

## **Interjurisdictional Challenges to Conservation of the Southern Resident Killer Whales.**

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The Southern Resident Killer Whales were listed as endangered by COSEWIC in 2001, due to a 20% decline in population over a period of six years. The population is transboundary with a range that encompasses Puget Sound, the Juan de Fuca Strait and the southern half of the Georgia Strait. American federal officials have declined to list the Southern Residents as endangered in the United States. Sierra Legal, on behalf of Canadian conservation groups working to protect the whales in Canada, have been part of an American law suit that challenges this decision. Our position in the suit is that the American *Endangered Species Act* and the newly proclaimed Canadian *Species at Risk Act* are uniquely designed to operate in interjurisdictional context, in contrast to other statutes aimed at wildlife protection. Effective conservation requires a consistent approach to be taken by all jurisdictions engaged in recovery efforts therefore every effort should be made to consider the status of a transboundary species in other jurisdictions when evaluating potential listing of a species. The hearing of this matter is scheduled for November 17, 2003 in Seattle Washington.