13

Archie MacDonald

Please note – new direct line (778) 760-1157

Council of Forest Industries

#360 – 1855 Kirschner Rd.

Kelowna, BC V1Y 4N7

Direct (778) 760-1157

Office (250) 860 -9663

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Fax (250) 860 - 0009

From: Dale, Alec R ENV:EX [<mailto:Alec.Dale@gov.bc.ca>]
Sent: August-08-14 10:37 AM
To: Ethier, Tom FLNR:EX; Zacharias, Mark ENV:EX; Lidstone, Allan B FLNR:EX; Macdonald, Archie
Subject: Summary of approach on caribou/SARA from meeting
Hi guys, here is what I captured from our meeting Wednesday, along with some added context from me.

Let me know if any of this does not resonate, or if I missed anything.

I was also thinking about the longer-term piece (at 3am this morning) and think I have come up with an interesting approach that could actually be adopted by the feds as well. I know they are very interested in the Threat-based approach and it would rely heavily on that approach. I will develop my thinking more next week and send out the concept once I have more than some scribbled notes and diagrams on the back of an envelope (literally).

Approach for Southern Mountain Caribou: (and other species in interim prior to developing long-term approach).

1. MOE/FLNR will appoint a full-time project manager to coordinate the mountain caribou and longer-term SAR approach.
 - a. That person will draft a work-plan for both aspects of the project, which can then be shared with stakeholders and executive.
2. Reconvene mountain caribou science team (or similar)
 - a. Alec to contact Steve Wilson and suggested other names including Milt Hamilton, Greg Walker(?), Dale Seip, Rob Serrouya, Kari Stuart-Smith (confirmed by Archie). (Alec to connect with Steve today or Aug 11th).
3. Science team to assess details of the provincial and federal plans to determine level of alignment between the plans and any significant gaps in CH protection (also outline any gaps/issues in Fed plan).
4. Have science team revisit the original science in MCRIP along with what we have learned since the plan was implemented
 - a. Based on new info, determine if there are any actions we would take on a provincial basis to improve the plan.
5. Once all the details are known between federal and provincial plans, look at options for closing any gaps.
6. If required, begin work with the Federal government on possible Section 11 agreement for Southern Mountain caribou to address the gaps
 - a. Existing MOU with EC and the Province already contemplates this potential.

s.12,s.13

Longer-term approach for dealing with SARA:

1. As above MOE/FLNR to appoint a full-time project manager to coordinate the projects
2. Develop a compelling story for why the current approach is not working.
 - a. This is largely done, just need to put into a compelling package.

s.12,s.13

4. Work with federal government to recognise and perhaps adopt the BC approach

s.12,s.13

Cheers

Alec

Alec Dale

Executive Director, Ecosystems Branch
B.C. Min. of Environment
Mailing: PO Box 9338 Stn. Prov. Govt. Victoria, B.C. V8W 9M1
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Email: alec.dale@gov.bc.ca

MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
INFORMATION NOTE

Date: August 29, 2014
Date of previous note: August 8, 2012
File: 280- 20
CLIFF: 208886

PREPARED FOR: Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations

ISSUE: FEDERAL NORTHERN GOSHAWK RECOVERY STRATEGY AND BC'S MANAGEMENT RESPONSE

BACKGROUND:

The Northern Goshawk *laingi* subspecies (Goshawk) occurs in coastal forests of British Columbia, Alaska and Washington. The Canadian population was assessed as "Threatened" and listed under the Federal Species at Risk Act (SARA) in 2003. A draft BC Recovery Strategy was posted on the provincial recovery planning website in 2008 and a Management Plan with recommended actions was posted in 2013.

Parks Canada released a draft Goshawk Recovery Strategy for stakeholder review in 2012. The SARA requires the federal Minister to identify critical habitat in a recovery strategy to "the extent possible, based on the best available information." The draft strategy for Goshawk was criticized by the forest industry for its high potential impacts. Significant revisions have been made to the draft strategy to address the forest industry's concerns. MFLNRO has consulted with Parks Canada on the proposed revisions. Parks Canada intends to release a revised federal recovery strategy for a 60-day public review period in late September 2014.

DISCUSSION:

The Province has been promoting a "Made in BC" approach for species at risk management and is drafting an implementation plan in anticipation of the federal Recovery Strategy. This plan will contain several options with various levels of conservation management to protect Northern Goshawk habitat and assess the socio-economic implications and probability of species recovery associated with each option. A cabinet-level decision will be required to set provincial management targets, essentially translating the recommendations from the 2013 Management Plan and considering the federal Recovery Strategy into a government commitment to the management of this species habitat.

The federal strategy will likely identify critical habitat polygons that include a significant amount of coastal forest. Once identified, critical habitat must be legally protected on federal lands or effectively protected on provincial lands. The federal strategy will also set a population objective for Goshawks across the subspecies range (Haida Gwaii, North Coast, South Coast, and Vancouver Island).

Significant gaps are anticipated between the critical habitat proposed by the federal government and existing provincial protection measures. The SARA cannot consider socio-economic factors in the recovery strategy at this stage. MOE and FLNRO, in cooperation with forest licensees and Private Managed Forest Land holders, have been conducting analyses to determine the impact of managing two different levels of Goshawk habitat retention.

Management of Goshawk habitat can be complex, involving retention of breeding areas around nest sites and management of foraging habitat over a broader area. The Province is engaging species experts to assist in preparing its response to the federal Recovery Strategy and our revised implementation plan; however, species experts have not reached consensus on the level of risk appropriate when managing for the persistence of the species or how breeding and foraging habitat should be managed.

Once the federal Recover Strategy is approved and if the federal Minister is not satisfied that critical habitat on provincial lands is effectively protected, the federal Minister must report every six months on steps being taken to protect the habitat. If the habitat remains unprotected, the federal Minister must recommend to the Governor in Council that an order be made applying the SARA prohibitions against destruction of critical habitat to provincial lands (a safety net order) with potentially significant socio-economic implications for the province.

A provincial team has been established to develop a decision support package for the revised implementation plan that will outline the current scientific understanding of Goshawk habitat requirements, the different options for management based on varying levels of risk/ precaution and the potential socio-economic impacts of each option. This package is targeted for completion in October 2014.

NEXT STEPS:

- Conduct analysis of federal recovery strategy when available. Continue development of provincial decision package in support of an Implementation Plan with population objectives and management approaches.
- Continue liaison with forest sector to inform development of a “Made in BC” approach.
- Work with GCPE to prepare response to public release of federal Recovery Strategy

Attachments: 2013 Northern Goshawk Management Plan 189678 Briefing Note

Contact:
Tom Ethier, ADM
Resource Stewardship
250 356-0972

Alternate Contact:
Allan Lidstone, Director
Resource Management Objectives
250 356 6255

Prepared by:
Steve Gordon, Manager
Resource Management Objectives
250 751 7126

Reviewed by	Initials	Date
DM		
DMO		
ADM		
PRGM Dir./Mgr.	AL	

From: [Dale, Alec R ENV:EX](#)
To: [Lidstone, Allan B FLNR:EX](#); [Psyllakis, Jennifer FLNR:EX](#)
Cc: [Quayle, James F ENV:EX](#)
Subject: 208886_INNOGOV2_jq
Date: Tuesday, September 2, 2014 2:52:00 PM
Attachments: [208886_INNOGOV2_jq.docx](#)

FYI, comments on this note from James and I (concur with James' comments).

A

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
INFORMATION NOTE**

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Date of previous note: August 8, 2012
File: 280- 20
CLIFF: 208886

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DISCUSSION:

The Province has been promoting a "Made in BC" approach for species at risk management and is drafting a provincial Northern Goshawk implementation plan in anticipation of the federal Recovery Strategy. This plan will be supported by contain several options with various levels of conservation management a range of options to protect Northern Goshawk habitat, with and assessment of the socio-economic implications and the probability of species recovery associated with each option. A cabinet-level decision will be required to set provincial management targets, essentially translating the recommendations from the 2013 Management Plan and considering the federal Recovery Strategy into a government commitment to the management of this species' habitat.

The federal strategy will likely identify critical habitat polygons that include a significant amount of coastal forest. Once identified, critical habitat must be legally protected on federal lands or effectively protected on provincial lands. The federal strategy will also set a population objective for Goshawks across the subspecies range (Haida Gwaii, North Coast, South Coast, and Vancouver Island).

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Comment [JFQ1]: Is this the plan or the decision making process to get the plan?

AD: I agree it reads as the latter, not sure if that was the intent, but is a bit confusing as worded.

Significant gaps are anticipated between the critical habitat proposed by the federal government and existing provincial protection measures. The SARA cannot consider socio-economic factors in the recovery strategy at this stage. MOE and FLNRO, in cooperation with forest licensees and Private Managed Forest Land holders, have been conducting analyses to determine the impact of managing two different levels of Goshawk habitat retention.

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Attachments: 2013 Northern Goshawk Management Plan 189678 Briefing Note

Contact:
Tom Ethier, ADM
Resource Stewardship
250 356-0972

Alternate Contact:
Allan Lidstone, Director
Resource Management Objectives
250 356 6255

Prepared by:
Steve Gordon, Manager
Resource Management Objectives
250 751 7126

Reviewed by	Initials	Date
DM		
DMO		
ADM		
PRGM Dir./Mgr.	AL	

From: [Quayle, James F ENV:EX](#)
To: [Dale, Alec R ENV:EX](#)
Subject: FW: Draft SAR ELUC deck
Date: Wednesday, October 8, 2014 8:54:58 AM

I can make changes BUT I am a bit concerned that FLNRO is trying to tell a different story than MOE. And it would be easier if we agreed on what the story is first. I am hoping we can discuss in 1-to-1 this morning ...

From: Ethier, Tom FLNR:EX
Sent: Tuesday, October 7, 2014 4:56 PM
To: Quayle, James F ENV:EX; Zacharias, Mark ENV:EX; Dale, Alec R ENV:EX; Lidstone, Allan B FLNR:EX; Ritchie, Chris FLNR:EX
Cc: Gooderham, Coleen E ENV:EX
Subject: RE: Draft SAR ELUC deck
Thanks James. Sorry I missed the call earlier in the week. This looks good. Some suggestions though s.12,s.13

From: Quayle, James F ENV:EX
Sent: Tuesday, October 7, 2014 10:52 AM
To: Zacharias, Mark ENV:EX; Ethier, Tom FLNR:EX; Dale, Alec R ENV:EX; Lidstone, Allan B FLNR:EX; Ritchie, Chris FLNR:EX
Cc: Gooderham, Coleen E ENV:EX
Subject: Draft SAR ELUC deck

Here is the latest version of the SAR ELUC deck – which was to be discussed yesterday morning. Mark asked me to circulate to group for response. This deck updates sr govt on recent developments related to SARA, discusses how we are currently managing uncertainty on the landbase related to SARA, and lets them know that we will return for decisions, consistent with commitments in the 5-year plan.

I have cc'ed Colleen, presuming that she might reschedule our discussion from Monday morning.
James

From: [Gooderham, Coleen E ENV:EX](#)
To: [Dale, Alec R ENV:EX](#)
Cc: [Welsh, Leah ENV:EX](#); [Gooderham, Coleen E ENV:EX](#)
Subject: Todays 3:00
Date: Monday, April 27, 2015 11:26:37 AM
Attachments: [283010_IN_PMFL_RBealing.docx](#)

Hi

You are chatting with Archie at 3:00 today and once your call is complete with Archie - Mark wants to discuss this IN.

I have a printed copy for you..

Thanks

Coleen Gooderham | EAA to Mark Zacharias, ADM, ESSPD, Ministry of Environment | 250-356-0121

Please consider the environment before printing this email.

**MINISTRY OF ENVIRONMENT
INFORMATION NOTE**

April 22, 2015
File: 280-20
CLIFF/tracking #: 283010
(X-Ref: 279957)

PREPARED FOR: Wes Shoemaker, Deputy Minister, Ministry of Environment

ISSUE: Meeting with Rod Bealing, Private Forest Landowners Association (April 30).
Purpose: Private Managed Forest Land: Protection of Species at Risk and B.C.'s and Canada's relationship re the *Species at Risk Act*.

BACKGROUND:

Under the Private Managed Forest Land Act (*PMFL Act*), areas of private forest land can be designated as critical wildlife habitat ("CWH") to protect species at risk listed in Schedule C to the *Private Managed Forest Lands Regulation*. The legislation requires that suitable habitat on Crown land in the same ecoregion be "exhausted" prior to making any such designation (see attached Appendix 1 for a summary of the legislative provisions).

In 2013, MFLNRO, MoE and the Private Forest Landowners Association entered into an MOU (attached) with respect to the private managed forest land program. One of the MOU commitments is to support and promote a "made in BC" approach to managing CWH on private forest lands.

The Managed Forest Council (Rod Davis) and the Private Forest Landowners Association (Rod Bealing) asked to meet recently with the Provincial Species at Risk Committee (consisting of MoE and MFLNRO Directors). The reason for the request was to propose that an area within constituents' forests be designated as CWH for Vancouver Island marmot, which is a Schedule C species.

The Minister of Forests, Lands & Natural Resource Operations has not yet used the power to establish CWH on private managed forest lands. Faced with the proposal from the MFC/PFLA, staff in MoE & MFLNRO have been considering the implications of making such a designation.

Unless the landowner agrees otherwise, the regulations provide that the requirement to modify operations within an area established as CWH expires one year after the area is so established.

DISCUSSION:

s.13

s.13

The *PMFL Act* has internal inconsistencies and is difficult to interpret. A key issue that must be considered prior to any establishment of CWH on private managed forest land is the fact that any such designation expires after a year unless the Minister (MFLNRO) and the owner can come to an agreement. s.13

s.13 . In section 2.2.3 of the MOU, the parties commit to investigate sources of funding, incentives or compensation; however, there is no provision for compensation authorized by the legislation s.13
s.13

SUMMARY:

The Private Forest Landowners Association is interested in protecting a parcel of land as CWH.

s.13

The implications to B.C. of establishing areas of critical wildlife habitat within private managed forest lands needs to be fully explored before proceeding with any such designation.

Attachment 1 - Appendix 1: Summary of *Private Managed Forest Land Act* and regulations

Attachment 2 - PFML MOU

Contact:

Mark Zacharias
ESSPD
250-356-0121

Alternate Contact:

James Quayle
Ecosystems Branch
250-387-0060

Prepared by:

Nancy South
Ecosystems Branch
250-356-2348

Reviewed by	Initials	Date
DM		
DMO		
ADM		
Dir./Mgr.	JQ	Apr 23/15
Author	NS	Apr 22/15

From: [Ritchie, Chris FLNR:EX](#)
To: [Hadway, Sharon L FLNR:EX](#); [Lidstone, Allan B FLNR:EX](#); [Diederichs, Ron FLNR:EX](#); [Dale, Alec R ENV:EX](#); [Stalberg, Mike X FLNR:EX](#); [Quayle, James F ENV:EX](#); [Dunbar, Kirsten H FLNR:EX](#)
Subject: RE: Critical Wildlife Habitat - VI Marmot
Date: Monday, May 25, 2015 3:42:39 PM
Attachments: [VIM CWH letter to TW.doc](#)
[VIM CWH letter MST to TW.doc](#)

I know the initial delay is on me, but am trying to play catch up. Based on feedback from Ron/James, I have revised slightly to use language that we can commit to. Any comment on the tone or content would be appreciated.

I now have the TW letter for Minister response on my desk . A very early drft of that response is attached to illustrate the 2 pronged approach. It needs further formatting

From: Ritchie, Chris FLNR:EX
Sent: Thursday, May 21, 2015 8:08 AM
To: Hadway, Sharon L FLNR:EX; Lidstone, Allan B FLNR:EX; Diederichs, Ron FLNR:EX; Dale, Alec R ENV:EX; Stalberg, Mike X FLNR:EX; Quayle, James F ENV:EX
Subject: RE: Critical Wildlife Habitat - VI Marmot
Attached is a draft letter to the PFLA/Domenico as a result of their presentation to the PSARC in February. It is late in coming for a number of reasons and has been overtaken by the letter Tuesday to MST.

s.13

I would be interested in your thoughts on that approach and any edits to the draft letter.

s.13

Ron/Mike, that would rely on your staff (or Sean Pendergast). Can I include that commitment?

I spoke to Cheney Jackson yesterday s.22) s.13

s.13

Sharon: in response to your compo question, that is what we need to find out.

From: Hadway, Sharon L FLNR:EX
Sent: Tuesday, May 19, 2015 8:45 AM
To: Ritchie, Chris FLNR:EX; Ethier, Tom FLNR:EX; Sutherland, Craig FLNR:EX
Subject: FW: Critical Wildlife Habitat - VI Marmot

s.13

Sharon Hadway

Regional Executive Director | **West Coast Region**
Ministry of Forests, Lands and Natural Resource Operations
2100 Labieux Road
Nanaimo, BC., V9T-6E9
Phone: [250-751-7161](tel:250-751-7161) | Fax: [250-751-7196](tel:250-751-7196)
[Mailto:Sharon.Hadway@gov.bc.ca](mailto:Sharon.Hadway@gov.bc.ca)

From: Domenico Iannidinardo [<mailto:IannidinardoD@timberwest.com>]
Sent: Tuesday, May 19, 2015 6:49 AM
To: Victoria Jackson
Cc: Hadway, Sharon L FLNR:EX; Pendergast, Sean FLNR:EX; Peter Gibson; Stuart Prescott; Jim Walker; Barry Smith; Bill Waugh

Subject: FW: Critical Wildlife Habitat - VI Marmot

Hi Viki,

- Is it also possible to get a plush marmot to the Minister of Environment, Mary Polak? Bill and I met with her a couple weeks ago and her office needs something cute and cuddly. Feel free to send me the bill.
- Dear board members: This notification of potential Critical Wildlife Habitat for VI marmot by TimberWest is a step to work with the province and assist it on a much broader platform of interaction with federal regulators around species at risk. Federal regulatory checks include a test for "effective protection" at the provincial level. One mechanism in the Private Managed Forest Land Act exists for this, but has never been formally activated. This helps to increase certainty for private landowners, the province, and ultimately for many species over time.

I will keep everyone posted on this.

Thank you,

Domenico

From: Domenico Iannidinardo

Sent: May 19, 2015 06:36

To: 'flnr.minister@gov.bc.ca'

Cc: 'env.minister@gov.bc.ca'; 'tim.sheldan@gov.bc.ca'; 'phil@mfcouncil.ca';

'rod.bealing@pfla.bc.ca'; 'alec.dale@gov.bc.ca'; 'Ritchie, Chris FLNR:EX'; 'James.quayle@gov.bc.ca';

'craig.sutherland@gov.bc.ca'; 'tom.ethier@gov.bc.ca'; 'mark.zacharias@gov.bc.ca';

'vmjackson@shaw.ca'; 'managingdirector@cafo-acpf.ca'

Subject: Critical Wildlife Habitat - VI Marmot

Dear Minister,

With thanks for your ongoing support of Vancouver Island Marmots, I attach this notification letter of potential Vancouver Island Marmot Critical Wildlife Habitat on TimberWest private managed forest land. This notification was developed after several detailed discussions with your staff and those of the Ministry of Environment.

TimberWest looks forward to facilitating the review of this notification with your ministry.

Best regards,

Domenico Iannidinardo, RPF, RPBio, PEng

Vice-President, Sustainability & Chief Forester

TimberWest Forest Corp.

#201 - 648 Terminal Avenue

Nanaimo, BC V9R 5E2

Phone: 250.716.3778

Cell: 250.715.7387

Fax: 250.716.3763

Email: IannidinardoD@TimberWest.com



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Ref: [Cliff]

Timber West Forest Corp.
#201 – 648 Terminal Avenue
Nanaimo, BC V9R 5E2

Dear Domenico Iannidinardo, Vice President, Sustainability and Chief Forester:

Sorry to be so very long in getting back to you and the group on Critical Wildlife Habitat (CWH) for Vancouver Island Marmot. We had a meeting or 2 on it, and the review was deferred due to other commitments. We have been proceeding cautiously as this is the first application of the legislation, regulation and Memorandum of Understanding (MOU). Your letter to the Minister has reinvigorated the review.

The exercise you propose will support one of the purposes of the MOU, namely:

- *Support and promote a “made in BC” approach for managing critical wildlife habitat located on private managed forest lands that recognizes the role and benefits for integration of private managed forest land in ecosystem scale management plans.*

It is consistent with two improved communication objectives in the MOU, namely:

- *PMFL owners sharing data, inventory, and science results as soon as practicable with government agencies.*
- *Providing certainty that any proprietary, landowner-specific information will be used for the purposes for which it was collected and with agreement of the Parties.*

To initiate this exercise, several mechanical tasks need to be completed. Based on the material provided in the May 19 Timberwest letter and preliminary discussion with qualified staff, some of which are completed, we will:

- confirm Vancouver Island Marmot is listed on Schedule C of the Private Managed Forest Land regulation. Confirmed;
- confirm the location and ownership of the habitat. Maps provided with May 19th letter confirm;

Page 1 of 3

Ministry of Forests, Lands and
Natural Resource Operations

Resource Management Objective s
Branch

Fish and Wildlife Recovery
Implementation

Mailing Address:
PO Box 9525, Stn Prov Gov't
Victoria, British Columbia
V8W 9C3

Tel: 250-387-7927
Fax: 250-356-5341

Website: www.gov.bc.ca/nro

- confirm that the habitat is critical wildlife habitat 7/1. Initial discussion with staff working on Vancouver Island Marmot recovery confirm habitat has recent occupation and produced pups. Additional work to confirm relative value may be necessary;
- Confirm that the habitat is required by the species in the ecoregion 5/1/a/ii. To be confirmed with staff working on Vancouver Island Marmot recovery;
- Confirm that the habitat is not safe from harmful alteration. To be confirmed with land owner;
- Confirm the location has not previously been considered for CWH designation. Confirmed. Critical Wildlife Habitat provisions of Private Managed Forest Land regulation have not been used to date.

The Ministry will commit to conducting an on-site inspection to confirm CWH within 14 days of receiving information about the potential site. The Ministry will commit to informing Timberwest whether any forestry activities need to be suspended at the location within 14 days of confirming CWH at the location .

As soon as possible thereafter, the Ministry and Timberwest will begin discussion aimed at reaching an agreement for the protection of the CWH. The parties will make every effort to complete the discussion within 1 year. The discussion and any agreement forthcoming from should consider the MOU objective:

- *Applying an ecosystem scale approach to the protection of critical wildlife habitat. This includes identifying opportunities from aggregating land parcels and tenures into a planning unit for managing critical wildlife habitat.*

Any information and discussion related to this exercise will be kept confidential between the parties until completion of the discussion.

I look forward to discussing next steps on this exercise in the near future. If you have any preliminary questions, please do not hesitate to contact me

Sincerely,

Chris Ritchie
Manager, Fish and Wildlife Recovery Implementation

CC Rod Bealing, PFLA
Phil Connor PFLC
Rod Davis, PFLC
Sharon Hadoway, Regional Executive Director, MFLNRO
Ron Diedrich, Ecosystem Section Head, MFLNRO
Allan Lidstone, Director, Resource Management Objectives MFLNRO
Alec Dale, Executive Director, Ecosystems Branch, MoE

James Quayle, Manager Species and Ecosystem at Risk, MoE



Ref: [Cliff]

Timber West Forest Corp.
#201 – 648 Terminal Avenue
Nanaimo, BC V9R 5E2

Dear Domenico Iannidinardo, Vice President, Sustainability and Chief Forester:

Thank you for your letter of May 19 on potential Critical Wildlife Habitat (CWH) for Vancouver Island Marmot. I understand that discussion has occurred between you and my staff and work has started to discuss the proposal. We need to take some care on this first application of the Private Managed Forest Land legislation and regulations provisions for species at risk. I think a cautious approach now will ensure more efficiency in future use of this tool for species at risk management

We are prepared to treat any information and discussion related to this exercise in confidence until completion of discussions towards an agreement. I am optimistic that this exercise can result in a meaningful contribution to species at risk conservation in BC.

Sincerely,

Steve Thomson
Minister Forest Lands and Natural Resource Operations

CC Mary Polak Minister of Environment
Tim Sheldon, Deputy Minister Forest Lands and Natural Resource Operations
Rod Bealing, Private Forest Landowners Association
Phil Connor, Managed Forest Council
Chris Lee, Canadian Association of Forest Owners
Vicky Jackson, Vancouver Island Marmot Recovery Foundation

From: [Gooderham, Coleen E ENV:EX](#)
To: [Dale, Alec R ENV:EX](#)
Subject: RE: MMP planning session on Monday
Date: Friday, June 5, 2015 3:28:41 PM
Attachments: [image001.png](#)

Thanks!! Have a good weekend

Coleen Gooderham | EAA to Mark Zacharias, ADM, ESSPD, Ministry of Environment | 250-356-0121

Please consider the environment before printing this email.

From: Dale, Alec R ENV:EX
Sent: Friday, June 5, 2015 3:25 PM
To: Gooderham, Coleen E ENV:EX
Subject: FW: MMP planning session on Monday

From: Dale, Alec R ENV:EX
Sent: Friday, June 5, 2015 2:24 PM
To: Zacharias, Mark ENV:EX
Subject: RE: MMP planning session on Monday

Nothing really all that new for us that was not captured in the stuff coming out of our all-day DEC meeting in Feb.

Things that might hit us:

s.13

My brain is kind of dead on other things at the moment.

a

From: Zacharias, Mark ENV:EX
Sent: Wednesday, June 3, 2015 4:37 PM
To: Dale, Alec R ENV:EX; Kriwoken, Lynn ENV:EX; Tesch, David ENV:EX; Abbott, Rob ENV:EX; Danks, Anthony ENV:EX
Cc: Gooderham, Coleen E ENV:EX
Subject: MMP planning session on Monday
EDs:

Short notice but MMP has booked Monday morning for individual ADM planning sessions. The purpose is to do a bit of strategy/planning and identify what's bubbling and what's coming at us. So, by Friday aft I just need a couple of bullets from each of you on a) things that might hit us and b) ideas we should be advancing. Rob, I'll take another run at Innovating for Prosperity so if you

have any updates to the one-pager let's get it updated.

Regards,

Mark Zacharias | Assistant Deputy Minister

Environmental Sustainability and Policy Division, Ministry of Environment

5th Floor, 2975 Jutland Road | Victoria, BC | V8W 9M1 | 250.356.0121 | 250.415.6466



Where ideas work

From: [Abbott, Rob ENV:EX](#)
To: [Dale, Alec R ENV:EX](#)
Subject: SAR
Date: Tuesday, July 14, 2015 11:56:51 AM

Alec:

I grabbed an hour in Mark's calendar next Friday (July 24) for you, me and Anthony to talk with him about a broader, "made in BC" approach to SAR. I'll set up a meeting for you and Anthony to discuss this ahead of time.

Rob

Rob Abbott, PhD, CMC

Executive Director, Business Strategy

Environmental Sustainability & Strategic Policy Division

NRS Lead for Inter-Agency Alignment and Coordination in Northeast BC

Ministry of Environment

5th Floor – 2975 Jutland Road | Victoria, B.C. | V8W 9M1

Direct Line: (250) 387-9995

E: rob.abbott@gov.bc.ca

C: 250-888-9406

Executive Assistant: Coleen Gooderham

From: [Abbott, Rob ENV:EX](#)
To: [Dale, Alec R ENV:EX](#)
Cc: [Danks, Anthony ENV:EX](#)
Subject: RE: SAR
Date: Tuesday, July 14, 2015 12:53:58 PM

So I read the news late last week about bumble bee decline and it got me thinking (again) about the convergence between land management in BC – and some of the ideas you and Mark and I have kicked around – EGS, and SAR. And I wondered if it might be worthwhile for us to: (a) discuss what a “made in BC” approach to SAR could look like; and (b) take advantage of the NRS committee I’ve put in place in NE BC to test our thinking about implementing something new. If you don’t see value in any of this, then I’ll stand down.

From: Dale, Alec R ENV:EX
Sent: Tuesday, July 14, 2015 12:09 PM
To: Abbott, Rob ENV:EX
Subject: RE: SAR
So, why exactly?

From: Abbott, Rob ENV:EX
Sent: Tuesday, July 14, 2015 11:57 AM
To: Dale, Alec R ENV:EX
Subject: SAR

Alec:

I grabbed an hour in Mark’s calendar next Friday (July 24) for you, me and Anthony to talk with him about a broader, “made in BC” approach to SAR. I’ll set up a meeting for you and Anthony to discuss this ahead of time.

Rob

Rob Abbott, PhD, CMC

Executive Director, Business Strategy
Environmental Sustainability & Strategic Policy Division
NRS Lead for Inter-Agency Alignment and Coordination in Northeast BC
Ministry of Environment
5th Floor – 2975 Jutland Road | Victoria, B.C. | V8W 9M1
Direct Line: (250) 387-9995
E: rob.abbott@gov.bc.ca
C: 250-888-9406
Executive Assistant: Coleen Gooderham

From: [Gordon, Steve M FLNR:EX](#)
To: [Dale, Alec R ENV:EX](#); [Barr, Larry FLNR:EX](#); [Lidstone, Allan B FLNR:EX](#)
Cc: ["Steven F. Wilson"](#); [Ritchie, Chris FLNR:EX](#); [Quayle, James F ENV:EX](#); [Psyllakis, Jennifer FLNR:EX](#)
Subject: FW: Comments on June 27, 2014 Northern Goshawk meeting
Date: Friday, July 4, 2014 11:43:18 AM
Attachments: [Response to PCA June 27 NOGO mtg .docx](#)
Importance: High

As discussed during the NOGO project Director's update today.

SG

From: Gordon, Steve M FLNR:EX
Sent: Wednesday, July 2, 2014 2:37 PM
To: Gordon, Steve M FLNR:EX; 'ross.vennesland@pc.gc.ca'
Cc: 'Steven F. Wilson'; Ritchie, Chris FLNR:EX; Quayle, James F ENV:EX
Subject: RE: Comments on June 27, 2014 Northern Goshawk meeting
I just spoke with Ross & we agreed it would be wise to coordinate our messaging to clients re: NOGO.

We agreed on the following key messages:

- Can't pre-suppose the outcomes of decisions (Federal of Provincial)
- BC & PCA met at the technical-Manger level to discuss 2 mgmt. approaches (i.e. setting recovery/ populations objectives vs. protection of known nests) and discussed the pros and cons of each
- PCA is preparing to brief upwards on NOGO and aiming for an ~ early Sept. release of the Recovery Strategy
- BC is continuing our "Made in BC" approach, pursuing BA protection across the NOGO laingi range with FA habitat mgmt (TBD)
- We will continue to work with PCA/ EC to seek alignment on mgmt approaches

Anything to add or issues with this, let me know.

SG

From: Gordon, Steve M FLNR:EX
Sent: Wednesday, July 2, 2014 1:21 PM
To: 'ross.vennesland@pc.gc.ca'
Cc: 'Steven F. Wilson'; Ritchie, Chris FLNR:EX; Quayle, James F ENV:EX
Subject: Comments on June 27, 2014 Northern Goshawk meeting
Importance: High
Ross:

Thanks for the opportunity to meet on Friday. What follows is a summary of the major points we raised during the meeting, with some additional context based on information you provided and on internal discussions. At this point our comments are based on our collective opinion and do not constitute a provincial position.

We invite further discussion to better align federal and provincial processes to further coastal goshawk conservation.

Steve Gordon, MSc., RPBio.
Manager, Biodiversity & Old-Growth
Resource Management Objectives Branch
Resource Stewardship Division

Ministry of Forests, Lands and Natural Resource Operations
(250) 751 7126

Management practices to avoid destruction of critical habitat for Short-rayed Alkali Aster at Christie Memorial Park

INTERIM DRAFT - June 24, 2014

Prepared by Kella Sadler (Environment Canada – Canadian Wildlife Service), Lucy Reiss (EC-CWS), and Josie Symonds (B.C. Ministry of Forests, Lands and Natural Resource Operations)

Background

The Regional District of Okanagan Similkameen (RDOS) assumed ownership and management of Christie Memorial Park in 2013. The intent of this document is to provide specific advice on the management practices that will support conservation of Short-rayed Alkali Aster, including avoiding destruction of critical habitat, while still accommodating the recreational uses of the area.

The Short-rayed Alkali Aster is a flowering plant that has been recently confirmed at only eight locations in the Okanagan Valley. It has not been confirmed anywhere else in Canada, and was listed as Endangered under the *Species at Risk Act* (SARA) in 2007.

Under SARA, recovery strategies must be prepared for all listed endangered and threatened species. An overview of the federal Recovery Strategy for Short-Rayed Alkali Aster is provided in Annex 1.

Critical habitat, as defined by SARA, is the habitat necessary for the survival or recovery of a listed species and that is identified in a finalized recovery strategy or action plan.

Critical habitat for Short-rayed Alkali Aster is identified at five locations, including Christie Memorial Park, in the final recovery strategy for the species¹, which was posted on the Species at Risk Public Registry on July 9, 2013. Figure 1 shows an outline of the area (4.6 ha) within which critical habitat occurs. Existing roads, buildings, lawns, and permanent water (below the lowest documented water line) are not critical habitat.

On non-federal land, Environment Canada looks first to the province and local governments to provide protection of critical habitat. If, after a process of assessment and consultation, the federal Minister of the Environment determines that effective protection is not in place, a federal order to protect the habitat would be recommended.

Non-federal protection mechanisms may include laws, bylaws or other legally binding instruments. Also considered in the assessment can be stewardship agreements, operating practices, and other non-binding measures, with the outcome being that destruction of critical habitat is prevented.

Activities Likely to Result in the Destruction of Critical Habitat

Examples of activities likely to result in destruction of critical habitat for Short-Rayed Alkali Aster are outlined in the recovery strategy. Those that are relevant to RDOS management of the Christie Memorial site include:

- Deliberate destruction of natural shoreline for recreation including: creation of structures, removal of vegetation or natural substratum (i.e., the seed bank propagules required to perpetuate the species, and/or sandy soils required for growth) or deposition of new substrates or vegetation such as for landscape development
- Introducing detrimental patterns of disturbance including: excessive recreational use such as boat damage, trampling by swimmers, or inappropriate landscape maintenance including roto-tilling, raking, application of fertilizers or any other substance altering sand/soil chemistry (influences success of seed set, dormancy, germination, and growth).

¹ Recovery strategy: http://www.sararegistry.gc.ca/document/default_e.cfm?documentID=1710

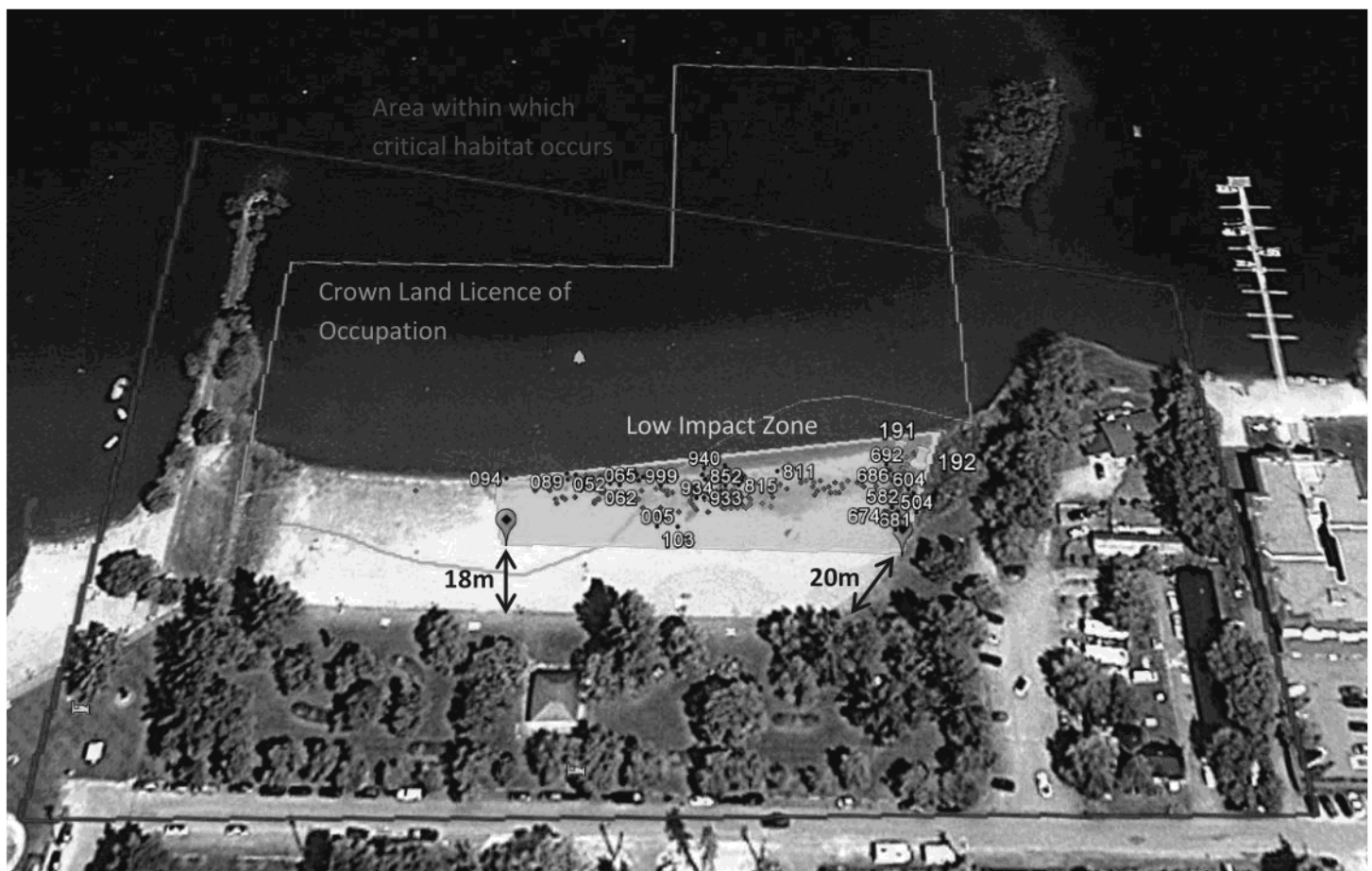
- Introduction of alien invasive plants (causes reduction of habitat available for Short-rayed Alkali Aster), or efforts to control existing invasive species that would be detrimental to Short-rayed Alkali Aster (i.e., use of herbicides and/or pesticides)

Note that Short-rayed Alkali Aster seeds are dormant in the sand/soil during the period of November to April. Seeds germinate sometime between May through June-July depending on soil moisture levels. Only those seeds in the top few centimeters of sand germinate. Flowering can occur from late July through October; seed-setting typically occurs in the September-October period depending on the year. Seeds are dispersed by wind, water, and animals. The plants are sensitive to disturbance while they are germinating, growing, flowering, and setting seed.

Preventing destruction of critical habitat at Christie Memorial

Given the general activities likely to result in the destruction of critical habitat, as presented above, the following guidance is provided specific to the Christie Memorial site, and in reference to timing and seasonal considerations pertaining to the life history of Short-rayed Alkali Aster.

Figure 1. Christie Memorial Park showing identified critical habitat (red boundary), Crown land licence of occupation area (green boundary) and low impact zone for Short-rayed Alkali Aster (yellow shaded area). Interim map provided for immediate management purposes.



Note: Corners of the "low impact zone" are measured as follows:

Southeastern boundary: From the lamppost located at the intersection of the beach, paved walkway, and dog park fence, measure 20m along the fence line toward the water. UTM coordinate: 11 U 0313021 5469273

Southwestern boundary: From the lamppost located just west of the washrooms, measure 5m west along the pathway, then 18m straight toward the water. UTM coordinate: 11 U 0313113 5469272

Northern boundary: Lowest recorded low water mark

Within the entire area shown as containing critical habitat (i.e., red boundary in Figure 1), the following activities must be avoided in all areas, at all times of year:

- Any activities resulting in sandy beach areas being compacted, disturbed or removed by introduced features such as structures, boat launches, and landscaping (including development of new lawns, gardens, or pathways, and application of nutrient fertilizers or any other substance resulting in alteration of sand/soil chemistry).
- Deposition of any new substrates including sand or soil.

Within the area indicated as “Low Impact Zone” (i.e., yellow shaded area in Figure 1), the following activities must be avoided during the growth and seed set phase of Short-rayed Alkali Aster (May 1 through to October 31):

- Detrimental patterns of disturbance that result in the compaction, removal, or disturbance of sandy beach areas, including:
 - i. Rototilling or raking (by hand or machine);
 - ii. Operation of any type of motorized vehicle including landscape maintenance vehicles;
 - iii. Use of strollers, wagons, bicycles, etc.;
 - iv. Digging (e.g. by dogs or children)
 - v. Concentrated beach user traffic, to the extent that Short-Rayed Alkali Aster plants are negatively impacted

Within the entire area shown as containing critical habitat, introduction of alien invasive plants will be avoided by:

- Avoiding introduction of alien invasive species (including lawn and garden plants);
- Using clean equipment² at all times of year;
- Prevention of any foreign motorized vehicles (i.e., that are not used for landscape maintenance), and strollers, wagons, bicycle etc. that do not meet clean equipment standards;
- Conducting removal of alien invasive plants in such a way that Short-rayed Alkali Aster occurrences and critical habitat is not negatively impacted (i.e., avoid use of herbicides and pesticides; avoid mechanical removal of invasive plants during the Short-rayed Alkali Aster growth period).

Activities that are unlikely to result in destruction of critical habitat

For clarity, the best available knowledge at this time indicates that the following activities are unlikely to result in destruction of critical habitat:

Within the “Low Impact Zone” area, in the May 1 – October 31 time frame:

- Pickup of garbage (including large pieces of debris) by hand

In all other areas of the critical habitat polygon (i.e., outside of the “Low Impact Zone”), at all times of year:

- Regular beach maintenance (e.g. rototilling, raking, garbage pickup including by motorized landscape maintenance vehicles 1x per day)
- Regular beach use including measures for:
 - Appropriately placed skidoo and/or boat rentals (i.e. placed below the low water mark, so that boats and human traffic do not compact or disturb the sandy beach area), and appropriately concentrated areas for boat dragging;
 - Appropriately concentrated swim and beach traffic (e.g. via strategic placement of swimming buoys away from the “Low Impact Zone”)
- Implementation of appropriate mitigation/avoidance strategy for alien invasive species introduction, including prevention of foreign motorized vehicles (i.e., that are not used for landscape maintenance), that do not meet clean equipment standards

Additional suggested actions relating to management at Christie Memorial

Recommended activities to support the Short-rayed Alkali Aster at Christie Memorial include:

- Rototill the entire beach just prior to Short-rayed Alkali Aster seed germination (i.e., in April) in order to remove competitive vegetation and create optimal opportunities for growth. This activity likely mimics

² E.g. see “Best Management Practices for Invasive Plants in Parks and Protected Areas of British Columbia”

historical disturbance regimes of fluctuating water levels, and storm and wave action. This will help keep the seed bank moving through the sand, bringing new seeds to the surface where they can germinate. It may also help control invasive plants such as sweet clover and domestic grasses (this needs further investigation).

- Control the spread of sweet clover and domestic grasses. This may involve hand-pulling or cutting with a hand scythe at appropriate times of year³ (needs further discussion).
- Use interpretive signage to:
 - educate the public about the Short-Rayed Alkali Aster and needs for conservation (e.g. which areas beach users should avoid, and what activities would be considered damaging – such as dogs or children digging holes, dragging boats up the beach, etc.)
 - explain the role of RDOS in helping to promote conservation of this unique species at risk (e.g. rationale for lack of tilling and raking)
- Ensure all park maintenance staff are aware of the site management protocols and the reason for them, and that implementation is successfully applied.
- Conduct annual inventory and monitoring of Short-rayed Alkali Aster abundance and distribution in August or September, while plants are flowering [i.e., in collaboration with the BC Ministry of Forests, Lands and Natural Resource Operations (FLNRO) and/or Environment Canada's Canadian Wildlife Service (EC-CWS) – for discussion].
- Assess trends, distribution and abundance of plants, and suitable habitat availability annually (as above, in collaboration with FLNRO and/or EC-CWS); if population numbers and/or distributions should change, or where they appear to be in decline, assess (a) whether further measures such as fencing off target areas (to exclude foot traffic or other types of damage) would be appropriate, and/or (b) whether the designated low-impact zone area needs to be reconfigured or revised to include additional areas
- Monitor the level of use by beach-goers (in collaboration with FLNRO/ CWS?); if plants are being trampled by people or dogs, consider fencing off the "Low Impact" area.

Christie Memorial Park: Overview of Management History

Christie Memorial Park was established as a provincial park in 1965. Bill 49/2012 (Protected Areas of BC Amendment Act, 2012) repealed the description of Christie Memorial from that statute, and regulation bringing the repeal into force was passed on February 28, 2013. At that time the ownership and management of much of the park was transferred to the Regional District of Okanagan Similkameen. The provincial Crown retains a portion of the park (DL4262) that was infilled since the initial land survey in 1965. RDOS has applied⁴ to the Ministry of Forests, Lands, and Natural Resource Operations for a licence of occupation to maintain the foreshore as a swimming area. As of June 19, 2014 the lease application is still in progress. Operationally, the expectation would be that the entire park would be managed as one parcel.

Excerpts from section 1.6 of the Christie Memorial Park Transfer Management Strategy (March 2010):

"Management of the site would need to recognize the importance of maintaining foreshore conservation values (i.e., to flora species). The Regional District of Okanagan-Similkameen recognizes that the most obvious threat is beach management practices including rototilling, raking and blading. These practices cause direct mortality to the plants by cutting, sifting them out of the soil and removing them to a disposal area are the most likely. Considering actions to manage the species will be to reduce intensive management later in the season (July/August) and other timing changes and to examine and reduce practices that are more likely to damage plants (rototilling, raking, blading).

³ E.g. see " [White and Yellow Sweet Clover Control](#)"

⁴ http://www.rdosmaps.bc.ca/min_bylaws/board/Board_Meetings/2013/Mar21BdMtg.pdf

Additionally the Regional District may be able to provide proactive measures noted in the Short-rayed aster (*Aster frondosum*), Vaseux Lake and Christie Memorial Report³, (2003, 2005, 2006, 2007), By Orville Dyer, Crystal Klym and Sara Bunge:

- Establish test patches to examine impacts from management techniques and consider both negative (plant mortality or harm) and positive (removal of competing vegetation) impacts.
- Ensure that management practices near the east end of the beach where higher densities of plants were found in 2007 consider positive and negative impacts to protect a potentially higher seed bank (speculation at this point but precautionary).
- Focus management tests to the east side of the beach where plants have been found more regularly in recent years (again, potentially higher seed bank).
- An invasive plant management plan would be implemented focusing on the specific impacts on the Short-rayed aster plant and impact/possible benefits of tilling as a treatment method."

The site management recommendations outlined in this document are thereby generally consistent with the Park Transfer Management Strategy.

FOR FUTURE DISCUSSION:

Formalizing site management recommendations

- Written operating procedures?
- Park management plan?
- Terms / conditions of foreshore lease for DL4262 component?
- Stewardship agreement with Province of BC?
- SARA s. 11 Conservation agreement with CWS & Province of BC?

Funding

- Signage
- Inventory & monitoring

Roles of CWS / Province of BC / RDOS / SOSCP Shared Planner

Annex 1 – Summary of federal Recovery Strategy for Short-rayed Alkali Aster



Species_Summary_S
hortrayed_Alkali_Aster

Questions around the application of the *Oil & Gas Activities Act* within boreal caribou ranges

- Please confirm or clarify the following :
 - The OGC is obliged under OGAA s. 25(1)(b) to 'consider government's environmental objectives' established in s. 6 of the EPMR when deciding whether or not to issue a permit for oil & gas activities within designated WHAs and UWRs.
 - For boreal caribou, applications for oil and gas activities that are consistent with the 2011 *Interim Operating Practices for Oil and Gas Activities in Identified Boreal Caribou Habitat in BC* are considered to not have a material adverse effect, and are therefore processed in accordance with routine procedures.
 - Applications for oil and gas activities that are inconsistent with the operating practices may be considered if accompanied by a rationale that includes an assessment of the effects of the proposed activity on boreal caribou and their habitat.
- Does the OGC consider the 2011 interim operating practices, or any other caribou-related considerations, in areas of boreal caribou range that are outside WHAs or UWRs?
- When considering authorizations, is there any distinction made between applications within areas designated as Type A UWRs vs. Type B UWRs?
- How many or what proportion of applications are inconsistent with the operating practices? Are these applications ever denied? If yes, under what circumstances?
- When authorizations are issued for activities that *are* consistent with the operating practices, what conditions are attached to the authorization?
- What monitoring has been completed with respect to compliance with authorisation conditions / operating practices, and what has been the result? If operators are not in compliance, is this considered an infraction under OGAA s. 21(b), and if so have penalties been triggered?
- Between October 5, 2012 and today, how many Crown land dispositions, and specific authorizations, have been issued by the OGC within WHAs, UWRs, Land Act reserves, RRAs, or other designated areas, covering how many hectares of land? (recognising there will be spatial overlap in both designated areas and authorizations)

	Entire Boreal Caribou Range	WHAs	UWR – Type A	UWR – Type B	Land Act s.16 map reserve (e.g. Chinchaga River)	Land Act notation of interest (e.g. Etthithun River)	RRAs	Boreal Caribou range, no specific designation
Tenure agreement								
Permit								
Drilling Licence								
PNG Lease								
Authorization for on-the ground activity								
Lease								
Licence of occupation								

Temporary Permit								
Statutory right-of-way								
Interim licence								

8. To what extent are activities being authorized within existing disturbance footprints vs. outside those areas?

From: [Reiss, Lucy \[PYR\]](#)
To: [Ritchie, Chris FLNR:EX](#); [Nelson, Kari J ENV:EX](#)
Cc: [Westereng, Leah K ENV:EX](#); [Quayle, James F ENV:EX](#)
Subject: RE: Request re: MoE's involvement in CHEPA discussions with EC
Date: Friday, July 11, 2014 3:33:25 PM

Easy peasy, and glad to.

Leah, meeting request for Aug 14 will be coming your way shortly.

From: Ritchie, Chris FLNR:EX [mailto:Chris.Ritchie@gov.bc.ca]
Sent: July 11, 2014 3:30 PM
To: Nelson, Kari J ENV:EX; Reiss, Lucy [PYR]
Cc: Westereng, Leah K ENV:EX; Quayle, James F ENV:EX
Subject: RE: Request re: MoE's involvement in CHEPA discussions with EC
Will do

Lucy: between the 2 of us can we work to keep Leah in the invite loop????

From: Nelson, Kari J ENV:EX
Sent: Friday, July 11, 2014 11:52 AM
To: Ritchie, Chris FLNR:EX
Cc: Westereng, Leah K ENV:EX; Quayle, James F ENV:EX
Subject: Request re: MoE's involvement in CHEPA discussions with EC
Hi Chris,

I've chatted with James and Leah – and following James's note that we'd like to be kept to date / engaged, we'd like to request that you include Leah on future CHEPA meeting invites and email discussions with EC.

Leah may not always attend / contribute, but she can then serve as a conduit of info to James and I, and she will also then be able to ensure that those discussions inform / are informed by any of the policy/guidance work that she will be embarking on in her new role (including the work on the CH data layer project).

Thanks!

Kari.

From: Quayle, James F ENV:EX
Sent: July-09-14 4:45 PM
To: Ritchie, Chris FLNR:EX
Cc: Nelson, Kari J ENV:EX
Subject: RE: BC-CWS CHEPA update- July 3, 2014

I am fine with you charging ahead, but we would like to be kept up on developments / documents for review / etc. We would appreciate the opportunity to engage- even if we don't always take it. Also, there are some pieces if "CHEPA" where we are more active than others – example, we continue to play a role in some of the tasks below (e.g., Leah Westereng was working with EC on CH spatial piece) so we need to be careful that the right people are in touch with one another and that we are not duplicating work.

Thanks for asking Chris. I presume that Kari would also like to keep up on CHEPA.

This is probably part of the bigger discussion around SAR roles and responsibilities.

James

From: Ritchie, Chris FLNR:EX
Sent: Wednesday, July 9, 2014 8:12 AM
To: Quayle, James F ENV:EX
Subject: FW: BC-CWS CHEPA update- July 3, 2014

It dawned on me the other night that flnro is charging ahead on this matter with much less involvement of more (recently) than i would have expected.. maybe we have just not been inviting

you (my bad), but i think it best to ask.

How do you want to engage/participate in the CHEPA?

See below

From: Reiss, Lucy [PYR] [<mailto:Lucy.Reiss@ec.gc.ca>]

Sent: Thursday, July 3, 2014 3:27 PM

To: Pasztor, Chris FLNR:EX; Ritchie, Chris FLNR:EX; Witt, Andy FLNR:EX; XT:Brock, Ken Pacific Wildlife Research Centre EAO:IN; Pritchard, Heather FLNR:EX

Subject: BC-CWS CHEPA update- July 3, 2014

Hi all;

Some draft notes pour vous.

PSARC update

- From Chris R's earlier note : We had our discussion with the PSARC and they endorse some significant engagement with EC to advance the CHEPA to address mutual interest. The "option" they supported is:
Engage in the review of interim products (matrix, legislative analysis) and the proto-testing to ensure accuracy and completeness of CHEPA tool. Establish a provincial process for review of CHEPAs for individual species.

Review of Krindle report

- Heather has reviewed comments; most substantive issue with the report is that it didn't examine the policies that contextualize and often operationalize the legislation.
- Once comments have been provided to CWS, suggest correcting egregious errors in the report but focusing efforts on making the master matrix a more fulsome reference piece with additional policy context behind it.

How CHEPA works

- How policy (connected to legislation) will be reflected within the CHEPA process is still unclear, and likely to be somewhat instrument-specific.
- Analysis of protection is "portion by portion", not for the entire species – so there could conceivably be a finding of "not effectively protected" for a relatively small portion of CH (if only the small portion was unprotected).
- It was mused that a s. 63 report could potentially discuss steps being taken that are not directly habitat-related but that contribute to species recovery (e.g. captive breeding, predator management) (NOTE- CWS should confirm this).

Collaborative agreement between BC and CWS

- James and Chris are looking at resourcing requirements (primarily staff), will be providing recommendations to Directors in preparation for the meeting, will share with this group.
We need to work on this matter anyway

CWS temp help call-ups

- GIS analyst (Dough Hrynyk) s.22 – to conduct initial spatial analysis of overlap between CH, land ownership and tenure, and potential protection instruments. Definitely challenges with interpreting this information – e.g. when tools are aspatial, and interpreting tenure which does not necessarily equate to disturbance.
- Master matrix refinement – to cross-walk instruments with activities – this call-up may be delayed a few weeks; currently a limited number of applicants.

Sharing CH spatial data with BC

- Lisa Rockwell (CWS GIS temp) has been working with other GIS analysts across the country to establish consistent way of packaging CH spatial data; looks like it will be possible to post

final CH data (equivalent to that shown in hard copy maps in recovery strategies) on data.gc.ca. This would be publicly available. This same info can be provided to BC to integrate with other data within BC Geospatial Warehouse – e.g. could be displayed publicly on imap, etc. In addition BC would receive more ‘sensitive’ CH data including draft / candidate CH and CH mapped at a finer scale that is depicted publicly. This would be available for internal BC use. Contractors, local govts etc for now would likely need to continue to access data directly from CWS using data sharing agreements. Timing for this is primarily dependent on Lisa’s availability as well as ongoing internal discussions. But hopefully “soon”.

Sharing ‘completed’ CHEPAs with PSARC

- CWS will send Poor Pocket Moss, Nugget Moss, and likely Sprague’s Pipit (from AB/SK) in the next week or so.

Opportunistic protection ‘implementation’ in the Okanagan

- CWS and FLNRO Okanagan staff have been working on addressing a very site-specific CH protection issue regarding Short-rayed Alkali Aster. See attached for the interim ‘product’. This has been useful as a learning tool but indicates potential for heavy workload if this is the level of detail at which habitat needs to be managed in other places. The division of responsibilities are somewhat unclear.
- CWS provided a list of OGAA-related questions to Chris P. who passed them on to the OGC; waiting to hear back. Attached FYI.

Next Steps / Action Items:

- Chris R. to check with MOE and see if anyone wishes to re-engage in these discussions.
- BC to provide comments on Krindle report to CWS (next week).any concerns with sharing?
- CWS to amend the report where necessary & recirculate.
- Lucy and Heather to work on integrating policy into the master matrix.
- CWS to provide a few populated CHEPA examples (by July 11)
- CWS to provide populated boreal caribou CHEPA for initial comments by end of July or earlier if possible. Ideally somewhat solidified draft by end of August.
- BC to determine how to approach the review of these ‘pilot’ CHEPAs

s.22

Next meeting: Aug 14, 9 am

Regards,

Lucy

From: Reiss, Lucy [PYR]

Sent: June 2, 2014 4:03 PM

To: 'Pasztor, Chris FLNR:EX'; Ritchie, Chris FLNR:EX; Witt, Andy FLNR:EX (Andy.Witt@gov.bc.ca); Brock, Ken [PYR]

Subject: BC-CWS CHEPA update- June 2, 2014

Thanks again for the discussion – here are some draft notes for your perusal.

- Collaborative agreement between BC and CWS is in conceptual stages of discussion following SARCC managers meeting last week. Components would include recovery strategy backlog, CHEPA, MAMU implementation. Directors will meet to discuss further around ~end of July. Chris R. will be scoping specific tasks related to the collaborative agreement and looking at staff skillset alignment. Suggest adding data sharing as an integral component of the agreement.
- PSARC will meet in late June – Chris R. hopes to obtain some confirmation as to extent of BC involvement in CHEPA at that time – collaborative agreement concept will help inform that discussion.
- Assumption is there is value to BC in participating in CHEPA, in part because of some overlap with

provincial work, and in part to more fully understand the process. Capacity is a challenge, particularly because this is not 'easy' work – requires experienced staff.

- Krindle report review – Sagurika provided consolidated comments from multiple reviewers familiar with the various pieces of legislation to Chris R. this weekend. CWS can expect those comments soon – hopefully within a week.
- Pending confirmation from PSARC / FLNRO & MOE Directors, agreed to move forward with BC reviews of CHEPA documentation (or portions thereof – e.g. focussing on a few legislative tools & associated policies, not necessarily all of them) for 3-4 test species: boreal caribou and poor pocket and/or nugget moss as opposite ends of the difficulty spectrum, and Williamson's Sapsucker as an example meeting the criteria of: a range of legislative instruments and sectors, landscape scale but narrower geographic scope, with (soon) final CH ID, and actively being worked on by provincial staff. Draft documents for the mosses can be shared very quickly – boreal caribou also fairly soon. WISA has not been started on CWS's end, and will require GIS capacity to initiate that is not yet in place – so would come later this fiscal.
- CWS will scope statement of work for GIS component of collaborative agreement (to support CHEPA) & circulate for review.
- CWS will continue to work on overcoming incomplete metadata and national consistency issues behind the BC Geospatial Warehouse CH data load, so that CH geospatial data can be made available to BC in a useable format.
- Next meeting: July 3, 2014 at 9:30 am

Regards,
Lucy

From: Reiss, Lucy [PYR]

Sent: April 25, 2014 1:54 PM

To: Brock, Ken [PYR]; 'Pasztor, Chris FLNR:EX'; Ritchie, Chris FLNR:EX; Witt, Andy FLNR:EX (Andy.Witt@gov.bc.ca)

Subject: RE: CHEPA update

Thanks all – here are a few notes:

- PSARC meeting – April 14: Chris R and James Quayle were sitting in for Alex and Alan at this meeting, so no quorum. The group is aware of CHEPA, its application, where it's at and where it's going. At the next PSARC meeting (date TBD) Chris will propose three options for BC engagement in CHEPA (my paraphrasing, not CR's words) 1) complete, fulsome adoption 2) made in BC re-do 3) measured participation. Will need to characterize inputs, work load issues, timing for each scenario; hunch is that 3) will be the chosen approach.
- SARSC meets on Tuesday April 29; CHEPA is on the agenda, so further direction may be forthcoming
- Krindle report review – awaiting direction from PSARC in terms of how to frame and potentially consolidate comments from Sagurika's (and Chris P's for FRPA) legislative accuracy review; yet to be determined how or when those comments will come back to CWS.
- Other action items from the April 3 meeting were for CWS to look into resources for contracts to better interpret Tantalus data layers on tenure, and to review the master matrix on a specific activity basis. Budgets have not yet been finalised but it's likely ok to start moving on this, so Ken and Lucy will work on statements of work and circulate to the group for review.
- We will talk again on June 2 at 2 pm to exchange further updates on the items above.

Any errors or omissions, please let me know.

Thanks,
Lucy

From: Reiss, Lucy [PYR]

Sent: April 7, 2014 11:40 AM

To: Pasztor, Chris FLNR:EX; Ritchie, Chris FLNR:EX; Witt, Andy FLNR:EX (Andy.Witt@gov.bc.ca)

Cc: Brock, Ken [PYP] (Ken.Brock@ec.gc.ca)
Subject: RE: CHEPA examples / master matrix discussion
Hello Chris, Chris and Andy;

Thanks very much for the opportunity to meet last week. Attached are some notes for your perusal. A meeting request for a follow-up call on April 25 will follow shortly.

Regards,
Lucy

From: Reiss, Lucy [PYP] (<mailto:Lucy.Reiss@ec.gc.ca>)
Sent: Wednesday, April 2, 2014 2:09 PM
To: Pasztor, Chris FLNR:EX; Ritchie, Chris FLNR:EX; Witt, Andy FLNR:EX
Cc: XT:Brock, Ken Pacific Wildlife Research Centre EAO:IN
Subject: RE: CHEPA examples / master matrix discussion

Hello everyone;

Just a quick reminder of our discussion tomorrow. For reference I've attached the info that was previously circulated to the broader group last time we met by phone, although using an updated version of the 'master matrix' as it is a document that will see a lot of ongoing editing. The CHEPA templates have also been slightly revised. In compiling this I've realized we weren't able to share the draft "simple" Poor Pocket Moss example last time – it is now attached FYI.

Ken and I were thinking we could spend some time just going through this info, addressing questions if you have any, and getting a better sense from you as to how & when FLNRO and potentially other BC ministries may be able to inform or interact with the CHEPA process; and/ or if you are doing anything that is at all analogous in terms of gap analysis for habitat protection – i.e. are there efficiencies to be found in sharing information or procedures.

Depending on that outcome, we do have questions for you as well, ranging from "so what do you think of CHEPA" to quite detailed questions about how various statutory instruments work, including a general question about whether the 'master matrix' & accompanying report is factually accurate – that you may or may not be able or enabled to answer (certainly not tomorrow).

If you'd like to go for lunch before we meet, please suggest when & where ☺

See you tomorrow,

Lucy

<> <> <> <>

<> <>

-----Original Appointment-----

From: Pasztor, Chris FLNR:EX (<mailto:Chris.Pasztor@gov.bc.ca>)
Sent: February 20, 2014 3:25 PM

To: Pasztor, Chris FLNR:EX; Ritchie, Chris FLNR:EX; Witt, Andy FLNR:EX; Reiss,Lucy [PYR]; Brock,Ken [PYR]

Subject: CHEPA examples / master matrix discussion

When: April 3, 2014 12:30 PM-4:30 PM (UTC-08:00) Pacific Time (US & Canada).

Where: FLNR R Victoria 1520 Blanshard 3rd Fl RM 324 (seats 14) FLNR:EX

When: Thursday, April 3, 2014 12:30 PM-4:30 PM (GMT-08:00) Pacific Time (US & Canada).

Where: FLNR R Victoria 1520 Blanshard 3rd Fl RM 324 (seats 14) FLNR:EX

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

From: [Lofroth, Eric ENV:EX](#)
To: [Dale, Alec R ENV:EX](#); [Quayle, James F ENV:EX](#)
Subject: FW: Draft SARA Risk Mitigation Plan for BC Plan (1.0)
Date: Wednesday, July 23, 2014 2:03:42 PM
Attachments: [SARA Risk Mitigation Plan for BC Plan \(draft\).docx](#)
[ATT00001.htm](#)
[minister roundtable note july 23 2014.docx](#)

Fyi – comments from Chris Ritchie

Eric Lofroth MSc RPBio

Manager, British Columbia Conservation Data Centre

BC Ministry of Environment

PO Box 9358, Stn Prov Gov

Mezzanine - 395 Waterfront Crescent

Victoria, BC

Canada V8W 9M1

Ph: 250-387-9798

Fax: (250) 387-6494

Eric.Lofroth@gov.bc.ca

<http://www.env.gov.bc.ca/cdc>

From: Ritchie, Chris FLNR:EX

Sent: Wednesday, July 23, 2014 2:00 PM

To: Ethier, Tom FLNR:EX; Lofroth, Eric ENV:EX

Cc: Larkin, Brenda FLNR:EX

Subject: FW: Draft SARA Risk Mitigation Plan for BC Plan (1.0)

s.13

From: Lofroth, Eric ENV:EX

Sent: Wednesday, July 23, 2014 1:18 PM

To: Ritchie, Chris FLNR:EX

Subject: FW: Draft SARA Risk Mitigation Plan for BC Plan (1.0)

Eric Lofroth MSc RPBio

Manager, British Columbia Conservation Data Centre
BC Ministry of Environment
PO Box 9358, Stn Prov Gov
Mezzanine - 395 Waterfront Crescent
Victoria, BC
Canada V8W 9M1
Ph: 250-387-9798
Fax: (250) 387-6494
Eric.Lofroth@gov.bc.ca
<http://www.env.gov.bc.ca/cdc>

From: Zacharias, Mark ENV:EX
Sent: Wednesday, July 23, 2014 10:12 AM
To: Lofroth, Eric ENV:EX; Dale, Alec R ENV:EX; Ethier, Tom FLNR:EX; Quayle, James F ENV:EX
Subject: Fwd: Draft SARA Risk Mitigation Plan for BC Plan (1.0)
Comments / suggestions appreciated.

Regards, Mark
250-415-6466

Begin forwarded message:

From: "Gorman, James" <Gorman@cofi.org>
Date: July 23, 2014 at 7:58:43 AM PDT
To: "Zacharias, Mark ENV:EX" <Mark.Zacharias@gov.bc.ca>
Subject: FW: Draft SARA Risk Mitigation Plan for BC Plan (1.0)

Mark, thanks for the draft. Archie and I took a look and embedded a few comments.
Cheers, James

From: Macdonald, Archie
Sent: July-21-14 8:52 AM
To: Gorman, James
Subject: RE: Draft SARA Risk Mitigation Plan for BC Plan (1.0)
Hi James,

I have imbedded a few comments for your consideration
Archie MacDonald

Please note – new direct line (778) 760-1157

Council of Forest Industries
#360 – 1855 Kirschner Rd.
Kelowna, BC V1Y 4N7
Direct (778) 760-1157
Office (250) 860 -9663
Cell (250) 215 -2202
Fax (250) 860 - 0009

From: Gorman, James
Sent: July-18-14 9:04 AM
To: Macdonald, Archie
Subject: FW: Draft SARA Risk Mitigation Plan for BC Plan (1.0)
As I mentioned to you, Hackett, Jeffrey and I met with Shoemaker, Sheldan, Ethier and

Zacharias earlier this week to sketch out a strategy for moving forward on SARA. The attached is Mark's Z rough sketch of that conversation. Thoughts and comments welcome.

From: Zacharias, Mark ENV:EX [<mailto:Mark.Zacharias@gov.bc.ca>]

Sent: July-18-14 8:46 AM

To: Hackett, Jim FLNR:IN; Jeffery, Rick FLNR:IN; Sheldan, Tim FLNR:EX; Shoemaker, Wes ENV:EX; Ethier, Tom FLNR:EX; Gorman, James

Subject: Draft SARA Risk Mitigation Plan for BC Plan (1.0)

Good morning:

As promised, please find attached a quick and dirty first cut at the document we discussed on Wednesday. We're not wed to any ideas in the Plan (or its format) so please edit freely. I'm happy to continue to hold the pen so please send comments to me copying Tom.

Regards, Mark

250-415-6466

SARA Risk Mitigation Plan for BC

Draft for Discussion

July 15, 2014

GOAL: PRECLUDE THE FEDERAL GOVERNMENT FROM TAKING - OR BEING COMPELLED TO TAKE ACTION – UNDER SARA

STRATEGIES:

1. Understand the legal risks SARA presents to forest operators/forestry in BC

Problem statement:

1. SARA is structured as 'safety net' legislation, which allows the federal government, if the province is not providing equivalent protection for species at risk, to intrude into areas of provincial jurisdictional authority. The risk of such an action and the potential for differences in provincial and federal expectations regarding management of species at risk creates uncertainty for industry and landowners in BC.

2. SAR management actions (e.g. habitat protections, population management) are being implemented without a clear understanding of whether these actions contribute to mitigating legal risk associated with achieving SARA expectations and the socio-economic cost of those actions.

s.13

What success looks like:

Species/populations prioritized by legal risk and a common industry/government position on how and whether to mitigate risk for high legal risk species.

Examples of solutions:

s.13

Next steps:

s.13

| 2. Influence the federal government to amend SARA & MBCA

| Problem statement: Many parts of SARA and MBCA do not work for governments, industry, stakeholders and First Nations.

s.13

What success looks like: A revised Act that addresses concerns raised by all levels of government, industry, First Nations and stakeholders.

Next steps:

s.13

3. Influence the federal government's interpretation/implementation of critical habitat under SARA

s.13

Problem statement: Current policy interpretation of SARA has resulted in a situation whereby critical habitat is identified without consideration of social and economic implications.

What success looks like: The federal government implements SARA in a manner that is consistent with previous provincial communications on this issue, ~~and~~ that respects provincial jurisdictional authority, and is consistent with the balancing of environmental, economic and social objectives of Canada and BC
An act or process that effectively separates science advice (identifying critical habitat) from decision making (designating critical habitat)

Examples of solutions:

s.13

Next steps:
s.13

4. Identify and utilize opportunities afforded by SARA to do business differently

Problem statement: Industry and government have not fully utilized the various tools under SARA potentially resulting in missed opportunities to manage SAR in a more cost-effective manner.

What success looks like: Agreement with the federal government to consider and implement new approaches for BC (e.g. conservation agreements, ecosystem-based recovery planning)

Examples of opportunities:

- ✚ S.7 Canadian Endangered Species Conservation Council
- ✚ S.9 Advisory Committees
- ✚ S.10 Administrative Agreements (the Canada-BC SAR bilateral expires in 2015)
- ✚ S.11 Conservation Agreements
- ✚ S.17 Operation of COSEWIC
- ✚ S.21(2) Content of Status Reports
- ✚ S.27(1) Power to list SAR
- ✚ And so on...

Next steps:

s.13

5. Better characterize the alignment of threats, proposed critical habitat and existing conservation designations

Problem statement:

1. The BC-wide economic and social costs of existing and proposed critical habitat are currently unknown.
2. The alignment of existing conservation designations/actions against existing and proposed critical habitat are currently unknown.
3. The threats to SARA-listed species in BC are not quantified (spatially explicit).
4. Many of the species proposed are data deficient. Need inventory and life cycle information for many species

What success looks like:

1. Full cost accounting of what the contributions of protected areas s, OGMAs, WHAs, WMAs, UWRs, EBM and other conservation lands (including private) are to species and ecosystems at risk conservation and management (spatial analysis by element)
2. Comprehensive threat mitigation assessment (could be done for those species and ecosystems with threats clearly documented in recovery strategies or recent assessments)
3. Quantification of the socio-economic costs should BC implement critical habitat as defined in recovery strategies
4. Free and open data sharing between government, industry, NGO
5. Updated inventories and species life cycle data to facilitate decision making and to withstand scientific scrutiny
6. Co-location to address multi-species needs

Examples of solutions:

s.13

Next steps:

s.13

6. Improve public outreach and education on actions to manage species at risk

Problem statement: Government and industry have been ineffective in communicating achievements for species and ecosystems at risk management as well as overall biodiversity management.

s.13

What success looks like: Improved public understanding and knowledge of the completed and ongoing work towards managing species and ecosystems at risk

Examples of solutions:

s.13

Next steps:

s.13

Minister Roundtable

Issue: Species at Risk Recovery

- A dominant force guiding species at risk (SAR) management in BC is the Federal Species at Risk Act (SARA) that enables recovery planning and the identification of critical habitat.
- BC is signatory to the Canada – BC Agreement on Species at Risk which tries to ensure federal and provincial agencies work in a coordinated and focused approach to the delivery of species at risk protection and recovery. At a Deputy Minister level meeting April 29, 2014, there was general support given for a renewal of the Agreement prior to its expiration in 2015.
- The SAR file is currently shared primarily by two ministries: Ministry of Environment leads development of recovery plans for species at risk; and Ministry of Forests, Lands and Natural Resource Operations (FLNRO) is responsible for the implementation of recovery or management plans for species at risk.
- However, staff from both ministries work closely on numerous SAR initiatives, often in close coordination with federal agencies.
- The work of both ministries will be guided by the recently released strategic framework for SAR management entitled “*Protecting Vulnerable Species: A Five-Year Plan for Species at Risk in British Columbia*”.
- The Provincial Species at Risk Steering Committee (PSARSC), co-chaired by Resource Management Objectives Branch and composed of directors and senior managers of all resource sector ministries, directs implementation of the plan, sets priorities for SAR work and resource allocation.
- Currently, FLNRO is actively involved in:
 - the Mountain Caribou Recovery Implementation Plan. This program is undertaking a maternal penning project s.13 s.13
 - the Boreal Caribou Implementation Plan. s.13 s.13
 - the Peace Northern Caribou Plan. This program is undertaking a maternal penning project and the cows and calves were released on July 7. The penning phase was successful, but several caribou were killed by wolves shortly after release.
 - the Vancouver Island Marmot Recovery Plan by raising marmots in a captive breeding facility and releasing into the wild.
 - the Spotted Owl Recovery Plan by raising owls in a captive breeding facility and releasing into the wild

Minister Roundtable

- Development of an implementation plan for coastal Northern Goshawk. An approach that is somewhat different to traditional Northern Goshawk management is being vetted with provincial experts, the coastal forest industry and Parks Canada (lead federal agency).
- Developing plans for Marbled Murrelet in anticipation of posting of a federal recovery strategy. Posting is imminent.
- Development of the Critical Habitat Effective Protection Assessment tool. The federal minister will rely on this evaluation tool to determine if a SARA safety net provision is needed.
- Initiation of a threat-based and landscape-level approach to SAR management in the Kootenay Region for potential provincial application. This is modelled after a successful program developed in New Zealand.
- Implementing approximately \$1.5 million in Land Based Inventory Strategy (LBIS) funding on various SAR projects.
- Implementing recommendations from a strategic examination of the Identified Wildlife Management Strategy to ensure consistency with broader SAR objectives (e.g. five-year SAR Plan) and find efficiencies in delivery (e.g. co-location)
- The federal government posted the final version of the Southern Mountain Caribou Recovery Strategy June 3, 2014. It may have implications to managing habitat for caribou herds outside the MCRIP. A review of this document is underway.
- FLNRO is regularly requested to “push back” on the federal recovery strategies and identification of Critical Habitat by industry interest groups (eg CAPP, ILMA, COFI, CFPA). Federal agencies have indicated it is unlikely to expect legislative changes to SARA but there is a willingness to use the flexibility within SARA to address industry concerns. We continue to promote a “made in BC” approach with better recognition of social and economic implications of recovery plans. To help coordinate stakeholder and provincial activity on SARA, and supported via the Provincial Forestry Forum (PFF), a committee will be established to address strategic issues common to the province and industry. An initial effort is underway to identify a risk mitigation plan for the implications of federal recovery strategies.

From: [Quayle, James F ENV:EX](#)
To: [Ritchie, Chris FLNR:EX](#)
Subject: FW: Summary of approach on caribou/SARA from meeting
Date: Friday, August 22, 2014 1:24:00 PM

Let's set up a meeting for next week.
s.12,s.13

From: Dale, Alec R ENV:EX
Sent: Friday, August 22, 2014 1:20 PM
To: Quayle, James F ENV:EX
Cc: Lidstone, Allan B FLNR:EX; Ritchie, Chris FLNR:EX
Subject: Re: Summary of approach on caribou/SARA from meeting
s.12,s.13

More when I am back
A
Alec Dale, Exec. Director
Ecosystems Br.
Ministry of Environment
via mobile

On Aug 22, 2014, at 12:02 PM, "Quayle, James F ENV:EX" <James.Quayle@gov.bc.ca> wrote:

Alec had an idea for someone (else) to assign this to, but not sure if that has happened yet or not.

Regardless, aside from Acting s.22 next week, I have things reasonably open. If Chris has time, perhaps we could put our heads together ... even if someone else steps up to lead later ...

From: Lidstone, Allan B FLNR:EX
Sent: Friday, August 22, 2014 11:38 AM
To: Quayle, James F ENV:EX
Cc: Ritchie, Chris FLNR:EX
Subject: FW: Summary of approach on caribou/SARA from meeting
I see s.22 you are acting – I just sent him this. Over to you.
Allan

From: Lidstone, Allan B FLNR:EX
Sent: Friday, August 22, 2014 11:36 AM
To: Dale, Alec R ENV:EX
Subject: RE: Summary of approach on caribou/SARA from meeting
Alec

My delayed response... Tom has asked me to pay attention to the "longer-term approach" s.12,s.13

I know s.22 , but depending on your take on the above comments, we should set James and Chris loose on this work s.22

Allan

From: Dale, Alec R ENV:EX

Sent: Wednesday, August 13, 2014 2:52 PM

To: MacDonald, Archie FLNR:IN; Ethier, Tom FLNR:EX; Zacharias, Mark ENV:EX; Lidstone, Allan B FLNR:EX

Subject: RE: Summary of approach on caribou/SARA from meeting

Sorry for delay here is a revised version. This version reflects discussion with Steve Wilson, who is keen on the approach and keen to be involved. Not sure if any of you need something more than this at the moment, but just let me know.

Approach for Southern Mountain Caribou: (and other species in interim prior to developing long-term approach).

1. MOE/FLNR will appoint a full-time project manager to coordinate the mountain caribou and longer-term SAR approach.
 - a. That person will draft a work-plan for both aspects of the project, which can then be shared with stakeholders and executive.
2. Reconvene mountain caribou science team (or similar)
 - a. Alec to contacted Steve Wilson and Steve is keen on the approach and in being involved. He also suggested the following compliment of names Milt Hamilton (likely not interested?), Leo DeGroot, John Surgenor, Nicola Freeman. Dale Seip, Rob Serrouya, Kari Stuart-Smith (confirmed by Archie).
3. Science team to assess details of the provincial and federal plans to determine level of alignment between the plans and any significant gaps in CH protection (also outline any gaps/issues in Fed plan).
4. Have science team revisit the original science in MCRIP along with what we have learned since the plan was implemented
 - a. Based on new info, determine if there are any actions we would take on a provincial basis to improve the plan.
5. Once all the details are known between federal and provincial plans, look at

options for closing any gaps.

6. Engage with stakeholders to determine socio-economic impacts of any proposed options.

7. If required, begin work with the Federal government on possible Section 11 agreement for Southern Mountain caribou to address the gaps

a. Existing MOU with EC and the Province already contemplates this potential.

s.12,s.13

Longer-term approach for dealing with SARA:

1. As above MOE/FLNR to appoint a full-time project manager to coordinate the projects

2. Develop a compelling story for why the current approach is not working.

a. This is largely done, just need to put into a compelling package.

s.12,s.13

4. Work closely with federal government to ensure full federal support of a BC approach in order to achieve certainty on the land-base

s.12,s.13

Cheers

Alec

Alec Dale

Executive Director, Ecosystems Branch

B.C. Min. of Environment

Mailing: PO Box 9338 Stn. Prov. Govt. Victoria, B.C. V8W 9M1

Courier: 4th Floor, 2975 Jutland Rd.

Tel: 250-387-9731

Fax: 250-387-9750

Email: alec.dale@gov.bc.ca

From: [Nelson, Kari J ENV:EX](#)
To: [Quayle, James F ENV:EX](#)
Subject: RE: Summary of approach on caribou/SARA from meeting
Date: Tuesday, August 26, 2014 3:19:20 PM

Thanks James – so do you think it is a good use of my time given the approach outlined below to develop a paragraph for the fall Caribou submission?

From: Quayle, James F ENV:EX
Sent: August-26-14 1:52 PM
To: Nelson, Kari J ENV:EX
Subject: FW: Summary of approach on caribou/SARA from meeting
Might be useful ..

From: Zacharias, Mark ENV:EX
Sent: Tuesday, August 26, 2014 1:50 PM
To: Quayle, James F ENV:EX; Ritchie, Chris FLNR:EX; Pasztor, Chris FLNR:EX
Subject: FW: Summary of approach on caribou/SARA from meeting
As per our call just now. Thanks, MZ

From: Dale, Alec R ENV:EX
Sent: Wednesday, August 13, 2014 2:52 PM
To: MacDonald, Archie FLNR:IN; Ethier, Tom FLNR:EX; Zacharias, Mark ENV:EX; Lidstone, Allan B FLNR:EX
Subject: RE: Summary of approach on caribou/SARA from meeting
Sorry for delay here is a revised version. This version reflects discussion with Steve Wilson, who is keen on the approach and keen to be involved. Not sure if any of you need something more than this at the moment, but just let me know.

Approach for Southern Mountain Caribou: (and other species in interim prior to developing long-term approach).

1. MOE/FLNR will appoint a full-time project manager to coordinate the mountain caribou and longer-term SAR approach.
 - a. That person will draft a work-plan for both aspects of the project, which can then be shared with stakeholders and executive.
2. Reconvene mountain caribou science team (or similar)
 - a. Alec to contacted Steve Wilson and Steve is keen on the approach and in being involved. He also suggested the following compliment of names Milt Hamilton (likely not interested?), Leo DeGroot, John Surgenor, Nicola Freeman. Dale Seip, Rob Serrouya, Kari Stuart-Smith (confirmed by Archie).
3. Science team to assess details of the provincial and federal plans to determine level of alignment between the plans and any significant gaps in CH protection (also outline any gaps/issues in Fed plan).
4. Have science team revisit the original science in MCRIP along with what we have learned since the plan was implemented
 - a. Based on new info, determine if there are any actions we would take on a provincial basis to improve the plan.
5. Once all the details are known between federal and provincial plans, look at options for closing any gaps.
6. Engage with stakeholders to determine socio-economic impacts of any proposed options.
7. If required, begin work with the Federal government on possible Section 11 agreement for Southern Mountain caribou to address the gaps

- a. Existing MOU with EC and the Province already contemplates this potential.

s.12,s.13

Longer-term approach for dealing with SARA:

1. As above MOE/FLNR to appoint a full-time project manager to coordinate the projects
2. Develop a compelling story for why the current approach is not working.
 - a. This is largely done, just need to put into a compelling package.

s.12,s.13

4. Work closely with federal government to ensure full federal support of a BC approach in order to achieve certainty on the land-base

s.12,s.13

Cheers

Alec

Alec Dale

Executive Director, Ecosystems Branch
B.C. Min. of Environment
Mailing: PO Box 9338 Stn. Prov. Govt. Victoria, B.C. V8W 9M1
Courier: 4th Floor, 2975 Jutland Rd.
Tel: 250-387-9731
Fax: 250-387-9750
Email: alec.dale@gov.bc.ca

From: [Gordon, Steve M FLNR:EX](#)
To: [Quayle, James F ENV:EX](#)
Subject: Fwd: Please review: DRAFT NOGO IN
Date: Thursday, August 28, 2014 5:14:37 PM
Attachments: [IN for MST Aug 28.docx](#)
[ATT00001.htm](#)

FYI. Will be sending up probably tomorrow. Thought you might be able to use some of the content for a similar briefing on your side. Call if any questions. Steve

Sent from my iPhone

Begin forwarded message:

From: "Ritchie, Chris FLNR:EX" <Chris.Ritchie@gov.bc.ca>
Date: August 28, 2014 at 4:46:46 PM PDT
To: "Gordon, Steve M FLNR:EX" <Steve.Gordon@gov.bc.ca>
Subject: FW: Please review: DRAFT NOGO IN

Nice job. You work fast.

Some comments in the body.

Yes share with James, possibly for comment, definitely so he know what we are reporting up

From: Gordon, Steve M FLNR:EX
Sent: Thursday, August 28, 2014 2:53 PM
To: Ritchie, Chris FLNR:EX
Subject: Please review: DRAFT NOGO IN
Importance: High

Please have a look & comment back ASAP. Should I send to James too as a courtesy?

Perhaps he can use some of the content.

Steve Gordon, MSc., RPBio.

Manager, Biodiversity & Old-Growth

Resource Management Objectives Branch

Resource Stewardship Division

Ministry of Forests, Lands and Natural Resource Operations

(250) 751 7126

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
INFORMATION NOTE**

Date: August 28, 2014
Date of previous note: August 1, 2012
File: 280 20 BN
CLIFF: [cliff #]

PREPARED FOR: Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations

ISSUE: FEDERAL NORTHERN GOSHAWK RECOVERY STRATEGY AND BC'S MANAGEMENT RESPONSE

BACKGROUND:

The Northern Goshawk *laingi* subspecies (hereafter Goshawk) occurs in coastal forests of British Columbia, Alaska and Washington. The Canadian population was assessed as "Threatened" and listed under the Federal Species at Risk Act (SARA) in 2003. A draft ? BC Recovery Strategy was posted on the provincial recovery planning website in 2008 and a Management Plan with "recommended actions" was posted in 2012. The SARA requires the federal Minister to identify critical habitat in a Recovery Strategy "to the extent possible, based on the best available information."

Parks Canada released a draft Goshawk Recovery Strategy for stakeholder review in 2012. The SARA requires the federal Minister to identify critical habitat in a Recovery Strategy "to the extent possible, based on the best available information." This was done for Goshawk and ~~t~~The draft strategy was criticized by the forest industry for its high potential impacts and significant revisions have been made. MFLNRO has consulted with Parks Canada on the proposed revisions. Parks Canada intends to release a revised federal recovery strategy for a 60-day public review period in late September 2014.

Comment [c1]: Is that the best word?
"Discussed", "engaged with"

DISCUSSION:

The Province has been promoting a "Made in BC" approach for species at risk management and is drafting an Implementation Plan. This plan will contain several options with outlining various levels of conservation management to protect Northern Goshawk habitat and the socio-economic implications and probability of species recovery associated with each option. A cabinet-level decision will be required to set provincial management targets, essentially translating the "recommendations" from the 2012 Management Plan into a government commitment to the management of this species habitat.

The federal strategy will likely identify critical habitat polygons that include a significant amount of coastal forest. Once identified, critical habitat must be "legally protected" on federal lands or "effectively protected" on provincial lands. The federal strategy will may also set a population objective for Goshawks across the subspecies range (Haida Gwaii, North Coast, South Coast, and Vancouver Island).

s.13

s.13 MOE and FLNRO, in cooperation with forest licensees and Private Managed Forest Land

holders, have been conducting analyses to determine the impact of managing to different levels of Goshawk management.

Management of Goshawk habitat can be complex, involving retention of breeding areas around nest sites and management of foraging habitat over a broader area. **s.13**

s.13

If the federal Minister is not satisfied that critical habitat on provincial lands is not “effectively protected”, the federal Minister must, ~~every six months, report~~ every six months, on steps being taken to protect the habitat. If the habitat remains unprotected, the federal ~~Minister~~ must recommend to the Governor in Council that an order be made applying the SARA prohibitions against destruction of critical habitat to provincial lands (a “safety net” order) with potentially significant socio-economic implications for the province.

A provincial team has been established to develop a decision support package that will outline the current scientific understanding of goshawk habitat requirements, ~~the outline~~ different options for management based on varying levels of risk/ precaution and the potential socio-economic impacts of each option. This package is targeted for completion in October 2014.

NEXT STEPS:

Conduct analysis of federal recovery strategy when available. Continue development of provincial decision package in support of an Implementation plan with population objectives and management approaches. Continue liaison with forest sector to inform development of a “Made in BC” approach.

Attachments: 2012 Northern Goshawk Management Plan

Comment [sg2]: Necessary?

Contact:

Tom Ethier, ADM
Resource Stewardship
250 356-0972

Alternate Contact:

Allan Lidstone, Director
Resource Management Objectives
250 356 6255

Prepared by:

Steve Gordon, Manager
Resource Management Objectives
250 751 7126

Reviewed by	Initials	Date
DM		
DMO		
ADM		
PRGM Dir./Mgr.	AL	

From: [Gordon, Steve M FLNR:EX](#)
To: [Quayle, James F ENV:EX](#)
Subject: FW: 208886 for Allan's review ASAP
Date: Friday, August 29, 2014 10:15:32 AM
Attachments: [IN for MST 208886 Aug 29.docx](#)

My final draft.

From: Gordon, Steve M FLNR:EX
Sent: Friday, August 29, 2014 8:56 AM
To: Dunbar, Kirsten H FLNR:EX
Subject: RE: 208886 for Allan's review ASAP
Here is a revised IN.

From: Dunbar, Kirsten H FLNR:EX
Sent: Friday, August 29, 2014 8:47 AM
To: Gordon, Steve M FLNR:EX
Subject: RE: 208886 for Allan's review ASAP
Quick question – the management plan with recommended actions was it posted in 2012 or 2013 (the document says 2013 on the front) is this a revised copy?

From: Gordon, Steve M FLNR:EX
Sent: Friday, August 29, 2014 8:24 AM
To: Dunbar, Kirsten H FLNR:EX
Subject: 208886 for Allan's review ASAP
Importance: High

Can you send to Allan for review/ approval (ideally today) so we can get this into the formal approval process s.22

Also – I don't have a final copy of the previous note #189678. Can/ should this be appended?

Steve Gordon, MSc., RPBio.

Manager, Biodiversity & Old-Growth

Resource Management Objectives Branch

Resource Stewardship Division

Ministry of Forests, Lands and Natural Resource Operations

(250) 751 7126

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
INFORMATION NOTE**

Date: August 29, 2014
Date of previous note: August 1, 2012
File: 280 20 BN
CLIFF: 208886

PREPARED FOR: Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations

ISSUE: FEDERAL NORTHERN GOSHAWK RECOVERY STRATEGY AND BC'S MANAGEMENT RESPONSE

BACKGROUND:

The Northern Goshawk *laingi* subspecies (hereafter Goshawk) occurs in coastal forests of British Columbia, Alaska and Washington. The Canadian population was assessed as "Threatened" and listed under the Federal Species at Risk Act (SARA) in 2003. A draft BC Recovery Strategy was posted on the provincial recovery planning website in 2008 and a Management Plan with "recommended actions" was posted in 2013.

Parks Canada released a draft Goshawk Recovery Strategy for stakeholder review in 2012. The SARA requires the federal Minister to identify critical habitat in a Recovery Strategy "to the extent possible, based on the best available information." This was done for Goshawk and the draft strategy was criticized by the forest industry for its high potential impacts and significant revisions have been made. MFLNRO has consulted with Parks Canada on the proposed revisions. Parks Canada intends to release a revised federal recovery strategy for a 60-day public review period in late September 2014.

DISCUSSION:

The Province has been promoting a "Made in BC" approach for species at risk management and is drafting an Implementation Plan. This plan will contain several options with various levels of conservation management to protect Northern Goshawk habitat and the socio-economic implications and probability of species recovery associated with each option. A cabinet-level decision will be required to set provincial management targets, essentially translating the "recommendations" from the 2012 Management Plan into a government commitment to the management of this species habitat.

The federal strategy will likely identify critical habitat polygons that include a significant amount of coastal forest. Once identified, critical habitat must be "legally protected" on federal lands or "effectively protected" on provincial lands. The federal strategy will also set a population objective for Goshawks across the subspecies range (Haida Gwaii, North Coast, South Coast, and Vancouver Island).

Significant gaps are anticipated between the critical habitat proposed by the federal government and provincial protection measures. The SARA cannot consider socio-economic factors in the recovery strategy at this stage. MOE and FLNRO, in cooperation with forest licensees and Private Managed Forest Land holders, have been conducting analyses to determine the impact of managing to different levels of Goshawk habitat retention.

Management of Goshawk habitat can be complex, involving retention of breeding areas around nest sites and management of foraging habitat over a broader area. Species experts have not reached consensus on the level of risk appropriate when managing for the persistence of the species or how breeding and foraging habitat should be managed.

If the federal Minister is not satisfied that critical habitat on provincial lands is not “effectively protected”, the federal Minister must report every six months on steps being taken to protect the habitat. If the habitat remains unprotected, the federal Minister must recommend to the Governor in Council that an order be made applying the SARA prohibitions against destruction of critical habitat to provincial lands (a “safety net” order) with potentially significant socio-economic implications for the province.

A provincial team has been established to develop a decision support package that will outline the current scientific understanding of goshawk habitat requirements, the different options for management based on varying levels of risk/ precaution and the potential socio-economic impacts of each option. This package is targeted for completion in October 2014.

NEXT STEPS:

Conduct analysis of federal recovery strategy when available. Continue development of provincial decision package in support of an Implementation plan with population objectives and management approaches. Continue liaison with forest sector to inform development of a “Made in BC” approach.

Attachments: 2013 Northern Goshawk Management Plan Aug. 1, 2012 Briefing Note

Contact:

*Tom Ethier, ADM
Resource Stewardship
250 356-0972*

Alternate Contact:

*Allan Lidstone, Director
Resource Management Objectives
250 356 6255*

Prepared by:

*Steve Gordon, Manager
Resource Management Objectives
250 751 7126*

Reviewed by	Initials	Date
DM		
DMO		
ADM		
PRGM Dir./Mgr.	AL	

From: [Quayle, James F ENV:EX](#)
To: [Dale, Alec R ENV:EX](#)
Subject: NoGo IN - FLNRO
Date: Friday, August 29, 2014 12:13:00 PM
Attachments: [NoGoIN_Aug2014.docx](#)

FYI – In case you are interested, text is largely FLNRO written but I had adapted to send up on this side – however, Mark didn't see need.

Also, we are currently dealing with some unrest (considerable) from prov bios – meeting next week to try and resolve.

James

James Quayle | Manager | Ecosystem Conservation

Ecosystems Branch | Ministry of Environment

T: 250.387.0060 | F: 250.356.5104

PO Box 9338 Station Prov Govt | Victoria | British Columbia | V8W 9M1

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
INFORMATION NOTE**

Date: August 29, 2014

Date of previous note:

File:

CLIFF:

PREPARED FOR: Honourable Mary Polak, Minister of Environment

**ISSUE: FEDERAL NORTHERN GOSHAWK RECOVERY STRATEGY AND BC'S
MANAGEMENT RESPONSE**

BACKGROUND:

The Northern Goshawk *laingi* subspecies (hereafter Goshawk) occurs in coastal forests of British Columbia, Alaska and Washington. The Canadian population was assessed as "Threatened" and listed under the federal *Species at Risk Act* (SARA) in 2003. A draft BC Recovery Strategy was posted on the provincial recovery planning website in 2008 and a Management Plan with "recommended actions" was posted in 2013.

Parks Canada released a draft Goshawk Recovery Strategy for stakeholder review in 2012. The SARA requires the federal Minister to identify critical habitat in a Recovery Strategy "to the extent possible, based on the best available information." This draft strategy for Goshawk was criticized by the forest industry for its high potential economic impacts and Parks Canada has since made significant revisions. MOE and MFLNRO has consulted with Parks Canada on the proposed revisions. Parks Canada intends to release a revised federal recovery strategy for a 60-day public review period in late September 2014.

DISCUSSION:

The Province has been promoting a "Made in BC" approach for species at risk management and is drafting an Implementation Plan for Northern Goshawk. This plan will contain several options to protect Northern Goshawk habitat and describe the socio-economic implications and probability of species recovery associated with each option. A senior government decision will be required to set provincial management targets, essentially translating the "recommendations" from the 2012 Management Plan into a government commitment to the management of this species habitat. A decision support package is targeted for completion in October 2014.

The federal strategy will set a population objective for Goshawks across the subspecies range (Haida Gwaii, North Coast, South Coast, and Vancouver Island). It will also likely identify critical habitat polygons that include a significant amount of coastal forest. Once identified in a federal strategy, SARA states that critical habitat must be "legally protected" on federal lands or "effectively protected" on provincial lands.

Significant gaps are anticipated between the critical habitat proposed by the federal government and provincial protection measures. SARA cannot consider socio-economic factors in the recovery strategy at this stage. MOE and FLNRO, in cooperation with forest licensees and Private Managed Forest Land holders, have been conducting analyses to determine the impact of managing to different levels of Goshawk habitat retention.

Management of Goshawk habitat can be complex, involving retention of breeding areas around nest sites and management of foraging habitat over a broader area. Species experts have not reached consensus on the level of risk appropriate when managing for the persistence of the species or how breeding and foraging habitat should be managed.

If the federal Minister is not satisfied that critical habitat on provincial lands is not “effectively protected”, the federal Minister must report every six months on steps being taken to protect the habitat. If the habitat remains unprotected, the federal Minister must recommend to the Governor in Council that an order be made applying the SARA prohibitions against destruction of critical habitat to provincial lands (a “safety net” order) with potentially significant socio-economic implications for the province.

NEXT STEPS:

Continue development of provincial decision package in support of an Implementation plan with population objectives and management approaches. Conduct analysis of federal recovery strategy when available. Continue liaison with species experts and forest sector to inform development of a “Made in BC” approach.

Contact:

*Mark Zacharias, ADM
Environmental Stewardship and
Strategic Policy
250*

Alternate Contact:

*Alec Dale, Executive Director
Ecosystems
250 356*

Prepared by:

*James Quayle, Manager
Ecosystem Conservation
250 387 0060*

Reviewed by	Initials	Date
DM		
DMO		
ADM		
PRGM Dir./Mgr.	AL	

From: [Quayle, James F ENV:EX](#)
To: [Dale, Alec R ENV:EX](#)
Subject: Nogo note
Date: Friday, August 29, 2014 3:52:00 PM
Attachments: [208886_INNOGOV2_jq.docx](#)

My comments – just small clarity things

From: Lidstone, Allan B FLNR:EX
Sent: Friday, August 29, 2014 3:15 PM
To: Dale, Alec R ENV:EX; Barr, Larry FLNR:EX
Cc: Quayle, James F ENV:EX; Ritchie, Chris FLNR:EX; Dunbar, Kirsten H FLNR:EX; Psyllakis, Jennifer FLNR:EX; Gordon, Steve M FLNR:EX
Subject:

Hello Alec and Larry

Based on recent Mountain Caribou experience, I want to err on over-communication with exec and MST. So, have asked Steve to do this IN. Any issues/comments on note? s.22
s.22 - moving this IN up.

Allan

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
INFORMATION NOTE**

Date: August 29, 2014
Date of previous note: August 8, 2012
File: 280- 20
CLIFF: 208886

PREPARED FOR: Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations

ISSUE: FEDERAL NORTHERN GOSHAWK RECOVERY STRATEGY AND BC'S MANAGEMENT RESPONSE

BACKGROUND:

The Northern Goshawk *laingi* subspecies (Goshawk) occurs in coastal forests of British Columbia, Alaska and Washington. The Canadian population was assessed as "Threatened" and listed under the Federal *Species at Risk Act* (SARA) in 2003. A draft BC Recovery Strategy was posted on the provincial recovery planning website in 2008 and a provincial Management Plan with recommended actions was posted in 2013.

Parks Canada released a draft Goshawk Recovery Strategy for stakeholder review in 2012. The SARA requires the federal Minister to identify critical habitat in a recovery strategy to "the extent possible, based on the best available information." The draft strategy for Goshawk was criticized by the forest industry for its high potential impacts. Significant revisions have been made to the draft strategy to address the forest industry's concerns. MFLNRO and MOE have consulted with Parks Canada on the proposed revisions. Parks Canada intends to release a revised federal recovery strategy for a 60-day public review period in late September 2014.

DISCUSSION:

The Province has been promoting a "Made in BC" approach for species at risk management and is drafting an provincial Northern Goshawk implementation plan in anticipation of the federal Recovery Strategy. s.13

s.13

s.13 A cabinet-level decision will be required to set provincial management targets, essentially translating the recommendations from the 2013 Management Plan and considering the federal Recovery Strategy into a government commitment to the management of this species' habitat.

The federal strategy will likely identify critical habitat polygons that include a significant amount of coastal forest. Once identified, critical habitat must be legally protected on federal lands or effectively protected on provincial lands. The federal strategy will also set a population objective for Goshawks across the subspecies range (Haida Gwaii, North Coast, South Coast, and Vancouver Island).

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s.13

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Management of Goshawk habitat can be complex, involving retention of breeding areas around nest sites and management of foraging habitat over a broader area. The Province is engaging species experts to assist in preparing its response to the federal Recovery Strategy and our revised implementation plan; however, species experts have not reached consensus on the level of risk appropriate when managing for the persistence of the species or how breeding and foraging habitat should be managed.

Once the federal Recover Strategy is approved and if the federal Minister is not satisfied that critical habitat on provincial lands is effectively protected, the federal Minister must report every six months on steps being taken to protect the habitat if she is not satisfied that critical habitat on provincial lands is effectively protected. If the habitat remains unprotected, the federal Minister must recommend to the Governor in Council that an order be made applying the SARA prohibitions against destruction of critical habitat to provincial lands (a safety net order) with potentially significant socio-economic implications for the province.

A provincial team has been established to develop a decision support package for the revised implementation plan that will outline the current scientific understanding of Goshawk habitat requirements, the different options for management based on varying levels of risk/ precaution and the potential socio-economic impacts of each option. This package is targeted for completion in October 2014.

NEXT STEPS:

- Conduct analysis of federal recovery strategy when available. Continue development of provincial decision package in support of an Implementation Plan with population objectives and management approaches.
- Continue liaison with forest sector to inform development of a “Made in BC” approach.
- Work with GCPE to prepare response to public release of federal Recovery Strategy

Attachments: 2013 Northern Goshawk Management Plan 189678 Briefing Note

Contact:
Tom Ethier, ADM
Resource Stewardship
250 356-0972

Alternate Contact:
Allan Lidstone, Director
Resource Management Objectives
250 356 6255

Prepared by:
Steve Gordon, Manager
Resource Management Objectives
250 751 7126

Reviewed by	Initials	Date
DM		
DMO		
ADM		
PRGM Dir./Mgr.	AL	

From: [Dale, Alec R ENV:EX](#)
To: [Lidstone, Allan B FLNR:EX](#); [Psyllakis, Jennifer FLNR:EX](#)
Cc: [Quayle, James F ENV:EX](#)
Subject: 208886_INNOGOV2_jq
Date: Tuesday, September 2, 2014 2:52:27 PM
Attachments: [208886_INNOGOV2_jq.docx](#)

FYI, comments on this note from James and I (concur with James' comments).

A

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
INFORMATION NOTE**

Date: August 29, 2014
Date of previous note: August 8, 2012
File: 280- 20
CLIFF: 208886

PREPARED FOR: Honourable Steve Thomson, Minister of Forests, Lands and Natural Resource Operations

ISSUE: FEDERAL NORTHERN GOSHAWK RECOVERY STRATEGY AND BC'S MANAGEMENT RESPONSE

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s.13

s.13

A cabinet-level decision will be required to set provincial management targets, essentially translating the recommendations from the 2013 Management Plan and considering the federal Recovery Strategy into a government commitment to the management of this species' habitat.

s.13

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NEXT STEPS:

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Attachments: 2013 Northern Goshawk Management Plan 189678 Briefing Note

Contact:
Tom Ethier, ADM
Resource Stewardship
250 356-0972

Alternate Contact:
Allan Lidstone, Director
Resource Management Objectives
250 356 6255

Prepared by:
Steve Gordon, Manager
Resource Management Objectives
250 751 7126

Reviewed by	Initials	Date
DM		
DMO		
ADM		
PRGM Dir./Mgr.	AL	

From: [Ethier, Tom FLNR:EX](#)
To: [Quayle, James F ENV:EX](#); [Zacharias, Mark ENV:EX](#); [Dale, Alec R ENV:EX](#); [Lidstone, Allan B FLNR:EX](#); [Ritchie, Chris FLNR:EX](#)
Cc: [Gooderham, Coleen E ENV:EX](#)
Subject: RE: Draft SAR ELUC deck
Date: Tuesday, October 7, 2014 4:55:37 PM

Thanks James. Sorry I missed the call earlier in the week. This looks good. Some suggestions though s.12,s.13

From: Quayle, James F ENV:EX
Sent: Tuesday, October 7, 2014 10:52 AM
To: Zacharias, Mark ENV:EX; Ethier, Tom FLNR:EX; Dale, Alec R ENV:EX; Lidstone, Allan B FLNR:EX; Ritchie, Chris FLNR:EX
Cc: Gooderham, Coleen E ENV:EX
Subject: Draft SAR ELUC deck

Here is the latest version of the SAR ELUC deck – which was to be discussed yesterday morning. Mark asked me to circulate to group for response. This deck updates sr govt on recent developments related to SARA, discusses how we are currently managing uncertainty on the landbase related to SARA, and lets them know that we will return for decisions, consistent with commitments in the 5-year plan.

I have cc'ed Colleen, presuming that she might reschedule our discussion from Monday morning.
James

From: [Dale, Alec R ENV:EX](#)
To: [Quayle, James F ENV:EX](#)
Subject: RE: Draft SAR ELUC deck
Date: Wednesday, October 8, 2014 1:16:12 PM

How about....

From: Quayle, James F ENV:EX
Sent: Wednesday, October 8, 2014 1:01 PM
To: Dale, Alec R ENV:EX
Subject: FW: Draft SAR ELUC deck
Let me know if you have concerns before I send ...

Thanks for the comments Tom. I'll make some changes.
Just to make sure we are on the same page ...
Storyline
s.12,s.13

From: Ethier, Tom FLNR:EX
Sent: Tuesday, October 7, 2014 4:56 PM
To: Quayle, James F ENV:EX; Zacharias, Mark ENV:EX; Dale, Alec R ENV:EX; Lidstone, Allan B FLNR:EX; Ritchie, Chris FLNR:EX
Cc: Gooderham, Coleen E ENV:EX
Subject: RE: Draft SAR ELUC deck
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😊

s.12,s.13

From: Quayle, James F ENV:EX

Sent: Tuesday, October 7, 2014 10:52 AM

To: Zacharias, Mark ENV:EX; Ethier, Tom FLNR:EX; Dale, Alec R ENV:EX; Lidstone, Allan B FLNR:EX; Ritchie, Chris FLNR:EX

Cc: Gooderham, Coleen E ENV:EX

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I have cc'ed Colleen, presuming that she might reschedule our discussion from Monday morning.

James

From: [Quayle, James F ENV:EX](#)
To: [Zacharias, Mark ENV:EX](#); [Ethier, Tom FLNR:EX](#); [Dale, Alec R ENV:EX](#); [Lidstone, Allan B FLNR:EX](#); [Ritchie, Chris FLNR:EX](#)
Subject: This morning's discussion
Date: Thursday, October 16, 2014 8:24:00 AM

This email – with comments from FLNRO – may be useful in our discussion this morning. I apologize but I have not had time to make these changes yet. I am hoping that we might focus some of our discussion this AM on the broader storyline and where it should take the audience – that will make it easier for me to maintain the message when making changes.

From: Quayle, James F ENV:EX
Sent: Wednesday, October 8, 2014 4:20 PM
To: Ethier, Tom FLNR:EX; Zacharias, Mark ENV:EX; Dale, Alec R ENV:EX; Lidstone, Allan B FLNR:EX; Ritchie, Chris FLNR:EX
Subject: FW: Draft SAR ELUC deck

Thanks for the comments Tom. I'll make changes. Some responses to questions in red below.

Also, storyline I have been working to is below - just to make sure we are all on the same page ...

Storyline

s.12,s.13

From: Ethier, Tom FLNR:EX
Sent: Tuesday, October 7, 2014 4:56 PM

To: Quayle, James F ENV:EX; Zacharias, Mark ENV:EX; Dale, Alec R ENV:EX; Lidstone, Allan B FLNR:EX; Ritchie, Chris FLNR:EX
Cc: Gooderham, Coleen E ENV:EX
Subject: RE: Draft SAR ELUC deck

Thanks James. Sorry I missed the call earlier in the week. This looks good. Some suggestions though 😊

s.12,s.13

From: Quayle, James F ENV:EX
Sent: Tuesday, October 7, 2014 10:52 AM
To: Zacharias, Mark ENV:EX; Ethier, Tom FLNR:EX; Dale, Alec R ENV:EX; Lidstone, Allan B FLNR:EX; Ritchie, Chris FLNR:EX
Cc: Gooderham, Coleen E ENV:EX
Subject: Draft SAR ELUC deck

Here is the latest version of the SAR ELUC deck – which was to be discussed yesterday morning. Mark asked me to circulate to group for response. This deck updates sr govt on recent developments related to SARA, discusses how we are currently managing uncertainty on the landbase related to SARA, and lets them know that we will return for decisions, consistent with commitments in the 5-year plan.

I have cc'ed Colleen, presuming that she might reschedule our discussion from Monday morning.

James

From: [Nelson, Kari J ENV:EX](#)
To: [Furness, Grant A FLNR:EX](#); [Ritchie, Chris FLNR:EX](#); [Quayle, James F ENV:EX](#); [Scheck, Joelle L FLNR:EX](#); [Tucker, Rick FLNR:EX](#)
Subject: RE: PSARC manager's (secretariat) call
Date: Wednesday, October 29, 2014 3:04:51 PM
Attachments: [DRAFT NRS-DN_SARA CH_BC gov 29Oct2014.docx](#)
[CHEPA decision note june 17.docx](#)

Thanks for the discussion today everyone. I think we've made some improvements to the note as a result. Because I neglected to turn "track changes" on, I've highlighted the new/changed bits in yellow so that you will spot them easily.

Note that I've also suggested attaching the CHEPA decision note (to serve as additional background / context, and a way of informing ancillary members re: where we are with that process) (I'll get a signed copy).

Please send any final thoughts, suggestions, edits you might have to me by the end of day Wednesday, Nov. 5th, and so that I can have Leah Welsh send the package of meeting materials out on Thurs./Fri. that week.

Thanks again,

Kari.

P.S. One day I will find a few minutes to set up a folder where we can all access files and save everyone having to create their own folder...

-----Original Appointment-----

From: Nelson, Kari J ENV:EX

Sent: October-20-14 4:57 PM

To: Nelson, Kari J ENV:EX; Furness, Grant A FLNR:EX; Ritchie, Chris FLNR:EX; Quayle, James F ENV:EX; Scheck, Joelle L FLNR:EX; Tucker, Rick FLNR:EX

Subject: PSARC manager's (secretariat) call

When: October-29-14 11:00 AM-12:00 PM (UTC-08:00) Pacific Time (US & Canada).

Where: Online Meeting;

Hi all,

Sorry it has taken me some time to get back to booking a follow up discussion for the consultation note to go to PSARC. I'm hoping this works for everyone, if not, I may have to reschedule.

Hopefully I will have a revised draft of the note to send out early next week.

Kari.

P.S. dates for the PSARC meetings are:

- core PSARC members on Nov.12
- core + ancillary members on Nov.17

When prompted, please select the “Do not join audio” audio option; instead, dial the following number:

Dial in: 1-877-353-9184 Toll Free - North America; 604-681-0260 Vancouver local

s.15

.....

Join online meeting

s.15

First online meeting?

.....

NATURAL RESOURCE SECTOR – JOINT MINISTRY DECISION NOTE

Date: 22 Oct. 2014

File:

CLIFF: NRS

PREPARED FOR: Provincial Species at Risk Committee

ISSUE: Lack of a provincial process for federal consultation and communication regarding identification of critical habitat under the *Species at Risk Act*.

BACKGROUND:

The *Species at Risk Act* (SARA) requires the federal minister to prepare recovery strategies, action plans and management plans for listed species within certain timelines. In some cases, these may be provincial documents adopted by the federal minister, with federal additions to address outstanding requirements of SARA.

Federal recovery strategies and action plans must identify critical habitat “to the extent possible”. They must be prepared in cooperation with the provincial government and in consultation with “any landowners and other persons whom the competent minister considers to be directly affected by the strategy”. Once critical habitat is identified in a document posted on the SARA public registry, it must be “legally protected” or “effectively protected”.

The Canada-BC Agreement on Species at Risk commits federal and provincial agencies, through the Species at Risk Coordinating Committee (SARCC)¹, to “review and comment upon species recovery strategies and action plans prior to forwarding for approval, to ensure each Party is aware of each other’s interests.” The provincial review process is coordinated by Ministry of Environment and is separate from the consultation process that follows.

DISCUSSION:

BC’s expectations regarding the process for identification of critical habitat by federal agencies is that it includes full consultation with all directly affected parties as appropriate.

The process of provincial review of federal documents containing critical habitat does not constitute “consultation” on critical habitat from a provincial perspective. The focus of provincial reviews is to ensure that the documents provide sound science advice and accurately reflect provincial policy and legislation. Where these documents identify critical habitat on crown/private land with no protection in place, the province’s consistent response to the federal government has been to indicate that BC accepts the document as science advice, but “does not support implementation of additional legal habitat protection measures on non-federal land without evaluation of socio-economic implications and full consultation with directly affected parties”.

Current SARA policy requires that critical habitat be identified using the best available information on the species (scientific data, traditional ecological knowledge and local knowledge), regardless of

¹ BC is currently represented on SARCC by the Executive Director, Ecosystems Branch, Ministry of Environment and the Director, Resource Management Objectives, Ministry of Forests, Lands and Natural Resources Operations.

land tenure. It does not allow social or economic factors to be considered at this stage.² This policy position provides federal agencies with limited ability to address provincial concerns.

s.13

We invite you to provide comments on the draft federal recovery strategy for SPECIES. Of interest is information concerning location, habitat, and known threats to the species. **Please note that socio-economic information is considered during the action planning stage of the recovery process and is not being considered at this time.** Your comments are important to the development of the final recovery strategy for this species....

Environment Canada separates the process of identification of critical habitat from that of evaluating effective protection. The “Critical Habitat Effective Protection Assessment” (CHEPA) process is initiated after the critical habitat has been legally identified under SARA. The PSARC (core committee) has decided that the province will: “Engage in the review of interim products and the proto-testing to ensure accuracy and completeness of CHEPA tool. Establish a provincial process for review of CHEPAs for individual species.” (See attachment 1).

Communications from federal agencies (Parks Canada and Environment Canada) have indicated that they are interested in:

- Provincial contacts for consultation with the province and provincial crown agencies that may be potentially affected by critical habitat proposals on Crown land; and
- Provincial assistance in compiling a list of land and resource interests on all land types that might be potentially affected by critical habitat proposals, and should thus be included in consultation.

It is the understanding of the province that the federal agencies will consult directly with all potentially affected parties external to the provincial government (such as private landowners, licensees, tenure holders, etc.). A decision from PSARC is being sought to determine whether or not the province is interested in being consulted (as a “directly affected” party) on critical habitat being identified in provincial recovery strategies.

OPTIONS:

s.13

s.13

RECOMMENDATION:

s.13

Approved / Not Approved

Signature

Date

Alec Dale, Executive Director, Ecosystems
Branch, Ministry of Environment

Approved / Not Approved

Signature

Date

Allan Lidstone, Director, Resource
Management Objectives Branch, Ministry of
Forests, Lands and Natural Resource
Operations

Attachments: 1) CHEPA decision note (June 17, 2014)**Contact:**

James Quayle
Ecosystems Branch
250-387-0060

Alternate Contact:

Chris Ritchie
Resource Management Objectives Branch (FLNRO)
250-387-7927

Prepared by:

Kari Nelson
Ecosystems Branch
250-387-8312

Reviewed by	Initials	Date
DM		
DMO		
ADM		
PRGM Dir./Mgr.		

**MINISTRY OF FORESTS, LANDS AND NATURAL RESOURCE OPERATIONS
DECISION NOTE**

Date: June 17, 2014

Date of previous note: NA

File:

CLIFF/tracking #:

PREPARED FOR: Provincial Species at Risk Committee

ISSUE: Amount of engagement by BC with Environment Canada to develop and implement their Critical Habitat Effective Protection Assessment (CHEPA) Process

BACKGROUND:

The federal Species at Risk Act (SARA) requires that critical habitat identified in a final version of a recovery strategy posted on the SARA public registry must be “effectively protected” on provincial lands (including crown and private lands). Critical habitat effective protection assessment (CHEPA) is the process that the Canadian Wildlife Service (CWS) of Environment Canada (EC) is developing to evaluate “effective protection” under SARA. The intent of a CHEPA is to show whether or not there are real, meaningful gaps in habitat protection that may be negatively affecting the species. While CHEPA is a federal initiative to support federal legislation, BC has a stake in the application of the tool. If there are apparent gaps in protection, but the species is doing well and the likelihood of critical habitat destruction is low, then risk may be deemed manageable, and there is not likely to be consequences. But in other situations, CHEPA could lead to the application of the safety net provisions of SARA (e.g., s.61 or s.80). Under SARA, the federal minister must consult with the appropriate provincial minister prior to putting a s.61 order in place. Under BC’s bilateral agreement on species at risk, the federal minister must consult with the province prior to putting a s. 80 order in place.

DISCUSSION:

Much of the content of a CHEPA is data and knowledge held by provinces and territories. CWS is interested in having BC’s input to: the overall CHEPA development process; completing individual species’ CHEPAs; and review whether or not the conclusion of the CHEPA process is reasonable and correct. Following a presentation on CHEPA to the Federal – Provincial Species at Risk Coordinating Committee (SARCC), BC and CWS agreed to engage in discussions at the staff level to: gain a better understanding of the CHEPA process; determine whether a mutually beneficial path forward around CHEPA could be found; and if so, how BC might be involved. With SARCC’s support, staff from CWS and the Ministries of Environment, and Forests, Lands and Natural Resource Operations (MFLNRO) have been engaged in:

- ongoing inter-agency discussions regarding the CHEPA process, and how BC might be involved;
- addressing the need for a regularly updated spatial layer of final critical habitat polygons that can be housed in the provincial Land and Resource Data Warehouse (completion expected in 2014); and
- conducting a high-level assessment of BC’s legal habitat protection tools (report and spreadsheet prepared by a legal consultant under contract to CWS).

The draft report (“Krindle Report”) on BC’s legal habitat protection tools illustrates:
s.13

A Ministry of Environment Legislative Advisor collaborated with peers in other agencies to undertake an initial review of the draft report and associated spreadsheet on BC’s legal habitat protection tools to determine whether provincial legislative tools have been correctly and accurately catalogued and referenced. This information will be forwarded to EC in the near future. Ministry staff will not be evaluating the accuracy of the reported gaps and weaknesses in the laws information in the report. Such an assessment is very difficult without the context for the application of the law.

OPTIONS:

s.13

RECOMMENDATION:
s.13

_____/_____
DECISION & SIGNATURE

Allan Lidstone, Director, Resource Management Objectives Branch

DATE SIGNED

_____/_____
DECISION & SIGNATURE

Alec Dale, Exec. Director, Ecosystems Protection and Sustainability Branch

DATE SIGNED

Contact:

ADM:

Div:

Alternate Contact:

Name: Kari Nelson,

*Div: Ecosystems
Protection and
Sustainability Branch*

Prepared by:

Name: Chris Ritchie

*Branch/Region: Resource
Management Objectives Branch*

Phone:

Phone: 250 387-8312

Phone:250-387-7927

Reviewed by	Initials	Date
DM		
DMO		
ADM		
Dir./Mgr.		
Author		

From: [Westereng, Leah K ENV:EX](#)
To: [Quayle, James F ENV:EX](#)
Cc: [Nelson, Kari J ENV:EX](#)
Subject: RE: nogo
Date: Friday, December 12, 2014 9:53:17 AM

That's how I see it!

From: Quayle, James F ENV:EX
Sent: Thursday, December 11, 2014 1:01 PM
To: Westereng, Leah K ENV:EX
Cc: Nelson, Kari J ENV:EX
Subject: FW: nogo

Hi Leah – FYI. A couple of presumptions here on my part: 1. We will be sending this out to technical reviewers (even though they have seen earlier draft), and 2. We can send it out early next week. Please let me know if you see things differently.

James

From: Gordon, Steve M FLNR:EX
Sent: Thursday, December 11, 2014 12:58 PM
To: Quayle, James F ENV:EX
Subject: Re: nogo
Ok. I will stand down.

Steve Gordon

Sent from my iPhone: please excuse my brevity.

On Dec 11, 2014, at 12:52 PM, "Quayle, James F ENV:EX" <James.Quayle@gov.bc.ca> wrote:

Sorry for delay.

How necessary is it that this go out today? Are you looking to get something back prior to next week when stakeholders receive copies? Otherwise, we have 8 weeks and I would prefer to have this go out through usual review process – out to regions through Leah Westereng and comments back from her to Parks Canada – on Monday.

From: Gordon, Steve M FLNR:EX
Sent: Thursday, December 11, 2014 9:18 AM
To: Quayle, James F ENV:EX
Subject: nogo

Attached please find the revised federal Recovery Strategy for the Northern goshawk laingi subspecies. Also a .pdf presentation from Parks Canada explaining the content of the strategy and review process. Also attached is a summary table showing the main changes since the previous version to expedite your review.

NB: This is an advance copy sent as a courtesy to the provincial government. It will be sent out for a second round of stakeholder review tomorrow and will likely not be received by licensees until next week. This should not be shared external to the BC government at this time.

Comments back to Parks Canada are due Feb. 16th - these will come from our Executive as per the . We are interested in your comments and advice on analysis approaches to inform this response. Do not send comments directly to Parks Canada. On a side note, please do not allow this to detract from your efforts to inform our "Made in BC" management options. No decision has yet been taken re: how BC will

respond to this strategy (i.e. if it will be adopted or if we will proceed with developing/ refining our own management approaches). So, it is important that we continue to develop our risk/ benefit assessment (population viability analysis, impact analysis etc.) to inform any future decision on how BC should proceed with the management of this species.

Thank you for all your work on this to date,

Steve Gordon, MSc., RPBio.

Manager, Biodiversity & Old-Growth

Resource Management Objectives Branch

Resource Stewardship Division

Ministry of Forests, Lands and Natural Resource Operations

(250) 751 7126

From: [Diederichs, Ron FLNR:EX](#)
To: [Vukelich, Vera FLNR:EX](#); [Ritchie, Chris FLNR:EX](#); [Quayle, James F ENV:EX](#); [South, Nancy E](#)
Subject: RE: critical wildlife habitat exercise - draft response
Date: Monday, April 20, 2015 8:43:35 AM

Thanks, Chris. I'll look forward to following this astral* initiative.

Ron Diederichs

Section Head

Ecosystems Section

Ministry of FLNR

2080A Labieux Road

Nanaimo, BC V9T 6J9 Ph: 250-751-3223 Fax:250-751-3208

*of or consisting of a supersensible substance held in theosophy to be next above the tangible world in refinement

From: Vukelich, Vera FLNR:EX

Sent: Friday, April 17, 2015 4:50 PM

To: Ritchie, Chris FLNR:EX; Quayle, James F ENV:EX; Diederichs, Ron FLNR:EX; South, Nancy E ENV:EX

Cc: Jacobsen, Peter W FLNR:EX

Subject: RE: critical wildlife habitat exercise - draft response

Thx Chris, Peter Jacobsen's compensation team participated in the last call on this and are keen to stay in the loop.

Cheers,

Vera

From: Ritchie, Chris FLNR:EX

Sent: Friday, April 17, 2015 4:19 PM

To: Quayle, James F ENV:EX; Diederichs, Ron FLNR:EX; South, Nancy E ENV:EX; Vukelich, Vera FLNR:EX; Webber Atkins, Garth FLNR:EX

Subject: critical wildlife habitat exercise - draft response

I am quite late getting back to Domenico et al on this issue and would appreciate your comments.

s.13

Sorry to be so very long in getting back to the group on the Critical Wildlife Habitat matter.

We had a meeting or 2 on it, and then I parked it. This is the first application of the legislation, regulation and MOU.

s.13

Any information and discussion related to this exercise will be kept confidential between the parties until completion of an agreement.

I look forward to hearing from you to further this exercise. If you have any preliminary questions, please do not hesitate to contact me

sincerely

chris ritchie

Fish and Wildlife Recovery Implementation

Resources Management Objectives Branch

250-387-7927

"But nothing worth having comes without some kind of fight --

Got to kick at the darkness 'til it bleeds daylight"

Bruce Cockburn 1983

From: [South, Nancy E](#)
To: [Ritchie, Chris FLNR:EX](#); [Quayle, James F ENV:EX](#); [Diederichs, Ron FLNR:EX](#); [Vukelich, Vera FLNR:EX](#); [Webber Atkins, Garth FLNR:EX](#)
Subject: RE: critical wildlife habitat exercise - draft response
Date: Monday, April 20, 2015 10:04:58 AM

s.13

Nancy

From: Ritchie, Chris FLNR:EX
Sent: Friday, April 17, 2015 4:19 PM
To: Quayle, James F ENV:EX; Diederichs, Ron FLNR:EX; South, Nancy E ENV:EX; Vukelich, Vera FLNR:EX; Webber Atkins, Garth FLNR:EX
Subject: critical wildlife habitat exercise - draft response
I am quite late getting back to Domenico et al on this issue and would appreciate your comments.

s.13

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s.13

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sincerely

chris ritchie

Fish and Wildlife Recovery Implementation

Resources Management Objectives Branch

250-387-7927

"But nothing worth having comes without some kind of fight --

Got to kick at the darkness 'til it bleeds daylight"

Bruce Cockburn 1983

From: [Quayle, James F ENV:EX](#)
To: [Ritchie, Chris FLNR:EX](#)
Subject: 283010_IN_PMFL_Apr23
Date: Thursday, April 23, 2015 3:15:56 PM
Attachments: [283010_IN_PMFL_Apr23.docx](#)

Comments on this one? Especially on “summary” or “postion” ...

**MINISTRY OF ENVIRONMENT
INFORMATION NOTE**

April 27, 2015
File: 280-20
CLIFF/tracking #: 283010
(x-ref: 279957)

PREPARED FOR: Mark Zacharias Wes Shoemaker, ADM, Ministry of Environmental Sustainability and Strategic Policy

ISSUE: Meeting with Rod Bealing, Private Forest Landowners Association (April 30).
Purpose: Private Managed Forest Land: Protection of Species at Risk and B.C.'s and Canada's relationship re the *Species at Risk Act*

BACKGROUND:

- Under the Private Managed Forest Land legislation Act (PMFL Act), areas of private forest land can be designated as critical wildlife habitat ("CWH") to protect species at risk listed in Schedule C to the *Private Managed Forest Lands Regulation*. The legislation requires that suitable habitat on Crown land in the same ecoregion be "exhausted" prior to making any such designation (see attached Appendix 1 for a summary of the legislative provisions).
- In 2013, MFLNRO, MoE and the Private Forest Landowners Association entered into an MOU with respect to the private managed forest land program. One of the MOU commitments is to support and promote a "made in BC" approach to managing CWH on private forest lands.
- The Managed Forest Council (Rod Davis) and the Private Forest Landowners Association (Rod Bealing) asked to meet recently with the Provincial Species at Risk Committee (consisting of MoE and MFLNRO staff/Directors). The reason for the request was to propose suggesting that an areas within their a constituents' forests be designated as CWH for Vancouver Island marmot, which is a Schedule C species.
- The Minister has not yet used the power to establish CWH on private managed forest lands. Faced with the proposal from the MFC/PFLA, sStaff have been considering the implications of making such a designation.
- Unless the landowner agrees otherwise, the regulations provide that the requirement to modify operations within an area established as CWH expires one year after the area is so established.

DISCUSSION:

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The *PMFL Act* has internal inconsistencies and is difficult to interpret. A key issue that must be considered prior to any establishment of CWH on private managed forest land is the fact that any such designation expires after a year unless the Minister and the owner can come to an agreement. s.13

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s.13 In section 2.2.3 of the MOU, the parties commit to investigate sources of funding, incentives or compensation, however, there is no provision for compensation authorized by the legislation. s.13

s.13

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The Association may also be unclear about MoE's position regarding the application of the *Species at Risk Act* within British Columbia given comments by Minister Polak during the Budget Estimates Committee proceedings in March to the effect that B.C. would manage species at risk with the federal government, using SARA and the tools within that. s.13

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s.13

SUMMARY:

The Private Forest Landowners Association is interested in protecting a parcel of land as CWH.

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The implications to B.C. of establishing areas of critical wildlife habitat within private managed forest lands needs to be fully explored before proceeding with any such designation.

Attachments: Appendix 1: Summary of *Private Managed Forest Land Act* and regulations

Contact:

Mark Zacharias
ESSPD
250-356-0121

Alternate Contact:

James Quayle
Ecosystems Branch
250-387-0060

Prepared by:

Nancy South
Ecosystems Branch
250-356-2348

Reviewed by	Initials	Date
DM		
DMO		

ADM		
Dir./Mgr.		
Author	NS	15-04-22

DRAFT

From: [Ritchie, Chris FLNR:EX](#)
To: [Dale, Alec R ENV:EX](#); [Quayle, James F ENV:EX](#); [Lidstone, Allan B FLNR:EX](#)
Subject: RE: Updates to CH mapping for Southern Mountain Caribou
Date: Monday, April 27, 2015 8:07:55 AM

Just got the last loose end tied up by Rob Serrouya (I think that is all the threads).
Time lines are up to EC. Stephen H suggested earlier that they would share a copy of the next version of the CH mapping with us to discuss before it was released.

s.13

From: Dale, Alec R ENV:EX
Sent: Thursday, April 23, 2015 4:26 PM
To: Ritchie, Chris FLNR:EX; Quayle, James F ENV:EX
Subject: FW: Updates to CH mapping for Southern Mountain Caribou
FYI and any issues with the timeline Barry mentions below...?

From: Dale, Alec R ENV:EX
Sent: Thursday, April 23, 2015 4:25 PM
To: 'Smith, Barry D [PYR]'; Peterson, Dan FLNR:EX
Cc: Lidstone, Allan B FLNR:EX
Subject: RE: Updates to CH mapping for Southern Mountain Caribou
Hi Barry, I will check in with staff on the timeline. s.13

s.13 . Happy to discuss further and I know our collective staff are looking at potentially setting up a SARCC meeting in the near future so this may be a good topic for discussion on the agenda.

Thanks for the note

Alec

From: Smith, Barry D [PYR] [<mailto:Barry.Smith@ec.gc.ca>]
Sent: Thursday, April 23, 2015 4:12 PM
To: Dale, Alec R ENV:EX; Peterson, Dan FLNR:EX
Subject: Updates to CH mapping for Southern Mountain Caribou
Hello Alec and Dan,

I'm writing to advise you on the progress of updating the critical habitat (CH) mapping for southern mountain caribou that has been taking place since Mark Zacharias wrote to us in December of last year about collaborating on this work. As you know, it is important that the CH mapping be updated and made available for Aboriginal consultation and public review in a timely manner since Environment Canada is well behind its December 2014 commitment made in the published recovery strategy.

With the contributions of BC staff, and the collaborative agreement between us to contract some work, a significant amount of additional detail has been brought to the CH maps. I greatly appreciate the work that has occurred over recent months, and notably in recent days, that is bringing us very close to the desired product.

Environment Canada's senior management has set an expectation that by mid-May the revised recovery document will be ready for Aboriginal consultation and public review. Please note that the changes in the CH mapping will also necessitate certain changes in the applicable sections of recovery strategy and I commit to sharing the document with you for your review.

Page 100

Withheld pursuant to/removed as

s.13

From: [Gooderham, Coleen E ENV:EX](#)
To: [Quayle, James F ENV:EX](#)
Cc: [Crockett, Ursula ENV:EX](#); [Gooderham, Coleen E ENV:EX](#)
Subject: FW: Todays 3:00
Date: Monday, April 27, 2015 11:37:39 AM
Attachments: [283010_IN_PMFL_RBealing.docx](#)

Hi

Mark and Alec are having a phone call with Archie on a separate subject and then will Mark and Alec will discuss this IN. Alec advises you should be in on that discussion so please come to the ADMO for 3:15.

Thanks

Coleen Gooderham | EAA to Mark Zacharias, ADM, ESSPD, Ministry of Environment | 250-356-0121

Please consider the environment before printing this email.

From: Gooderham, Coleen E ENV:EX
Sent: Monday, April 27, 2015 11:27 AM
To: Dale, Alec R ENV:EX
Cc: Welsh, Leah ENV:EX; Gooderham, Coleen E ENV:EX
Subject: Todays 3:00

Hi

You are chatting with Archie at 3:00 today and once your call is complete with Archie - Mark wants to discuss this IN.

I have a printed copy for you..

Thanks

Coleen Gooderham | EAA to Mark Zacharias, ADM, ESSPD, Ministry of Environment | 250-356-0121

Please consider the environment before printing this email.



Ref: [Cliff]

Timber West Forest Corp.
#201 – 648 Terminal Avenue
Nanaimo, BC V9R 5E2

Dear Domenico Iannidinardo, Vice President, Sustainability and Chief Forester:

Sorry to be so very long in getting back to you and the group on Critical Wildlife Habitat (CWH) for Vancouver Island Marmot. We had a meeting or 2 on it, and then I parked it. We have been proceeding slowly as this is the first application of the legislation, regulation and Memorandum of Understanding (MOU). Your letter to the Minister spurred me on.

The exercise you propose will support one of the purposes of the MOU, namely:

- *Support and promote a “made in BC” approach for managing critical wildlife habitat located on private managed forest lands that recognizes the role and benefits for integration of private managed forest land in ecosystem scale management plans.*

It is consistent with two improved communication objectives in the MOU, namely:

- *PMFL owners sharing data, inventory, and science results as soon as practicable with government agencies.*
- *Providing certainty that any proprietary, landowner-specific information will be used for the purposes for which it was collected and with agreement of the Parties.*

To initiate this exercise, several mechanical tasks need to be completed. Based on the material provided in the May 19 Timberwest letter and preliminary discussion with qualified staff, some of which are completed:

- confirm Vancouver Island Marmot is listed on Schedule C of the Private Managed Forest Land regulation. Confirmed;
- confirm the location and ownership of the habitat. Maps provided with May 19th letter confirm;

Page 1 of 2

Ministry of Forests, Lands and
Natural Resource Operations

Resource Management Objective s
Branch

Fish and Wildlife Recovery
Implementation

Mailing Address:
PO Box 9525, Stn Prov Gov't
Victoria, British Columbia
V8W 9C3

Tel: 250-387-7927
Fax: 250-356-5341

Website: www.gov.bc.ca/nro

- confirm that the habitat is critical wildlife habitat 7/1. Initial discussion with staff working on Vancouver Island Marmot recovery confirm habitat has recent occupation and produced pups. Additional work to confirm relative value may be necessary;
- Confirm that the habitat is required by the species in the ecoregion 5/1/a/ii. To be confirmed with staff working on Vancouver Island Marmot recovery;
- Confirm that the habitat is not safe from harmful alteration. To be confirmed with land owner;
- Confirm the location has not previously been considered for CWH designation. Confirmed. Critical Wildlife Habitat provisions of Private Managed Forest Land regulation have not been used to date.

The Ministry will commit to conducting an on-site inspection to confirm CWH within 14 days of receiving information about the potential site. The Ministry will commit to informing Timberwest whether any forestry activities need to be suspended at the location within 14 days of confirming CWH at the location .

As soon as possible thereafter, the Ministry and Timberwest will begin discussion aimed at reaching an agreement for the protection of the CWH. The parties will make every effort to complete the agreement within 1 year. The agreement should consider the MOU objective:

- *Applying an ecosystem scale approach to the protection of critical wildlife habitat. This includes identifying opportunities from aggregating land parcels and tenures into a planning unit for managing critical wildlife habitat.*

Any information and discussion related to this exercise will be kept confidential between the parties until completion of an agreement.

I look forward to discussing next steps on this exercise in the near future. If you have any preliminary questions, please do not hesitate to contact me

Sincerely,

Chris Ritchie
Manager, Fish and Wildlife Recovery Implementation

CC Rod Bealing, PFLA
Phil Connor PFLC
Rod Davis, PFLC
Sharon Hadoway, Regional Executive Director, MFLNRO
Ron Diedrich, Ecosystem Section Head, MFLNRO
Allan Lidstone, Director, Resource Management Objectives MFLNRO
Alec Dale, Executive Director, Ecosystems Branch, MoE
James Quayle, Manager Species and Ecosystem at Risk, MoE



Ref: [Cliff]

Timber West Forest Corp.
#201 – 648 Terminal Avenue
Nanaimo, BC V9R 5E2

Dear Domenico Iannidinardo, Vice President, Sustainability and Chief Forester:

Thank you for your letter of May 19 on potential Critical Wildlife Habitat (CWH) for Vancouver Island Marmot. I understand that discussion has occurred between you and my staff and work has started to discuss the proposal. We need to take some care on this first application of the Private Managed Forest Land legislation and regulations provisions for species at risk. I think a cautious approach now will ensure more efficiency in future use of this tool for species at risk management

We are prepared to treat any information and discussion related to this exercise in confidence until completion of discussions towards an agreement. I am optimistic that this exercise can result in a meaningful contribution to species at risk conservation in BC.

Sincerely,

Steve Thomson
Minister Forest Lands and Natural Resource Operations

CC Mary Polak Minister of Environment
Tim Sheldon, Deputy Minister Forest Lands and Natural Resource Operations
Rod Bealing, Private Forest Landowners Association
Phil Connor, Managed Forest Council
Chris Lee, Canadian Association of Forest Owners
Vicky Jackson, Vancouver Island Marmot Recovery Foundation

From: [Quayle, James F ENV:EX](#)
To: [Nelson, Kari J ENV:EX](#)
Subject: FW: Summary of approach on caribou/SARA from meeting
Date: Tuesday, August 26, 2014 1:52:01 PM

Might be useful ..

From: Zacharias, Mark ENV:EX
Sent: Tuesday, August 26, 2014 1:50 PM
To: Quayle, James F ENV:EX; Ritchie, Chris FLNR:EX; Pasztor, Chris FLNR:EX
Subject: FW: Summary of approach on caribou/SARA from meeting

As per our call just now. Thanks, MZ

From: Dale, Alec R ENV:EX
Sent: Wednesday, August 13, 2014 2:52 PM
To: MacDonald, Archie FLNR:IN; Ethier, Tom FLNR:EX; Zacharias, Mark ENV:EX; Lidstone, Allan B FLNR:EX
Subject: RE: Summary of approach on caribou/SARA from meeting

Sorry for delay here is a revised version. This version reflects discussion with Steve Wilson, who is keen on the approach and keen to be involved. Not sure if any of you need something more than this at the moment, but just let me know.

Approach for Southern Mountain Caribou: (and other species in interim prior to developing long-term approach).

1. MOE/FLNR will appoint a full-time project manager to coordinate the mountain caribou and longer-term SAR approach.
 - a. That person will draft a work-plan for both aspects of the project, which can then be shared with stakeholders and executive.
2. Reconvene mountain caribou science team (or similar)
 - a. Alec to contacted Steve Wilson and Steve is keen on the approach and in being involved. He also suggested the following compliment of names Milt Hamilton (likely not interested?), Leo DeGroot, John Surgenor, Nicola Freeman. Dale Seip, Rob Serrouya, Kari Stuart-Smith (confirmed by Archie).
3. Science team to assess details of the provincial and federal plans to determine level of alignment between the plans and any significant gaps in CH protection (also outline any gaps/issues in Fed plan).
4. Have science team revisit the original science in MCRIP along with what we have learned since the plan was implemented
 - a. Based on new info, determine if there are any actions we would take on a provincial basis to improve the plan.
5. Once all the details are known between federal and provincial plans, look at options for closing any gaps.
6. Engage with stakeholders to determine socio-economic impacts of any proposed options.
7. If required, begin work with the Federal government on possible Section 11 agreement for Southern Mountain caribou to address the gaps

- a. Existing MOU with EC and the Province already contemplates this potential.
- s.12,s.13

Longer-term approach for dealing with SARA:

- 1. As above MOE/FLNR to appoint a full-time project manager to coordinate the projects
 - 2. Develop a compelling story for why the current approach is not working.
 - a. This is largely done, just need to put into a compelling package.
- s.12,s.13

- 4. Work closely with federal government to ensure full federal support of a BC approach in order to achieve certainty on the land-base

s.12,s.13

Cheers

Alec

Alec Dale

Executive Director, Ecosystems Branch
B.C. Min. of Environment
Mailing: PO Box 9338 Stn. Prov. Govt. Victoria, B.C. V8W 9M1
Courier: 4th Floor, 2975 Jutland Rd.
Tel: 250-387-9731
Fax: 250-387-9750
Email: alec.dale@gov.bc.ca

From: [Westereng, Leah K ENV:EX](#)
To: [Nelson, Kari J ENV:EX](#)
Subject: NOGO - chat M/T
Date: Thursday, January 22, 2015 4:29:19 PM

Hi Kari,

Steve had a briefing with Tom & Mark (Alec and Chris R were there too) and result was that they would like to send "another" response regarding concerns of impacts of CH... who was the lead was discussed and apparently MoE came out on top?!?

Steve totally said that he is working on the gap analysis and towards the "made in BC" which is a FLNRO lead and not done. We'd both be happy if stakeholders just went directly to EC, as its not our document! Anyways, not quite sure what that leaves to go into the letter... I was thinking that if it does end up us, then we could pull from the 1-pager, however that looks like it was more for internal/stakeholder information (not a response to feds).

[\\Mosquito\S40203\Ecosystems\Ecosystems Conservation\Recovery Planning\#1_Policy_Guidance development\One-pager on recovery plans as science advice_April2013.docx](#)

Maybe we can chat Tuesday morning. Just wanted to give you the heads up with ^{s.} being away, Alec might bring it to you. Feel like R&R are being mixed up again.

Leah

From: Westereng, Leah K ENV:EX
Sent: Thursday, January 22, 2015 4:19 PM
To: Gordon, Steve M FLNR:EX
Subject: FYI - Requested: SARCC Director Review of the Recovery Strategy for the Northern Goshawk laingi subspecies in Canada

Our "position" in yellow below. This is in every email when we return our comments for science review for all species. Idea being is that we do not see the science review the same as having consulted with the province.

From: Welsh, Leah ENV:EX **On Behalf Of** Dale, Alec ENV:EX
Sent: Thursday, March 8, 2012 12:22 PM
To: 'helen.davies@pc.gc.ca'
Cc: 'barry.smith@ec.gc.ca'; 'Bonnie.Antcliffe@dfo-mpo.gc.ca'; Quayle, James F ENV:EX; Westereng, Leah K ENV:EX; Sigg, Dominique ENV:EX; Darling, Laura ENV:EX; 'Diane.Casimir@pc.gc.ca'; 'Pippa.Shepherd@pc.gc.ca'; 'Ian.Parnell@ec.gc.ca'; 'Tracey.Sandgathe@dfo-mpo.gc.ca'; 'Martin.Nantel@dfo-mpo.gc.ca'
Subject: As Requested: SARCC Director Review of the Recovery Strategy for the Northern Goshawk laingi subspecies in Canada

Dear Helen,

Thank you for your letter of December 13, 2011, and the opportunity to review the proposed Recovery Strategy for the Northern Goshawk *laingi* subspecies (*Accipiter gentilis laingi*) in Canada (hereafter “the proposed recovery strategy”). This federal strategy includes the ‘adoption’ of the Recovery Strategy for Northern Goshawk *laingi* subspecies (*Accipiter gentilis laingi*) in British Columbia, under Section 44 of SARA, with any exceptions or modifications detailed within the preceding federal addition.

I would like to start by recognizing the effort that Parks Canada has made to consult with the province of British Columbia (BC) throughout the development of this proposed recovery strategy. Although a second manager review was not able to be accommodated as requested by BC, during this time our staff have been working closely with Parks Canada to improve this document through several rounds of revisions. We would like to acknowledge the effort that Ross Vennesland has made in this regard and how diligent/responsive he has been in addressing our comments.

While we acknowledge that Parks Canada has attempted to use the “best available science” to identify critical habitat for Northern Goshawks, we still have a number of outstanding scientific and technical concerns with the document that need to be addressed before this proposed recovery strategy is posted on the SARA registry. Our major concerns with the definition and applicability of critical habitat in the proposed recovery strategy are:

1. The habitat models used to define critical habitat in the proposed recovery strategy were initially developed by the Recovery Team to facilitate large-scale strategic planning. Model accuracy decreases with spatial resolution and model outputs have substantial error rates at smaller scales (based on verification studies completed to date). Consequently, as noted in the proposed recovery strategy, model outputs need to be used with caution and will require further field verification at the territory level before being applied;
2. The proposed recovery strategy requires that the foraging habitat model be used to identify “suitable” foraging critical habitat within a critical habitat “polygon”. However, the proposed recovery strategy does not include the delineation of critical habitat within a polygon, and instead leaves it up to the land manager/tenure holder to a) determine what is suitable foraging critical habitat within a polygon and b) ensure that sufficient suitable habitat is retained according to the criteria outlined in the proposed recovery strategy. We have concerns about the feasibility of applying this process on the ground, specifically in regards to model accuracy and spatial resolution (concern #1, above);
3. The proposed recovery strategy sets a “minimum target for retention of suitable foraging habitat in foraging area critical habitat polygons at 60% of the total foraging area”. We find this language to be very prescriptive; it describes forest harvesting objectives rather than habitat conservation principles, making it inappropriate for a recovery strategy

and potentially open to misinterpretation. Re-wording is a mandatory requirement in the attached document; and

4. Throughout the proposed recovery strategy, there is language about what land managers “should” and “must” do to ensure effective protection of critical habitat. We find this language to be too prescriptive and inappropriate for a recovery strategy. Re-wording of these phrases is also a mandatory requirement in the attached document.

Conditional to making the mandatory changes identified in the attached document, the Ministry of Environment, on behalf of the BC Government, accepts the proposed recovery strategy including critical habitat identification as science advice, but we do not support implementation of legal habitat protection measures on non-federal land at this time.

The province of BC believes that the advice in this federal recovery strategy should be used to inform subsequent statutory decisions regarding land management and conservation using sound conservation planning principles. We support a transparent, science-based process for the identification of habitat required for a species’ survival or recovery, where **habitat protection decisions are informed by science and the evaluation of socio-economic considerations, full consultation with all directly affected parties has been completed, and all significant concerns have been addressed.**

To assist with provincial decision-making around subsequent protection the province of BC encourages Environment Canada to ensure that the relevant spatial and management information relating to proposed Northern Goshawk *laingi* subspecies critical habitat is made readily available to statutory decision makers, for example through FrontCounter BC.

Since our acceptance of this recovery strategy as science advice is conditional on making the mandatory changes identified in the attached document, we request that we be sent the revised version of this document and that a Director-level briefing be held *prior to* its posting on the SARA registry.

Sincerely,

Alec Dale
Acting Director
Ecosystem Protection & Sustainability Branch

B.C. Min. of Environment
Mailing: PO Box 9338 Stn. Prov. Govt. Victoria BC V8W 9M1
Courier: 4th Floor, 2975 Jutland Rd.
Tel: 250-387-9731
Fax: 250-387-9750
Email: alec.dale@gov.bc.ca

From: [Nelson, Kari J ENV:EX](#)
To: [Quayle, James F ENV:EX](#)
Subject: WBP - 1st draft of "implications" doc
Date: Friday, May 15, 2015 2:09:00 PM
Attachments: [Repercussions for BC.docx](#)

FYI – I haven't commented, having never seen one of these before – think it needs some work...

From: Cartwright, Charlie V FLNR:EX
Sent: Friday, May 15, 2015 12:29 PM
To: Nelson, Kari J ENV:EX
Subject: RE: Policy Gaps

Kari,

As requested I looked at the impacts for BC of the federal plan -s.13
of the outcomes were positive.s.13
s.13

A lot

Have a great weekend,

C

From: Nelson, Kari J ENV:EX
Sent: Friday, May 15, 2015 12:07 PM
To: Ritchie, Chris FLNR:EX; Cartwright, Charlie V FLNR:EX
Cc: Vinnedge, Joanne FLNR:EX
Subject: RE: Policy Gaps

Thanks Chris, I've made a couple of editorial tweaks to the deck (think you meant "stand alone", not "stand along"). Otherwise looks good, as does the tweaked agenda.

<< File: WBP meet_May2015.pptx >>

From: Ritchie, Chris FLNR:EX

Sent: Friday, May 15, 2015 8:38 AM
To: Cartwright, Charlie V FLNR:EX; Nelson, Kari J ENV:EX
Cc: Vinnedge, Joanne FLNR:EX
Subject: RE: Policy Gaps

Opps

<< File: WBP meet_May2015.pptx >>

From: Ritchie, Chris FLNR:EX
Sent: Thursday, May 14, 2015 4:13 PM
To: Cartwright, Charlie V FLNR:EX; Nelson, Kari J ENV:EX
Cc: Vinnedge, Joanne FLNR:EX
Subject: RE: Policy Gaps

Kari and I have discussed and looked at schedules etc. and think I can provide the attached PP (or modified based on feedback from this group) to the group.

With the toing and froing of presenters, I think we need to confirm the content and flow so we avoid duplication and are not contradictory.

This presentation is refined from some slides Kari has used in the past. But it moves pretty quickly to the process to officially do something for the species. This is the Implementation Plan.

My/This presentation should probably come early to identify the framework that subsequent work (including by this group) will work.

It sounds like Charlie can step up for Joanne to present an overview of the species situation. I am not sure what Jo was planning for with "FLNRO policy", but I chopped it from the agenda. I will speak a little on policy. But if the Jo part was to speak on policy gaps (eg WBP is not listed as IWMS), I think it should get picked up in a section on "Needs or Future Work". Alternatively, I may be mis-understanding what was to be presented and it can go back in where I chopped it!

Comments on my part are welcome. It is 9 slides and should be completed within the 15 min slot.

I would propose to Live-Meeting and call in for my part. I think that is okay.

Morning:

10:00 Pia Smets getting started (esp. videoconferencing).

10:10 Chris Ritchie provincial policy and legislation

10:25	Charlie Cartwright (?)	Introduction and current situation;
10:50	Randy Moody	mapping and monitoring
11:05	Don Pigott	facilities and seed production
11:35	Michael Murray	current status of screening
11:50	Randy Moody	funding options other than FGC/LBIS

Lunch break 12:00-13:30

Afternoon:

13:30	Charlie Cartwright	whitebark pine field trials
13:45	Sybille Haeussler	restoration and assisted migration planting
14:00	Dave Kolotelo	ex situ seed collections
14:15	Tongli Wang	future climate envelope maps
14:30	discussion	

From: Cartwright, Charlie V FLNR:EX
Sent: Friday, May 8, 2015 3:16 PM
To: Nelson, Kari J ENV:EX; Ritchie, Chris FLNR:EX
Cc: Vinnedge, Joanne FLNR:EX
Subject: Policy Gaps

Kari,

Actually a policy person in our shop was looking at the whitebark scoping document and commenting that the work that went in was impressive, so with her help I am confident I could cover for Joan. As well as concerns around policy gaps I am keen to talk about what is needed to put together the decision package. s.13

s.13

I informed Pia that my topic would change and that I might be better slotted after you/Chris in the agenda for the sake of continuity.

Hope you had a glorious weekend!

Charlie Cartwright

Cowichan Lake Research Station

P.O. Box 335

Mesachie Lake, BC, V0R 2N0

(250)749-6811 [Local 44]

Repercussions for British Columbia of Listing of Whitebark Pine as Endangered Under the Species at Risk Act (SARA)

Well before the commencement of any gene conservation activities with whitebark pine in Canada there was considerable activity in the United States. However, as early as 2003, cone collections were being made in BC with the intent of both screening selected whitebark for resistance to white pine blister rust (WPB) and creating ex situ reserve seed collections, (as had been initiated with western white pine in this jurisdiction more than 2 decades before). The assessment of whitebark pine the federal Committee on the Status of Endangered Wildlife in Canada (COSEWIC) in 2010, subsequent endangered listing and recovery plan, though coming along after screening and gene conservation programs began in BC have done much to invigorate the process. Although field activities had been planned by the Gene Conservation Technical Advisory Committee (GCTAC) under the Forest Genetics Council of BC (FGC) only seed collecting had been done. Subsequent to the declaration under SARA screening programs were actually initiated, political will having been swayed at FGC to overcome inertia.

s.13

As the plan notes, most recovery plans for this species agree, and although most acknowledge that putting aside habitat is of little value, a considerable effort in the Canadian plan focuses on critical habitat. It acknowledges that more active management is preferred to archiving

material in reserves, but still describes the need for habitat for seed dispersal and regeneration to be maintained.

s.13

s.13 Seed collection of whitebark and storage in ex situ reserves at the Seed Centre is ongoing as well as investigations into improving seed quality and germination. As well field trials for rust screening seed sources are well underway with 30,000 seedlings soon to be deployed. In addition a plan to use controlled inoculations with rust for nursery bed tests has already processed 60 parent trees in the last 2 years.s.13

s.13

Overall the listing of whitebark pine under SARA has had positive repercussions for other jurisdictions leading to initiation of new projects and green lighting of others that were on hold. Questions occasioned by the recovery plan around inventory and critical habitat have added uncertainty but focussed attention on action necessary to ensure the health and reproduction of this species of little value as timber, but so important in terms of ecosystem services.

From: [Ritchie, Chris FLNR:EX](#)
To: [Barber, Brian FLNR:EX](#); [Nelson, Kari J ENV:EX](#); [Cartwright, Charlie V FLNR:EX](#)
Subject: FW: Whitebark pine 2-pager for Diane
Date: Tuesday, October 13, 2015 9:36:20 AM
Attachments: [RE Whitebark pine 2-pager for Diane.msg](#)
[wbp made in bc.docx](#)

Hi Charlie: sorry to be so disjointed in our connections and conversations.

This WBP matter seems to be advancing. You know there is a revised Rec Strategy out. BC is in the process of responding. I would appreciate your help on 2 fronts.

s.13

I would like your help by drafting a bullet form list of the works currently underway to address the risk/impacts to WBP. I think the 2 pager contains a lot of the content, but needs to be converted to short and sweet bullets. Having this list by the end of the week would really help

s.13

Happy to meet to talk if it helps.

chris ritchie

Fish and Wildlife Recovery Implementation

Resources Management Objectives Branch

[250-387-7927](tel:250-387-7927)

"But nothing worth having comes without some kind of fight --

Got to kick at the darkness 'til it bleeds daylight"

Bruce Cockburn 1983

From: Barber, Brian FLNR:EX
Sent: Thursday, September 10, 2015 8:47 PM
To: Ritchie, Chris FLNR:EX; Nelson, Kari J ENV:EX
Subject: RE: Whitebark pine 2-pager for Diane

Attached is the 2 pager Charlie prepared, which Diane wants to turn into a BN for Exec awareness and heads-ups.

s.13

Note reference further down email to some US conservation meeting happening in Manning Park later this month (Sept 24-25). Charlie will attend, and because of new connections made there, will out plant a whitebark pine

seedling trial there same time.

I also need to sit down with him for status on report and this meeting, and BN request etc. next week. Will follow up with you when you are back. Cheers

Brian

From: Ritchie, Chris FLNR:EX

Sent: Thursday, September 10, 2015 11:27 AM

To: Barber, Brian FLNR:EX; Nelson, Kari J ENV:EX

Subject: FW: Whitebark pine 2-pager for Diane

Brian: I have to admit to setting a side this WBP ball for a bit (not quite a drop) and so am abit behind development by your side.

Can you share with me the 2 pager Charlie has done (I have attached the draft he worked up in May) so I can refresh.

I am about to ^{s.22} so will be challenged to help a lot.

Kari has been fairly well plugged into the recovery strategy side of this file and knows the concerns about protecting every WBP tree. But I thought PC was moving away from that approach (abit)

From: Nicholls, Diane R FLNR:EX

Sent: Monday, September 7, 2015 4:26 PM

To: Barber, Brian FLNR:EX; Nussbaum, Albert F FLNR:EX; Ritchie, Chris FLNR:EX

Cc: Jaquish, Barry C FLNR:EX; Russell, John H FLNR:EX; Cartwright, Charlie V FLNR:EX

Subject: RE: Whitebark pine 2-pager for Diane

Brian et al,

Thanks for this information. Can you work to craft a BN for executive by end of this month working with Albert and Chris for their parts. ^{s.13}

s.13

s.13

We can bring it back again with a

final recovery strategy but we should get information/direction from them as to what is important to ensure we include into the strategy.

Thanks,

diane

From: Barber, Brian FLNR:EX

Sent: Wednesday, August 26, 2015 12:13 PM

To: Nicholls, Diane R FLNR:EX

Cc: Jaquish, Barry C FLNR:EX; Russell, John H FLNR:EX; Cartwright, Charlie V FLNR:EX

Subject: FW: Whitebark pine 2-pager for Diane

Hi Diane,

As requested, attached is a summary of the present work associated with White-bark pine (Pa).

In addition to information the presented in Charlie's document, TIB and FGC have published a couple of brochures on Pa. Jim Snetsinger sent the first one out with under a cover letter to district managers and licensees in 2008 – which requested logging around Pa where possible.

http://www.fgcouncil.bc.ca/WhitebarkPine_Bulletin_17JUL2008.pdf

I believe this is included in the CF's guidance documents binder compiled by Al Powelson. I will dig up if not.

Subject to your review and comments, I would like to share the attached summary with our colleagues in RMOB, RPB, FAIB and regions. Thanks
Brian

PS – As noted in emails below. We have connected with Chris Tunnuoch.

From: Cartwright, Charlie V FLNR:EX
Sent: Tuesday, August 18, 2015 3:17 PM
To: Barber, Brian FLNR:EX; Stoehr, Michael U FLNR:EX
Cc: Russell, John H FLNR:EX
Subject: RE: Whitebark pine 2-pager for Diane
Brian,

s.22 is away so could you forward this to Diane? I included our exchanges with the Albertans and USDA so it is a bit more than 2 pages now – though I agree with your comment that that should be covered.

Kirk (Safford) has been updated on our work by Randy Moody the Whitebark Pine Ecosystem Foundation president. I thought Kirk was only interested in a few trees for restoration planting but it turns out he Pigott, and regional pathologists Stefan Zeglen and Michael Murray want to put an informal trial in the park. Thanks to Vicky Berger's work on the seed stratification and Skimikin Nursery's proficiency I have a fair bit of extra stock for uses like that.

Cheers,

Charlie C.

From: Barber, Brian FLNR:EX
Sent: Wednesday, August 12, 2015 4:47 PM
To: Cartwright, Charlie V FLNR:EX; Stoehr, Michael U FLNR:EX
Cc: Russell, John H FLNR:EX
Subject: RE: Whitebark pine 2-pager for Diane

It's the ranger in Manning who is not aware, a Kent Scarf(?). Also the briefing should be sent to Diane from Michael please – once he's had a quick last check – acknowledging you as primary author/contact etc. Thanks

From: Cartwright, Charlie V FLNR:EX
Sent: Wednesday, August 12, 2015 4:29 PM
To: Barber, Brian FLNR:EX; Stoehr, Michael U FLNR:EX
Cc: Russell, John H FLNR:EX
Subject: RE: Whitebark pine 2-pager for Diane
Thanks Brian!

I'll make the changes and send the note onto Diane.

There is a lesson in Chris not being aware of what we are doing – we have selections from Manning Park and so on, and there are Whitebark meetings all the time, and numerous contacts. Still we tend to work in silos and there is always a need for outreach/extension.

Charlie Cartwright

Cowichan Lake Research Station

P.O. Box 335

Mesachie Lake, BC, V0R 2N0

(250)749-6811 [Local 44]

From: Barber, Brian FLNR:EX
Sent: Wednesday, August 12, 2015 10:12 AM
To: Stoehr, Michael U FLNR:EX
Cc: Cartwright, Charlie V FLNR:EX; Russell, John H FLNR:EX

Subject: RE: Whitebark pine 2-pager for Diane

Thanks – well done. Just a few refinements included and requested. Ship final version directly to Diane.

PS – Diane introduced Chris Tunnuoch to TIB as the latter is organizing a landscape conservation meeting in Manning Park for the Skagit Commission(?) in late Sept. Manning park ranger, making Pa collections etc., was not apparently aware of our work etc. Thus she will contact Charlie for more information and perhaps an invite to this meeting to present our work to the Commission. Rust and climate change.

From: Stoehr, Michael U FLNR:EX

Sent: Wednesday, August 5, 2015 10:49 AM

To: Barber, Brian FLNR:EX

Cc: Cartwright, Charlie V FLNR:EX; Russell, John H FLNR:EX

Subject: Whitebark pine 2-pager for Diane

Brian, attached is a 2-pager that Diane requested to give her background info and FLNRO involvement in the wbp remediation work. Charlie prepared this with edits from John. Diane had asked for this on her tour of CLRS. Please review and comment. After that we should send her this Briefing Note for Information....

Michael Stoehr

A/Manager, Forest Genetics

and Coastal Douglas-fir Breeding

Tree Improvement Branch

Ministry of Forests, Lands and Resource Operations

2nd-floor 727 Fisgard St., Victoria, BC (250-387-6723)

or 7380 Puckle Rd., Saanichton, BC (250-652-7613)

Cell: 250-896-2916

FLNRO and Whitebark Pine Gene Conservation

Charlie Cartwright, Forest Genetics Group, TIB

Conservation status of whitebark pine

Whitebark pine (*Pinus albicaulis* Engelm.) is a high elevation species with 47% of its natural range occurring in BC. It has undergone catastrophic population declines largely due to white pine blister rust (*Cronartium ribicola* J. C. Fisch.) and to a lesser extent by mountain pine beetle (*Dendroctonus ponderosae* Hopkins), wild fire and human activity. Further, it is vulnerable due to slow growth, late sexual maturation, and almost exclusive reliance on Clark's nutcracker (*Nucifraga columbiana* Wilson) for distribution of its seeds. As a result, whitebark pine is blue listed (at risk) in BC under the Endangered Species and Ecosystems Program in Ministry of Environment (MOE). More significantly, it was classified as endangered under the federal Species at Risk Act (SARA) in 2012. The repercussions are that Environment Canada (EC) must file a recovery plan within two years and status reports periodically thereafter. Though SARA applies directly to federal land, it is written such that it is incumbent on the provinces (clauses 5, 34[2], 39[1]1, and 60[1]1) to support federal action which can be demanded through orders to comply.

Tree Improvement Branch (TIB) involvement with whitebark pine

Gene conservation activities in TIB commenced in 2006 with natural stand seed collections for rust resistance screening by then white pine breeder John King. Cone collections have continued funded through LBIS, as recommended by FGC's Gene Conservation TAC (GCTAC) at an annual cost of \$5,000 to \$10,000. These *ex situ* reserves are stored at the Tree Seed Centre and overseen by Dave Kolotelo.

Genetics trials are currently being established to 1) identify rust resistance populations and individual trees and 2) develop climate-based seed transfer guidelines. This study, led by Charlie Cartwright, Nick Ukrainetz (pine breeder) and Michael Murray (regional pathologist in Nelson), will evaluate progeny originating from 500 wild stand trees. It is funded by GCTAC at a cost of approximately \$21,000 per annum, (total costs \$188,000 over nine years).

Broader institutional whitebark pine recovery work

Outside TIB, other work in FLNRO is done by regional pathologists, particularly Stefan Zeglen on the Coast and Michael Murray, who monitor permanent whitebark forest health plots to track disease development over time, (costing approx. \$5,000/yr). Michael also has a controlled-inoculation rust screening study funded by GCTAC for \$18,000 a year (\$90,000 over five years). This work evaluates 120 additional families, providing results faster than field trials, and insights into resistance mechanisms.

Ecosystem biologist Joanne Vinnedge of Omenica Region used \$20,000 regional allocation to fund a scoping document assessing future whitebark recovery program needs. It was written by contractors Don Pigott (Yellow Point Propagation), Randy Moody (Keefer Ecological) and Alana Clason (UNBC doctoral student). This report recommends establishment of more health plots, a seed bank for restoration and expanded rust screening. Total FLNRO annual spending on whitebark research to date is about \$55,000.

On the policy side, Chris Ritchie, the Fish and Wildlife Recovery Implementation manager (Stewardship Division), oversees the FLNR's response to Federal Species at Risk recovery plans. Kari Nelson of Strategic Policy Division of Environmental Sustainability in MOE also advises on policy and response options.

The Federal Government involvement with whitebark pine is relatively limited with representation from Canadian Wildlife Service biologists Kella Sadler, and Candace Neufeld, and Western Mountain Park's staff. They have invested in whitebark pine forest health plots and cone collections, (though they plan to rely on FLNRO personnel for rust screening). Similarly, writing the federal recovery plan was out-sourced to Randy Moody. Despite limited resources, the impact of the federal government has been considerable through conferring endangered status.

Beyond government, BC universities have funded student studies (UBC, Sally Aitken, and UNBC, Sybille Haeussler) focussing on population dynamics, seedling health and growth. As well restoration work has been done by the Whitebark Pine Ecosystem Foundation (WPEF), Randy being the Canadian President, and Bulkley Valley Research Centre (Sybille) along with various mining firms and First Nations on their lands. Forest tenure holders have shown willingness to plant whitebark, though seed is hard to acquire, and in some settings on the timber harvest land base (THLB), live whitebark pine trees are left as residual stems during harvest to promote natural regeneration and support nutcracker populations.

Other Jurisdictions

Outside BC, work with whitebark pine commenced earlier. Region 1 (North) of the United States Department of Agriculture Forest Service was the pioneering force addressing blister rust. (Our Interior white pine program is based on theirs). With whitebark they have already screened 1350 parent trees and established 3 seed orchards. We consult them regularly, particularly program leader Mary Mahalovich, and have obtained seed to estimate effects of seed transfer. Similar exchanges have been made with the Region 6 (Pacific South West) gene conservation program directed by Joan Dunlap, but our closest ties have been with Region 5's (Pacific North West) Richard Sniezko. He has tested dozens of BC parents and given us over 80 of theirs for inclusion in our field trials. The Alberta program also had an earlier beginning and features a recovery plan already in place. Their seed specialist Lindsay Robb has contributed to how we stratify whitebark seed, and exchanges have been discussed with their conservationist Jodie Krakowski. This international research community, finds cohesion in annual meetings of WPEF directed by Diana Tomback and every 5 years by the IUFRO working group 2.02.15, called "Stobusphere".

Going forward

The federal plan “Recovery Strategy for Whitebark Pine (*Pinus albicaulis*) in Canada” will be completed soon with the provincial scoping document “Promoting Whitebark Pine Recovery in British Columbia” (by Pigott, Moody and Clason) already in place. Others recovery plans (Alberta, USDA regions) have been written, but all are similar. They rely on developing and planting rust resistant genotypes while managing for increased natural regeneration, controlling wild fire and avoiding damage from human activity. For FLNRO the next new step is completion of a whitebark pine implementation plan, (assembled by Charlie Cartwright with support of Kari and Chris), to be presented to Executive s.13

s.13

Assistance of the Chief Forester in supporting the genetics work, and advocating for restorative silvicultural activities by resource managers would be welcomed. s.13

s.13

From: [Nelson, Kari J ENV:EX](#)
To: [Crockett, Ursula ENV:EX](#)
Cc: [Westereng, Leah K ENV:EX](#)
Subject: FW: Draft Whitebark pine IN
Date: Wednesday, October 21, 2015 9:48:00 AM
Attachments: [WBP CH ID in BC underSARA Draft IN 19Oct2015 clean.doc](#)
[Attach1 WBP Post Director Draft BC Response 9Oct2015.docx](#)
[Attach 2 Conservation efforts for Whitebark Pine in BC.docx](#)
[Attach 3 Proposed approach to WBP management in BC.docx](#)

Hi Ursula,

Could you pls put this joint NRS note into eApprovals? Leah is the author.

Thanks, Kari.

From: Nelson, Kari J ENV:EX
Sent: Monday, October 19, 2015 5:09 PM
To: Ritchie, Chris FLNR:EX; Gawalko, Lyle ENV:EX; Westereng, Leah K ENV:EX
Subject: RE: Draft Whitebark pine IN

Hi all,

I think Leah meant to include the redrafted note as one of the attachments. I have made a few, largely editorial changes to this latest draft (moving things around and streamlining wording, without hopefully, losing any content).

Attached are a track changes and a clean version, along with the attachments (the last two cleaned up versions of what Chris and Charlie provided).

Shall we get this into eApprovals?

Cheers, Kari.

From: Westereng, Leah K ENV:EX
Sent: Friday, October 9, 2015 11:21 AM
To: Ritchie, Chris FLNR:EX
Cc: Gawalko, Lyle ENV:EX; Nelson, Kari J ENV:EX
Subject: RE: Draft Whitebark pine IN

Okay, see what you think.

I changed the top of the note to be a joint NRS briefing. Chris please fill in the relevant ADM for FLNRO.

I accepted the changes thus far, then used tracked changes for my few edits. The only big edit I suggest is that the details of the "plan" be removed. I think we've covered the main bullets really well and that is enough for

this one. I modified next steps to indicate a plan/direction is to come.

Made 2 wording changes to the draft response to align with IN (around coarseness of CH = not being able to inform recovery; much of document is sound)

<< File: WBP_Post Director Draft BC Response_App1_9Oct2015.docx >> << File: WBP_Post Director Draft BC Response_App1_9Oct2015.docx >>

From: Ritchie, Chris FLNR:EX
Sent: Friday, October 9, 2015 9:27 AM
To: Gawalko, Lyle ENV:EX; Nelson, Kari J ENV:EX; Westereng, Leah K ENV:EX
Subject: RE: Draft Whitebark pine IN

Nice job on my part. Are others still to comment? Or can we accept changes and forward?

From: Gawalko, Lyle ENV:EX
Sent: Friday, October 9, 2015 9:06 AM
To: Ritchie, Chris FLNR:EX; Nelson, Kari J ENV:EX; Westereng, Leah K ENV:EX
Subject: RE: Draft Whitebark pine IN

Edited IN attached.....

<< File: WBP_CH_ID_in _BC_underSARA_Draft_IN oct 8 dcr.doc >>

Lyle Gawalko

Manager, Ecosystem Conservation

Ministry of Environment, Ecosystems Branch

2975 Jutland, Victoria, BC

Ph: 250 356 7617

Cell: 250 812 6894

Email: Lyle.Gawalko@gov.bc.ca

From: Gawalko, Lyle ENV:EX
Sent: Friday, October 9, 2015 8:59 AM
To: Ritchie, Chris FLNR:EX; Nelson, Kari J ENV:EX; Westereng, Leah K ENV:EX
Subject: RE: Draft Whitebark pine IN

Good edits Chris, but I would suggest a few changes to a few of the paragraphs, noted below.....

s.13

Whitebark Pine in Canada as sent to the Province by Environment Canada on February 12, 2015 and then again on September 14, 2015.

s.13

The Province of BC plans to continue its ongoing efforts to conserve Whitebark Pine, however, the Province will not accept the Critical Habitat (CH) recommended in the White Bark Pine Recovery Strategy. It is the Province's position that within the range of WPB, some stands of rust and MPB resistant trees need to be identified for conservation management, but not all 8 mil ha recommended by EC needs to be managed as CH. The objective for WBP in BC is to maintain the distribution of resilient stands across the historic WPB range to ensure genetic and spatial heterogeneity. The amount and distribution of resistant stands will be identified by the province (BC or Alta).

Lyle Gawalko

Manager, Ecosystem Conservation

Ministry of Environment, Ecosystems Branch

2975 Jutland, Victoria, BC

Ph: 250 356 7617

Cell: 250 812 6894

Email: Lyle.Gawalko@gov.bc.ca

From: Ritchie, Chris FLNR:EX

Sent: Thursday, October 8, 2015 4:53 PM

To: Nelson, Kari J ENV:EX; Westereng, Leah K ENV:EX; Gawalko, Lyle ENV:EX

Subject: RE: Draft Whitebark pine IN

I have inserted the made in BC plan into the draft IN. may not flow great, but illustrates we are bailing on EC but have a reasonable alternative.

I will follow up with Brian B shortly s.13
s.13

Thoughts are always welcome << File: WBP_CH_ID_in _BC_underSARA_Draft_IN oct 8 dcr.doc >>

From: Nelson, Kari J ENV:EX
Sent: Tuesday, October 6, 2015 3:40 PM
To: Westereng, Leah K ENV:EX; Ritchie, Chris FLNR:EX; Gawalko, Lyle ENV:EX
Subject: RE: Draft Whitebark pine IN

Thanks Leah,

I think this is a great start, and a good basis for our chat with Chris and Lyle tomorrow PM. We discussed briefly with Alec and Allan this AM, so most of my comments come from what I heard from them. It may be that Chris can take it from here...

We'll discuss tomorrow.

Thanks again,

Kari.

<< File: WBP_CH_ID_in _BC_underSARA_Draft_IN_5Oct2015_KN.doc >> << File: WBP_Post Director Draft BC Response_App1_5Oct2015.docx >>

From: Westereng, Leah K ENV:EX
Sent: Monday, October 5, 2015 4:39 PM
To: Nelson, Kari J ENV:EX
Subject: Draft Whitebark pine IN

Hmmm. After much pondering, compiling & re-arranging, my draft seems simple.

Draft IN and draft BC Response (AppA) can be found:

[\\Mosquito\S40203\Ecosystems\Ecosystems Conservation\Recovery Planning\#5_Recovery Plan Development\Plants\Whitebark Pine\3B_Post Director\IN\WBP_CH_ID_in _BC_underSARA_Draft_IN_5Oct2015.doc](#)

NATURAL RESOURCE SECTOR – JOINT MINISTRY INFORMATION NOTE

Date: October 9, 2015

File: XXX

CLIFF: NRS XX

PREPARED FOR: Tom Ethier, Assistant Deputy Minister, Ministry of Forests, Lands and Natural Resource Operations and Kaaren Lewis, Assistant Deputy Minister, Ministry of Environment

ISSUE: Identification of critical habitat under the federal *Species at Risk Act* in British Columbia (B.C.) for Whitebark Pine

BACKGROUND:

The federal *Species at Risk Act* (SARA) requires the federal Minister to identify critical habitat in a recovery strategy/action plan “to the extent possible, based on the best available information.” The current federal interpretation of SARA is that that all survival and recovery habitat must be identified as critical habitat.

To date, the total area proposed *within which*¹ critical habitat is found for terrestrial species² is over 20 million ha (see MoE CLIFF 279799). The Province is expected to take measures to effectively protect critical habitat. Information about potential implications of protection of critical habitat for the Province of B.C. can be found in other Information Notes (MoE CLIFF 202124, 208297, and 210759).

The Ministry of Environment responds on behalf of the Province to formal requests from federal agencies (Environment Canada, Fisheries and Oceans Canada and Parks Canada) for support to post recovery documents. These documents often include portions of identified critical habitat on lands which are not currently ‘protected’.

British Columbia’s general approach is to accept all recovery documents (federal and provincial) as science advice with conditions, and to include consideration of socio-economic implications in decisions regarding implementation of recovery actions (including protection measures for identified critical habitat) as appropriate.

The Province does not accept federal recovery documents containing critical habitat as science advice when habitat is not limiting for the species and key threats are not habitat-related (e.g., critical habitat for the recovering Humpback Whale when its key threat was overharvesting).

DISCUSSION:

The proposed area *within which* critical habitat is found for Whitebark Pine includes over 8 million ha identified in the proposed Recovery Strategy for the Whitebark Pine in Canada as sent to the Province by Environment Canada on February 12, 2015 and then again on September 14, 2015.

¹ This dataset displays the area within which critical habitat for federally-listed species at risk occurs or is being considered. The entire area is not defined as critical habitat.

² The amount of critical habitat identified for aquatic species cannot be determined at this time.

The Province responded on April 22, 2015 that while we agree that Whitebark Pine has pressing conservation requirements, it was not defensible to identify potential critical habitat of this magnitude when it is evident that habitat protection will not be effective at addressing the key threats to this species (i.e., disease) and thus achieving the species' recovery goal.

No changes to the critical habitat identification were made in the most recent version of the document sent to us on September 14, 2015. It is the Province's position that the mapping of the critical habitat is so broad and at such a coarse scale that the information cannot be used as a basis for recovery planning.

s.13

For wide-ranging species at risk such as Whitebark Pine, implementation of recovery or management actions can have considerable impacts to government natural resource sector investments (e.g., forestry, mining, etc.). Ministry of Forests, Lands and Natural Resource Operations is doing some preliminary analysis to determine the potential implications of Environment Canada's approach to identification of critical habitat to the Province.

It is the Province's position that within the range of Whitebark Pine some stands of rust and Mountain Pine Beetle resistant trees need to be identified for conservation management, but not all areas within the 8 million ha recommended by Environment Canada need to be protected as critical habitat s.13

s.13

The Province of B.C. plans to continue its ongoing efforts to conserve Whitebark Pine (Attachment 2). Habitat conservation efforts will focus on maintaining the distribution of resilient stands across the historical Whitebark Pine range to ensure genetic and spatial heterogeneity (amount and distribution of resistant stands will be identified by B.C. or Alberta). The majority of our efforts will build on work already underway in B.C. and western Canada to manage the predominately non-anthropogenic threats to the species (see Attachment 3).

NEXT STEPS:

The Ministries of Environment and Forest, Lands and Natural Resource Operations will work together to obtain government direction and prepare B.C.s own plan for the conservation of Whitebark Pine.

In the interim, conservation work for Whitebark Pine already underway in B.C. will continue. The responsibility for implementation of species recovery measures resides within the Ministry of Forests, Lands and Natural Resource Operations..

Attachments:

- 1) B.C. response to federal request to support posting of the Recovery Strategy for Whitebark Pine in Canada
- 2) Conservation efforts for the Whitebark Pine in B.C.

3) Proposed approach to Whitebark Pine management in B.C.

Contact:

*Alec Dale, Exec Director,
Environmental Stewardship Division
Phone: 250-356-0121*

Alternate Contact:

*Lyle Gawalko
Ecosystems Branch
Phone: 250-387-5782*

Prepared by:

*Leah Westereng
Ecosystems Branch
Phone: 250-356-9212*

Reviewed by	Initials	Date
ADM		
Dir		
Mgr		
Author		

Attachment 2. Conservation efforts for Whitebark Pine in BC

Province of BC Investment in Whitebark Pine Recovery

- Ex situ reserve cone collections are held at the Tree Seed Centre at an annual cost of \$5,000 to \$10,000.
- Genetic field trials to evaluate progeny of 500 wild stand trees to find rust resistant populations and individuals and develop climate-based seed transfer guidelines cost \$21,000/year
- Controlled-inoculation rust screening to evaluates 120 more families providing fast results and insights into resistance mechanisms are underway at a cost of \$18,000/year.
- Permanent whitebark pine forest health plots to track disease development over time costing approx. \$5,000/year.
- One time scoping document assessing future whitebark recovery program needs cost \$20,000

Total FLNRO annual spending on whitebark research to date is about \$55,000.

Other Agencies Partnering with Us:

- Region 1 (North) of the United States Department of Agriculture Forest Service has screened 1350 parent trees for rust resistance and has established 3 seed orchards.
- Region 5's (Pacific North West) has tested dozens of BC parents and given us over 80 of theirs for field trials.
- The Whitebark Pine Ecosystem Foundation (WPEF) and IUFRO working group 2.02.15, called "Stobusphere" provides cohesion for the research community.
- NGOs Bulkley Valley Research Centre, WPEF along with resource extraction interests and First Nations have undertaken restoration activities.
- The Federal Government Canadian Wildlife Service is developing the Whitebark pine recovery plan mandated under the federal Species at Risk Act.
- Parks Canada staff establish forest health plots and make cone collections, (though rely on FLNRO personnel for rust screening).
- UBC, SFU, and UNBC fund student research focussing on population dynamics, seedling health and growth.

Attachment 3. Proposed approach to Whitebark Pine management in BC

The consensus opinion is that the current approach for Critical Habitat (CH) recommended in the White Bark Pine Recovery Strategy is flawed. Within the range of WPB, some stands of rust and MPB resistant trees need to be identified for conservation management, but not all 8 mil ha recommended by EC need to be identified as CH. The objective for WBP in BC is to maintain the distribution of resilient stands across the historic WPB range to ensure genetic and spatial heterogeneity. The amount and distribution of resistant stands will be identified by the province (BC or Alta).

A more effective approach is available to manage the predominately non-anthropogenic threats to the species. This approach builds on work already underway in BC and western Canada. The elements of a recovery plan for WBP in BC include:

- Quantify the amount, distribution and variety of seed source needed to meet the recovery objective.
- Define the characteristics or criteria of stands need to achieve/contribute to meeting the objective (eg stand or tree age, stocking density, etc)
- Use existing inventory to identify candidate stands to achieve the amount and distribution objective. The location of these stands needs to be determined or confirmed by field work. Priority will be given to locating stands in non-contributing areas.
- Conduct inventory within the historic range where existing inventory/knowledge is lacking and stands are required to be identified to meet the recovery objective.
- Conduct seed collection in confirmed resilient stands for use in seed propagation and seedling production
- Develop/apply Best Management Practices and/or setback guidelines for Whitebark Pine to avoid, minimize, or mitigate losses owing to: industrial development, livestock use, energy and mining development and exploration, road and service corridor development, timber harvest and post-harvest activities, commercial and recreation activity.
- Develop guidelines or BMPs to minimize impacts to key stands in situ
- Develop a strategic habitat restoration or replanting program to achieve the recovery objective
- Maintain Clark's Nutcracker populations at a sufficient level to conserve the essential means of seed dispersal and regeneration of Whitebark Pine by sustaining enough cone-producing Whitebark Pine trees range and alternate Clark's Nutcracker food sources to support resident nutcracker populations across the range.

From: [Nelson, Kari J ENV:EX](#)
To: [Gawalko, Lyle ENV:EX](#)
Cc: [Westereng, Leah K ENV:EX](#)
Subject: FW: Whitebark pine 2-pager for Diane
Date: Monday, October 19, 2015 2:18:12 PM
Attachments: [wbp made in bc.docx](#)

FYI – I saved this email with the attachment at:
s.15

From: Ritchie, Chris FLNR:EX
Sent: Monday, October 19, 2015 11:16 AM
To: Cartwright, Charlie V FLNR:EX; Barber, Brian FLNR:EX; Nelson, Kari J ENV:EX; Westereng, Leah K ENV:EX
Subject: FW: Whitebark pine 2-pager for Diane
Charlie: thanx for the comments and the insight. As we move forward getting BC's approach ratified, your input and that of the WBP group will be invaluable

From: Cartwright, Charlie V FLNR:EX
Sent: Monday, October 19, 2015 9:27 AM
To: Ritchie, Chris FLNR:EX
Cc: Barber, Brian FLNR:EX
Subject: RE: Whitebark pine 2-pager for Diane
Chris,

s.13

Charlie

From: Ritchie, Chris FLNR:EX
Sent: Tuesday, October 13, 2015 9:36 AM
To: Barber, Brian FLNR:EX; Nelson, Kari J ENV:EX; Cartwright, Charlie V FLNR:EX
Subject: FW: Whitebark pine 2-pager for Diane

Hi Charlie: sorry to be so disjointed in our connections and conversations.

This WBP matter seems to be advancing. You know there is a revised Rec Strategy out. BC is in the process of responding. I would appreciate your help on 2 fronts.

s.13

I would like your help by drafting a bullet form list of the works currently underway to address the risk/impacts to WBP. I think the 2 pager contains a lot of the content, but needs to be converted to

The consensus opinion is that the current approach for Critical Habitat (CH) recommended in the White Bark Pine Recovery Strategy is **flawed**. Within the range of WPB, some stands of rust and MPB resistant trees need to be identified for conservation management, but not all 8 mil ha recommended by EC need to be identified as CH. The objective for WBP in BC is to maintain the distribution of resilient stands across the historic WPB range to ensure genetic and spatial heterogeneity. The amount and distribution of resistant stands will be identified by the province (BC or Alta).

A more effective approach is available to manage the predominately non-anthropogenic threats to the species. This approach builds on work already underway in BC and western Canada. The elements of a recovery plan for WBP in BC include:

- quantify the amount, distribution and variety of seed source needed to meet the recovery objective.
- define the characteristics or criteria of stands need to achieve/contribute to meeting the objective (eg stand or tree age, stocking density, etc)
- Use existing inventory to identify candidate stands to achieve the amount and distribution objective. The location of these stands needs to be determined or confirmed by field work. Priority will be given to locating stands in non-contributing areas.
- Conduct inventory within the historic range where existing inventory/knowledge is lacking and stands are required to be identified to meet the recovery objective.
- Conduct seed collection in confirmed resilient stands for use in seed propagation and seedling production
- Develop/apply Best Management Practices and/or setback guidelines for Whitebark Pine to avoid, minimize, or mitigate losses owing to: industrial development, livestock use, energy and mining development and exploration, road and service corridor development, timber harvest and post-harvest activities, commercial and recreation activity.
- Develop guidelines or BMPs to minimize impacts to key stands in situ
- Develop a strategic habitat restoration or replanting program to achieve the recovery objective
- Maintain Clark's Nutcracker populations at a sufficient level to conserve the essential means of seed dispersal and regeneration of Whitebark Pine by sustaining enough cone-producing Whitebark Pine trees range and alternate Clark's Nutcracker food sources to support resident nutcracker populations across the range.