

May 11, 2023

Edmonton City Council  
Office of the Councillors  
2nd Floor, City Hall  
1 Sir Winston Churchill Square  
Edmonton, AB  
T5J 2R7

*Via Email*

Dear City Councillors:

**Re: Potential Misrepresentations in Edmonton Valley Zoo Requests for City Funding**

I write to you on behalf of Animal Justice – Canada’s leading national animal law organization focused on improving legal protections for animals – to alert you to troubling recent communications that Animal Justice received from Canada’s Accredited Zoos and Aquariums (“CAZA”) with respect to conditions at the Edmonton Valley Zoo (the “Zoo”).

The City of Edmonton’s Proposed Capital Budget 2023-2026 (the “**Budget Report**”) states that the Zoo requested roughly \$61.2 million of City funding to deliver key infrastructure updates to its facilities.<sup>1</sup> The Zoo claimed, in part, that the funding was needed because a number of animal enclosures do not currently meet basic animal care standards (including those required by CAZA). Based on the Zoo’s admitted failure to meet accreditation standards, Animal Justice filed a complaint with CAZA on January 20, 2023, requesting that the group investigate conditions at the Zoo to determine whether its accreditation should be suspended or revoked. CAZA advised on January 31, 2023 that it had launched an investigation into the Zoo.

CAZA wrote to Animal Justice on May 7, 2023 to advise that its investigation had concluded and it was not able to substantiate the statements made in the Budget Report. CAZA believes that the Zoo is meeting accreditation standards and its claims to the contrary in its funding requests seem “to have been written to look to future investments.”

This statement raises significant alarms. The Zoo’s claims were not a one-off comment, but made over and over again in an attempt to secure public funding. Indeed, throughout

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<sup>1</sup> Available online (conditions at the Edmonton Valley Zoo are outlined between pp.162 - 166 and 235 - 236): <https://www.edmonton.ca/sites/default/files/public-files/Proposed2023-2026CapitalBudget.pdf?cb=1667241622>

budget discussions, the Zoo repeatedly indicated that it required funding in order to meet CAZA accreditation standards, and that many animal habitats did not meet those standards.<sup>2</sup> The implication of CAZA's response to Animal Justice is that the Zoo made serious misrepresentations to the City about the state of its facilities in order to secure municipal funding. The other possibility is that CAZA is covering for the Zoo. In either case, there is a troubling lack of clarity, transparency, and oversight regarding the Zoo's compliance with accreditation standards which warrants further investigation from the City.

Animal Justice requests that the City of Edmonton take steps to determine whether the Zoo made misrepresentations as a part of its request for funding, and make the results of this investigation public. If the Zoo's claims in support of its funding request were false, City Council should revisit its funding decision. Animal Justice has also written to the Office of the City Auditor and Edmonton Police Services with respect to what could be fraudulent claims made for city funding.

In addition to the issue of funding requests, these events illustrate the lack of oversight and transparency regarding the treatment of animals and the safety of staff and patrons at the Zoo. CAZA claimed to be unaware of the Zoo's position that it was not meeting accreditation standards until Animal Justice submitted its complaint (which is difficult to believe given that the claims had been repeatedly made publicly, and reported on by news media). To ensure proper oversight at the Zoo, we request additionally that the City of Edmonton should play a more proactive role in monitoring conditions to ensure the health and wellbeing of animals at the Zoo is protected to the greatest extent possible.

### **The Zoo's statements concerning compliance with animal care and accreditation standards**

As a part of its bid for funding from the City of Edmonton, representatives for the Zoo repeatedly indicated that its facilities were not compliant with CAZA standards. Based on the Budget Report, the Zoo stated that a number of enclosures and facilities did not meet "animal care standards", in some cases leading to "the safety of staff and patrons", as well as animals, being "compromised."<sup>3</sup> Per a CTV News report, Roger Jevne, a spokesperson for the Zoo, explicitly told council that "several animal habitats do not meet [CAZA] standards."<sup>4</sup> Following the Zoo's representations concerning its facilities, the council voted to give it ~\$25 million (reduced from an initial ask in excess of \$60 million) to "simply meet critical infrastructure requirements."<sup>5</sup>

### **Animal Justice's complaint to CAZA**

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<sup>2</sup> See: <https://edmonton.ctvnews.ca/one-of-those-gosh-darn-decisions-50m-ask-for-valley-zoo-upgrades-slashed-in-half-by-council-1.6189529>

<sup>3</sup> Budget Report, p. 162

<sup>4</sup> See: <https://edmonton.ctvnews.ca/one-of-those-gosh-darn-decisions-50m-ask-for-valley-zoo-upgrades-slashed-in-half-by-council-1.6189529>

<sup>5</sup> *Ibid*

CAZA is a small, private zoo industry lobby organization with only two full time staff that supports and provides accreditation to numerous zoos and aquariums in Canada, including the Zoo. Accreditation standards are developed by CAZA, and inspections to monitor compliance with those standards are infrequent and typically occur only once every five years. The results of these inspections are confidential and CAZA refuses to share them with the public. CAZA is not an animal welfare charity or a public enforcement body, but is an industry association that represents the interests of its members whose membership fees provide a significant percentage of the organization's funding. Larger zoos in Canada, such as the Toronto Zoo, Calgary Zoo, and Granby Zoo are increasingly deciding not to renew their CAZA membership, and are accredited by the more reputable, North America-wide Association of Zoos and Aquariums.

Animal Justice's January 20, 2023 complaint to CAZA pointed out that the Budget Report concluded that "a number of animal enclosures" at the Zoo did not meet the animal care standards required by CAZA.<sup>6</sup> As was noted in the Report, numerous enclosures at the Zoo are reportedly too small or otherwise inadequate to allow for proper animal training and management, efficient movement of animals, and safe veterinary procedures – with certain enclosures even posing an undue risk of injury to animals, staff, and patrons. The Report further noted that several deficiencies at the Zoo directly jeopardized the health and welfare of animals being exhibited.<sup>7</sup>

In the Budget Report, serious problems were identified in the following animal enclosures: (i) the Grevy's zebra enclosure; (ii) the Bactrian camel enclosure; (iii) the Sichuan takin enclosure; (iv) birds of prey enclosures; (v) the elephant enclosure; and (vi) the seal pools.

On the basis of the above-noted deficiencies, the Report concluded as follows:

There are currently major deficiencies with several of the animal handling areas and fencing that represent a risk to staff, patrons, as well as the animals under the care of the Valley Zoo. Addressing these concerns is necessary from not only a safety perspective but also to ensure that the Valley Zoo continues to adhere to best practices in animal care and control as well as accreditation standards.  
[emphasis added]

A copy of Animal Justice's January 20, 2023 complaint is appended to this letter.

### **CAZA's response**

On January 31, 2023 Jim Facette, Executive Director of CAZA, responded to Animal Justice and indicated that CAZA would proceed with a formal investigation of the Zoo based on the allegations set out in Animal Justice's complaint letter. Animal Justice asked

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<sup>6</sup> Budget Report, p. 162

<sup>7</sup> Budget Report, p. 162

to be provided with updates as the investigation proceeded. On February 8, 2023, Mr. Facette agreed to provide a summary note upon the completion of CAZA's investigation.

On May 7, 2023, Mr. Facette, on behalf of CAZA, sent Animal Justice a summary note providing that the investigation team examined the deficiencies identified in Animal Justice's complaint. As a part of their investigation, the team reviewed zoo documentation, conducted interviews with the Zoo's staff, and completed an on-site visit of the Zoo on March 27, 2023. It is not clear whether the on-site visit was announced or unannounced. The investigation team ultimately found that the Zoo was compliant with CAZA accreditation standards and the Zoo would continue to be accredited.

Notably, as a part of their response, CAZA addressed the deficiencies that were identified in the Budget Report as follows:

The budget report pertaining to the Edmonton Valley Zoo's alleged deficiencies contains statements we were unable to substantiate. The funding request to Council seems to have been written to look to future investments. The investigation team understands it can be a challenge to present a case for future investments yet let the reader know they meet CAZA accreditation standards. (emphasis added)

As set out above, the implication of CAZA's response is that the Zoo misrepresented the condition of its facilities in order to secure City funding. In the alternative, if the Zoo did not misrepresent the conditions of its facilities to the City, then CAZA would have had to overlook significant problems at the Zoo during their investigation in order to keep the Zoo as an accredited partner (a relationship which is mutually beneficial for CAZA and the Zoo).

To be clear, Animal Justice does not allege that either possibility is true but, in either case, the City of Edmonton should take steps to determine the condition of the Zoo firsthand to either verify CAZA's findings, thus exposing misrepresentations made by the Zoo to City Council for funding, or refute CAZA's findings, thus exposing gaps in oversight of the Zoo's facilities and ability to safely and humanely exhibit animals to the public.

A copy of CAZA's May 7, 2023 summary note is appended to this letter.

## **Conclusion**

CAZA's findings are extremely troubling. Either: (i) the Zoo misrepresented the conditions of its facilities as a part of its budget request in order to secure funding from the City; or (ii) CAZA is overlooking substantial problems at the Zoo and allowing it to maintain its accreditation status despite it not meeting basic animal care standards.

In light of these concerns, and as set out above, Animal Justice requests that City Council take steps to look into this matter to get to the bottom of the discrepancy between the Zoo's claims and CAZA's findings.

Please note that Animal Justice has also written to the Office of the City Auditor regarding this matter, and to the Edmonton Police Service with a request that they investigate to determine whether any fraudulent misrepresentations were made with respect to requests for public funding

Thank you for taking the time to review this letter. Please do not hesitate to contact me at [stinney@animaljustice.ca](mailto:stinney@animaljustice.ca) if we can be of further assistance.

Sincerely,



Scott Tinney  
Staff Lawyer, Animal Justice  
[stinney@animaljustice.ca](mailto:stinney@animaljustice.ca)

January 20, 2023

Canada's Accredited Zoos and Aquariums  
9 - 2020 Lanthier Drive, Box 107  
Orleans, Ontario  
K4A 3V4

*Via Email*

To Whom it May Concern:

**Re: Troubling Conditions at Edmonton Valley Zoo Highlighted in City Capital Budget Report**

I write to you on behalf of Animal Justice – Canada's leading national animal law organization focused on improving legal protections for animals – to inform you that Edmonton Valley Zoo is not currently meeting CAZA accreditation standards. The fact of this failure is set out in detail in the City of Edmonton's Proposed Capital Budget 2023-2026 (the "**Budget Report**").<sup>1</sup>

The Budget Report, which was released in October, 2022, provides details about the Edmonton Valley Zoo's request for \$10,917,000 of City funding to deliver key infrastructure updates to its facilities. The City's findings with respect to this request, and the current state of the infrastructure at the Edmonton Valley Zoo, are alarming. The Report concludes that "a number of animal enclosures" at the Zoo do not currently meet the animal care standards required by Canada's Accredited Zoos and Aquariums ("**CAZA**").<sup>2</sup> The facilities also appear to fall short of the Government of Alberta's Standards for Zoos in Alberta (the "**Alberta Zoo Standards**").<sup>3</sup> Indeed, numerous enclosures are too small or otherwise inadequate to allow for proper animal training and management, efficient movement of animals, and safe veterinary procedures – with certain enclosures even posing an undue risk of injury to animals.

Several deficiencies at the Zoo directly jeopardize the health and welfare of animals being exhibited. In some cases, these deficiencies have even led to "the safety of staff and patrons [being] compromised". These issues amount not only to breaches of CAZA standards and Alberta Zoo Standards, but also potential breaches of provincial laws

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<sup>1</sup> Available online (conditions at the Edmonton Valley Zoo are outlined between pp.162 - 166): <https://www.edmonton.ca/sites/default/files/public-files/Proposed2023-2026CapitalBudget.pdf?cb=1667241622>

<sup>2</sup> *Ibid*, p. 162

<sup>3</sup> Available online: <https://open.alberta.ca/dataset/fa7f4e97-32e4-4a38-9391-e2f54757b325/resource/7c576e36-90bd-42fe-818c-70b9f782f574/download/aep-standards-for-zoos-in-alberta-2022.pdf>

(including apparent violations of the *Animal Protection Act*, RSA 2000, c A-41 (the “**APA**”)<sup>4</sup> and the *Animal Protection Regulation*, Alta Reg 203/2005 (the “**APA Regulation**”)).

CAZA is responsible for ensuring that its members comply with applicable rules, standards, and policies in order to benefit from accreditation. Given the deficiencies noted in the Budget Report, the Edmonton Valley Zoo is falling short of its CAZA obligations. As such, we request that you attend the Valley Zoo and conduct a full review of the conditions therein. If CAZA standards are not being met, as appears to be the case, we encourage your office to take corrective or disciplinary action as appropriate that may include suspending or revoking the zoo’s CAZA membership.

### **1. Deficiencies at the Edmonton Valley Zoo**

The Valley Zoo’s request for City funding is premised on the fact that infrastructure upgrades are required for a number of animal enclosures in order to meet CAZA standards and provincial standards, and to ensure the safety of zoo staff, patrons, and animals at the facility.

In the Budget Report, a number of specific deficiencies at the Valley Zoo are set out. The following is brief summary of some of the more troubling findings in the Report at numerous animal enclosures:

- Grevy’s zebra enclosure: The barn used to keep zebras no longer meets the basic standards required for the animals’ care and needs to be replaced. Its design has been deemed unsafe to sedate animals due to the floor not having traction for hooves and permanent metal feeders that have scratched animals. Animals have been injured as a result of these problems. Outdated stall design also does not allow for animal training, safe veterinary procedures, and efficient movement of animals.
- Bactrian camel enclosure: Five bactrian camels are kept at the Edmonton Valley Zoo. The space these animals live in was not built for camels and lacks critical infrastructure for managing them. A permanent outdoor holding area and proper training areas (such as an outdoor horse stock, which would allow staff to safely train and perform veterinary procedures) are needed.
- Sichuan takin enclosure: The zoo keeps nine Sichuan takin in two adjacent enclosures. The second enclosure is “no longer adequate” as it was not designed for housing takin, who can sometimes be aggressive. An additional gate between the two yards is required to improve staff and animal safety and a handling chute needs to be replaced to prevent seasonal operational challenges.

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<sup>4</sup> Available online: <https://www.canlii.org/en/ab/laws/stat/rsa-2000-c-a-41/latest/rsa-2000-c-a-41.html>

- Birds of prey enclosures: The zoo keeps various non-releasable raptors, including a bald eagle, peregrine falcon, and snowy owls. The enclosures for these birds are “too small to allow flight and must be increased in order for these species to remain in the Zoo’s collection.” Additional improvements are also necessary to reduce the likelihood of avian flu outbreaks and to provide adequate space for isolation, as required.
- Elephant enclosure: Lucy, a lone Asian elephant, is kept at the Edmonton Valley Zoo. For over a decade Lucy has been held alone in her enclosure – her solitary existence has been the subject of significant controversy, and many people have advocated for relocating her to a more suitable environment.<sup>5</sup> The Budget Report provides new and troubling details about the inadequate nature of Lucy’s enclosure(s). The Report notes that upgrades are required to the Zoo’s elephant enclosure to provide increased access to space and additional necessary enrichments and amenities. A humidifier is required in her barn to eliminate as much dust as possible that Lucy is breathing in. UV lights are also required in the barn. Moreover, the “public fence” surrounding Lucy’s enclosure needs to be pushed back to meet standards that will allow Lucy to use the yard unsupervised.
- Seal pools: There are ongoing leaks in the seal pool basins which are jeopardizing the safety of animals, staff and patrons.

On the basis of the above-noted deficiencies, the Budget Report concludes as follows:

There are currently major deficiencies with several of the animal handling areas and fencing that represent a risk to staff, patrons, as well as the animals under the care of the Valley Zoo. Addressing these concerns is necessary from not only a safety perspective but also to ensure that the Valley Zoo continues to adhere to best practices in animal care and control as well as accreditation standards.  
[emphasis added]

## 2. CAZA Accreditation and Guidelines

The policies and rules for applying to CAZA and retaining CAZA accreditation are set out in the “CAZA 2021 Accreditation Process Guide” (the “**CAZA Guidelines**”).<sup>6</sup> CAZA also provides “Accreditation Standards” which are available online<sup>7</sup> and guide the organization in issuing accreditation to institutions. These standards mandate a wide-range of animal care and facility requirements, including the following:

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<sup>5</sup> See: <https://animaljustice.ca/blog/worlds-loneliest-elephant>

<sup>6</sup> CAZA Guidelines, available online: <https://caza.ca/wp-content/uploads/2021/04/2021-Accreditation-Process-Guide-As-Approved-November-2020.pdf>

<sup>7</sup> CAZA Accreditation Standards, available online: <https://caza.ca/wp-content/uploads/2022/04/2022-CAZA-Accreditation-Standards-Normes-d%e2%80%99accre%cc%81ditation-de-l%e2%80%99AZAC.pdf>

- member organizations must have appropriate veterinary staff and facilities for medication to be administered;
- enclosure design must take into account the natural behavior of the species being housed, and incorporate features that will enhance the welfare of the animals;
- all essential equipment must be kept in working order;
- the environment in which animals live must not be likely to adversely affect them (environmental conditions such as lighting, air quality, temperature, and humidity are to be taken into account per the Accreditation Standards);
- habitats in which animals are on public display must be of a size which enables the animal to demonstrate natural behaviors and to achieve a full range of body motion and physical movements;
- institutions must be aware of, and prepared for, period disease outbreaks in wild or other animal populations that might affect the institution's animals (e.g. avian influenza); and
- building materials used in facilities must be in good repair and of a design that would not predispose animals to lacerations, abrasions, or other injuries.<sup>8</sup>

In order to achieve accreditation, CAZA inspectors evaluate how an institution rates against the Accreditation Standards. Scores are awarded to institutions for each applicable standard and are evaluated by the Accreditation Commission against a threshold level established for each of the elements of the inspection form.<sup>9</sup> As a general rule, accreditation “certifies that an institution is currently meeting professional standards of CAZA” and while “future plans are of interest to the Commission, evaluations will focus on what exists at the time of the inspection”.<sup>10</sup> Moreover, an accredited institution “may be reviewed or inspected at any time within the five-year accreditation period, at the discretion of the Accreditation Commission or the Ethics and Compliance Committee (ECC).”<sup>11</sup>

In the case of current members being reviewed, if any institution scores less than a 95% on their inspection but greater than 90% compliance in any given single element of the inspection form, their accreditation is to be conditionally suspended for a six month period. If the facility scores less than 90% in any section of the inspection form, accreditation is to be denied.<sup>12</sup>

Given the Edmonton Valley Zoo's admitted deficiencies, the required standards that are set out by CAZA are not being met. The Edmonton Valley Zoo's apparent failure to maintain its facilities in such a way that meets CAZA's standards warrants revocation of accreditation. While the Valley Zoo is attempting to remedy these concerns through an injection of funds from the City of Edmonton, these future plans, contingent on funding, do not amount to compliance. Indeed, per the CAZA Guidelines, “while future plans are

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<sup>8</sup> *Ibid*

<sup>9</sup> CAZA Guidelines, p 6

<sup>10</sup> *Ibid*, p 5

<sup>11</sup> *Ibid*, p 5

<sup>12</sup> *Ibid*, p 7

of interest to the Commission, evaluations will focus on what exists at the time of the inspection".<sup>13</sup>

We would be pleased to provide further information or to otherwise assist you in your review. Please do not hesitate to contact me at [stinney@animaljustice.ca](mailto:stinney@animaljustice.ca) if we can be of further assistance.

Sincerely,



Scott Tinney  
Staff Lawyer, Animal Justice  
[stinney@animaljustice.ca](mailto:stinney@animaljustice.ca)

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<sup>13</sup> *Ibid*, p 5

May 7, 2023

Mr. Scott Tinney  
Staff Lawyer  
Animal Justice Canada  
5700 – 100 King Street West  
Toronto, ON M5X 1C7

Re: January 20, 2023 - Letter of Complaint vs Edmonton Valley Zoo

Dear Mr. Tinney:

This letter will constitute CAZA's summary of findings letter as promised in my initial email of January 31<sup>st</sup> and subsequent emails of February 8<sup>th</sup> and 9<sup>th</sup> 2023.

CAZA members take pride in its Canadian zoological accreditation program and the enforcement thereof. Recognized by provincial governments and federal agencies, the CAZA Ethics and Compliance Committee takes all measures necessary, along with our Accreditation Commission, to ensure all members are held to account.

The nature of Animal Justice's complaint warranted a formal investigation. The investigation was completed by a three-person independent team of volunteers with zoological expertise, one of whom is a zoo veterinarian.

The investigation can be summarized into three parts, they are:

1. A review of all literature – parties involved were invited to provide all relevant documents. All documentation provided was reviewed against the allegations in the complaint letter.
2. Interviews – the investigation team conducted in-depth interviews with staff from the Edmonton Valley Zoo.
3. Site visit – the investigation team completed the on-site visit on Monday, March 27<sup>th</sup>.

The investigation team examined the animal enclosures identified in your original complaint, the alleged concerns over health and safety, and compliance with provincial legislation. The following is a summary of the investigation team's findings.

### *Grevy's Zebra Barn*

- The zebra enclosures meet the standard for daily and routine husbandry. While there are protocols in place to mitigate risks associated with anesthetizing animals, the existing facilities need improvements to accommodate sedation and anesthesia for medical procedures.
- The facilities should be a priority for review and infrastructure improvements.

### *Bactrian Camel*

- These facilities meet the standard for daily husbandry care, handling, training, and medical procedures. The inspectors found the Bactrian camel area including associated training infrastructure to be in very good condition.

### *Sichuan Takin*

- These facilities meet the standard for daily husbandry care, handling, training, and medical procedures.

### *Birds of Prey*

- The temporary enclosures being used for the red-tailed hawk, the Spectacled owl, Eurasian eagle owls, Snowy owl and pelican meet standard AW- H&E / BEA-H&E 21 for temporary holdings.
- The holding being used for the peregrine falcons meet standard AW- H&E / BEA-H&E 2

### *Elephant*

- Each year the zoo is required to apply for a CAZA standard variance accompanied by expert advice, 2023 was no different. The team of elephant experts report concluded 'Lucy's' welfare is best served at the Edmonton Valley Zoo.
- The investigation reviewed the expert report, and the allegations laid out in the complaint and found zoo staff are doing everything they can, including suggestions from the experts, to ensure a high quality of animal welfare.
- EVZ has a Variance for Lucy as a solitary animal.

### *Seal Habitats*

- The seal facilities meet standard AW- H&E / BEA-H&E 2

### *Filtration Building, Quarantine Barn, Elephant Building*

- PF / IP 2 – Meet the standard.

### *The City of Edmonton Budget Report*

- The budget report pertaining to the Edmonton Valley Zoo's alleged deficiencies contains statements we were unable to substantiate. The funding request to Council seems to have been written to look to future investments. The investigation team understands it can be a challenge to present a case for future investments yet let the reader know they meet CAZA accreditation standards.

### *Provincial Regulations*

- On April 1st, the Alberta government issued the zoo's operating permit. The inspection team interprets this as meaning the zoo complies with Alberta law and regulations.

### *Alleged accidents endangering staff and visitors.*

- There have been no lost time injuries due to animal interaction.
- No incidents have been reported between animals and guests.

### **Finding**

Edmonton Valley Zoo systems and enclosures meet CAZA accreditation standards. Employee protocols are in place to ensure the safety of animals, staff, and guests.

As per our procedural manual, the Ethics and Compliance Committee has accepted the findings of the investigation team and deems this matter to be closed. The zoo will continue to be CAZA accredited.

We trust the Committee has addressed your concerns satisfactorily.

Best Regards,



Jim Facette  
CAZA CEO, Executive Director

c.c. Mr. G. Dewar, Director, Edmonton Valley Zoo  
Mr. S. Lussier, Chair, CAZA Accreditation Committee  
CAZA Board of Directors