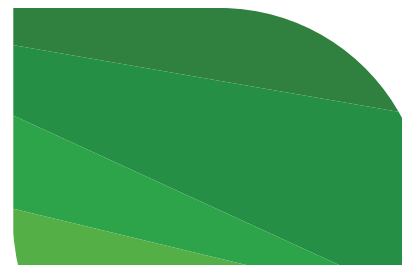
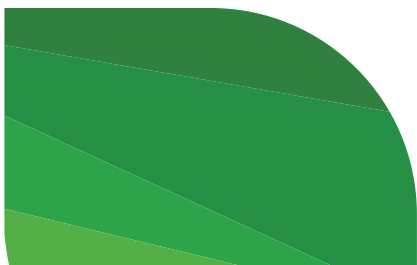




National Policy on Wildlife Emergency Response



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List of Acronyms

CEPA	<i>Canadian Environmental Protection Act, 1999</i>
ECCC-CWS	Environment and Climate Change Canada's Canadian Wildlife Service
ECCC	Environment and Climate Change Canada
EEROP	Environmental Emergencies Response Operations Plan
LA	Lead Agency
MBCA	<i>Migratory Birds Convention Act, 1994</i>
MBR	<i>Migratory Birds Regulations</i>
MBSR	<i>Migratory Bird Sanctuary Regulations</i>
NEEC	National Environmental Emergencies Centre
RP	Responsible Party
SARA	<i>Species at Risk Act, 2002</i>

Definitions

Environmental Emergency: Any uncontrolled or unexpected incident involving the release (or the likelihood thereof) of a polluting substance into the environment that results or may result in an immediate or long-term harmful effect on the environment, or constitutes or may constitute a danger to human life or health. It may be caused by an industrial activity, natural emergency or by a wilful act.

Lead Agency: The governmental authority that regulates or has legislative authority over the responsible parties' response and is responsible for overseeing the appropriateness of the response.

Migratory Bird: As defined in the [Migratory Birds Convention Act, 1994](#), a migratory bird referred to in the Convention, and includes the sperm, eggs, embryos, tissue cultures and parts of the bird of species listed under Article 1 of the Convention (Government of Canada 2017).

National Environmental Emergencies Centre: Environment and Climate Change Canada's 24/7 focal point for pollution-related emergencies, providing technical/scientific advice, assistance and coordination to the Lead Agency, as well as management of an incident when required.

National Wildlife Area: A protected area created under the [Canada Wildlife Act](#) that contains nationally significant habitats for plants and animals and that is managed for the purposes of wildlife conservation, research and interpretation.

National Wildlife Emergency Response Framework: A suite of documents supporting this policy, which outline standards and guidelines for Wildlife response, including ECCC-CWS internal operational guides and external guidance to other federal and provincial/territorial government departments, Indigenous governments and organizations, and stakeholders.

Non-Pollution Incident: An uncontrolled or unexpected Wildlife injury or mortality event other than a Pollution Incident.

Pollution Incident: The release or deposit of a substance that is harmful to Wildlife into an area or waters that are frequented by Wildlife or into a place from which the harmful substance may enter an area or waters frequented by Wildlife.

Resource Agency: Any department or agency, other than the Lead Agency, that has jurisdiction or interest in the response, which provides support to the Lead Agency.

Responsible Party: Any person or organization who might be responsible for the source or cause of an environmental emergency and/or a Wildlife Emergency.

SARA-listed Species: A wildlife species listed on the [List of Wildlife Species at Risk set out in Schedule 1](#) of the [Species at Risk Act \(SARA\)](#).

Species at Risk: As defined in the *Species at Risk Act* (S.C. 2002, c.29), means an Extirpated, Endangered or Threatened species, or a species of Special Concern.

Wildlife: In this document, "Wildlife" is used to refer to the terms Migratory Birds as defined under the *Migratory Birds Convention Act*, and listed Species at Risk as those terms are defined under the *Species at Risk Act* for species falling within the jurisdiction of the Minister of Environment and Climate Change (with the exception of individuals of SARA-listed Species that are located on lands

administered by Parks Canada). This term also refers to all wild species occurring in the National Wildlife Areas set out on Schedule I of the [Wildlife Area Regulations \(C.R.C., c. 1609\)](#).

Wildlife Emergency: A Pollution or Non-Pollution Incident that results or may result in an immediate and/or long-term harmful effect on the life or health of Wildlife and/or their habitat.

Wildlife Response Organization: Organizations that provide expertise, capabilities and trained personnel to undertake one or several aspects of response, including planning, implementation and reporting of activities related to Wildlife Emergencies. Wildlife Response Organizations (or representatives thereof) are authorized under applicable federal, provincial, and/or territorial legislation to capture, transport, clean, rehabilitate, euthanize, and release Wildlife.

Wildlife Response Personnel: Personnel authorized to undertake Wildlife capture, transport, treatment, and rehabilitation and who may be involved in one or several aspects of the field recovery, stabilization, treatment (including rehabilitation and euthanasia), and release of rehabilitated Wildlife. Personnel may include those from a Wildlife Response Organization, a rehabilitation organization, veterinary staff, and/or trained volunteers.

Wildlife Response Plan: A document that outlines the initial and ongoing Wildlife-related strategies that are needed to support any Wildlife response objectives that may occur at the onset of a Pollution or Non-Pollution Incident.

1.0 Policy Overview and Scope

The *National Policy on Wildlife Emergency Response* (the Policy) establishes the role of Environment and Climate Change Canada's Canadian Wildlife Service (ECCC-CWS) during Wildlife Emergencies, including Pollution and Non-Pollution Incidents, affecting all Migratory Birds wherever they occur throughout Canada and all Species at Risk under ECCC's jurisdiction (with the exception of lands under the authority of Parks Canada); hereafter referred to as Wildlife. Should an incident occur in a National Wildlife Area set out on Schedule 1 of the *Wildlife Area Regulations* (C.R.C., c. 1609), this Policy also applies to Wildlife and their habitat located within that area.

This Policy is not intended to be a stand-alone document; it forms part of an overall emergency framework within the federal government and within the Department. The Policy specifically addresses ECCC-CWS's role within ECCC's Environmental Emergencies Response Operations Plan (EEROP, 2015). The EEROP outlines the manner in which ECCC provides scientific and technical advice, support services, and other response actions for pollution-related Environmental Emergencies, and supports the Government of Canada's Federal Emergency Response Plan Annex #6 on the Environment as well as ECCC's Strategic Emergency Management Plan. The Strategic Emergency Management Plan outlines the scope of all ECCC emergency management authorities and accountabilities and provides the framework and governance structure under which such authorities and accountabilities are delivered.

This Policy provides general guidance on the roles and responsibilities of ECCC-CWS to facilitate accessible, timely and co-ordinated Wildlife response activities and to inform decision making consistent with ECCC's current policy positions. The aim of the Policy is to ensure that the highest possible standards for response are applied consistently in any incident affecting Wildlife, while recognizing that there may be situational variability at national, regional and local levels.

ECCC-CWS recognizes that Wildlife Emergencies implicate multiple governmental jurisdictions, non-government organizations, and other stakeholders. As such, this Policy recognizes and respects the jurisdictional authorities, historic investments, and interests of federal, provincial, territorial, Indigenous, regional, and municipal governments, Indigenous groups, non-government organizations (NGOs), universities, and the public. During Pollution Incidents resulting in Environmental Emergencies, other Wildlife not under ECCC's jurisdiction, such as fish, mammals, reptiles, amphibians, and invertebrates, may also be implicated, thus, overall advice on Wildlife would be coordinated through ECCC's National Environmental Emergencies Centre (NEEC). During Non-Pollution Incidents involving Wildlife within ECCC's mandate (see [Wildlife](#) definition), response would be coordinated by ECCC-CWS. In the unlikely event of Non-Pollution Incidents involving Wildlife within and outside of ECCC's mandate, and where the Lead Agency (LA) is not clear, roles and responsibilities will be established at the time of the incident in consultation with relevant agencies and groups.

Certain industries may also cause the incidental mortality of Wildlife during their regular operational activities. Generally, these operational losses are monitored through other federal, provincial or territorial procedures already in place, and, therefore, may not be considered Wildlife Emergencies as related to this Policy. Nonetheless, some circumstances (e.g., abnormal levels of Wildlife strandings or mortality) may necessitate a greater response, and this Policy may serve to guide ECCC-CWS's actions in overseeing industry's Wildlife incident response.

The underlying assumption throughout this Policy is that Wildlife response activities are linked to and implemented collaboratively among the responsible jurisdictions. These jurisdictions may also include countries with which Canada would be involved during cross-border Pollution and Non-Pollution Incidents, or countries with which Canada may receive, or to which Canada may transmit, Wildlife diseases as a result of natural migration, trade, or other movements of Wildlife or Wildlife products.

This Policy replaces the Canadian Wildlife Service (2000) *National Policy on Oiled Birds and Oiled Species at Risk*. The Policy as it relates to Wildlife disease response supports existing disease management policies and programs (Canadian Wildlife Service 2007).

2.0 Wildlife Emergency Response

2.1 Legislative Framework

Under multiple environmental protection legislation, such as the [Canadian Environmental Protection Act, 1999 \(CEPA\)](#) and the [Fisheries Act](#), persons responsible for the release of pollution (i.e., Responsible Party (RP)) are required to notify ECCC officials of the incident, take all reasonable environmental protection actions to prevent or mitigate environmental impacts, and to repair any resulting environmental damage, including covering any reasonable costs in line with the Polluter Pays Principle. In accordance with CEPA, if an RP fails to take sufficient actions to prevent or respond to an emergency event, ECCC may take those measures or direct them to be taken, at the RP's expense. Consistent with the EEROP, the NEEC of ECCC's Environmental Emergencies Program is the primary administrator of these authorities.

Specific to Wildlife, Section 5 of the Migratory Birds Convention Act, 1994 (MBCA) prohibits the deposit of harmful substances into waters or areas frequented by Migratory Birds, providing further context for ECCC's mandate during Environmental Emergencies. In all Wildlife Emergencies, ECCC-CWS acts as a Resource Agency, which sets response standards and guidelines related to Wildlife under its jurisdiction.

2.2 ECCC General Responsibilities

ECCC has multiple roles and responsibilities during Environmental Emergencies which are outlined in EEROP. Specific to Wildlife Emergencies, the relative lead and supporting roles of NEEC and ECCC-CWS will change depending on whether an incident is recognized to be a Pollution or Non-Pollution Incident. This section outlines the lead and supporting roles of NEEC and ECCC-CWS, depending on the circumstances of the incident.

2.2.1 Pollution Incidents with Wildlife impacts

NEEC co-ordinates ECCC's overall response to an Environmental Emergency by providing unique technical and scientific advice and assistance to the LA. NEEC also shares notifications of Environmental Emergency incidents to relevant government agencies and stakeholders, as required, including ECCC-CWS. ECCC-CWS will also receive notifications of Wildlife-related Pollution Incidents through its activities and will inform NEEC.

When Pollution Incidents occur on lands under the authority of ECCC-CWS (e.g., National Wildlife Areas, Migratory Bird Sanctuaries on federally owned land) NEEC will act as the LA and coordinating body, with ECCC-CWS playing a focal role in supporting the response.

Recognizing that many instances with Wildlife impacts will be assumed to have arisen from a Pollution Incident, NEEC will assume a lead and coordinating role until such time as the incident is determined to be a Non-Pollution Incident. In such case, the leadership will be transferred to ECCC-CWS.

2.2.2 Non-Pollution Incidents with Wildlife impacts

During Non-Pollution Incidents affecting Wildlife within ECCC's mandate (e.g., mass strandings or disease outbreaks), ECCC-CWS may lead and/or coordinate scientific and technical expertise, and/or response, with other agencies, depending on the nature of the incident and respective jurisdictions. In such cases, NEEC will be informed, and its services will be leveraged as necessary to support response.

2.3 ECCC-CWS's Roles and Responsibilities during a Wildlife Emergency

During a Wildlife Emergency, ECCC-CWS is responsible for the following:

- Authorizing activities affecting Wildlife including issuing permits under the MBCA and its regulations (Migratory Birds Regulations (MBR) and Migratory Bird Sanctuary Regulations (MBSR)), as well as the Species at Risk Act (SARA). These could include activities such as to collect, transport and treat affected Wildlife.
- Varying or suspending the hunting regulations of Migratory Bird species, if necessary, for urgent action and for conservation reasons (Sections 36 and 37 of the MBR). ECCC-CWS would assess whether continuing the harvest contributes to unacceptable additional pressure on a population experiencing greater than usual non-hunting mortality.
- If the responsible federal and provincial public health agencies recommend that a species of Migratory Bird not be harvested in order to protect public health, ECCC-CWS may assist those agencies in the development of communication products and media releases necessary to properly inform and protect the public.
- In co-ordination with NEEC, assuming a focal and/or co-ordination role to engage appropriate organizations and facilitate response when the Wildlife Emergency occurs on lands under the authority of ECCC-CWS.
- Leading and/or coordinating scientific and technical expertise, and/or response, during Non-Pollution Incidents that affect Migratory Birds for which the cause is not immediately obvious (e.g., disease outbreaks, mass strandings or die-off).
- Acting as a Resource Agency, which includes:
 - providing information to NEEC and the LA on the Wildlife resources in the area of an incident (see [Section 2.3.1](#))
 - informing organizations responsible for response activities of the minimum requirements and standards to effectively respond to a Wildlife Emergency, including requirements for monitoring programs to ensure appropriate information is collected to assess potential Wildlife impacts on a case-by-case basis (through its National Wildlife Emergency Response Framework, see [Appendix I](#))
 - advising on the appropriate response strategies and identifying experts from other agencies, to prevent unaffected Wildlife from becoming affected
 - advising on the appropriate response strategies, including identifying experts from other agencies, for the treatment of affected Wildlife (see [Section 2.3.2](#) and [Appendix I](#))

As a fundamental principle, ECCC-CWS will concentrate its efforts during a Wildlife Emergency on preventing or minimizing long-term harm to Wildlife and supporting actions to sustain populations, species, and habitats of all Wildlife. Decisions by ECCC-CWS on the type and level of response, including who will conduct response operations, will be guided by this principle. ECCC-CWS may supervise and/or take control of Wildlife Emergency response functions, if the response plan implemented by the RP or others does not meet ECCC-CWS standards (as outlined in the National Wildlife Emergency Response Framework, [Appendix I](#)). ECCC-CWS may do this through qualified organizations that have the expertise, logistic capability and equipment to mount such operations. ECCC-CWS develops and maintains collaboration with other agencies that have complementary mandates and jurisdictions to reduce adverse impacts to Wildlife and to gain efficiencies during a Wildlife Emergency.

ECCC-CWS recognizes that deterrence and dispersal is a beneficial practice during Wildlife Emergencies to prevent unaffected Wildlife from becoming affected. ECCC-CWS currently has no permitting mechanism to authorize these activities (sometimes referred to as “hazing”), but should be consulted in the development and implementation of a Wildlife Response Plan according to ECCC-CWS standards (see [Appendix I](#)) to provide guidance on effective tactics for species, seasons, and habitats.

2.3.1 Assessment of Wildlife Resources during and after a Wildlife Emergency

During a Wildlife Emergency, ECCC-CWS will:

- undertake and/or advise on Wildlife monitoring to provide information on the current abundance and distribution of Wildlife within the area of the incident (see [Appendix I](#))
- make available designated personnel to provide expert advice regarding potential impacts to Wildlife and mitigation strategies
- make available designated personnel to potentially conduct activities, or monitor and report on activities involving affected Wildlife
- assess the initial and potentially ongoing threat to Wildlife based on multiple factors, such as the time of year, the location of the incident, the presence of sensitive habitats, the size of the affected area, the numbers and types of Migratory Birds affected, and the presence of Species at Risk
- provide advice on techniques and response activities aimed at isolating unaffected Wildlife from both affected Wildlife and the affected area
- provide advice on deterrence techniques to prevent or limit impacts to Wildlife populations
- monitor the effectiveness of any response activities or operations that involve the capture, transport, or treatment of Wildlife for which ECCC-CWS authorizations (e.g., permits) have been provided
- co-operate with authorized agencies to remove affected Wildlife from the environment, as required

ECCC-CWS may also participate in post-incident assessments of impacts to Wildlife populations and/or habitat. These assessments may include providing input with respect to restoration plans, legal action, court ordered damage awards, claims from insurance companies, and cost recovery.

2.3.2 Response Strategies for the Treatment and Management of Affected Wildlife

One of ECCC-CWS’s roles in Wildlife Emergency is to recommend response activities for affected Wildlife to sustain species, populations, and habitats. Response strategies for the treatment of affected Wildlife may include collection, rehabilitation and release, euthanasia and, in some cases, no human

intervention. The following factors will be considered in providing on-going advice and guidance on the treatment and management of affected Wildlife:

- Conservation status (i.e., global, national or regional population size and trend), national or regional responsibility, potential population vulnerability (i.e., national or regional significance, population recovery rates), relative national or regional distribution, demographic status, or relative species valuation to determine priority ranking between affected Wildlife, especially in the case of limited resources
- Probability of successful Wildlife rehabilitation (life history, condition at capture, and other animal welfare considerations)
- Landscape, geographical, and/or environmental challenges (remote, arctic, urban, terrestrial, marine, weather and forecast)
- Safety of Wildlife Response Personnel
- Potential impacts and considerations with respect to harvested Wildlife
- Nature of incident (e.g., pollution type, mass mortality) and extent of exposure
- Time elapsed since initial exposure event and recovery of affected Wildlife
- Available resources (e.g., Wildlife responder capability and availability, facilities, equipment)

Recommendations may also consider existing policies of other federal, provincial, territorial, and Indigenous governments and/or agencies.

2.3.2.1 Pollution Incidents

During a Pollution Incident, the collection and treatment of affected Wildlife (e.g., oiled birds) may be one of the most complex aspects of Wildlife response. Specifically, in relation to decisions to rehabilitate affected animals, ECCC-CWS recommendations will consider the above factors and the following questions:

1. Does the Pollution Incident have the potential to affect Wildlife populations?
2. Does rehabilitation provide conservation benefit?
3. Is it feasible to implement required care within a suitable time frame, and are resources available to support the safe capture and rehabilitation of Wildlife?

Where a Pollution Incident has the potential to affect Wildlife populations, and where the rehabilitation of affected Wildlife may provide conservation benefit, ECCC-CWS may recommend that affected Wildlife be treated in order to rehabilitate them to a healthy state. In such cases, the RP should provide sufficient resources for qualified rehabilitation organizations to undertake the rehabilitation activities at the required scale of operation. Qualified rehabilitation organizations should follow ECCC-CWS guidance for establishing and operating treatment facilities and for the capture, transport, cleaning and rehabilitation of contaminated Wildlife (see [Appendix I](#)).

Alternatively, where a Pollution Incident does not have potential to affect Wildlife populations or where rehabilitation of affected Wildlife will not provide conservation benefit, ECCC-CWS will recommend that resources be focussed elsewhere and will not request that affected Wildlife undergo the rehabilitation process. However, if there is a request to rehabilitate affected Wildlife from the LA, the RP, an interested third party, or from members of the public, and rehabilitation is a feasible option (question 3, above), ECCC-CWS will support the response by authorizing and advising on the rehabilitation process. The LA, RP, or interested third party must provide sufficient resources for qualified rehabilitation organizations to undertake the rehabilitation activities at the required scale of operation.

When rehabilitation is not recommended or feasible, removal of live and/or dead affected Wildlife should be considered, when possible, to remove sources of contamination and prevent secondary exposure or additional contamination of Wildlife as a result of scavenging.

2.3.2.2 Non-Pollution Incidents

The ECCC-CWS response for Non-Pollution Incidents will consider the factors above and will vary depending on the specific circumstances of each case. When dealing with Wildlife disease, often very little can be done to control the spread. It is difficult, if not impossible, to restrict the movements of wild birds in order to confine diseases through vaccination or population reduction, implement quarantines, sanitize habitats, or manage habitats to prevent reoccurrence. However, ECCC-CWS may lead, co-ordinate, or assist other agencies in the collection of samples during Non-Pollution Incidents, for testing by designated laboratories to confirm cause of death and effect on Wildlife conservation.

ECCC-CWS will work with and respect all jurisdictional authorities and interests to develop appropriate response plans for Non-Pollution Incidents. ECCC-CWS is not responsible for the impacts of Wildlife disease outbreaks, e.g., spillover events to other animals or humans, or issues arising from the presence of Wildlife carcasses. In the event of a link to human health or agricultural operations, ECCC-CWS will defer to the responsible agencies and provide assistance as needed.

3.0 Wildlife Emergency Preparedness

As part of emergency preparedness and Wildlife assessment programs, ECCC-CWS prioritizes the collection of baseline information on the distribution and abundance of Wildlife in known or potential high-risk areas (e.g., areas of high shipping traffic). NEEC incorporates this baseline information into its sensitivity mapping and multi-departmental regional response planning exercises to support decision-making during a Wildlife Emergency or during emergency preparedness activities. Baseline information also guides the identification of mitigation measures during a response and allows for the assessment of impacts to Wildlife during an emergency.

In addition to the maintenance of baseline information, ECCC-CWS develops internal guidance on contingency planning, training and equipment. These documents aid in preparedness and are updated, as needed, to reflect evolving practices (see [Appendix I](#)).

3.1 Contingency Planning

The ECCC-CWS National Wildlife Emergency Response Contingency Plan focuses on critical planning and establishes standards and guidelines to facilitate the co-ordination of Wildlife Emergency response at national, regional and local levels. This plan describes the emergency notification process, provides operational and procedural guidelines for ECCC-CWS personnel, and identifies procedures to assemble and issue an administrative record for Wildlife response actions.

The National Wildlife Emergency Response Contingency Plan provides the organizational structure and standard operating procedures to prepare and respond to Wildlife Emergencies in a way that:

- ensures existing baseline information, science, and technical expertise is accessible, and input is provided in a timely and co-ordinated manner in order to support sound decision-making to address environmental concerns, priorities and strategies, thus enabling the most appropriate and scalable environmental response actions at national, regional and local levels

- ECCC-CWS provides on-going input and support to NEEC activities and data management that is essential for the provision of emergency planning, preparedness, and response
- identifies ECCC-CWS engagement, co-ordination and integration for on-site Wildlife response nationally, regionally and locally
- ensures trained responders are available in each region to provide incident-specific support

3.2 Training and Equipment

The ECCC-CWS document *National Wildlife Emergency Response State of Preparedness* focuses on training and equipment requirements for ECCC-CWS staff to be prepared for Wildlife Emergency response. ECCC-CWS provides training and equipment to ECCC-CWS personnel tasked with Wildlife response activities in order to ensure adherence to the highest possible standards, and to ensure consistency with approaches taken at national, regional and local levels. ECCC-CWS prioritizes the health and safety of Wildlife Response Personnel, and therefore ensures that personnel are adequately prepared to work safely during a Wildlife Emergency.

In each region, ECCC-CWS maintains trained staff in order for incidents to be managed locally where practicable, and can be supported by additional national or regional capabilities when needed. ECCC-CWS is not required to provide training or equipment to other agencies within or outside of government, but may, through its National Wildlife Emergency Response Framework ([Appendix I](#)), provide standards and guidelines related to Wildlife response activities to support the assessment of the distribution, abundance, and treatment of Wildlife near an incident.

4.0 Custodian

The custodian for the *National Policy on Wildlife Emergency Response* and any amendments thereto is the:

Director General, Regional Operations Directorate
 ECCC-CWS
 ECCC

The approval of future updates is vested in the Director General, Regional Operations Directorate, ECCC-CWS. The *National Policy on Wildlife Emergency Response* will be reviewed and updated every 10 years or more often if required.

5.0 Related Policies and Plans

Canadian Wildlife Service. 2007. CWS Policy for Response to Mortality Events of Migratory Birds. 7 pp. Internal draft document.

Environment Canada. 2013. Environment Canada's Strategic Emergency Management Plan. 49 pp. 16 April 2013

Environment Canada. 2014. Compliance and Enforcement Policy for Wildlife Legislation. Available at: <https://www.canada.ca/en/environment-climate-change/services/environmental-enforcement/publications/compliance-policy-wildlife-legislation.html>

Environment Canada. 2015. Environmental Emergencies Response Operations Plan. Gatineau, QC. iv + 29 pages.

Appendix I: The National Wildlife Emergency Response Framework

National Policy on Wildlife Emergency Response

