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## **Federal Government Misses Caribou Protection Deadline ...Again**

After missing a mandatory legal deadline to submit a draft recovery strategy for woodland caribou by four years, the federal government has also failed to produce a final recovery strategy for woodland caribou on time.

Environment Minister Peter Kent will delay release of the long-awaited final woodland caribou recovery strategy until Sept. 30 — that is, unless he postpones its release again — federal lawyers announced Monday, sparking outrage among First Nations and environmental groups trying to secure protections for the iconic species.

The federal government's failure to produce the recovery strategy, coupled with its unwillingness to recommend emergency protection measures for caribou, is particularly deadly for herds in Alberta, which face extinction due to habitat disturbance from intensive oilsands and other industrial activity. The federal government must step up and meet its legal responsibilities to protect and restore caribou habitat needed to recover these populations.

"Nearly all Alberta caribou herds are already struggling with low calf survival and falling populations due to unfettered industrial expansion," said AWA conservation specialist Carolyn Campbell. "So it is urgent that the delays end and real on-the-ground recovery actions start."

According to the mandatory timelines set out in the Species at Risk Act, once the overdue draft strategy was released in August 2011, the final recovery strategy should have been posted in November 2011. The public comment period was extended until February 2012, after which another legal deadline to release the final strategy 30 days later was missed. Prodded by a court direction to set a date for release of the overdue final strategy, a Justice Department lawyer wrote Monday that the Environment Minister "intends to post a final recovery strategy" by September 30, 2012 but that "should the Minister not be able to meet that deadline, he will proactively inform the Court and Applicants in advance of that date".

"The federal government's ongoing delay is unacceptable. They have a legal duty to ensure the survival and recovery of the woodland caribou and to produce a final recovery strategy within the mandatory timelines set out in the federal *Species at Risk Act*," said Melissa Gorrie, staff lawyer with Ecojustice. "Instead, the federal government appears to be disregarding its obligations while the fate of the species hangs in the balance."

The draft recovery strategy was already four years overdue when it was finally released in August 2011 as a result of legal action taken by several First Nations (Athabasca Chipewyan First Nation, Beaver Lake Cree Nation, Enoch Cree Nation) and by AWA and the Pembina Institute. The draft recovery strategy

failed to identify the urgent habitat protection and restoration measures necessary to recover Alberta's caribou. Instead it promoted predator control such as [wolf kills](#) as a band-aid approach to distract from oilsands, oil and gas and forestry-driven habitat loss.

"Our people have relied on our traditional lands and all they provide since time immemorial. Now we are witnessing the disappearance of the caribou, a culturally important species, and we can't afford more delays in developing real strategies to protect these herds," stated Chief Allan Adam of the Athabasca Chipewyan First Nation. "We developed an independent co-management plan, *Nih boghodi: We are the stewards of our land*, in response to government inactions and it offers concrete strategies and protection zones vital to the survival of not only the species but of our people."

Only one of Alberta's 12 boreal woodland caribou populations has enough intact habitat to be self-sustaining, yet new industrial developments continue to be approved in caribou ranges. The federal government's boreal caribou scientific advisors [stated](#) in February 2012 that boreal caribou were likely to become more at risk under the draft recovery strategy, but that recovery of local populations is both biologically and technically feasible.

Attachment: August 13, 2012 letter from Justice Department to lawyers for Athabasca Chipewyan First Nation, Beaver Lake Cree Nation, Cold Lake First Nations, Swan River First Nation, Alberta Wilderness Association and Pembina Institute.

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Notre dossier:

Your file: T-416-12  
Votre dossier:

August 13, 2012

VIA FACSIMILE

Federal Court Registry  
Courts Administration Service  
Box 10065, Pacific Centre  
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Vancouver, British Columbia  
V7Y 1B6

**Attention: Julia Platt**

Dear Sir/Madam:

**Re: Allan Adam et al v. Minister of the Environment et al  
Federal Court File No. T-416-12**

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I am writing with reference to the Direction issued by the Court in this matter on July 18, 2012.

I am informed that the Minister of the Environment intends to post a final recovery strategy for Boreal Caribou on the Species at Risk Public Registry by September 30, 2012. Should the Minister not be able to meet that deadline, he will proactively inform the Court and Applicants in advance of that date.

Yours truly,

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