



**Animal Alliance  
of Canada**



**Animal Alliance  
Environment Voters  
Party of Canada**

September 3, 2010

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c.c. The Honourable Jim Prentice,  
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SUBJECT: Designation of Sable Island as a national park.

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Dear Mr. Harvey,

Thank you for the opportunity to comment on the conservation, management and operational issues associated with the designation and management of Sable Island as a national park.

We are both delighted and concerned that Sable Island will become a national park under *The National Parks Act*: delighted that both the Government of Nova Scotia and Government of Canada recognize the importance of protecting the island's ecosystem; but concerned that protection will involve invasive

management actions that both governments have conducted in their protected places in other national and provincial parks and wilderness areas.

We have reviewed a number of key documents (see Bibliography) that Parks Canada will likely use in its designation process and in developing its approach to conservation, management and operational issues associated with the designation.

## **1. Recommendations:**

Based on our review of the available reports and suggested materials, we make the following recommendations:

### **A. Conservation Recommendations:**

**Recommendation #1 – Managing the Flora and Fauna:** That Parks Canada take a hands off approach to the management of the flora and fauna of Sable Island and limit human activity in order to protect the island and its inhabitants. This includes the horses who have been part of the Sable Island environment since the 1700s and are acclimatized to the Island. In addition, where human activity negatively impacts wildlife, such as disturbance to the tern colonies, that activity should cease, move or be modified to eliminate the disturbance.

**Recommendation #2: Applying ecological integrity to the management of Sable Island:** That ecological integrity, as defined in the *Canada National Parks Act* be applied to the management of Sable Island. The *Act* defines ecological integrity as "...a condition that is determined to be characteristic of its natural region and likely to persist, including abiotic components and the composition and abundance of native species and biological communities, rates of change and supporting processes." In addition, horses must also be protected since they are acclimatized to Sable Island.

We find Parks Canada's interpretive statement of ecological integrity - "populations of species should be managed to levels that have a high likelihood of maintaining themselves" (Ecological Integrity, What Is Ecological Integrity, National Parks of Canada – <http://www.pc.gc.ca/eng/progs/np-pn/ie.aspx>) – deeply troubling and antithetical to the definition in the *Act*. It ought not to be applied to Sable Island. Parks Canada should manage human activities that impact Sable Island, not wild populations and ecosystems.

## **B. Management Recommendations:**

### **Recommendation #1: Opposing DFO grey seal management**

**proposal:** That Parks Canada staff take a strong position against the Department of Fisheries and Oceans report titled, "Logistical Evaluation of Options to Manage the Grey Seal Population on Sable Island" and that Parks Canada make it clear to DFO that there should be no seal killing on Sable Island now that it will become a national park.

**Recommendation #2: Recommending no culling:** That Parks Canada recommend against killing any native or acclimatized species on Sable Island including the grey seals, horses and gulls, all mentioned in various reports.

## **C. Operational Recommendations:**

### **Recommendation #1: Eliminating and limiting human activity:**

That the protection of the ecology of the island be paramount and that Parks Canada assess human activity by level of impact, eliminating those with the greatest impact and limiting all other human activities so as to limit or eliminate such impact. There are outstanding issues that need to be addressed to protect the flora and fauna of the Island. They include petroleum development on and around Sable Island and infrastructure that would be needed on the island to support human access and limit human impacts including the number and placement of buildings and vehicles and roads and consumption of fresh water, storage and use of hazardous substance such as gasoline, and the disposal process for garbage and human waste.

**Recommendation #2: Addressing petroleum development on and around Sable Island:** According to the Canada – Nova Scotia Offshore Petroleum Board, the Sable Island Offshore Energy Project (SOEP) involves the development of six natural gas fields near Sable Island with the project beginning in 1999. There are a total of 28 development wells proposed for the six fields. And at the moment, there appears to be general support for no drilling activities to occur directly on Sable Island. However, there is no legislated protection for Sable Island from drilling and according to the Task Group, the *Canada National Parks Act* cannot legally prohibit drilling. We therefore support the Task Group's suggestion that the *Accords Act* be amended to specifically prohibit drilling on the surface of Sable. We would also recommend that an additional amendment be made to prohibit drilling under or in close proximity to the Island.

A further problem exists with two existing significant discovery licenses which are attached to parts of Sable Island. Again, we support the Task Group suggestion that "Discussions with the relevant holders of these significant discovery licenses...to determine possible steps and measures that could result in a national park and a complete no-drilling regime on the island

should occur in the consultation phase that is to follow a decision by ministers.” (Task Group, pg 8)

## **2. Background:**

Our recommendations are based on information gathered from documents about Sable Island and on Parks Canada’s management practices with regard to wildlife.

The issues raised in these documents need to be addressed by Parks Canada in the designation of Sable Island as a national park.

### **a. Areas of Concern:**

Parks Canada has the responsibility to consider “the conservation, management and operational issues associated with designating Sable Island as a national park.” In that regard, our recommendations and areas of concern are targeted specifically to those areas.

#### **i. Conservation concerns:**

Parks Canada’s definition of ecological integrity under the *Canada National Parks Act* is excellent. Ecological integrity is defined as “a condition that is determined to be characteristic of its natural region and likely to persist, including abiotic components and the composition and abundance of native species and biological communities, rates of change and supporting processes.” We agree with this definition. Its one significant drawback is that it does not recognize acclimatized and naturalized species.

Parks Canada’s objective is to allow people to enjoy national parks as special places without damaging their integrity. In other words, ecological integrity is the endpoint for park management; ecosystem management is the process used to get there.

Of course, we believe that ecosystems cannot be managed. For example, instead of allowing the ecology of our national parks to evolve naturally, Parks Canada claims to manage populations of species “to levels that have a high likelihood of maintaining themselves”.

In fact what actually happens is that Parks Canada manipulates populations by killing animals with no real scientific sense of the consequences. This approach is antithetical to the definition of ecological integrity as set out in the *Canada National Parks Act*. Although it does not include the horses, the definition clearly recognizes that ecosystems are never static; that species compositions are in continuous flux; that population sizes increase or decrease; that species come and go. Even the topography changes in response to natural forces.

Unfortunately, Parks Canada tries to determine what a park should look like, what constitutes diversity and what ecological processes are important and then manages (often involving culling) for those outcomes, again antithetical to protecting actual ecological integrity.

As a result, we are very concerned about how Sable Island will be “managed” given Parks Canada’s history. Therefore we urge Parks Canada staff, tasked with the park designation, to develop a foundation document that will establish, as the priority, the “protection of the park and its ecosystem” as opposed to its “management” and that any management must be applied to any human activity impacting the island.

**ii. “Wildlife Management” Concerns:**

We are concerned because Environment Canada and other agencies have considered culling gulls, horses and grey seals and because Parks Canada has persistently used culling as a “management tool” in Canada’s national parks.

We are opposed to these approaches and remain concerned that the direction suggested by the other agencies will be adopted by Parks Canada staff.

Therefore, we have reviewed the relevant documents and summarized areas of concern for discussion at our meeting on September 22, 2010.

- a) **Environment Canada:** In his March 1998 strategy paper, Towards a Conservation Strategy for Sable Island which was written for Environment Canada, Canadian Wildlife Service, Atlantic Region, Kenin Beson suggested possible culling of gulls and horses, leaving the killing of the grey seals to the Department of Fisheries and Oceans (DFO).

With regard to the horses, the author states, “They are human-introduced exotics which are totally dependant upon the island’s vegetation for their nutrition, but there have been no conclusive studies conducted which establish the degree to which the feral horses are affecting the vegetation of Sable Island.” (pg 21) The author recommends, “If research indicates that horse presence has serious adverse impacts which threaten the natural regulation of the island’s ecosystem, consideration should be given to management of the horse population.” (pg 23)

With regard to gulls, the author writes, “The terns are probably the most vulnerable birds on Sable. They are easily flushed from their

nests and this exposes their eggs and chicks to predation by gulls...If declines in populations of terns are to be arrested, management of gull populations will probably be required. It may be reasonable in the case of Sable Island to manage the gull population to a level consistent with enhancing the breeding success of other bird species.” (pg 27)

In addition, the report talks about the frequent movement of the tern colonies. The report states, “They [terns] are easily flushed from their nests and this exposes their eggs and chicks to predation by gulls. The high levels of predation are reflected in frequent moves of colony sites on the island. If terns begin breeding near established sites of human activity, it is not expected that human activities should be disrupted to accommodate this change.” (pg 26) In fact, the author is wrong. The *Migratory Bird Sanctuaries Regulations* states, “The areas set out in the schedule are hereby prescribed as migratory bird sanctuaries. No person shall, in a migratory bird sanctuary, hunt migratory birds or disturb, destroy or take the nests of migratory birds...” If in fact terns are in decline on Sable Island, then every effort ought to be made to limit disturbance from human activity and this includes the unintended enhancement of carrying capacity for gulls by provision of food such as garbage or waste from commercial or recreational fishing activity.

In a statement signed by the Deputy Minister, Nova Scotia Department of Natural Resources, Deputy Minister, Nova Scotia Department of Fisheries and Aquaculture, Deputy Minister, Nova Scotia Department of the Environment, Director General, Department of Fisheries and Oceans, Maritimes Region and the Director General, Environment Canada Atlantic Region, the following statement is made, “The island has been used by humans for over 400 years, and has been changed by this use, The introduction of many exotic plants and animals, including large grazing animals, has permanently altered the pre-contact ecosystem. The essence of this strategy is protection of existing terrain from human-induced destabilization, and conservation of the island’s native flora and fauna.” This statement raises a number of questions that require clarification. They are as follows:

- When are species, which are introduced and not native to the island, considered naturalized?
- How is “native” defined”? If a species arrives of its own accord, is it native?
- How is native defined – Species that live there? Nest there? Rest there during migration? Give birth there?

b) **Department of Fisheries and Oceans:** Currently DFO has the responsibility for grey seals. In August 2010, a report – The Logistical

Evaluation of Options to Manage the Grey Seal Population on Sable Island was released. CBCL Limited was commissioned by DFO to examine the logistics and costs to two management approaches to Grey Seals on Sable Island. “The options examined in this report as required by the Statement of Work (see Appendix A) issued by DFO are:

- i) a targeted population reduction, i.e., 100,000 animals removed in the first year, with 30,000 removed in each of the subsequent four years; and
- ii) the implementation of an immunocontraceptive vaccine program targeting 16,000 female grey seals each year for five years.” (pg 1)

The CBCL report was released either just before or just after the announcement that Sable Island would become a national park. Until Sable Island is legally designated as a national park, DFO has jurisdiction over the management of the grey seals and according to DFO, Sable Island is the primary site where over 80% of pups are born each year.’

To date Fisheries and Oceans Canada has not yet decided on a plan to deal with the “overpopulation” of grey seals on Sable Island according to an article in the Chronicle Herald on August 21, 2010. In fact the article states that DFO is planning a scientific meeting in October to look at the interaction between grey seals and cod to determine what kind of measures can be taken to mitigate some of the impacts of the seals.

- c) **Parks Canada has a history of culling:** Documents like *Culling of Overabundant Species in Canadian Parks*, by Jeremy McLaughlin and Melissa Fulton and *Culling of Overabundant Species in National Parks* (author unknown) demonstrates that culling is used to kill some wildlife in favour of other wildlife, including native wildlife, within national parks. Parks Canada is considering or has already implemented the slaughter of most of:

- the moose in Gross Morne and Terra Nova National Parks in Newfoundland,
- the cormorants on Middle Island;
- the elk in Elk Island and in Banff;
- the bison on Elk Island;
- the raccoons in Gwaii Haanas and Kejimikujik; and
- the whitetail deer in St. Lawrence Island and in Point Pelee.

d) **Government of Nova Scotia and Grey Seals:** Sable Island is part of Nova Scotia and the Government of Nova Scotia is a signatory to the agreement to declare Sable Island a protected area. The Government of Nova Scotia has a history blaming grey seals for decline

in fish populations and allowing for a commercial hunt of these animals when there is no market for grey seal products. In 2008, the government allowed an illegal commercial hunt of grey seals on Hay Island. Approximately 2800 animals died that year. In 2009, in a legislative record of 7 days, the government amended the Wilderness Areas Protection Act to legalize the commercial grey seal hunt on Hay Island in the Scatterie Wilderness area. In addition, the fishing industry has been pressuring the federal and provincial government to allow for the killing of grey seals on Sable Island. As the CBCL paper states, “The above factors are articulated only to indicate that an important industry [commercial fishing industry] in the region believes that there is a problem [with the increase in the grey seal population]”. (pg 2)

**iii. Operational concerns:**

This section relates to existing activities on and around Sable Island including gas exploration and extraction, current island infrastructure and use, and public access. The Canada – Nova Scotia Sable Island Task Group produced a report titled, Recommendation of Federal Protected Area Designation for Sable Island and submitted the report to the Minister of the Environment for Canada and the Minister of Natural Resources for Nova Scotia. The report recommended designating Sable Island as a national park. In that context, the Task Group examined petroleum issues such as exploration, drilling and licenses and non-petroleum issues such as public access and seal management to determine whether there was a mechanism to address these issues under the Canada National Parks Act. The report recommended that Sable Island be designated a national park but did not make recommendations on specific issues facing Parks Canada.

**Conclusion:**

In conclusion, we strongly urge you to adopt our recommendations as part of the process of designating Sable Island a national park.

Sincerely,



Liz White.

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