

The Species at Risk Act (SARA) and Recovery of the Lake Sturgeon in Canada



Fisheries and Oceans Canada – Fred Hnytka

Great Lakes Lake Sturgeon Coordination Meeting

Sault St. Marie, MI

November 29-30, 2006

Species at Risk Act (SARA)

June 2003

The Species at Risk Act exists

- ◆ **To prevent wildlife from becoming extinct in Canada**
- ◆ **To secure the recovery of *Extirpated, Endangered or Threatened* species**
- ◆ **To manage *Special Concern* species to prevent them from becoming further at risk**

Species at Risk Act

Scope:



Covers:

- ◆ ***all wildlife species at risk in Canada***
- ◆ ***their critical habitats***

Species at Risk Act Responsibility:



- 1. Fisheries & Oceans** → ***Aquatic species - “fish” as defined in Fisheries Act***
- 2. Parks Canada Agency** → ***species in National Parks***
- 3. Environment Canada** → ***all other species, overall administration***

Species at Risk Act

Key Elements:

- ◆ ***science-based assessments***
- ◆ ***formal listing process***
- ◆ ***species protection***
 - ✦ ***individual***
 - ✦ ***residence***
 - ✦ ***critical habitat***
- ◆ ***mandatory recovery planning***
- ◆ ***public involvement***

Second Session, Thirty-seventh Parliament 51 Elizabeth II, 2002	Deuxième session, trente-septième législature 51 Elizabeth II, 2002
STATUTES OF CANADA 2002	LOIS DU CANADA (2002)
CHAPTER 29	CHAPITRE 29
An Act respecting the protection of wildlife species at risk in Canada	Loi concernant la protection des espèces sauvages en péril au Canada
BILL C-5	PROJET DE LOI C-5
ASSENTED to 12th DECEMBER, 2002	SANCTIONNE LE 12th DECEMBRE, 2002

SARA Process

A ASSESSMENT

- *Status Reports*
- *Review*
- *COSEWIC Assessment*

B RESPONSE STATEMENTS

C LEGAL LISTING

- *Allowable Harm Assess.*
- *Socio-Economic Analyses*
- *Consultations & RIAS*

D PROTECTION

Automatic Prohibitions

Safety Net

Federal Lands & Species

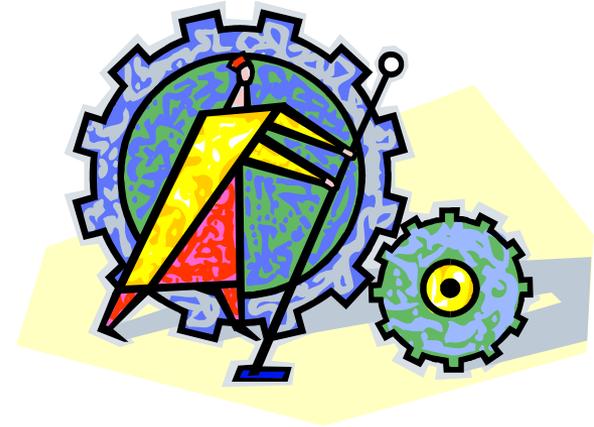
Exemptions

Mandatory Recovery Planning

E RECOVERY

Stewardship Programs / Incentives

Critical Habitat (Safety Net)



A ASSESSMENT

- *Status Reports*
- *Review*
- *COSEWIC Assessment*



- ◆ ***Since 1978, wildlife status in Canada decided by this independent scientific committee - COSEWIC***
- ◆ ***30 expert reps from universities, provincial & federal govts, and NGOs***

A ASSESSMENT

- *Status Reports*
- *Review*
- *COSEWIC Assessment*



Mandate:

- ◆ ***Assess risk of extinction***
- ◆ ***Use best available biological information:***
 - ◆ ***scientific research***
 - ◆ ***community knowledge***
 - ◆ ***Aboriginal traditional knowledge***
- ◆ ***Identify threats***
- ◆ ***Produce Species Assessments***

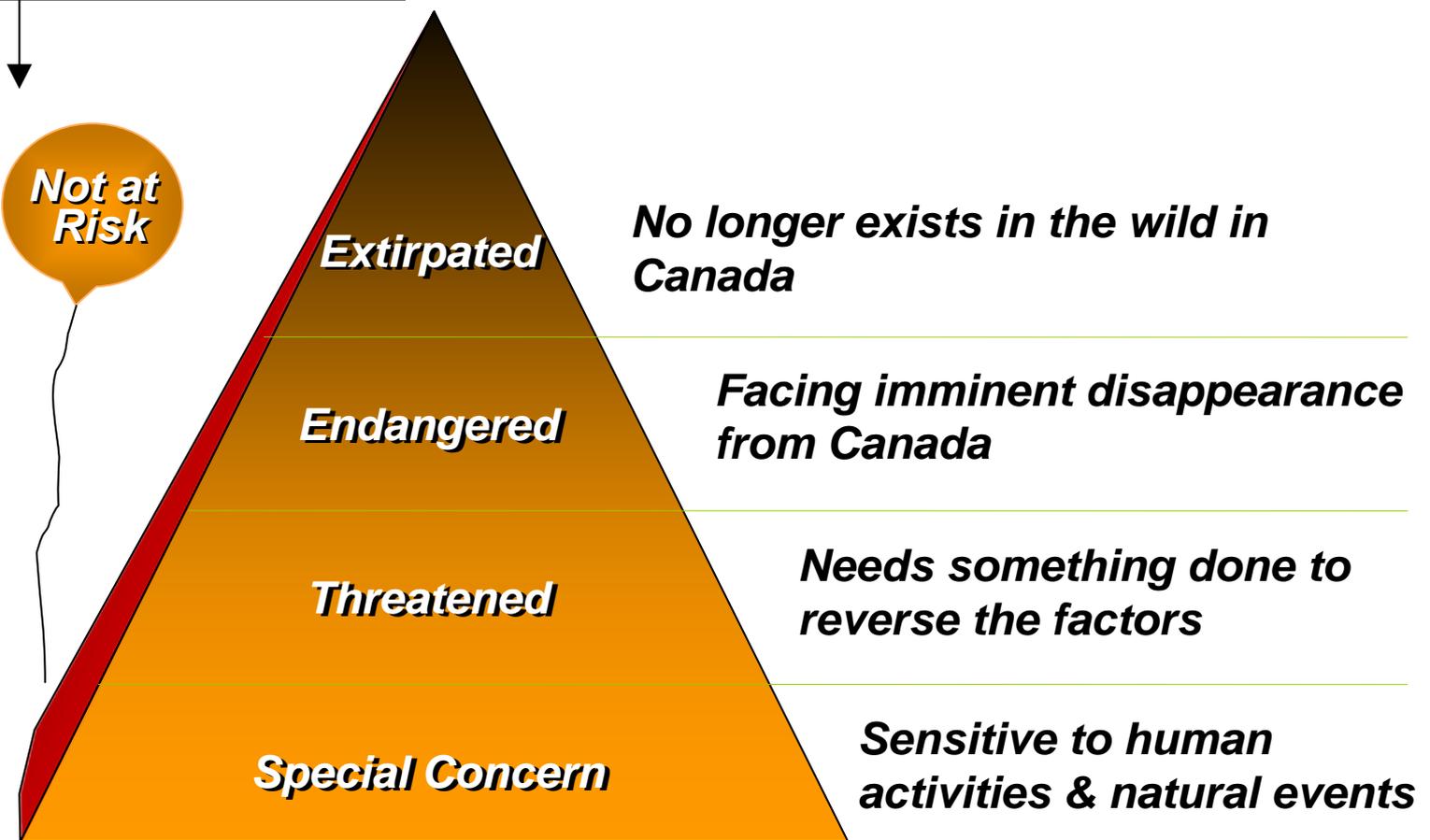


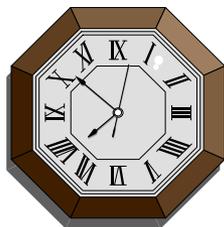
A ASSESSMENT

- *Status Reports*
- *Review*
- *COSEWIC Assessment*

Posted on Public Registry

Forwarded to the MOE





B RESPONSE STATEMENTS

**90 days for Minister to respond
(Posted on Public Registry)**

Might include...

- ◆ ***basic info on species***
- ◆ ***Responsible Minister(s)***
- ◆ ***Indicate length and extent of any listing consultations***

C LEGAL LISTING

- Consultations
- Allowable Harm Assessment
- Socio-Economic Analyses
- Regulatory Impact Analysis Statement (RIAS)

Gov't decision within 9 months of receipt of COSEWIC assessment for (Posted on Public Registry)

1. Accept assessment & add
2. Decide not to add to List
3. Refer back to COSEWIC

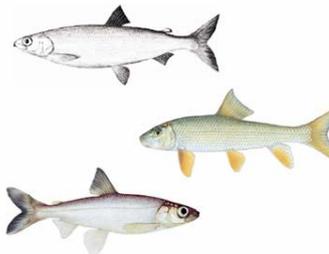
Socio-Economic Analysis
For the
Regulatory Impact Analysis Statement
(RIAS)
To Add
Lake Winnipeg Physa, Atlantic Cod
(Arctic population)
Channel Darter and Shortjaw Cisco
to Schedule 1 of the Species at Risk
Act
Policy and Economics
Central and Arctic Region
Department of Fisheries and Oceans
Winnipeg, Manitoba
R3T 2N6
May 2005

CONSULTATION WORKBOOK on the addition of three aquatic species to the SARA List:

Shortnose cisco

Black redhorse

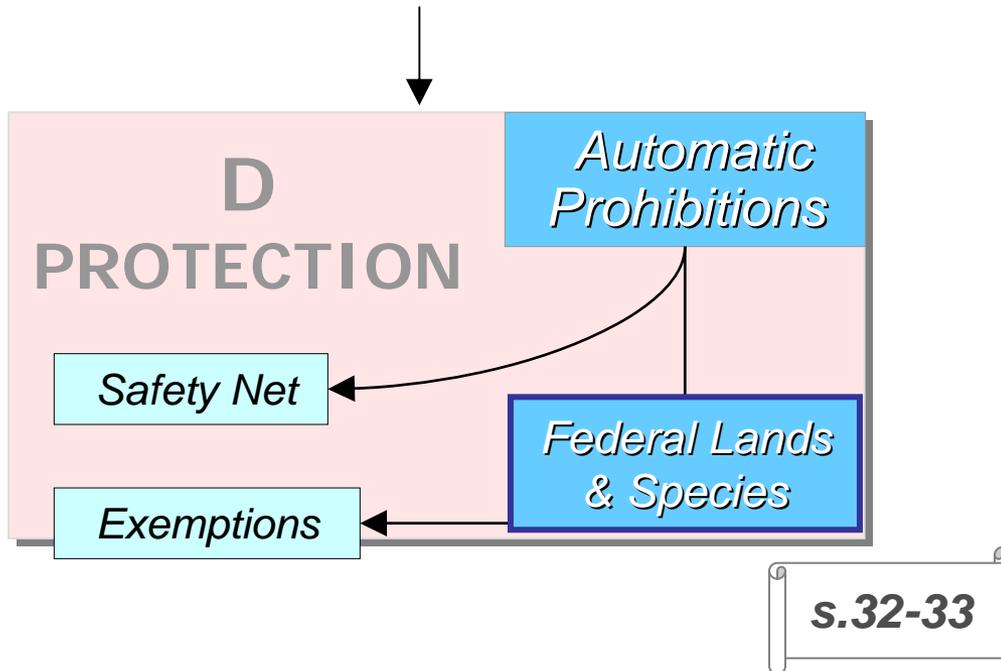
Kiyi (Upper Great Lakes population)



October 2005

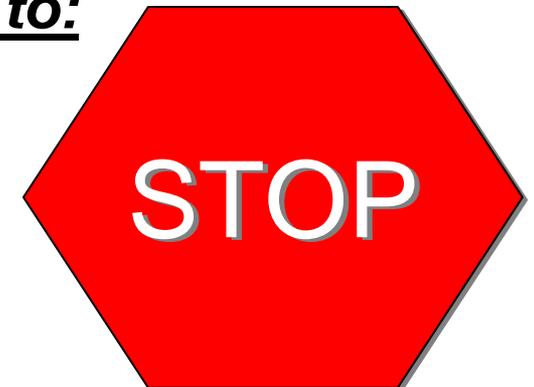


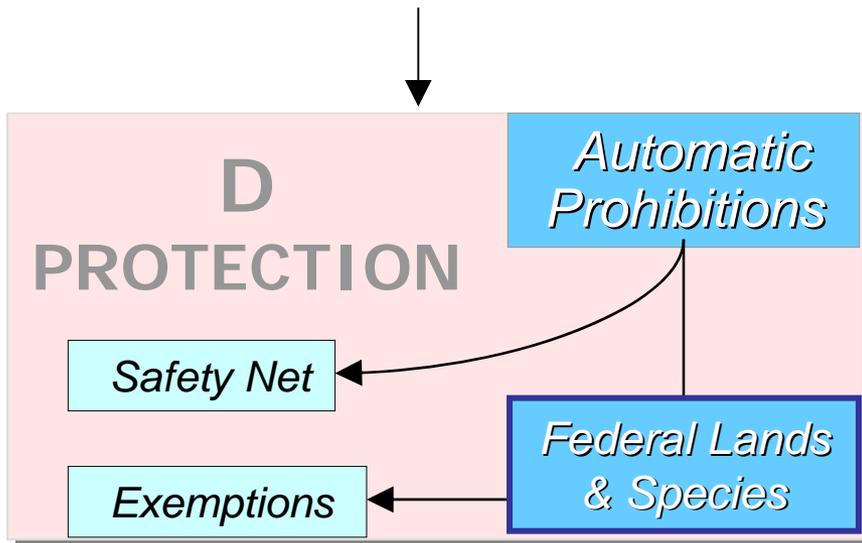
Automatic Prohibitions June 2004



For Listed EX, EN, TH species, it is illegal to:

- *Kill, harm, harass, capture of take individuals*
- *Possess, collect, buy, sell or trade individual or parts*
- *Damage or destroy the residence of one or more individuals*



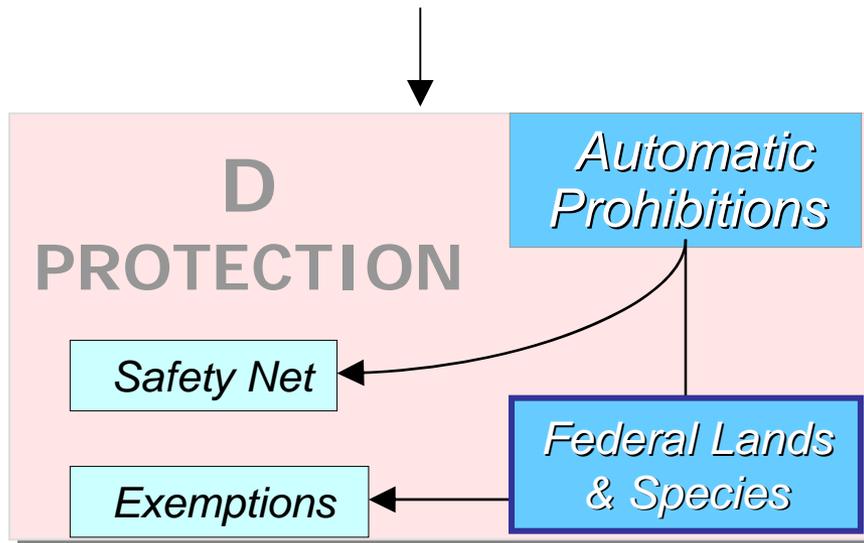


Exemptions - Permits

Eligible Activities:

- **Scientific Research** relating to conservation of the species
- ✿ **Enhancement work on the listed species**
- ✿ **Incidental effect of carrying out an activity**

s 73: The Minister may authorize a person to engage in an activity affecting a listed wildlife species...

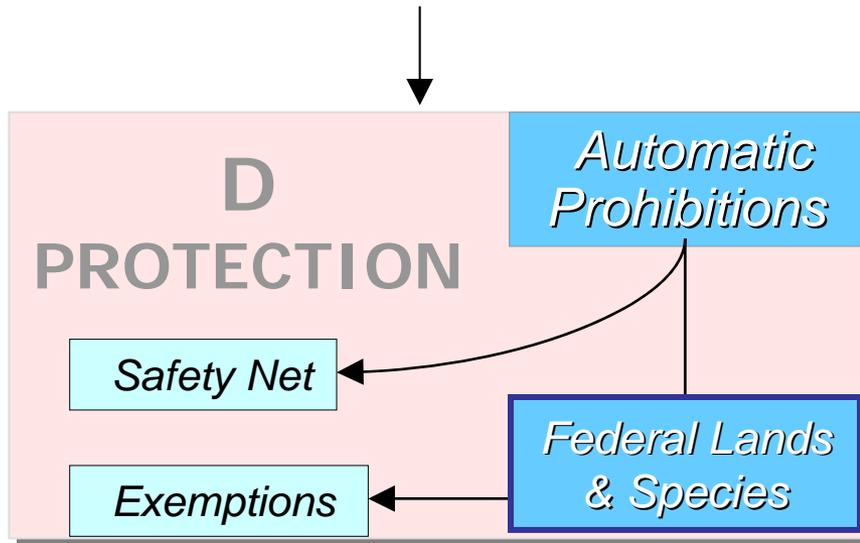


Exemptions - Permits

Pre-conditions:

- ***All reasonable alternatives have been considered***
- ***All feasible measures taken to minimize Impacts***
- ***The activity will not jeopardize survival or recovery of the species***

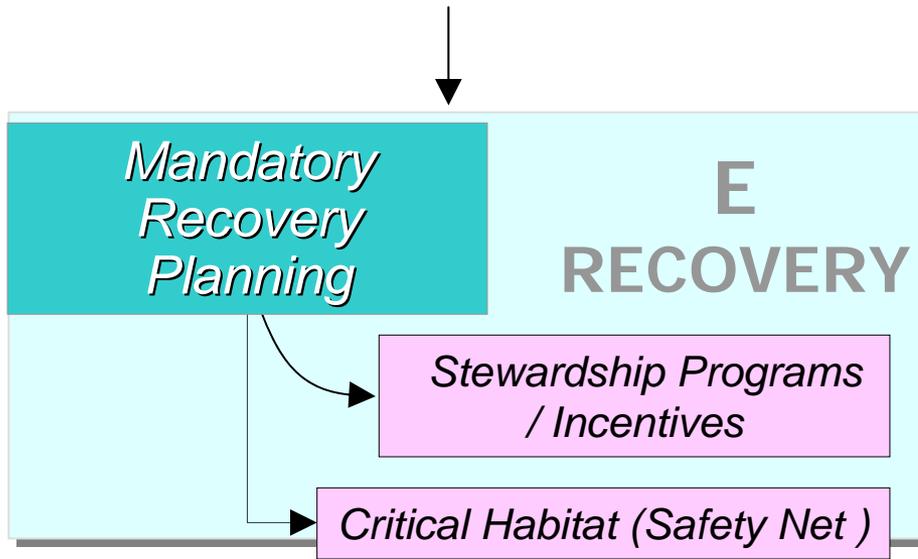
Project Reviews



Projects triggering the Canadian Environmental Assessment Act must:

- ◆ ***consider effects on listed wildlife species***
- ◆ ***avoid or lessen those effects***
- ◆ ***monitor results***

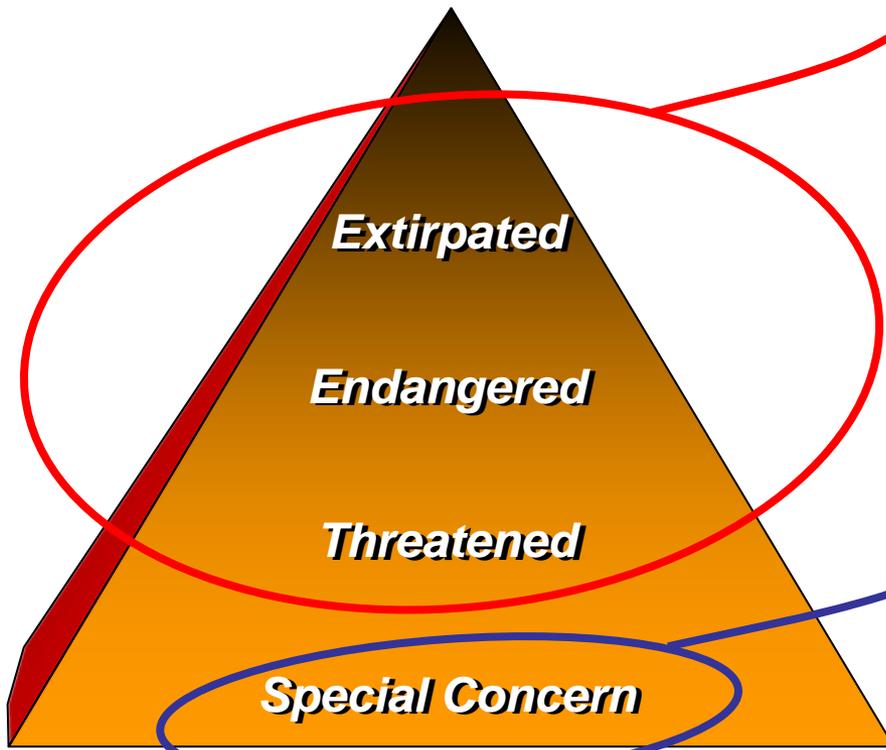
Recovery Planning



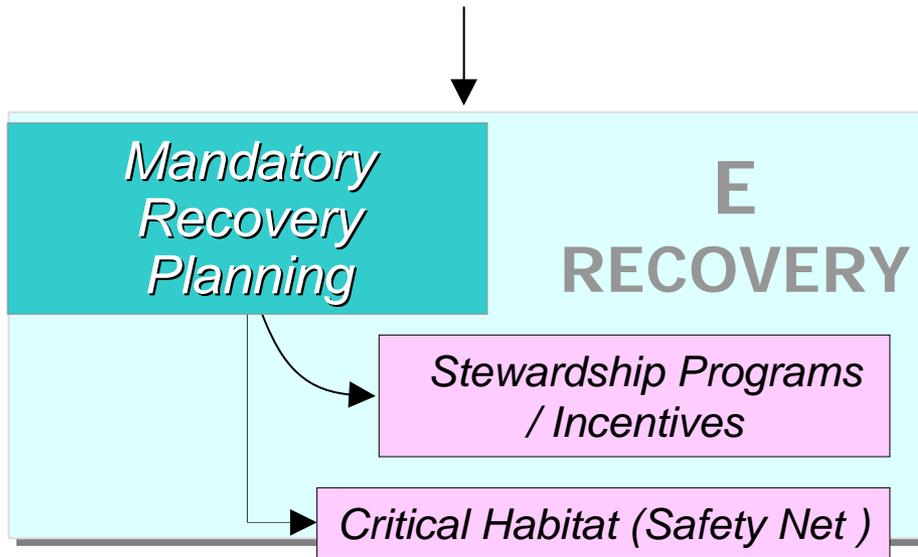
1. Recovery Strategies

2. Action Plans

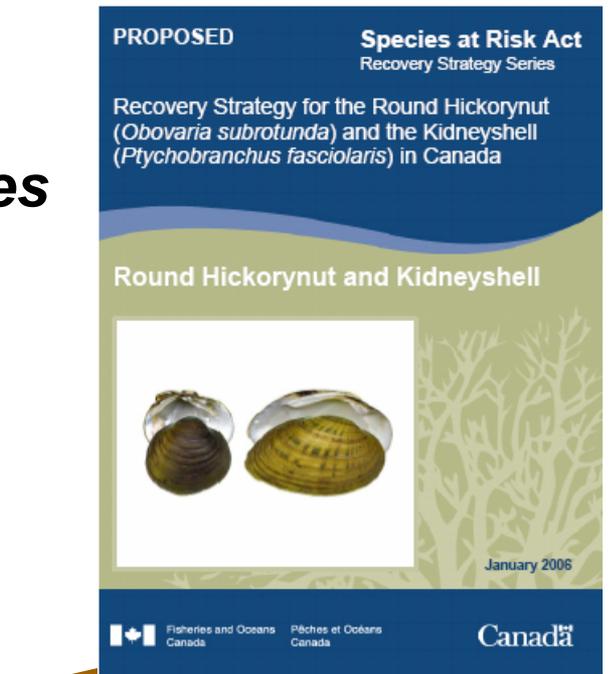
3. Management Plans

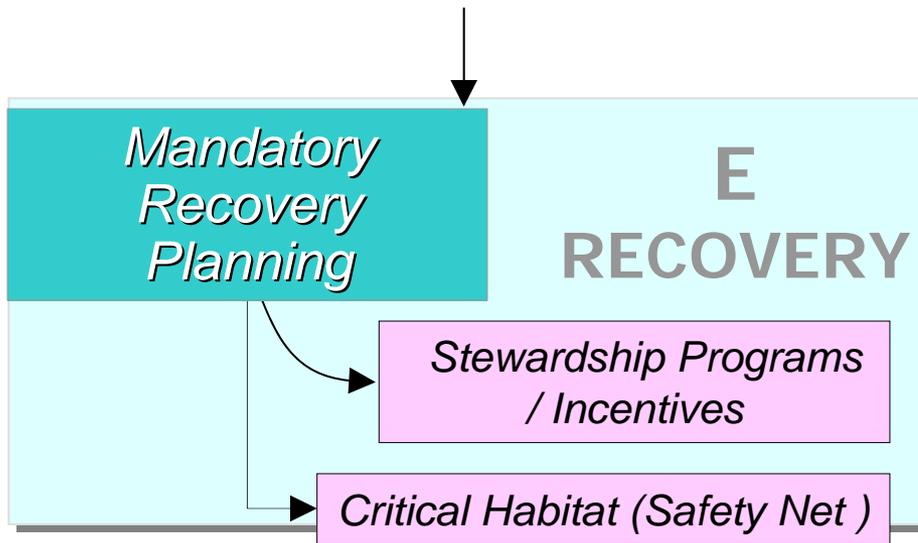


1. Recovery Strategies



- ◆ **Mandatory for *EX, EN and TH* species**
- ◆ **Identifies**
 - ◆ **population objectives**
 - ◆ **strategies to address threats**
 - ◆ **critical habitat, to extent possible**
 - ◆ **timelines for Action Plans**
- ◆ **Inclusive process**
- ◆ **Posted on Public Registry**



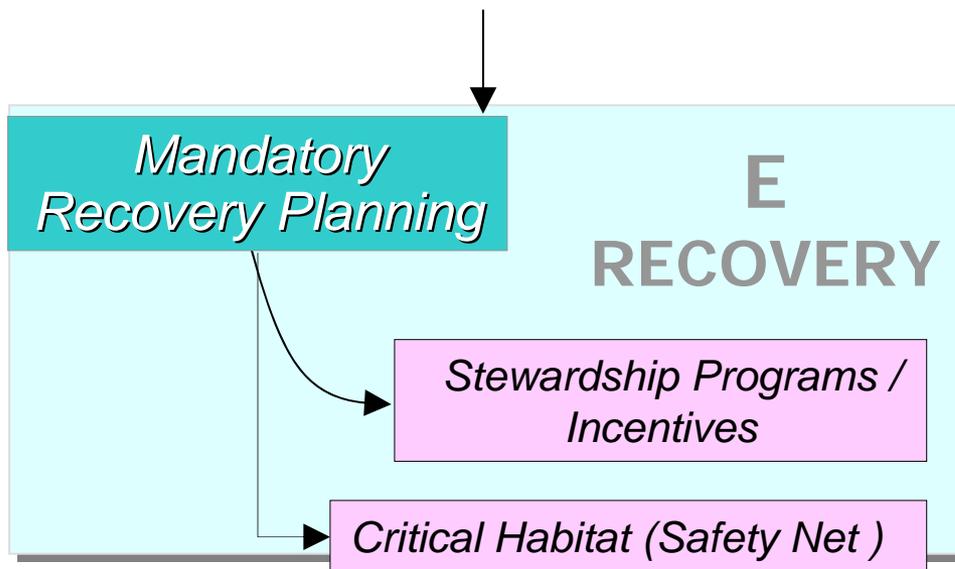


2. Action Plans

**Action Plans
implement Recovery
Strategies**

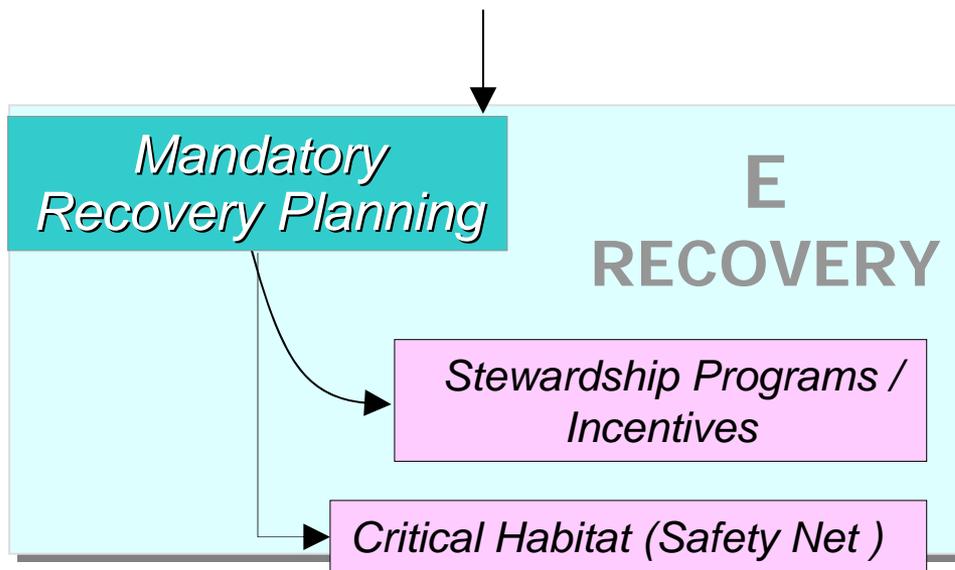


- ◆ **Detail actions needed to reach population objectives**
- ◆ **Identify critical habitat and ways to protect it**
 - ◆ **Evaluate socio-economic costs and benefits of its implementation**
- ◆ **Involve broad consultation**
 - ◆ **Posted on Registry**



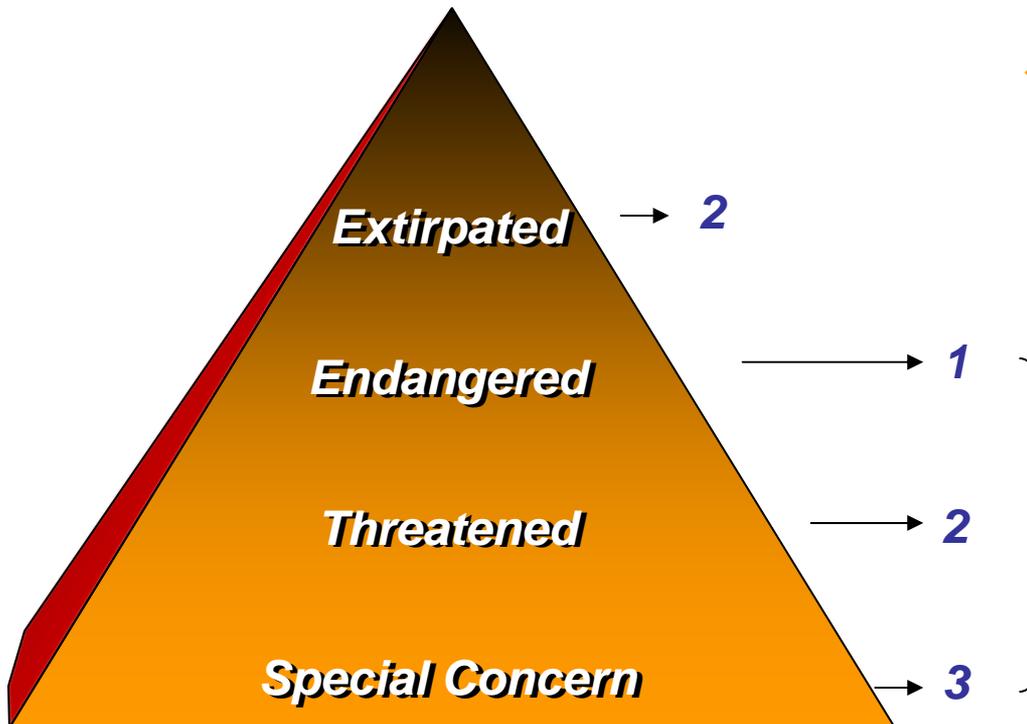
3. Management Plans

- ◆ ***Required for Special Concern species***
- ◆ ***Prepared in consultation with key stakeholders***
- ◆ ***Included in Public Registry***



4. Timelines

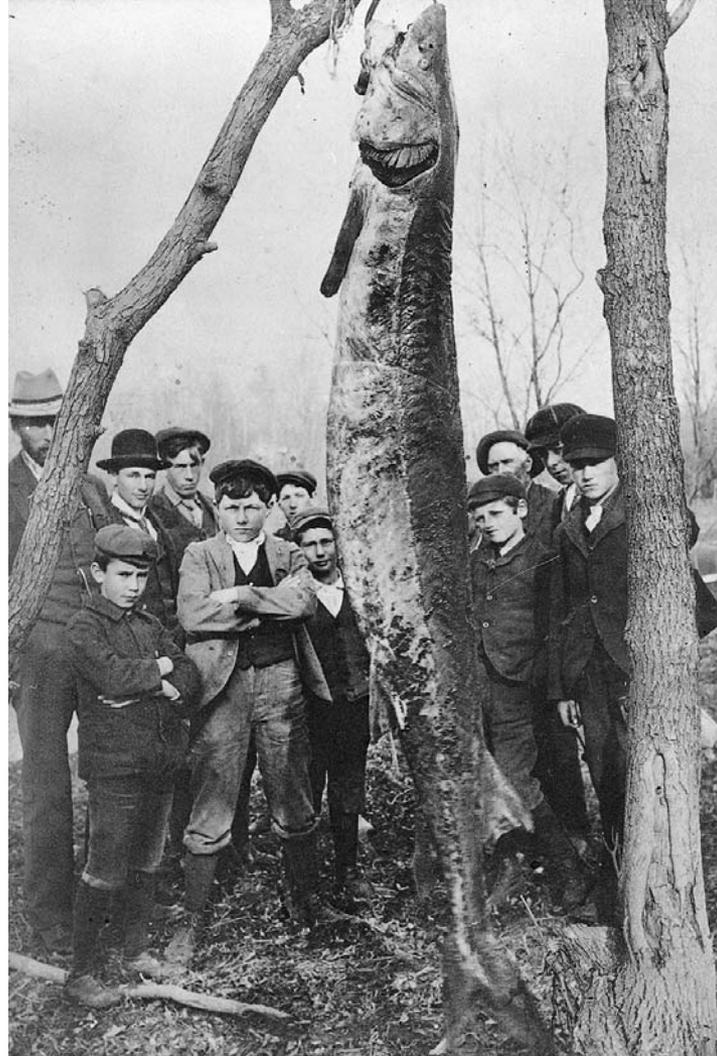
- ◆ Listing triggers timelines for recovery strategies and management plans



- ◆ Ministerial reporting on *Recovery Strategy & Management Plan* implementation every 5 years

Years to complete

SARA and Lake Sturgeon

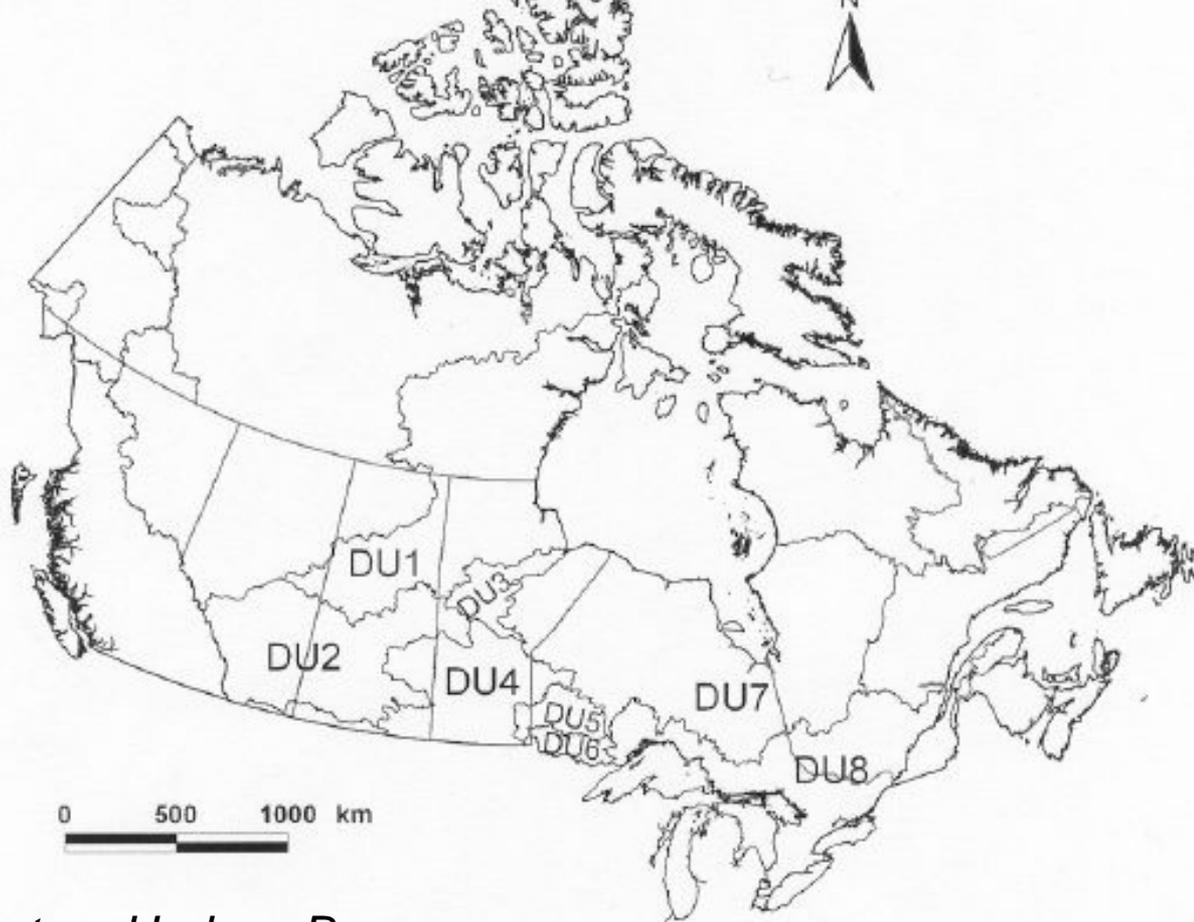


A ASSESSMENT

- *Status Reports*
- *Review*
- *COSEWIC Assessment*

- ***Preliminary assessment of Lake Sturgeon “at risk” by COSEWIC in May 2005***
- ***Assessment re-examined April 2006 – more genetics information required***
- ***COSEWIC assessment completed November 2006***

November Assessment ??????



DU1 – Western Hudson Bay

DU2 – Saskatchewan – Nelson - Saskatchewan River

DU3 – Saskatchewan – Nelson – Nelson River

DU4 – Saskatchewan – Nelson – Assiniboine R./Lake Winnipeg

DU5 – Saskatchewan – Nelson – Winnipeg/English River

DU6 – Saskatchewan – Nelson – Lake of the Woods/Rainy R.

DU7 - Southern Hudson Bay/James Bay

DU8 – Great Lakes/Western (Upper) St. Lawrence R.

Endangered

Endangered

Endangered

Endangered

Endangered

Special Concern

Special Concern

Threatened

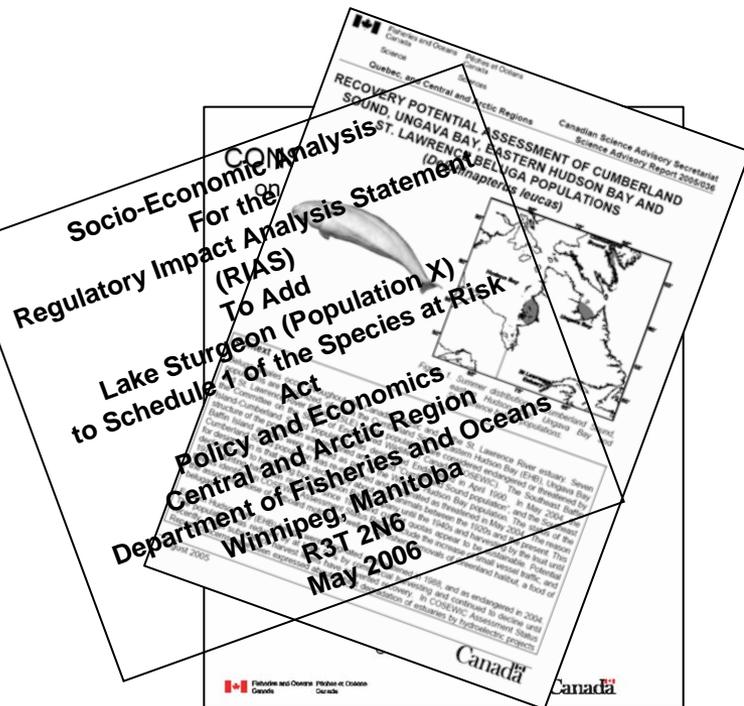
B RESPONSE STATEMENTS

- *Expect COSEWIC will forward assessment to MOE April/May 2007*
- *Response Statement due 90 days later i.e. Fall - 2007*
- *Extended listing consultations likely to follow*

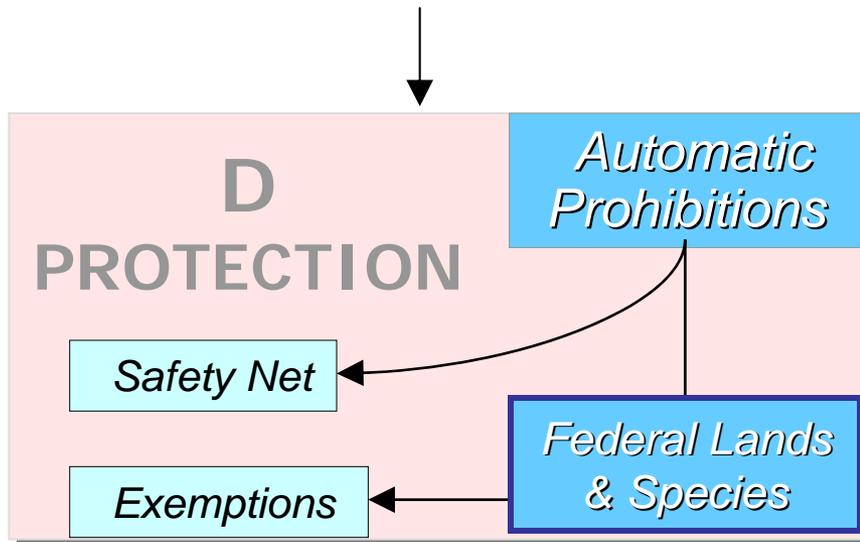
C LEGAL LISTING

- Allowable Harm Assessments
- Socio-Economic Analyses
- Consultations
- RIAS

- **Kick-off to consultations expected in early 2007**
- **Need to develop Allowable Harm Assessment and Socio-Economic Analyses for Regulatory Impact Analysis**
- **Gov't decision within 9 months of receipt of COSEWIC Assessment**
- **Expect listing decision by April 2009**

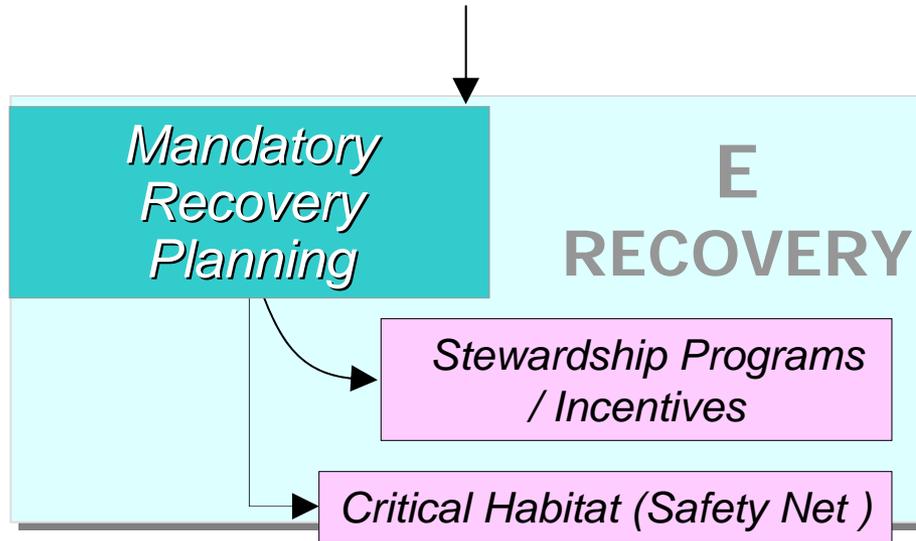


1. **Accept Assessment & add**
2. **Decide not to add to List**
3. **Refer back to COSEWIC**



- ***If listed, prohibitions would apply to endangered and threatened populations***
- ***Will need to examine possible exemptions (permits- recovery strategies) that may be necessary***





- ***If listed - Recovery strategies required by:***
 - ***2010 for Endangered***
 - ***2011 for Threatened***
- ***Management Plans Required:***
 - ***2012 for Special Concern***
- ***Need to start recovery planning as soon as possible***

SARA and Lake Sturgeon

Next Steps

- ***Need to consult with stakeholders – First Nations, fishers, industry (hydro) - ongoing***
- ***Need to bring “science” (traditional and classical) to recovery teams***
- ***Need to develop partnerships and engage stakeholders***

Information Sources



<http://www.sararegistry.gc.ca/>

