

**Comment from BC Nature on provincial Species at Risk initiatives in British Columbia**  
28 November 2016

BC Nature (the Federation of BC Naturalists) represents 53 naturalist clubs across BC with over 6,000 members.

BC Nature appreciates the opportunity to provide input to the BC Government on the important issues of protecting species at risk. There is no lack of scientific and other information on what we should do from both government and non-government sources, here and elsewhere. The gap is in how that knowledge and experience is applied.

**Topic 1: Principles for the protection of species at risk**

We have the following comments on the principals outlined:

- **Principle #1.** BC's policy and legislative framework must 'result' in positive conservation outcomes for species at risk to ensure effective recovery rather than merely 'support' them.
- **Principle #2** should be rewritten to ensure the needs of species at risk are paramount (e.g., social and economic interests and decisions in BC communities will fully account for and result in positive outcomes for the protection and recovery of species and ecosystems at risk).
- **Principle #3.** Similar to Principle #2, effective recovery of species at risk will only occur if actions by the government recognize the needs of species at risk as paramount, and that any flexibility in implementing recovery is about meeting the needs of the species, not about allowing developments to proceed that negatively impact species.
- **Principle #4.** Shared stewardship is viewed as an important foundation for species at risk protection. However, BC Nature feels strongly that those who directly or indirectly impact species at risk and/or the ecosystems they depend on should be held fully responsible for these impacts. This is especially relevant to the forest and mining industries. This responsibility should also be retroactive, with stakeholders being held accountable for past impacts to species at risk.
- **Principle #6.** Special interest groups, lobbying, and/or politics will not be part of decision making for species at risk recovery. The precautionary principal will be employed where there is a lack of solid scientific information to ensure species recovery needs are met. ['best available' seems too vague]
- **Principle #9.** Voluntary actions to conserve species at risk should be sought, but as a secondary measure to effective regulations and enforcement. Where voluntary actions are adopted, their adequacy in achieving desired results should be assessed and legal requirements implemented where those actions are deficient. There should always be monitoring by government biologists of the effectiveness of any voluntary conservation actions concerning species at risk.

BC Nature recommends the following additional principals:

- **Ecosystem-based** - an ecosystem-based approach that employs the principals of conservation biology will be the basis of recovery decisions and actions for species, communities, and ecosystems at risk.

- **Effects** - all activities that may have a positive or negative effect on the recovery of species at risk (i.e., direct, indirect, cumulative, short and long-term and based on science) will be accounted for in decision making.
- **Resources** - financial and human resources will be allocated and/or sought through shared partnerships at a level that results in effective conservation outcomes for species at risk.
- **Cumulative effects** will be continually addressed and rigorously monitored. (Cumulative effects from multiple minor development projects can be much more damaging to species at risk than those from a single large project).
- **Monitoring of impacts** on species at risk will be undertaken by government biologists or qualified independent consultants reporting directly to the government and not by project proponents (e.g., mining or logging companies) or their consultants.

## **Topic 2: Provincial protection of species at risk**

BC Nature requests the government to implement more effective provincial laws, policies, and regulations to arrest the continued degradation of our environment and the species that depend upon it. Without an appropriate legal framework, other levels of government, industry, and the public lack formal accountability for the negative actions that harm our environment and its species. Environmental degradation ultimately leads to harmful impacts on the commons: ecologically, socially, and financially. This unhealthy situation needs to be addressed to ensure the sustainable management of BC's ecosystems and species, now and for future generations.

**We believe that enacting a stand-alone provincial Species at Risk Act is paramount.** There are significant gaps in the effectiveness of current Species at Risk legislation in BC and there is an urgent need to take action to address these gaps. Many provinces in Canada and numerous countries have legislation specifically designed to protect species at risk. Rather than the piecemeal approach of an assemblage of acts, BC's species and ecosystems at risk require an overarching approach based on the principals of conservation biology. There are currently too many loopholes and legislative gaps between the federal Species at Risk Act and the BC legislation that in most cases was not specifically enacted to protect species or ecosystems at risk.

The health of BC's economy and society depends upon a healthy functioning environment. Our government's decisions and actions, and how it regulates the activities of those stakeholders under its authority, should be based on the maintenance and/or recovery of a healthy fully-functioning natural environment. BC Nature believes that the government of BC needs to enact legislation that recognizes the rights of our environment and its species to exist in a healthy state now and into the future. A successful policy encompasses all government ministries and areas of responsibility, superseding the current piecemeal approach. Such a policy needs to be broad, simply stated, and easily understandable. Beneath the umbrella should lie the specific, technically detailed rules that identify actions to protect the species at risk, backed by strong enforcement.

We believe that the province also needs to take more leadership and action to address the serious threat of climate change to BC's environment and the species that depend on it. This is clearly not happening, with the ongoing promotion and expansion of the fossil fuel industry in BC by the Liberal government. Addressing the threats to species at risk without addressing the

importance and significance of climate change is unlikely to succeed with a resulting waste of time and resources and species extirpation or extinction. The government must accelerate the adoption and implementation of scientifically recommended actions to effectively address climate change.

With 53 clubs and 6300 members in BC, many of them scientists, BC Nature could be very helpful in contributing information, primarily inventories and monitoring. Local clubs are in many, if not most, cases knowledgeable about species at risk in their areas and can be very effective in raising awareness of them in their communities.

### **Topic 3: Protection of species at risk on private land**

Elected officials and the general public need to more clearly recognize the plight of species at risk so that landowners will accept protection legislation. Action to address the underlying factors that lead to the degradation of species and their habitats is crucial. Fundamental to effective action is the definition of roles of legal accountability for negative impacts on private land. Impacts to species at risk on private land are of most concern on east Vancouver Island and the Lower Mainland (e.g., continued destruction of Marbled Murrelet nesting habitat on private lands).

Efforts to protect species and ecosystems at risk on private land should be primarily persuasive (encourage landowners to protect species and ecosystems) but there should also be a punitive element (laws that punish private landowners that fail to protect such species and ecosystems). Ultimately, the protection and recovery of species at risk must take precedence over the rights of private landowners to harm these species or the habitats they require for survival. Species at risk have inherent rights to exist and need to be managed in the public's interest. Best management practices should be mandatory and appropriate penalties should be issued for activities that harm species at risk. Other avenues of effective stewardship and acceptance by landowners should be sought as well such as one-on-one meetings between landowners and knowledgeable people, such as naturalists and stewardship organizations

### **Topic 4: Funding for species and ecosystems at risk**

Additional financial and human resources within the Provincial government and for non-government organizations are badly needed. These must be adequate in scale and duration to effectively help species at risk recover and prevent others from becoming at risk. The primary goal should be to restore adequate funding to the Ministries of Environment (MOE) and Forests, Lands and Natural Resources Operations (MFLNRO). We feel strongly that those who directly or indirectly impact the ecosystems, including species at risk, should be held responsible for adequately accounting for and compensating for their impacts.

Specific areas that BC Nature believes require more long-term funding include species and habitat inventory and monitoring, research, conservation coordination, education and outreach, and enforcement.

Important sources of research and monitoring funding over the years have been Forest Renewal BC (FRBC) followed by the Forest Investment Account (FIA) which for many years provided

effective funding for a wide range of activities affecting species at risk, but which have now ceased. Similar funding derived from mining, forestry and other resource extraction licence fees should be re-established, with open competition for the funding (not limited to industrial companies and the BC government as was the case with FIA).

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