



COMMITTEE ON THE STATUS OF
ENDANGERED WILDLIFE IN CANADA

COMITÉ SUR LA SITUATION DES ESPÈCES
EN PÉRIL AU CANADA

Dr. Marco Festa-Bianchet
Président du COSEPAC / Chair of COSEWIC
Co-président, sous-comité des mammifères terrestres du COSEPAC
Co-chair, COSEWIC Terrestrial Mammals Specialist Subcommittee
Département de biologie, Université de Sherbrooke
Sherbrooke, Québec J1K 2R1
Tél. (819) 821-8000 poste/ext 2061 Fax (819) 821-8049
Marco.Festa-Bianchet@USherbrooke.ca

December 12, 2003

The Honourable David Anderson
Minister of the Environment
Government of Canada
Ottawa, Ontario
K1A 0H3

Dear Minister Anderson:

Thank you for your letters of November 18 and November 20, which were considered by COSEWIC during its recent Species Assessment Meeting in Ottawa. COSEWIC members also wish to thank you for the appointment letters that you sent us in November.

Let me first respond to the four points raised in your letter of November 18.

All Species Specialist Subcommittee Co-Chairs have confirmed that they will complete the assessments of schedule 2 species by the June 2006 deadline established by SARA.

Your second point referred to a Priority List and to unsolicited status reports. COSEWIC is establishing clear and understandable priorities for assessment. The Candidate Lists currently posted on our website by most Species Specialist Subcommittees will soon include a justification for each species and details on how the Candidate List was generated. Our Candidate List draws heavily from the work of the National General Status Working Group. Reports on new species will be commissioned only for species listed on the COSEWIC Priority List. The latter will be produced by all of COSEWIC and will reflect available information on the relative risk of extinction, as you suggested. The Priority List will be available to jurisdictions and to the public soon after its approval by COSEWIC. Range jurisdictions, government agencies and the public will have about 3 years to prepare any information that they may have and that could be useful for our assessments.

Regarding unsolicited reports, apparently we have little flexibility in this matter. Two aspects of unsolicited Reports are of particular concern to COSEWIC. First, we have been advised that we can refuse an unsolicited report based on its quality (for example, the omission of available information), but not based on the priority of the species covered by the report. Therefore, we may have to invest time and resources in examining the status of low-priority species that are the subject of unsolicited reports. Given COSEWIC's already overwhelming workload, that situation may regrettably force us to postpone examination of species at greater risk. Second, SARA states that COSEWIC must produce an assessment within one year of receiving an unsolicited report. That requirement ignores COSEWIC's extensive consultative process: most commissioned reports are assessed 15-20 months after the first draft is circulated to members and jurisdictions. COSEWIC proposes that, in keeping with past practice, an unsolicited report should be considered 'received' when it is first tabled at a Species Assessment Meeting. We believe that this solution is consistent with the wording in SARA. Reports would be tabled only after they had been reviewed by Species Specialist Subcommittees and by range jurisdictions. We will soon provide advice to those planning to submit unsolicited report, outlining all requirements and strongly advising that Species Specialist Group be contacted at the very beginning of report preparation. It is also unclear whether COSEWIC can ask authors of unsolicited reports to surrender their Moral Rights, so that reports could be edited if required and could then be used as 'living documents' similarly to commissioned reports. COSEWIC would greatly appreciate advice from you and from the CESSC about unsolicited reports.

COSEWIC has made substantial progress in incorporating ATK in its assessments. The ATK Co-Chairs now examine all reports for ATK content, and have asked for suggestions for possible ATK Subcommittee members from several Aboriginal organizations. In November, COSEWIC approved Version 1 of the COSEWIC ATK Subcommittee Terms of Reference, which will be forwarded to the Aboriginal Working Group for consideration.

COSEWIC has approved the final version of Appendix F5 "Guidelines for Listing-Designatable Units Below The Species Level" for its Operations and Procedures Manual. We therefore have a finalized document to which we may refer to determine whether or not a species should receive status assessments for units below the species level.

I will now reply to the points raised in your November 20 letter. COSEWIC agreed that final reports should be available to Canadians in both languages at the moment of listing. I therefore understand why after receiving my letter of June 17 you decided to wait until the final reports were available and translated. All those reports have now been finalized and all will be translated by mid-January. Therefore I look forward to your response to my June 17 letter.

COSEWIC will provide information about all assessment criteria in the Technical Summary of status reports, partly to facilitate the work of RENEW. We are developing ways to more efficiently incorporate uncertainties. Uncertainties are discussed in Status Reports, but not in a specific section.

Before I address your suggestions for how final status reports will be included with the letter from the Chair of COSEWIC, please allow me to convey to you COSEWIC's deep concern about the two sockeye salmon populations that were added to our list as Endangered following an Emergency Assessment in October 2002. Finalized status reports on those 2 populations were considered at the 2003 spring meeting and included in the list I sent you on June 17. Their Endangered status was confirmed by COSEWIC. Their status reports are finalized and available on the Public Registry, and their population sizes are well known. Both populations are at immediate risk of extinction.

Their numbers have declined further since the Emergency Assessment: only one male, one female, and one sockeye of undetermined sex entered Sakinaw Lake in 2003. Having consulted COSEWIC about this matter, I therefore request that you consider issuing an Emergency Order to provide the protection afforded by SARA to the Cultus Lake and Sakinaw Lake sockeye salmon.

In your November 20 letter, you requested that COSEWIC prepare finalized status reports two months before the Species Assessment Meeting, so that the final reports may be provided to you in both languages with the letter from the Chair informing you of COSEWIC's assessments. You also asked that only one such letter a year be sent to you and to the CESCC and suggested that perhaps a single meeting of COSEWIC per year may be sufficient.

COSEWIC will prepare a single letter each year and include final status reports in both languages. Preparing and translating finalized status reports two months in advance of the meeting, however, may result in many reports being deferred because they will require minor changes. These changes may also lead to reports having to be translated twice.

COSEWIC wishes to suggest to you and to the CESCC an alternative procedure. The Status Reports sent to all COSEWIC members 2 months before each meeting would be 'near-final'. At the meeting, reports that require extensive changes will be deferred. SSC Co-Chairs will have two weeks to ensure minor changes are made. The letter from the Chair of COSEWIC required under Section 26 of SARA, will be sent to you in mid-July, and list only species for which a final status report will be available in both languages. This will satisfy all the requirements listed in your November 20 letter.

Under this new *modus operandi*, it will be unacceptable for anyone to produce new information at the meeting. COSEWIC will therefore accept new information only exceptionally, such as when the information was obtained by a COSEWIC member a few days before a Species Assessment Meeting.

COSEWIC continues to work towards returning to a single meeting a year. The large number of reports currently under review, and the new requirements established by SARA, however, make it unlikely that a single yearly meeting will be feasible over the short term.

Thank you very much for your continuing support of COSEWIC and for your work on behalf of endangered species in Canada.

Yours sincerely,

Marco Festa-Bianchet
Chair of COSEWIC

Cc. : Members of COSEWIC