

Terms of Reference for a Special Investigation

Protection of Species at Risk Under FRPA: Northern Goshawk

BACKGROUND

An investigation of existing forest and range practices and mechanisms for species at risk habitat protection under the *Forest and Range Practices Act* (FRPA) is timely as the provincial government is currently looking at developing species at risk legislation. The results can inform current legislation development and identify where measures have been successful and improvement is necessary to sustain species at risk in BC.

Under FRPA, species can be designated as requiring special management for protection from impacts of forest and range practices on Crown land. The [Identified Wildlife Management Strategy \(IWMS\)](#) has procedures and guidelines for the establishment of wildlife habitat areas (WHAs) and general wildlife measures. Assessing management of Northern Goshawk habitat in BC provides an opportunity for a case study to review the regulation process under FRPA and its ability to protect species at risk habitats. As a top predator dependent upon mature forest structure, Northern Goshawk is a keystone species, meaning that impacts on goshawks affect a diversity of species. As such, the landscape level habitat required by Northern Goshawk allows consideration of other Red or Blue-listed species, including goshawk prey.

There are two subspecies of Northern Goshawk – one on the coast and the other in the interior. WHAs have been legally established to protect habitat for Red-listed (threatened) coastal Northern Goshawk, however the interior subspecies is Blue-listed (special concern) and not designated under FRPA. On the coast and in the interior, some goshawk management has been applied voluntarily by forest licensees to maintain habitat at the stand and landscape levels.

An investigation of how successful FRPA and the IWMS process have been to protect habitat for species at risk is in the public interest. A review of Northern Goshawk management in BC can be used to demonstrate the process for listing species at risk under FRPA, the establishment of WHAs, and the application of voluntary measures.

Objective

This special investigation will assess if the mechanisms available under FRPA and associated IWMS guidance are adequate for maintaining species at risk habitat. Northern Goshawk will be used as a case study to evaluate both legal and voluntary

measures to maintain suitable habitat for Northern Goshawk and their prey on the coast and in the interior.

SCOPE

This special investigation will focus on forest practices, both regulated under FRPA and voluntary, to retain breeding habitat for Northern Goshawk on the coast and in the interior of BC.

The history of Northern Goshawk management, including current practices, will be reviewed on the coast: Vancouver Island, mainland coast, and Haida Gwaii; and in the interior: Thompson-Okanagan, Cariboo, Kootenay Boundary, Skeena, Omineca, and Northeast. Field visits will be conducted in 3 to 4 districts in both of these areas.

APPROACH

There will be three key components to the investigative approach, with a focus on Northern Goshawk (coastal and interior sub-species):

- Review of regulated forest practices within FRPA's species at risk processes (species listing, WHAs, Section 7 Notices, etc);
- Review of voluntary practices (adaptive management, Best Management Practices); and
- Assessment of the success of legal measures (e.g. WHAs) and voluntary practices to retain habitat and functional breeding territories.

The Board will work with forest licensees and biologists with Northern Goshawk habitat experience to document what is being done in different areas of BC. The investigation will include a review of existing reports and legislation, interviews, and field visits to managed coastal and interior breeding territories.

A diverse sample of WHAs on the coast (sizes, occupancy status, disturbance histories) will be field checked during the breeding season when birds can be observed. Questions that will be addressed in the field include:

- Is the habitat structure originally targeted as the WHA still intact?
- Have licensees complied with legal WHA objectives?
- What is the distribution of mature and old forest surrounding the WHAs?
- Is the habitat still occupied by breeding birds?

Questions that will be addressed in the field where voluntary management strategies have been applied include:

- Have key habitat features been retained at the stand and landscape levels?
- Is the breeding territory still occupied?

Where possible, the Board will use data from monitoring by licensees and government to assess occupancy by breeding birds.

The results will be used to assess the ability of management practices, both regulated and voluntary, to retain breeding habitat in forest stands and provide or recruit habitat at the landscape level. These results will help determine if original intentions of the IWMS process to protect species at risk under FRPA have been met.

REPORTING

The Board will report the results of this special investigation to the public and may make recommendations pertinent to the IWMS process and the ability of FRPA to protect species at risk habitat in general and Northern Goshawk habitat in particular.