



ALBERTA WILDERNESS ASSOCIATION

"Defending Wild Alberta through Awareness and Action"

December 3, 2014

Honourable Kyle Fawcett
Minister of Environment and Sustainable Resource Development
#420 Legislature Building
10800 - 97 Avenue
Edmonton, AB T5K 2B6
Phone: (780) 427-2391
Fax: (780) 644-1120
Email: ESRD.Minister@gov.ab.ca

Brian Joubert,
(on behalf of Fish and Wildlife Policy Branch, Alberta Environment and Sustainable Resource Development)
Stantec
10160-112St
Edmonton, AB
T5K 2L6
reg.wildlife@stantec.com

Dear Minister Fawcett,

Re: Alberta Wildlife Regulation Revision - Stakeholder Consultation

Alberta Wilderness Association (AWA), as you know, has had a long history of involvement in matters relating to wildlife in Alberta. We have a number of comments to make on your ministry's proposed changes to the Alberta Wildlife Regulation.

AWA works throughout Alberta towards more representative and connected protection of Alberta's unique and vital landscapes that are the source of our abundant clean water, clean air and vital habitat for wildlife in each one of our six natural regions. We have been working in Alberta for almost fifty years, to raise the profile of Alberta's spectacular wilderness, and to help Albertans learn more about the value of our wilderness and wildlife, and participate in opportunities to protect and care for the legacy that we will leave for future generations. With over 7000 members and supporters, AWA remains committed to assuring protection of wildlife and wild places for all Albertans.

Overall, AWA sees the proposed changes to the Wildlife Regulations as **a missed opportunity**. We have been calling for many years for widespread changes to the *Wildlife Act* and its regulations, and the need is more pressing than ever. Before commenting on the specific questions asked as part of the *Alberta Wildlife Regulation Revision - Stakeholder Consultation* process, AWA would offer the following more general comments on Alberta's *Wildlife Act* and its regulations.

Alberta Wildlife Act and its Regulations

- AWA believes that wildlife in Alberta should be valued not just for their “usefulness” as a resource, but also for their own intrinsic value. The majority of Albertans do not have a consumptive use of wildlife, but value them in their own right. This applies not only to endangered or threatened wildlife, but all wildlife.
- The Fish and Wildlife pages of ESRD's website indicate very clearly that the Alberta government has no overarching, publicly-developed vision of wildlife in Alberta that considers the status of each of our wildlife species or how people relate to wildlife. The principles which form the framework for wildlife management in the province must not only focus on the management of game species.
- Alberta's 1984 *Wildlife Act* is the principal tool for wildlife management in the province. It classifies wildlife as game and non-game species, and contains the regulations for hunting, trapping, and possessing wildlife. Although it has had occasional updates since 1984, the Act does little to address many of today's wildlife concerns, such as habitat requirements, endangered species, or wildlife privatization. AWA believes it is a disservice to wildlife.
- The *Wildlife Act* provides no substantive definition of an *endangered* species and no reference at all to *threatened* species. (Yet government *policy* defines them as distinct categories: (1) an endangered species is one facing imminent extirpation or extinction; (2) a threatened species is one likely to become endangered if limiting factors are not reversed (see *Alberta's Strategy for the Management of Species at Risk 2009 – 2014*).
- The *Wildlife Act* requires the Minister to establish and maintain an Endangered Species Conservation Committee (ESCC), yet the composition and functioning of the ESCC is wholly at the discretion of the Minister or the Committee itself. There is no legal requirement that members of the ESCC have any qualifications related to species conservation, nor is there any legal process to direct how and on what basis the ESCC decides to assess the status of a species in Alberta.
- ESCC recommendations can remain under consideration by the Minister indefinitely; there is no legal timeline on a decision.
- There is no legal obligation on the Minister under the *Wildlife Act* to prepare or implement a recovery plan for a listed endangered species, and there is no legal requirement as to what a recovery plan must include if such a plan is prepared.
- “The absence of legal rules governing endangered species under the *Wildlife Act* means little transparency, no predictability, and no accountability in government decisions pertaining to protecting endangered species in Alberta.” (*Endangered species under Alberta's Wildlife Act: Effective legal protection?* By Shaun Fluker, March 29th, 2010, ABlawg.ca).
- The *Wildlife Act* must be updated to include protection of **habitat** for all wildlife. Currently it does not include any provision for habitat protection, and the only possible such provision might come via the *Public Lands Act*.
- AWA believes that Alberta badly needs stand-alone species at risk legislation which can effectively address some of the many shortcomings in the current provincial legislation.

Alberta Wildlife Regulation Revision - Stakeholder Consultation

Question 11. Bison. *"It is proposed to protect the Ronald Lake Bison Herd by defining the area in which they occur as a Bison Management Zone, conferring to them the same status as the Hay-Zama Bison herd... Do you agree with changing the status of the Ronald Lake Bison herd to afford them regulatory protection?"*

AWA response: AWA supports the proposed change in status.

Question 12. Bison: *"It is proposed to expand the Hay Zama Bison Management Zone to include all of the Chinchaga River Wildlife Management Unit (WMU 524). The expansion would enable conservation management of Bison currently migrating into this area from British Columbia... Do you agree with expanding the area where Bison are considered Endangered Wildlife to include all of WMU 524?"*

AWA response: AWA supports the proposed change in status.

Question 25. Trapping: *"It has been proposed to institute mandatory reporting for the capture, by trappers, of non-target animals such as cougars and deer or non-target fur-bearing animal species. It is believed that much of the non-target by-catch of trappers goes unreported and knowing this would benefit wildlife management."*

AWA response: AWA supports the proposal to institute mandatory reporting for the capture of non-target animals.

Question 29. *"It has been proposed to add the following species to the list of 'Falconry Birds' allowed in Alberta. Adding these species would diversify falconry options and presents a low risk for hybridization between escaped birds and native raptors (the first three listed are non-native species). Do you agree with this?"*

AWA response: AWA strongly opposes adding rough-legged hawk to the list of 'Falconry Birds' allowed in Alberta. Rough legged hawk is a native Alberta species and they must not be allowed as a falconry species. Native species should not be used as falconry species, otherwise there is a risk of encouraging capture of wildlife. The proposal to use non-native falcons to hunt native wildlife such as red squirrels for no reason other than "sport" is offensive.

Question 30. *"For Rough-legged Hawks (*Buteo lagopus*) considered for falconry it should be permitted to capture wild specimens for this purpose?"*

AWA response: Absolutely not. Wild birds must never be captured and used for sport.

Question 33. *"Should the regulations enable the creation of "seasonal sanctuaries" with the flexibility to address the dynamic needs of some species (e.g. Piping Plovers)? These locations would be made public with announcements in media as well as through local signage. Seasonal Sanctuary status would limit access and/or certain uses of the prescribed area for a stipulated period of time in order to allow for protection of a species of concern."*

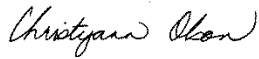
AWA response: AWA supports this proposal.

AWA believes that the province lacks a clear value statement about wildlife. Times have changed since the outdated (and publicly unsupported) 1982 *Fish and Wildlife Policy* for Alberta and its definition of wildlife as a "replenishable Crown resource." We believe what Albertans want is quite radically different from what the government is doing. Wildlife should not be managed for the benefit of hunters, trappers or game farmers; it shouldn't be managed for the benefit of farmers, or for city-dwellers or oil

executives. It should be managed for all Albertans, and for the benefit of wildlife itself, and for this to happen, the provincial *Wildlife Act* and its policy and regulations require a thorough and public revision.

We look forward to your response to our concerns and would be willing to meet at your convenience.

Yours truly,
ALBERTA WILDERNESS ASSOCIATION

A handwritten signature in cursive script, reading "Christyann Olson".

Christyann Olson
Executive Director