

Protecting Species at Risk Habitat Under the Endangered Species Act



Photo: Joe Crowley

Why is Habitat Protected under the Endangered Species Act?

More than 200 species in Ontario are considered at risk of disappearing from the province. There are many causes including habitat loss, pollution, competition from invasive species, climate change and poaching.

The Endangered Species Act provides protection for species at risk and their habitats. It's not enough to protect only the species. Protecting their homes, the land, water and other areas they use, is key to their survival.

Habitat plays an important role in supporting the life processes of species at risk such as hibernating, finding food or reproducing. Part of protecting habitat means preserving these functions and ensuring the habitat remains useful for species at risk.

What is Protected Habitat?

Through the act, the habitat of endangered and threatened species is protected either through general or regulated habitat. When species are listed as endangered or threatened, their general habitat is automatically, and immediately, protected. General habitat includes areas on which a species depends to carry out its life processes.

A habitat regulation (which is a legal requirement of the act) protects habitat by providing a more precise description of habitat for a species at risk. It describes areas and features such as a creek, cliff face, or beach, geographic boundaries such as a region or other specific characteristics such as water quality or special food sources.

The Endangered Species Act protects species at risk habitat by prohibiting anyone from damaging or destroying it. Damage occurs when the function or usefulness of habitat for the species is impaired. Destruction occurs when that function is eliminated.

Protected habitat is not a "no-go" zone for all human activities or actions. Activities can take place in protected habitat as long as the activity does not damage or destroy that habitat.

ontario.ca/speciesatrisk

How is Protected Habitat Categorized?

Recognizing that some habitat areas and features are more important to supporting life processes, the Ministry of Natural Resources categorizes habitat by considering how a species uses its habitat and how much activity or change can occur within the habitat.

The Categorizing and Protecting Habitat policy separates habitat into the following categories:



Category 1 (Red):

Habitat areas with the lowest tolerance to alteration before their usefulness to the species is compromised. E.g., nesting and hibernation sites.

Category 2 (Orange):

Habitat areas with a moderate tolerance to alteration before their usefulness to the species is compromised. E.g., areas used daily to find food.

Category 3 (Yellow):

Habitat areas with the highest tolerance to alteration before their usefulness to the species is compromised. E.g., areas used occasionally to find food.



What Does Habitat Protection Mean to Me?

The Endangered Species Act applies to everyone – individuals, businesses, conservation authorities, municipal governments and the provincial government. It provides tools that help us protect and recover species at risk and their habitats.

Not every activity that occurs within or near protected habitat will damage or destroy that habitat. In fact, many day-to-day activities can take place without affecting habitat. Activities that do not damage or destroy habitat can proceed without any approvals (such as a permit) from the ministry.

To determine if an activity might damage or destroy species at risk habitat, the ministry considers three things:

- the details of the activity,
- which categories of the habitat will be affected by the activity, and
- how the activity might affect that species' ability to use that habitat.

If your activity is likely to damage or destroy the habitat of endangered and threatened species in Ontario, it may require an authorization (permit) from the ministry to proceed unless you modify your activity to avoid impacts to species at risk.

For example, you might be able to avoid damaging or destroying habitat by:

- conducting your activity outside of the active season, or,
- changing the location of your activity, or
- adjusting the way the activity is carried out.

The diagram to the right shows when a permit under the Endangered Species Act may be needed.

Contact your local ministry office if you are uncertain whether your activity is likely to damage or destroy habitat. We recommend that you contact the ministry early in the planning process.



We welcome public comments on draft habitat regulations through Ontario's Environmental Registry. ontario.ca/ebr

To find out which species currently have habitat regulations and which ones are in development, please visit ontario.ca/speciesatrisk.

What Can I Do to Help Species at Risk and their Habitat?

As a landowner with species at risk habitat on your property you may be eligible for funding programs that support stewardship activities to help protect and recover species at risk, such as the Species at Risk Stewardship Fund or the Species at Risk Farm Incentive Program. You can find out more about these programs by visiting ontario.ca/speciesatrisk or getting in touch with your local ministry office.

For additional information:

ontario.ca/speciesatrisk



Find out about financial incentive programs to assist with stewardship activities for species at risk. ontario.ca/mnrstewardship



Photos: Joe Crowley

MNR # 62790
© Queen's Printer for Ontario, 2012
ISBN 978-1-4435-9645-9

Cette publication est également disponible en français