

Overview of Draft Section 11 Agreement between B.C. and Canada to Recover Southern Mountain Caribou

A Primer to Support a Conversation with British Columbians



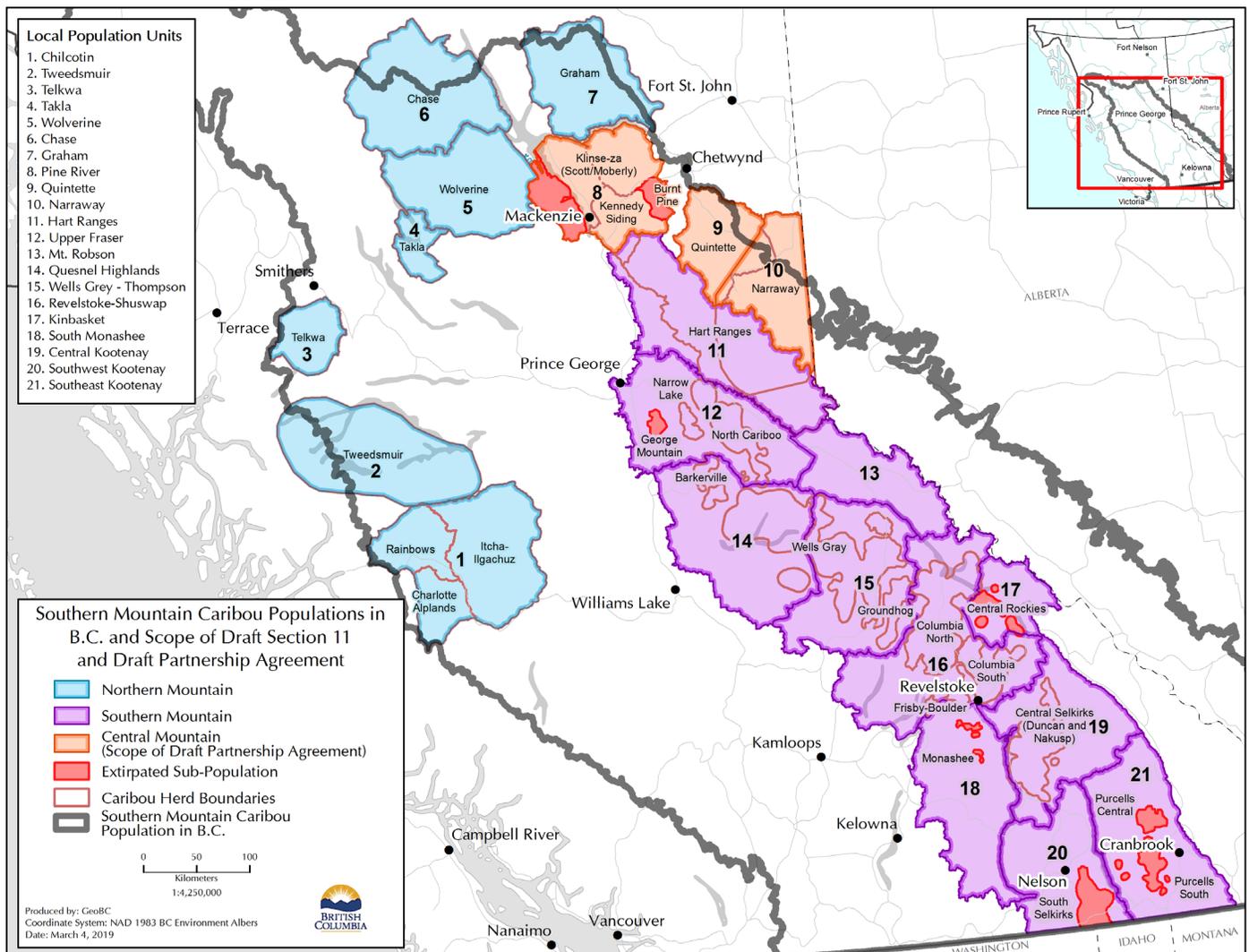
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Introduction

The governments of British Columbia (B.C.) and Canada are committed to the protection and recovery of caribou. Since 2017, B.C. and Canada have been developing a Bilateral Conservation Agreement under Section 11 of the federal *Species at Risk Act* ("Section 11 Agreement"). The draft Section 11 Agreement contains overarching commitments, measures and strategies for the recovery of Southern Mountain Caribou in B.C., while attempting to minimize impacts to local governments, communities and the various industry sectors that operate in caribou habitat. The current draft Section 11 Agreement builds on the draft Agreement that was shared with the public in November 2017 (available at www.registrellep-sararegistry.gc.ca), expanding its scope from the Central Group to all of Southern Mountain Caribou in B.C.

➔ Overview of the Section 11 Agreement

The Section 11 Agreement aligns with B.C.'s own Provincial Caribou Recovery Program (www.engage.gov.bc.ca/caribou) which includes commitments to herd plans, habitat protection, restoration projects, predator management, monitoring, science and research. The draft Section 11 Agreement applies to all Southern Mountain Caribou herds within the black boundary on the map below.



➔ What We Heard & How We Incorporated Feedback into the Revised Section 11 Agreement

In 2017 the federal and British Columbia governments began negotiating a Section 11 Agreement. In November 2017 the two governments posted the draft Agreement for public consultation. More than 1,500 comments were received from environmental non-governmental organizations (ENGOS), individuals, industry, Indigenous peoples and local governments. General themes of the comments received and an explanation of how each theme was addressed is summarized below:

What We Heard	How Feedback Was Addressed
ENGOS were generally critical of the agreement, indicating that the agreement did not propose significant changes that were needed for caribou recovery.	The scope and number of recovery measures included in the revised draft Section 11 Agreement has been substantially expanded. The key B.C.-Canada joint commitments include a commitment to increase caribou habitat over the life of the agreement, complete Phase 2 herd plans by Fall 2020 and establish a joint science committee. A summary of commitments is provided on page 5.
Indigenous peoples and ENGOS expressed the need to extend the Section 11 Agreement scope to include Southern and Northern Groups of Southern Mountain Caribou.	The revised draft Section 11 Agreement was expanded from the Central Group to include the Southern and Northern Groups of Southern Mountain Caribou.
Many submissions expressed concerns about the need for in-depth engagement with impacted parties.	The draft Section 11 Agreement lays out the workplan and strategy for how B.C. and Canada agree to work together and set priorities, including a commitment to comprehensive herd planning that will involve engagement with impacted parties.
Industry and some Indigenous peoples advocated for a multi-species or ecosystems-based approach that consider a variety of values on the landscape.	While the updated draft Agreement is focused on caribou, it includes actions relating to moose management and predator management that reflect a multi-species approach, as well as commitments to habitat restoration that could benefit multiple species.

➔ Section 11 Agreement Context – *Species at Risk Act*

The *Species at Risk Act* (SARA) is federal legislation designed to encourage and enable the conservation and protection of Canada’s species at risk, including caribou. Southern Mountain Caribou was listed as a threatened wildlife species on Schedule 1 of the SARA in 2003. The federal recovery strategy was posted on the Species at Risk Public Registry on June 3, 2014. The federal recovery strategy identifies unsustainable predation as the most significant, immediate, direct threat to Southern Mountain Caribou. Broadly, these unsustainable levels of predation are the result of habitat changes, which have led to changes to predator and prey communities and direct disturbance and displacement of individual caribou.

Under the *Species at Risk Act*, the federal Cabinet has the ability to enact orders that would protect caribou and their habitat from further development and disturbance. The federal government has received multiple submissions from private citizens, Indigenous peoples, and environmental organizations requesting that the federal government implement an order. In May 2018, the federal Minister of Environment and Climate Change determined that Southern Mountain Caribou are facing imminent threats to their recovery. The Minister’s finding highlights that immediate actions are needed to allow for eventual recovery.

The *Species at Risk Act* also enables Canada to enter into agreements to benefit species at risk, such as Southern Mountain Caribou. Such agreements must include conservation measures, such as those contained in the draft Section 11 Agreement. This agreement can be considered by the federal government when making decisions related to federal orders.

The draft Section 11 Agreement reflects Canada's willingness to work collaboratively with B.C., Indigenous peoples, local communities and interested stakeholders to develop solutions grounded in the best available information on caribou recovery and carefully consider the economic context of the necessary recovery measures.

➔ Benefits of the Section 11 Agreement

The draft Section 11 Agreement provides the framework for a positive, collaborative approach to caribou recovery that clearly articulates B.C. and Canada's commitments to caribou recovery. The Section 11 Agreement represents a new approach to managing a species at risk through government to government collaboration. The Section 11 Agreement seeks to better align B.C.'s approach to caribou recovery and management with the outcomes of the federal *Species at Risk Act* and seeks to provide more information and certainty to stakeholders and Indigenous peoples who are concerned about caribou recovery efforts and possible socio-economic impacts.

➔ Section 11 Agreement – Summary of Content & Key Recovery Measures

The draft Section 11 Agreement is available at engage.gov.bc.ca/caribou and is organized into 3 main components:

- 1 Body of the Section 11 Agreement:** Outlines how Canada and B.C. will work together, sets out the joint and separate commitments from B.C. and Canada, and includes high-level principles;
- 2 Annex 1:** Describes the location and extent of groups, local population units (LPUs) and herds;
- 3 Annex 2:** Outlines the specific caribou conservation recovery measures for Southern Mountain Caribou which align with the Provincial Caribou Recovery Program Plan.

Annex 2 incorporates measures from the B.C. Provincial Caribou Recovery Program Plan, which was informed by engagement that occurred in 2018. Additional measures will be determined as part of an adaptive management approach through the development of a joint Canada- B.C. work plan and further engagement with Indigenous peoples and stakeholders. The conservation and recovery measures outlined in the joint B.C.-Canada work plan would be updated annually.

A detailed list of recovery and conservation measures is available in Annex 2 of the draft Section 11 Agreement (available at www.engage.gov.bc.ca/caribou). The table on the following page provides an overview of some of the key measures that are included in the draft Section 11 Agreement.

Category	Overview of Section 11 Key Recovery Measures	Central Group	Southern Group	Northern Group
Herd Plans	Engage stakeholders and Indigenous peoples to develop Phase 2 herd plans. Phase 2 herd plans will include identifying specific recovery measures and engaging with stakeholders and Indigenous peoples	✓	✓	✓
Habitat Protection & Restoration	Refine disturbance mapping and develop plans for reducing disturbance	✓	✓	✓
	Established initial funding of \$2M for restoration projects & seek additional funding	✓	✓	✓
	Purchase private land for protection	✓	✓	✓
Predator Management	Develop predator management decision tool for application to all herds to support monitoring needs in relation to predation management	✓	✓	✓
	Implement predator management in Southern and Central Groups and assess potential need for Northern Group	✓	✓	✓
Hunting	Review hunting of caribou in the Northern Group	N/A	N/A	✓
Primary Prey Management	Assess need and consider opportunity for direct primary prey management (may not apply in all groups, will depend on assessment)	✓	✓	✓
	Continue and expand moose monitoring (collars) and use results to inform decision-making regarding the need to directly reduce primary prey densities and directly manage the suitability of Southern Mountain Caribou habitat for primary prey	✓	✓	✓
	Review hunting regulations to reduce primary prey in areas important to caribou	✓	✓	✓
Science	Establish B.C.-Canada Caribou Recovery Science Committee and Traditional Knowledge Working Group to collaborate on projects	✓	✓	✓
Recreation	Continue ongoing engagement with recreation stakeholders around motor vehicle closures in place to protect Southern Mountain Caribou	✓	✓	✓
	Engage on winter motor vehicle use in the Central Group and identify potential conflicts.	✓	N/A	N/A
Maternal Pens & Captive Breeding	Continue assessing maternal pens to determine ongoing need and required enhancements	✓	✓	N/A
	Assess need for a captive breeding program and move caribou from small, isolated populations (e.g. South Selkirks)	✓	✓	N/A

N/A = Not applicable

How to Give your Feedback

Feedback is being solicited from Indigenous peoples, communities, stakeholders and the public through meetings and an online feedback form. All feedback received will be summarized into a “what we heard” document that will be made publicly available and all input will help inform all parties’ decision-making regarding the finalization and signing of the agreements. Please visit engage.gov.bc.ca/caribou for information on meeting dates and to fill-in the online feedback form.



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