Species at Risk Act (SARA) –
Legislation, process, and what it means for Aboriginal peoples

‘Holistic Approaches to Environmental Management’

February 28 & March 1, 2007
Winnipeg, MB

Who we are
Centre for Indigenous Environmental Resources (CIER)

• National First Nation-directed environmental non-profit organization
• Research, technical services and education & training services
• Four inter-related topic areas:
  forests, climate change, water, and sustainability

CIER is acting as a Species at Risk (SAR) Pathfinder for Manitoba and Saskatchewan
SAR Pathfinder - Background

First Nations groups have varying levels of awareness:

• *Species at Risk Act (SARA)* legislation
• SARA process and what it means for First Nations
• Both the need and opportunity for involvement in consultations and stewardship of SAR

First Nations require access to information and increased opportunities for capacity-building and involvement

→ SAR Pathfinder

SARA legislation, process, and what it means for Aboriginal peoples

---

SAR Pathfinder – Goals and Activities

**Goal #1.** Increase First Nations' SAR awareness and knowledge

• SAR info packages, radio ads, articles, presentations
• SAR classroom materials

**Goal #2.** Increase First Nations’ involvement in SARA process (consultations and stewardship)

• Workshops and presentations
• Assist with funding applications
• Technical assistance

SARA legislation, process, and what it means for Aboriginal peoples
Species at Risk Act and Aboriginal peoples

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

Canadian Federal Law that came into full effect in June 2004

SARA Goals

– protect wildlife species (plants and animals) from becoming extinct
– recover wildlife species at risk
– protect critical habitat
SARA Administration

Three Government of Canada departments are responsible for SARA

- Fisheries and Oceans Canada - wildlife at risk living in our oceans, rivers, lakes, and streams
- Parks Canada - wildlife at risk within our national parks, historic sites, and marine conservation areas
- Environment Canada is responsible for all other wildlife at risk

SARA legislation, process, and what it means for Aboriginal peoples

SARA Terms

- **Species**: different types of plants and animals
- **“At Risk”** means that a plant or animal is at risk of disappearing from the wild
- **Critical Habitat**: the habitat that is necessary for the survival or recovery of a wildlife species
- **Recovery**: the restoration of a species to a viable, self-sustaining population level
- **COSEWIC** – Committee on the Status of Endangered Wildlife in Canada; assess the status of species to determine if at risk
Aboriginal Involvement in SARA

National Aboriginal Council on Species at Risk (NACOSAR)
Provides advice on the administration of SARA as it relates to Aboriginal peoples (Byron Lewis, 819-934-6922)

Aboriginal Traditional Knowledge (ATK) Subcommittee
Provides input to COSEWIC assessments

Consultations
Listing and Recovery Processes

Stewardship
Recovery of species at risk

SARA legislation, process, and what it means for Aboriginal peoples

SARA Process
Government of Canada

1. Assessment
2. Response
3. Listing
4. Protection
5. Recovery

COSEWIC
ATK SC
Consultation
Consultation
1. ASSESSMENT

COSEWIC (Committee on the Status of Endangered Wildlife in Canada)

- Committee of scientists that assesses and determines the status of species that are at risk of disappearing from the wild

- Based on western science and Aboriginal Traditional Knowledge (ATK) to assess the risk and determine the SAR category

Species at Risk Categories

**Extinct**: Already has disappeared from the wild

**Extirpated**: Has disappeared from the wild in Canada (but may live elsewhere)

**Endangered**: Will become extinct or extirpated if threats continue

**Threatened**: Will become endangered if threats continue

**Special Concern**: Sensitive to human activities or natural events

**Not at risk**: Species is not at risk of disappearing from the wild
1. ASSESSMENT cont’d.

Aboriginal Traditional Knowledge (ATK)
Subcommittee to COSEWIC

- 2 co-chairs plus 10 members from across Canada
- Provides input based on ATK
- Responsible for ensuring that ATK is incorporated into assessment process
- Improves the process and quality
- Brings information and perspectives that are not available in published scientific literature

2. RESPONSE

Government of Canada

Reviews the COSEWIC Status Reports and responds by determining if a species will go through the listing process
3. LISTING

Government of Canada

Makes a decision whether to add a species to the list of species protected by SARA.

Decision is based on:
– Information in the COSEWIC status report
– Feedback provided during consultations

3. LISTING cont’d.

Consultations

• SARA requires that Aboriginal groups and other Canadians are consulted before a species is listed under SARA

Goal – Determine potential benefits and/or adverse impacts to activities of Aboriginal peoples

• Comments received during this consultation process will be considered in the decision
4. PROTECTION

Goals of Protection

Similar to the care-taking role of many Aboriginal people with the environment, the ultimate role of SARA is to protect species and the habitat necessary for their long-term survival and use by future generations.

4. PROTECTION cont’d.

Threatened and Endangered wildlife species on the SARA legal list are protected.

This means it is illegal to:

– Kill, harm, harass, or capture species
– Collect, buy, sell or trade a listed species, or any of its parts
– Damage or destroy its residence or its critical habitat
5. RECOVERY

Goals

• Reduce threats to species and critical habitat

• Improve status of species

5. RECOVERY cont’d.

Recovery Strategies

1 yr endangered species, 2 yrs threatened / extirpated species

Developed by a Recovery Team of technical experts

– Scientists, conservation groups, etc.

– Aboriginal groups are sometimes part of the team

Include

– Short-term objectives and long-term goals

– Identify threats to the species and critical habitat

– Identify critical habitat where possible (i.e. habitat needed for all aspects of a species life)

– Describe when action plans will be developed
5. RECOVERY cont’d.

Action Plans

– Identify critical habitat and means for protection
– Describe how recovery strategies will be implemented
– Outline steps for removing or minimizing threats and for recovering populations to a viable size
  e.g. research, monitoring, stewardship
– Evaluate the socio-economic costs and benefits of the action plan

5. RECOVERY cont’d.

Common threats to species and habitats:

• Loss of habitat (expansion of agricultural and urban areas)
• Pollution (from cities, industry, and agriculture)
• Water taking (for agriculture or cities)
• Invasive species (introduced from elsewhere)
• Climate change (warmer temperatures, extreme weather events such as droughts and thunderstorms)

Recovery steps might include:

Improving habitat, acquiring suitable habitat, monitoring populations, changing/setting guidelines, research activities, increasing public awareness
5. RECOVERY cont’d.

Consultations

• Draft recovery strategies/action plans developed with input from scientists, Aboriginal people and stakeholders

Goal – to determine potential benefits and/or adverse impacts of recovery efforts on activities of Aboriginal peoples

• Comments received during the consultation process will be considered in the finalization and implementation of recovery strategies and action plans

Implementation

– Once plans take effect, the responsible agency must implement the plans

– Assess implementation and progress after five years
5. RECOVERY cont’d.

Aboriginal Involvement in Stewardship

• Aboriginal groups can get involved with recovering species at risk on their lands

Involvement – examples

• Monitoring populations of species at risk on Aboriginal lands
  • numbers, age, size, activities, location
• Gathering Aboriginal Traditional Knowledge
• Habitat assessment and improvement actions
• Stocking, re-introductions, etc.

SARA legislation, process, and what it means for Aboriginal peoples

SARA Listing, Protection, and Recovery – Potential benefits

May alter activities (e.g. forestry, mining, commercial fishing, industrial development) of non-Aboriginal groups whose activities may adversely be impacting Aboriginal peoples

By limiting activities of others, species that are used by Aboriginal peoples for food, social, ceremonial, and commercial purposes are more likely to be around in the future

Ultimate aim – to preserve the species for the long-term

SARA legislation, process, and what it means for Aboriginal peoples
Concerns have been raised that SARA may change access to resource areas, restrict the type of species that can be harvested, and alter methods for doing so. Although it may only be for the short-term, restrictions could affect activities such as hunting, gathering, and fishing. Could also result in changes to economic land-use practices (e.g. agriculture, forestry, mining, or commercial fishing) on reserve lands and restrict development in areas considered to be critical habitat for a species at risk.

Due to potential benefits and/or adverse impacts to Aboriginal peoples, it is important to get involved! Consultation process – SARA listing and recovery

- Review documents, respond to letters/phone calls from gov’t
- Check out www.sararegistry.gc.ca regularly to see which species are being consulted upon (‘Public Consultations’)

Stewardship activities – get involved in protecting/recovering species at risk on your lands (i.e. define your role)
Funding Opportunities for Species at Risk

SARA legislation, process, and what it means for Aboriginal peoples

Aboriginal Involvement in Recovery

Stewardship Opportunities

• Aboriginal groups can get involved with protection and recovery of species at risk on their lands

To do so, some first steps include:

• Learn more about SARA and its process
• Identify which SARA species are found in and around communities
• Identify potential actions for recovering and protecting species in and around communities
• Applying for funds to support community action

SARA legislation, process, and what it means for Aboriginal peoples
Government Funding Programs:

- Aboriginal Critical Habitat Fund (ACHF)
- Habitat Stewardship Program (HSP)
- Aboriginal Inland Habitat Program (AIHP)
- Interdepartmental Recovery Fund (IRF)
- EcoAction Community Funding Program
- Endangered Species Recovery Fund (ESRF)

Other Organizations

SARA legislation, process, and what it means for Aboriginal peoples

Funding programs provide access to resources:

- Funds to pay for personnel working on projects, equipment purchase/rental, external technical support, etc.
Government Programs

Aboriginal Critical Habitat Fund (ACHF)

**Agencies Responsible:** Environment Canada, Fisheries and Oceans Canada, Parks Canada

**Purpose:** To protect and recover critical habitats of endangered and threatened species on Aboriginal lands in Canada.

SARA legislation, process, and what it means for Aboriginal peoples

---

**ACHF cont’d.**

**Eligibility?** Aboriginal organizations (First Nations, Métis Settlements, Aboriginal associations / partners) actively involved in the management of eligible lands:

- Lands set apart for the use and benefit of Aboriginal people under the Indian Act or under section 91 (24) of the Constitution Act of 1867;
- Other lands directly controlled by Aboriginal people (e.g. Métis Settlement lands, and land claim/treaty settlement lands); and
- Lands where traditional activities (harvesting or other) are carried out.

SARA legislation, process, and what it means for Aboriginal peoples
Government Programs

ACHF cont’d.

Capacity Building
e.g. mapping to plan for future SAR protection/recovery

Habitat Protection
Habitat surveys –
e.g. Least Bittern surveys
e.g. collecting Indigenous Knowledge about Woodland Caribou habitat

Funding Available:
Variable

Mapping at Piapot First Nation

SARA legislation, process, and what it means for Aboriginal peoples

Special Requirements :

• Other funding sources – 10% of project cost from other Federal sources & in-kind/cash contributions of applicant

• Support letter from sponsoring organization / community

• Willing to have the results of the project shared (Not applicable to projects relating to TEK)

Call for Proposals - mid-November; due – mid-January

Contact Regional Coordinator at (780) 951-8700 to apply

SARA legislation, process, and what it means for Aboriginal peoples
Government Programs

Habitat Stewardship Program (HSP)

Agencies Responsible: Environment Canada, Fisheries and Oceans Canada, Parks Canada

Purpose: Protect habitat and contribute to the recovery of Endangered, Threatened, or Special Concern species (designated by COSEWIC).

Government Programs

HSP cont’d.

Project Types: Activities that protect or conserve habitats for species at risk (e.g. habitat improvement and protection, outreach, monitoring, and impact mitigation).

Example: Habitat Stewardship in Saskatchewan:

- Habitat enhancement for Burrowing Owls on the Regina Plains by the Piapot First Nation

- Assessment of Lake sturgeon spawning activity in the Torch River relative to water-flow regimes - Saskatchewan Watershed Authority
Government Programs

HSP cont’d.

Who is Eligible?  Aboriginal groups (communities and organizations), NGOs and corporations, and non-federal government departments.

Funding Available:  Varies based on project (Since 2000, $45 million allocated over 5 years).

Special Requirements:  Matching resources (funds / in-kind) from non-federal government sources.

Application Info:  Due mid-November of each year

Contact:  MB region at (204) 983-5264; AB/SK region at (780) 951-8700

Aboriginal Inland Habitat Program (AIHP)

Agency Responsible:  Fisheries and Oceans Canada

Purpose:  To assist Aboriginal organizations to develop their capacity to carry out activities for the conservation, protection and enhancement of fish habitat in Alberta, Saskatchewan, Manitoba, Ontario and Québec.

SARA legislation, process, and what it means for Aboriginal peoples
Government Programs

AIHP cont’d.

Types of Projects:
• Build administrative capacity and scientific/technical expertise
• Encourage collaborative management of fish habitats
• Improve information-sharing between Aboriginal communities, DFO and other stakeholders

Funding Available: Varies

Total budget of $8 million [for both the Aboriginal Aquatic Resource and Oceans Management Program (AAROM) and the AIHP] for the first year of full operation in the 2004 fiscal year.

Contact: Regional Office for more information: (204) 983-5000

SARA legislation, process, and what it means for Aboriginal peoples

Government Programs

Interdepartmental Recovery Fund (IRF)

Agencies Responsible: Environment Canada, Fisheries and Oceans Canada, Parks Canada

Purpose: Recovery for Extirpated, Endangered, or Threatened species (designated by COSEWIC) on federal lands / jurisdictions.

Special Requirements: Only federal organizations (government departments and crown corporations) can apply for IRF funds. HOWEVER, can be done in partnership with Aboriginal organizations.

SARA legislation, process, and what it means for Aboriginal peoples
## Government Programs

### IRF cont’d.

**Project Types:** Recovery activities set out in recovery strategies or action plans are given priority.

- population and habitat surveys
- studies on biology/ecology
- defining/locating/enhancing critical habitat
- developing management guidelines
- developing recovery tools/techniques

- **e.g. Caribou Habitat Study**
  Collecting caribou habitat data to develop models that will allow park managers to identify and map critical Woodland Caribou habitat
  **Parks Canada Agency**

- **e.g. BioInventory Training Program in Atlantic Canada**
  Training program for First Nations individuals to undertake wildlife inventories on their lands
  **Env. Canada CDC**

### Eligible Government Departments*

- Agriculture and Agri-Food Canada
- Indian Affairs and Northern Development
- Environment Canada
- Fisheries and Oceans Canada
- National Defence
- Natural Resources Canada
- Parks Canada Agency
- Public Works and Government Services Canada

* Only government departments can apply, but it can be done in partnership with Aboriginal groups

**Call for Proposals**
- **September**
- **Due** – mid-December
- Contact Gov’t dept. well in advance of call for proposals
**Government Programs**

**EcoAction Community Funding Program**

**Agency Responsible:** Environment Canada

**Purpose:** Financial support to community groups for projects with measurable, positive impacts on the environment.

**Project Types:** Protection, rehabilitation, or enhancement, and building capacity to sustain activities

*Focus on community involvement*

  e.g. planting native trees to restore wildlife habitat area, classroom education and community action to clean up degraded habitats.

---

**Who is Eligible?** Non-profit groups including Aboriginal communities and First Nations councils.

**Funds Available:** Maximum of $100,000

**Special Requirements:** 50% of total value of the project from sources other than federal government.

**Applications due:** February 1st and October 1st of each year

**Application Available** on-line at [www.ec.gc.ca/ecoaction](http://www.ec.gc.ca/ecoaction) OR contact EcoAction office for Prairie and Northern region at 1 (800) 567-1570
Government Programs

Endangered Species Recovery Fund (ESRF)

Agencies Responsible: World Wildlife Fund (WWF) and Environment Canada

Purpose: High priority research and education to conserve Endangered Canadian wildlife and their natural habitats.

- Species designated by COSEWIC as extirpated, endangered, threatened or special concern, or species on COSEWIC’s candidate list.
- Species listed by provinces or territories

Project Types:

- Contributions to Recovery Strategies
e.g. collecting data about threats to species
  e.g. identification of critical habitat

- Action-oriented projects for species recovery e.g. increasing awareness of SAR
  e.g. re-introducing extirpated species

Example: Rare Plant Rescue (RPR) program, run by Nature Saskatchewan, was funded (2005) by ESRF to co-operate with landowners to conserve endangered and threatened plant species (including small white lady’s slipper and hairy prairie clover).
Government Programs

ESRF cont’d.

Who is Eligible? Aboriginal groups (Tribal councils, communities, organizations) alone or in partnership with registered NGOs (e.g. university or research institute)

Funding Available: Maximum is $25,000 - one year only.

Special Requirements: ESRF may contribute up to 50 % of total value; must be matched with cash or in-kind contributions (e.g. equipment loans, donations of materials and volunteer labour).

Applications due: beginning of December


SARA legislation, process, and what it means for Aboriginal peoples

Other Possible Funds/Partners

National Organizations
- Canadian Wildlife Federation www.cwf-fcf.org
- Nature Conservancy of Canada www.natureconservancy.ca
- Nature Canada www.cnf.ca
- World Wildlife Fund www.wwf.ca

Provincial Organizations
- Manitoba Habitat Heritage Corporation www.mhhc.mb.ca
- Nature Saskatchewan www.naturesask.ca
- Saskatchewan Watershed Authority www.swa.ca

SARA legislation, process, and what it means for Aboriginal peoples
All funds - to consider before applying

**Application**

- Needs to meet **specific requirements**:
  - type of project
  - type of species
  - who is involved

- May require **in-kind contribution** (funds or volunteer time) or funding from sources other than government

- Applications usually need to be submitted by a certain **deadline – dates may change** - contact regional representative to find out.

---

All funds - to consider before applying

**To Complete the Project**

- If the project will impact a SAR – will need to obtain the **appropriate permits** (Federal and/or Provincial).

- **Keep track of all expenditures** related to the project (will require financial reporting – interim and final)

- **Submit technical reports** that describe project activities on schedule: Interim (3-4 months) and Final reports

---

**Common goal of Government/industry funders and Aboriginal communities:**

*Recovering species at risk for future generations*
Importance of Aboriginal Involvement

“We as Aboriginal people know the challenges in our communities as well as have the knowledge to deal with these challenges – specifically knowing how to protect species and to ensure the continuation of certain species in our traditional territories.

It must be up to us to rise up to the challenge posed by SARA and remember the words of our Elders, ‘look after the animals and they will look after you’ ”

Beverly Jacobs, NACOSAR Chairperson
Kelowna, March 2006

Species at Risk Information Sources

Which species are at risk? Which species are undergoing consultations?

www.sararegistry.gc.ca

- provides most current information for species protected under SARA
- indicates which species are undergoing consultations
Species at Risk Information Sources

Which species are at risk? Which species are undergoing consultations?

www.sararegistry.gc.ca
- provides most current information for species protected under SARA
- indicates which species are undergoing consultations

www.speciesatrisk.gc.ca
- lists and describes species designated by COSEWIC as ‘at risk’ in your geographic area
- some of these species are not protected under SARA, but may be in the future

SARA legislation, process, and what it means for Aboriginal peoples
Species at Risk Information Sources

Which species are at risk? Which species are undergoing consultations?

www.sararegistry.gc.ca
- provides most current information for species protected under SARA
- indicates which species are undergoing consultations

www.speciesatrisk.gc.ca
- lists and describes species designated by COSEWIC as ‘at risk’ in your geographic area
- some of these species are not protected under SARA, but may be in the future

www.cosewic.gc.ca
- find out which species may be assessed in the future

SARA legislation, process, and what it means for Aboriginal peoples
Species at Risk Information Sources cont’d.

SAR Information Package

Species At Risk Fact Sheet

Guidebook to SAR in the Prairies

SARA legislation, process, and what it means for Aboriginal peoples
Thank You

For more information please contact:
3rd Floor – 245 McDermot
Winnipeg, Manitoba
R3B 0S6
Phone: 204-956-0660
Fax: 204-956-1895

BUFFALO GRASS, LADYKA, C.

SARA legislation, process, and what it means for Aboriginal peoples