



Your input on the proposed changes to the federal list of species at risk

The Minister of Environment and Climate Change Canada (the Minister) is seeking input to inform the decision, which is made by Cabinet, on whether to add, reclassify or remove 18 species on the federal List of Wildlife Species at Risk (the SARA List). This is Schedule 1 of the *Species at Risk Act* (SARA).

Please refer to table 1 entitled “The List of Species Eligible for an Amendment to Schedule 1” for details on the proposed change for each species.

Why we want to hear from you

Since adding, reclassifying or removing a species on the SARA List may affect the way you or your community, nation, business or organization interact with the species, the Minister wants to know what these changes could mean to you. It could be that you need to know that the species will be there for future generations, but you also may have concerns about your future activities. The kind of activities could include harvesting the species or affecting its residence, for instance if you will be cutting trees that the species may use for its nest. Before the Minister recommends that any changes be made to the SARA List, he would like to know what they would mean to you or your community. Your comments will help the Minister understand the impact of those changes.

Adding, reclassifying or removing species

The Committee on the Status of Endangered Wildlife in Canada (COSEWIC) is recognized under SARA as the authority for assessing the status of wildlife species at risk. COSEWIC assesses the status of species with the best available information, which includes the available Indigenous Knowledge. The minister receives species assessments from (COSEWIC) at least once a year. Depending on the results of each of these assessments, the minister will need to decide to recommend adding the species to the SARA List, modifying its status if the species is already on the SARA List, to remove the species from the List or to refer the assessment back to COSEWIC for further information or consideration. A species can be added to the List at one of four statuses: **Extirpated**, **Endangered**, **Threatened**, or **Special Concern**. A species' can also be reclassified at one of the above four statuses.

General prohibitions: what they are and when and where they apply

When a species is added as **Endangered**, **Threatened** or **Extirpated** on the SARA List, SARA's prohibitions protecting individuals and their residences¹ come into place automatically on federal lands² and on First Nation Reserves. In provinces, this means that if species are on the List at one of those three statuses and that they are on federal lands and/or on First Nation Reserves, it would be prohibited to kill, harm or harass them. It would also be prohibited to possess, collect, buy, sell or trade them. For their residences, it would be prohibited to damage or destroy them. The same prohibitions apply in territories except that SARA prohibits these things only in federally protected areas. Species that are on the List as Special concern do not receive these protections.

COSEWIC may also reassess a listed species, and when they do so, this can sometimes result in a change to its status on the List. If the species is on the List as Special Concern, COSEWIC may reassess it at the same status, or as Endangered, Threatened or possibly even Extirpated. If this same change were to be made to its status on the List, SARA's prohibitions protecting the individuals and their residences would then start to apply. If the status of species were to change from Special Concern to Threatened or Endangered, the general prohibitions would be added to the protections for the species. On the other hand, if COSEWIC reassesses a species that is on the List as Threatened or Endangered, and finds it instead to be Special Concern, this would mean that SARA general prohibitions would no longer apply.

¹ Residences mean places such as nests and dens.

² Federal lands includes lands that are administered by the federal government

It is important to be aware that while SARA's prohibitions do not apply for species that are on the List as Special Concern, all migratory birds benefit from the prohibitions due to the Migratory Birds Convention Act (MBCA). These apply everywhere. For more about the MBCA's prohibitions, please visit: [FAQs: Migratory Birds Regulations 2022](#).

Therefore, before any changes are made to the SARA List, consultations will need to take place for species being added or removed from the list as well as for species for which the status would change. Note that changes to the species status on the SARA list that are between Threatened and Endangered do not change how the species is protected, but consultations would still take place before any changes are made to the SARA List.

Critical habitat: what is it and when and how would it apply

Once a species is added to the List, recovery planning must be done. For a species that is listed as endangered, SARA requires that a recovery strategy be prepared within one year. If it is threatened or extirpated, it must be done within two years. In these cases, SARA also requires action plans. These must be ready within timelines that are set forth in the recovery strategy. Action plans must identify the species' critical habitat. This is the habitat a species needs to survive or recover. Once that is done, steps for its protection are considered. For species that are special concern, SARA instead requires a management plan. This is to stop the species situation from becoming worse. It is to be prepared within three years. There is no critical habitat for species that are special concern. As far as possible, all of these documents must be prepared by cooperating with: other provinces or territories, and any affected wildlife management boards, Indigenous Peoples, and other federal departments. Other persons or organizations may also be included. All proposed and final documents are posted on the Species at Risk Public Registry.

If the critical habitat is on federal land, SARA requires that ECCC puts a critical habitat protection order into place. This makes it against the law to damage or destroy the critical habitat. If the critical habitat is on a First Nation Reserve, officials from ECCC must first consult with the First Nation before any critical habitat protection is put in place. The only exception would be if there were to be an emergency. In such a case, consultations would not be conducted with the First Nation before critical habitat protection would be put in place.

Environment Canada officials must have an extensive understanding of the situation of a species for its critical habitat to be identified. For the resources to be available for this work to be done, the species must first be added to the SARA List. Therefore, if you will be affected by critical habitat protection, we will consult with you later, once we know for sure what that species' critical habitat is going to be. However, if you want to share information or your thoughts on the critical habitat of a species now, you will improve what we know about the long-term effects of species being added or reclassified on the SARA List.

For further information on SARA, please consult: <https://laws.justice.gc.ca/eng/acts/S-15.3/page-1.html#docCont>.

For more information on SARA, please visit the Species at Risk Public Registry at:
<https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry.html>

For information on the consultation process for aquatic species, visit the Fisheries and Oceans Canada website at www.dfo-mpo.gc.ca.

Providing comments

Your comments matter and are given serious consideration. ECCC will review all the comments that it receives by the following deadlines. Comments on the listing of species in normal consultations (that last 4 months) must be received by **May 31, 2023**. Comments on those in extended consultations (that last 9 months) must be received by **October 31, 2023**. Most species will be undergoing normal consultations. To know which kind of consultations each of these species will undergo, please visit the Species at Risk (SAR) Public Registry website at:

<https://www.canada.ca/en/environment-climate-change/services/species-risk-act-accord-funding/listing-process/minister-environment-response-assessments-2023.html>

For more details on submitting comments, see the section “Comments solicited on the proposed amendment of Schedule 1” in the document entitled [“Consultation on Amending the List of Species under the Species at Risk Act: Terrestrial Species”](#).

You can provide your input and comments about the proposed changes to the federal list of species at risk in the way that works best for you.

Email: ec.registrelep-sararegistry.ec@canada.ca

Mail: Director General,
Wildlife Management,
Canadian Wildlife Service,
Environment and Climate Change Canada,
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Questions to guide your comments

The following questions are intended to guide you in providing comments on the proposed changes to the federal List of Wildlife Species at Risk. The questions are not limiting, and any other comments you may have are welcome; please also feel free to skip questions that do not apply or you do not wish to answer.

Respondent information

1. Are you:
 - a. responding as an individual, or
 - b. responding on behalf of a community, nation, business or organization (please specify)?

Information about the species

For the following questions, you are welcome to limit your responses to only those species that are of particular interest to you or your community/nation/business/organization, or the species that have a high likelihood of occurring on your property (this includes species living on the property or traveling through the property).

For the following questions, please refer to the maps in the species summary document.

2. Do any of these species occur on a federally administered property or First Nation Reserve that has not been identified in the maps? If yes, please detail.
3. What do these species and their habitats mean to you or the group for which you are responding? Could you describe your or your group's relationship with these species (e.g., cultural, spiritual, ceremonial, practicing rights, health, wellbeing, livelihood)?
4. How might your relationship with the species change if this SARA listing change goes through? What if the species were added, removed or reclassified on the SARA list? What could be the result of SARA's prohibitions or critical habitat protections being added or removed?
5. For species to recover, many different people need to collaborate. The addition or reclassification of a species to the SARA List is a first step. Could the recovery of the species support your livelihood, or well-being? Could it improve your ability to practice Aboriginal rights?

Activities on properties where species may occur

Please refer to the maps in the species summary documents, as well as any information that you provided in question 2.

6. Do you or your group use (including exercise rights) any of the federally administered properties or First Nation Reserves that overlap with where the species is found? If yes, and you wish to answer the following questions, it would help us if you could let us know which properties are involved.
 - a. How do you use this property? Or are you planning on using it in the future? For instance, if you are practicing or would you be practicing Indigenous rights, agriculture, research, military exercises, residential, recreation and tourism, economic development, would you please describe them for us?
 - b. Could any of these current or planned uses or activities be affected by the proposed changes to the SARA List? If yes, please describe how.

Additional information on implications of the proposed changes

7. Do you have any other information or concerns about the proposed changes to the SARA List that the Minister should consider?

Additional information about small-medium business respondents

If you are responding on behalf of a **small or medium business enterprise (SME)**, please provide the following information to help ECCC conduct the required Small Business Lens analysis that would accompany any future amendment recommendation. Feel free to skip questions that do not apply or you do not wish to answer.

8. Do you represent an SME that operates in Canada?
9. Does your SME engage in commercial activities related to the supply of services or property (which includes goods)?
10. Does your SME engage in activities for a public purpose (e.g., social welfare or civic improvement), such as a provincial or municipal government, school, college/university, hospital or charity?
11. Is your SME owned by a First Nations, Inuit or Metis community/business/nation/organization?
12. How many employees does the SME you represent employ?
 - c. 0–99
 - d. 100 or more
 - e. Do not wish to respond/not sure/don't know
13. What was the annual gross revenue of your SME in the last year?
 - f. Less than \$30,000
 - g. Between \$30,000 and \$5 million
 - h. More than \$5 million
 - i. Do not wish to respond/not sure/don't know

Table 1: The List of Species Eligible for an Amendment to Schedule 1

Taxon	Species	Scientific Name	Range
Species eligible for addition to Schedule 1 (9)			
Endangered (4)			
Arthropods	Vancouver Island Shieldback	<i>Steiroxys strepens</i>	BC
Vascular Plants	Meadow Thistle (Mingan population)	<i>Cirsium scariosum</i>	QC
Vascular Plants	Meadow Thistle (Rocky Mountain population)	<i>Cirsium scariosum</i>	BC, AB
Vascular Plants	Pumpkin Ash	<i>Fraxinus profunda</i>	ON
Threatened (2)			
Arthropods	Northern Oak Hairstreak	<i>Satyrium favonius ontario</i>	ON
Reptiles	Sharp-tailed Snake (Pacific Coast population) ³	<i>Contia tenuis</i>	BC
Special Concern (3)			
Arthropods	Dukes' Skipper	<i>Euphyes dukesi</i>	ON
Arthropods	Johnson's Hairstreak	<i>Callophrys johnsoni</i>	BC
Vascular Plants	Dense Draba	<i>Draba pycnosperma</i>	QC, NL
Reclassifications: Up-list (0), Down-list (8)			
From Endangered to Threatened (3)			
Arthropods	Dusky Dune Moth	<i>Copablepharon longipenne</i>	AB, SK, MB
Reptiles	Eastern Foxsnake (Carolinian population)	<i>Pantherophis vulpinus</i>	ON
Reptiles	Eastern Foxsnake (Great Lakes / St. Lawrence population)	<i>Pantherophis vulpinus</i>	ON

³ New population structure, currently listed on SARA Schedule 1 as Sharp-tailed Snake

Taxon	Species	Scientific Name	Range
From Endangered to Special Concern (1)			
Arthropods	Skillet Clubtail	<i>Gomphurus ventricosus</i>	ON, QC, NB, NS
From Threatened to Special Concern (4)			
Birds	Bobolink	<i>Dolichonyx oryzivorus</i>	BC, AB, SK, MB, ON, QC, NB, NS, PEI, NL
Mammals	American Marten (Newfoundland population)	<i>Martes americana atrata</i>	NL
Vascular Plants	Eastern False Rue-anemone ⁴	<i>Enemion biternatum</i>	ON
Vascular Plants	Victorin's Gentian	<i>Gentianopsis virgata</i> subsp. <i>victorinii</i>	QC
Reclassifications: Removal from Schedule 1 (1)			
From Threatened to Not at Risk (1)			
Lichens	Seaside Bone Lichen	<i>Hypogymnia heterophylla</i>	BC

⁴ Name change, currently listed on SARA Schedule 1 as False Rue-anemone