



Valhalla Wilderness Society

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Environment and Climate Change Canada
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Re: VWS Submission on the Draft Conservation Agreement for the Conservation of the Southern Mountain Caribou

Dear Mr. Hammond:

The Valhalla Wilderness Society (VWS) offers the following comments on the draft Canada-British Columbia Conservation Agreement for Southern Mountain Caribou:

1. This agreement is part of a talk-and-log process.

After the federal *Species at Risk Act* (SARA) has been in place for 15 years and the BC Mountain Caribou Recovery Plan in place for 10 years, we need direct protective action on the ground.

VWS has sent a petition to the Minister of Environment and Climate Change providing scientific proof that the Central and Southern Groups of Mountain Caribou are *on the brink of extinction* and *rapidly declining*.

VWS cannot cover all mountain caribou habitat, but can document that in the regions of the Central Selkirk, Revelstoke and Wells Gray herds, federally-identified *critical matrix habitat* is *getting hammered by logging*.

This is an *emergency situation* requiring *immediate action* to stop habitat destruction. For the Southern Group immediate action would require a cessation of logging and snowmobiling in the

habitat. For the Central Group, it would have to include immediate protection of critical caribou habitat from further energy development as well. If BC is at all interested in saving the mountain caribou, it will stop this logging and motorized recreation in critical/core and critical/matrix caribou habitat. If Canada is at all interested, it will issue an order for BC to do so.

If they are not interested, Canada will soon be left to face the world while holding an empty *Species at Risk Act*, confessing that we wiped out a large mammal species that was genetically unique, endangered and irreplaceable *over a fifteen or twenty-year time span when the SARA was in place*.

2. BC's commitment to identify and reserve all untenured, winter and summer, high- elevation caribou range" is no commitment at all and will not help either the Central or Southern Group mountain caribou.

For the Southern and Central Groups, the most industrial activity that destroys caribou habitat takes place and low and middle elevations; and virtually all of it is tenured.

The Central Group has more high-elevation habitat destruction, but even at high elevation, protecting "untenured" habitat is a farce because of overlapping tenures for energy development in the South Peace. In the Interior Wetbelt where the Southern Group lives, much of the high-elevation habitat is covered by multiple overlapping heli-ski tenures, mining tenures, etc.

Committing to reserve only *untenured high-elevation* habitat is like saying: "BC is going to wipe out the caribou for economic gain, and there's nothing you can do about it." The federal government, should not play dumb to this charade by signing the agreement.

3. Caribou nomenclature in and around the agreement is confusing, creates uncertainty as to the application of the terms of the agreement, and could ultimately be misleading.

VWS expected federal expertise in mountain caribou conservation to provide clarified and accurate use of terminology regarding the classifications of various groups of mountain caribou. Instead the handling of nomenclature in the draft agreement, and in SARA Registry notice about it, is very confusing.

COSEWIC distinguishes "Northern Mountain Caribou", "Central Mountain Caribou" and "Southern Mountain Caribou", equivalent to Designateable Units 7, 8 and 9 respectively.

We may infer, then, that "Southern Mountain Caribou" thus refers only to Designateable Unit #9, covering an area roughly equivalent to the Interior Wetbelt. The only umbrella name given to these groups by COSEWIC is "western mountain caribou".

This apparently became confused with the Southern Mountain National Ecological Area, which encompassed the ranges of *both* the Southern and Central Groups. This apparently led the SARA Registry to refer to "Southern Mountain Caribou" as both the Central and Southern Groups. Those who would speak or write about mountain caribou then had to cope with the fact that "Southern Mountain Caribou" no longer referred specifically to the Southern Group, and that the Central Group could also be termed "Southern Mountain Caribou". This use of "Southern Mountain Caribou" to describe both the Southern and Central groups" was adopted by the federal recovery strategy, but at least that document, and the 2017 Protection Study, tried to some extent to specify whenever they meant the Southern Group or the Central Group alone.

The Section 11 BC-Canada Agreement is now said to pertain to the "southern mountain caribou", at times inferring that this means both the Southern and Central Groups. Yet it also describes itself as "starting with the Central Group". Which do the terms of the agreement pertain

to, one group or both? If they refer to both groups, what remains to be decided in the future? If they pertain to only one group, will another agreement be negotiated? How can we review the document accurately, not knowing exactly to which groups it pertains? We are in danger of reviewing the terms of the agreement as if they pertain only to the Central Group, only to find out later that it pertains to both.

4. Application of the terms of the agreement to the Southern Group

To demonstrate the potential duplicity of this unclear use of nomenclature, the terms state that BC is committed to reserving all “untenured” winter and summer, high-elevation caribou range. *At this time in BC some tenured land, called Timber Harvesting Land Base (THLB), has been set aside for the Southern Group of mountain caribou and we would not like to think that the federal government would make an agreement that would allow BC to roll back that protection.*

Also, the terms of the agreement allow “habitat offsetting” as a means of “incremental increases in habitat for caribou.” *At this time only the South Peace plan for the Central Group allows habitat offsetting. We don’t have this program in the range of the Southern Group. It is fraudulent as conservation, and we would be greatly dismayed if the federal government approved its extension into the range of the Southern Group.*

Worse, because of the duplicitous use of the nomenclature, it is possible for the public, or for groups like VWS, to accept these terms because we think they apply only to the Central Group, only to discover later that the governments deem that we have approved it for the Southern Group. VWS doesn’t approve the terms even for the Central Group, but they comprise the status quo in the South Peace; they do not do so for the Southern Group.

WE WISH TO STRESS THAT THE PURPOSE OF FEDERAL GOVERNMENT/SARA INTERVENTION IN BC IS TO IMPROVE EXISTING BC CARIBOU CONSERVATION PLANS BECAUSE THEY ARE NOT WORKING AND THE ANIMALS ARE SLIDING TOWARDS EXTINCTION. THE TERMS OF THIS AGREEMENT WILL CONSTITUTE NO IMPROVEMENT FOR THE SOUTHERN GROUP, AND COULD IN FACT SET IT BACKWARD.

For instance, please note that under this agreement, the BC commitment to protect “winter and summer high elevation caribou range” excludes Timber Harvesting Land Base, which is low- to mid-elevation early winter and spring range. High elevation caribou habitat in the Interior Wetbelt has little commercial forest value. In consequence THIS GOAL FOR THE NEXT 5 YEARS IS LESS THAN WHAT WE HAVE HAD FOR THE LAST 10 YEARS.

4. Habitat offsetting is a ruse to appear to be protecting caribou while ensuring that there will be no loss to industry. Caribou are disappearing because industry is destroying their habitat. No loss to industry means no gain for caribou.

In our comments on the 2017 Protection Study, VWS pointed out that the Protection Study report had omitted information on the habitat-offsetting program. It is very objectionable that the program remains under cover, suppressed from evaluations like the Protection Study, yet still winds up as a method of “ensuring incremental increases in habitat” in this draft Canada-BC Agreement.

The offsetting program is part of BC’s South Peace Northern Caribou Plan (PNCP), which describes financial offsetting as a management prescription to fund management activities for South Peace Northern Caribou. In other words, under the PNCP, companies can purchase the right to do irreparable damage to Mountain Caribou habitat, by taking over some of the government’s caribou conservation costs, or by letting go of a small piece of habitat elsewhere. We have read that companies are re-

quired to set aside caribou habitat that will not be disturbed at a 4:1 ratio (i.e. for every 1 hectare disturbed, 4 must be undisturbed). As an example, the conditions of approving the Roman coal mine included a \$3.5 million payment for caribou recovery, and 1,852 hectares of habitat being secured for caribou.

This enables the destruction of high quality caribou habitat by putting a larger quantity of low quality habitat into so-called protection. According to Steve Thomson, Minister of Forests, Lands and Natural Resources, offsetting in the Peace Northern Caribou Plan area contributed \$3,375 to the Boreal Caribou Habitat Trust Fund in 2013/14:

“These payments are based on disturbance within high-elevation winter range (HEWR) and calculated at a rate of \$9,000 per hectare of very-high-quality habitat, and \$4,000 per hectare of high-quality habitat. For disturbances smaller than 25 hectares, proponents may provide an in-lieu payment at a rate of \$5,000 per hectare of HEWR.”¹

There has been no publicly released information on the location, size, quality, or degree of protection of lands set aside in a 4:1 ratio. This program is a shady corporate sweetheart deal that has no legitimate place in a federal-provincial agreement.

5. No Protection Study for the Southern Group facilitates the suppression of information that the BC Government has been maintaining through the device of its “Progress Board”.

The suppression of information on the offsetting program in the federal Protection Study was an anomaly for a study that provided an enormous wealth of information on the conservation status of mountain caribou in the South Peace region. Conditions for the Southern Group are very different and no one has an overall conservation picture of the Southern Group since the BC recovery plan came into force. We believe that the intent is to suppress the portrait of how the recovery plan has failed. It may save dollars but it will not save caribou. If it saved time and brought us an order for BC to stop habitat destruction, we would accept the lack of information, but to refuse to do the study for the Southern Group, and then set out to apply the agreement for the Central Group to the Southern Group later, is part of the painful, shabby maneuvers we’ve seen for years.

In summary, too much about this agreement is protecting industry, not caribou.

Sincerely,

Anne Sherrod
Plan Reviewer for
Valhalla Wilderness Society

¹ Min. of Forests, Lands and Natural Resource Operations, Estimates Binder, 2015/16 Spring Legislative Session, letter of Minister of FLNR Steve Thomson to MLA Bill Routley, Ref. No. 205741, 2015, Pg. 394.