

## *SARA Backgrounder for Teachers* **Canada's Species at Risk Act**

The goal of the *Species at Risk Act* (SARA) is to provide federal legislation to:

- Prevent endangered or threatened wildlife from becoming extinct in Canada.
- Secure the recovery of extirpated, endangered or threatened species
- Manage special concern species to prevent them from becoming further at risk

The *Species at Risk Act* was built on the results of extensive cross-Canada consultations involving all levels of government, Aboriginal peoples, non-governmental organizations, farmers, ranchers, fishers and representatives of industry. It is a future-oriented law that contains provisions to conserve and protect nature for generations to come.

Canada's Aboriginal peoples played an integral role in the development of the legislation, and their role in the conservation of wildlife is recognized in the Act with the establishment of the National Aboriginal Council on Species at Risk (NACOSAR) to advise the Minister of the Environment of the administration of the Act.

Stewardship is an essential part of the cooperative process entrenched in the Act. It brings together landowners, conservationists, governments and other partners to protect species and habitat. Under the *Species at Risk Act*, stewardship is the first response to protecting the habitats of at-risk species.

### **Highlights of the Species at Risk Act:**

- **The *Species at Risk Act* governs a list of species determined to be “at risk”.** This list of at risk species is known as “Schedule 1.” The law protects these species by legislating that Recovery Strategies and Action Plans be determined for wildlife listed as “threatened”, “extirpated” and “endangered” and that Management Plans be determined for wildlife listed as “of special concern”. Species are put on the list after assessments by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) are considered by the federal government (consideration to be completed within 9 months). Operating at arm's length from governments, COSEWIC has classified species in need of protection since 1978. However, only under the Species at Risk Act, has COSEWIC been given legal status.

For listed species located outside of federal lands, the provinces and territories are given the first opportunity to protect them through their laws. British Columbia is Canada's most biologically diverse province. Species and ecosystems at risk in B.C. number in the hundreds. The BC Ministry of Environment has **red** and **blue** to ensure the survival of species at risk. **Red listed species** include any ecological community, and indigenous species and subspecies that is extirpated, endangered, or threatened in British Columbia. **Blue listed species** include any ecological community, and indigenous species and subspecies considered to be of special concern in British Columbia

- **Recovery Strategies** set out the population goal and objectives and broad approaches to respond to the known threats to the survival of the species, identifies the species' critical habitat, if possible, and sets time lines for the preparation of an action plan or action plans.

- Recovery strategies for endangered species on Schedule 1 prior to June 5<sup>th</sup>, 2003 must be prepared by June 5, 2006.
- Recovery strategies for endangered species, added to the List of Wildlife Species at Risk after June 5, 2003, must be prepared within one year of listing.
- Recovery strategies for threatened or extirpated species on Schedule 1 prior to June 5<sup>th</sup>, 2003 must be prepared by June 5, 2007 (within 4 years).

Recovery strategies for threatened and extirpated species added to the List of Wildlife Species at Risk after June 5, 2003 must be prepared within two years' of listing.

- **Action plans** set out specific ways to put a recovery strategy into effect by identifying:
  - Measures to achieve the population objectives for the species
  - Activities that would destroy the species' critical habitat
  - Ways to preserve unprotected critical habitat, and
  - Methods to monitor the recovery of the species and its long-term viability.

Action plans also evaluate the socio-economic costs of the action plan and the benefits of its implementation. As with recovery strategies, they are developed through consultation and cooperation with people likely to be affected by the action plan. Five years after a plan comes into effect, there must be a report on its implementation, including its ecological and socio-economic impacts.

- **Management Plans** set out measures for the conservation of a species “of special concern” and its habitat

Management plans for species of special concern on Schedule 1 prior to June 5<sup>th</sup>, 2003 must be prepared by June 5, 2008. Management plans for species of special concern, added to the List of Wildlife Species at Risk after June 5, 2003, must be prepared within three years' of listing.

### **SARA Timeline:**

The *Species at Risk Act* (SARA) was passed by Parliament on December 12, 2002. It was determined that it would come into effect in 3 phases.

#### **Phase 1 – March 24, 2003**

The first parts of SARA came into force making changes to other related federal laws: the *Canada Wildlife Act*, the *Migratory Birds Convention Act, 1994*, and the *Wild Animal and Plant Regulation of International and Interprovincial Trade Act*. These amendments came into force on March 24, 2003.

#### **Phase 2 – June 5, 2003**

As of June 5, 2003, two-thirds of the SARA sections came into effect providing emphasis on consultation, stewardship, cooperation and education about the law. The SARA offences would not come into effect until Phase 3.

## Phase 3 – June 1, 2004

Prohibitions under SARA became enforceable. As of this date, it is an offence to:

- Kill, harm, harass, capture or take an individual of a listed endangered, threatened or extirpated species
- Possess, collect, buy, sell or trade an individual of a listed endangered, threatened or extirpated species, or its parts or derivatives
- Damage or destroy the residence of one or more individuals of a listed endangered or threatened species

### Glossary/Definitions:

**Schedule 1:** The official list of species that are classified as extirpated, endangered, threatened, and of special concern. Once a species is listed on Schedule 1, protection and recovery measures are developed and implemented.

**Species:** A species, subspecies, variety or geographically or genetically distinct population of animal, plant or other organism, other than a bacterium or virus, that is wild by nature and is native to Canada or has extended its range into Canada without human intervention and has been present in Canada for at least 50 years

**Species at Risk:** An extirpated, endangered, threatened species, or a species of special concern

**Extinct:** A species no longer occurring anywhere.

**Extirpated:** A species no longer existing in the wild in Canada, but exists elsewhere in the wild. Recovery strategy and action plan required.

**Endangered:** A species facing imminent extirpation or extinction. Recovery strategy and action plan required.

**Threatened:** A species likely to become endangered if nothing is done to reverse the factors leading to extirpation or extinction. Recovery strategy and action plan required.

**Special Concern:** A species that may become threatened or endangered because of a combination of biological characteristics and identified threats. Management plan required.

More information on the Species at Risk Act, the Habitat Stewardship Program for species at risk, and on Canada's Strategy for the Protection of Species at Risk, can be found at: <http://www.sararegistry.gc.ca> and [www.speciesatrisk.gc.ca](http://www.speciesatrisk.gc.ca); or call Environment Canada's Inquiry Centre at: 1-800-668-6767

[http://www.dfo-mpo.gc.ca/species-especes/species/species\\_searchSpecies\\_e.asp](http://www.dfo-mpo.gc.ca/species-especes/species/species_searchSpecies_e.asp) - look up marine species at risk

Sources: [http://www.sararegistry.gc.ca/the\\_act/HTML/Guide\\_e.cfm#listed](http://www.sararegistry.gc.ca/the_act/HTML/Guide_e.cfm#listed) and <http://srmwww.gov.bc.ca/atrisk/red-blue.htm>