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## Alberta First Nations groups taking legal action over threatened caribou

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A woodland caribou from A La Peche Herd.

**Photo Credit:** Chuck Priestley, edmontonjournal.com

EDMONTON — At least two First Nations followed up on their threat of legal action Wednesday in a bid to save dwindling caribou herds in northeastern Alberta.

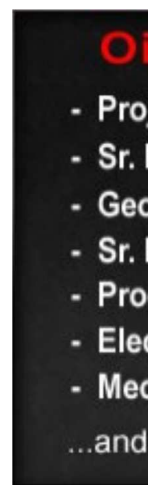
Lawyers for the First Nations communities argue the federal minister of the environment has a statutory duty to protect the animals under the Species At Risk Act. They warned legal action was coming in a letter to Environment Minister Jim Prentice sent mid-July and arrived at the federal court registry downtown Wednesday morning with legal documents in hand.

The First Nations are asking the court to force Prentice prepare a recovery strategy for the woodland caribou and to recommend the federal cabinet make an emergency order with a moratorium on all new development in the areas where the caribou are threatened.

Chiefs from the Athabasca Chipewyan First Nation and the Beaver Lake Cree Nation are expected to speak at a news conference explaining the legal action early this afternoon. Two environmental groups, the Alberta Wilderness Association and the Pembina Institute have joined the First Nations in their demands in the past and filed parallel legal actions Wednesday.

The cases will draw on research by University of Alberta professor Stan Boutin which says two of the northeastern Alberta herds could face extinction within 50 years if no action is taken soon to protect their habitat.

The size of each herd declined precipitously in the past 14 years, and Boutin says the energy industry is largely responsible. The new roads, pipelines and seismic lines make the area less hospitable to


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caribou and encourage the free movement of predators, such as wolves.



If trends continue, the number of caribou per herd will fall below 50 by 2030 and below 10 by 2046, putting the herds in constant danger or eradication, Boutin said in a report dated July 5 this year.

"It is my opinion that caribou will be extirpated from the (traditional territory), most of northeastern Alberta, and in many other parts of Canada if the conservation actions outlined in this reporter are not implemented immediately," Boutin wrote.



Boutin is expected to be called as an expert witness in the case.

In 2002, boreal caribou were listed as threatened under the Species at Risk Act. Lawyers for both parties argue the act committed the minister of environment to preparing a recovery strategy no later than June 2007. No recovery strategy for the herds has been completed to date.



"This is really a last resort," said Simon Dyer, oilsands director for the Pembina Institute. "The federal and provincial governments have been dragging their heels for decades."

Lawyers Jack Woodward, of Victoria-based law firm Woodward and Company LLP, and Ecojustice staff lawyer Barry Robinson will be presenting the case in federal court.

Calls for comments were placed with the offices of Minister Jim Prentice and Alberta Sustainable Resources Minister Mel Knight Wednesday morning. The ministers have not yet returned calls.

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