

SPECIES AT RISK ACT

on private land

Critical Habitat Protection

CRITICAL HABITAT: *The habitat the species needs to recover or survive, as identified in a final recovery strategy or action plan*

- Environment Canada looks to the laws of the provinces and territories to protect critical habitat on non-federal land.
- Environment Canada encourages voluntary stewardship measures on private land to help species recover and survive.
- The goal is to meet the conservation needs of the species while minimizing impacts on and inconvenience to landowners.
- Only if the measures above have not been effective will Environment Canada consider using legislative powers to protect species at risk and their critical habitat.

How Environment Canada can support Landowners to protect Critical Habitat

- Ecological Gifts Program
- Funding programs (e.g., Habitat Stewardship Fund)
- Conservation Agreements
- Information to assist in land use planning

Legal Context for Species at Risk

- The Species at Risk Act applies to all lands and waters in Canada
- How it applies depends on land tenure
- Canada and British Columbia work together through a formal Agreement on Species at Risk
- Provincial and local governments can provide protection for species at risk through existing tools; for example:
 - a. Bylaws, zoning, permitting
 - b. Water Sustainability Act
 - c. Wildlife Act

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What it means if Critical Habitat is identified on your land

- It may mean that your current land use is generally compatible with the needs of the species. *Thank you!*
- Local stewardship groups, environmental professionals, and government biologists may be able to provide advice on how to avoid destruction of critical habitat if you are thinking about changing how you use your land.
- Environment Canada will be working with provincial and local governments to assess whether anything more needs to be done to formally protect the habitat.
- If critical habitat is unlikely to be destroyed, more formal protection measures may not be required. If any new bylaws or regulations are being considered, you will be consulted before anything changes.

How we identify Critical Habitat

- *“To the extent possible, based on the best available information”*
- Linked to population & distribution objectives
- Critical Habitat identification is comprised of:
 - a. A geographic location or area within which Critical Habitat is found
 - b. The particular environmental features (e.g., types of plants, water bodies) the species needs to live and reproduce

Protection & Preventing Destruction

What is “destruction” of Critical Habitat?

- Permanent or temporary degradation of any part of Critical Habitat such that it would not serve its function when the species needs it
- Result of a single action or multiple actions over time (cumulative effects)

Protection of Critical Habitat means preventing activities that could destroy it