



A PROFILE OF MARINE AND NORTHERN SPECIES  
DENIED LISTING UNDER CANADA'S *SPECIES AT RISK ACT*

# LEFT OFF THE LIST



David  
Suzuki  
Foundation

SOLUTIONS ARE IN OUR NATURE

**Left off the List:**

**A profile of marine and northern species  
denied listing under Canada's *Species At Risk Act***

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# Introduction

The federal *Species At Risk Act* (SARA) was enacted in 2003 to prevent Canadian wildlife and plants from becoming extinct, to provide for the recovery of endangered or threatened species, and to encourage the management of other species to prevent them from becoming at risk.<sup>1</sup>

For a species to be protected under the legal authority of the SARA, it must first receive a classification as *extirpated*, *endangered*, *threatened* or *special concern* through an independent scientific review by Canada's expert committee on species at risk (the Committee on the Status of Endangered Wildlife in Canada, or COSEWIC). Next, the species will undergo an extensive 'legal listing' process where socio-economic and political concerns associated with listing a species are considered by the federal Minister of the Environment. At this point a species may be added to Schedule I (the legal list of species at risk), returned back to the scientific review process, deferred for further consultation, or simply not listed.<sup>2</sup>

One would think that the *Act* ensures that all species at risk in Canada are protected, but this is not the case. This report highlights eight species that have been left off the list to illustrate the federal government's bias against listing marine and northern species.

## COMMITTEE ON THE STATUS OF ENDANGERED WILDLIFE IN CANADA

COSEWIC has a comprehensive process for determining the status of a species, based on internationally accepted criteria. The COSEWIC review panel will classify a species as *extinct*, *extirpated* (locally extinct), *endangered*,

*threatened, special concern, not at risk, or data deficient.* Species judged as *extirpated, endangered, threatened, or special concern* must be considered by the Minister of the Environment for legal listing under the SARA. The Minister can either accept COSEWIC's scientific evaluation of a species status and legally protect it by listing it under the SARA, or opt to defer or deny listing due to political or socio-economic considerations. Ultimately, the Minister is responsible for bringing a listing recommendation to the Cabinet (known as the Government in Council).

## IS THE SPECIES AT RISK ACT WORKING?

Once a species is listed under the SARA, the federal government can use different tools to provide for its recovery:

- *Endangered or threatened species* can be protected from actions that kill or harm the species. As well, the *Act* protects against the destruction of a species' home (residence) and/or its critical habitat (habitat that is needed to survive or recover).
- For species listed as *special concern*, listing under the *Act* triggers the development of a management plan that includes measures for conservation of the species.
- If a species is denied listing, there is no legal obligation for the federal government to protect or recover it.

In a growing number of instances, and despite scientific consensus, the federal Minister of the Environment and the Government in Council have made decisions not to list certain species as at risk of extinction. A recent study published in *Conservation Biology* found that since 2003, 21 species have been denied listing, and nine have been referred back to COSEWIC for reassessment.<sup>3</sup> A number of the northern species that were denied listing are awaiting the results of extended consultation with Nunavut and could be listed in the future.

## CANADA'S NORTHERN AND MARINE SPECIES

The *Conservation Biology* article noted that the majority of species that have been denied listing are fish and mammal species that live in Canada's North and/or marine environment. To date, the report noted six of 11 terrestrial mammals recommended for protection under the SARA were not listed. Five of these mammals are northern species. Similarly, of 19 marine mammals recommended, six were not listed, and five of these are from the North. Finally, 10 out of 11 recommended marine fish species were not listed (see Tables 1 and 2). Ten of the 12 northern species not listed (see Table 2) are pending further consultations with the Nunavut government and the Nunavut Wildlife Management Board (NWMB). There are no defined timelines for these further consultations.

The northern wolverine, grizzly and polar bear are large predatory animals

that play a critical role in the food-web dynamics of healthy ecosystems. These species are indicators of ecological integrity, given their dependence on large, connected, healthy and intact ecosystems. The polar bear and the Peary caribou represent northern species that are particularly vulnerable to the ecological changes underway from global warming. It is crucial for government to recognize the status of these species and begin to address the threats to their survival through the SARA.

**TABLE 1: Canadian species at risk not listed under the SARA since 2003**

GROUP	# OF SPECIES PROPOSED BY COSEWIC	# LISTED	# NOT LISTED <sup>A</sup>	PERCENT NOT LISTED (%)
<b>Herpetofauna</b> (reptiles and amphibians)	26	26	0	0
<b>Birds</b>	12	12	0	0
<b>Vascular Plants</b> (including trees)	71	69	2 (1)	3
<b>Invertebrates</b> (e.g., insects)	19	17	2 (2)	11
<b>Freshwater fish</b>	17	13	4 (2)	24
<b>Marine mammals</b>	19	13	6 (1)	32
<b>Terrestrial mammals</b>	11	5	6	55
<b>Marine fish</b>	11	1	10 (3)	91
<b>Total</b>	<b>186</b>	<b>156</b>	<b>30 (9)</b>	<b>16</b>

<sup>A</sup> In parentheses are numbers of species not listed that were referred back to COSEWIC for further consideration.

SOURCE: Modified from Moores et al. (2007), see endnote 3.

Of the marine species not listed, coho salmon and Atlantic cod represent iconic species that were once the basis of large commercial, local food and recreational fisheries. Overfishing and habitat destruction have resulted in major declines in population numbers. Beluga whale and porbeagle shark are at risk due to historical and continued unsustainable harvests.

**POLAR BEARS AND WHALES:  
WILL THEY BE HERE FOR FUTURE GENERATIONS?**

Over the next two years, COSEWIC will provide listing recommendations to Environment Canada for an additional 17 marine fish and 16 northern species.<sup>4</sup> The Minister of the Environment must take the recommendations based on scientific review to the Cabinet table and argue for the protection of these species and their habitat. Otherwise, the precedent to date suggests that the SARA will not be a useful tool to protect northern terrestrial or marine species at risk.



**TABLE 2: Assessment results for northern species at risk since 2003**  
 [YUKON TERRITORY (YT), NORTHWEST TERRITORIES (NT), NUNAVUT (NU)]

SPECIES	RANGE	COSEWIC STATUS	LISTED?
Peary Caribou	NT, NU	Endangered	No
Beluga Whale (Ungava Bay population)	QC, Arctic Ocean, Atlantic Ocean	Endangered	No
Beluga Whale (Eastern Hudsons Bay population)	NU, QC, Arctic Ocean, Atlantic Ocean	Endangered	No
Beluga Whale (Cumberland Sound population)	NU, Arctic Ocean	Threatened	No
Shortjaw Cisco	NT, AB, SK, MB, ON	Threatened	No
Porsild's Bryum	NU, BC, AB, NL	Threatened	No
Baikal Sedge	YT	Threatened	Yes
Wolverine (Western population)	YT, NT, NU, BC, AB, SK, MB, ON	Special Concern	No
Western Toad	YT, NT, BC, AB	Special Concern	Yes
Grizzly Bear (NW population)	YT, NT, NU, BC, AB	Special Concern	No
Grey Whale (Eastern North Pacific population)	Pacific/Arctic Ocean	Special Concern	Yes
Beluga Whale (Western Hudson Bay population)	NU, Arctic Ocean, MB, ON	Special Concern	No
Northern Leopard Frog	NT, AB, SK, MB	Special Concern	Yes
Beluga Whale (Eastern High Arctic–Baffin Bay population)	NU, Arctic Ocean	Special Concern	No
Barren-ground Caribou	NT, NU	Special Concern	No
Polar Bear	NL, Arctic Ocean	Special Concern	No





# Peary Caribou

## CURRENT STATUS

Peary caribou is endemic to Canada, meaning that it is found nowhere else on the planet. In Canada, its range is almost entirely restricted to the Canadian Arctic Archipelago. Scientists estimate that there used to be more than 30,000 Peary caribou in Canada, with a maximum population of 50,000. However, the populations of Peary caribou across the North have declined precipitously in the last few decades. For example, the population estimates for 2001 suggested that in total only 7,000 Peary caribou remained. This is a 72 per cent decline since the 1980s. However, within specific ranges, some individual populations have declined by as much as 99 per cent. Preliminary survey results for 2007 suggest that the total population is still in strong decline.<sup>5</sup>

## THREATS

The main threat to the Peary caribou is weather events, such as icing events, where ground ice frustrates the caribou's ability to forage for food. These events have caused large-scale population decreases over the past three decades. The increase in extreme weather episodes has been linked to global warming.<sup>6</sup> Potential threats also include industrial activity, unsustainable hunting, loss of genetic diversity and increased predation. Very small populations are particularly vulnerable to extirpation from these and other proximate causes of decline.<sup>7</sup>

## COSEWIC RECOMMENDATION (MAY 2004)

*Endangered*

## DECISION (JULY 2005): FURTHER CONSULTATION

In July 2005, the Government in Council made the decision not to list Peary caribou in order to further confer with the Nunavut Wildlife Management Board and the Nunavut government.<sup>8</sup>

Community consultations in Nunavut were completed in 2005. A new recommendation from the Minister of the Environment is pending, although no timeline exists.<sup>9</sup>



# Polar Bear

## CURRENT STATUS

At present, three of Canada's 13 populations of polar bear are thought to be increasing – the Viscount-Melville, M'Clintock Channel, and Davis Strait populations. However, the increases in the Viscount-Melville and M'Clintock Channel populations can be attributed to the decreased hunting quotas for populations that were previously depleted by unsustainable hunting in the 1980s and 1990s. Five populations are thought to be in decline: the Southern Beaufort Sea, Norwegian Bay, Western Hudson Bay, Kane Basin and Baffin Bay populations.<sup>10</sup> A decline of 22 per cent of the Western Hudson Bay population – the most studied population in the world – has occurred between 1987 and 2004. Scientists have drawn a significant correlation between global warming, the earlier break-up of sea ice, and the weaker condition (e.g., reduced fertility rates) of the Western Hudson Bay bears.<sup>11</sup>

## THREATS

Melting ice threatens the future of polar bear persistence in the North. Polar bears depend on sea ice for their survival (e.g., hunting), but across the Arctic, sea ice is melting. For instance, an overall decline in sea ice of up to 9.8 per cent per decade has been observed since 1978.<sup>12</sup> Further, the rate of decrease appears to be rising.<sup>13</sup> Some models predict that sea ice will disappear completely by the end of the 21st century.<sup>14</sup> Scientists foresee that near ice-free September conditions may be reached by as early as 2040.<sup>15</sup> In addition to global warming, polar bears face other pressures such as oil and gas development, unsustainable management (i.e., overhunting), and bioaccumulation of toxic substances.

## COSEWIC RECOMMENDATION (NOVEMBER 2002)

In 1991, COSEWIC assessed the polar bear population as *Special Concern*. This assessment was upheld in 1999 and 2002.

## DECISION (JULY 2005): **RETURNED TO COSEWIC**

In July 2005, Government in Council announced that it decided, on the recommendation of the Minister of the Environment, to refer the polar bear back to COSEWIC.<sup>16</sup>

A COSEWIC reassessment is expected for the polar bear in 2008.



# Wolverine (WESTERN POPULATION)

## CURRENT STATUS

The western population of wolverine is thought to be stable at present (approximately 13,000 individuals) but is very vulnerable to the potential impacts of increased development.

## THREATS

Wolverines have low reproductive rates and require intact, non-fragmented ecosystems to maintain viable populations. Their habitat has been degraded in southern Canada by habitat fragmentation due to roads and industrial activity. Although the North has largely escaped these impacts to date, there are significant development pressures that threaten to degrade this region's intact ecosystems. For example, the proposed Mackenzie Gas Project would open the Mackenzie Valley to oil and gas exploration, and the Government of Nunavut has already committed more than 100 million acres to development.<sup>17</sup>

## COSEWIC RECOMMENDATION (MAY 2002)

*Special Concern*

## DECISION (JANUARY 2005): FURTHER CONSULTATION

In January 2005, the Government in Council, on the recommendation of the Minister of the Environment, decided not to add the western population of the wolverine to the SARA list in order to further consult with the Nunavut Wildlife Management Board and the Nunavut government.<sup>18</sup>

Community consultations in Nunavut were completed in 2005. A new recommendation from the Minister of the Environment is pending, although no timeline exists.<sup>19</sup>



# Grizzly Bear (NORTHWESTERN POPULATION)

## CURRENT STATUS

There are fewer than 25,000 northwestern grizzly bears in Canada, and further decline is expected.<sup>20</sup>

## THREATS

As with the wolverine, habitat destruction threatens the northwestern population of grizzly through the expansion of industry and development in the North. This population is also vulnerable because it occurs naturally in low densities. The development of roads, railroads, power lines, and other linear features, such as oil and gas seismic lines, particularly threatens grizzly bear habitat.<sup>21</sup> Hunting also impacts grizzly populations.

## COSEWIC RECOMMENDATION (MAY 2002)

*Special Concern*

## DECISION (JANUARY 2005): **FURTHER CONSULTATION**

In January 2005, the Government in Council, on the recommendation of the Minister of the Environment, made the decision not to add the northwestern population of the grizzly bear to the SARA list, instead opting to further consult with the Nunavut Wildlife Management Board.<sup>22</sup>

Community consultations in Nunavut were completed in 2005. A new recommendation from the Minister of the Environment is pending, although no timeline exists.<sup>23</sup>



# Beluga Whale (5 POPULATIONS)

## CURRENT STATUS

Seven distinct populations of beluga whale in Canada have been assessed by COSEWIC. The Eastern Beaufort Sea population is considered *not at risk*, the St. Lawrence population is *threatened* and legally listed under the SARA. The five remaining populations have been assessed as *endangered*, *threatened*, or *special concern*, but were denied legal listing.

- 1 **EASTERN HUDSON BAY:** Population reduced by at least half and declining. High likelihood of extinction under present hunting levels in less than 10 to 15 years.<sup>24</sup>
- 2 **UNGAVA BAY:** Population very low, possibly extirpated (locally extinct).
- 3 **CUMBERLAND SOUND:** Population greatly reduced but presently stable.
- 4 **WESTERN HUDSON BAY:** Relatively abundant but population trend unknown.
- 5 **EASTERN HIGH ARCTIC-BAFFIN BAY:** Heavily hunted in Greenland, population trend unknown.

## THREATS

Historic commercial hunting and ongoing subsistence hunting are cited as the main cause of the declines in some populations. Natural contributing factors include mortality from polar bears, killer whales and ice entrapments. Other human activities may also put beluga whales at risk, including noise and disturbance resulting from vessel traffic, global warming, contaminants and hydroelectric dams.

## COSEWIC RECOMMENDATION (MAY 2004)

- 1 **EASTERN HUDSON BAY POPULATION:** *Endangered*
- 2 **UNGAVA BAY POPULATION:** *Endangered*
- 3 **CUMBERLAND SOUND POPULATION:** *Threatened*
- 4 **WESTERN HUDSON BAY POPULATION:** *Special Concern*
- 5 **EASTERN HIGH ARCTIC-BAFFIN BAY POPULATION:** *Special Concern*

## DECISION (JUNE 2006): FURTHER CONSULTATION

In June 2006, the Government in Council made the decision to not list these five populations of beluga whale.<sup>25</sup> The recommendation not to add these beluga populations was deemed necessary in order to further engage with the Nunavut Wildlife Management Board.





# Coho Salmon (INTERIOR FRASER RIVER)

## CURRENT STATUS

The Interior Fraser River coho is a genetically unique population of coho found in southern British Columbia above the Fraser Canyon. COSEWIC concluded that there is a serious risk of extinction of Interior Fraser coho. Preliminary 2006 data indicate that the abundance of returning spawners may be the lowest on record.<sup>26</sup>

## THREATS

COSEWIC identified overfishing, poor marine survival, freshwater and riparian (riverbank) habitat loss, and the use of hatcheries as the primary threats facing this population of coho salmon.<sup>27</sup>

## COSEWIC RECOMMENDATION (MAY 2002)

*Endangered*

## DECISION (APRIL 2006): **NOT TO LIST**

In April 2006, the Government in Council decided to not list Interior Fraser coho salmon based on future uncertainties associated with changes in the marine environment and the potential socio-economic impacts on resource users in the event that the population recovers. According to the Government in Council decision, the decision not to list provides future management flexibility to allow for increased harvests if the population recovers, thereby not forgoing any potential revenue generated by the fishery.<sup>28</sup>



# Atlantic Cod

## CURRENT STATUS

Atlantic cod were once abundant across the Atlantic region; however, all populations became severely depleted by the late 1980s. Four separate populations have been assessed by COSEWIC. The Arctic population is different than the other three in that it is restricted to a few coastal salt lakes.

- ① **NEWFOUNDLAND AND LABRADOR:** This population has declined more than 99 per cent since the early 1960s. Since the moratorium on fishing in 1993 there has been virtually no sign of recovery.
- ② **LAURENTIAN NORTH:** This population has declined by about 80 per cent over the past 30 years.
- ③ **MARITIMES:** Cod in this region have declined 14 per cent in the past 30 years.
- ④ **ARCTIC:** Numbers of adults may be no more than a few thousand.<sup>29</sup>

## THREATS

Threats to persistence include fishing (now halted in Newfoundland and Laurentian populations), bycatch in other fisheries, natural predation by fish and seals, and natural and fishing-induced changes to the ecosystem.<sup>30</sup>

## COSEWIC RECOMMENDATION (MAY 2003)

- ① **NEWFOUNDLAND AND LABRADOR POPULATION:** *Endangered*
- ② **LAURENTIAN NORTH POPULATION:** *Threatened*
- ③ **MARITIMES POPULATION:** *Special Concern*
- ④ **ARCTIC POPULATION:** *Special Concern*

## DECISION (APRIL 2006): **NOT TO LIST**

In April 2006, the Government in Council, on the recommendation of the Minister of the Environment after having consulted the Minister of Fisheries and Oceans, did not list the four populations of Atlantic cod. Reasons given include complexities associated with the differing biological status, socio-economic and management implications of each individual cod stock. There was also widespread vocal opposition from individuals in Newfoundland and Labrador, Nova Scotia, and Quebec.<sup>31</sup> The Arctic population has been referred back to COSEWIC for further information.





# Porbeagle Shark

## CURRENT STATUS

The most recent assessment suggests that porbeagle shark abundance in Canadian waters is between 12 and 24 per cent of earlier population levels (assessed in 1961).<sup>32</sup>

## THREATS

COSEWIC has identified fishing mortality, both directed and bycatch, as the main threat to this species. Directed fishing has been reduced to allow for recovery.<sup>33</sup>

## COSEWIC RECOMMENDATION (MAY 2004)

*Endangered*

## DECISION (JUNE 2006): **NOT TO LIST**

In June 2006, the Government in Council chose not to list porbeagle shark due to socio-economic concerns. Specifically, there was concern expressed that the absence of a SARA provision for the possession and sale of listed species would result in the end of the directed and bycatch fisheries impacting porbeagle, which in turn would cause economic losses for the fishing industry. The decisions also mentioned that a closure of the fishery due to the SARA would result in a loss of fishery-based sources of information required for monitoring the population.

# Conclusion

## NORTHERN SPECIES

Aboriginal communities have been and will continue to be vulnerable to the effects of global warming as the ecosystems of the North are altered at an accelerating rate. The Government of Canada has the responsibility to develop a plan to reduce greenhouse gas emissions, consistent with our international agreements, to address this issue. At the same time, it must protect wildlife populations that are important to northern communities and ecosystems. Legal listing of northern species at risk under the SARA is an important precautionary action in the face of global warming.

Aboriginal traditional knowledge must be included in species assessments and Aboriginal land governance must be respected. However, the consultation process between the federal government and northern communities must be transparent and include timelines for completion. The additional consultations required for the grizzly bear, wolverine and Peary caribou were completed in 2005, yet there is no publicly available process for determining when the reassessment will be complete.

### *Looking ahead*

By April 2008, COSEWIC will have reviewed an additional 17 marine fish species, all of which interact with commercial fisheries.<sup>34</sup> Thus far, the precedent set by Fisheries and Oceans Canada in advising the Government in Council suggests that SARA will not be used to recover marine fish species at risk of extinction.

Wolverine, grizzly bear and Peary caribou await a post-consultation recommendation from the Minister of the Environment. There is no timeline given for this recommendation, although consultations were completed in 2005.

The polar bear is currently before COSEWIC again. The reassessment is expected to conclude in 2008 and will trigger a new round of consultations with northern communities prior to the Environment Minister's listing recommendation.

## MARINE SPECIES

The major listing bias observed, especially for marine fish species, can in part be attributed to the method that the federal government uses to measure the economic costs of listing. The methodology readily identifies the ‘costs’ associated with forgoing present day fishing opportunities, but ignores non-market benefits of protecting species and their habitat (i.e., ecosystem services, intrinsic value of preserving a species, and even future harvest opportunities). Ecosystem services are the range of resources and processes supplied by natural ecosystems like clean drinking water and the absorption of carbon by ocean ecosystems. The value of these services is not captured in regular market transactions.

For example, the government’s cost-benefit analysis on porbeagle shark is based solely on its present value in fisheries. In fact, the analysts have made the assumption that “the benefits arising from all other sources except extractive use are negligible.” In this case, the maximum cost to the fishing industry was estimated to be only \$1.82 million spread over 20 years, a loss of eight jobs, and a maximum decrease in the economic activity of a single community by two per cent.<sup>35</sup> Because this species’ full recovery is projected to be slow (i.e., into the 22nd century), there was no value assigned for future recovery. The cost-benefit analysis of conventional economics is fundamentally flawed as a basis for deciding whether a species should be listed because the ‘costs’ of listing the species in terms of lost revenue from fishing will always exceed the benefits.

It has been argued by government decision-makers that at-risk marine species do not require additional protection afforded through the SARA because an entire federal department, the Department of Fisheries and Oceans (DFO), already exists to manage and recover these populations. While in theory this is true, the same department has overseen the decline of these species and has largely failed to reverse the decline. When abundance of a species has dropped to such critical levels as to be considered endangered or threatened by COSEWIC, it is clear that the management structure has failed and that additional protection is required. Based on historical precedence, there is little public confidence that the DFO will have the political will to make conservation-based decisions when weighing economic or political tradeoffs.

## LEFT OFF THE LIST: LEAVING SCIENCE BEHIND

The precedent to deny listing for the majority of marine and northern species suggests that if there is economic, cultural or political opposition toward legally listing a species, the species will not be listed regardless of the COSEWIC scientific recommendation. The article in *Conservation Biology* found that 93 per cent of *non-harvested* mammal and fish species were listed, whereas only 17 per cent of all *harvested* mammal and fish species considered at risk by COSEWIC were listed.<sup>36</sup> This bias clearly indicates that economic values and political

## Management plans

In defending the decisions made to not list a species under the SARA, the federal government often argues that existing effective management plans are in place. While sometimes true, in many cases management plans have not been developed or are not strong enough to ensure recovery. In either situation, there is still no accountability for the recovery of the species if they are not legally listed.

In the case of Interior Fraser coho, the federal government has argued that substantial protective measures have been in place since 1980 and that management under the *Fisheries Act* is the most effective way of managing this species. Yet, in 2006, Interior Fraser coho had the lowest returns on record.

Beluga whales are currently managed under the *Marine Mammal Regulations* pursuant to the *Fisheries Act*. At present there are no publicly available management/recovery plans for the five beluga whale populations highlighted in this report.

In the North, there are currently no publicly available management plans for Peary caribou.

The Yukon government has an outdated (1997) publicly available management plan for grizzly bears: the method that it outlines for calculating harvest quotas is no longer applicable.<sup>37</sup> There is a co-management plan for grizzly bears in the Inuvialuit Settlement Region that was co-written with the Yukon and Northwest Territories.<sup>38</sup> The publicly available copy includes work plans up to 2002. There are plans to update the document after the completion of grizzly studies currently occurring in the Yukon North Slope. As well, there are no publicly available management plans for grizzly bears in Nunavut.

The governments of Newfoundland and Labrador, and Nunatsiavut released a Five-Year Management Plan (2006-2011) for the polar bear/Nanuk in Newfoundland and Labrador. This is the only publicly available, province/territory-wide management plan for polar bears in Canada. The plan identifies objectives, steps and desired outcomes for polar bear protection, but it is not legally binding. The Yukon government does not have a polar bear management plan. In the NWT, there are user-to-user agreements between the Inuvialuit and Aboriginal groups that share management responsibility for polar bear populations in both Nunavut and Alaska. Any quotas or prohibitions established in these agreements are enforceable in the NWT through Inuvialuit Hunters and Trappers Committee bylaws pursuant to the *Wildlife Act*.<sup>39</sup> Nunavut has 12 Memorandums of Understanding (MOU) that are signed between the Nunavut Department of Environment and communities for each of the 12 polar bear populations shared or within Nunavut. These MOUs are not legally binding. The Government of Nunavut recommends harvest regulation, and the Nunavut Wildlife Management Board has the power to accept or reject the regulations. Ultimate authority on regulations, however, rests with the Minister of the Environment of the Government of Nunavut.<sup>40</sup>

There is no publicly available management plan for wolverine in the North. The Northwest Territories is working on a draft management plan. A similar plan is proposed but not yet completed for the Yukon.<sup>41</sup>

considerations trump science in listing decisions in Canada. In many cases, harvested species are those most in need of additional protection.

Although it is possible to protect and recover a species outside the legal purview of the SARA, the government faces no obligation to do so. The deficiency of publicly available management plans for the northern species (see sidebar) and the continuing rates of decline of marine species left off the list suggest that in the absence of regulatory tools to protect wildlife offered through the SARA, the future of many of these species is uncertain.

Ultimately, if the *Species at Risk Act* is to truly assist in the recovery of declining wildlife populations in Canada, the protection and recovery of endangered and threatened species should be the first priority in the application of the SARA, and should not be sacrificed for economic or political reasons.

## RECOMMENDATIONS

- **Species determined to be at risk by COSEWIC should be listed on Schedule I (legal list) of the SARA by the Government in Council.**
- **The government must change its method for evaluating costs and benefits of species recovery so that non-traditional valuation methods such as intrinsic and ecosystem service values are also included.**
- **When the Government in Council listing decision is contrary to the scientific consensus provided by COSEWIC, the effectiveness of non-SARA recovery efforts must be tracked to guarantee government accountability for the well-being of these species.**
- **Policies to reconcile obligations under existing Aboriginal land claims and the implementation of the SARA must be completed.**
- **All consultation processes regarding the listing of species, including extended consultations for northern species, must be transparent with fixed timelines.**

## WHAT CAN YOU DO?

- Write to the Minister of the Environment and express your concerns about the deficiencies of the listing process and the need to take more definitive action to protect Canada's wildlife and their habitat.
- Become a SARA watchdog, and monitor the upcoming species assessments (all listing decisions are posted on the SARA registry: <http://www.sararegistry.gc.ca/>).
- Find out more about promoting global conservation by visiting: <http://www.davidsuzuki.org/>.

## NOTES

- 1 *Species At Risk Act*, preamble.
- 2 As found at: [http://www.sararegistry.gc.ca/species/schedules\\_e.cfm?id=1](http://www.sararegistry.gc.ca/species/schedules_e.cfm?id=1)
- 3 Mooers, A. O. et al., *Biases in legal listing under Canadian endangered species legislation*, *Conservation Biology*, April 17, 2007.
- 4 [http://www.cosewic.gc.ca/eng/sct2/sct2\\_4\\_e.cfm](http://www.cosewic.gc.ca/eng/sct2/sct2_4_e.cfm)
- 5 Pers. comm., Department of Environment, Nunavut, March, 2007.
- 6 COSEWIC Status Report on Peary Caribou, p. 54.
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# The David Suzuki Foundation's Commitment to Sustainability

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