

Top QUESTIONS AND ANSWERS Greater Sage-Grouse Emergency Order

Q1) What is the status of the Greater Sage-Grouse within Canada?

A1) The Greater Sage-Grouse is listed as *endangered* in Canada because it has experienced significant population declines in recent years and continues to be threatened by many factors including the loss, fragmentation and degradation of its native grassland habitats through oil and gas exploration and extraction, and conversion of native land to cropland. They are also considered endangered under Alberta and Saskatchewan legislation.

In 2012, there were estimated to be between 93-138 adult birds in Canada. The population has declined by 98% since 1988 and Sage-Grouse now occupy only 7% of their historic range in Canada.

Q2) What do we know about the threats to Greater Sage-Grouse?

A2) Sage-Grouse are threatened by some human activities and by natural phenomena, including:

- Habitat loss and degradation due to conversion of native grassland to other uses,
- Drought and severe weather events,
- West Nile Virus,
- Disturbance due to noise near leks (mating areas)
- Very small population size ,
- Increases in predation, and
- Changes to the natural hydrology of areas because of small dams.

Q3) What is an Emergency Order under the *Species at Risk Act* (SARA) and when is it used?

A3) An Emergency Order is a regulation that can be made when Cabinet and the Minister agree that the species faces imminent threats to its survival or recovery. An Emergency Order could protect a listed wildlife species on both federal and non-federal lands. As per subsection 80(2) of SARA, the Minister must recommend an Emergency Order to Cabinet if he or she is of the opinion that a listed wildlife species faces imminent threats to its survival or recovery. The final decision on whether or not to issue the Emergency Order rests with Cabinet.

Q4) What is included in this Emergency Order?

A4) This Emergency Order will achieve the best protection for the Sage-Grouse while minimizing impacts on landowners and agricultural producers. Private lands are excluded from the Emergency Order and there are no restrictions on grazing operations on provincial and federal crown lands. The prohibitions in the Emergency Order do not apply inside or within 100m of an existing residential or agricultural building or machine. Grazing operations will not be affected by the Emergency Order, as some grazing is beneficial to Sage-Grouse habitat. The Emergency Order for Greater Sage-Grouse contains prohibitions that apply on particular portions totaling 1672 km² of provincial and federal crown lands in southwestern Saskatchewan and southeastern Alberta, an area roughly four times the size of Cypress Hills Interprovincial Park, or twice the City of Calgary. The Government of Canada will encourage and support voluntary stewardship actions which help protect potential Sage-Grouse habitat on private lands.

The Emergency Order contains *year-round* prohibitions on federal and provincial lands only relating to:

- the killing or moving of native plants,
- constructing or installing new fencing (except when fencing is used to manage grazing animals and is considered Sage-Grouse friendly),
- constructing, installing or altering a structure or machine that produces chronic noise,
- constructing a new road or widening an existing one, and
- installing or constructing a structure (excluding a fence), machine or pole exceeding 1.2m in height.

It also includes *seasonal* noise prohibitions between dusk and dawn during the mating season on federal and provincial lands only.

The Emergency Order will take effect February 18, 2014. The period between December 4 and February 18 will be used to inform stakeholders about the Emergency Order, and help them comply.

Q5) Which areas are subject to prohibitions in the Emergency Order?

A5) The Emergency Order contains prohibitions that apply on a number of legal subdivisions found on provincial and federal crown lands, and the road allowances found between those legal subdivisions, which include and surround all leks (mating sites) that were active with male Sage-Grouse in at least one of the years between 2007 and 2012. These are listed in the table of Part 1 or 2 of Schedule 1 of the Emergency Order.

This area covers 1672 km² of federal and provincial crown lands in southwestern Saskatchewan and southeastern Alberta, an area roughly four times the size of Cypress Hills Interprovincial Park, or twice the City of Calgary. It includes provincial crown land, federal protected areas and lands leased from the provinces to Agriculture and Agri-Food Canada that include community pastures and lands surrounding a research station.

Private lands are excluded from the Emergency Order and there are no restrictions on grazing operations on provincial and federal crown lands. The prohibitions in the Emergency Order do not apply inside or within 100m of an existing residential or agricultural building or machine. Grazing operations will not be affected by the Emergency Order, as some grazing is beneficial to Sage-Grouse habitat.

Q6) How will grazing practices on public lands or private lands be impacted by the new Emergency Order?

A6) Private lands are excluded from the Emergency Order and there are no restrictions on grazing operations on provincial and federal crown lands. The prohibitions in the Emergency Order do not apply inside or within 100m of an existing residential or agricultural building or machine. Grazing operations will not be affected by the Emergency Order, as some grazing is beneficial to Sage-Grouse habitat.

In areas where grazing can be modified to improve Greater Sage-Grouse habitat, the Government of Canada will provide strong incentives for voluntary stewardship measures through programs like the Habitat Stewardship Program for Species at Risk.

Q7) What is the impact of the Emergency Order on oil and gas activities?

A7) New oil and gas wells cannot be built within the area that is subject to the Emergency Order. Private lands are excluded from the Emergency Order and there are no restrictions on grazing operations on provincial and federal crown lands. It was forecasted that two new oil wells would have been developed between 2014 and 2023 in this area. This forecast was made taking into consideration a constant production level projection for conventional oil in both provinces.

Existing oil wells will have to suspend their production for two months during the Sage-Grouse mating season (April-May) due to the noise prohibitions in the Emergency Order.

Existing gas wells will not be required to cease their operation, as they do not generate noise at the levels threatening the Sage-Grouse. However, operators will have to respect the Emergency Order's prohibitions. For example, during April and May, maintenance and well monitoring could only take place during daylight hours.

Q8) Does the Emergency Order apply to Grasslands National Park?

A8) Yes, the Emergency Order applies to areas in the Park containing important Sage-Grouse habitat. Sage-Grouse and their habitat in the Park are also protected by additional measures under the *Canada National Parks Act* and the *Species at Risk Act*.

Q9) What is the Government of Canada doing to support stewardship for species at risk?

A9) The **Habitat Stewardship Program for Species at Risk (HSP)** provides funding for projects that conserve and protect species at risk and their habitats. Over the past 13 years, the HSP has supported over 2,100 projects across Canada, contributing over \$125 million towards on-the-ground conservation action by partners and stakeholders. The HSP continues to be available to assist individuals and groups seeking to implement actions for the conservation and protection of this species.

Environment Canada is also working with the Saskatchewan Ministry of Environment to develop the South of the Divide Multi-Species Action Plan in southwestern Saskatchewan. This Plan is being developed in collaboration with provincial and federal government agencies, stakeholders, and landowners in the region and will provide recommendations on effective conservation measures for species at risk.

Q10) What are appropriate voluntary stewardship measures for Sage-Grouse?

A10) Some examples of stewardship measures landowners can take include installing "Sage-Grouse friendly" fencing and implementing enhanced grazing management to improve Sage-Grouse habitat. Landowners can contact Environment Canada for advice on these or other Sage-Grouse stewardship measures. Private lands are excluded from the Emergency

Order and there are no restrictions on grazing operations on provincial and federal crown lands.

Q11) Where can I find more information on what the Emergency Order entails?

A11) You can find out more by consulting the Emergency Order Summary available on the [Species at Risk Public Registry](#). The full Emergency Order is published in the December 4th edition of [Canada Gazette II](#) .