

ACFN and MCFN Sign Significant Caribou Conservation Agreement with Canada

In August 2021 the federal government, Athabasca Chipewyan First Nation (ACFN) and Mikisew Cree First Nation (MCFN) released for public comment a Conservation Agreement they had negotiated for boreal woodland caribou. Such agreements are enabled under section 11 of Canada's *Species at Risk Act* (SARA). AWA strongly supports this Agreement, which we believe has the potential to greatly benefit four important north-east Alberta caribou populations and ranges: the East Side Athabasca River (ESAR), West Side Athabasca River (WSAR), Red Earth and Richardson (see map).

Because Alberta has not limited cumulative industrial impacts to the boreal forests and wetlands upon which these caribou depend, the human-caused disturbance levels in the ESAR, WSAR and Red Earth ranges are currently far too high for caribou to survive and recover to self-sustaining populations. The Richardson range has both a concerning level of anthropogenic disturbance as well as significant recent wildfire disturbance.

To support self-sustaining caribou, disturbance from both buffered human features, and from wildfire should be a maximum of 35% of the range area, not 84, not 86, not 90%. This is the maximum disturbance threshold identified for boreal woodland caribou in the federal recovery strategy approved under SARA. However, that habitat condition only gives caribou an estimated 60% chance to be self-sustaining. AWA is encouraged that the elements of the ACFN-MCFN-Canada Agreement could give these populations a stronger chance to survive and thrive.

The Agreement affirms and advances the essential role of the ACFN and MCFN in the recovery and protection of boreal caribou and their habitats. Measures outlined in the Agreement include:

- developing Indigenous Caribou Stewardship Plans, including identifying priority restoration areas and setting annual area-based restoration goals;

- identifying Caribou Stewardship Areas to protect and conserve boreal caribou habitat, Areas that would be managed by ACFN and MCFN;
- strengthening habitat restoration work, including developing an Indigenous Restoration Standard and building ACFN's and MCFN's capacities to plan and participate in all aspects of that work; and
- establishing an Indigenous Guardians Program to monitor caribou populations, habitat, and disturbance and to report their findings to ACFN and MCFN leadership, Alberta, and Canada.

A joint Working Group will govern the Agreement. The Working Group's Terms of Reference are already developed, which is a positive sign that the Agreement's important work can get underway. AWA has recommended to the signatories that the Agreement should add a commitment to make the Working Group's annual reports public. We believe this will build allies for the Group's work and increase federal accountability to report and act upon the Group's work promptly and fully.

Unfortunately, the Alberta government, which has jurisdiction over the provincial lands of these caribou ranges, is not a party to this Agreement. This is a major concern. AWA has recommended that the Working Group ensure that, at appropriate times, the Alberta government has the opportunity to be constructively engaged with the activities and conservation measures occurring under the Agreement.

AWA would have preferred that the Agreement and associated funding agreements, which may be renewed, were established initially for at least three or four years. Instead, the Agreement will terminate on March 2023 if it isn't renewed. A longer initial time frame is justified because some of the important caribou conservation measures outlined above likely will take four years to establish.

We support the provision that the Agreement does not limit ACFN or MCFN from pursuing any ongoing or future action against Canada for the protection of boreal caribou under the *Species at Risk Act*.

Finally, while we support this Agreement,

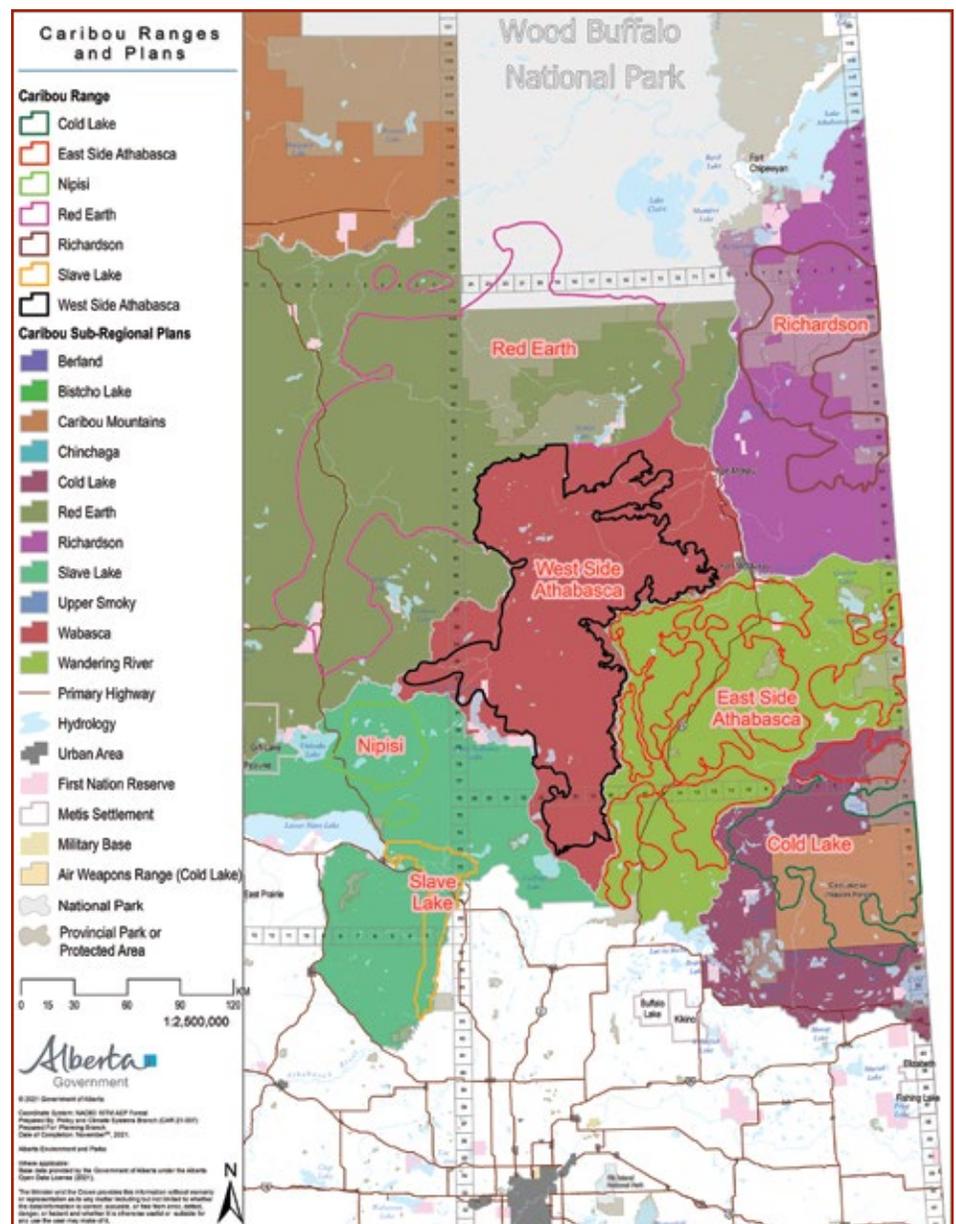
AWA underlines that it in no way substitutes for the federal Environment Minister's and federal government's responsibilities to protect woodland caribou critical habitat on un-

protected provincial lands under s. 61 of the *Species at Risk Act*.

- Carolyn Campbell

Habitat Conditions (in 2017) of Caribou Ranges in the Agreement				
	Range size% (approx. km ²)	Anthropogenic disturbance (buffered by 500 m)	% Wildfire disturbance	Total Disturbed
East Side of Athabasca River	13,200	88	32	90
West Side of Athabasca River	15,700	84	6	86
Red Earth	24,700	68	38	84
Richardson	7,100	36	65	84

Source: Government of Alberta.



The boreal caribou Conservation Agreement between Athabasca Chipewyan First Nation, Mikisew Cree First Nation and the federal government has the potential to benefit the ESAR, WSAR, Red Earth and Richardson caribou in northeast Alberta. CREDIT: GOVERNMENT OF ALBERTA