

PROPOSED

Species at Risk Act
Policies and Guidelines Series

Species at Risk Act Policies

Approach to the Identification of Critical Habitat under the *Species at Risk Act* when Habitat Loss and Degradation is Not Believed to be a Significant Threat to the Survival or Recovery of the Species.

2016



Government
of Canada

Gouvernement
du Canada

Canada

Recommended citation:

Government of Canada. 2016. Approach to the Identification of Critical Habitat under the *Species at Risk Act* when Habitat Loss and Degradation is Not Believed to be a Significant Threat to the Survival or Recovery of the Species. [Proposed]. *Species at Risk Act: Policies and Guidelines Series*. Government of Canada, Ottawa. 2 pp.

Cat. No.: xx

ISBN: xx

Unless otherwise specified, you may not reproduce materials in this publication, in whole or in part, for the purposes of commercial redistribution without prior written permission from Environment and Climate Change Canada's copyright administrator. To obtain permission to reproduce Government of Canada materials for commercial purposes, apply for Crown Copyright Clearance by contacting:

Environment and Climate Change Canada
Public Inquiries Centre
7th Floor, Fontaine Building
200 Sacré-Coeur Boulevard
Gatineau QC K1A 0H3
Telephone: 819-997-2800
Toll Free: 1-800-668-6767 (in Canada only)
Email: ec.enviroinfo.ec@canada.ca

© Her Majesty the Queen in Right of Canada, represented by the Minister of Environment and Climate Change, 2016

Aussi disponible en français

The Government of Canada considers the following factors when identifying critical habitat in situations where habitat loss and degradation is not believed to be a significant threat to the survival or recovery of the species:

1. The federal *Species at Risk Act* requires an identification of critical habitat to the extent possible, based on the best available information, for all listed extirpated, endangered and threatened species.
2. Critical habitat is the habitat that is necessary for the survival or recovery of a listed wildlife species (endangered, threatened and extirpated), and, as such, constitutes the habitat that if destroyed would prevent survival or recovery of a species. In practice, critical habitat is the habitat required to meet the population and distribution objectives set in the recovery strategy for the species.
3. In carrying out its responsibilities under SARA, the Government of Canada will apply precaution, consistent with the [Framework for the Application of Precaution in Science-based Decision Making about Risk \(Government of Canada, 2003\)](#); and the preamble and section 38 of SARA which state that if there are threats of serious or irreversible damage to a wildlife species, cost-effective measures to prevent the reduction or loss of the species should not be postponed for a lack of full scientific certainty.
4. Even in situations where habitat quantity and quality are not currently limiting species recovery, proactively identifying the habitat required for survival or recovery may prevent the need for reactive measures in the future.
5. In situations where habitat quantity and quality are not currently limiting species recovery, recovery efforts should *focus* on the primary threats to the species (e.g., disease or harvest). However, in these cases there may still be habitat-related recovery measures that are appropriate in the context of recovery for the species. The recovery strategy will explain the context for setting the population and distribution objectives, including habitat related considerations.
6. If it is not possible to identify the habitat necessary for the survival or recovery of the species when the recovery strategy is prepared, a schedule of studies is included in the recovery strategy to identify those studies that are required to complete the identification of critical habitat.
7. Examples of Activities Likely to Destroy Critical Habitat are provided in recovery strategies taking into account the nature and significance of the threats to the species and its habitat. In situations where there is an abundance of habitat to support species recovery (i.e., more than required to achieve the population and distribution objectives) or where habitat-related threats are not significant, management of Activities Likely to Destroy Critical Habitat will focus on maintaining habitat of sufficient quantity and quality to support survival or recovery and may not be particularly restrictive. However, the level of restriction will be specific to the species biology and the significance of the threats.
8. Socio-economic impacts may be considered in the identification of critical habitat in a recovery strategy or action plan in situations where there is more habitat available than is necessary to achieve the population and distribution objectives identified in the recovery strategy. In these circumstances it may be possible to identify critical habitat in

a manner that reduces socio-economic impacts. This is directly applicable to the identification of anthropogenic structures as critical habitat; where there is sufficient natural habitat to support the species' recovery, anthropogenic structures will not be identified as critical habitat.

Supplementary Information

Species at Risk Act

Critical Habitat definition:

“the habitat that is necessary for the survival or recovery of a listed wildlife species and that is identified as the species’ critical habitat in the recovery strategy or in an action plan for the species.”

Habitat definition:

(a) in respect of aquatic species, spawning grounds and nursery, rearing, food supply, migration and any other areas on which aquatic species depend directly or indirectly in order to carry out their life processes, or areas where aquatic species formerly occurred and have the potential to be reintroduced; and

(b) in respect of other wildlife species, the area or type of site where an individual or wildlife species naturally occurs or depends on directly or indirectly in order to carry out its life processes or formerly occurred and has the potential to be reintroduced.

Section 41(1)(c) requires that recovery strategies include:

an identification of the species’ critical habitat, to the extent possible, based on the best available information, including the information provided by COSEWIC, and examples of activities that are likely to result in its destruction