



Ms. Megan McAndrew, Policy Analyst  
Ministry of Natural Resources and Forestry  
Policy Division, Species Conservation Policy Branch  
300 Water Street,  
Peterborough, ON K9J 8M5

13 June 2016

**RE: Government response statement for wolverine under the Endangered Species Act, 2007 (EBR Registry Number: 012-7323)**

Dear Ms. McAndrew,

Thank you for the opportunity to comment on DRAFT Government Response Statement to the Recovery Strategy for Wolverine in Ontario (EBR Registry Number 012-7323). We are submitting this letter in our respective capacities as Wildlife Conservation Society (WCS) Canada scientists specializing in fish and wildlife ecology, conservation biology, cumulative impacts, and landscape ecology in northern Ontario. A national organization, our research and conservation priorities in Ontario are largely focused on the Far North. One of us has extensive direct research and conservation experience with wolverine in the province (partnered with Neil Dawson, OMNR) and co-authored the recovery strategy. We have contributed a large proportion of point locations for wolverine through aerial surveys since 2003 and have spent considerable efforts over the past five years on best management practices for preventing incidental harvest.

Our most significant concerns relate to the process of creating this Government Response Statement (GRS), its relatively weak nature and lack of necessary detail, which is related to the limited extent to which the Ontario government will commit itself to any meaningful recovery actions. This is a safe document that commits Ontario to nothing beyond its current (limited) programs, and that has pledged no meaningful funds to support actions that it defers to others to undertake.

Below, we provide our explanations for the major limiting aspects of the draft GRS. Each is followed (in italics) by specific recommendations for revising the GRS.

Recovery planning process

The Recovery Strategy was finalized almost 4 years ago and published in November 2013. Although this draft GRS acknowledges that it missed the 9-month requirement to complete the GRS, it offers little explanation for why such a massive delay was required. Given its brevity and

the relatively generic nature of the document's contents, it does not seem plausible that so much time was needed, as implied in this case, for the incorporation of meaningful input.

The only potential process that we are aware of whereby stakeholders were consulted within the past several years on wolverine recovery is ER #012-0405, from which 153 comments were received relevant to American eel and/or wolverine by December 23, 2013. It is difficult to understand how the quality of the document benefitted from extra time to "comprehensively consider and address the complexities".

*Recommended amendments:*

- 1. Revise Line 26-31 to be more specific about the process and "complexities" to provide reasons why this document took so many years to produce.*
- 2. Include some description in the GRS of the nature of input received by stakeholders to inform the "necessary and appropriate" actions in this document.*

#### Scientific basis of the document

On the first page of the draft GRS (line 19), the claim is made that the document "reflects the best available traditional, local and scientific knowledge at this time". This statement is simply not applicable to this GRS, given the long period of time that has elapsed since the Recovery Strategy was published (see above) and relative lack of scientific consultation that has been undertaken since then, particularly in the last year where this has languished in Peterborough. We observe that scientific rigour has been compromised in some places in the document, presumably in efforts to simplify information presented. We are aware that this GRS was not subjected to any review by Ministry biologists prior to its public release on the Environmental Registry.

We also observe that the draft document places much emphasis throughout on the lack of information that is available on Ontario wolverine ("substantial challenges", "extremely difficult", "substantial knowledge gaps", etc.). Given the simplified nature of the document, there is no opportunity to explain what information is known, the progress that has been made to understand wolverine distribution, relative abundance patterns, threats, etc. over the past decade, and how this information actually does inform necessary recovery actions, as detailed in the Recovery Strategy. This lack of acknowledgement is a disservice to the significant investment that has been undertaken, much of it funded by non-Ontario government sources. We note that the emphasis on lack of information in this draft GRS sets up Ontario government nicely for taking responsibility for so few meaningful actions.

*Recommended amendment:*

*Subject the revised GRS to thorough scientific review by wolverine experts (e.g., former members of the recovery team) before it is published.*

#### "Appropriate and necessary actions"

Another misleading statement that appears in the preamble claims that the GRS "identifies actions that are considered to be appropriate and necessary for the protection and recovery of

the species”. This cannot be reconciled with the list of actions that is offered in this draft GRS for wolverine recovery in the province, most of which will rely on outside actors and funding (see below). Given the careful emphasis Ontario places on feasibility (“taking into account social and economic factors”) and consultation with stakeholders, combined with the lack of commitment to actions that are not already underway in the Ministry (see below), a number of necessary actions (including those outlined in the Recovery Strategy) are, in fact, overlooked.

*Recommended amendment:*

*Remove “necessary and appropriate” in reference to actions from the generic preamble that appears in this and all forthcoming GRS, given that it is generally not possible for both to be true, given the entry of socio-economic and stakeholder considerations in the formulation of the GRS.*

### Government-led vs. Government-supported actions

It is evident from this draft GRS that the Ontario government will not commit itself to undertake any actions for which there isn’t a program in place already with budgetary commitments. Such circular reasoning makes us question the utility of having any GRS at all. “Endorsing” a set of actions takes us no further than the Recovery Strategy, which at least contained detailed rationale for its recommended priority actions.

As for relying on unnamed “conservation partners” to undertake the “government-supported” actions, the funding pots listed in the implementation section (267-9) are too small and restricted to provide necessary support to undertake the listed actions in meaningful fashion. The Species at Risk Farm Incentive Program is not even relevant to wolverines, so it should not be listed at all. The inflexible timing of the other two granting programs (Species at Risk Stewardship Fund [SARSF] and Species at Risk Research Fund [SARRFO]) simply means that it will not be possible to fund some actions deemed high priority in this GRS.

For example, the development and implementation of a wolverine “inventory and monitoring program” (Action #1) is a high-priority action item with no government leadership specified in the draft GRS. Undertaking this necessary action will be a multi-year effort that will require investment well beyond the normal amounts of SARSF or SARRFO contracts. Moreover, the timing of reporting at the end of the government fiscal year is not conducive to winter fieldwork. As biologists who have the necessary scientific background and wolverine experience to undertake and design a provincial monitoring program for wolverines, we would not be inclined to apply through either SARSF or SARRFO channels to fund such work, given their constraints. This raises concerns that Ontario will just wait for whatever parties apply to either of the two funding streams to complete high-priority action #1. Piecemeal, small-scale efforts will not accomplish the intent of this action. We also note that understanding den site selection, etc. (Action #2) would require trapping and radio-telemetry, and this in turn would be far beyond the granting capacity of the SARSF and SARRFO granting mechanisms.

In addition, while the SARSF and SARRFO funding streams provide a welcome source of support for some meaningful research and stewardship activities associated with species at risk in the province, the administration, management and integration into species at risk recovery is often

minimal in our experience. It appears limited to providing a list with the call for proposals each year of a number of actions or species that will receive priority for consideration. There is otherwise little indication of proactive solicitation of proposals from those most capable of undertaking the necessary actions. And for grantees, there is little flexibility in administration, even for changes that will yield better results with the same money. If the province relies on these small sums of money and clumsy processes for fulfilling recovery goals of a high profile species, we are in trouble.

#### *Recommended amendment*

*Revise 267-269 (Implementing actions) to indicate a financial commitment from Ontario outside the limited funding mechanisms that are currently mentioned for “government-supported” actions that are led by qualified partners.*

#### Monitoring

As for the one government-led commitment in the draft GRS related to monitoring and research, i.e., to integrate wolverine into ongoing monitoring programs in the province (Action #3), we note that there is no caribou monitoring program in existence at present in Ontario. Investing in caribou monitoring is an absolute priority for direct government investment, as we and others have stressed repeatedly elsewhere (e.g., Provincial Caribou Technical Committee); bringing in wolverine to such a program would be a relatively straightforward task.

We support attention to NHIC, which has at present an inexplicably incomplete provincial wolverine dataset.

#### *Recommended amendment*

*Commit to develop and implement a wolverine monitoring program (Action #1) that is government-led, designed in tandem with other large mammal surveys (Action #3), and designed with sufficient power to detect change over time.*

#### Wolverine harvest

We fully support the need to develop, update and implement best management practices for incidental harvest (Action #8), and urge this to be identified as a high priority. (We note with some irony that action #11 related to education and outreach names the promotion and implementation of such BMPs as a high priority, which raises the question about what it is that OMNRF plans to promote, if developing them in the first place [#8] is not of high priority?).

We stress that any actions related to incidental harvest (e.g., BMPs or monitoring) should be undertaken in a strategic and integrated approach. This would include Action #8 (monitor incidental trapping), #11, and a number of additional related actions that are not mentioned in the GRS but are elaborated upon in the Recovery Strategy and require updating. Although there is no information to suggest that current wolverine harvest levels pose a threat to the overall survival or recovery of the species in the province, the known susceptibility of this species to overexploitation underscores the importance of monitoring harvest levels. As discussed in the Recovery Strategy, the passage of the Ontario ESA (2007) and wolverine-specific regulations

have yielded unintended consequences that have negatively affected harvest reporting and attitudes towards wolverine recovery.

Accordingly, the Recovery Strategy recommended the undertaking of a “conservation assessment” related to harvest with the aim of developing strategic guidance that would be relevant across the province and to those with and without treaty rights for managing and monitoring this potential threat. For example, that non-Aboriginal individuals, fur dealers, and auction houses are presently prohibited from possessing or selling wolverine means that provincial managers have lost the ability to track harvest levels for this species in much of the range. We also observe the lack of universal understanding among Ontario trappers and even some MNRF staff about the current (and improved) regulations governing incidental harvest reporting; consistent and clear implementation is critical. The Recovery Strategy calls for “an analysis of the opportunity to sell incidentally-caught wolverine, under specified conditions, so as to reduce the likelihood of waste, potential non-registry, and legal challenges” as well as bringing best management practices into future regulatory amendments. This remains as important today as it was in 2013. While we certainly agree with the need to monitor reported incidental harvest levels (Action #8), we submit that under current circumstances, this information will not provide an accurate picture of wolverine mortality in the province. We stress the importance for Ontario to confront the complicated nature of this situation and be open to alternative management approaches and procedures that will benefit wolverine recovery.

A strategically-combined set of activities is necessary for 1) developing a sensible system for monitoring wolverine harvest levels everywhere in the province, 2) enhancing understanding of incidental harvest and management of incidental harvest as potential risks to recovery, and 3) formulating management measures for incidental harvest and wolverine recovery in a fashion that ameliorates rather than enhances conflict. WCS Canada and Ontario Fur Managers Federation have collaborated on some dimensions of this issue over several years. This has enjoyed important support from OMNR field staff, but garnered no discernible attention from OMNR staff responsible for species at risk or wildlife management policies.

*Recommended amendment:*

*Re-write Action #6 and #8 into a stronger high-priority integrated action or set of actions as described above.*

#### Integration of wolverine and caribou recovery

We were disappointed to see so little attention in this GRS to policy and planning initiatives that have the potential to influence and support wolverine conservation efforts. Especially the implementation of the Caribou Conservation Plan, which has an explicit mandate to manage and limit cumulative disturbance at landscape scales. Although thresholds remain elusive, there is certainly sufficient science to state that wolverines would almost certainly benefit from this action. Action #9 regarding wolverines and community-based land use planning in the Far North is too vague to be useful.

*Recommended amendment:*

*Include an action under focus area threat management and habitat protection that makes reference to implementation of the Caribou Range Management policy and promotes integrated land use planning and manages cumulative disturbance at appropriate scales as a benefit to wolverine recovery.*

Recovery goal

Although we question why the government deemed it necessary to change the recovery goal from that of the Recovery Strategy, we have no strenuous objection to the new version. We do, however, consider the abandonment of wolverine recovery zones (without explanation) to be short sighted. As explained in the Recovery Strategy, these zones were delineated with careful consideration to differences in wolverine distribution, ecological conditions, and threats that guide recovery actions.

*Recommended amendment:*

*Re-consider abandonment of recovery zones recommended in the Recovery Strategy, or provide explanation for why.*

Thank you for taking the time to consider these recommendations and responses. We would be happy to discuss these comments further and participate in the finalization of the GRS for wolverine.

Sincerely yours,



Justina Ray, PhD



Cheryl Chetkiewicz, PhD

cc: Environmental Commissioner of Ontario (ECO)