

Rachel Gutman
Andhra Azevedo
Ecojustice
390-425 Carrall Street
Vancouver, BC
V6B 6E3



Dear Ms. Gutman and Ms. Azevedo:

This letter is to inform you, and your client the Wilderness Committee, that the Honorable Steven Guilbeault, Minister of Environment and Climate Change has formed an opinion for the Spotted Owl *caurina* subspecies in Canada (Spotted Owl) under section 80 of the *Species at Risk Act* (SARA), subsequent to your petition on behalf of your client, in October 2022.

The Minister has determined that the Spotted Owl is facing imminent threats to its survival and recovery based on an Imminent Threat Assessment that used the best available information, including information provided by Ecojustice and the Government of British Columbia.

The Imminent Threat Assessment examined the impact of logging within the Spuzzum and Utlzius Creek watersheds that support the last three remaining Spotted Owls known to exist in the wild in Canada, as well as the impact of forestry and other land clearing activities across the species' habitat in British Columbia. The Minister has determined that any resumption of logging activities in Spotted Owl habitat in the Spuzzum Creek and Utlzius Creek watersheds poses an imminent threat to the survival of the species. The Minister and the Department are working to confirm the status of the provincial deferrals and will consider their status in fulfilling its duties related to making a recommendation to the Governor in Council.

In regards to the impact of forestry and other land clearing activities across the species' habitat in British Columbia, the assessment determined that given existing provincial authorizations, there are over 2500 hectares across their habitat that have a high potential to be harvested over the next year. The complete or partial logging of these areas, distributed over a patchwork of Spotted Owl habitat, would alter the amount and configuration of their habitat, making the achievement of its recovery objectives highly unlikely. Although this area is relatively small compared with the overall size of Spotted Owl habitat in British Columbia, the impact of the loss of this habitat on the recovery of the species extends beyond the specific area where harvesting occurs.

To fulfill his obligations, the Minister will be formally making the appropriate recommendation to the Governor in Council regarding an emergency order to protect the Spotted Owl from imminent threats to both its survival and recovery. Subject to Cabinet agendas, the Department anticipates that a recommendation could be made in early 2023.

Officials will notify First Nations whose traditional territories overlap with Spotted Owl habitat of the Minister's opinion and seek their views on the approach to addressing the imminent threats, including any potential impacts to their Aboriginal and treaty rights.



The Minister has also informed Minister Cullen of this determination.

Sincerely,

Daniel Wolfish
Director General, Regional Operations Directorate
Canadian Wildlife Service