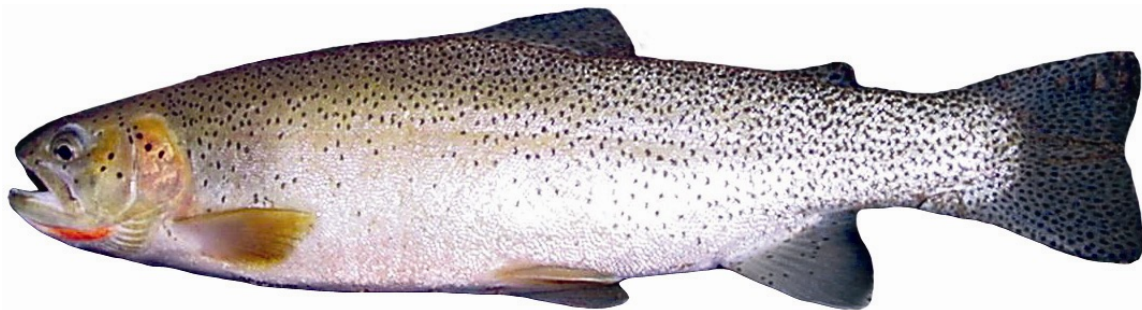


CONSULTATION WORKBOOK

on the addition of the Westslope
Cutthroat Trout (Alberta populations)
to the SARA List:



December 2007

Please send your comments on this consultation to one of the following Fisheries & Oceans Canada (DFO) offices:

Central and Arctic Region
SARA Coordinator
Freshwater Institute
Fisheries & Oceans Canada
501 University Avenue
Winnipeg, Manitoba
R3T 2N6
Email: fwisar@dfo-mpo.gc.ca
Fax: 204-983-5192

To request additional copies of the workbook, please call 1-866-538-1609.

For more information on the Species at Risk Act, please visit the Public Registry at <http://www.sararegistry.gc.ca>

For more information on species at risk, please visit the Fisheries & Oceans Canada aquatic Species at Risk website:
<http://www.aquaticspeciesatrisk.gc.ca>

or

Environment Canada's Species at Risk website:
www.speciesatrisk.gc.ca

Information on species at risk is also available on the website of the Committee on the Status of Endangered Wildlife in Canada (COSEWIC):
www.cosewic.gc.ca

Credit:
Westslope Cutthroat Trout – K. Stewart (University of Manitoba)

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PART 1: ADDING A SPECIES OR POPULATION TO THE SARA LIST

INTRODUCTION

The *Species at Risk Act* (SARA) was proclaimed on June 5, 2003, by the Government of Canada. SARA provides a framework for actions across Canada to promote the survival of wildlife species and the protection of our natural heritage. It sets out how to decide which species are a priority for action and what to do to protect a species. It identifies ways governments, organizations and individuals can work together, and it establishes penalties for failures to obey the law.

Two federal Ministers are responsible for the administration of SARA. The Minister of Fisheries and Oceans is the competent Minister for aquatic species. The Minister of the Environment is the competent Minister for all other species at risk, including those found in national parks, national historic sites and other protected heritage areas. The Minister of the Environment is also responsible for the overall administration of the Act.

The Act protects the plants and animals included on a list within SARA (Schedule 1). Schedule 1 is also referred to as the List of Wildlife Species at Risk and will be referred to as the SARA List in the rest of this workbook. Candidate species are proposed for addition to the SARA List as a result of the work of the scientists and conservationists who are members of the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). They conduct scientific assessments of the status of species. Community and Aboriginal traditional knowledge are also included in species assessments when available. The Government then decides which species are added to the SARA List as such action could have economic or social implications.

233 species were included on the SARA List of the Act when Parliament passed SARA in December 2002. COSEWIC had already assessed these species as “at risk” using new updated assessment criteria and current information. When the Act came into force in June 2003, these species were on the initial SARA List.

Since then, COSEWIC has identified more species that are at risk. The Minister of Environment is now considering recommending those species for addition to the SARA List. As part of that process, the Minister of Fisheries and Oceans is currently carrying out public consultations on the Westslope Cutthroat Trout (Alberta populations). It was assessed as Threatened. The purpose of this consultation workbook is to invite Canadians to let us know whether the Westslope Cutthroat Trout (Alberta populations) should be added to the SARA List.

BACKGROUND

The Species at Risk Act

The *Species at Risk Act* strengthens the Government of Canada’s ability to protect Canadian plants and animals in danger of becoming extinct. This protection applies only to species which are included on the SARA List. Adding a species to the SARA List

requires a two-step process. The first step is identifying a species at risk and the second step is the listing of that species.

Identifying a species at risk

COSEWIC is an independent group whose mandate is to assess the status of plants and animals in Canada and identify those at risk. The committee is made up of biologists, ecologists, geneticists and individuals with Aboriginal traditional knowledge who are experts on wildlife species at risk. Members come from many areas, including government, universities, Aboriginal organizations and non-government agencies.

COSEWIC assesses the biological status of a species using the best available information on the biological status of the species. It reviews research, considers community and Aboriginal traditional knowledge, and applies strict assessment criteria. COSEWIC meets once a year to assess the biological status of species. Species that COSEWIC considers to be “at risk” are designated to one of the following categories:

Extinct – A wildlife species that no longer exists.

Extirpated – A wildlife species that is no longer found in the wild in Canada but may be found elsewhere.

Endangered – A wildlife species facing imminent extirpation or extinction.

Threatened – A wildlife species likely to become Endangered if nothing is done to reverse the factors threatening it.

Special Concern – A wildlife species that may become a Threatened or Endangered species because of a combination of biological characteristics and identified threats.

Listing a species at risk

The process of listing a species begins when COSEWIC submits its assessment to the Minister of the Environment. Upon receiving the assessment the Minister has 90 days to issue a Response Statement on how he or she intends to respond to the assessment and, to the extent possible, provide time lines for action. The Minister then forwards the species assessment to Governor in Council (GiC)¹. Nine months after receiving the COSEWIC assessment the GiC, on the recommendations of the Minister of the Environment, can decide to...

- a) Accept the COSEWIC assessment and add the species to the SARA List;
- b) Not add the species to the SARA List; or,
- c) Refer the matter back to COSEWIC for further information or consideration.

¹ Governor in Council is the Governor General of Canada acting on the advice of the Queen's Privy Council of Canada (i.e. Cabinet).

GIC has nine months after receiving the COSEWIC assessment to decide whether the species should be added to the SARA List. If a decision has not been made within that time period, the Minister of the Environment will add the species to the SARA List.

What does it mean when a species or population is added to the SARA List?

The amount of protection the SARA provides depends on the assessed category. It is an offence to kill, harm, harass, possess, collect, buy, sell or trade an individual of an Extirpated, Endangered and Threatened species. It is also illegal under the Act to damage or destroy the residences of Endangered and Threatened species, or for Extirpated species if a recovery strategy has recommended the introduction of the species into the wild in Canada.

SARA protects all listed birds covered under the *Migratory Birds Convention Act*, 1994, all listed aquatic species and all listed species on federal lands. The provinces and territories are responsible for making sure that all listed Extirpated, Endangered and Threatened species that are located outside federal lands receive adequate protection. However, if that protection is not given, the federal government can intervene, using “safety-net” provisions of SARA, but only after consulting with the province or territory concerned and carrying out public consultations.

The ministers of the Environment and of Fisheries and Oceans can, under special circumstances, make exceptions to SARA. For example, they can issue a permit that would allow a qualified scientist to carry out a research project that benefits a listed species or is required to enhance its chances of survival in the wild. Exceptions can only be made if all reasonable alternatives have been considered and if the Minister can be assured that the survival or recovery of the species will not be jeopardized.

Recovery strategies and action plans for Extirpated, Endangered and Threatened species

If a wildlife species is added to the SARA List as an Extirpated, Endangered or Threatened species, the competent Minister must prepare a strategy for its recovery. Recovery Strategies must be completed and made available on the SARA Public Registry, for public review, within one year for newly listed Endangered species and within two years for Threatened and Extirpated species. The Recovery Strategy addresses known threats to the species, identifies critical habitat to the extent possible and gaps in knowledge. It also sets a recovery goal. The Recovery Strategy is followed up with one or more Action Plans that identify ways to reduce threats to the species and protect its critical habitat, as well as other measures to be taken to implement the Recovery Strategy.

The Recovery Strategy and Actions Plans are prepared in cooperation and consultation with Wildlife Management Boards, Aboriginal communities that are directly affected by the Recovery Strategy, and jurisdictions such as provincial or territorial governments who are responsible for the management of the species. Landowners and others who are directly affected will also be consulted. Upon completion, the recovery strategy is posted on the SARA Public Registry and the public has 60 days to inform the Minister of their views.

Management plans for Species of Special Concern

If a wildlife species is listed as a species of Special Concern, the responsible Minister must prepare a Management Plan. It must be posted on the SARA Public Registry within three years of the species being added to the SARA List. The Management Plan identifies conservation measures aimed at protecting the species and its habitat. A Management Plan is prepared in cooperation with groups directly affected by the plans, including Wildlife Management Boards and Aboriginal organizations. To the extent possible, landowners, land users and others who may be directly affected by the plans will also be consulted. Upon completion, the Management Plan is posted on the SARA Public Registry and the public has 60 days to inform the Minister of their views.

PUBLIC CONSULTATION

Why are we having these consultations?

Before the Minister of the Environment makes a recommendation to GIC about whether to add a species to the SARA List, he or she will consider the balance between the social and economic benefits and costs associated with adding the species to the SARA List and the potential consequences for the species and Canadians of not adding it. The Government will meet with wildlife management boards, Aboriginal groups or organizations and other members of the public who have either a direct interest in the species under consideration or wish to comment on the issue. This includes – but is not limited to – landowners, land users, non-government environmental organizations, industries and industry groups. This consultation workbook is another way in which you can let us know what you think.

Comments received from Canadians will be carefully reviewed, evaluated and documented in a Regulatory Impact Analysis Statement (RIAS). The RIAS is an important part of the federal government's regulatory process. In addition, a draft Order (an instrument that serves notice of a decision taken by the executive arm of government) proposing to add the species to the SARA List is prepared. This draft Order along with the RIAS will be published in the Canada Gazette Part I for a period of time to allow Canadians another opportunity to comment. The Minister of the Environment will take into consideration all received comments before recommending to the GIC whether to add the species to the SARA List or not. The GIC's decision will be published in the Canada Gazette Part II and made available on the SARA Public Registry.

Invitation to submit comments

Consultations concerning adding species to the SARA List are part of the Government's commitment to encourage public participation in programs designed to protect Canadian plants and animals and their habitat. The Westslope Cutthroat Trout (Alberta populations) has been recently assessed and designated by COSEWIC and is being considered for addition to the SARA List. We welcome your comments about whether the Westslope Cutthroat Trout (Alberta populations) should be added to the SARA List.

A questionnaire has been provided near the end of this workbook. Please fill it out and mail or fax your answers to one of the following DFO offices:

Central and Arctic Region
SARA Coordinator
Freshwater Institute
Fisheries & Oceans Canada
501 University Avenue
Winnipeg, Manitoba
R3T 2N6
Email: fwisar@dfo-mpo.gc.ca
Fax: 204-983-5192
Toll-free: 1-866-538-1609

The deadline for submission of comments is **April 25, 2008**.

SARA PUBLIC REGISTRY

The SARA Public Registry, available on the Internet, is a complete source of information on topics covered by the Act and offers access to public records concerning the administration of SARA. It is a key instrument that allows the government to respect its commitment to support public contribution in the environmental decision-making process. The Public Registry can be found at the following address:

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

PART 2: INFORMATION ABOUT THE SPECIES

Westslope Cutthroat Trout (Alberta populations)

Status: Threatened

Last examined by COSEWIC: Nov 2006

Biology

The Westslope Cutthroat Trout is a relatively small fish with small, irregularly shaped dark spots, which form an arc from the anal fin to the pectoral fin. Body colouration ranges from silver to yellowish-green with red on the front and sides of the head. One of the most conspicuous characteristics of this species is the presence of orange-red slashes beneath the jaw helping to distinguish it from the closely related rainbow trout. Stream resident cutthroat trout seldom exceed a length of 250 – 300 mm whereas those that occur in lakes can reach sizes greater than 300 mm and exceed weights of 900 to 1400 g.

The Westslope Cutthroat Trout prefers cold, clean moving water with various forms of cover such as undercut banks, pool-riffle habitat and river bank vegetation. Spawning generally occurs between May and July once water temperatures reach approximately 5 – 6.5°C. Spawning occurs in small natal streams over reeds constructed on a substrate of fine gravel. Incubation generally occurs in six or seven weeks with newly emerged fry seeking out slower water habitats along the stream margins. Diet consists mainly of terrestrial and aquatic insects and small fish.

Where are they found?

They are found in southwestern Alberta, limited to the Bow and Oldman drainages of the South Saskatchewan River and possibly the headwaters of the Milk River.

How many fish are there?

Little quantitative information exists on the population trends of this species. While some populations are likely stable, all available information suggests that many populations are lower relative to historic levels and numerous local extinctions have occurred.

Threats to the population

They include habitat loss, over-harvesting and introduction of non-native species. Habitat degradation and loss due to timber extraction, mining and hydroelectric developments have been directly responsible for loss of habitat and decline of several populations. Stocking of non-native species may lead to displacement, replacement and/or hybridization of native Westslope Cutthroat Trout populations.

COSEWIC Reason for Designation:

Native populations have been reduced by almost 80% through over-exploitation, habitat degradation, and hybridization/competition with introduced, non-native trout. Remaining, genetically pure, individuals persist as mainly severely fragmented, remnant headwater populations. It should be noted that this assessment includes only genetically pure, native populations of the species occurring within their historical range. Any populations

known either to be hybridized significantly (i.e. >1%) with other trout species, or to have been introduced into a system previously free of native populations, were not assessed.

What will happen if this fish is added to the SARA List?

A recovery strategy must be completed within two years of the Westslope Cutthroat Trout (Alberta populations) being added to the SARA List.

PART 3: LET US KNOW WHAT YOU THINK

By answering the following questions you will help the federal government understand the benefits and impacts of adding the Westslope Cutthroat Trout (Alberta populations) - to the SARA List.

Please fill out the questionnaire that follows and send us your answers by mail or fax to one of the following DFO offices:

Central and Arctic Region
SARA Coordinator
Freshwater Institute
Fisheries & Oceans Canada
501 University Avenue
Winnipeg, Manitoba
R3T 2N6
Email: fwisar@dfo-mpo.gc.ca
Fax: 204-983-5192
Toll-free: 1-866-538-1609

The deadline for receiving comments is **April 25, 2008**.

For questions or comments concerning the *Species at Risk Act* or concerning this consultation process, please write to us at the address given above or call us at (204) 984-0599.

THANK YOU

Westslope Cutthroat Trout (Alberta populations) Questionnaire

Species of interest: Westslope Cutthroat Trout (Alberta populations)

Your name (optional):

Your Organization/Community/First Nation affiliation (Optional):

1a) Are you in favour of the Government of Canada adding the Westslope Cutthroat Trout (Alberta populations) to the SARA List?

☐ Yes ☐ No ☐ Undecided

b) If 'Yes' or 'No', please let us know why

c) If 'Undecided', please tell us why

2. Why is listing or not listing Westslope Cutthroat Trout (Alberta populations) important to you?

Please choose an option that best reflects your level of agreement or disagreement with the following statements.

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I have no opinion
Has social and/or cultural significance (e.g. traditional purposes) to my community						
Is an important part of the Aboriginal or Canadian heritage						
Is or was an important subsistence food source						

Westslope Cutthroat Trout (Alberta populations) Questionnaire

Has economic value (e.g. recreational or commercial fishery)						
Provides job opportunities (e.g. tourism) to the local economy						
Plays an important role in maintaining a healthy freshwater ecosystem						
Will be valuable to future generations						
Many people in Canada value it even though they may never personally see one						
Other (please specify):						

3. Do you have additional reasons why you **support the legal listing** of Westslope Cutthroat Trout (Alberta populations)?

4. If you **do not support legal listing** of Westslope Cutthroat Trout (Alberta populations), please tell us why.

Westslope Cutthroat Trout (Alberta populations) Questionnaire

5. If adding Westslope Cutthroat Trout (Alberta populations) to the SARA List will have a negative effect on you or your activities, please let us know how you could change your activities to reduce the impact?
6. Please add any other comments or concerns (include additional sheets, if necessary) you would like to be considered.

The following questions are optional:

7. Did this consultation workbook help you:
- a) Understand how the listing process under the SARA works?
- ☐ Yes ☐ No ☐ Undecided
- b) Understand the important issues concerning Westslope Cutthroat Trout (Alberta populations)?
- ☐ Yes ☐ No ☐ Undecided
- c) Provide an effective way to communicate your views on the potential listing Westslope Cutthroat Trout (Alberta populations) to DFO?
- ☐ Yes ☐ No ☐ Undecided

Westslope Cutthroat Trout (Alberta populations) Questionnaire

- d) What changes or additions can we make to this workbook to make it more easily understood and user friendly?

8. We would like to get an idea of how well you understand the *Species At Risk Act* (SARA). Please tell us how familiar you are with SARA:

- ☐ Not at all
- ☐ Very little
- ☐ Average
- ☐ Quite well
- ☐ Expert

9. Which sector(s) do you represent? Check all that apply.

- ☐ General public
- ☐ Aboriginal organization
- ☐ Aboriginal community
- ☐ Academic community
- ☐ Agriculture
- ☐ Commercial Fishing/Processing/Sales
- ☐ Environmental organization
- ☐ First Nation
- ☐ Farming
- ☐ Forestry
- ☐ Government (please state level) _____
- ☐ Hydroelectric power generation
- ☐ Industry or manufacturing
- ☐ Oil and gas
- ☐ Private sector – other (please indicate) _____
- ☐ Professional services
- ☐ Stewardship group

PLEASE SUBMIT COMMENTS BY April 25, 2008