



RECOVERING CARIBOU: ANALYSIS OF THE BLAIR LEKSTROM REPORT

By Paul Schuetz

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In spring 2019, the BC and federal governments unveiled their strategy to recover and protect dwindling southern mountain caribou populations through two draft agreements. The “Caribou Recovery Plan” consisted of the draft Section 11 Agreement developed under the *Species at Risk Act* by the provincial and federal government, and the Draft Partnership Agreement between Canada, BC, West Moberly First Nation and Saluteau First Nation. The latter of these agreements proposed an interim moratorium on all new industrial activity in certain high caribou habitat areas located along the Rocky Mountain Trench between Mackenzie and Chetwynd (see map on page 34). The proposal was not met favourably by local residents in BC, and it became apparent very early on that those involved in the drafting of the Partnership Agreement failed to properly communicate their intentions to the public. In an attempt to remedy the situation, in early April 2019 a series of information meetings were held in various locations throughout the BC Interior to inform the public of the contents of the agreement and to acquire feedback from affected interest groups that operate or recreate in the caribou population units identified in the plans. As was quickly apparent, the public response to these meetings was much larger and more passionate than expected as concerned residents filled the auditoriums to capacity. On April 15, 2019, Premier John Horgan announced the appointment of the former BC Minister of Transportation and Infrastructure, Blair Lekstrom to identify problems in the Draft Partnership Agreement (PA) and to offer recommendations that would address many of the issues that were presented by the public at the information meetings. On June 20, 2019 Mr. Lekstrom published his report entitled “The Path Forward to Recover The Caribou Plan in Northern British Columbia.”

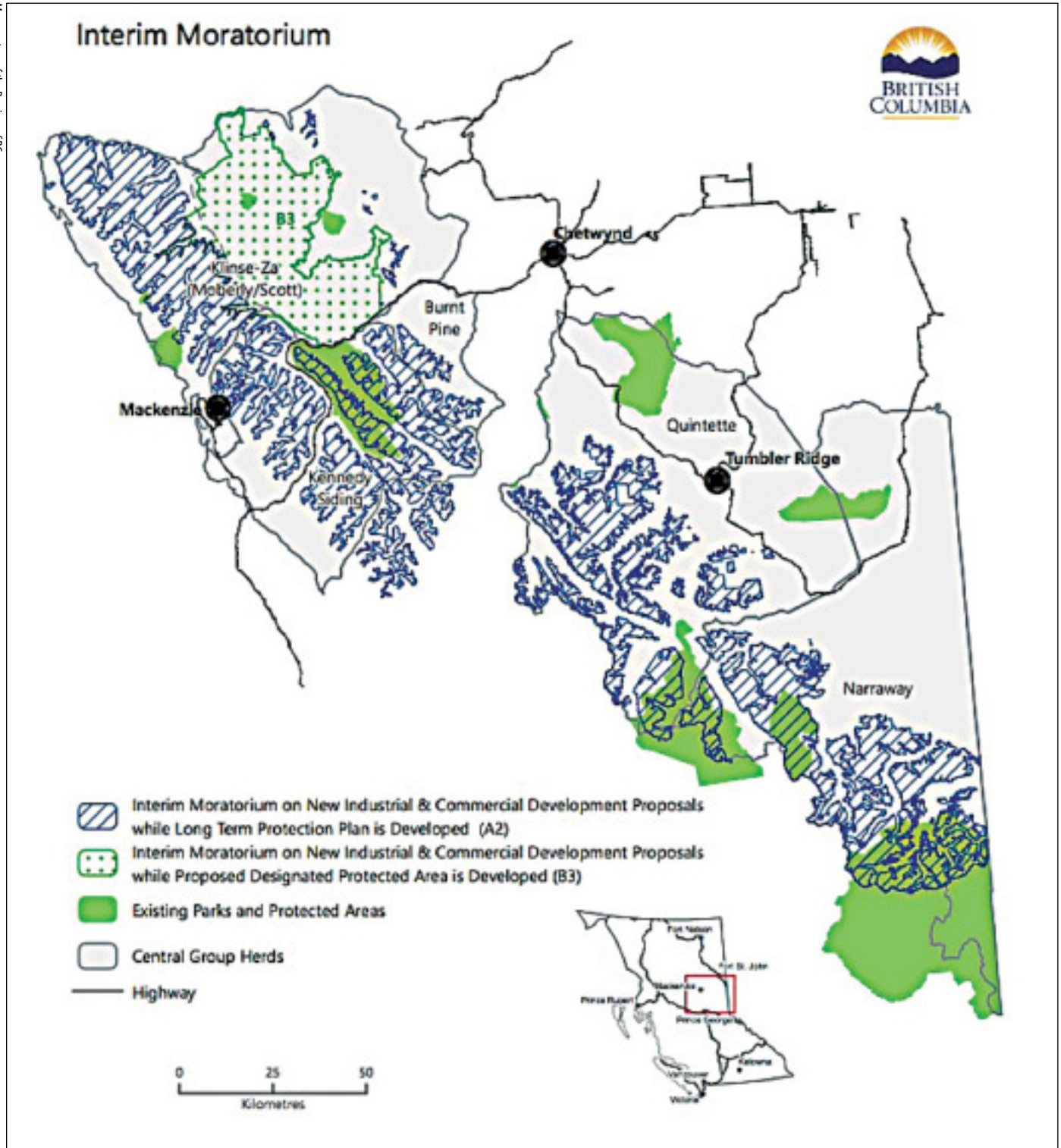
Generally speaking, the intention of the two draft agreements was to provide a basis upon which steps could be taken toward the recovery of southern mountain caribou populations in BC. The reports suggest that the main contributors to the decline

in their populations included habitat loss due to industrial activity (including forestry, mining, hydro, and oil/gas activities), disturbance due to outdoor recreation (including snowmobiling and heli-skiing), and predation from wolves and bears. These issues were the main topics of discussion at the information meetings, as members from the resource sector, outdoor recreation clubs, the hunting community and concerned citi-

zens arrived in large numbers to voice their opinions.

During the public information meetings, it became abundantly clear that an obvious shortfall of the original draft agreements was their lack of consultation and engagement with local communities, resource users and other interest groups. As Lekstrom puts it, “by excluding the vast majority of those who live, work and recreate in the region,

the process was headed for failure.” So, Lekstrom begins his report by not only identifying many of the problems and shortfalls with the draft agreements, but the *Species at Risk Act* itself, which does not make provisions for Socio-Economic Impact Analysis written into the legislature. Lekstrom calls this a “glaring omission” and it is raised later in his report as the final recommendation for improvements to the plan.



With lack of proper consultation and public involvement as the root of the problem, Lekstrom commenced his assignment by undertaking what the original authors of the Draft Partnership Agreement failed to do: stakeholder engagement. He met with groups from forestry, mining, oil/gas, agriculture, guide outfitters, snowmobilers, First Nations, municipalities, and several community groups and organizations (interestingly, he was unable to secure a meeting with two of the original partners of the Draft Partnership Agreement: the West Moberly First Nation and Sauteau First Nation). Lekstrom's findings identified a common theme amongst all interest groups: concern for the conservation of the caribou species, and more community involvement in the drafting of the plans. After meeting with industry leaders, Lekstrom notes that "all industry make it clear that they support the goal of caribou recovery and habitat protection and restoration but they want to be at the table and be part of the discussions to reach the solution."

Lekstrom's report concludes with the acknowledgement that the original process used in developing the Draft Partnership Agreement was "a mistake" that led to a "distrust" of the Agreement's authors by various interest groups and local citizens. Lekstrom put forth 14 recommendations as a means to help remedy the situation and possibly allow the Province to move forward with

proper engagement has occurred with all interest groups. Engagement must be done in a manner that is inclusive, transparent and be given the time to achieve public support." This recommendation addresses the core problem with the original Draft Partnership Agreement.

Recommendation 2. "Ensure proper consultation with and possible inclusion of both McLeod Lake Indian Band and

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protection plans for caribou. Below are selected recommendations, with responses, most relevant to the TLA members and the forest industry as a whole (a link to the Lekstrom Report, including all 14 recommendations, can be found at <https://engage.gov.bc.ca/caribou/section11agreement/>):

Recommendation 1. "Government must not move forward until full and

Lheidli-T'enneh First Nation in the rebalanced Partnership Agreement." Involving all affected First Nation communities is important, but so is involving representatives from industry and other interest groups. The original Draft Partnership Agreement was authored by members of government and the West Moberly and Sauteau First Nations. To ensure inclusiveness, perhaps other interest group



Photo courtesy of Paul Schuetz

representatives should take direct involvement in the process.

Recommendation 3. “A comprehensive Socio-Economic Impact Analysis must be completed in cooperation with the impacted areas of the Partnership Agreement prior to the agreement being finalized.” This is an important recommendation, as it will consider the eco-

A2 and B3 represent a Timber Harvesting Land Base (THLB) of about 32,000 ha and 42,000 ha respectively, with no discussion on how long the moratorium would last. Temporarily removing this area from the THLB presents a problem with not just forest planning, but planning other industry processes such as mineral extraction and oil/gas pipelines.

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nomic effect the plan will have on industry. For example, the current state of the forest industry must be taken into consideration, and how the timing of this plan will affect forestry jobs.

Recommendation 4. “Recognizing that it will take time to rebalance the Partnership Agreement and ensure the document can be more fully accepted and supported by the region, impose a temporary moratorium on Zones A2 and B3 until a comprehensive engagement process is complete and all possible options are considered.” Zones

In the original Draft Partnership Agreement, the proposed moratorium targeted “New Industrial and Commercial Development Proposals,” inferring that industry is the principal culprit to why the caribou herds are dwindling. It is agreed that caribou management should become much more stringent in these areas (e.g. selective harvesting, directing harvesting activities to when caribou are not present), but if the government insists on a moratorium, why is industry being singled out? If other ‘potential’

activities are also detrimental to caribou and/or their habitat, such as recreation, aircraft, etc., why are they excluded?

Recommendation 5. “The government needs to work with the Forest Industry to identify ways to mitigate any negative impact on volume from the deferral zones. Through discussion this may then ensure AAC is made available from adjacent units.” Lekstrom is recommending that the plans should avoid disrupting the AAC. At a time when AAC reductions are commonplace for other reasons, this recommendation would help reduce the overall impact on the forest industry. One suggestion might be to designate caribou deferral zones as Old Growth Management Areas (OGMAs), and replace lost THLB area with existing OGMAs within the Timber Supply Area. This practice would be particularly effective in permanent OGMAs that have forest health concerns.

Recommendation 6. “Moving forward remove Zones B2 (Klinze-sa park expansion) and B5 (proposed West Moberly First Nations Woodland Licence) from the Partnership Agreement



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as both of these issues were agreed to prior to the development of the PA. If the province moves forward with a Woodlands licence for West Moberly First Nations the requirement to harvest that timber must be actioned or the licence should not proceed." This recommendation makes sense as a First Nation Woodland licence will provide employment for the town of Chetwynd, one of the communities most affected by the moratorium. The licence would also help by providing fibre to nearby mills.

Recommendation 13. "The Federal Government must accept responsibility for the costs associated with any mitigation measures which may be needed to offset any negative impacts the final agreements may have on communities, industry, back country user groups and individual workers who may be negatively impacted. This recommendation reflects the fact that it is the Federal Governments Species at Risk Act which has led to the development of both the Section 11 Bilateral Agreement and the Draft Partnership Agreement." This is an excellent recommendation and a good

point that Lekstrom makes, in that it is a Federal issue that is adversely affecting local people. The question is: how long will it take to be compensated and will the damage already be done in terms of job losses, etc.?

Recommendation 14. "Although not within the jurisdiction of the provincial government, I would recommend that the Federal government incorporate the need for a full and comprehensive Socio-Economic Impact Analysis be part of all at risk species deliberations under the act and such a section be included in an amended Federal Species at Risk legislation." This is also a good idea, and perhaps this Caribou Recovery program can later serve as a template for similar programs in the future.

All in all, the Blair Lekstrom Report does a good job of reporting on the deficiencies of the original Draft Partnership Agreement. The Report manages to give reasonable recommendations on how to move forward with a revised version. Recommendation #4 is still the most unsettling as it still appears that industry is being blamed for the

destruction of Caribou habitat, and that an interim moratorium should still be imposed. Nothing has been said about the effect that the mountain pine beetle has had on the habitat of the southern mountain caribou herds, nor how forestry has made strides in alleviating the devastation by salvaging the affected areas and replanting pine stands that will soon become desirable habitat once again.

Despite going ahead with the moratorium area, Lekstrom has favourably addressed the issue in recommendations 5 and 13, by suggesting replacement of lost THLB, perhaps with adjacent old growth management areas, and potentially being compensated by the Federal government for "negative impacts the final agreements may have." These recommendations are encouraging, but it remains to be seen whether or not government will implement the ones that benefit both caribou and people.▲



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