
Alberta-Canada Caribou Conservation Agreement

On October 22, 2020, Ecojustice lawyers, acting for AWA, Athabasca Chipewyan First Nation, Mikisew Cree First Nation, and David Suzuki Foundation, discontinued our caribou lawsuit. We decided this after we received word that the Minister of Environment and Climate Change had recommended to federal Cabinet a ‘safety net’ habitat protection order under the Species at Risk Act (SARA). That is significant: as far as we know, it’s the first ministerial recommendation for a SARA ‘safety net’ habitat protection order.

However, the very next day the federal government indicated it would not act on the Minister’s recommendation for a protection order. Instead, the governments of Canada and Alberta released a caribou conservation agreement, covering all the caribou populations on provincial lands.

We believe the lawsuit we filed in 2019 was a powerful motivator for the province and the federal government to finalize this conservation agreement. As a reminder, our lawsuit was filed in January 2019. We argued that, in the absence of adequate measures from Alberta, the federal minister must step in and recom-

- produce enforceable plans for all its caribou ranges, over a specific five-year timetable;
- achieve and maintain the ‘minimum 65% undisturbed’ habitat threshold, using evidence-based caribou habitat definitions, as per federal woodland caribou recovery strategies for boreal and mountain caribou;
- integrate land-use decisions in each range across all land users, to achieve and maintain adequate habitat for naturally self-sustaining caribou populations within 50-100 years.

If Alberta follows through and implements these commitments, the government will make a major advance in environmentally responsible land use.

That’s a big ‘if’. On the negative side, the agreement lacks any interim habitat protection measures in caribou ranges. Also, there’s no specific consequences if Alberta misses its deadlines or deliverables, which the government has done re-

peatedly in the past.

There are also no specific conservation areas included in the conservation agreement. AWA believes that, at the very least, there should have been a commitment to complete a proposed 150,000-hectare expansion of northeastern Alberta’s Kistaskino Nuwenēné Wildland Park, most of which is unprotected caribou habitat; the expansion has garnered broad support from Alberta’s energy, mineral and forestry sectors and Indigenous groups.

Meanwhile, development and access pressures continue to reduce land management options and undermine caribou recovery. The large timing gaps – between ‘planning to do better’, ‘actually managing for habitat conservation and restoration’ and ‘adequate on-the-ground habitat conditions’ – will likely continue to be filled by ongoing, intensive wolf culls in too many ranges.

Despite some promise in the agreement AWA is concerned that actions within the conservation agreement may not move fast enough to protect Alberta’s threatened caribou. We believe the federal government should have issued an interim habitat protection order.

- Carolyn Campbell