FREQUENTLY ASKED QUESTIONS – SECTION 11 & PARTNERSHIP AGREEMENT

Are the Section 11 Agreement and the Partnership Agreement the same thing?

No, they are separate agreements that British Columbia and Canada agreed to negotiate and release concurrently with each other. The draft Section 11 Agreement is a bilateral agreement between Canada and British Columbia, while the draft Partnership Agreement is between Canada, British Columbia, West Moberly First Nations and Saulteau First Nations (“the Parties”). The draft Section 11 Agreement applies to 21 Local Population Units of Southern Mountain Caribou (Northern, Central & Southern Groups) in British Columbia, whereas the draft Partnership Agreement applies to 3 local population units in the Central Group in British Columbia (map below).

The draft Section 11 Agreement is a framework agreement that describes processes and measures that the federal and provincial governments intend to take to support Southern Mountain Caribou recovery.

The draft Partnership Agreement is intended to stabilize and recover self-sustaining populations within the Central Group and includes habitat protection, restoration and direct recovery actions. This Agreement is based on the science and traditional knowledge shared by B.C., Canada, Saulteau and West Moberly First Nations. Together with the Section 11 Agreement, the Partnership Agreement will align recovery efforts between the Parties.
What is the role of the federal government in managing caribou? Is it true that the federal Government can limit industrial development and access to the backcountry?

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 and draft Partnership Agreement. Such agreements can be considered by the federal government when making decisions related to federal orders.

The draft Section 11 Agreement and draft Partnership Agreement reflect Canada’s willingness to work collaboratively with B.C., Indigenous Nations, 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.
I have heard B.C. is closing all snowmobile trails and access to the backcountry? Is this true?

No, this is not true. The Province understands that, outdoor recreation is an important part of community identity and serves as an opportunity to diversify resource-based economies. However, recreational snowmobile use can pose a risk of displacing caribou which may discourage caribou from accessing their preferred habitats and may affect their fat reserves or exposure to predation.

As the Province moves forward with caribou recovery, we will be looking at the impacts of all land uses. Snowmobiling is one of the many land use activities that will be addressed. B.C. will be hosting open houses in the South Peace to start a dialogue about managing snowmobiling in critical caribou habitat. B.C. plans to host these open houses after the engagement on the draft Section 11 and draft Partnership Agreement are complete.

The purpose of the snowmobile management open houses is to begin a dialogue with recreation users in the South Peace to ensure that users understand the potential risks and impacts that snowmobiling within critical habitat can pose to caribou and also to help the Province understands how recreational management measures could impact communities before decisions are made. The open houses will focus on the latest caribou science, as well as on identifying key areas and trails that are important to snowmobilers and discussing what makes those place important to them. There will also be an opportunity to discuss areas where snowmobiling infrastructure could be enhanced or where snowmobiling could be re-directed in order to maintain and enhance recreational opportunities tin areas that do not pose a risk to caribou.

What are the benefits of these agreements?

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 seeks to better align B.C.’s approach to caribou recovery and management with the outcomes of the federal Species at Risk Act. Both agreements seek to provide more information and certainty to stakeholders and Indigenous peoples who are concerned about caribou recovery efforts and possible socio-economic impacts.

The Partnership Agreement proposes measures to protect and restore important caribou habitat, while also introducing and continuing population management measures that will support caribou recovery. This Agreement represents a new approach to managing a species at risk through government to government collaboration and partnership. This agreement establishes a framework to support Indigenous peoples that play a leadership role in caribou recovery and provides opportunities for local jobs in the fields of restoration and stewardship. It also supports the cultural vitality of local Indigenous communities and can become a national, provincial and local point of pride as we work together to recover this iconic species.
How many caribou are in the South Peace?

West Moberly and Saulteau Elders remember a time when caribou were so numerous that the Peace region was described as being covered by a “sea of caribou”. Populations have dramatically declined following the combined effect of industrial development and other human activities over the last 50 years. The South Peace (Central Group) region now includes six caribou herds (within three Local Population Units) that have declined from about 800 animals in the early 2000s to about 220 animals today. The B.C. government has implemented a predator management program in the Klinse-za, Burnt Pine, Kennedy-Siding and Quintette herds since 2013 and this program, in combination with West Moberly and Saulteau First Nations’ maternal pen, has resulted in recent increases in the Klinse-za, Kennedy-Siding and Quintette herds.
How will B.C. and Canada support collaborative projects to recover caribou?

The Parties are committing to support collaborative mechanisms and projects to recover Southern Mountain Caribou. These could include collaboration in activities in support of recovery planning and actions (e.g. planning, information sharing, delivery and monitoring) with directly affected Indigenous peoples, particularly where they have demonstrated prior leadership in Southern Mountain Caribou recovery, and expertise and ability to plan, deliver and monitor on-the-ground measures to conserve and recover Southern Mountain Caribou populations.

Enabling participation by Indigenous peoples, stakeholders and community groups in Southern Mountain Caribou recovery planning activities may take the shape of working groups, committees and the development of more formal mechanisms, such as memoranda of understanding.

Have socio-economic impacts been considered in the development of the draft Section 11 Agreement and Partnership Agreement?

Changes must be made to reverse the population declines that caribou have undergone over the past 50 years largely as the result of human activity. Canada and B.C. believe that caribou recovery can be accomplished while also embracing sustainable economic development. Both governments are also committed to engagement with industry, local communities, Indigenous peoples, and the public in order to find solutions that optimize recovery efforts in the current socio-economic context.

The implementation of the Partnership Agreement and the proposed measures may have some impacts on industry sectors such as forestry, energy and mining and the tourism and recreation sectors, but it will also provide greater long-term certainty for these sectors and support a strong investment climate. There are economic opportunities that are also expected to be realized, including through the work to be done restoring caribou habitat.

To fully understand the potential impacts and benefits, B.C. and Canada have been conducting impact analysis and will be undertaking focused engagement on the Partnership Agreement with industry, local communities, Indigenous peoples, other stakeholders and the public. The Parties are committed to sharing data and analyses on potential impacts and benefits of the Partnership Agreement, and to working with interested parties to review and improve these analyses. This includes an independent economic analysis of the impacts to jobs and communities that could result from the Partnership Agreement.