



Alberta Wilderness Association
"Defending Wild Alberta through Awareness and Action"

Hon. Jason Nixon
Minister, Alberta Environment and Parks
E-mail: AEP.minister@gov.ab.ca

Hon. Devin Dreeshen
Minister, Alberta Agriculture and Forestry
E-mail: AF.minister@gov.ab.ca

Caribou Planning
Alberta Environment and Parks
E-mail: AEP.CaribouPlanning@gov.ab.ca

October 4, 2019

Re: Draft Agreement for the Conservation and Recovery of the Woodland Caribou in Alberta

Dear Minister Nixon, Minister Dreeshen and Alberta Caribou Planning Group:

Alberta Wilderness Association (AWA) welcomes the opportunity to provide these comments on the draft Canada-Alberta Agreement for the Conservation and Recovery of the Woodland Caribou in Alberta ("the draft Agreement"), under section 11 of the *Species at Risk Act* (SARA).

AWA, founded in 1965, is an Alberta-based conservation group with 7,000 members and supporters in Alberta and around the world. AWA seeks the completion of a protected areas network and good stewardship of Alberta's public lands, waters and biodiversity to ensure future generations enjoy the abundant benefits they provide.

We appreciate that there are positive aspirations in the draft Agreement to:

- support indigenous communities to collaborate meaningfully in caribou conservation;
- establish range plans under provincial law;
- develop forest management plans with harvest levels that support caribou recovery, including the phase-out of mountain pine beetle surge clearcuts;
- develop energy infrastructure and access plans that maintain and restore critical habitat; and
- include conditions in energy and forestry approvals to reduce cumulative effects to caribou critical habitat.

However, there is no certainty that these measures will be implemented as described, and in a way that adequately protects caribou critical habitat.

Some of the serious gaps in the draft Agreement are:

- no interim habitat protection during range plan development, meaning critical habitat disturbance and caribou extirpation risk will keep increasing in the coming months;

- no definite commitment to reach at least 65% undisturbed habitat within boreal caribou ranges, and within winter ranges of southern mountain woodland caribou, as required by their federal recovery strategies;
- no commitment to create core permanent protected areas in part of each caribou range, which is one of the most crucial tools for recovering threatened species;
- forestry 'Deliverables' are inconsistent with, and far weaker than, 'Action Objectives';
- no mechanism of accountability for missed timelines or commitments, which are often many years away;
- no funding commitment;
- the draft Agreement is too easily amended and can be terminated on 90 days' notice; and
- the draft Agreement omits a target decade by which Alberta will achieve and maintain at least the minimum habitat requirements for self-sustaining caribou.

AWA has witnessed past Alberta caribou declarations that did not bring meaningful actions. The Alberta government's approved 2005 Woodland Caribou Recovery Plan did not lead to habitat measures to recover caribou. Like this draft Agreement, Alberta's approved 2011 Caribou Policy also stated that "Maintaining caribou habitat is the immediate priority", but extensive forest fragmentation and habitat loss continued. Alberta continues to rely more on wildlife manipulations than responsible habitat management, with horrific mass wolf culls in several ranges, and with the piloting of a fenced calving enclosure.

We are greatly concerned by the inconsistency between clearly documented threats to caribou from forestry and energy impacts, and new in-range clearcuts and linear disturbances the Alberta government continues to authorize ahead of range plan completion. For example, the Alberta government provided direction in April 2019 to Weyerhaeuser Grande Prairie to remove 550,000 cubic meters of timber per year from endangered Redrock/Prairie Creek and Narraway mountain caribou ranges for the next 10 years. This directly undermines the May 2018 federal Imminent Threat Assessment for Redrock/Prairie Creek and Narraway caribou, which identified that immediate habitat measures (as well as population measures) were needed to achieve caribou recovery.

We urge the Alberta government to implement interim habitat protection measures on unprotected provincial lands so that the risk of Alberta caribou extirpation does not further increase in the next few years. Interim protection will spur timely completion and application of range plans. AWA believes that the draft Agreement in no way substitutes for the federal Environment Minister's and federal government's responsibilities to protect critical habitat under s. 61 of the *Species at Risk Act (SARA)*.

Comments on specific sections of the draft Agreement

1: For clarity, the "Range plans" definition should specifically refer to maintaining caribou biophysical habitat and attaining at least the minimum 65% undisturbed habitat threshold.

3.3: "Results focus" should include habitat status. We request transparent annual reporting by range on habitat metrics, including 'biophysical habitat area' and 'disturbed habitat that is on a trajectory to undisturbed status, by age' be mandated. As currently drafted, the Agreement risks a prolonged reliance on harmful wildlife manipulation measures such as wolf culls and fenced calving pens. As we have witnessed in Alberta already, these have been misused to avoid responsible habitat protection and restoration actions that address the root cause of caribou population declines.

4.2: The Agreement should be legally binding.

4.4: The 'access to property' phrasing sounds like a broad retreat on the commitment to manage access across Alberta caribou ranges; it should be removed or tightened. If the intent is to flag Cold Lake Air Weapons Range (CLAWR) access issues, that should be clarified. Large protected areas have been established on the Saskatchewan side of the CLAWR compatible with military use, so we are confident these issues can be resolved.

6: "Indigenous Peoples Engagement" section should contain recognition of the rights held by indigenous peoples, which are central to caribou conservation. It should also 'commit to' rather than 'consider' collaboration.

8.1.1: "Maintaining critical habitat in all of Alberta's Woodland caribou ranges is the immediate priority." We strongly agree with this aspiration, yet there is nothing in the draft Agreement to uphold it, and meanwhile we know that 'business-as-usual' habitat disturbance is ongoing. Interim measures to halt habitat loss on unprotected provincial lands should be added to this part of the Agreement to deliver on that priority.

8.2.3: The 'long term target to achieve self-sustaining status for all populations' should specify a target decade no later than 80-90 years at most, significantly less for some ranges. The "50 years or more" phrasing in the draft Agreement is open-ended, meaningless and basically equivalent to "Never".

8.3 and 8.4: timelines should include accountability mechanisms if the timelines are missed.

8.3.1.1: We request clarifying what are the "strategic resource development plans for current and future activities" that will be finalized and implemented for all caribou ranges. That planning term does not appear in the Measures tables, and sounds like the range plans themselves.

8.3.1.2: Habitat restoration actions should be undertaken for all Alberta caribou ranges, not just the eight ranges specified.

11: A funding agreement should be included in or accompany this Agreement

12: The annual reports should be made public. We request transparent annual reporting by range on habitat metrics, including 'biophysical habitat area' and 'disturbed habitat that is on a trajectory to undisturbed status, by age'.

13.2: The Termination section should outline a collaborative process that is difficult to extinguish during the five year term; it should include layers of dispute resolution mechanisms to stay on course. The Canada, B.C., Saulteau First Nations and West Moberly First Nations draft Partnership Agreement is an example of this approach.

Tables

A4 Range boundary updates: the precautionary principle should be used; as well, a recent loss of caribou occupancy owing to anthropogenic habitat disturbance should not be misused to shrink ranges from their extent as of the federal recovery strategy.

A5 Climate change: we are concerned this topic could be misused to divert planning efforts from the urgent task of reducing anthropogenic habitat disturbance in caribou ranges.

B1 'Restoration of legacy footprint': the Deliverables for 2020-21 and 2021-22 omit three of the ranges (Bistcho, Yates and Chinchaga) that were noted for restoration work in 8.3.1.2. Also, as stated above, all Alberta caribou ranges need habitat restoration.

B2.2.2 Forestry: 'Deliverables' are inconsistent with, and much weaker than, the 'Action Objective over the Term of the Agreement'. The Deliverables should match the Objective to "Phase out pine surge and implement reduced conifer harvest levels in caribou ranges (in accordance with approved Forest Management Plans and forest harvest sequences)."

B4 Energy Development Management: We request adding a reference to Alberta's current interim restriction on the sale of mineral rights in all caribou ranges. The Agreement should include a commitment that this interim restriction will remain in place until approval of legally enforceable range plans that meet biophysical and minimum 65% undisturbed habitat requirements of the federal recovery strategies.

B5.1: We strongly support this Objective, which would add overdue cumulative effects management of forestry and energy approvals in caribou ranges. We request that the Deliverables match this Objective.

B5.2: We strongly support this Objective to consider management actions for identified important areas that occur outside range areas.

C1 and C2: We are concerned that Alberta's predator management in the past 13 years has not been accompanied by the necessary habitat management actions to address the root cause of caribou population decline. Going forward, we are concerned that the Predator Management and Captive Rearing items will continue to be misused to justify further delays in urgently needed reductions of anthropogenic habitat disturbance in caribou ranges.

C4.1: We are concerned about ecological impacts of extensive herbicide-based vegetation management.

D1.3: The annual reports should be specifically described as 'public'. The five year federal reporting cycle under SARA s. 43 is inadequate to inform the public about caribou range habitat progress. We request transparent annual reporting by range on habitat metrics, including 'biophysical habitat area' and 'disturbed habitat that is on a trajectory to undisturbed status, by age'.

Please address these concerns in the finalized Agreement.

Sincerely,
ALBERTA WILDERNESS ASSOCIATION



Carolyn Campbell
Conservation Specialist

cc:

Bev Yee, Deputy Minister, Alberta Environment and Parks

Andre Corbould, Deputy Minister, Alberta Agriculture and Forestry

Ronda Goulden, ADM Policy and Planning, Alberta Environment and Parks

Bruce Mayer, ADM Forestry Division, Alberta Agriculture and Forestry

Niall O'Dea, Associate Assistant Deputy Minister, Canadian Wildlife Service, Environment and Climate
Change Canada