

Provincial Species Recovery Planning, SARA and the Spotted Owl

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Discussion of SARA's legal requirements for recovery strategies and the need for provincial processes to meet these requirements in order for provincial recovery strategies to be accepted as "existing plans" under SARA. Enco concerns regarding provincial processes with respect to the SARA requirements will be discussed with specific reference to the British Columbia Spotted Owl Recovery Team and the issues of team composition and untimely consideration of socio-economic factors. Legal obligations which exist under SARA for intervention by the federal government regarding species recovery will be discussed, emphasizing the mandatory requirement for the federal government to prepare federal recovery strategies and action plans in the absence of provinces complying with SARA. Topic concludes with a discussion of public legal remedies in the absence of the federal government fulfilling this requirement.