



The Aquaculture Industry and the Species at Risk Act

Canada's growing aquaculture industry has the potential to play an important role in the economic future of the country. At Fisheries and Oceans Canada (DFO), we're committed to helping the industry develop in a responsible manner that will benefit all Canadians—through sound, future-minded management practices. These days, many aquaculture operators have questions about the implications of Canada's new *Species at Risk Act* (SARA) for their businesses; this fact sheet provides an overview.

What it's all about

The *Species at Risk Act* was created to prevent wildlife species from becoming extinct. It requires Canada to provide for the recovery of species at risk due to human activity, and to manage species of special concern, making sure they don't become endangered or threatened. SARA not only prohibits the killing, harming, harassing, capturing or taking of species at risk, but also makes it illegal to destroy their critical habitats. The Act became law in June 2003, and becomes enforceable in June 2004.

Obviously, no single organization or entity can be responsible on its own for achieving the goals of SARA. Governments and stakeholder groups across Canada must all work together. In fact, SARA was designed to encourage such cooperation.

Aquatic species at risk

Today, 34 aquatic species have been classified 'at risk' under SARA; an additional 28 species are under consideration. Those listed currently include the spotted and northern wolffish, Atlantic whitefish, and Inner Bay of Fundy salmon as well as marine animals such as the leatherback turtle and sea otter.

Working together

Under SARA, DFO must produce recovery strategies and action plans for aquatic species listed as endangered or threatened. Recovery strategies for freshwater and marine species currently listed under SARA will be developed in collaboration with the fishing and aquaculture industries, and must be completed as soon as 2006.

At DFO, we intend to work with associations and members of the aquaculture industry to ensure that the protective measures we develop as part of these strategies and plans are practical, effective, and environmentally sustainable. We want to ensure that a sustainable aquaculture industry can be maintained while meeting the requirements of SARA to protect species at risk.

What SARA means for aquaculture operators

Under SARA, restrictions may be introduced on where new aquaculture operations may be established. Areas of critical habitat may be designated "off limits," and access to brood stocks may, in some areas, be subject to special controls or prohibitions. The same could be true of pesticide use. There may also be changes required to methods of predator control and waste disposal.

For example, the harbour porpoise—identified as a species of special concern—may be affected by audio-based predator control systems in certain areas. It is conceivable that, in future, restrictions may be put in place to protect this marine mammal. As recovery strategies are completed and critical habitats identified over time for species at risk, additional restrictions may be put in place to protect other species potentially affected by aquaculture operations, such as the Inner Bay of Fundy salmon and the Northern abalone.

While SARA has many *possible* implications for the aquaculture industry, it is important to appreciate that it is not yet clear what specific measures will be required. What is clear, however, is that any measures developed by DFO will be in collaboration with the affected sectors.

How do species get on the list?

Species are designated 'at risk' by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), an independent body of experts that assesses wildlife according to a broad range of scientific data. The federal Cabinet then decides whether those species should be listed under the *Species at Risk Act*. This decision is made after consultations with affected stakeholders and other groups.

Key steps in the process:

1. COSEWIC assesses and designates a species
2. DFO consults with stakeholders and the Minister of the Environment provides advice to Cabinet
3. Cabinet determines whether to list species under SARA
4. DFO updates fisheries management plans to comply with SARA

5. DFO develops recovery strategies with industry and provincial and territorial governments
6. DFO develops compliance program

Key features of the Act for the aquaculture industry

The *Species at Risk Act* became law in June 2003. Enforcement begins in June 2004—meaning it will then be illegal to harm or kill species listed under SARA, or to destroy their critical habitats. For certain, aquaculturists need to know what they should do to comply with the Act. DFO will make it a priority to communicate those requirements before the enforcement period begins.

In rare cases, the restriction against harming or killing species at risk may be modified. For example, the Minister of Fisheries and Oceans can issue permits under SARA that allow for activities affecting a listed species, so long as the degree of impact does not jeopardize the survival or recovery of the species. These permits will be granted only after DFO conducts a scientific assessment to fully understand the impact of these activities on listed species at risk.

Because many of the recovery strategies for species listed under the Act won't be finalized until 2006, aquaculturists will in the meantime receive ongoing guidance through consultations.

A tool for the industry

Whenever an aquatic species is considered for listing under SARA, DFO will always consider the potential impact on aquaculture. At DFO, we recognize that Canada's aquaculture industry has faced many challenges establishing itself—and we want to help it grow in an environmentally sustainable manner. We are involved in the site-approval and site-planning processes, and will always seek to meet the requirements of SARA in the context of supporting the needs of aquaculture practitioners and other users. We would like to point out, as well, that the scientific data produced through SARA studies may prove to be a valuable asset to the industry in helping it develop long-term, integrated management plans. This information is available as a resource to be used by those who know the industry best.

For more information

To find out more about SARA, please visit:

- www.dfo-mpo.gc.ca (click on *Species at Risk* link)
- www.speciesatrisk.gc.ca
- www.SARAreistry.gc.ca

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