

The Species at Risk Act
Environmental Assessment Checklists
for Species Under the Responsibility of the
Minister Responsible for Environment Canada and
Parks Canada

Support Tool for the Required Information Elements Under the *Species at Risk Act* for Environmental Assessments Conducted Under the *Canadian Environmental Assessment Act* 

**Environment Canada and Parks Canada** 



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#### **ACRONYMS**

CEAA Canadian Environmental Assessment Act

CEA Agency Canadian Environmental Assessment Agency

DFO Fisheries and Oceans Canada

EA Environmental Assessment

EC Environment Canada

FA Federal Authority

PC Parks Canada Agency

RA Responsible Authority

SAR Species at Risk

SARA Species at Risk Act

SARA EA Checklists Species at Risk Act Environmental Assessment Checklists

for Species Under the Responsibility of the Minister Responsible for

Environment Canada and Parks Canada

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#### 1.1 Purpose of the Checklists

This document, referred to as the *Species at Risk Act* Environmental Assessment Checklists for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada (hereafter SARA EA Checklists), provides advice on the main considerations to be incorporated when assessing effects on species at risk (SAR) under the responsibility of the Minister responsible for Environment Canada and Parks Canada and the key steps needed to address the *Species at Risk Act* (SARA) in the context of federal environmental assessments (EAs) under the *Canadian Environmental Assessment Act* (CEAA). The SARA EA Checklists serve as a complementary tool to a federal government guide entitled *Addressing* Species at Risk Act *Considerations Under the* Canadian Environmental Assessment Act *for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada* (Version 2010).

Please note that SAR or listed wildlife species discussed in these SARA EA Checklists refer to the SAR listed in Schedule 1 of SARA.

#### 1.2 Intended Users

The SARA EA Checklists are intended for:

- project proponents responsible for projects that are subject to an EA under CEAA; and
- responsible authorities (RAs).

These SARA EA Checklists may also be relevant for:

- EA practitioners responsible for conducting or contributing to EAs involving the federal government;
- federal authorities under CEAA; and
- other jurisdictions that may have an interest in such projects.

Note: This guide is specific to species under the responsibility of the Minister responsible for Environment Canada and Parks Canada. Guidance regarding the incorporation of SARA requirements for species under the responsibility of the Minister of Fisheries and Oceans Canada (DFO) in the federal EA process will be provided by DFO.

#### 1.3 Overview

The SARA EA Checklists have been developed based on the provisions related to EAs under SARA and the phases of an EA conducted under CEAA, as shown in Figure 1.

The SARA EA Checklists provide assistance to proponents and RAs on what information elements must be addressed and submitted. The Checklists include:

- initial considerations regarding project location and alternatives to the project (Checklist 1);
- project scoping (Checklist 2)
- notification of the competent minister (Checklist 3);
- analysis of potential project effects on species at risk (Checklist 4);
- determining alternatives and mitigation measures (Checklists 5 and 6); and

<sup>&</sup>lt;sup>1</sup> This tool does not address the SARA requirements for EAs for the northern processes, under the *Yukon Environmental* and Socio-economic Assessment Act, MacKenzie Valley Resource Management Act, and the Agreement between the Inuit of the Nunavut Settlement Area and her Majesty the Queen in Right of Canada (Nunavut Land Claims Agreement).

developing monitoring and follow-up programs (Checklist 7).

A description of the information elements to be submitted in a notification to a competent minister (responsible for Environment Canada, DFO or Parks Canada) are addressed under Checklist 3. Information elements to be submitted in EA documentation are outlined in the remaining checklists.

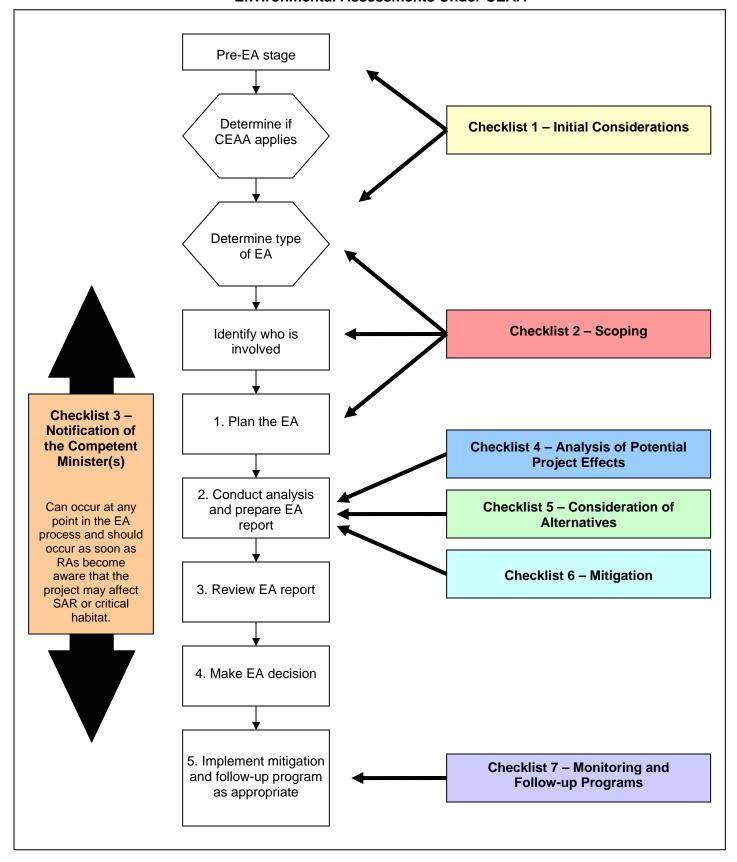
The SARA EA Checklists have been prepared for information purposes only. They have been written for broad application and do not reflect all the specific circumstances a practitioner may encounter in a particular EA. The Checklists are not a substitute for CEAA, SARA or any regulations under these Acts. In the event of an inconsistency between the Checklists and the Acts or their regulations, the Acts or regulations prevail. Official information on SARA and CEAA can be found in the legal text of SARA and CEAA, available on the Department of Justice Canada website at: http://laws.justice.gc.ca/en/index.html

For information on SAR, including their location, consult the Species at Risk Public Registry at: www.sararegistry.gc.ca/default\_e.cfm

Regardless of whether or not an EA is triggered, compliance with SARA is required at all times. For further information on compliance responsibilities, visit the Species at Risk Public Registry at:

www.sararegistry.gc.ca/default\_e.cfm

Figure 1: Incorporating SARA Considerations into Environmental Assessments Under CEAA



2 The Species at Risk Act Environmental Assessment Checklists for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada

#### 2.1 Initial SARA Considerations

The first step when a project has the potential to affect SAR is communication between the proponent and federal authorities (FAs) such as Environment Canada (EC) and Parks Canada (PC). This notification procedure to the relevant FAs is a requirement under SARA, and this requirement is mandatory regardless of whether or not an EA is triggered under CEAA. It is important that the proponent obtain early guidance regarding initial SAR considerations, as detailed in Checklist 1. It is easiest to incorporate alternatives to the project during the early project planning stage, from developing a proposal to submitting a project description. For further information, please consult section 2.1 of *Addressing* Species at Risk Act *Considerations Under the* Canadian Environmental Assessment Act for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada.

Regardless of whether an EA is triggered, compliance with SARA is required at all times. Visit the Species at Risk Public Registry for further information on compliance responsibilities.

Checklist 1 – Initial Considerations			
Information Elements	Considered Y/N	Description	
Initial Considerations			
Is there a regional plan, landscape or ecosystem level conservation plan, or strategic environmental assessment, that can provide broad-level guidance on, for example, environmental stressors or environmental thresholds?			
If yes, has the plan been consulted in planning the project?*			
Is there a SAR potentially in the project area? Is the project area a biodiversity hotspot, rare ecosystem or other type of priority conservation area?*			
If yes, are there alternatives to the project that could avoid these areas of conservation concern?*			

#### 2.2 Scoping

Another important step at the initial stages of an EA involves the scoping process. The scope of the project and the scope of the factors to be assessed are generally determined by the RA. When a project is subject to a mediation or panel review, however, the Minister of the Environment is responsible for determining the scope, after consulting with the RA.

The scope of the factors to be assessed sets out the scope of consideration to be given to each of the factors listed in section 16 of CEAA. In order to facilitate this determination from the perspective of SAR, the key question to consider is whether there are any components of the project that could affect SAR, and if so, which components and which species.

<sup>\*</sup> These information elements are for consideration only. It is, however, strongly recommended that these elements be integrated into project planning or the planning of the EA. They do not need to be included in the EA documentation.

The key elements related to SAR for determining the scope of factors are listed in Checklist 2. For further information, please consult section 2.1 of *Addressing* Species at Risk Act *Considerations Under the* Canadian Environmental Assessment Act *for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada.* 

Checklist 2 – Scoping			
Information Elements	Considered Y/N	Description	
Initial Considerations			
Has the zone of influence of all of the project components been considered or determined?			
Has there been a scientific approach to determine whether any SAR is present in the zone of influence of all the components of the project?			
Are there project components that could affect SAR or critical habitat?			
If yes, have SAR considerations discussed above been scoped into the assessment?			
If not, are SAR concerns being addressed under another process?			

# 2.3 Notify the Competent Minister(s)

Subsection 79(1) of SARA stipulates that notification must be sent by the RA(s) to the competent minister(s)<sup>2,3</sup> if a project is likely to affect a listed wildlife species or its critical habitat. The notification requirement covers all species listed in Schedule 1 of SARA and is independent of the level of significance of project effects on the listed species or its critical habitat. Notification is required for both positive and negative effects. Notification is required as soon as possible when it is learned that a listed species or its critical habitat may be affected by a project for which a federal EA has been triggered. Checklist 3 provides guidance on how to determine whether notification is necessary and the information elements required in the notification letter. For further information, please consult section 2.2 of *Addressing* Species at Risk Act *Considerations Under the* Canadian Environmental Assessment Act *for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada*.

A notification letter template and notification procedures are included in Appendix 1.

(a) the Minister responsible for the Parks Canada Agency with respect to individuals in or on federal lands administered by that Agency. [Since December 12, 2003, the Minister of the Environment (for Environment Canada) has been designated as the Minister responsible for the Parks Canada Agency.]

(b) the Minister of Fisheries and Oceans with respect to aquatic species, other than individuals mentioned in paragraph (a); and

(c) the Minister of the Environment with respect to all other individuals.

<sup>&</sup>lt;sup>2</sup> Competent minister means:

Notification must be sent to competent minister(s) responsible for EC, PC and DFO. If there is more than one RA, then each has a responsibility to notify the competent minister(s).

Checklist 3 – Notification of the Competent Minister(s)			
Information Elements	Considered Y/N	Description	
Notification Requirements			
Is there any potential for SAR or critical habitat within this zone of influence?			
If yes, will the project likely affect SAR or critical habitat?  • If yes, notify the competent minister(s)			
Notification Letter Required Elements			
Identification of the person responsible for the EA			
Identification of the department or agency reporting to the competent minister(s)			
Name, location and brief description of the project <sup>4</sup>			
Listed SAR and/or critical habitat that are likely to be affected by the project			
Information sources			
Signature of the person responsible for the EA			
Nature of the known or potential adverse effects			
Commitment for further communication with jurisdictional authorities/competent SARA authorities for the species involved			
Other Notification Letter Elements, if Available	lable		
Federal EA process under which the project is being assessed			
Location data for the SAR or critical habitat, or any residences of individuals of these species if known			
Nature of the potential beneficial effects			
Next steps to further substantiate and delineate potential adverse effects, and commitment to follow up with further details			
Mitigation measures being considered or alternative means of carrying out the project			
Any indication of the need for confidentiality and its reasoning			

<sup>&</sup>lt;sup>4</sup> Information that was included in the project description can be used to fulfill this requirement. However, project descriptions do not constitute a notification letter as required under SARA. A separate notification letter must be provided to the competent minister(s).

#### 2.4 Analysis of Potential Project Effects

Subsection 79(2) of SARA requires that RAs identify the adverse effects of the project on the listed wildlife species and its critical habitat. This obligation is independent of the requirement to identify the likely significant adverse environmental effects stipulated under CEAA. This means that, in addition to identifying all significant adverse environmental effects, RAs must also identify all adverse effects on a listed wildlife species and corresponding critical habitat.

It is advised that project effects be described in as much detail as possible in the EA report, reflecting the current understanding of the ecology of the species and the environmental stressors that are threatening the species. Sources of information regarding SAR include:

- status reports and species assessments;
- recovery strategies, action plans and management plans, when available;
- expert federal authorities, such as EC, DFO and PC;
- Committee on the Status of Endangered Wildlife in Canada;
- provincial and territorial wildlife management agencies;
- NatureServe Canada and conservation data centres;
- scientific journal articles, university theses and wildlife experts;
- local and Aboriginal communities, including their traditional knowledge; and
- other EAs.

The information elements that need to be considered during the analysis of potential project effects on each SAR are described in Checklist 4. For further information, please consult sections 2.6 and 2.8 of Addressing Species at Risk Act Considerations Under the Canadian Environmental Assessment Act for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada.

Checklist 4 – Analysis of Potential Project Effects			
Information Elements	Considered Y/N	Description (Including Information Source)	
SAR Information			
Name of the SAR			
What is the status of the SAR?			
What are the current population trends?			
Which threats have been identified as being the cause of the precarious status of the SAR?			
Has the SAR recovery team been consulted?			
Are there any other known vulnerabilities that should be taken into consideration (colonial nesting, key times or seasons when the species may be present, etc.)?			
Are any residences or known critical habitat present?			
Are there any key ecological processes on which the SAR particularly depends?			
Any timing considerations or other relevant considerations?			
SAR Interactions with Project			
Which project components could interact with the SAR?			
Where is the SAR located within the project zone of influence?			
Has a habitat map of the project area or zone of influence been developed?			
What is the proportion of the population that uses the project study area?			
Can the project affect potentially limiting intrinsic attributes of the SAR? <sup>5</sup>			
Could the project components influence ecological processes and functions critical to the maintenance of habitats?			
How will the project contribute to the threats to the SAR that have been identified in a recovery strategy action plans or management plans (if available)?			
Cumulative Effects <sup>6</sup>			

<sup>&</sup>lt;sup>5</sup> Potentially limiting intrinsic attributes: key characteristics of the species' life history or ecology that may make it particularly susceptible to disturbance and/or influence its recovery potential (Lynch-Stewart, 2004). Examples include specific habitat requirements, like old growth forest for the spotted owl, or high avoidance of linear features for the caribou. <sup>6</sup> Guidance on assessing cumulative effects is provided in the *Cumulative Effects Assessment Practitioners Guide*:

www.ceaa-acee.gc.ca/default.asp?lang=En&n=43952694-1&toc=hide

What are the pressures that are thought to be negatively affecting SAR population viability, other than the project (i.e., habitat destruction, fragmentation, harvesting)?	
How would the project contribute to/affect these other pressures?	
Are there other existing activities or projects, or likely future activities or projects, that will exacerbate the pressures?	
Recovery	
Has the SAR recovery team been able to recommend appropriate alternatives or mitigation measures?	
How can the project influence recovery of the SAR?	
Analysis of All Effects	
Summarize all potential effects listed above	
How many individuals may be affected?	
What would be the overall effect on the local/regional/national population?	
How long would the effect last? Is it reversible?	
Policies and Legal Requirements	
Are there legal requirements for listed wildlife species or habitat protection under SARA or territorial or provincial legislation? What are they?	

# 2.5 Alternative and Mitigation Measures

#### 2.5.1 Consideration of Alternatives<sup>7</sup>

The consideration of alternatives to the project and alternative means of carrying out the project may provide the means of avoiding or minimizing adverse environmental effects. It is best practice to consider alternatives during the pre-submission and scoping phases, but it is also a key consideration after determining the project effects on the SAR.

The information elements that need to be considered regarding alternatives to the project and alternative means of carrying out the project are described in Checklist 5. For further information, please consult section 2.7 of *Addressing* Species at Risk Act *Considerations Under the* Canadian Environmental Assessment Act for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada.

<sup>7</sup> For more information on alternatives, please consult Addressing "Need for", "Purpose of", "Alternatives to" and "Alternative Means" under the Canadian Environmental Assessment Act.

Checklist 5 – Consideration of Alternatives			
Information Elements	Undertaken (Y/N)	Description	
Have alternatives to the project been considered?			
Have alternative means of undertaking the project been considered? <sup>8</sup>			
Was analysis conducted regarding the feasibility of the alternatives?			
Have strategic EAs, land-use plans or regional EAs been utilized to analyze alternatives?			
Has a recommendation on the preferred alternative been provided?			

# 2.5.2 Mitigation Measures

Subsection 79(2) of SARA requires that RAs ensure that measures are taken to avoid or lessen the adverse effects of a project on listed wildlife species or their critical habitat and to monitor those effects if a project undergoing a federal EA is to be carried out. SARA also stipulates that these measures must be consistent with any applicable recovery strategies and action plans. Under CEAA, every project must include consideration of technically and economically feasible measures to mitigate any significant adverse environmental effect.

The preferred mitigation sequence comprises three hierarchical options:

- 1. Avoidance—the elimination of adverse effects (e.g. siting or design of a project).
- 2. Minimization—the reduction or control of adverse effects through project modification or implementation under special conditions.
- 3. Compensatory mitigation—the replacement of unavoidably lost habitat or residences, plants or plant communities, ecological functions, etc.

In addition to the general and critical habitat prohibitions, other adverse effects to SAR that are to be considered include, but are not limited to:

- disturbance to species at critical times (e.g., breeding period);
- activities that

disrupt migration patterns;

- o damage, destruct or degrade critical habitat and/or residences; and
- o create noise or visual disturbances.

Any effects to listed wildlife species, any part of their critical habitat or the residences of their individuals will require a permit under section 73 of SARA.

The required information elements regarding mitigation measures are described in Checklist 6. For further information, please consult section 2.9 of *Addressing* Species at Risk Act *Considerations Under the* Canadian Environmental Assessment Act *for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada.* 

<sup>&</sup>lt;sup>8</sup> The alternative means are to be technically and economically feasible, and the EA must consider the environmental effects of any such alternative means.

Checklist 6 – Mitigation			
Information Element	Considered (Y/N)	Description	
Have the SAR recovery team's recommended mitigation measures been implemented?			
Have ways to avoid adverse affects been considered?			
OR – Have measures to minimize adverse effects been considered?			
OR – Have measures to compensate for adverse effects been considered?9			
Have recovery strategies, actions plans and management plans been consulted, if available?			
Have species experts and specialists been consulted?			

#### 2.6 Determine Significance

SARA requires that all adverse effects on listed wildlife species and their critical habitat be identified in a federal EA, regardless of their significance, and that all such effects be mitigated and monitored. SARA does not use the concept of significance, but it provides criteria that may assist in determining whether a project's effects are significant under CEAA. These criteria are described under section 2.11 of *Addressing* Species at Risk Act *Considerations Under the* Canadian Environmental Assessment Act for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada.

#### 2.7 Monitoring and Follow-up Programs

It is a requirement under subsection 79(2) of SARA to ensure that measures are taken to monitor the adverse effects of a project on listed wildlife species and their critical habitat after the project is implemented. In addition, under CEAA, a follow-up program must be designed and implemented for a comprehensive study, mediation or panel review if the RA decides to exercise the power or perform the duty that triggered the EA (subsection 38(2)). Also under CEAA, in the case of a screening, it is at the discretion of RAs to require a follow-up program. However, the RA must consider whether a follow-up program for the project is appropriate in the circumstances (subsection 38(1)). If a follow-up program is not undertaken under CEAA, there is still an obligation under SARA for the RA to ensure that measures are taken to monitor the potential adverse effects on SAR.

Monitoring requirements must be consistent with recovery strategies and action plans, and it is best practice to follow management plans for species of special concern listed in Schedule 1 of SARA. The EA report should include the objectives, scope, timelines and responsibilities for monitoring activities.

The information elements that need to be considered regarding monitoring and follow-up programs are described in Checklist 7. For further information, please consult section 2.13 of *Addressing* 

<sup>9</sup> This does not refer to financial payment. It refers to ecological or habitat compensation. For details, please refer to the. *Addressing* Species at Risk Act *Considerations Under the* Canadian Environmental Assessment Act *for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada*.

Species at Risk Act Considerations Under the Canadian Environmental Assessment Act for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada.

Checklist 7 – Monitoring and Follow-up Programs			
Information Element	Considered (Y/N)	Description	
Monitoring Considerations (as Required Under	er SARA)		
Are the section 79 monitoring measures consistent with recovery strategies and action plans, if available?			
Is monitoring being done for each adverse effect to SAR that was identified in the EA?			
Does the EA report include the objectives, scope, timelines and responsibilities for monitoring activities?			
How will the results of the monitoring program be provided to the competent minister, the expert FA, the RA and the recovery team?			
When will the results of the monitoring program be provided to the competent minister, the expert FA, the RA and the recovery team, and have these authorities been informed?			
Follow-up Considerations (as Required Unde	r CEAA)		
How will the follow-up program test the environmental effects predicted on SAR?			
Will the follow-up program determine the effectiveness of any measures taken to mitigate the adverse environmental effects on SAR?			
Will the follow-up program have provisions to adaptively manage for adverse environmental effects on SAR?			
What measures will be implemented to incorporate adaptive management? <sup>10</sup>			
Integration			
If objectives for monitoring and follow-up programs are identical, has integration of the two programs been considered?			

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When appropriate, adaptive management may be undertaken to avoid, reduce or compensate for environmental effects that may arise once a project is underway. Examples include: a new species is identified in the EA study area, a new recovery plan is published, or the project is having unpredicted, deleterious impacts on SAR.

#### 3 Additional Resources

CEA Agency (Canadian Environmental Assessment Agency). 1994. *The Responsible Authority's Guide*. www.ceaa-acee.gc.ca/default.asp?lang=En&n=3939C665-1

CEA Agency. 1999. Cumulative Effects Assessment Practitioners Guide. Prepared by: The Cumulative Effects Assessment Working Group and AXYS Environmental Consulting Ltd. www.ceaa-acee.gc.ca/default.asp?lang=En&n=43952694-1&toc=hide

CEA Agency. 2003. Canadian Environmental Assessment Act, Federal Coordination: Identifying Who's Involved. www.ceaa.gc.ca/Content/D/A/C/DACB19EE-468E-422F-8EF6-29A6D84695FC/Federal-Coord-Identifying\_e.pdf

CEA Agency. 2003. Determining Whether a Project is Likely to Cause Significant Adverse Environmental Effects. www.ceaa.gc.ca/013/0001/0008/guide3\_e.htm#Reference%20Guide

CEA Agency. 2007. *Basics of Environmental Assessment.* www.ceaa-acee.gc.ca/default.asp?lang=En&n=B053F859-1

CEA Agency. 2007. *How to Determine if the Act Applies.* www.ceaa.gc.ca/Content/D/A/C/DACB19EE-468E-422F-8EF6-29A6D84695FC/Act-Applies\_e.pdf

CEA Agency. 2007. Operational Policy Statement: Addressing "Need for", "Purpose of", "Alternatives to" and "Alternative Means" under the Canadian Environmental Assessment Act. Original: October 1998. www.ceaa.gc.ca/Content/D/A/C/DACB19EE-468E-422F-8EF6-29A6D84695FC/addressing\_e.pdf

CEA Agency. 2007. Operational Policy Statement: *Preparing Project Descriptions under the Canadian Environmental Assessment Act.* Original: August 2000. www.ceaa-acee.gc.ca/Content/D/A/C/DACB19EE-468E-422F-8EF6-29A6D84695FC/Project%20Descriptions.Eng.pdf

CEA Agency. 2010. Canadian Environmental Assessment Agency Home page. www.ceaa.gc.ca/default.asp?Lang=En&n=D75FB358-1

Department of Justice Canada. 2010. http://laws.justice.gc.ca/en/index.html

Environment Canada. 2010. Species at Risk Public Registry Home page. www.sararegistry.gc.ca/default\_e.cfm

Environment Canada and CEA Agency. 2010. *Addressing* Species at Risk Act *Considerations Under the* Canadian Environmental Assessment Act for Species Under the Responsibility of the Minister Responsible for Environment Canada and Parks Canada

Government of Canada. 2008. Guide to Preparing a Project Description for a Major Resource Project. www.mpmo.gc.ca/desc/guide-eng.php

Lynch-Stewart, P. 2004. *Environmental Assessment Best Practice Guide for Wildlife at Risk in Canad*a. Prepared for Canadian Wildlife Service, Environment Canada.

NatureServe Canada 2010. NatureServe Canada Home page. www.natureserve-canada.ca

# 4 Appendices

#### 4.1 Appendix 1: SARA Notification Letter Template

INSERT ADDRESS OF SENDER

**INSERT DATE** 

INSERT ADDRESS OF COMPETENT MINISTER(S)

Dear Minister:

RE: Notification pursuant to the requirements of subsection 79(1) of the Species at Risk Act

Please be advised that (name of department or agency), as responsible authority for the environmental assessment for (name of project), has determined that this proposed project may affect the following listed species at risk or its critical habitat: (name of species and/or critical habitat). This determination is based on information from (information source: NatureServe, sightings, recent surveys, etc.).

The (name of project), located at (location information), is proposed to involve (brief description of proposed project). The nature of the potential effect is (potential effect on species or its critical habitat). At this point, the following mitigation measures and alternatives are being considered (mitigation and/or alternative means of carrying out the project, if known).

The proposed project is subject to a (*type of environmental assessment*) under the (*applicable legislation*). Additional information about the environmental assessment is available through the (*location*, e.g., Canadian Environmental Assessment Registry) at (*reference number*).

Additional information (e.g., location data for species or critical habitat, or any known residences of individuals of those species) is attached.

Please note that we are (aware of / not aware of) a need for confidentiality regarding the location data for the species.

If you have any questions, please feel free to call the contact for this environmental assessment: (name of contact, address, email and telephone number).

Sincerely,

Department Representative (Signature of all RAs if applicable)

#### 4.2 Appendix 2: SARA Notification Procedures

Notification should follow existing EA channels.

Notification letters should be sent to the competent minister(s) via regional EA department or agency contacts who would normally be contacted under the procedures of the CEAA Regulations Respecting the Coordination by Federal Authorities of Environmental Assessment Procedures and Requirements.

#### Competent minister means:

- (a) the Minister responsible for the Parks Canada Agency with respect to individuals in or on federal lands administered by that Agency. [Since December 12, 2003, the Minister of the Environment (for Environment Canada) has been designated as the Minister responsible for the Parks Canada Agency.]
- (b) the Minister of Fisheries and Oceans with respect to aquatic species, other than individuals mentioned in paragraph (a); and
- (c) the Minister of the Environment with respect to all other individuals.

Contact lists are available through department or agency members of the Regional Environmental Assessment Committees. For a list of contacts, please communicate with your Canadian Environmental Assessment Agency regional office. Contact information is also available on the Agency's website at:

www.ceaa-acee.gc.ca/default.asp?lang=En&n=12D96EC7-1

# Environment Canada contacts

Environment Canada regional contacts are identified at: www.ec.gc.ca/default.asp?lang=En&n=DA294545-1

# Parks Canada contacts

Parks Canada has 33 field units, which are groupings of national parks, national historic sites and national marine conservation areas whose proximity to each other allows them to share management and administrative resources. There are four service centres: Halifax, Québec, Cornwall/Ottawa, and Winnipeg/Calgary/Vancouver.

Most field units have an EA coordinator and there are also EA specialists in each of the Service Centre offices. The EA coordinators and specialists are the primary contacts for EAs.

Parks Canada departmental information can be accessed at: www.pc.gc.ca/eng/agen/courriel-email.aspx

# Fisheries and Oceans contacts

Fisheries and Oceans Canada departmental information can be accessed at: www.dfo-mpo.gc.ca/contact-eng.htm