

Aquatic Species at Risk



The Species at Risk Act and Critical Habitat for Aquatic Species

For years now, it has been recognized that to prevent wildlife species from becoming extinct, their habitat must be protected. Canada's *Species at Risk Act* (SARA) presents new requirements for identifying *critical* habitat—and new measures for protecting it. Whether you're installing a new culvert, starting a new dredging operation, or developing a hydroelectric power dam, here's what you should know about SARA.

What it's all about

The *Species at Risk Act* (SARA) 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, Fisheries and Oceans Canada (DFO) must produce recovery strategies and action plans for aquatic species listed as endangered or threatened. Recovery strategies for fish and marine species currently listed under SARA will be developed in collaboration with stakeholders, and must be completed as soon as 2006.

These strategies and plans will identify any habitat considered critical to the survival or recovery of a species, and will outline protective steps to be taken: from education and stewardship initiatives to modifying or restricting development activities, enhancing habitat or undertaking further scientific research to better understand species and their habitat. Protective measures will be developed by DFO in collaboration with affected stakeholders.



What is critical habitat?

To put it simply, critical habitat is vital to the survival or recovery of wildlife species. It may be an identified breeding site, nursery area or feeding ground. For species at risk, such habitats are of the utmost importance, and must be identified, where possible, and included in recovery strategies or action plans.

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.

Once the decision is made to list a species, SARA requires recovery strategies and action plans to be developed. These strategies must identify threats to critical habitat and outline approaches to addressing those threats.

The process remains the same

While SARA makes it illegal to destroy the critical habitat of species at risk and may impose new restrictions on development and construction,

it doesn't change the process by which projects are reviewed. Any works—from marinas to bridges—must be reviewed by local, provincial or federal authorities (or some combination of the three) and authorized through formal approvals, permits and the like. The process of submitting projects for approval is unchanged by SARA.

SARA and related legislation

SARA is not the only consideration affecting the review of proposals for projects on or near water. These proposals are often reviewed under the *Fisheries Act*, the *Navigable Waters Protection Act* and, in some cases, assessed under the *Canadian Environmental Assessment Act* (CEAA). These reviews and assessments will now consider the presence of species and habitats protected under SARA.

The vision of DFO is to marry the considerations of SARA seamlessly with those of other legislation such as the CEAA, the *Fisheries Act* and the *Navigable Waters Protection Act*, all of which include relevant protections of their own. For example, under the *Fisheries Act* it is already unlawful to harmfully alter, disrupt or destroy fish habitat without authorization to do so from the Minister of Fisheries and Oceans.

What can you do?

It is your responsibility to make sure that any projects you undertake comply with SARA. The Government of Canada will communicate those responsibilities to stakeholder groups, conservation associations, and provincial and municipal environmental authorities across the country. To find out more about species at risk, please contact your appropriate municipal, provincial and federal government representatives, or view the SARA public registry online at www.SARAreistry.gc.ca.

Apart from making sure you're in compliance with SARA, you can also take active steps to protect the habitat of species at risk. The Habitat Stewardship Program for Species at Risk (HSP) sponsors local stewardship activities. It is managed jointly by Environment Canada, DFO and Parks Canada. For more information, visit the HSP website at: <http://www.cws-scf.ec.gc.ca/hsp-pih>.

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

Or contact DFO at:

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