



Terrestrial Species At Risk

Legislation in Canada and the Province of BC

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Operations and Rural Development

THE SPECIES AT RISK ACT (SARA)

- Purpose:

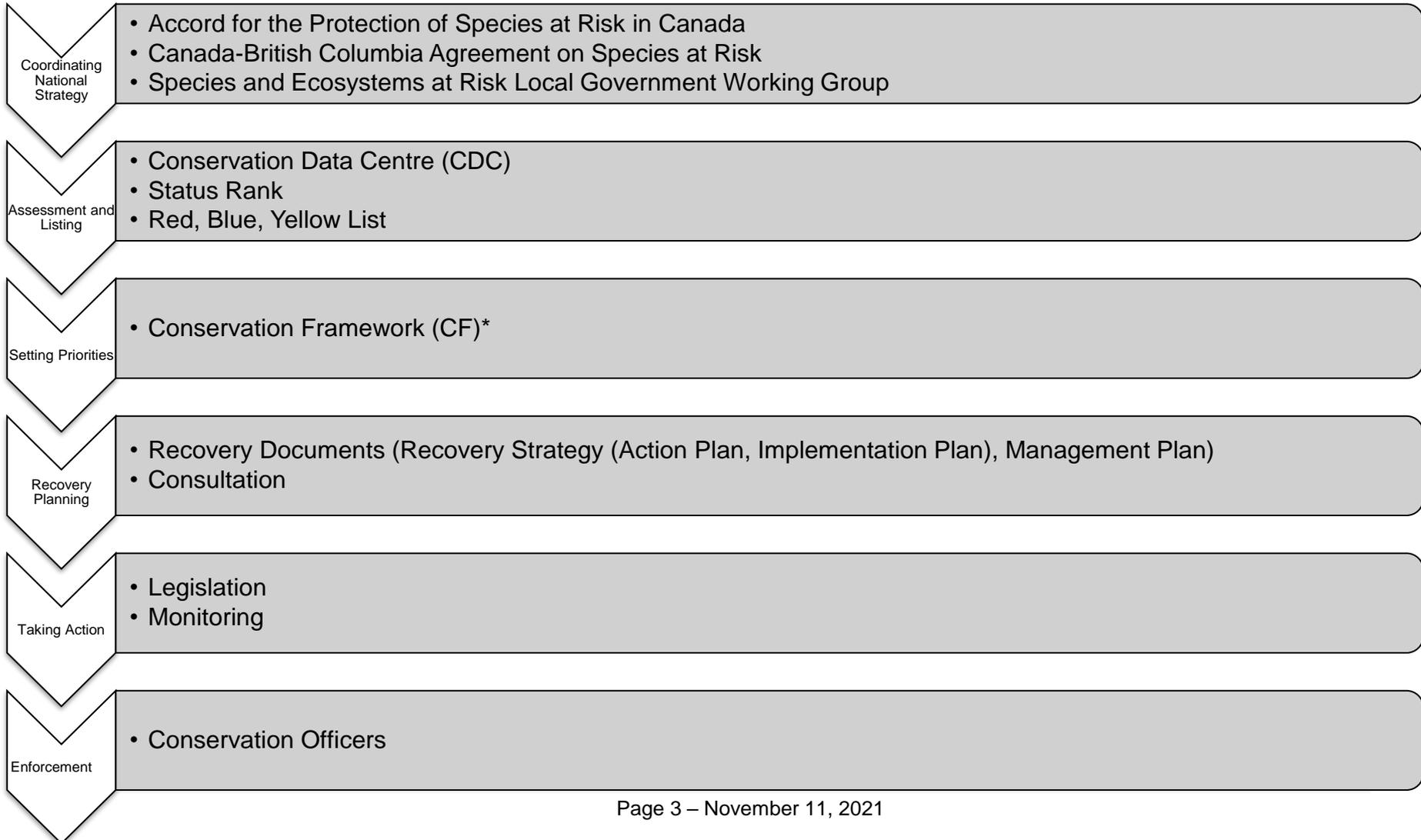
- Prevent species from becoming extinct or extirpated (locally extinct)
- To recover wildlife species that are extirpated, endangered or threatened
- To manage special concern species to prevent them from becoming further at risk



Conservation in Canada is a shared jurisdiction

Federal: migratory birds and aquatic species, federal lands; Province: everything else

BC SPECIES AT RISK PROCESS



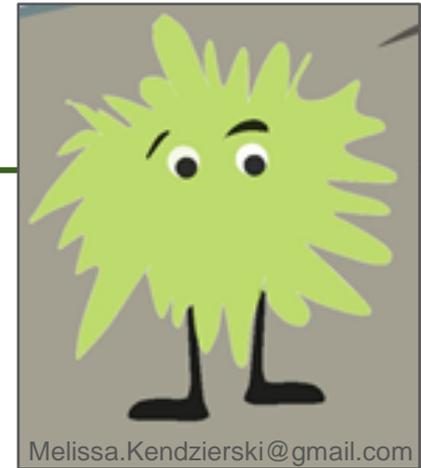
*The Province is in the process of updating and refining the approach to setting priorities for conservation action.

CASE STUDY

The Species at Risk Act: Key functions:

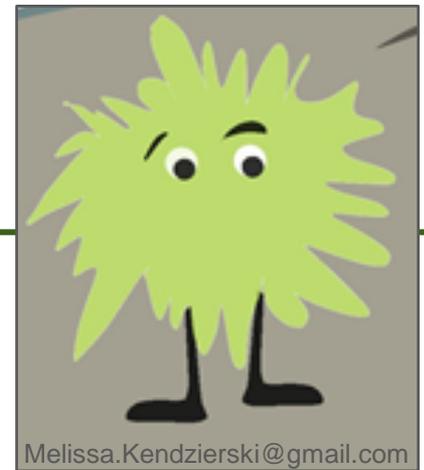
1. Species Assessment and Listing
2. Recovery Planning
3. Protection
 - Protection of individuals and residences
 - Protection of habitat necessary recovery (critical habitat)

BC: Follows a similar process but does not have provincial stand-alone species at risk legislation, instead species at risk and their habitats are protected by various other legal measures that regulate human-related activities



Spiky Green Puff Ball
Endangered, S1 Red List

SPIKY GREEN PUFF BALL



- Proposed federal listing as Endangered
Provincial listing as S1 on BC Red List
- Very rare puff ball with dark yellow to green body with distinctive spikes radiating from its centre. Large irregularly shaped eyes and thin black legs differentiate this puff ball from other spiky puff balls
- Found in the intermountain valleys of the Coast Range in BC

Habitat

- Humid, old growth forests at lower elevations on mountains that do not have a summer drought (nesting habitat)
- Open areas with small lakes, ponds and streams (foraging habitat)

Threats

- Habitat lost from some logging practices and loss of wetlands caused by land use changes
- Invasive species

PUFF BALL HABITAT

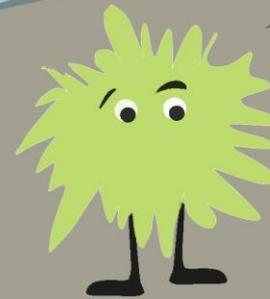
Found in the intermountain valleys of the Coast Range in BC

Humid, old growth forests at lower elevations on mountains that do not have a summer drought (nesting habitat)

Open areas with small lakes, ponds and streams (foraging habitat)



Nest



Graphics by: Drawing Together – Melissa Kendzierski

ASSESSMENT

Committee on the Status of Endangered Wildlife in Canada (COSEWIC)

- Independent scientific committee with mandate to assess risk of extinction of wildlife species
- Oversees development of status report using best available information (including scientific information, community knowledge, and Aboriginal traditional knowledge)
- Provides species assessments based on status reports



FEDERAL LISTING KEY STEPS

1. Minister receives 'assessment of risk' status reports from COSEWIC, has 90 days to respond by indicating next steps
2. Consultation period with Indigenous peoples, provinces/territories, and local stakeholders
 - Often use an "extended process" for species requiring more consultation/analysis
3. Minister of Environment sends a 'batch' of recommended listings to the Governor in Council (Cabinet), which has nine months to consider whether or not to list a species

** Socio-economic factors are considered in making listing decisions*

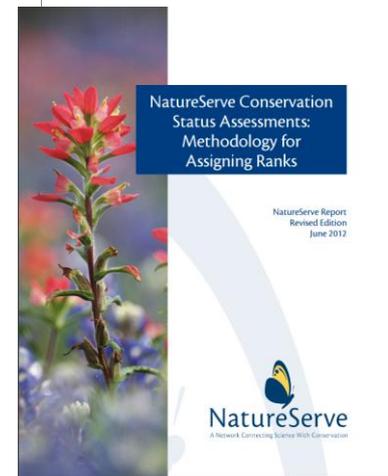
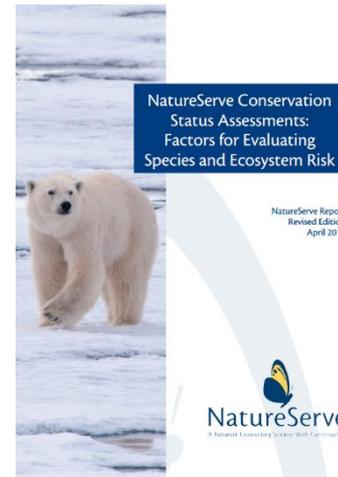
BC ASSESSMENT & LISTING PROCESS

WHAT'S AT RISK?

Assessment
and Listing

Conservation Data Centre (CDC)

- Uses a standardized method to determine the status rank for species and ecosystems in BC established by [NatureServe](#)
 - Considers all status factor data (rarity, threats, trends) and scaled and weighted according to impact on risk
 - Range-ranks to reveal degree of uncertainty
 - Considers threats in assessment
 - Assesses conservations status for both species and ecosystems



BC LISTING TO SET PRIORITIES

BC List

Assessment and Listing

- Based on Conservation Status Rank each species and ecosystem is assigned to the red, blue or yellow list to help set conservation priorities ([BC List](#))
 - **Red:** Any species at risk of being lost (extirpated, endangered or threatened) (e.g., SX, SH, S1, S1S2, S2, S2?, S1S3)
 - **Blue:** Any species or ecosystem that is of special concern (formerly Vulnerable) (e.g., S2S3, S2S4, S3, S3?, S3S4, S3S5)
 - **Yellow:** Any species that is at the least risk of being lost (secure) (e.g., S4, S4?, S4S5, S5)

The Coastal Giant Salamander is on the provincial *Red List* in British Columbia. It is designated as *Threatened* in Canada (COSEWIC 2002).

Summary of ABI status in BC and adjacent jurisdictions (NatureServe Explorer 2002)

BC	CA	OR	WA	Canada	Global
S2	S?	S4	S5	N2	G5



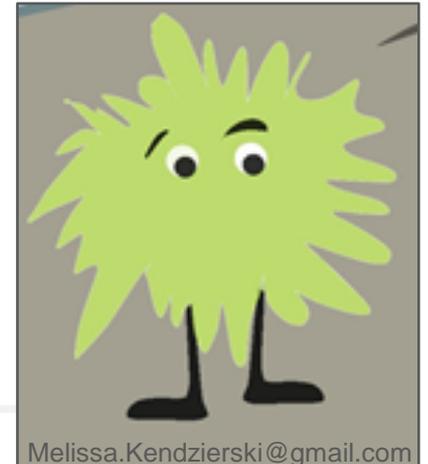
FEDERAL LISTING CONSULTATIONS

- An opportunity to identify the potential implications of legal listing (protection of individuals and residences and Critical Habitat identification and protection)
- Information gathered during listing consultation is used by the Minister to inform the listing recommendation
- There is a 30 day public comment period on the proposed list
- To date, listing consultation has primarily relied upon mail and email to share information and gather feedback

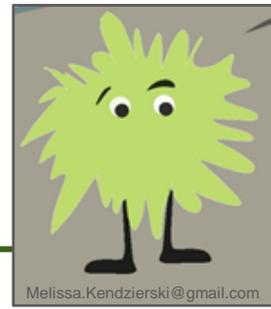
FEDERAL LISTING QUESTIONNAIRE

Species benefits to people or to the ecosystem:

- Do any or all of the species provide benefits to you or Canada's ecosystems?
- Do the species provide benefits by supporting your livelihood, for example, through harvesting, subsistence or medicine?



FEDERAL LISTING QUESTIONNAIRE

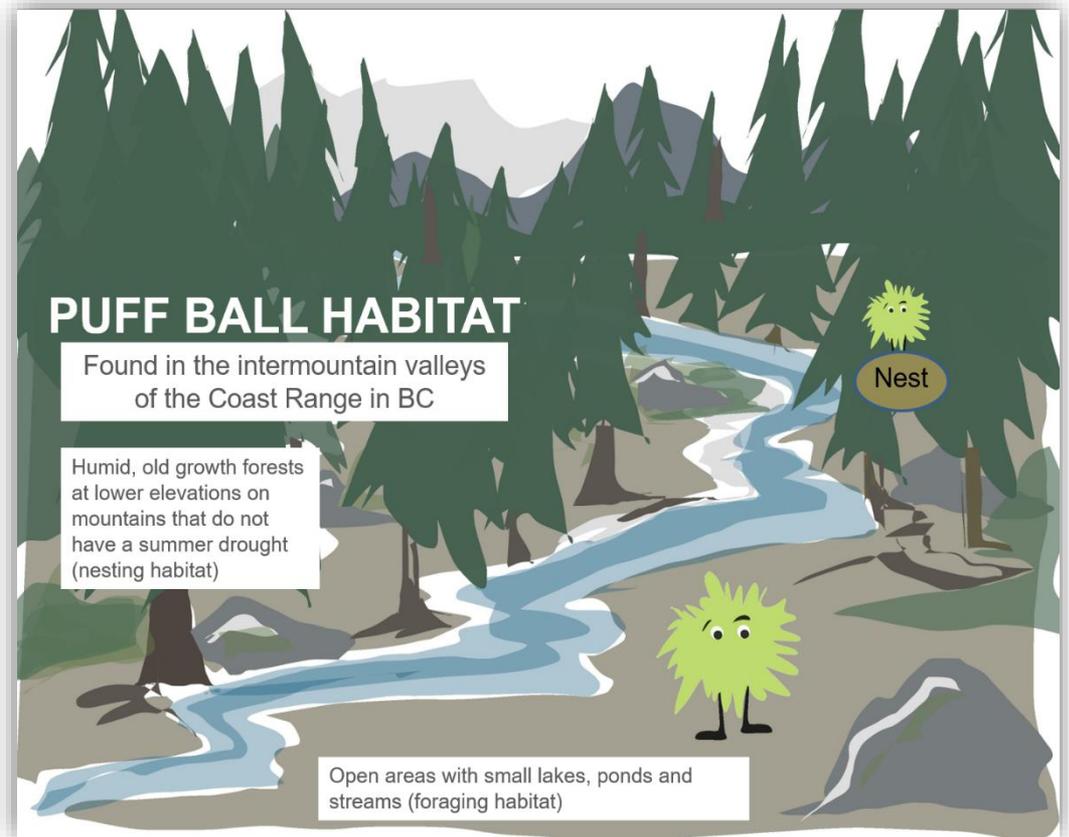


Impacts of species listing on your activities and the ecosystem:

- Do you think that amending the List of Wildlife Species at Risk with the proposed listing would have:
 - No impact/ a positive / negative impact on your activities or the species?
- Do you think that listing the species would result in cultural, social, or economic costs or benefits to you, your community or your organization?
- Based on the maps provided do any of your current or planned activities overlap with any of the species ranges or occurrences?
- Are you aware of any current or planned activities that may have the potential harm the species and/or destroy any part of its habitat?

GROUP DISCUSSION – LISTING SPECIES AT RISK

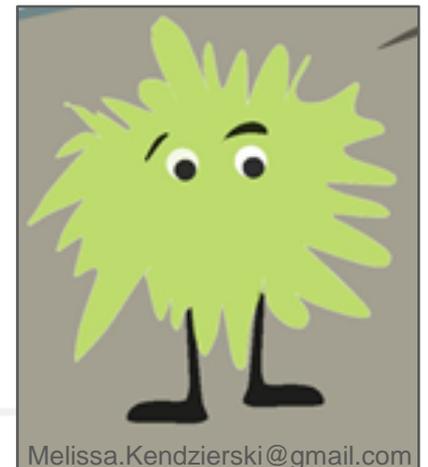
- How do you, or could you, work with your community or organization to gather input to listing consultations?
- How could future protection of individuals, residences, and critical habitat impact and benefit your community?



Graphics by: Drawing Together – Melissa Kendzierski

GROUP DISCUSSION – LISTING SPECIES AT RISK

- What works with listing consultation?
- What doesn't work?
- What would make listing consultation better?



PROTECTIONS ONCE LISTED

SARA: Protection of individuals and residences: 'General Prohibitions'

- SARA makes it an offence to:
 - Kill, harm, harass, capture or take individuals
 - Possess, collect, buy, sell or trade individuals
 - Damage or destroy the residence of one or more individuals
- General Prohibitions automatically apply upon listing to Extirpated, Endangered and Threatened species:
 - On all federal lands
 - To aquatic species anywhere they occur
 - To migratory birds anywhere they occur

BC

- Listing of species (Red, Blue, Yellow) is primarily an information and assessment process to set provincial priorities (scientific review/process). No legal protection.
- Wildlife Act (Endangered and Threatened Species) and Forest and Range Practices Act (Category of Species)
- Provincial legislation governs how at risk populations and how their habitats are managed

POLL QUESTION AND BREAK?

- Have you been involved in Listing?
- Have you been involved in Recovery Planning?
- Are you interested in being involved in Listing and Recovery Planning?

FEDERAL RECOVERY PLANNING

For *extirpated, endangered and threatened* species, a **recovery strategy** is prepared

- High-level strategic document
- Science-based, includes local and Indigenous knowledge
- Includes identification of Critical Habitat, to the extent possible, based on best available information

For species of *special concern*, a **management plan** is prepared

- Includes measures for the conservation of the species
- No critical habitat is identified



BC SETTING PRIORITIES

Setting Priorities

- Conservation Framework

- The Province is in the process of updating and refining the approach to setting priorities for conservation action
- Prioritization Tool
 - Provincial Risk Status
 - Trend / Threat
 - Feasibility of Recovery
 - Stewardship Responsibility
- Action Sorting Tool
 - Assessing / Planning (Management Plan, Recovery Plan)
 - Listing (COSEWIC, Wildlife Act)



Conservation Framework (e.g. Mountain Goat)

Ministry of Environment

Collaborative Implementation

Prioritization Tool

Action Sorting Tool

Implement Actions

Goal	Priority	Assessing	Planning	Acting	Implement Actions
Goal 1: Global response	4	• Monitor Trends	• Prepare a Management Plan	• Habitat Protection • Species and Population Management (e.g. reintroductions) • Review Resource Use	1 Identify challenge
Goal 2: Preventative conservation	1				2 Get outputs
Goal 3: Maintain B.C. diversity	3				3 Incorporate other considerations
					4 Act
					5 Track, evaluate and report

Action Groups

Assessing

- Review Status Rank
- Compile Status Report
- Inventory
- Monitor Trends
- Review Taxonomy and Classification

Planning and Listing

- Planning
- Send to COSEWIC *
- List Under *Wildlife Act* *

Acting

- Ecosystem and Habitat Protection
- Ecosystem and Habitat Restoration
- Private Land Stewardship
- Species and Population Management *
- Review Resource Use
- No New Action

* indicates the action is only applicable to species.

BC RECOVERY PLANNING

Recovery
Planning

- Implementation

- Implementation of recovery objectives and actions from a federal recovery strategy
 - “effective protection” of federal identified Critical Habitat
 - ~ 80% of BC is Crown land

Table 2. Agencies responsible for recovery planning in British Columbia.

Species/ecosystem type	Lead agency
Marine species	Fisheries and Oceans Canada
Freshwater fish	Fisheries and Oceans Canada, and B.C. Ministry of Environment
Most terrestrial species and ecosystems	B.C. Ministry of Environment
Species predominantly on/in lands/waters administered by Parks Canada (National Parks, Historic Sites, and Marine Conservation Areas)	Parks Canada Agency
Migratory birds	Environment Canada (Canadian Wildlife Service)

BC RECOVERY PLANNING

Recovery Planning

- Recovery Documents

- Recovery Plan
 - Extirpated, Endangered or Threatened.
 - B.C. led recovery documents – it includes information to guide implementation as well as an outline of the survival and recovery habitat needed to meet the goal and objectives
 - Strategic Recovery Strategy with Action Plans
- Management Plan
 - Special Concern
 - Coordinated conservation activities and land use measures needed to ensure, at a minimum, that a species or ecosystem does not become threatened or endangered
- Implementation Plan
 - In addition to recovery plan
 - Outlines the provincial government's response to managing species at risk – especially in cases where there could be significant socio-economic implications

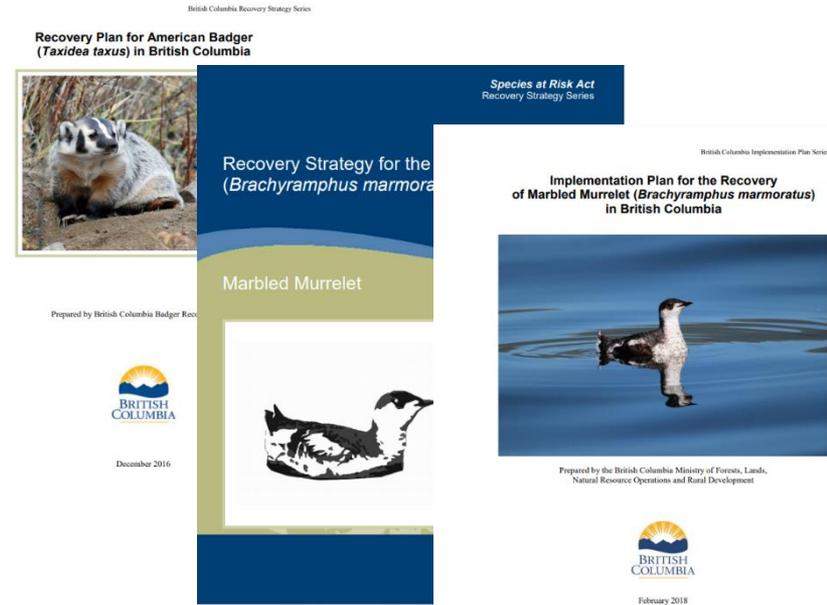


Table 1. Type of planning documents used when developing a provincially or federally led planning process.

Conservation assessment	Provincial document	Federal document(s)
Extirpated	Recovery Plan	Recovery Strategy and Action Plan
Endangered	Recovery Plan	Recovery Strategy and Action Plan
Threatened	Recovery Plan	Recovery Strategy and Action Plan
Special Concern	Management Plan	Management Plan

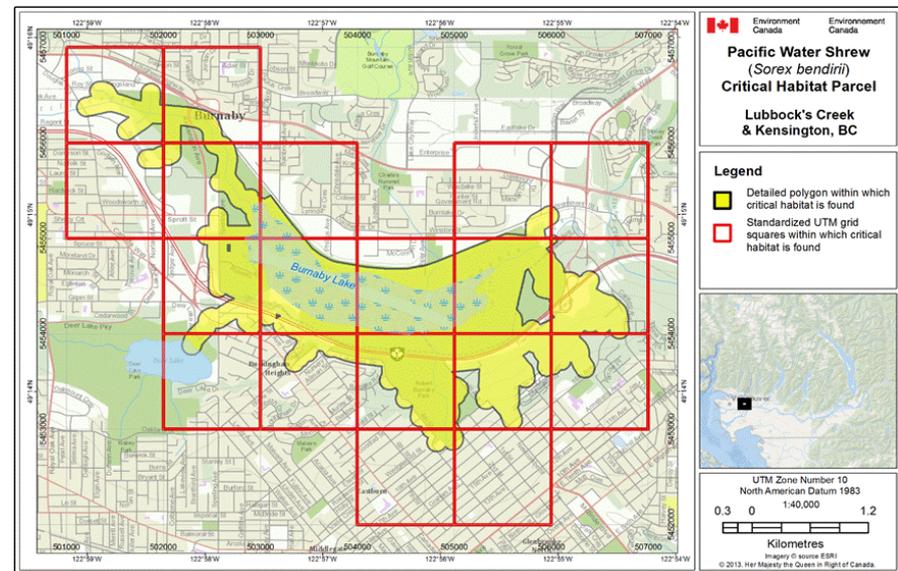
FEDERAL RECOVERY PLANNING CRITICAL HABITAT

Critical Habitat:

“the habitat that is necessary for the survival or recovery of a listed wildlife species and that is identified ... in the recovery strategy or in an action plan for the species”

Critical Habitat has 3 parts:

1. Map of the boundaries
2. List of biophysical attributes necessary for survival and recovery
3. Examples of activities likely to destroy attributes



DEVELOPING FEDERAL RECOVERY DOCUMENTS

- To the extent possible, ECCC cooperates and consults on all recovery documents with:
 - Province(s) and/or territory(ies)
 - Wildlife Management Boards
 - Directly affected Indigenous organizations
 - Directly affected organizations or persons
- Consultation can happen in two stages:
 - Ideal: As soon as we have a draft document ready to share ('pre-registry consultation' / 'early engagement')
 - Required: Posting on the Public Registry (60 day comment period)

DEVELOPING PROVINCIAL RECOVERY DOCUMENTS

- Consultations and Review/Comments occurs for species that we regulate under sector-specific Acts
 - e.g., Recovery and management documents that include an implementation plan (socio-economic implications) are required to provide an opportunity for review and comment on proposed land use and wildlife objectives
- Final Provincial Recovery and Management plans are made available to Government of Canada for adoption
 - Adopted documents are posted to SARA Public Registry (60-day comment period)

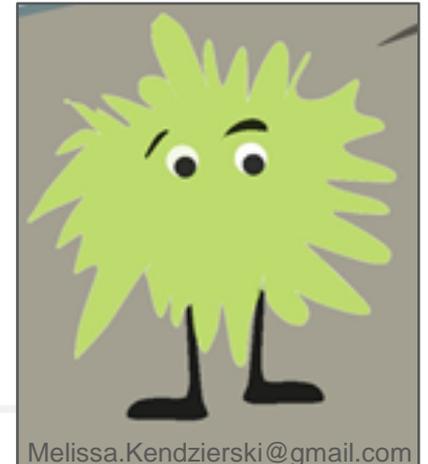
POLL

- Have you be involved in:
 - Habitat mapping?
 - Species at risk surveying?
 - Recovery teams?
 - Collecting and/or sharing Indigenous Knowledge?
 - Are you interested in being involved in any of the above?

FEDERAL CONSULTATION

When we consult on recovery documents, we are looking for input on:

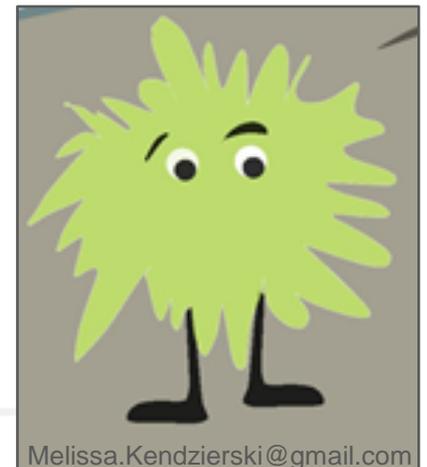
- Where the species and its habitat has been found
- What the species needs to survive and/or recover
- Threats (current and historical) and which activities might destroy their habitat



FEDERAL CONSULTATION

When we consult on recovery documents, we are looking for input on:

- What approaches could be taken to recover/manage the species and what actions are already underway
- Population and distribution objectives for recovery/management
- Anything else that may aid in the survival and recovery of the species
- Indigenous Knowledge communities would like included



GROUP DISCUSSION: CONSULTATION

- What works with recovery document consultation?
- What doesn't work?
- What would make recovery document consultation better?

- How do you, or could you, work with communities to gather input to recovery planning consultations?



THE SPECIES AT RISK ACT – PROTECTION

SARA provides for **protection** of:

- Listed aquatic species and their critical habitat
- Listed migratory birds covered by the *Migratory Birds Convention Act*
- Other listed (EX / EN / TH) species and their critical habitat on:
 - Federal lands
 - Non-federal lands **ONLY IF** “*safety net*” is used

Protection on non-federal lands occurs in different ways:

- Provincial/territorial laws
- Municipal or local laws
 - Watercourse or Environmentally Sensitive Development Permit Areas
- Conservation agreements
- SARA section 80 Emergency Protection Orders
 - E.g. Sage Grouse (AB & SK) and Chorus Frog (QC)



S.10 ADMINISTRATIVE AGREEMENT

A competent minister may, after consultation with every other competent minister, enter into an agreement with any government in Canada, organization or wildlife management board with respect to the **administration of any provision of this Act for which that competent minister has responsibility**, including the preparation and implementation of recovery strategies, action plans and management plans.

S.10 POTENTIAL BENEFITS AND CHALLENGES

- *Any provision of the Act....*
 - On Indigenous held lands could this include:
 - Authoring actions plans?
 - Managing SARA permits?
 - Issuing SARA Orders?
 - Entering into s.11 agreements with CP holders?
 - Enforcement?
 - Pros/Cons?
 - We have never done this
 - We don't know what is involved or how long it would take
 - We have policy attention and access to funding to support this work
- Agreements other than s.10 or s.11?

S.11 CONSERVATION AGREEMENT

The agreement must provide for the taking of conservation measures and any other measures consistent with the purposes of this Act, and may include measures with respect to:

- monitoring the status of the species
- developing and implementing education and public awareness programs
- developing and implementing recovery strategies, action plans and management plans
- protecting the species' habitat, including its critical habitat
- undertaking research projects in support of recovery efforts for the species

S.11 POTENTIAL BENEFITS AND CHALLENGES CERTAINTY

- Both parties assured SARA requirements met within the scope of the agreement
- The need for future SARA permits and impact assessments could be simplified or eliminated
- Agreements negotiated in good faith, but unforeseen circumstances may arise and the Minister retains the legal ability to make orders with additional provisions if there is a threat to the survival of the species

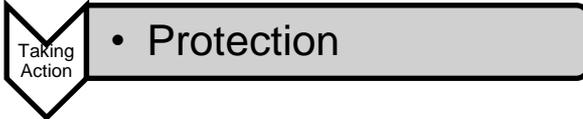
S.11 POTENTIAL BENEFITS AND CHALLENGES TIME AND MONEY

- Habitat restoration, surveying, and monitoring takes time and money
- ECCC funding is subject to annual budget allocations and approvals, so isn't guaranteed
- s.11 agreements can be used to leverage funds

S. 11 POTENTIAL BENEFITS AND CHALLENGES ONGOING RELATIONSHIP

- Involvement of staff and leadership could be significant commitments
- Content can evolve with changes in land use, or new SAR listings, or status changes
- Content can include all aspects of SARA involvement (e.g., consultation, recovery planning, stewardship funding)
- Could facilitate future agreements with other federal departments

BC TAKING ACTION



- Legal listing of species at risk in BC
 - [Wildlife Act](#)
 - Legally designation as endangered (American White Pelican, Burrowing Owl, Vancouver Island Marmot) and threatened (Sea Otter)
 - [Forest and Range Practices Act](#) (FRPA)
 - Establishing categories of species (species at risk, regionally important wildlife, ungulate species) under [Government Actions Regulations](#) (GAR) (85 species and sub-species)
 - [Private Managed Forest Land Act](#)
 - Species at risk can be listed under Schedule C of [Private Managed Forest Land Regulation](#)

BC TAKING ACTION

- Ecosystem and habitat protection through Legislation
 - [Wildlife Act](#)
 - Protects all vertebrate animals from direct harm, except as allowed by regulation (e.g., hunting or trapping)
 - Critical Wildlife Area in Wildlife Management Areas support endangered & threatened
 - [Forest and Range Practices Act](#) (FRPA)
 - [Government Actions Regulations](#) (GAR) enables three types of decisions: species designations, “land use” designations & related objectives & “practices” designations
 - Establish General Wildlife Measures (GWM) under GAR
 - Designating Ungulate Winter Ranges (UWR) and Wildlife Habitat Areas (WHA), Identifying wildlife habitat features (e.g., osprey nest, mineral lick),
 - Notices made under Section 7 of [Forest Planning and Practices Regulation](#) (FPPR) and Section 9 of the [Woodlot Licence Planning and Practices Regulation](#) (WLPPR)
 - [Land Act](#)
 - Protects species at risk and their habitat with map reserves and land use orders or permits as part of [land use planning and strategic agreements](#) (e.g., [Land Use Objectives Regulation](#) (LUOR), Old Growth Management Area (OGMA))
 - Conservation Lands (Wildlife Management Areas), Non-administered conservation lands (Order-In-Council reserve, Designated Use Area, Map Reserve)

BC TAKING ACTION

Taking
Action

• Monitoring and Stewardship

- Ecosystem and habitat restoration
 - Invasive species control, maintain and restore natural processes and key structures, fire suppression and prescribed burning
- Private Land Stewardship
 - Shared stewardship approach
 - Provincial Best Management Practices
- Species and population management
 - Captive breeding, translocation, disease management, alien predator or competitor control, public education
- Review Resource Use
 - Adjust harvest levels (review tenures) and/or increase penalties and enforcement for species

How to Access Information and Outputs

For more information on the Conservation Framework, including outputs for over 3000 species and 600 ecosystems and detailed methodology used to assign conservation priorities and management actions, visit the website (www.env.gov.bc.ca/conservationframework). You can access Conservation Framework output information for species and ecosystems in three ways:

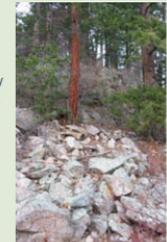
1. **Spreadsheet of Conservation Framework outputs** (available on the Conservation Framework website, www.env.gov.bc.ca/conservationframework/results.html): Here you will find a complete list of information and outputs for species and ecosystems already assessed by the Conservation Framework tools. Species and ecosystems are assessed continually and this information will be updated periodically.
2. **BC Species and Ecosystem Explorer** (www.env.gov.bc.ca/atrisk/toolintro.html) now contains Conservation Framework outputs in addition to information provided by the Conservation Data Centre. Conservation Framework outputs for species and ecosystems can be obtained from a basic search on BC Species and Ecosystem Explorer. Search criteria includes: distribution, conservation status, legal designation, and ecosystem type (wetland, grassland, etc.). Visit the Conservation Framework website for more information on how to use BC Species and Ecosystems Explorer to obtain Conservation Framework outputs.
3. **Hectares BC** (www.hectaresbc.org/app/habc/HaBC.html) can be used to obtain Conservation Framework outputs for a specific geographic point or a broad geographic

area. The tool can also be used to map areas where one or more species or ecosystems could potentially occur. Visit the Conservation Framework website for more information on how to use Hectares BC to obtain Conservation Framework outputs. Please note that Hectares BC contains information for all ecosystems, and most species that are ranked priority 1-3. Some lower priority species are also included.

The Conservation Framework outputs contain detailed information on:

- Conservation Framework priorities and actions, together with the information used to generate these outputs;
- Provincial and global status ranks, COSEWIC and *Species at Risk Act* designations;
- Potential geographical locations, e.g. forest district, BEC zone, region; and
- Known threats, using the standardized IUCN threat classification system

This information allows users to search for the species and ecosystems they are interested in by sorting the data according to a variety of these criteria. For example, it is possible to search for priority ecosystems in the Lower Mainland Ministry of Environment region that are affected by invasive species, where ecosystem restoration and monitoring are recommended actions.

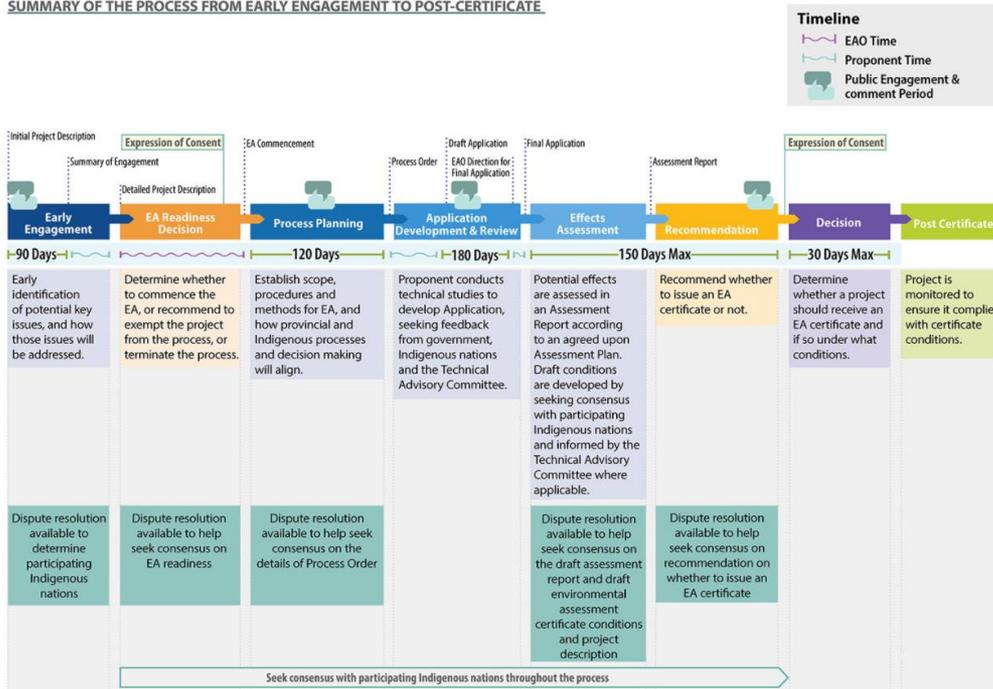


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BC ENVIRONMENTAL ASSESSMENTS

New Environmental Assessment Process

SUMMARY OF THE PROCESS FROM EARLY ENGAGEMENT TO POST-CERTIFICATE



Environmental Assessment Act

- Old Act (2002) and New Act (2018 | implements UNDRIP through Free, Prior, and Informed Consent)
- Environmental Assessment Office
- Habitat protection as condition of the environmental certificate

Terrestrial Wildlife (FLNRORD)

- Review conditions and valued component (species)
- Monitoring Plan Adequacy

Tools

- [Stewardship Baseline Objectives Tool](#)
- [Qualified Environmental Professional Questionnaires](#)
- Protected Areas Regulation (Wildlife Management Areas, Wildlife Habitat Areas)

FEDERAL IMPACT ASSESSMENT – PROTECTION FOR SPECIES AT RISK

- SAR that are Migratory Birds are also protected under the Migratory Birds Convention Act and are protected on all lands (individuals and nests)
- ECCC provides science advice to inform project conditions
- Conditions are finalized by other federal departments and apply on all lands
- On federal lands, in addition to project conditions, SARA permits are required if a SAR will be impacted

PROTECTING SAR - SARA PERMITS

- A SARA Permit can only be issued if the activities are: scientific research; benefitting the species, affecting the species is incidental
- Preconditions include: best alternative/solution used to reduce impacts, all feasible means of minimizing impacts are used, activity will not jeopardize survival and recovery
- ECCC must consult with Nations before issuing a permit on reserve lands, or any other lands that are set apart for the use and benefit of a band under the Indian Act
- Permit must contain terms and conditions governing the activity to protect the species and/or minimizing the impact

CASE STUDY - PROTECTION

Federal: Migratory Birds Convention Act (trees with Migratory Bird nests)

Provincial:

- Forest and Range Practices Act - Wildlife Habitat Area
- Land Act - Old Growth Management Area
- Old-growth report – temporary deferral areas

Align with other BC land use objectives (e.g., Northern Goshawk nests)



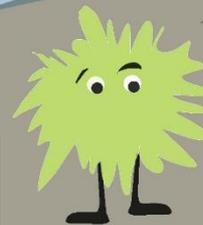
Nest

SARA General Prohibitions
Individuals and residents
(Federal lands only)

BC Wildlife Act
s.26(1)(a); s.34

Aquatic habitat

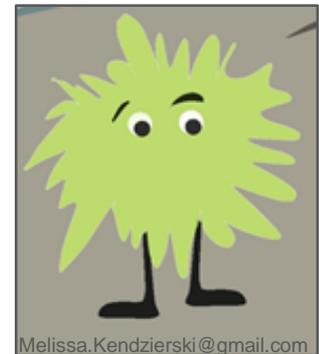
Fisheries Act?
SARA Order for aquatic species?
Migratory Birds Protection Act?
Provincial: Riparian Area Protection Regulations?



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GROUP DISCUSSION: PROTECTION

- How does protecting Species at Risk come into your work?
- What resources and tools are helpful for protection in your work?
- What is missing or could help further?
- What are the challenges and opportunities to protecting critical habitat?



KEY TAKE-AWAYS

- Listing is super important
 - Socio-economic factors are considered
 - Once listed, lots of work and regulations kick in
- Recovery planning – focus on Critical Habitat and threats
 - We use the best available information including Indigenous knowledge
 - We want our gathering and inclusion of information to be meaningful and respectful
- Protection
 - It's a patch work
 - Indigenous peoples have tools, information, and influence which can aid in protection
- Different types of funding are available and we have opportunities to be creative and work collaboratively

SPECIES AT RISK ACT

FEDERAL LEGISLATION THAT SERVES TO PROTECT SPECIES AT RISK FROM EXTINCTION & EXTRIPATION SERVES TO RECOVER WILDLIFE & MANAGE SPECIAL CONCERN SPECIES TO PREVENT FURTHER RISK.

ASSESSMENTS

CONSERVATION IS SHARED JURISDICTION



ACCORD FOR THE PROTECTION OF SPECIES AT RISK IN CANADA

BC RESPONSIBILITY

CAN/BC AGREEMENT ON SPECIES AT RISK

COMMITTEE ON THE STATUS OF ENDANGERED WILDLIFE IN CANADA (COSEWIC)

NATIONAL ABORIGINAL COUNCIL ON SPECIES AT RISK (NACOSAR)

WILDLIFE MANAGEMENT BOARDS

PROVINCES & TERRITORIES

FEDERAL GOVERNMENT DEPARTMENTS
→ DFO
→ ECC
→ PCA

OUR DATA IS SHOWING THAT THE SPIKY GREEN PUFF BALL IS A SPECIES AT RISK!



INDIGENOUS ORGANIZATIONS

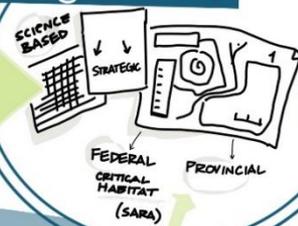
COMMUNITIES INDIVIDUALS

LISTINGS



SET PRIORITIES

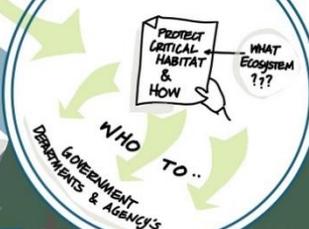
RECOVERY PLANNING



LISTED

PROTECTING SPECIES AT RISK INVOLVES MANY PIECES OF LEGISLATION

RECOVERY DOCUMENTS



WHAT IS OUR ROLE & RELATIONSHIP TO SPECIES AT RISK?

THE PROCESS FEDERAL & PROVINCIAL



MONITORING & STEWARDSHIP



SPECIES PROTECTION & RECOVERY

PROTECTING TERRESTRIAL SPECIES AT RISK

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Source: Blair Hammond

Additional Resources

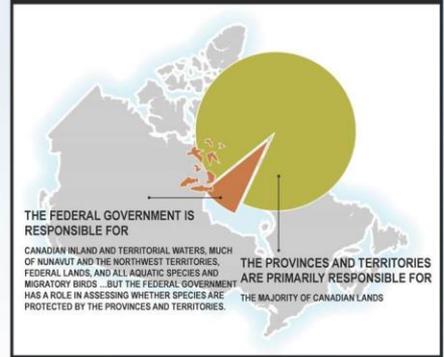
Species at Risk Act: EXECUTIVE SUMMARY

The Species At Risk Act (SARA) aims to:
Prevent wildlife species from becoming extirpated or extinct,
Provide for the recovery of extirpated, endangered or threatened wildlife species, and
Manage "species of special concern" to prevent them from becoming endangered or threatened.



SPECIES NOT LISTED

SPECIES AT RISK CONSERVATION IS A SHARED RESPONSIBILITY IN CANADA



THE SPECIES AT RISK ACT - ROLES

Committee on the Status of Endangered Wildlife in Canada (COSEWIC)



Environment and Climate Change Canada (ECCC)



Environment and
Climate Change Canada



Fisheries and Oceans Canada (DFO)



Fisheries and Oceans
Canada

Parks Canada Agency (PCA)



Provinces and Territories (P/T)



Wildlife Management Boards (WMBs)

Indigenous Organizations, Communities, and Individuals

INDIGENOUS COMMITTEES UNDER SARA

- Committee on the Status of Endangered Wildlife in Canada (COSEWIC) Aboriginal Traditional Knowledge (ATK) subcommittee
 - Ensures ATK is included in species assessment
 - Communities wanting to contribute to the assessment of a species by COSEWIC and hold relevant ATK encouraged to contact ATK subcommittee at: ec.cosepac-cosewic.ec@canada.ca
 - Subcommittee co-chairs: Roger Gallant, Gloria Goulet
 - <https://cosewic.ca/index.php/en-ca/>
- National Aboriginal Council on Species at Risk (NACOSAR)
 - Advises the Minister on implementing the administration of SARA
 - Provide advice and recommendations to the Canadian Endangered Species Conservation Council
 - NACOSAR-CANEP@ec.gc.ca

COSEWIC ASSESSMENT

Endangered and Threatened:

- Small Distribution Range and Decline or Fluctuation
- Small and Declining Number of Mature Individuals
- Very Small or Restricted Total Canadian Population
- Quantitative analysis (population projections) showing the probability of extinction or extirpation in the wild is at least
 - 20% within 20 years or 5 generations, whichever is longer, up to a maximum of 100 years (Endangered)
 - 10% within 100 years (Threatened)

Special Concern: Those wildlife species that are particularly sensitive to human activities or natural events but are not endangered or threatened wildlife species.

COSEWIC ASSESSMENT

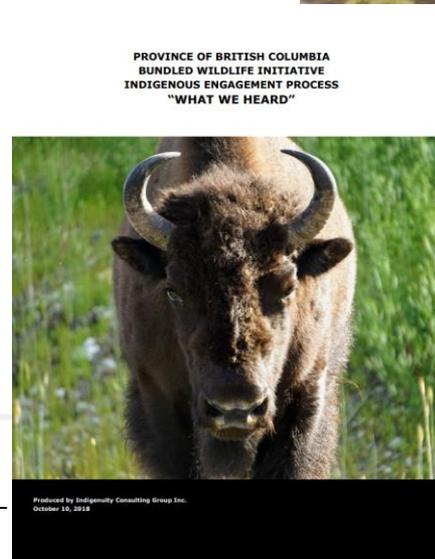
Indicator	Endangered	Threatened
An observed, estimated, inferred or suspected reduction in total number of mature individuals over the last 10 years or 3 generations, whichever is the longer, where:		
1. causes of the reduction are: clearly reversible and understood and ceased	Reduction of \geq 70%	Reduction of \geq 50%
2. causes may not have ceased or may not be understood or may not be reversible	Reduction of \geq 50%	Reduction of \geq 30%
3. no direct observation (up to a maximum of 100 years)	Reduction of \geq 50%	Reduction of \geq 30%
4. where the time period must include both the past and the future (up to a maximum of 100 years)	Reduction of \geq 50%	Reduction of \geq 30%

A SARA PERMIT

- A SARA permit (s.73) is required when carrying out activities will result in contravening the SARA prohibitions (when/where these prohibitions apply). (Reminder prohibitions apply to species listed as Threatened, Endangered, Extirpated on Schedule-1 of SARA. These prohibitions do not apply to species listed as Special Concern (SC), therefore a permit is not required, under SARA, for activities affecting SC species.).
- A SARA Permit can only be issued if the activities are related to at least one of the following (s.73(2)):
 - The activity is scientific research relating to the conservation of the species and conducted by qualified persons;
 - The activity benefits the species or is required to enhance its chances of survival in the wild; or
 - Affecting the species is incidental to the carrying out of the activity.
- A SARA Permit can only be issued once it has been determined that the SARA preconditions (s.73(3)) have been met. It is the responsibility of the applicant to provide the information needed to assess whether the preconditions have been met. The preconditions are:
 - All reasonable alternatives to the activity that would reduce the impact on the species have been considered and the best solutions have been adopted;
 - All feasible measures will be taken to minimize the impact of the activity on the species or its critical habitat or the residences of its individuals; and
 - The activity will not jeopardize the survival and recovery of the species.
- An issued permit must contain terms and conditions governing the activity that is necessary for protecting the species and/or minimizing the impact of the authorized activity on the species.
- If the activity is within reserve lands, or any other lands that are set apart for the use and benefit of a band under the Indian Act, ECCC must consult the band/nation before issuing a permit (s.73(5)).
- For more information on SARA permitting, and to submit a SARA permit application see the SARA e-permitting site <https://wildlife-species.canada.ca/SPLEP-SARAPS/index.cfm?fuseaction=home.main&lang=En>

PROVINCIAL CONSULTATION ON SPECIES AT RISK

- The [*Five-Year Plan for Species at Risk in British Columbia*](#) : 2013-2017
- [2016 Species at Risk Engagement](#)
- 2018 [Stakeholder](#) Submissions
- [*Protecting Species at Risk: A Primer to Support a Conversation with British Columbians*](#)
- 2018 [Engagements](#) with [British Columbians](#) on new stand-alone Species at Risk Legislation



Wildlife Act

- **Section 13:** Legally designated as Endangered and Threatened
- **Section 26(1)(a):** Offence to hunt, take, trap, wound or kill wildlife that is an endangered or threatened species
- **Section 9:** Disturbance or destruction of muskrat and beaver dams
- **Section 34:** Injuring or destroying birds, nests and eggs
- **Section 4(2):** Critical Wildlife Area in Wildlife Management Areas to support endangered and threatened species

Forest and Range Practices Act (FRPA)

- **GAR Section 13:** Category of Species (species at risk, regionally important wildlife, ungulate species) (85 species or subspecies)
- **GAR Section 9(1)(a):** Power to establish, by order, a general wildlife measure (GWM) for a specified area for a category of species at risk
- **GAR Section 9 & 12:** Ungulate Winter Range
- **GAR Section 9 & 10:** Wildlife Habitat Area
- **GAR Section 11:** Wildlife Habitat Feature
- **GAR Section 7(1)(a)(b)(c):** Objectives to conserve sufficient habitat for species at risk and winter survival of specified ungulate species
- **Section 7:** Forest Planning Practices Regulation: Forest Stewardship Planning, **Section 21(1)** FSP holders to achieve intended results and carry out objectives, **Section 87(2)** offence as contravention of requirement
- **Section 9:** Woodlot Licence Planning Practices Regulation: Woodlot Licence Planning

Oil and Gas Activities Act (OGAA)

- **Environmental Protection Management Guideline:** 1) Identified Category of Species at Risk, and 2) Objectives and Species at Risk habitat protection related to permit activities that intersect with WHA

Land Act

- **Land Use Planning and Strategic Agreements:** Map reserves and land use orders or permits (e.g., Land Use Objectives Regulation (LUOR), Old Growth Management Area (OGMA)
- **Conservation Lands:** Wildlife Management Areas (WMA)
- **Non-administered conservation lands:** Order-In-Council reserve, Designated Use Area, Map Reserve

Private Managed Land Act

- **Schedule C:** Critical wildlife habitat on private managed forest lands (36 Species)

Ecological Reserves Act

- Protection of Natural Ecosystems

Park Act

- **Class A** – preservation of their natural environments, **B** – may permit broader activities, **C** – managed by local board appointed by minister

Water Sustainability Act

- Consideration of environmental values for instream work approvals and notification

Environmental Assessment Act

- Habitat protection as condition of the environmental certificate

Riparian Areas Protection Regulation (RAPR)

- Requires local governments to adopt RAPR principles and bylaws and adhere to riparian setbacks

BC Taking Action (Additional Slides)

Taking Action

- Protection

- Legal listing of species at risk in BC
 - [Wildlife Act](#)
 - Legally designation as endangered (American White Pelican, Burrowing Owl, Vancouver Island Marmot) and threatened (Sea Otter)
 - [Forest and Range Practices Act](#) (FRPA)
 - Establishing categories of species (species at risk, regionally important wildlife, ungulate species) under [Government Actions Regulations](#) (GAR) (85 species and sub-species)
 - [Oil and Gas Activities Act](#) (OGAA)
 - Categories of species at risk can be identified under the [Environmental Protection and Management Regulation](#)
 - [Private Managed Forest Land Act](#)
 - Species at risk can be listed under Schedule C of [Private Managed Forest Land Regulation](#)

BC Taking Action (Additional Slides)

- Ecosystem and habitat protection through Legislation
 - [Wildlife Act](#)
 - Protects all vertebrate animals from direct harm, except as allowed by regulation (e.g., hunting or trapping)
 - Critical Wildlife Area in Wildlife Management Areas support endangered & threatened
 - [Forest and Range Practices Act](#) (FRPA)
 - [Government Actions Regulations](#) (GAR) enables three types of decisions: species designations, “land use” designations & related objectives & “practices” designations
 - Establish General Wildlife Measures (GWM) under GAR
 - Designating Ungulate Winter Ranges (UWR) and Wildlife Habitat Areas (WHA), Identifying wildlife habitat features (e.g., osprey nest, mineral lick),
 - Notices made under Section 7 of [Forest Planning and Practices Regulation](#) (FPPR) and Section 9 of the [Woodlot Licence Planning and Practices Regulation](#) (WLPPR)
 - [Oil and Gas Activities Act](#) (OGAA)
 - WHAs can be established to meet habitat requirements of a category of species at risk
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BC – Taking Action (Additional Slides)

- [Land Act](#)
 - Protects species at risk and their habitat with map reserves and land use orders or permits as part of [land use planning and strategic agreements](#) (e.g., [Land Use Objectives Regulation](#) (LUOR), Old Growth Management Area (OGMA))
 - Conservation Lands (Wildlife Management Areas), Non-administered conservation lands (Order-In-Council reserve, Designated Use Area, Map Reserve)
 - [Water Sustainability Act](#)
 - Environmental flow needs (Consideration of environmental values for instream work approvals and notification)
 - [Environmental Assessment Act](#)
 - Habitat protection as condition of the environmental certificate
 - [Ecological Reserves Act](#)
 - [Park Act](#)
 - [Riparian Areas Protection Regulation](#) (RAPR)
 - Requires local governments to adopt RAPR principles and bylaws and adhere to riparian setbacks
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