Egmont/Pender Harbour OCP Review

Sunshine Coast Regional District

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South Coast Conservation Program www.sccp.ca

The SCCP is a multi-partner conservation program helping facilitate projects and activities to protect and restore species and ecological communities at risk on the South Coast of B.C.

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1. Introduction

1. Introduction

This document provides a general review of the Sunshine Coast Regional District's (SCRD) Egmont/Pender Harbour Official Community Plan.

The South Coast Conservation Program (SCCP) is a multi-partner non-profit conservation program facilitating the restoration and protection of endangered species and ecological communities on BC's South Coast. Established in 2005, the SCCP works to fill coordination gaps between various levels of government, conservation groups, land use interests and local communities to conserve species and ecological communities at risk. The SCCP plays a vital role in assisting various stakeholders in navigating the complexities around species at risk. The SCCP used its expertise in species and ecosystems at risk ecology, policy, legislation and management, and expertise in environmental policy and planning evaluation in the preparation of this report.

This review is designed to provide an independent analysis of the effectiveness of the SCRD's Egmont/Pender Harbour Official Community Plan in addressing conservation of species and ecosystems at risk (SEAR). The report also goes one step further and provides recommendations for the improved integration of SEAR into the SCRD's everyday operations and decision-making and provides guidance to help the SCRD work toward compliance with relevant legislation.

The SCCP sees this report as representing a starting point for the SCRD in developing a comprehensive strategy for addressing species and ecosystem at risk management and protection within their boundaries. Additional discussion with SCRD staff, provincial and federal species at risk experts, consultation with affected stakeholders and additional inputs of technical expertise and resources will be required to fully address the recommendations put forward in this report. The South Coast Conservation Program would be pleased to meet with staff and other SCRD representatives to facilitate this process.

1.1 Purpose and Rationale

Like most communities in the South Coast of British Columbia, Egmont/Pender Harbour is experiencing increased development and urbanization pressures. While addressing growth pressures can be at odds with protecting species and ecosystems at risk (SEAR), the SCRD is well positioned to move forward with a comprehensive and proactive approach to achieving this balance – and the community health and wellbeing benefits of such an approach will bring this. The recommendations put forth in this report will assist the SCRD in working towards compliance with relevant legislation, preserving the environmental values it is recognized for.

1.2 Species and Ecosystems at Risk: Background

The South Coast Region of BC[1] supports some of the highest biodiversity in Canada. It is also one of the most populated areas, with over 2 million people currently calling it home. Over 100 provincially listed ecological communities and over 260 provincially and/or federally listed species of conservation concern also share this region.

Species at risk is a term used to describe any wildlife species (plant, animal, or other organism) that is at risk of extinction in Canada. In the United States the term used is endangered species. Species are often 'at risk' as a result of human activities that pose a threat to their survival. Ecosystems at Risk is a term used in B.C. to describe the list of ecological communities assessed as endangered, threatened or vulnerable with respect to continued existence in B.C. by the BC Conservation Data Centre (CDC). Ecological Communities (formerly known as plant communities) include sensitive ecosystems[2] and ecosystems of the provincial Biogeoclimatic Ecosystem Classification[3].

For the purpose of this report, Species and Ecosystems at risk are defined as all species at risk listed under Schedule 1 of *the Species at Risk Act (S.C. 2002, c.29)*[4]. Many of these species are also classified as "red" and "blue" listed by the Province of BC, which corresponds to federal categories such as threatened, endangered and special concern. Under the *Species at Risk Act*, listed species at risk and their critical habitat must be protected on all land types, **including local government and private land**[5].

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1 While 61 species have been assessed as endangered (E) or threatened (T), or Special Concern (SC) by COSEWIC in the South Coast, 44 have been SARA listed and 42 have federal Management Plans (SC) or Recovery Strategies (E, T) detailing Critical Habitat and Recovery Actions. No ecosystems at risk have been designated by federal legislation. Provincial legislation includes ecosystems under the Forest and Range Practices Act.

2 Sensitive Ecosystems Inventories. 2014. B.C. Ministry of Environment. Sensitive Ecosystem Inventories website. (Accessed November 13, 2014). http://www.env.gov.bc.ca/sei/

3 Meidinger, D and J. Pojar, 1991. Ecosystems of British Columbia. Special report series; No. 6. Victoria, B.C. 330 pp

4 Species at Risk Act; S.C. 2002, c.29 <Online: http://laws-lois.justice.gc.ca/eng/acts/S-15.3/>

5 Species at Risk Policies - Policy on Critical Habitat Protection on Non-federal Lands - 2016 [Proposed]

The SCCP guidebook "Local Government Tools Supporting Species and Ecosystems at Risk: A Resource Guide for the South Coast" provides more detailed information about species at risk in this region and an overview of factors influencing local government in SEAR protection[6].

1.3 Legal Context for protecting Species and Ecosystems at Risk

As a local government, it can be hard to navigate jurisdictional responsibilities with respect to SEAR. There are several pieces of provincial and federal legislation that confer some level of protection for a select number of species and ecosystems at risk, but the legislative framework is piece-meal at best. A more detailed overview and roadmap can be found in the SCCP Guidebook noted above.

The federal *Species at Risk Act (SARA)* is the most relevant and compelling piece of legislation dealing with species at risk in British Columbia, especially for Local governments.

1.4 Community Benefits of Protecting Species and Ecosystems at Risk

In addition to compliance with federal and provincial regulations, there are a variety of community benefits associated with protecting species at risk and biodiversity values in general. Table 1, an excerpt from 'A Guide to Municipal Tools Supporting Wildlife Species and Habitats in Nova Scotia' summarizes the rationale and benefits of local government involvement in SEAR and habitat conservation.[7] The amount that a community values each 'benefit' differs across and within communities. The SCRD can tailor education, outreach and policy to appeal to the values held by its communities. In Egmont/Pender Harbour the maintenance of ecosystems services like erosion control and flood management and the maintenance of ecotourism and high recreational experiences are benefits that already resonate with the community. Several public opinion surveys performed in the South Coast region show the support of the general population for the protection of the natural environment and species at risk. These studies can be used as evidence of public support when engaging in discussions with the public, council or other interested parties[8]

[6] South Coast Conservation Program, 2014. Local Government Tools Supporting Species and Ecosystems at Risk: A Resource Guide for the South Coast. Available on SCCP's website.

[7] Nova Scotia Natural Resources. 2005. A Guide to Municipal Tools Supporting Wildlife Species and Habitats in Nova Scotia.

[8] Species at Risk Public Opinion Surveys for Canada, BC and the South Coast.

Table 1. Rationale and benefits for local government involvement in species at risk, wildlife, and habitat conservation and recovery initiatives (Nova Scotia Natural Resources, 2005).

General Rationale	Specific Benefit
Creates informed and Healthy Public	Species at risk are indicators for the health of environment
	Better understanding of links to human health, quality of life
	Encroachment on habitats leads to wildlife-human encounters – SEAR awareness and education can help mitigate this
Improved Economic Competition	Tourism (aesthetics, community image)
	Ecotourism
	Increased Property Values
High Quality Recreational Experience	Outdoor activities (hiking, biking, canoeing, camping)
	Hunting and fishing
Maintenance of Ecosystem Services	Forests and vegetation moderate our climate, reduce greenhouse gases (absorb carbon dioxide and release oxygen), and clean our air
	Water purification
	Regulating and cleaning soils
	Maintaining the water cycle
	Recycling nutrients
	Pollinating crops
	Flood management
Improved Quality of Life	Health of local community
	Sustainable economy
	Environmental health
Untapped Funding Opportunities	Collaborate on conservation projects
Not Violating Existing Legislation	Species at Risk Act (section 61 relates to effective protection of critical habitat)

2. Recommendations for the Integration of SEAR into SCRD Decision Making


Gord Gadsden

Municipality

2.1 Compile Species at Risk Information

2.1.1 Generate list of Species and Collect Spatial Data

To benefit from the protection of species and ecosystems at risk, the SCRD needs to have the best available information about what species are present and exactly where they occur. This requires collection of up to date SEAR habitat and occurrence data from federal, provincial and academic sources and regular updating of SCRD maps to reflect these updates. Accurate and up to date spatial data about SEAR and their habitat is important in prioritizing land use and conservation measures. Acquisition (parks, protected areas), planning (green networks, zoning, environmental development permit areas,) and other types of protection measures can be more effectively established in a way that best meets management objectives. SEAR spatial data should be linked to existing property tenure information to ensure that parcels with SEAR values are flagged during any building or development permit application, recreational trail development, or other such planned development.

Provincial Species and Ecosystem at Risk Information

The BC Conservation Data Centre (CDC) is a central portal for provincial species and ecological community information. The BC CDC Species and Ecosystems Explorer[9] can be used to search for threatened and endangered species (federally and or provincially designated) or rare ecological (plant) communities, referred to as 'element occurrences'[10]. The Conservation Data Centre iMap theme can be used to view mapped occurrences and print occurrence reports. Shape files of public occurrences can be downloaded via the B.C. Government Data Distribution Service, and fall under the Open Government License[11]. It is important to note that the absence of occurrence records in an area of interest does not mean that there are no species or ecosystems at risk present; only that there are none currently recorded in the database corresponding to a

[9] The Species & Ecosystems Explorer can be found online.

[10] The B.C. Conservation Data Centre (CDC) maps known element occurrences (an area of land and/or water where a species or ecosystem is known to have been) of red- and blue-listed species and ecosystems. The CDC database includes the best available information and is updated on a regular basis.

[11] Some occurrence records are secured for various reasons. Details of secured occurrence records are available if there is a "need-to-know". Please contact CDC for information about secured occurrence records.

specific location. Species at risk and or of conservation concern on crown lands (e.g. parks and protected areas) is considered sensitive so is usually masked[12]. Information for private lands is displayed if the landowner has provided permission for it to be made available. Even if occurrence information is masked, you can submit a request to obtain the information.

It is recommended that the SCRD generate a list of SEAR in its area using the advanced search criteria. Species and ecosystems are dynamic, and recorded occurrences and listings change as more information is sought and discovered. As such, it is recommended that the SCRD assess this list annually (at minimum) and request and obtain relevant information (new species, updated habitat info, new occurrences etc.) as it becomes available. In addition, all occurrence data collected by the SCRD should be provided to provincial and federal representatives to be included in the CDC database.

Federal Species at Risk Critical Habitat Information

Environment Canada's Canadian Wildlife Service (CWS) shares detailed spatial data describing the location of candidate and final Critical Habitat for species requiring Recovery Strategies under the *Species at Risk Act.* It is recommended that the SCRD request Recovery Strategies and the associated critical habitat information for all species on the SCRD list (generated as per instructions at the beginning of section 2.1.1). It is also recommended that the SCRD update this list annually (at minimum) and request and obtain relevant information (new species, updated habitat info, new occurrences etc.) as it becomes available. It is recommended that the SCRD subscribe to the SARA Public Registry email newsletter[13] to receive updates on recovery strategies, upcoming and current consultations and emergency species listings.

Spatial data (in GIS format) pertaining to candidate Critical Habitat is shared in compliance with Section 39 of the *Species at Risk Act*, and is bound by the conditions of a No-Fee End-Use **Restricted** License Agreement for Government of Canada Geographic Data. The SCRD can contact the Species at Risk Consultation Coordinator[14] if they have any questions or wish to enter a data sharing agreement.

In 2016, the Government of Canada also began posting image files as well as interactive map files of defined critical habitat in recovery strategies[15]. Spatial data should be interpreted in conjunction with recovery strategies and any questions or concerns should be addressed to recovery teams and regulatory authorities.

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12 Secure Element Occurrence Data. The most common reasons that an element occurrence would be secured are: The species or ecosystem data is considered to be susceptible to persecution or harm if the data is publicly available; The data is proprietary

13 Subscribe to the SARA Public Registry.

14 Canadian Wildlife Service Species at Risk Consultation Coordinator.

15 Critical Habitat for Species at Risk, British Columbia interactive maps and geo-spatial information.

2.1.2 Compile Additional Information

The following information aids in the identification and management of SEAR on SCRD lands. Compiling and organizing this information up-front will increase the efficiency and effectiveness of protection efforts.

Ecosystem Mapping Data

Terrestrial Ecosystem Mapping and the Sunshine Coast Habitat Atlas can provide a more comprehensive picture of potential SEAR habitat and areas of conservation interest. As mentioned above, the absence of SEAR occurrence records in an area of interest does not mean that there are no species or ecosystems at risk present; only that there are none currently recorded in the database corresponding to a specific location. Wetlands, riparian areas and other sensitive ecosystems identified through TEM are often the remnants of the natural ecosystems that once occupied a much larger area. As human activities change an increasing portion of the landscape, these remnant ecosystems become increasingly valuable for the conservation of biodiversity. Species at risk habitat and ecological communities at risk often overlap partially, if not entirely with Sensitive Ecosystems such as woodlands, mature and old growth forests, riparian areas, and wetlands. While there is a high degree of overlap between sensitive ecosystems and SEAR, it is prudent to ensure both sets of information are collected and represented in SCRD mapping to 1) ensure species specific DP submission requirements are used when a SAR is known to be present and 2) to ensure that SCRD can demonstrate compliance with *SARA* if required.

It is recommended that SCRD use this ecosystem mapping data to inform development permit areas for the protection of the natural environment (E.g. Development Permit Areas for the Sensitive Ecosystems (DPA5). It is recommended that it also be used to inform the development of additional wildlife connectivity corridors, future protected areas and parks acquisitions, and potential habitat restoration projects.

Best Management Practices (BMPs) and "Develop with Care" Guidelines

BMPs and provincially developed Develop with Care Guidelines for each of the species identified in section 2.1.1. should be compiled.

Develop with Care guidelines were prepared by the provincial government for use by local government planners and the development community as a comprehensive guide to maintaining environmental values during the development of urban and rural lands. The guidance documents feature information on 'green' alternatives to typical urban development, riparian protection, terms of reference for conducting biological inventories, checklists for streamlining review processes, sector and species specific BMPs and more[16].

[16] Develop with Care guidelines also include several species at risk factsheets specific to the South Coast region.

The Green Bylaws Toolkit[17] provides practical tools and concepts related to the conservation of sensitive ecosystems and green infrastructure. It details SEAR provincial and federal legislation and outlines SEAR protection options for local governments.

Best Management Practices (BMPs) for species and ecosystems at risk provide guidance for managing activities that are a threat to the recovery of listed species. These management practices are based on the best available science and recognize a need to promote the conservation of species on working landscapes. Local governments can establish, follow and disseminate BMPs. Some BMPs are included in the Develop with Care guidelines, and organizations like the Stewardship Center of BC have developed comprehensive 'Voluntary Stewardship Practices' for several of the most common threats to species at risk. Through extensive consultation with individuals and organizations that have an interest in the activities addressed, the Stewardship Centre of BC (SCBC) has developed these BMPs for drainage maintenance in agricultural water ways, recreational climbing, domestic and feral cat predation, riparian areas in settled landscapes, and guidance for restoration activities in riparian areas[18].

Guidelines and BMPs should be used in the following ways:

- Shared with SCRD operations staff to ensure they are conducting municipal work in a way that supports species and ecosystems at risk.
- Shared with developers to promote SEAR friendly development.
- Form the basis for development permit conditions and site alteration permit conditions.
- Shared with the public and special interest groups (i.e. outdoor recreation clubs etc.) to promote SEAR friendly activities within the SCRD's jurisdiction and beyond.

Connecting with Species and Ecosystems at Risk Specialists

There is a lot to consider when addressing species and their habitat in land use planning. Navigating legislation, politics and community interests and understanding species-specific recovery actions can be complicated. Connecting with federal and provincial representatives, local conservation organizations and other experts who may be able to provide expertise can help streamline the process and reduce challenges.

> **Species at Risk Recovery Teams**: A Recovery Team exists for most species at risk in BC that have been assessed as at risk by COSEWIC, the arm's length scientific body that assesses the status of species in Canada. These teams help oversee all conservation and recovery efforts for a species, including the development of the 'recovery strategy'. Conservation groups and local governments wanting to undertake activities to enhance critical habitat or assist with conservation and recovery of a species within their community would need to communicate with the Recovery Team prior to proceeding. This ensures efforts are coordinated and harmonized with planned actions by specialists and regulators and based on the most up to date recovery recommendations. To

[17] Green Bylaws Toolkit for Conserving Sensitive Ecosystems and Green Infrastructure 2016.
[18] The SCBC's Draft Stewardship Practices guides for species at risk.

contact a specific recovery team, search the species recovery strategy on the Species at Risk Public Registry or contact the appropriate provincial or federal representative (Appendix B).

Provincial and Federal Representatives: In addition to recovery teams, provincial and federal SEAR representatives are an excellent resource for information, support and guidance. Examples of ways provincial and/or federal representatives can assist the SCRD in addressing SEAR and habitat protection include:

- The provincially coordinated Species and Ecosystems at Risk Local Government Working Group (SEAR LGWG), providing a forum for communication between provincial and local governments on SEAR issues. The group works together to enhance SEAR protection on private and local government lands.
- Advice on funding sources and potential partners for SEAR related work.
- Access to GIS layers and maps of Critical Habitat for federally listed species, species and ecosystems at risk occurrence information, and provincial sensitive ecosystems inventory (SEI) data for use in local government land use plans[19].
- A list of species at risk for which the federal government will be performing public consultation. This will help local governments address any questions that get misdirected to them. See Appendix C for an example notice than can be sent to residents.
- Communications language and support or presentations to staff, officials or developers or the public regarding SAR in BC and/or the application of *the Species at Risk Act* on private land.
- Information on best management practices and current science for species and ecosystems at risk.

2.2 Implement the Biodiversity Conservation Strategy

To ensure the Sunshine Coast maintains a connected and biodiverse network, the Ruby Lake Lagoon Society, in partnership with other stewardship groups, has developed a Sunshine Coast Biodiversity Strategy[20] with six main goals to engage with, prosper with, understand, value, protect and care for biodiversity. The SCRD should consider implementing the strategies recommended in the Biodiversity Strategy to achieve these goals as part of the OCP process.

2.3 Develop Internal Support and Protocol for Addressing SEAR

2.3.1 Share Information

A well-informed staff, council, public and development/land use community is a foundation to moving conservation initiatives forward smoothly. Opposition, differing values, priorities and agendas will of course exist. However, a well-informed community will reduce the number and magnitude of issues and will expedite the process of finding solutions.

[19] Government of British Columbia. Sensitive Ecosystems Inventories.
[20] The Ruby Lake Lagoon Society has developed a Sunshine Coast Biodiversity Strategy.

Start internally by educating and training SCRD staff in all relevant departments is an essential step in ensuring that there is a system-wide acknowledgement and integration of values that the natural environment, wildlife, habitat and biodiversity have as part of local government decision-making.

As a leading conservation organization in BC, the South Coast Conservation Program has been working with local governments to ensure they have the most effective tools and resources to protect and conserve species at risk on BC's South Coast. The SCCP offers several services to local governments, including in-house staff workshops, training sessions and educational materials, to assist them in taking informed, proactive steps towards fully integrating species at risk and critical habitat protection in land use planning and management.

A well-informed public is also key to effectively integrating SEAR protection into long-term decision making. Involving the public can increase the level of ownership and value recognition of species and species related projects, reduce opposition to local government led initiatives and policy development and act as an excellent public relations opportunity.

2.3.2 Designate staff for SEAR related inquiries.

While it is important for all staff relevant to SAR at the SCRD to have a basic understanding of SEAR and how it relates to their role and their work, it is recommended that there be an individual or individuals to address SEAR related inquiries both externally and internally. Information generated from government species at risk consultations may not make it to staff, or inquiries from concerned citizens do not get to the correct regulatory contacts. A point person can help facilitate inter-departmental collaboration and training workshops, disseminate SEAR information including BMPs and respond to SARA species consultations that effect the municipality.

2.3.4 Revise Egmont/Pender Harbour OCP to incorporate SEAR

Suggested revisions to the Egmont/Pender Harbour Official Community Plan can be found in Appendix A. The purpose of these revisions is to ensure SEAR is included in everyday decision making at the municipal level. The proposed revisions and recommendations are designed to help the SCRD work towards compliance with provincial and federal legislation, with specific focus on compliance with the federal *Species at Risk Act.*

2.3.5 Ensure SCRD operations support species and ecosystems at risk

Many local governments own a significant amount of land and must manage and maintain these properties. As a landowner, the SCRD can lead by example when it comes to species and ecosystems at risk protection. The following considerations will increase the SCRD's ability to manage SEAR on its land.

- Identify presence and potential occurrence of species on SCRD land using spatial information compiled as per section 2.1.2 of this report. Perform additional on-the-ground surveys for species and ecosystems at risk in collaboration with provincial and federal species at risk

experts, local knowledge experts and/or include SEAR in the SCRD ecosystem monitoring program.

- Inform operations staff of species at risk habitat or ecological communities at risk that occur on SCRD land.
- Train operations staff to identify species at risk
- Develop a procedure for the reporting of SEAR occurrences to SCRD's SEAR point person and to the appropriate provincial and federal representatives.
- Make staff aware of the best management practices and develop with care guidelines for species that occur on SCRD lands (List of species compiled as per recommendations in section 2.1.2 of this report)
- Work with species at risk experts to develop species and situation specific mitigation strategies where possible.

  Listed species, critical habitat and ecological communities at risk are present or likely to be present on SCRD lands and need to be part of management processes. It is especially important to assess SEAR issues before construction or development. The SCRD can lead by example by selecting maintenance and construction methods that minimize or eliminate negative impacts. These types of solutions confer many benefits. For example, choosing to maintain or restore natural vegetation on a site would be integral to retaining natural ecosystem services such as noise and visual buffering, treatment of run-off, helping control erosion as well as maintain natural habitat for wildlife species.

2.3.6 Use Sensitive Ecosystem Inventory and SEAR data to inform Acquisitions, Divestments and Parks Management

If SAR critical habitat or ecological communities at risk are identified on SCRD land, the SCRD can also take steps to ensure the protection of the land through (as an example), the formation of a park, protected area, setting up a conservation easement, partnership with a land trust or taking advantage of the benefits of donating land through the federal "Ecological Gifts Program"[21].

The SCRD can also engage in habitat restoration projects on municipal land, where appropriate. Qualified environmental professionals[22] should undertake habitat rehabilitation and recovery team members should be consulted if the restoration is designed for a specific species at risk. It is recommended that the SCRD develop an inventory of potential restoration projects (informed by SEAR mapping data, TEM, local habitat inventories and recovery expert advice).

Diversity by Design[23] provides science-based guidance for stewards, land managers and practitioners involved in habitat restoration and management activities that either directly target or indirectly affect species and ecological communities at risk on BC's South Coast. The Diversity by Design series includes three modules detailing restoration techniques for priority

[21] Ecological Gifts Program offers significant tax benefits to landowners who donate land or a partial interest in land to a qualified recipient. Recipients ensure the land's biodiversity is conserved.
[22] Qualified Environmental Professional with demonstrated experience with the specific species at risk.
[23] Diversity by Design is a SEAR restoration planning toolkit developed by the SCCP.

ecological community on the South Coast: wetland communities; forest communities; and stream and riparian areas.

When purchasing land, the SCRD can consider whether the land has significant wildlife value including specific ecosystems and species at risk habitat, and how it is connected to other habitat areas, such as government owned parks and protected areas. In this way, SCRD can optimize the benefit of land purchases and increase the amount of connectivity through the landscape.

Finally, when the SCRD sells land, it should be aware of any sensitive ecosystems, species at risk or habitat attributes. To support this, a process could be established where parcels of land for sale are cross-referenced with a database of species and ecosystems at risk locations and a Recovery Team or provincial or federal representative is contacted prior to the public sale of land (See Appendix B for representative contact information)

2.3.7 Expand Ecosystem Monitoring Programs

It is recommended that the SCRD revise its Ecosystem Monitoring Program to include ongoing monitoring for species and ecosystems at risk, with the aim of tracking biodiversity and ecosystem health over time. Having a systematic way to track biodiversity in the region will provide a better picture of the state of ecosystem health and can also inform and lend legitimacy to decisions that affect the environment. Long term monitoring will provide a more accurate and fine-scale picture of SEAR resources in the SCRD than is currently provided by provincial and federal mapping. While the development of a monitoring program can seem onerous and costly, there are opportunities to partner with local ENGOs and apply for grants that would support monitoring program development. Note: Any SEAR data collected by the SCRD through the Ecosystem monitoring program or by any other means should be communicated with species recovery team biologists. The provincial government has developed the following recommendations with respect to SEAR sampling:

- Sampling must be conducted in accordance with any detailed standards that have been recommended by the Ministry of Environment. Data submissions should be in accordance with Conservation Data Centre protocol[24].
- If detailed standards are not available, then Resources Inventory Standards Committee (RISC) approved sampling methodology must be followed[25]
- To ensure that data is considered credible, a qualified environmental professional should conduct sampling.
- Surveys should be conducted at the appropriate time of year because for some species detection out of season may be impossible.
- Survey methods should be adjusted where possible to avoid incidental mortality of non-target species (e.g., when minnow trapping in the range of the Pacific Water Shrew)

[24] Data Submission forms and information regarding reporting occurrences can be found online.

[25] RISC standards exist for a variety of ecosystem and species types. Information can be found online.

3. Conclusion

Both globally and locally, human activities have had significant impacts on native flora and fauna and the ecosystems that they rely on. Conservation and population growth continue to generate conflicts – but that does not need to be the case in the SCRD. Species and Ecosystems at risk represent some of the most unique and sensitive biological resources in the Sunshine Coast area. Communities across the SCRD have begun to recognize there is an intrinsic connection between conserving and protecting SEAR and the continued health and well-being of the local environment, human health, long-term economic prosperity of the region. Proper consideration and planning will be key to ensure Egmont/Pender Harbour retains the incredible environmental, cultural and recreational values it is known for.

The recommendations provided in this report represent a starting point for the development of a comprehensive strategy for addressing species and ecosystem at risk management and protection. Additional discussion with SCRD staff, provincial and federal species at risk experts, consultation with affected stakeholders and additional inputs of technical expertise and resources will be required to fully address the recommendations put forward in this report. The South Coast Conservation Program would be happy to discuss this review and the recommendations put forward and looks forward to working with the SCRD as the process evolves.

Appendices


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Appendix A: Egmont/Pender Harbour Official Community Plan Review

Draft for Public Review: September 2016

Recommended revisions and additions to the OCP that allow for better consideration of SEAR in SCRD land use practices are provided below.

1. Egmont/Pender Harbour Official Community Plan

General Recommendations

The previous OCP made mention to 'endangered plant or animals species'. The proposed new OCP makes no reference to species at risk. It is recommended that the new OCP continue to address the protection and recovery of Species and Ecosystems at Risk through the following methods:

a. SCRD request Recovery Strategies and the associated critical habitat information for all species on the SCRD list (generated as per instructions in section 2.1.1 of this report). It is also recommended that the SCRD update this list annually (at minimum) and request and obtain relevant information (new species, updated habitat info, new occurrences etc.) from the province and the federal government as it becomes available.

b. Provide definition of *Species and Ecosystems at Risk* in the OCP Glossary.

   Definition: *Species at risk* include species, sub-species or populations that are listed under Schedule 1 of *the Species at Risk Act (S.C. 2002, c.29)*[26] and/or BC Conservation Data Centre (CDC) Red and Blue listed and/or those considered regionally important. *Ecosystems at risk* include species communities that are provincially Red and Blue listed[27].

c. Provide a definition for *critical habitat* in the OCP Glossary.

   Definition: *Critical Habitat* is the habitat Endangered and Threatened species under the *Species at Risk Act* need to survive.

d. Where appropriate, modify language associated with *sensitive ecosystems* to explicitly include species at risk, their habitat, and ecological communities at risk. *Sensitive*

[26] Species at Risk Act; S.C. 2002, c.29 <Online: http://laws-lois.justice.gc.ca/eng/acts/S-15.3/>

[27] More information about provincially listed species can be found on the BC MOE website.

ecosystems do not always include SEAR, and the definition of SEAR does not include all *sensitive ecosystems* so it is important to make sure both of these environmental values are represented.

e. Be consistent with language used to describe *sensitive ecosystems*. Currently, the terms used in this OCP include: "important environmental features", "important ecological areas", "sensitive habitat", "environmentally sensitive areas", "significant natural features", "natural habitat" and "habitat" appear in the OCP.
f. Provide definitions for any terms used to describe sensitive *ecosystems* in the OCP Glossary.
g. The 1998 Egmont/Pender Harbour OCP included Map Schedule A2: Environmentally Sensitive Areas which depicts 'land and water areas' that have been assessed as environmentally sensitive. The proposed new OCP does not include this map nor any map outlining *sensitive ecosystems*.
h. An Sensitive Ecosystem Development Permit Area (DPA5) should be designated and identified on Map 2 for *sensitive ecosystems* including species at risk, their habitat, and ecological communities at risk.
i. A Green Infrastructure Network should be developed that identifies areas of environmental value, both riparian and terrestrial, and outlines a comprehensive strategy for the protection, enhancement and management of these areas.
j. Provide a definition for *green infrastructure* in the OCP Glossary.
k. Provide a definition for *invasive species* in the OCP Glossary.
l. It is recommended that the SCRD strengthen, throughout the OCP, the integration of the effective management of invasive species, which present a major threat to SEAR.
m. Provide a definition for qualified environmental professional in the OCP Glossary.

Specific Recommendations

2.1 Residential, Comprehensive Residential, Rural Residential and Multi-Family

2.1.1 Objectives

c) Consider using the term *sensitive ecosystems* to be consistent. Should include, 'by establishing buffers to significant natural habitat features including species at risk habitat and ecological communities at risk."

2.1.2 Policies

Add an additional policy that states, "Encourage all new buildings and renovations to be built with environmentally sustainable methods, standards and technologies representing best practices. Design, construction and renovation practices should follow 3.1.2 new Policy g) and species specific *Develop with Care* guidelines, and above all, avoid destruction of sensitive ecosystems, including critical habitat, ecosystems at risk and other environmental values."

2.1.7 Multi-Family

Policy d) iii. "The proposed development will not pose a detrimental impact on environmentally sensitive areas and watercourses and geotechnical hazard areas as indicated on Map 2: Development Permit Areas;". If the term 'environmentally sensitive areas' is used, it should be defined to be all encompassing, including species at risk, their habitat, and ecological communities at risk. These additional areas should also be displayed on Map 2 as DPA5, as previously mentioned in General Recommendations.

2.2 Resource

2.2.1 Objectives

Objective i) Define important ecological and/or write, 'To encourage the protection of sensitive ecosystems, including species at risk and their habitat and ecological communities at risk, and recreation areas on both public and private lands."

2.2.2 Policies

Add an additional policy that states, "To the greatest extent possible promote resource management practices that avoid or mitigate destruction to important ecosystems, species at risk and their habitat and ecological communities at risk."

2.4 Industrial

2.4.1 Objectives

Objective b) Should include, "on sensitive habitat areas *including species at risk habitat and ecosystems at risk*."

2.4.2 Policies

Policy e) i. "The proposed development does not pose a detrimental impact on environmentally sensitive areas and geotechnical hazard areas as indicated on Map 2: Development Permit Areas;". If the term 'environmentally sensitive areas' is used, it should be defined to be all encompassing, including species at risk, their habitat, and ecological communities at risk. These additional areas should also be displayed on Map 2 as DPA5, as previously mentioned in General Recommendations.

2.6 Community Recreation and Conservation

Section 2.6 should have a greater focus on the link that exists between community health and wellbeing and environmental health. Other sections in the OCP should be linked to the environmental outcomes. It important to make these linkages throughout the OCP. In this way,

environmental considerations are integrated into everyday decision making rather than a section in the OCP that can be easily overlooked.

3.1 Environment

Upland Environment

3.1.1 Objectives

Objective a) should include 'species and ecosystems at risk distribution' as a constraint.

Objective d) should be revised to include 'manage for the *conservation of species at risk, their habitat and ecological communities at risk*…"

3.1.2 Policies

Current Policy a) should include sensitive ecosystems, 'particularly geotechnical hazard areas, riparian areas and *sensitive ecosystem areas*'

Reorder current Policy f) and g) to positions b) and c) respectively. Move current Policy i) below k).

Current Policy c) use more direct language, revise to read "Applications *should* design residential subdivisions…". Add the sentence, "Seek and apply best management practices to new development, significant redevelopment, and operations/maintenance of existing infrastructure."

Add these three policies after current Policy c) [new e)]:

New Policy f) *"When considering changes to the landscape, ensure that new development or significant redevelopment assesses the cumulative environmental effects of the proposal and uses the information to minimize negative environmental impacts."*

New Policy g) *"During development or significant redevelopment, the preferred outcome is avoidance of negative environmental impacts, followed by minimization/mitigation, thirdly by restoration and lastly by compensation for impacts."*

New Policy h) "*Develop a financial strategy for the acquisition of environmentally sensitive land, informed by the green network."* A plan, complete with financial strategy is necessary to prioritize and optimize the acquisition of environmentally sensitive land. If part of the parks and recreation acquisition plan, it should be clear that the management objectives for certain parcels are protection and restoration before recreation.

Current Policy f) should include explicit reference to SEAR. Revise to read "Restore and protect habitats that support *species at risk and other* native species…".

Current Policy k) should use more direct language, revise to read "Land developers *should ensure* that natural drainage conditions.."

3.1.4 Policies

Policy q) Include sensitive ecosystems, 'The preservation of the natural environment*, environmentally sensitive areas and species and ecosystems at risk*, will be priority…'

3.2 Land Transportation System

3.2.2 Policies

Add a policy that promotes a network of green corridors, "To the greatest extent ensure the road system maintains habitat connections, with a network of green corridors for important ecosystems, species at risk habitat and ecosystems at risk.

3.8 Stormwater Management

3.8.1 Policies

Add another policy that promotes the use of green infrastructure and the creation of a green infrastructure network to mitigate stormwater runoff.

Several municipalities in the South Coast are mapping and developing green infrastructure networks that identify lands with environmental values and the connectivity between them. Green networks (GN) can manage for multiple objectives by providing opportunities for recreation, identifying ecosystem connectivity, protection and restoration opportunities, as well as informing decisions regarding urban growth and zoning and park and recreational acquisitions. For example, some trails in Schedule G of the quashed 2013 OCP and some parks in Schedule H of the same OCP could be included in a green network, as long as it is acknowledged that these areas support but do not negate the need for intact, protected areas with high habitat value to be included in the GN. Rather than just being a map of the green spaces that currently exist within the SCRD's jurisdiction, the green network should identify any land (including private) that has ecological value and what that value is, identify land that has restoration potential, and identify areas that could be added to the network. It should also include a concrete strategy for the use, protection and restoration of the identified network. For example, the city of Surrey's Green Network and associated Biodiversity Conservation

Strategy outline how much of the green network is privately owned and options for the protection of that land. The options include but are not limited to a green levy or development cost charges used to purchase and set aside lands of ecological value, or Development Guidelines or landscaping bylaws for the management of properties adjacent to the network.

Local Government Example: City of Surrey's Green Infrastructure Network, which is detailed within the city's Biodiversity Conservation Strategy[28]. The City of Richmond is also developing a similar "Ecological Network".

3.9 Development Permit Areas

As mentioned previously in General Recommendations, development permit areas should extend beyond hazardous lands (DPA 1 – 3) and Riparian Assessment Areas (DPA4) to include Sensitive Ecosystems (DPA5). Include a paragraph to explain DPA5:

'Sensitive Ecosystems (DPA5) applies to environmentally sensitive areas, identified species at risk critical habitat and ecological communities at risk. Proposed developments require a review by a qualified environmental professional to determine the appropriate management for the *sensitive ecosystem* prior to land alteration and development to ensure species and ecosystems are protected before, during and after development.'

Amend **Map 2 Development Permit Areas** to include DPA5. See section 2.1 of this report for guidance on where to find critical habitat mapping.

3.9.8 Development Permit Area 4: Riparian Assessment Areas

Include the critical habitat of riparian dependent species in definition of the Riparian Assessment Area. Accordingly, consider impact on these species when assessing buffer distance.

Development Permits may require that (page 45)**:**

Add e) "Specific protection measures for the critical habitat of any species at risk habitat and/or ecosystems at risk identified on site. Protection measures must follow BMPs for the species or ecosystem at risk in question and should be developed in collaboration with provincial SEAR biologists."

Move current e) to f).

[28] BCS can be found on the Surrey website. Details on the development of the BCS and green network can be found here.

3.9.9 Development Permit Area 5: Sensitive Ecosystem

Insert section **3.9.9 Development Permit Area 5: Sensitive Ecosystem** to establish a development permit for the protection of *sensitive ecosystems* including environmentally sensitive areas, identified species at risk critical habitat and ecological communities at risk. This section should outline specific considerations for these areas and additional submissions for proposed developments.

Ensure that when reviewing proposals for future development, resource activities and infrastructure projects, the planning will proactively avoid or if appropriate, mitigate effects on *sensitive ecosystems*.

Guidelines specific to SEAR should be developed for DPA5 and potentially applied in other DPAs. The guidelines should include (but not be limited to) the following:

- Plan, design and implement development in a manner that does not disturb natural biodiversity of ecosystem function.
- Keep free from destruction ecosystems or habitats that are listed as red or blue-listed by the Conservation Data Centre, defined critical habitat in SARA recovery strategies or are otherwise identified as regionally rare or at risk.
- Manage development on individual sites in a manner that does not disturb or adversely affect the biophysical attributes identified as necessary for the species' survival and recovery in a recovery strategy.
- Requirement of environmental assessment by a qualified environmental professional (QEP) with demonstrated experience with the SEAR that has been identified at the site. Terms of reference for the assessment should be included. Assessment will determine non-disturbance areas, conditions for approval, etc.
- Presence/not detected surveys and biophysical inventories must be completed under appropriate conditions (during appropriate time of year, etc.)
- Requirement for developer to consult and work with provincial species at risk biologist and/or designated community stewardship group when determining site placement and/or mitigation measures.
- Mitigation where there may be potential for damage to the natural environment during the approved construction; or retain or replace native vegetation. Species specific best management practices such as those found in the Develop with Care guidelines, the SCCP's Diversity by Design guidelines or the Stewardship Centre of BC's Stewardship Practices Guides should guide mitigation measures.

- Requirement for construction management plans indicating how non-disturbance areas will be protected during construction such as preventing encroachment (fencing), erosion and sedimentation, storage and maintenance of vehicles and controlling invasive plant species (a major threat to SEAR).
- Requirement for monitoring reports by a qualified environmental professional during construction to ensure the conditions of the development permit have been fulfilled.

The Green Bylaws toolkit has several excellent sets of guidelines for the protection of the natural environment, all of which have been vetted by environmental lawyers.

As discussed previously, it is highly recommended that the SCRD include all known SEAR spatial data in its DPAs. There are still many areas that have not been surveyed for presence of SEAR. It is likely that SEAR exists outside spatial data that is currently available. With this in mind, the SCRD should consider including the above SEAR guidelines in ALL development permit areas, especially those close to or including identified SEAR habitat.

3.9.9 Development Permits Exemptions

Renumber as section 3.9.10.

g) Revise to read 'in accordance with the provincial Water Act and Wildlife Act, and the federal Fisheries Act and Species at Risk Act…'.

h) Revise to read 'in accordance with the provincial Water Act and Wildlife Act, and the federal Fisheries Act and Species at Risk Act…'.

4.1 *shíshálh* Nation Strategic Land Use Plan

Conservation Areas - Page 48, second paragraph – Is the term 'critical wildlife habitat values' referring to federally listed species critical habitat? If so, employ a consistent term throughout that is defined in the glossary.

Overall, it is recommended that the SCRD explore opportunities to work with First Nations in the protection of species and ecosystems at risk. Opportunities could include applying for funding for SEAR related projects through the federal Habitat Stewardship Fund and/or Aboriginal Fund for Species at Risk.

The *shíshálh* Nation Strategic Land Use Plan (SLUP) recognizes species at risk, including the identification of some of the BC CDC Red and Blue listed species which occur in the area. The SLUP outlines land use zones, designating Conservation Areas to protect and restore areas of

high cultural and ecological values. To convey the desired future pattern of conservation, maps included in the OCP should identify shíshálh Nation SLUP Conservation Areas. The *selkant kwátámus lil xemit tems swiya* (Egmont Point Conservation Area) is zoned as agriculture and is partially covered by DPAs for Coastal Slope and RAR. The OCP states this area has been supported for protection by the SCRD through a protocol agreement with the *shíshálh* Nation since 2006. Therefore, it is recommended to identify this area as Environmental (DPA5).

The *spipiyus swiya lil xemit tems swiya* (Caren Range Conservation Area) falls into several landuse zones and for the most part is not designated as a DPA. In the OCP summary of this area, key values which should be incorporated from the SLUP (if the Egmont/Pender Harbour boundary incorporates these areas) include:

"High wildlife/biodiversity values, including:
- One of the main areas for k'éyich (Elk) recovery
- Remnant patches of old growth; including oldest recorded tixw-ay (Yellow Cedar)"

From this OCP section, if the SCRD is committed to the protection of environmental resources in the *spipiyus swiya lil xemit tems swiya*, this conservation area should be mapped and identified as Sensitive Ecosystem (DPA5).

4.2 We Envision: Regional Sustainability Plan

Land Use Strategic Directions

Include the land use principle for 'Natural Spaces, Parks & Recreation' stating, "Sensitive ecosystems are protected and restored through legal and policy tools."

Appendix B: Contact Information

Contacts:

The following individuals can be contacted for questions related to species and ecosystems at risk, species of conservation concern, and other significant wildlife habitats in the South Coast.

Federal Representatives

For general queries and to be directed to additional expertise:
Species at Risk Consultation Coordinator
Environment Canada
Canadian Wildlife Service
SAR.pyr@ec.gc.ca
604-350-1900

Provincial Representatives

For general queries and information regarding SEAR and local governments:
Lynn Campbell, Species at Risk Biologist
Ministry of Environment
Victoria, BC
Lynn.Campbell@gov.bc.ca
tel: (250) 387-9676; fax: (250) 387-9750
http://www.env.gov.bc.ca/wld/searl_gwg/

For area-specific information regarding SEAR in the South Coast Region:
Kym Welstead
Ministry of Forests, Lands and Natural Resource Operations
Surrey, BC
Kym.Welstead@gov.bc.ca

For information on provincial recovery planning please visit:
*http://www.env.gov.bc.ca/wld/recoveryplans/rcvry1.htm#sixth_*

For information on status ranking or occurrence data for SEAR in BC:
BC Conservation Data Centre
Ministry of Environment
Victoria, BC
CDCdata@gov.bc.ca

Appendix C: Example notice to residents regarding federal species at risk consultation

Example notice that local governments could use to communicate with residents about a species at risk draft recovery strategy consultation taking place in their community:

Did you know our community is home to (type and name of species)? The habitat this species needs to live includes: (describe features found in species fact sheet provided in the consultation materials. E.g., near bodies of water). Environment Canada's Canadian Wildlife Service is consulting on a draft recovery strategy document for (name of species). A recovery strategy describes what a species needs to survive and recover. You may receive information regarding this consultation process in the mail if Critical Habitat has been identified for the species and it includes your land. If you have seen this species and/or have the type of habitat described on your property you can contact Environment Canada to learn more. Please send inquiries to:

Species at Risk Consultation Coordinator
Environment Canada
Canadian Wildlife Service
SAR.pyr@ec.gc.ca
604-350-1900