

December 5, 2022

Lori Halls
Deputy Minister of Land, Water and Resource Stewardship
PO Box 9352 Stn Prov Govt
Victoria, BC V8W 9M1

RE: Complaint regarding humane monitoring of predator reduction

Dear Deputy Minister Lori Halls,

Established in 1953, The Fur-Bearers is a registered charity working to protect fur-bearing animals through conservation, advocacy, research and education. We represent the interests of nearly 8000 British Columbians.

The Fur-Bearers is submitting a complaint regarding the monitoring of humaneness for predator reduction under the caribou recovery program. As an organization focused on the protection of fur-bearing animals, we have a substantive interest in the welfare of wolves subjected to removal methods as part of the province's caribou recovery program.

Background

At issue is the omission of reporting and monitoring documentation that we requested through a freedom of information request under the Freedom of Information and Protection of Privacy Act (FOIPPA). This request was originally submitted to the Ministry of Forests on September 16, 2022, and transferred to the Ministry of Land, Water and Resource Stewardship (Ministry) on October 4, 2022. The following is the FOI request description.

Request LWR-2022-22824. *Regarding the monitoring and documentation of humaneness for the aerial reduction of wolves, all reporting documents submitted to the provincial wildlife veterinarian for the Itcha-Ilgachuz and Tweedsmuir-Entiako treatment areas, including the time, number and placement of shots, and photographs of all wolf removals. Provide photographs in original colour format. Date Range January 1, 2022 - July 30, 2022*

The Ministry provided their response on November 21, 2022. We received 13 pages of records which included one page of emails and 12 pages of contractor reports.

The Ministry did not provide the humane monitoring documentation related to the time, number and placement of shots, and photographs of wolf removals. We expressed concern about this omission to the Ministry (indirectly through Information Access Operations staff). The following is the response we received.

"Ministry staff confirmed to the FOI Coordinator that there are no additional records to come. When the Coordinator posed the question about the requirement for documenting the number and placement of shots on the wolves, the response was that the Ministry is currently working on finalizing the 'Provincial

Standards of Practice for Aerial Based Live Capture and lethal removal of wolves’, and it appears that a consistent approach to collecting this information is part of the discussion.”

Our analysis of government records suggests that these records should exist. We have submitted a request for review with the Office of the Information and Privacy Commissioner to assist in determining whether Ministry has fulfilled its legal obligations to our request under FOIPPA.

Based on the response to our FOI request and the limited information we received from the Ministry regarding the existence of these records, we are operating under the assumption that there may be reporting and monitoring failures concerning the humaneness of wolf reduction. The omission of humane monitoring records and the indication that the Ministry may not have been using a “consistent approach” to the collection of this information for 2021-2022 predator reduction is the subject of this complaint. The reporting and monitoring requirements for predator reduction are outlined below.¹

Requirements to monitor and report humaneness

Ministry Requirements:

The province’s responsibility to monitor humaneness is found in Wildlife Procedure 4-7-04.06 - Caribou Recovery Program - Interim Aerial Wolf Reduction Procedure.² The procedure writes:

It is the responsibility of the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), and the Ministry of Environment and Climate Change Strategy (ENV) to:

...

*8. Ensure methods of wolf reduction are humane and consistent with current guidelines for euthanasia of wildlife. Provide monitoring to ensure guidelines and standards are followed.*³

Contractor Requirements:

The contractors’ requirements to report and provide records to the province regarding humane monitoring are outlined in 1) the Regional Manager’s decision to issue permits to support Tweedsmuir-Entiako Caribou Recovery, 2) the Operational Plan for Tweedsmuir-Entiako Caribou Recovery, and 3) the Animal Care Application Form. These documents are included in Appendix A. The following outlines the reporting requirements in each document.

1. Regional Manager’s Decision to Issue Permits

- “The reporting requirements are a condition of the Permit SM22-681663, and SM22-679304 and contained in the Approved Animal Care Form.” (Appendix A, page 1)

2. Operational Plan

- “The humaneness of the wolf reduction will be monitored throughout the program. Ministry staff oversight has proven crucial in ensuring humanness in the South Peace Wolf Reduction program (Bridger 2019). Humaneness was closely monitored by Ministry staff by documenting shooting proficiency, shot locations, and subsequent dispatch times of a large subsample of wolves removed during South Peace Wolf Reduction program delivery. The

¹ The focus is on Itcha-Ilgachuz and Tweedsmuir-Entiako treatment areas as we do not have access to the Animal Care Application Forms for other regions.

² https://www2.gov.bc.ca/assets/gov/environment/natural-resource-policy-legislation/fish-and-wildlife-policy/4-7-0406_-_aerial_wolf_reduction_procedure_-_september_16_2021.pdf

³ This procedure was written prior to the creation of the Ministry of Land, Water and Resource Stewardship. As this Ministry is responsible for the management of caribou recovery program, it is our understanding that these responsibilities would extend to the Ministry (possibly in addition to the Ministry of Forests and the Ministry of Environment).

TEC program will use the same methods to ensure humanness to ensure wolf reduction occurs at the highest possible level of humaneness.” (Appendix A, page 8)

3. Animal Care Application Form

- “Humaneness will be documented by recording time, number of and shot placement and time of death. Once a pack is eliminated, at least half of the wolves humanely removed will be inspected on the ground, clearly documenting shot locations and providing standardized photographs to the project lead and provincial wildlife veterinarian. **These documentation (time, number of shots, shot placement and photographs will be provided to the lead and veterinarian at the completion of the project.**” (Appendix A, page 21. Emphasis added)

The contractors’ requirement to treat wildlife in a humane manner is a condition of their permits issued for predator reduction. They are further required to follow the *Details of Capture, Handling and Surgical Procedures and Final Disposition* which is referenced in bullet point 3 above. The permits are included in Appendix B. The following are conditions included in the contractors’ permits.

- “4. The permit holder must ensure that the wildlife are treated in a humane manner and are not subjected to any unnecessary harm or suffering.” (Appendix B, page 3)
- “5. The Permit holder must follow the Details of Capture, Handling and Surgical Procedures and Final Disposition outlined under #8 in the approved BC Animal Care Application form.” (Appendix B, page 3)

Discussion

The Ministry did not provide documents to our FOI request identified as requirements in the Animal Care Application Form. These are indispensable documents that are necessary for the Ministry to monitor humaneness and ensure guidelines are being followed by the contractors.

In the absence of these documents, we are led to believe that the contractors have failed to report this information to the Ministry (failing to comply with the terms of their permits), resulting in the Ministry not effectively monitoring the humaneness of aerial reduction or ensuring that guidelines are being followed (failing its monitoring and oversight responsibilities under Wildlife Procedure 4-7-04.06).

The province has deemed aerial reduction as humane, but if the reporting and monitoring obligations for humaneness are not being followed, there is a possibility that animal cruelty is occurring within a government program without the government’s knowledge.

It is unclear where the problem lies, whether it is contractors failing to report or the Ministry failing to monitor. But it is clear there is a problem. This problem affects wolves in the direct impact this has on their welfare. It also affects the people of British Columbia who place trust in the province to act in accordance with their own procedures and to ensure that government contractors follow the conditions in their permits when they are killing wildlife on the province’s behalf and at the taxpayer’s expense.

Action requested

It light of the above, we are seeking the following:

1. An immediate moratorium on predator reduction to take effect prior to the 2022-2023 winter program. If the Ministry has not finalized procedures and reporting and consistency problems exist, then it is problematic to allow predator reduction to continue. Wildlife should not be subjected to killing methods under an incomplete and ineffective policy and oversight framework.
2. An audit of the 2021-2022 predator reduction program regarding 1) the Ministry's monitoring of humaneness, and 2) the contractors' adherence to guidelines and standards. If any contractors have failed to provide reporting documents as required as conditions in their permits, or have failed to comply with approved standards, then we seek a cancellation of those permits, ineligibility for future permits, and denial of future permit requests. This may include permits SM22-681663 and SM22-679304, but necessarily extends to all permits issued for predator reduction where the terms and conditions of the permits were not complied with.

Please confirm receipt of this complaint and advise of next steps by December 19, 2022. If the reporting documents and photographs that are the subject of this complaint exist, please advise and we will review the remedies sought in this complaint.

Thank you for your attention on this matter.

Sincerely,



Lesley Fox
Executive Director
The Fur-Bearers

Enclosures:

APPENDIX A - FNR-2022-20672 - Itcha-Ilgachuz and Tweedsmuir-Entiako Documents

APPENDIX B - FNR-2022-20672 - Permit SM22-681663

cc: Rick Manwaring, Deputy Minister of Forests
Kevin Jardine, Deputy Minister of Environment and Climate Change Strategy