



Reference: 242707

File: 280-30

September 27, 2018

Dave Clarke, Executive Director  
Forest Practices Board  
PO Box 9905 Stn Prov Govt  
Victoria, British Columbia  
V8W 9R1

Dear Dave Clarke:

On behalf of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) please accept this letter as government's response to the Forest Practices Board's (the Board) recommendation outlined in Report #FPB/IRC/214: Western Toads and Forest Harvesting near Summit Lake (May 2018). The ministry appreciates the Board's complaint investigation and the recommendation to address the protection of western toad habitat.

We are pleased that the Board has found that the licensee involved, Nakusp and Area Community Forest, took reasonable steps in its planning and practices to mitigate harm to western toads, and that FLNRORD took reasonable steps to ensure forest practices protect western toads at Summit Lake. This letter is to provide a response to the sole recommendation of the Board's report:

**“Government should proceed quickly to designate this species as regionally important wildlife under GAR, which would enable the establishment of wildlife habitat areas and implementation of general wildlife measures for protection of western toad habitat, where such measures are warranted.”**

Under the Government Action Regulation (GAR) section 13(2), the minister responsible for the *Wildlife Act* may identify a species of wildlife as regionally important wildlife if satisfied that the species are important to a region of British Columbia, rely on habitat that requires special management that is not otherwise provided through an enactment, and may be adversely impacted by forest practices or range practices. The GAR includes a number of requirements to be taken into account prior to listing species and establishing Wildlife Habitat Areas, including the ability to address a value in the non-legal realm or via other legal mechanisms.

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Dave Clarke, Executive Director

The management goal for the Western Toad (*Anaxyrus boreas*) is to maintain self-sustaining populations throughout its range. At the time the *Western Toad Management Strategies for Summit Lake* document was developed, western toads were listed as a 'Species of Concern' (Blue Listed) by the BC Conservation Data Centre (CDC). However, on December 31, 2016, the CDC changed the status of western toads to 'Not at Risk' (Yellow Listed). FLNRORD, through the Fish and Wildlife Compensation Program Section, has ongoing programs at Summit Lake to monitor western toad populations. The results of these programs are necessary to inform future management direction for this species. In consideration of the current species status, and the success of ongoing programs at Summit Lake, assigning western toads as regionally important wildlife under the GAR is not a priority for FLNRORD at this time. FLNRORD will continue to support ongoing western toad programs at Summit Lake and engage with concerned stakeholders to ensure the effective management of this species throughout the region and to support the overall provincial management goal.

I would like to thank the Forest Practices Board for its report and recommendations to FLNRORD. Please feel free to contact my office at 250-825-1109, if there are any questions regarding FLNRORD's response.

Yours truly,



Garth Wiggill  
Regional Executive Director  
Kootenay Boundary Resource Region

pc: Paul Rasmussen, Assistant Deputy Minister, South Area  
Shane Berg, Executive Director, Resource Practices Branch  
Allan Lidstone, Director, Resource Management Objectives Branch  
Jennifer Psyllakis, Director, Fish and Wildlife Branch  
John Krebs, Director Resource Management, Kootenay Boundary Natural Resource Region



**Forest  
Practices  
Board**

File: 97250-20/16026

October 29, 2018

Garth Wiggill  
Regional Executive Director  
Ministry of Forests, Lands,  
Natural Resource Operations and Rural Development  
1907 Ridgewood Road  
Nelson, BC V1L 6K1

Dear Garth:

**Re: Response to the Board's recommendation in complaint investigation 16026**  
*Western Toads and Forest Harvesting near Summit Lake*

Thank you for your letter of September 27, 2018, responding to our recommendation in this report. The Board recommended listing of this species as Regionally Important Wildlife in part based on the stated Ministry's intent to list the species, which was described during interviews with staff and is outlined in the 2017 document titled: *Western Toad Management Strategies for Summit Lake*.

We understand that you have decided that designation of this population as Regionally Significant Wildlife is no longer necessary, but that your Ministry is committed to continue to monitor populations and ensure the overall viability of the species in the region.

Considerable effort and resources have been spent mitigating toad impacts at Summit Lake and ongoing management of the western toad population locally, and in the Kootenay region is an ongoing concern for the public, First Nations and user groups. It is essential to consult with and update these parties on an ongoing basis to build trust in the Ministry's management approach.

Thank you for your response to the Board's recommendation. We now consider this file closed.

Yours sincerely,

Kevin Kriese  
Chair