

Timeline for amendments to Schedule 1 of the *Species at Risk Act*

The purpose of this policy is to describe a standard timeline to make decisions with respect to amendments to the List of Wildlife Species at Risk under the *Species at Risk Act* (SARA, the Act).

SARA's Process to Amend Schedule 1 (the List)

Under SARA, the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) is responsible for examining the status of wildlife species in Canada. Species which COSEWIC assesses as extirpated, endangered, threatened, or special concern are eligible to be included on the List.

Once the Minister has received a status assessment of a species at risk from COSEWIC, the Minister has **90 days** to post a response statement on the Registry. The response statement indicates how the Minister intends to respond to the assessment, and the consultations that will be undertaken.

The consultations ensure that sufficient information is available to support the Minister's recommendation and the Governor in Council's (GiC) decision on whether to amend the List. The information gathered is provided by the Minister to the GiC through the Regulatory Impact Analysis Statement (RIAS) that accompanies an order. The RIAS describes the environmental, social, economic and other considerations that are taken into account in the Minister's recommendation to the GiC and the GiC's subsequent decision on whether to amend the List.

For wildlife species eligible to be added to the List, SARA states that where the GiC has not made a decision within **nine months** after receiving an assessment of the status of a species by COSEWIC, the Minister shall by order amend the List in accordance with COSEWIC's assessment. The Act does not specify when the GiC receives a COSEWIC assessment. For this reason the GiC acknowledges its "receipt" of the assessment by publishing an order in *Canada Gazette*, Part II, which starts the "nine month clock".

Subsequent to publication of the Receipt Order, a second order is published in *Canada Gazette*, Part I, which describes the proposed amendment to the List and launches a thirty day public comment period. Following the public comment period, the regulatory package is revised, as necessary, to incorporate comments received, and the Minister makes a recommendation to the GiC for a final decision on whether to amend the List. For wildlife species that are not yet listed, the Governor in Council may decide to:

- accept the assessment and add the species to the List;
- decide not add the species to the List; or
- refer the matter back to COSEWIC for further information or consideration.

Standard timeline for amendments to the List

This timeline standard is:

*From the date that COSEWIC submits a species status assessment to the Minister, the Minister will seek to obtain a GiC decision on whether to amend the List within **24 months for terrestrial species or 36 months for aquatic species requiring significant consultations.***

To achieve this, within **15 months** (terrestrial and aquatic species with straight forward consultation requirements) or **27 months** (aquatic species with extended consultation requirements) of receiving the species status assessment from COSEWIC, the Minister will submit the assessment to the GiC for receipt, and recommend an order which proposes to amend the List.

Within **9 months** of the GiC's Receipt Order, the GiC will make its final decision on the Minister's recommendation for species eligible for addition to the List as required by SARA. For further clarity, these timelines will also apply to decisions on the re-classification or removal of listed species.

Accelerated option through seeking an exemption from publication in Canada Gazette, Part I

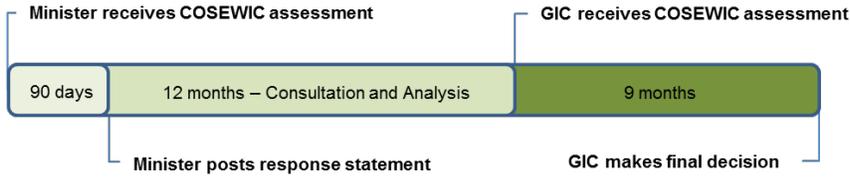
For species for which the anticipated socio-economic implications are considered minor, the Minister will seek an exemption from pre-publication in *Canada Gazette, Part I*. This will only occur if certain requirements are met, for example if the impacts on stakeholders are considered minimal.

Reporting when timelines are not met

If the timeline for the GiC receipt of a species status assessment from COSEWIC is not met, within **1 month** of the missed timeline, a statement will be published on the Registry describing the reason(s) for the delay and setting out next steps. For example, reasons for requiring more time include, but are not limited to: ensuring appropriate engagement with Indigenous Peoples; consultations with wildlife management boards, in accordance with land claims agreements; and complex socioeconomic analyses. The SARA Annual report will include a section describing the status of all species status assessments that the Minister has not yet submitted to the GiC and the next step(s) of each species.

More detail on the overall process for bringing recommendations on listing to the Governor in Council is outlined in Environment and Climate Change Canada's draft *Listing Policy for Terrestrial Species at Risk* (https://www.registrelep-sararegistry.gc.ca/virtual_sara/files/policies/Listing_En.pdf), and the Department of Fisheries and Oceans *Species at Risk Act* Listing Policy and Directive for "Do not List" Advice (https://www.registrelep-sararegistry.gc.ca/virtual_sara/files/policies/policy-politique-eng.pdf).

Timelines for Amendments to the List for Terrestrial Species and for Aquatic Species without Extended Consultations



Timelines for Amendments to the List for Aquatic Species with Extended Consultations

