

Effective Date: May 13, 2016

Reviewed/Revised: **NEW**

INTENT:

To outline ministry policy on plant translocations as a strategy to avoid development impacts on rare plants in the province of Saskatchewan, and to guide ministry decisions relating to permitting and approval of said activities.

SCOPE:

This policy applies to all persons including ministry employees, researchers, project proponents and their agents or any other persons or agencies seeking to avoid and/or minimize development effects on rare plants.

AUTHORITY:

This policy is being implemented under *The Environmental Management and Protection Act, 2010*; (EMPA 2010) under Section 3(2) and subclauses (iv) and (v):

3(2) For the purposes of carrying out the Minister's responsibilities, the Minister may:

create, develop, adopt, co-ordinate and implement policies, strategies, objectives, guidelines, programs, services and administrative procedures or similar instruments respecting the management, protection and use of the environment.

Environment as defined in EMPA 2010 includes:

- (iv) organic and inorganic matter and living organisms; and
- (v) the interacting natural systems and ecological and climatic interrelationships that include the components mentioned in subclauses (i) to (iv).

BACKGROUND AND RATIONALE:

- Plant translocation has been adapted by industry as a strategy to minimize development impacts on rare plants and was permitted by the ministry as an accepted practice until 2015.
- Research has shown that plant translocation is best used as a conservation strategy as laid out by an approved recovery strategy for the species in question, not as a response to minimize development impacts (Howald 1996).
- Plant translocations may be damaging to both the source and recipient sites and their existing flora and fauna. Such sites may already be sensitive to disturbance and plant translocations may introduce various ecological, disease, invasion, gene escape, socio-economic or financial risks, depending on the project design (Canadian Botanical Association 2014, IUCN 2013).
- Plant translocations that are conducted without thorough taxon-specific planning, management and monitoring often fail, if measures of long term success are defined at all (Pavlik 1996, Sutter 1996). Even well-planned efforts often fail (Fahselt 2007).

- Ministry acceptance of plant translocation suggests to industry that it is acceptable to move rare plants where their presence is inconvenient (Fahselt 1988, Canadian Botanical Association 2014), thereby undermining other more potentially effective mitigation strategies such as protection of natural habitat (Fahselt 2007; Canadian Botanical Association 2014).
- Mitigation should seek to conserve rare plants in association with their habitat, including any site-specific ecological associations (e.g., pollinators or mycorrhizal fungi) that may be necessary for their survival. (Canadian Botanical Association 2014, Fahselt 2007). Rare plants may often be indicative of a rare habitat type, therefore simply moving individuals does nothing to protect the habitat in which it is found (Canadian Botanical Association 2014).
- Several other jurisdictions have outlined considerations for plant translocations/reintroductions, and generally agree that plants are best protected in-situ and translocations are only appropriate in very rare cases (e.g., Canadian Botanical Association 2014, Native Plant Society of Oregon 1991, Maryland Department of Natural Resources, North Carolina Plant Conservation Program 2005, New York Natural Heritage Program 2009, California Department of Fish and Game 2005).
- Plant translocations conducted for mitigation purposes are often limited by temporal and budgetary constraints, and are usually not carried out in a manner that optimizes plant survival (Berg 1996).
- Plant translocations for species listed as extirpated, endangered, or threatened under the federal *Species at Risk Act* (SARA) on Federal lands or Provincial lands where an order is made to have it apply would be prohibited as per Section 32 of SARA. SARA permits may be issued only if the activity meets the criteria under Section 73 of SARA and all reasonable alternatives to the activity have been considered, the activity will not jeopardize the survival or recovery of the species and all feasible measures will be taken to minimize the impact of the activity on the species.
- Recipient sites are rarely given any form of protection; therefore, the long term protection of individuals and/or local populations is not assured through translocation. This wastes industry resources that could be invested in more effective mitigation strategies.

POLICY AND GUIDELINES:

- The ministry no longer recommends or permits plant translocations (including both live plant material and seeds) for mitigation purposes. Research Permits will continue to be issued in situations where translocations have been previously accepted as appropriate mitigation through the environmental assessment process. In rare cases, translocation may be appropriate for the overall survival of a rare species as outlined in an approved recovery strategy.
- Avoidance of rare plants and of habitat supporting rare plants should always be the recommended course of action where they might otherwise be destroyed.
- When avoidance is not possible, minimizing site disturbance and/or enhancing the conservation and survival of the impacted plant species and community through appropriate offsets is recommended.

- As a last resort, compensation for the loss of rare plant species or rare habitats supporting those species should be undertaken, including but not limited to, placing conservation easements on nearby sites hosting the species in question.

DEFINITIONS:

- **Mitigation:** Mitigation is a process for managing development impacts through the application of a step-wise progression of actions to avoid, minimize and offset adverse effects, followed by monitoring to ensure goals are met over time.
- **Plant translocation:** Plant translocations are the deliberate transfer of plant material from one area to another for the purpose of conservation. This plant material may be in the form of seeds, cuttings, propagated seedlings or plants dug out of the ground. Translocation originated as a conservation tool for use when a plant species is deemed to have little chance of surviving in the wild without intervention.
- **Rare plant:** For the purposes of this policy, a plant that is tracked by the Saskatchewan Conservation Data Centre (usually with an S-rank of SH, SX, S1, S2 or S3) as well as those plant species listed as extirpated, endangered and threatened in the provincial *Wild Species at Risk Regulations* under the Wildlife Act, 1998; those species listed under Schedule 1 of the SARA or assessed as endangered, threatened, or species of special concern by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). Conservation activities are focused on listed or tracked taxa and avoidance or mitigation is required for these taxa during any development projects.

ADMINISTRATIVE INFORMATION:

1. Legislative References/Authority:

Saskatchewan Government (Provincial Legislation)

E-10.22 - *The Environmental Management and Protection Act, 2010*

W-13.12 - *The Wildlife Act, 1998*

W-13.11 Reg 1 - *The Wild Species at Risk Regulations*

P-30.2 - *The Provincial Emblems and Honours Act*

Saskatchewan Acts and Regulations can be access at the Queen's Printer website

<http://www.publications.gov.sk.ca>

Canadian Government (Federal Legislation)

Species at Risk Act (S.C. 2002, c. 29)

Schedule 1 List of Wildlife Species at Risk

Information on SARA listed species can be access on the Public Registry website

<http://www.registrelep-sararegistry.gc.ca/default.asp?lang=en&n=24F7211B-1>

COSEWIC Assessments and information can be accessed from their website:

http://www.cosewic.gc.ca/eng/sct5/index_e.cfm

2. Permits/Forms

Research Permit Applications, Survey Protocols and Data Loadforms:

Information is available through the Government of Saskatchewan [Research Permit webpage](#)
[Research Permit Application – Species Detection](#)
[Rare Prairie Plant \(with Voucher Specimen Collection\) Survey Protocol](#)
[Species Detection Data Loadform](#)

3. Related Policies:

Saskatchewan Conservation Data Center (SKCDC) Vascular Plant Taxa Tracking List
[Saskatchewan Activity Restriction Guidelines for Sensitive Species \(June 2015\)](#)
[Species Detection Survey Protocols – Rare Prairie Plant Surveys \(May 2015\)](#)
Saskatchewan Conservation Data Center Lists can be accessed on the SKCDC website
<http://www.biodiversity.sk.ca/>

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APPROVED:


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APPENDIX: REFERENCES

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