

Minister of the Environment



Ministre de l'Environnement

Ottawa, Canada K1A 0H3

DEC 17 2004

Mr. Harry Flaherty
Acting Chair
Nunavut Wildlife Management Board
Box 1379
Iqaluit NU X0A 0H0

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Dear Mr. Flaherty:

I am writing in response to the letter of October 19, from your predecessor, concerning the proposed addition of the polar bear, the Northwestern population of grizzly bear and the Western population of wolverine to Schedule 1 of the *Species at Risk Act* as species of special concern.

As you well know, the assessments for these species were received by the Governor in Council in April of this year. The Governor in Council must, therefore, make a decision on whether to list, not list or refer the species back to COSEWIC within nine months, that is, by January 21, 2005.

I have carefully reviewed the issues that the Nunavut Wildlife Management Board has raised with respect to the assessment of these species, as well as the level of consultations that have taken place regarding their proposed listing.

With regard to the polar bear, COSEWIC assessed the polar bear at the species level. While the *Species at Risk Act* does allow assessment of geographically or genetically distinct populations, in this case COSEWIC considered that the primary threat to the species (global warming) was similar throughout its entire Canadian range and, therefore, assessed it at the species level. While some populations in Nunavut may be showing some increases at the current time, the recently completed Arctic Climate Impact Assessment report serves to highlight climate change as a serious concern for the long-term survival of polar bears as a species.

I understand that the Board was given an opportunity to review the draft status report on the polar bear before it was considered by COSEWIC at its November 2002 meeting. I further understand that the Board provided comments on the draft report in a letter dated August 13, 2003 and that this further information was taken into account by COSEWIC in arriving at its conclusion.

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I am informed that a report on Aboriginal Traditional Knowledge was prepared on the Western population of wolverine based on information received from knowledge holders, including in Nunavut, subsequent to the COSEWIC assessment. I understand that the results of this report generally confirmed the scientifically based COSEWIC assessment. Based on the information that you have provided in your letter and the current knowledge around the polar bear and grizzly bear, I am not yet convinced that referring these two species back to COSEWIC for reassessment of their biological status is warranted.

With regard to the consultations that have been conducted with the Board with respect to listing, I understand that the document, *Consultation on Amending the List of Species under the Species at Risk Act*, was sent to the chair of the Nunavut Wildlife Management Board in late March. Subsequent to that, there was a discussion at the Board meeting in June, at which time the Board requested a formal presentation by Environment Canada at the Board's meeting in October, which was accordingly done.

I do place a high value on working in close collaboration with the Board, as is envisaged in the *Species at Risk Act*. Thus, despite the efforts that Environment Canada has made to date to consult with the Board regarding these species, I have reluctantly come to the decision that I will recommend to the GIC that the three species not be added to Schedule 1 of the *Species at Risk Act* at this time, in order to allow further time to consult on the issues that have been raised.

It is important to note that the polar bear, grizzly bear and wolverine have been assessed as being of special concern. Special concern species are not subject to the prohibitions identified in sections 32 and 33 of SARA. The addition of the three species to Schedule 1 of SARA would, however, require the development of management plans that include measures for the conservation of the species and their habitat, thus possibly preventing those species from being classified in the future as threatened or endangered.

I understand that a meeting is planned for January 10-11 with officials of Environment Canada, Fisheries and Oceans Canada, the Parks Canada Agency, the Government of Nunavut and the Board to discuss species at risk. I am confident that you will make full use of this meeting to discuss the issues that the Board has raised with respect to the polar bear, grizzly bear and wolverine and how they can be addressed on an urgent basis.

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In view of my responsibilities to the species under consideration, you understand that I cannot postpone the decision too long. I would ask that the Board place a high priority on working with my department on completing the necessary work and consultations by the end of May. I have directed that departmental officials dedicate the necessary efforts to do so, and I am confident that the Board will do the same.

I look forward to our continued mutual efforts to work in close cooperation on species at risk and other wildlife management issues.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stéphane Dion', is written over a horizontal line.

Stéphane Dion