



2022 "PRE-LISTING CONSULTATION" ON WHETHER TO LIST 6 TERRESTRIAL SPECIES AT RISK IN BRITISH COLUMBIA

Part of the

Species At Risk Act Consultation, Cooperation, and Accommodation Project

With support from the Centre for Indigenous Environmental Resources (CIER)

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Canadian Wildlife Service - Environment and Climate Change Canada (CWS-ECCC)

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Environment and
Climate Change Canada

Environnement et
Changement climatique Canada



Thank you

I am grateful to speak to you today from the traditional territory of Ts'uu baaasatx, ditidaqii'caq disiba?k (Ditidaht), Quw'utsun, Hul'qumi'num Treaty Group, and WSÁNEĆ Peoples.

My Background

- **Non-Indigenous** – European and minority immigrant family
- **Born and raised in BC** – grew up on the Fraser River Delta, Vancouver Island, Gulf Islands/Inside Passage, and the south Okanagan
- Studied and worked in BC archaeology and Indigenous cultural studies
- **Quebec and Ontario** – moved to Montreal for graduate studies - lived in central Canada for 5 years
- **ECCC** – started working for the Canadian Wildlife Service in 2013 in Delta, BC
- Currently living in **Lake Cowichan, BC**



Purpose/Intent of Workshop

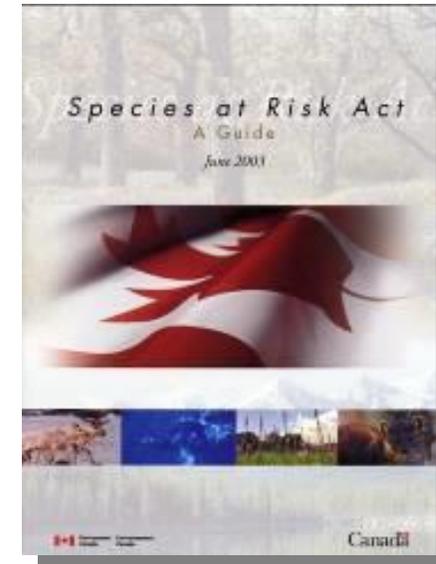
- **Provide a quick background on** Listing as part of the Species at Risk Recovery Process
- Share information about species undergoing **(Batch 19) Pre-listing Consultations**
- **Provide opportunity to comment** on the impacts of the potential listing of one or more species as part of the **official consultation process**
- Provide a quick overview of other federal species at risk work that is ongoing in BC
- Provide opportunity for a **questions and answers** and **open dialogue**.

What is the *Species at Risk Act* (SARA)?

A *national* (federal) approach for conservation of species that may be at risk of disappearing in the wild in Canada

The purpose of the federal *Species at risk Act* (SARA) is to:

- **prevent** species from becoming extinct by *protecting* individuals and their habitat
- **recover** species that are endangered or threatened as a result of *human activity and/or developments*
- work in a complimentary fashion with provincial legislation.



The Species At Risk Act (SARA)

Recognizes that:

“the roles of the Aboriginal peoples of Canada and of wildlife management boards established under land claims agreements in the conservation of wildlife in this country are essential,”

and that:

“the traditional knowledge of the Aboriginal peoples of Canada should be considered in the *assessment* of which species may be at risk and *in developing and implementing recovery measures*”

SARA Recognizes Indigenous Rights

SARA respects the protection of Aboriginal Rights as affirmed in the constitution

Canadian Constitution (Section 35):

“The existing Aboriginal and treaty rights of the Aboriginal peoples of Canada are hereby recognized and affirmed.”

SARA (section 3):

“For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from the protection provided for existing Aboriginal or treaty rights of the Aboriginal peoples of Canada by the recognition and affirmation of those rights in section 35 of the Constitution Act, 1982.”

Listing Key Steps

- Minister receives ‘assessment of risk’ status reports from COSEWIC, has 90 days to respond by indicating next steps
- **Consultation period with Indigenous peoples, provinces/territories, and local stakeholders**
- Often use an “extended process” for species requiring more consultation/analysis
- 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*

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
- To date, listing consultation has primarily relied upon mail and email to share information and gather feedback

SARA Process



The Species at Risk Act - Protection

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

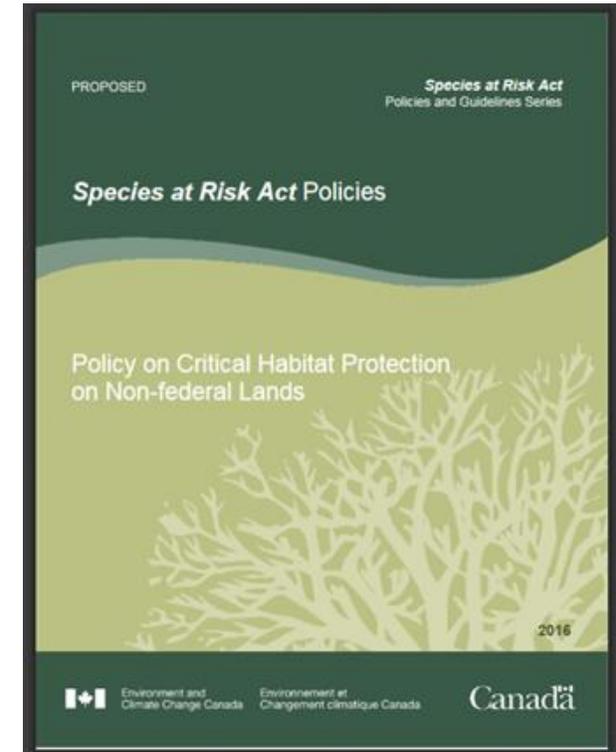
General Prohibitions automatically apply upon listing to Extirpated, Endangered and Threatened species:

- On all federal lands
- To aquatic species anywhere they occur
- To migratory birds anywhere they occur

The Species at Risk Act – Protection

Critical Habitat protection:

- **Legal Protection:** term often used to describe the type of protection required under s. 58 when Critical Habitat is located on **federal land**
- **Effective Protection:** term often used to describe the type of protection required under s. 61 when Critical Habitat is located on **non-federal land**



The Species at Risk Act – Protection

- Protection on non-federal lands occurs in different ways:
 - Provincial/territorial laws
 - E.g. *Wildlife Act*, *Water Sustainability Act*, *Forest and Range Practices Act*
 - 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 Western Chorus Frog (QC)



© Jon Groves



© Scott Gillingwater

Federal Listing – Things to Consider

When deciding whether to list a species, the Minister considers:

- **Recommendations** from Committee on the Status of Endangered Wildlife in Canada (COSEWIC) and Aboriginal Traditional Knowledge subcommittee
- **If the species supports livelihoods** (e.g. through harvesting, subsistence or medicine)
- Potential **impacts to people’s activities** if the species were to be listed
- Potential **cultural, social, or economic costs or benefits** to individuals, communities or organizations
- If **current or planned activities** overlap with species range/occurrence in your area, and if those activities **may harm** the species and/or destroy part of its habitat
- Any **other information** people choose to share during consultation

Do you think that listing species “x” would result in any **cultural, social, or economic costs and/or benefits to you**, your community/organization?

Pre-Listing Consultations (Batch 19)

Species	COSEWIC Status/proposed SARA Status	Consultation Period
Grappletail	Special Concern	Normal
Seaside Centipede Lichen	Threatened	Normal
Lesser Yellowlegs	Threatened	Extended
Short-eared Owl	Threatened	Extended
Barn Swallow	Special Concern	Extended
Canada Warbler	Special Concern	Extended

Normal Consultation ends on May 10, 2022

Extended Consultation ends on October 10, 2022



Courtesy of U.S. Fish & Wildlife Services



Gordon Court

Grappletail

Proposed new listing as Special Concern

- Large yellow-green dragonfly with clear wings with black lines
- Found in only seven streams in the mountains of the lower Fraser Valley

Habitat

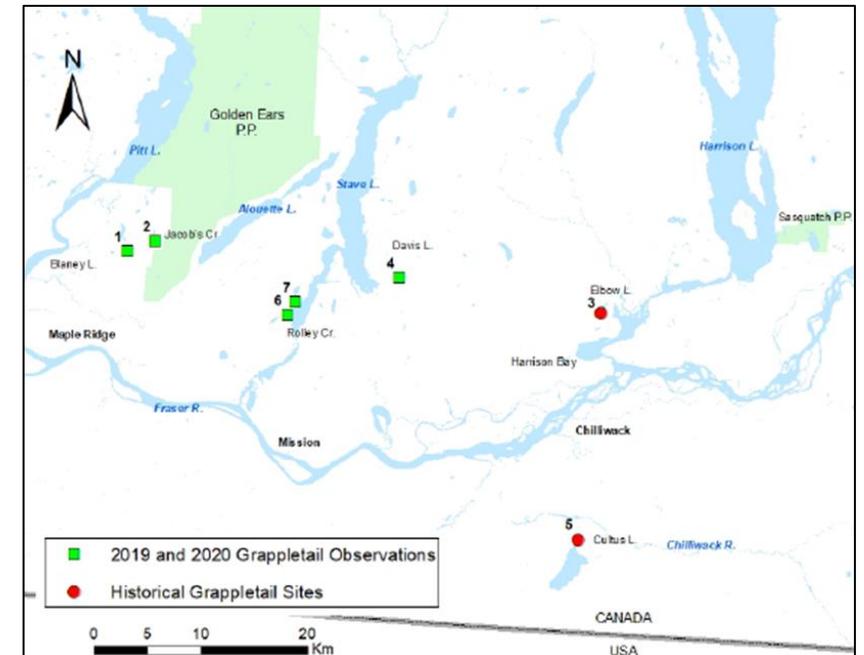
- Fast-flowing, warm streams that drain into small lowland lakes
- Foraging habitats are in forests near the streams

Threats

- Roadkill at stream crossings
- Disturbance from recreational vehicles



Photo: © John D. Reynolds



Seaside Centipede Lichen

Proposed reclassification from Endangered to Threatened

- Leafy lichen known from 20 occurrences on the west coast of Vancouver Island, and two in the US.

Habitat

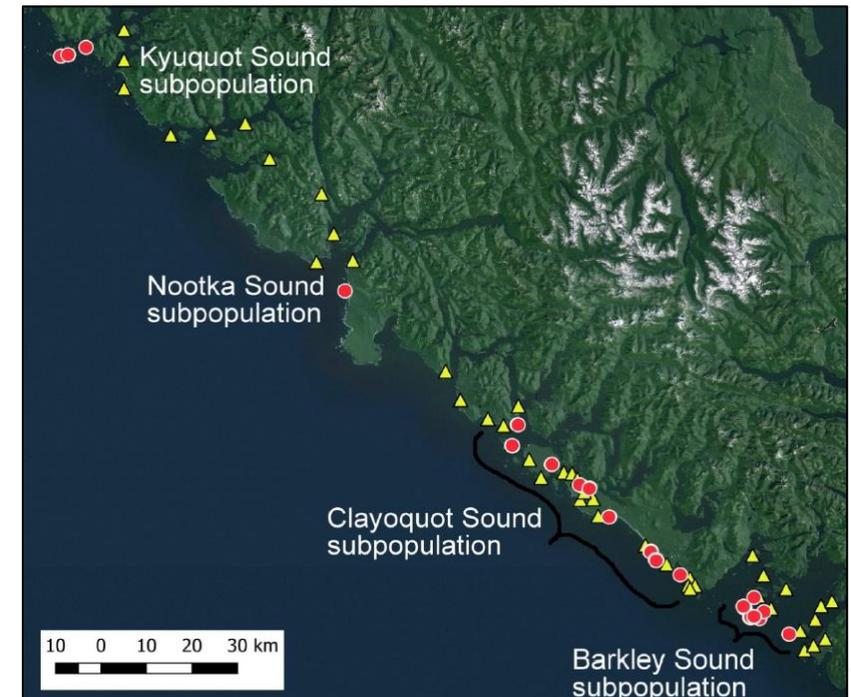
- Lower branches of Sitka Spruce trees in old-growth Western Hemlock forests

Threats

- Habitat loss caused by logging and residential development
- Human recreational
- Increasing intensity of winter storms



Photo: © Anna Roberts



Lesser Yellowlegs

Proposed new listing as Threatened

- Broad ranging shorebird that breeds in all provinces and territories except the maritimes

Habitat

- Wetland habitats including tidal flats and flooded fields
- Breeds in open forests and meadows that have marshes and bogs

Threats

- Loss of habitats used during migration and winter
- Hunting



Photo: © Gary Donaldson



Short-eared Owl

Proposed reclassification from Special Concern to Threatened

- Medium sized owl found throughout most of BC

Habitat

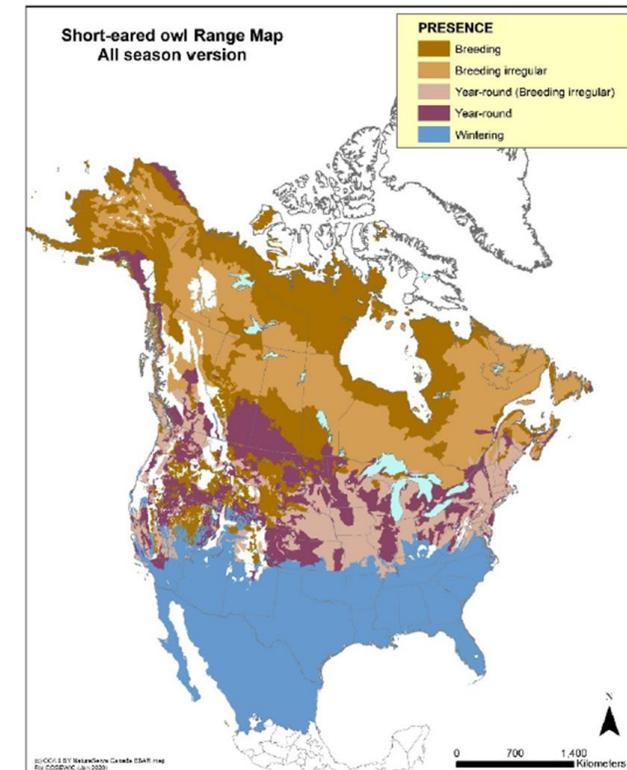
- Open areas with low vegetation, such as grasslands, marshes, meadows, and river valleys

Threats

- Habitat loss or damage caused by residential and commercial development



Photo: © Christian Artuso



Barn Swallow

Proposed reclassification from Threatened to Special Concern

- Songbird with a chestnut throat and forehead and steely-blue upperparts.

Habitat

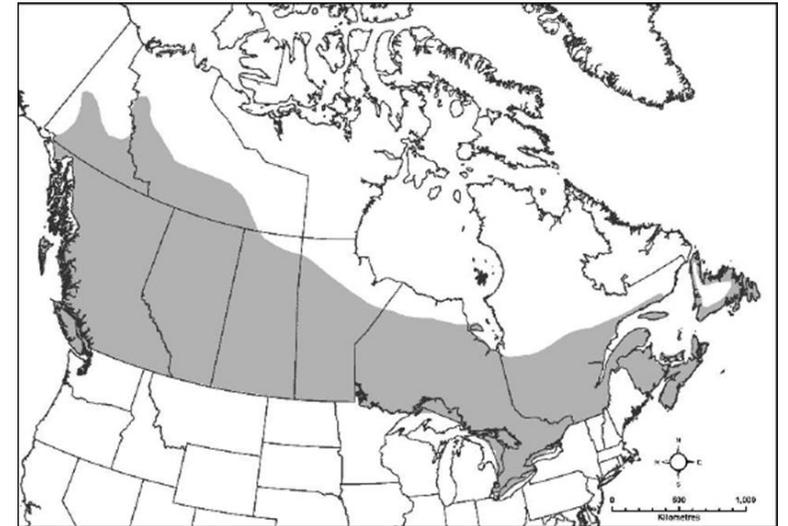
- Human made structures
- Open grassy fields, pastures, agricultural crops, freshwater shorelines, and wetlands

Threats

- Loss of nesting and hunting habitats caused by some changes in farming practices
- Large scale loss of insects



Photo: © Gordon Court



Canada Warbler

Proposed reclassification from Threatened to Special Concern

- A small, brightly coloured songbird with a bluish-grey tail and yellow throat and breast

Habitat

- Wet, mixed deciduous-coniferous forests

Threats

- Habitat loss caused by urban and agricultural development



Photo: © Carl Savignac



Terrestrial Species Reassessed (*no change) by COSEWIC

Species	COSEWIC status = current SARA status
Edwards' Beach Moth	Endangered
Red Knot <i>roselaari subpecies</i>	Threatened
Coeur d'Alene Salamander	Special Concern
Band-tailed Pigeon	Special Concern
Coastal Wood Fern	Special Concern

Other ways to provide comments on Pre-listing Consultations

- Email or letters
- Consultation information available on the Species at Risk Public Registry
 - Batch 19: <https://species-registry.canada.ca/index-en.html#/consultations/1088>



UPDATE on Other Ongoing Recovery Documents (Pacific Region Species)

Recovery Document	Consultation Period closing
Grizzly Bear Management Plan - early engagement	Ongoing engagement
Western Grebe Management Plan	February 15
Buff-breasted Sandpiper Management Plan	February 15
Marbled Murrelet Amended Recovery Strategy	February 15
Barn Owl Recovery Strategy	February 15
Olive Clubtail Recovery Strategy	February 15
Okanagan Efferia Recovery Strategy	February 23
Tiny Tassel Management Plan	March 2
American Badger Recovery Strategy	March 2
Vivid Dancer Management Plan	March 9
Crumped Tarpaper Lichen RS	March 9

Questions?



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THANK - YOU

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Or

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