

**The Current, CBC Radio One
with host Anna Maria Tremonti
Monday April 18, 2011**

Ms. Tremonti: Hello, I'm Anna Maria Tremonti, and this is The Current.

Radio: A lovely morning out here on the drive, it's a little bit cool, a moose has been spotted in the Topsail Road area, that was about 30 or 40 minutes ago, I'm not so sure if it's still in that neighborhood.

Ms. Tremonti: Well that's not an unusual traffic report for St. John's these days. In fact you could say it's fairly common.

Radio: We're looking at pretty good driving conditions, but the RCMP are advising people just to be mindful of black ice, also be mindful of moose too, there was a collision last night on Torbay Road around 9 o'clock an older animal, you know, ran into the side of a pickup truck. There was a calf spotted in the area at the time. This was around the Stavanger Drive area.

Ms. Tremonti: Well across Newfoundland moose are everywhere, on the highways, in the suburbs, in the forests, they are threatening drivers, neighborhoods, even ecosystems. It is estimated there are between 120,000 and 150,000 moose on the island, some numbers actually go as high as 200,000. There are more moose per square inch than anywhere else in the world actually. Earlier this month officials with Parks Canada announced a moose cull for each of Newfoundland's national parks, Terra Nova and Gros Morne. The provincial government is supporting that cull by issuing 5,000 extra moose hunting licenses, but Eugene Nippard says that is not enough. Eugene Nippard is the founder and Chair of the Save Our People Action Committee. He was seriously injured about 10 years ago when his car hit a moose. He's in Grand Falls-Windsor, Newfoundland, good morning.

Mr. Nippard: Good morning Anna Maria.

Ms. Tremonti: Well tell us what happened in that collision that you had with a moose, what happened?

Mr. Nippard: Well actually I was heading back to St. John's from my summer home on Fogo Island and I was by the Goobies intersection, the intersection to Marystown and that area, and a moose just came out of the brush and before I knew it he was through my windshield and three of us in the

front seat ended up with a lot of injuries and in the hospital for a couple of days. It was hard going.

Ms. Tremonti: What kind of injuries did you sustain?

Mr. Nippard: I sustained facial injuries, arm injuries, and scars that I'll take to my grave.

Ms. Tremonti: And how about the people who were travelling with you?

Mr. Nippard: Well my niece was in the centre and she ended up with her nose broken and facial injuries and she was knocked out. And my friend who was on the passenger side ended up with two vertebrae crushed in his lower back and his head was drove down in his body, and we had to get the jaws of life from the Clarendville fire department to cut him out.

Ms. Tremonti: Did the moose come right through the windshield?

Mr. Nippard: Yes it did, about a 4 or 500 pound cow just came through the windshield and we didn't have a chance. My friend was in the backseat actually, he shouted, he said "Eugene a moose" and before I knew it the moose was through our windshield, and peeled the roof back like a sardine can, and a lot of damage, the vehicle was demolished of course and the moose killed and you know at the time the brush was right next to the highway and that was a big thing that we complained about when we started this committee 21 months ago, 22 months ago, is that the brush wasn't cut, only about 20% of the province had brush cut, and now thank God they got about 60 I do believe.

Ms. Tremonti: So it was literally like there, like, you didn't, it was in the brush and it just kind of came out suddenly.

Mr. Nippard: Yeah.

Ms. Tremonti: Must have been frightening, it's a huge thing, right.

Mr. Nippard: It's a nightmare, that's what it is, and we have so many hundreds of people, hundreds of people here in Newfoundland now actually with brain damage because of the same kind of injury that I had and you know, we have I don't know, 20 some odd people in wheelchairs, disabled, and we have 23 or 24 families that have called me with loved ones killed. That's only what have called the Committee, so you can only imagine what's out there.

Ms. Tremonti: Were all injuries because of hitting a moose?

- Mr. Nippard: Yes.
- Ms. Tremonti: Or the moose hits them really right, it's a huge animal?
- Mr. Nippard: Well that's what happens, and not only do we hit the moose, the moose will also come and charge into the vehicle. I had a friend killed there two years ago between Bishop Falls and Grand Falls and the moose actually charged through the side of the vehicle, and kicked the side off his head.
- Ms. Tremonti: Wow. So it's called Save Our People Action Committee?
- Mr. Nippard: That's right.
- Ms. Tremonti: And you created it after your accident?
- Mr. Nippard: Well actually I started a committee back in 2002 after my accident that was called ROMAR, Reduce Our Moose Accident Risk, when I was on the Avalon, in St. John's living at the time. And I had some terrible illness and I had to fall by the wayside and unfortunately the committee fell apart, that was back in July of 2009 when we had four people killed up until that time in that year and hundreds of people injured, and one of them that was killed was a friend of mine, and I said God this is enough, so I called the Open Line show, the local open line show here and you know I left my number, my name and number at the end of the show and my phone haven't stopped since Anna Maria.
- Ms. Tremonti: So how come Newfoundland has such a problem with moose?
- Mr. Nippard: Well we don't believe that they're controlled properly, of course, you know we've got 120,000 plus moose in the province and that's more per kilometer than any other part of the world, and you know if they were controlled properly like they are in other provinces, we don't believe that we would have the problem. For example, you know, if you've got these number of moose, that amount of moose, then you've got to protect the public. And obviously that's not happening, and that's why we're so involved.
- Ms. Tremonti: So what would they do to protect, what kinds of things do you want to see done?
- Mr. Nippard: Well you know the big one is fencing. I mean when I started this committee the big thing was fencing. I mean they're doing it in Alberta, New Brunswick, Nova Scotia, Quebec and the list goes on and on in other parts of the world where they've got trouble with wildlife, so why not do it in Newfoundland, we don't have one inch of fencing so far. So

you know that's the big one, but I mean something they could implement tomorrow would be to remove the moose along the highway. You know we've got moose that wander on our highway and we don't even have an emergency number that you can call to remove it, so come on you know let's get our act together.

Ms. Tremonti: Like some provinces have the overpasses and the underpasses for wildlife too, right?

Mr. Nippard: Sure, that would have to be in combination with the fencing. I mean you've got to have underpasses and overpasses so that the animals can move.

Ms. Tremonti: But you've got none of that?

Mr. Nippard: We got nothing. We just got, we got lots of moose and we got a few signs along our highway and a bit of awareness and bit of brush cutting, and apart from that our people is getting killed and it's unnecessary.

Ms. Tremonti: Well what do you think of this moose cull where they've increased the hunting licenses by 5,000?

Mr. Nippard: Well actually, Anna Maria, I sat in on the meeting in Corner Brook with Parks Canada when we were trying to figure out what to do, and when I was driving across the island to Corner Brook from central I was saying oh my God, here I am, it's ironic I'm going over, and we're going to get a moose cull in the parks because of eating the ecosystem, the plants and the trees and we're getting people killed and it's not even mentioned. But when I got there and seen how it was destroying the forest, they showed videos and it's about 60% of Gros Morne is destroyed because of all the moose, I said well you know I got up and I made the point, I said you know I'm here representing SOPAC and I thought I might get kicked out first but I didn't, but anyway I said well why don't we have a hunt, they said how can we have a hunt in the park, well I said the park is not open 24 months of the year, you know, when the park is closed at winter time have a winter hunt, reduce the moose population to at least 50% so that the forest can live and the people can live.

Ms. Tremonti: And so they are going to have a hunt.

Mr. Nippard: So now, yeah, I understand it's going to be cut in half, but this year is going to be a little over 5,000, well 500 I'm sorry, 500 in Gros Morne and 30 in Terra Nova, which is wonderful, you know, it's welcoming news.

- Ms. Tremonti: So the province says it's doing everything it can, do you have any sympathy or empathy for what those politicians are trying to do or?
- Mr. Nippard: Well I tell you Anna Maria, when I sit in on these meetings and we've got the pictures of loved ones on our table, 17 and 18 year olds and that sort of thing, and they say they're doing as much as they can when you know I come from meetings in New Brunswick and sit in on meetings with Transportation there and they've got 450, 460 whatever kilometers done, millions and millions of dollars spent and they only have 33,000 moose, you know, I say you know but are you doing enough, no they're not doing enough, and it's terrible.
- Ms. Tremonti: Okay Mr. Nippard thanks for speaking with me.
- Mr. Nippard: Well it's been a pleasure, and it's a pleasure for me to be here representing SOPAC.
- Ms. Tremonti: Well it's good to talk to you. That is Eugene Nippard, he's the Chair of the Save Our People Action Committee, and we reached him in Grand Falls-Windsor. Well Ches Crosbie also blames Newfoundland's moose trouble on the politicians. He has applied to file a class action lawsuit against the provincial government for not adequately controlling the moose population. Ches Crosbie is in St. John's. Good morning to you. Hi Ches Crosbie, are you there?
- Crosbie, Q.C.: Yes, I'm here.
- Ms. Tremonti: Oh good, there we've got you. What is the rationale for a class action suit, what are you saying?
- Crosbie, Q.C.: I became interested in this over the months going on towards the end of last year, and I realized doing my research and then eventually in November talking to a recognized expert, worldwide expert on moose mitigation on the highways, that the province here really has got its head stuck in the sand and is 10 or 15 years behind the time, behind the state of science on how to control safety with regard to moose on the highways. And it seemed to me they were so negligent and so incredibly ignorant of what they should be doing and what was justified to be doing that a lawsuit was a viable thing and it would stimulate them to finally take action.
- Ms. Tremonti: So are you talking about the kinds of things that Mr. Nippard is talking about, like fencing and crossings, like specifically to stop them from getting onto busy roads?

- Crosbie, Q.C.: I think its two main policy thrusts that they need to look at. We have, and this will be of interest to your guest Mr. Hicks I think later on, with the outfitters, we do have the highest densities of moose in the world, at least on certain parts of the island, and it's having ecological consequences but that's not what the lawsuit is about, it's about the high rate of moose vehicle collisions that we have, which is running over 700 a year and a certain percentage of those involve hospitalizations and deaths each year. So the first thing is the numbers of moose in the woods do translate into higher numbers of moose on the roads. The government has realized that that's the case and in their press release last week announcing the extra 5,000 licenses, they have made an explicit link between the numbers of moose and the rate of accidents on the highways. That's something however I think the SOPAC group and the class action can work with Mr. Hicks on because ultimately the most important thing is controlling access by those moose to certain parts of the highway where they want to cross. And those are the hotspots where we have high rates of accidents and that's the role of moose fencing, which is 90% effective. We're talking about doing a cost-benefit analysis and placing this fencing where it's going to be effective, not just willy-nilly fencing all across the island.
- Ms. Tremonti: How many people have signed on to your lawsuit?
- Crosbie, Q.C.: We have 33 people who have signed on as primary claimants. You have to remember that this is a very restricted class definition. It's only open as things stand to people who have been hospitalized with their injuries or who were killed.
- Ms. Tremonti: All right, tell us a little bit about some of the people then who you are representing in this, what have they experienced, what are their injuries like?
- Crosbie, Q.C.: Well I suppose Ben Bellows would be an example of someone who couldn't really be more injured. He's quadriplegic with a neck injury, a spinal cord injury in the neck area. He was injured 7½ or 8 years ago, he has all the problems that go along with being a quadriplegic, mobility issues, he's living in very difficult financial circumstances, was a very active musician and held several jobs, as did his wife, and she has to look after him now, they have some help from the government but it's only at a basic social sort of welfare level, and he's living in very, very straightened circumstances and a great deal of pain. So he'd be one of the sort of worst examples, and it kind of goes down from there. Because if your hospitalized after a collision with an animal whose body design sets it up so that the legs are like stilts and the center mass of the animal, hundreds or even a thousand pounds of the animal, when you hit it at highway speeds of 80 kilometers or more, that's coming straight

into the passenger area, the front seat and even the back seat of the vehicle, that's going to do damage.

Ms. Tremonti: So what other injuries even if you don't give me the names, just can you list off some of the kinds of like injuries that people sustain when a moose comes through the windshield?

Crosbie, Q.C.: Yes, well the worst would be spinal cord injuries, and head injuries, brain injuries, which Eugene mentioned, and various fractures, and eye injuries.

Ms. Tremonti: Multiple fractures obviously. Eye injuries?

Crosbie, Q.C.: Eye injuries, well yes, you've got this massive animal and also its crushing the metal in the A pillars and the roof of the car down on the occupant, so you can get a lot of you know sharp injuries that way.

Ms. Tremonti: Okay, and so again, you are, you're saying that it is up to the government to, given that they've linked accident rates to the number of moose, it is up to the government to be doing something, and that's why you've got this class action suit?

Crosbie, Q.C.: Yeah, the argument might be more difficult if the government said we have a policy of doing nothing about the moose menace on the highways, but that's not the situation. They in fact have a policy to try and mitigate moose on the highways and the safety risk they pose, but what they're doing is ineffective and out of touch with the state of knowledge as it has existed elsewhere in North America and the world for the last 15 years. They're sticking their head in the sand. Why, I don't know, but that's the way it is.

Ms. Tremonti: Now there would be those who would wonder how far a government can be expected to go to protect people from wildlife?

Crosbie, Q.C.: Well my response I guess would be that they have undertaken to protect people. The measures they are implementing are not effective, there are far more effective measures they should be implementing, for them not to do so is negligent or even in bad faith. Something like controlling the population of moose, which has an effect as well, the overabundance of moose on this island, that can be done with no government expenditure whatsoever, just issuing the licenses. In fact they may even make money on it. So we're not asking for anything really extraordinary here.

Ms. Tremonti: Has this sort of lawsuit been attempted elsewhere? Specifically on wildlife and injuries.

Crosbie, Q.C.: There may have been the odd occasion in the United States where single lawsuits have been taken with respect to wildlife. Against government would be a rare thing. I'm actually not aware of it here in Canada and I'm certainly not aware of a class action lawsuit.

Ms. Tremonti: Now is your lawsuit, it still has to be certified, right, you have get essentially permission to go forward, is that how it works?

Crosbie, Q.C.: That's right. That will be argued in June.

Ms. Tremonti: Ah-um.

Crosbie, Q.C.: I might one special circumstance here is that early in the last century the Government of Newfoundland of that day at a time when we were beginning to implement a more or less modern system of roads and when motor cars were also coming into existence in Newfoundland, brought to Newfoundland the moose, which was not a natural species in Newfoundland, it was not here after the glaciers retreated 10,000 years ago, so it's an exotic species introduced by the government.

Ms. Tremonti: And in your view does that make the government more culpable?

Crosbie, Q.C.: Well there's one other factor. They introduced them here in the absence of any natural predator, namely the wolf which was dying out around the same time. And you don't have to have much imagination to figure out what's likely going to happen when you do that.

Ms. Tremonti: Okay well thank you for your perspective on all of this Mr. Crosbie.

Crosbie, Q.C.: You're welcome.

Ms. Tremonti: That is Ches Crosbie, he's a lawyer in St. John's. Now we did ask members of the Newfoundland and Labrador provincial government to come on the program this morning to answer some of the concerns that have been raised. No representative of the government was available today. Now the Opposition has been taken up issue in the Provincial Legislature. This is Opposition leader Yvonne Jones, followed by Transportation Minister Tom Hedderson:

MS JONES: I ask the Premier today: When will your government consider taking effective measures including moose fencing to make our highways safe for the people of Newfoundland and Labrador?

MR. SPEAKER: The hon. the Minister of Transportation and Works.

MR. HEDDERSON: Thank you, Mr. Speaker. Again, when it comes to moose-vehicle collisions on the highways of Newfoundland and Labrador, I do not think there is any member on either side of the House who would not want that to go away. I, for one, commute two hours a day over terrain that is conducive to moose. I have come upon accidents. To say that we as a government would sit back and do nothing is as far from the truth as anything. We are, given the resources that we have, doing everything that we can to mitigate and to make the highways of Newfoundland and Labrador as safe as possible, including doing some brush cutting, public awareness, and other things that we hope are being effective in helping to cut down on these accidents.

Ms. Tremonti: Well that's the Provincial Transportation Minister Tom Hedderson and the Opposition leader Yvonne Jones. One of the things the provincial government has done is to increase the number of moose hunting licenses to about 33,000, and that's about a 5,000 license increase. Ron Hicks says that could have a severe impact on the province's outfitting industry. He is the President of the Newfoundland and Labrador Outfitters Association which is a group that represents 100 small businesses that cater to out-of-province hunters who visit Newfoundland specifically for moose hunting. Ron Hicks is in Grand Falls-Windsor, good morning to you.

Mr. Hicks: Good morning Anna Maria.

Ms. Tremonti: What do you make of what the Newfoundland and Labrador Transportation Minister Tom Hedderson is saying about what the province is doing to reduce the number of moose vehicle collisions?

Mr. Hicks: Well we have some huge concerns towards it actually, and basically historically the populations of moose on this island was managed by, you know, good data, by the wildlife biologists, the wildlife managers and what have you. In this instance all their power, all their good, good insight and expertise has been trumped by elected politicians and so they've taking the onus upon themselves as knowing what to do, and by large this whole thing has not been analyzed to a substantial degree, there's a lot of concerns towards that, I think there should have been a group formed to actually look at this very indepthly from all vantage points.

- Ms. Tremonti: Okay so but what does that mean then, do you think a moose cull of 5,000 is too much to add to the licensing or not?
- Mr. Hicks: Absolutely, over the last, prior to this, over the last 7 or 8 years the moose licenses were increased about a thousand, the actual number of moose on this island, you know we keep hearing some crazy numbers like up towards 200,000, which is a farce, in actuality, you know, there's pretty up-to-date data towards that and 120,000 I think you could hang your hat on, and...
- Ms. Tremonti: That's still a lot of moose, isn't it?
- Mr. Hicks: That's still a lot of moose, but one thing people got to realize, Newfoundland and Labrador, just the island part alone, has got a lot of land mass, and National Geographic have, you know, boasted of the amount of land mass we do have. You're talking about 112,000 square kilometers of wilderness, strictly wilderness, and around 4,400 square miles. That is a lot of wilderness, there's no other state, there's no other province in this country that boasts of such. So to state that we got more moose, yes, but I tell you what, we've got the habitat, we've got the land mass to sustain that. The only problem is, I mean I can totally sympathize with any whose had such an encounter with a moose vehicle accident, my goodness it's got to be the worst, our hearts are with them, but the thing is this is a very much irrational, it's political, it's a kneejerk reaction, and...
- Ms. Tremonti: Okay, so what is it about the increase and the cull that bothers you so much, what will it do to the outfitting industry in your view?
- Mr. Hicks: Okay first off just let me say, as I say there was 1,000 licenses issued over a 7 or 8 year period. This year we got 5,020 licenses, and the critical factor in all that too, not only the amount that's issued in one year but the majority of those are either sex licenses, and actually in the last three years either sex licenses have gone up to around 6700 and so you're really looking the reproduction factor there, that's really going to have strong implications and you're going to see the numbers, right now there's a bit of a honeymoon period and I think the residents of Newfoundland should look at this, sit back and really take a strong look at this because as I say there is a honeymoon period where you're going to have increased success.
- Ms. Tremonti: Right, but I'm going to, just help me understand for your industry, what does it mean?
- Mr. Hicks: For my industry, okay sure, well first of all we are a \$30 million industry, we've declined 28% in the last, well 2005 to 2009, we've

already had to sustain and hold the fort against so many, you know, blows in the last decade, and most of those...

Ms. Tremonti: But wouldn't an increase in the number of moose you could hunt actually bring more people in to hunt?

Mr. Hicks: Well there you go, there you go, you're looking at the first page, just peel back a couple of layers, what you're looking at, you're going to have extremely good success the first few years, first couple of years, and residents need to recognize this too, after that honeymoon period we're going to find that, you know, we're going to have very little success, I would estimate you know resident success would be around 50%.

Ms. Tremonti: Why, why?

Mr. Hicks: And I estimate the outfitter success would probably be around the 60% which in fact will not bring and lure people here to this province.

Ms. Tremonti: Okay, we're almost out of time here, but why, why does increasing the cull hurt the industry down the road?

Mr. Hicks: Because the real competitive advantage that we do have is the high success rates and it's not the caliber of moose, you can go to Yukon, Alaska, BC, those kinds of places, you'll get a much higher caliber of moose, it's not the ease of getting here, and it's you know it's a high cost getting here, it's the actual success factor.

Ms. Tremonti: Meaning there's so many moose you can't help but hit one?

Mr. Hicks: No, you are totaling misunderstanding that.

Ms. Tremonti: Well I know but you're success factor, what does that mean?

Mr. Hicks: Success in harvesting the animal, and not success in having an accident.

Ms. Tremonti: No, no, but that's what I'm saying, there's so many, you can't help but hit one if you come to, if you're going to shoot one, to harvest it, in order to shoot one, right, if you're hunting.

Mr. Hicks: Well it's not 100% guaranteed, but its, you know, knowing the area and the hunting grounds, sure, you've got a very good chance of success and these areas are in a remote, is not near your highways, and this increase, the government thinks this is going to be successful and bring the number of accidents down, I think in about three years or so they're

going to realize it's not getting the result, the desired results that they want.

Ms. Tremonti: Okay.

Mr. Hicks: And because what's going to happen, most of those animals are going to be taken in remote areas.

Ms. Tremonti: Okay Ron Hicks we have to leave it there, but thank you for your thoughts on this.

Mr. Hicks: You're so welcome.

Ms. Tremonti: That is Ron Hicks, the President of the Newfoundland and Labrador Outfitters Association, he spoke with us from Grand Falls-Windsor. Well that is it for us this morning.