



**NWT Conference of Management Authorities (CMA)
RULES OF CONDUCT AND OPERATING PROCEDURES**

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As provided for in Section 15 of the *Species at Risk (NWT) Act* (hereinafter referred to as “the Act”): “15. (1) The [CMA] may make rules respecting its meetings, the procedure for developing a consensus agreement under section 45, 56 or 70, and the general conduct of its activities.”

1. PURPOSE OF THE CMA

The Conference of Management Authorities (CMA) is established “to build consensus among Management Authorities on the conservation of species at risk and to provide direction, coordination and leadership with respect to the assessment, listing, conservation and recovery of species at risk, while respecting the roles and responsibilities of Management Authorities under land claims agreements” (from section 12 of the Act).

It is the responsibility of each Management Authority to make sure that their own responsibilities for consultation and other responsibilities under land claims agreements, are met. The CMA has agreed that each Management Authority is responsible for undertaking the actions that they agreed to undertake at the CMA.

2. STRUCTURE OF THE CMA

A. CMA Membership

As specified in Sub-section 11(2) of the *Species at Risk (NWT) Act*, the Management Authorities are:

- Co-management boards;
- Tłı̄ch̄q Government;
- Government of the Northwest Territories; and
- Government of Canada

Each Management Authority may have three representatives attend CMA meetings (*from section 13(3) of the Act*).

The *Species at Risk (NWT) Act* recognizes that future agreements with Aboriginal peoples whose land claims are not yet settled are likely to address authorities and processes for the management and conservation of species. Current guidelines for the participation of these groups are found in section 5 under ‘Observers’.

Where a particular species is under consideration, the only Management Authorities that will participate in the CMA are those that have authority respecting the management of that species (including those wildlife management boards that have the species in their settlement area), and Management Authorities for an area that used to have the species (*from section 13(2) of the Act*).

B. Chairperson and Alternate Chairperson

CMA representatives shall designate a Chairperson. The term shall be designated by the CMA to a maximum of two years and can be renewed.

CMA representatives shall designate an Alternate Chairperson. The term shall be designated by the CMA to a maximum of two years and can be renewed.

The CMA Chairperson and Alternate Chairperson shall be individuals, not organizations.

3. ROLES

C. Roles of the CMA

The primary roles of the CMA under the *Species at Risk (NWT) Act* are:

- A.** to refer species and approve the species assessment schedule,
- B.** to contribute to the best available knowledge used to assess a species,
- C.** to develop consensus agreements on listing species,
- D.** to develop consensus agreements on re-listing species,
- E.** to refer species for reassessment,
- F.** to develop consensus agreements respecting conservation when appropriate,
- G.** to oversee the preparation of management plans and recovery strategies,
- H.** to develop consensus agreements on accepting management plans and recovery strategies,
- I.** to implement management plans and recovery strategies,
- J.** to produce an annual report, and
- K.** to establish guidelines for the Secretariat.

See Appendix A for flow charts describing these processes. See Appendix B for further details on the roles of the CMA.

D. CMA Sub-committees and Roles

The CMA may establish sub-committees and their roles.

The NWT Species Conservation and Recovery Fund Sub-committee is established to oversee the NWT Species Conservation and Recovery Fund. It shall be composed of 4 members from the CMA. Its role shall be to make decisions about administration and execution of the NWT Species Conservation and Recovery Fund. The Committee works with the Secretariat to develop materials for the program, evaluate applications, and decide on successful applicants. Terms of reference for the NWT Species Conservation and Recovery Fund Sub-committee are found in Appendix F.

E. Roles of the CMA Chairperson and Alternate Chairperson

The CMA Chairperson shall ensure that meetings proceed in an orderly fashion while respecting the roles and responsibilities of Management Authorities under land claims

agreements. For meetings focused on a particular species for which the CMA Chairperson does not participate, participating Management Authorities will appoint an ad-hoc Chairperson. However, the ad-hoc Chairperson does not act as spokesperson for the CMA.

The CMA Chairperson will serve as spokesperson for the CMA for correspondence, news media and general public enquiries. The Chairperson will copy Management Authorities on correspondence related to CMA media requests and will send a summary note to all representatives after an interview.

The CMA Chairperson will work with the Secretariat to prepare key messages to accompany press releases and consensus agreements. Key messages will be provided to the CMA for review.

The CMA Chairperson will not speak for the individual Management Authorities. The Chairperson may refer questions to specific Management Authorities as appropriate.

As spokesperson for the CMA, and following review by the CMA where appropriate, the CMA Chairperson may approve CMA letters and public documents including press releases, key messages, website content, brochures and fact sheets. However, certain documents such as rules of conduct, annual reports, consensus agreements and guidelines for the preparation of management plans and recovery strategies must be approved by the CMA.

The CMA Chairperson shall submit the CMA annual report to the Minister by September 30 each year, after CMA approval.

The CMA Chairperson will work with the Secretariat to complete agendas, action items and other tasks throughout the year, as needed.

The role of the Alternate Chairperson is to support the CMA Chairperson in his or her duties as needed. The Alternate Chairperson functions as the Chairperson in the Chairperson's absence.

F. Roles of the Management Authorities as Members of CMA

It is the responsibility of each Management Authority to make sure that their responsibilities for consultation, and other responsibilities under land claims and self-government agreements are met.

It is the responsibility of each Management Authority to ensure that their actions are consistent with land claims agreements or their government mandate.

The CMA has agreed that each Management Authority is responsible for preparing for CMA meetings and for undertaking the actions that they agreed to undertake at the CMA.

The primary roles of the Management Authorities (including GNWT) under the *Species at Risk (NWT) Act* are:

- A. Appoint members to the Species at Risk Committee (SARC),
- B. Refer species for assessment or reassessment,
- C. Contribute to species status reports,
- D. Request clarification from SARC,
- E. Carry out actions related to listing and re-listing species,
- F. Carry out actions related to the conservation of pre-listed species, listed species and habitat,
- G. Contribute to management plans and recovery strategies,
- H. Carry out actions related to accepting management plans and recovery strategies, and
- I. Implement management plans and recovery strategies.

See Appendix A for flow charts describing these processes. See Appendix C for further details on the roles of the Management Authorities.

G. Roles of the Minister of ENR

In addition to the GNWT's responsibilities as a Management Authority outlined above, the Minister of ENR has other responsibilities.

The primary additional roles of the Minister of ENR under the *Species at Risk (NWT) Act* are:

- A. Listing and re-listing species,
- B. Prepare management plans and recovery strategies,
- C. Complete management plans and recovery strategies,
- D. Implement management plans and recovery strategies,
- E. Make agreements with land owners,
- F. Ask the Commissioner to make regulations,
- G. Make submissions to development authorities, land and water authorities and land use authorities regarding species at risk,
- H. Issue permits and exception orders,
- I. Provide annual reports,
- J. Extend deadlines, and
- K. Provide Secretariat support and give direction to Secretariat.

The Minister also has responsibilities under sections 5 ('Enforcement') and 6 ('General') of the *Species at Risk (NWT) Act* that are not described here.

See Appendix A for flow charts describing these processes. See Appendix D for further details on the roles of the Minister.

4. SPECIES AT RISK SECRETARIAT

H. The Secretariat

The Species at Risk Secretariat (the Secretariat) comprises the Species at Risk Implementation Supervisor and the Species at Risk Coordinator.

The Secretariat is not part of the CMA, but is made up of employees in the GNWT (ENR) public service and takes direction from the Minister of ENR in accordance with guidelines established by the CMA (*from section 24 of the Act*).

I. Resources

The Minister of ENR shall consult with the CMA in respect of resources required by the Secretariat (*from section 24 of the Act*).

J. Roles of the Secretariat

The Secretariat provides the professional, technical, administrative, clerical and other assistance that the Minister of ENR considers necessary for the CMA to exercise their powers and perform their duties (*from section 24 of the Act*).

See Appendix E for further details on the roles of the Secretariat.

5. CMA PROCEDURES

K. Meetings

The full CMA (all seven Management Authorities) will meet in person at least once per fiscal year. When practicable, face-to-face meetings will be held in January and June.

Additional meetings, if not in person, may be conducted via teleconferences, the Internet or other methods. When practicable, a conference call will be held in the fourth week of November.

Meetings are not open to any person or organization except when invited by the CMA.

L. Quorum

For species-specific decisions (including approval of assessment schedules and consensus agreements on listing, conservation measures, management plans and recovery strategies), quorum is at least one representative from each of the Management Authorities with authority for those species.

For administrative decisions (including approval of rules of conduct, annual reports, work plans, and guidelines for the preparation of management plans and recovery strategies), quorum is at least one representative from half of the Management Authorities plus one.

Where quorum is not attainable, a meeting may be held and decisions in principle made, pending approval from the missing Management Authorities which may be obtained by email or other means after the meeting.

Meetings will be scheduled only when representatives from all Management Authorities can be present (either in person or by teleconference) or quorum is attainable.

M. Meeting Participation

CMA representatives who cannot participate in person or via teleconference may submit written opinions for consideration.

Where a Management Authority wishes to have persons from its organization other than its 3 designated representatives attend any meeting, these persons are considered observers and the Management Authority shall follow the process for observers outlined below.

N. Without Prejudice

All CMA discussions are without prejudice until a final decision is made.

O. Meeting Minutes

Each meeting will be formally recorded, and the record of meeting proceedings will be approved at each subsequent meeting. The record will be made public by posting it on the NWT species at risk website.

P. Observers

Section 14 of the *Species at Risk (NWT) Act* states “The [CMA] may invite observers to its meetings and decide whether and to what extent they may participate.”

A Management Authority that wishes to invite observers to a meeting must make the request to the Chairperson (care of the Secretariat) at least one month in advance of the meeting indicating which person or organization is to be invited, to which meeting(s), the reasons why, and the suggested level of participation (see below, *Observers’ participation*, for a description of levels of participation). The Secretariat, on behalf of the Chairperson, will circulate the request to the Management Authorities to determine CMA concurrence or denial. Where the CMA concurs, the Chairperson shall issue the invitation through the Secretariat. The invitation shall contain, in writing, standard or special conditions and expectations for participation, as may be warranted for attending the meeting.

Any other person or organization who wishes to attend a CMA meeting as an observer must submit a written request to a Management Authority. As above, the Management Authority must then make the request, on behalf of the person/organization, to the Chairperson (care of the Secretariat) at least one month in advance of the meeting that the person/organization wishes to observe. The request to the Chairperson must

indicate which meeting(s) the person/organization wishes to attend, the reasons why, and the suggested level of participation (see below, *Observers' participation*, for a description of levels of participation).

The CMA will assess requests for observers as they arise and make decisions on attendance and participation by consensus wherever possible. Observer requests will be considered via email when the request is received at least a month prior to the meeting. Observer requests received within month of a meeting will be considered at the meeting, as an agenda item.

The Secretariat will track requests for observers.

The CMA may approve certain observer invitations for multiple meetings. Where the CMA has previously approved invitations for multiple meetings, these invitations do not need to be issued separately for every meeting; the Chairperson may issue the invitation for multiple meetings.

The list of approved observers may be amended at any time. From time to time, the CMA may still decide to hold meetings without observers present.

An observer who is invited by the CMA as a whole may have his/her expenses paid through the Secretariat from the CMA's budget. An observer invited by a Management Authority may have his/her expenses paid by that Management Authority, or may be responsible for paying his/her own expenses.

Q. Observers' participation

There are two categories of participation. The CMA will decide which category is appropriate for each observer. The categories are:

- **Participant**
 - may sit at the table
 - may provide input and participate fully in CMA discussions
 - does not vote or otherwise participate in CMA decisions and is not a party to consensus agreements
 - may channel their concerns through the appropriate Management Authority

- **Observer**
 - may be asked to sit apart from the CMA table
 - may address the CMA when recognized by the Chairperson
 - does not vote or otherwise participate in CMA decisions and is not a party to consensus agreements
 - may channel their concerns through the appropriate Management Authority

R. Representatives' conduct

CMA representatives will refrain from publicly attributing comments to their fellow representatives and from disclosing details of decision-making.

No one shall use any recording device unless permission is obtained from the Chairperson.

Each Management Authority is responsible for ensuring that its representatives are advised of the appropriate conduct and procedures for CMA participation.

S. Conflict of interest

Every CMA representative must avoid situations in which the person has an interest sufficient to influence, or appear to influence, the objective exercise of that person's authority.

In cases where the representative has an actual or potential conflict of interest with respect to a particular matter under consideration by the CMA, the person shall disclose the situation to the Chairperson without delay and prior to any discussion of that matter. Conflicts of interest declared in meetings shall be recorded in the minutes for the meeting. The person with the real or potential conflict of interest shall not participate in the discussion unless asked to provide information, shall refrain from decision-making, and may be asked to leave the room during deliberations on the matter.

T. Annual reports

The Secretariat shall prepare a draft annual report for the CMA. The Chairperson shall submit the CMA annual report to the Minister by September 30 after CMA approval.

6. CMA DECISIONS

U. Decisions requiring Consensus Agreements

As stated under Sections 36, 45, 56, 66 and 70 of the Act, the CMA is charged with the responsibility of developing consensus agreements for the following decisions:

- Adding a species to the list,
- Re-listing a species,
- Measures to conserve a species or its habitat or area,
- Accepting a management plan or recovery strategy, and
- Implementing a management plan or recovery strategy.

A consensus agreement must be in writing and must be agreed to by a representative of each Management Authority that may participate in respect of the species that is the subject of the consensus agreement (*from Section 140 of the Act*).

V. Other decisions

For CMA decisions that are not required under the Act to have consensus agreements, decisions will still be derived on a consensus basis wherever possible. Consensus is reached when all the relevant members of the CMA agree with the decision or are willing to allow the decision to go ahead. If consensus cannot be reached, a decision can be made by majority vote.

From time to time, certain CMA decisions may be made outside of regular meetings via email. A deadline for responding will be set and all responses will be acknowledged by the Secretariat. Representatives who do not respond by the deadline will be assumed to agree with the proposed decision, by default. Decisions made outside of meetings will be tracked by the Secretariat and reviewed at the next meeting so that they are included in the minutes.

7. PUBLIC REPORTING

CMA shall make the following information available to the public:

- CMA Rules of Conduct and Operating Procedures;
- Consensus agreements;
- Notices of no consensus agreement, including reasons;
- Completion dates for management plans and recovery strategies, and preparers' reasons for any extensions;
- Guidelines respecting the preparation of a management plan or recovery strategy; and
- Progress reports on management plans and recovery strategies.

Additionally, the Minister of ENR will make the following information public by posting it on the NWT species at risk website:

- CMA annual report;
- SARC annual report;
- Reasons for a consensus agreement, listing or re-listing being inconsistent with SARC's assessment or reassessment;
- Minister's decisions on listing and re-listing and the reasons;
- Management plans and recovery strategies;
- Minister's statement on implementation of management plan or recovery strategy (if no consensus agreement on implementation);
- Minister's annual report on agreements and orders respecting habitat conservation; and
- Minister's annual report on exemptions and permits.

Additionally, SARC shall make the following information available to the public:

- SARC Rules of Conduct;
- Criteria for establishing assessment priority;
- Objective biological criteria for assessing the status of a species and for categorizing a species;
- The type of information to be included in a species status report;
- The approved assessment schedule;
- The reasons of the CMA or a Management Authority requesting a species for assessment;
- The assessment of a species within one year after approving a species status report; and
- Any written clarification provided to the Management Authorities.

When SARC provides an assessment to the Management Authorities, the following additional information will be made available to the public:

- The assessment;
- The reasons for the assessment;
- The approved species status report; and
- Any information provided to SARC by the CMA or a Management Authority on the biological status of the species after the species status report was approved.

At a minimum, these public documents will be posted on the website.

Other documents that CMA, the Minister of ENR or SARC deem appropriate may also be made public.

8. HONORARIA & EXPENSES

Honoraria for the CMA will be in accordance with the Government of the Northwest Territories (GNWT) Financial Administration Manual Directive 1818. Representatives
CMA Rules of Conduct and Operating Procedures
Revised May 2021

employed in the public service are not paid honoraria. The Department of Environment and Natural Resources (ENR) will pay honoraria to representatives according to the following guidelines (a half day is equivalent to 3.5 hours):

Activity	Time	Honoraria	Honoraria for CMA Chair
Attend a face-to-face CMA or sub-committee meeting	Full day for each day of meeting	\$225	\$250
Participate in a CMA or sub-committee conference call	Half day	\$112.50	\$125
Prepare for a CMA meeting or sub-committee meeting	Half day	\$112.50	\$125
Travel to or from a CMA or sub-committee meeting	Half day for each travel day	\$112.50	\$125
Report on a CMA meeting to Aboriginal organizations	Half day	\$112.50	\$125
Other work on behalf of CMA as approved by the Species at Risk Secretariat	Per Half day	\$112.50	\$125

Additionally, through the Secretariat, the Department of ENR will cover travel, accommodation and daily per diems for CMA representatives not in the public service to attend meetings consistent with current GNWT duty travel and per diem rates. Salaried employees of Management Authorities do not receive honoraria.

An observer who is invited by the CMA as a whole may have his/her expenses paid through the Secretariat from the CMA's budget. An observer invited by a Management Authority may have his/her expenses paid by that Management Authority or may be responsible for paying his/her own expenses.

9. REVIEW

These rules of conduct will be reviewed annually by the CMA.

APPENDIX A – FLOW CHARTS FOR PROCESSES UNDER THE SPECIES AT RISK (NWT) ACT



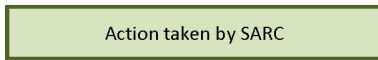
Flow charts for processes under the *Species at Risk (NWT) Act*

Prepared by Secretariat August 11, 2010

These flow charts outline the processes that happen after someone decides that a species should be assessed under the Act.

Legend:

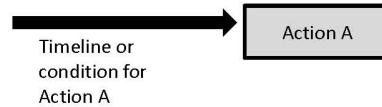
SPECIES AT RISK COMMITTEE (SARC)



MANAGEMENT AUTHORITIES

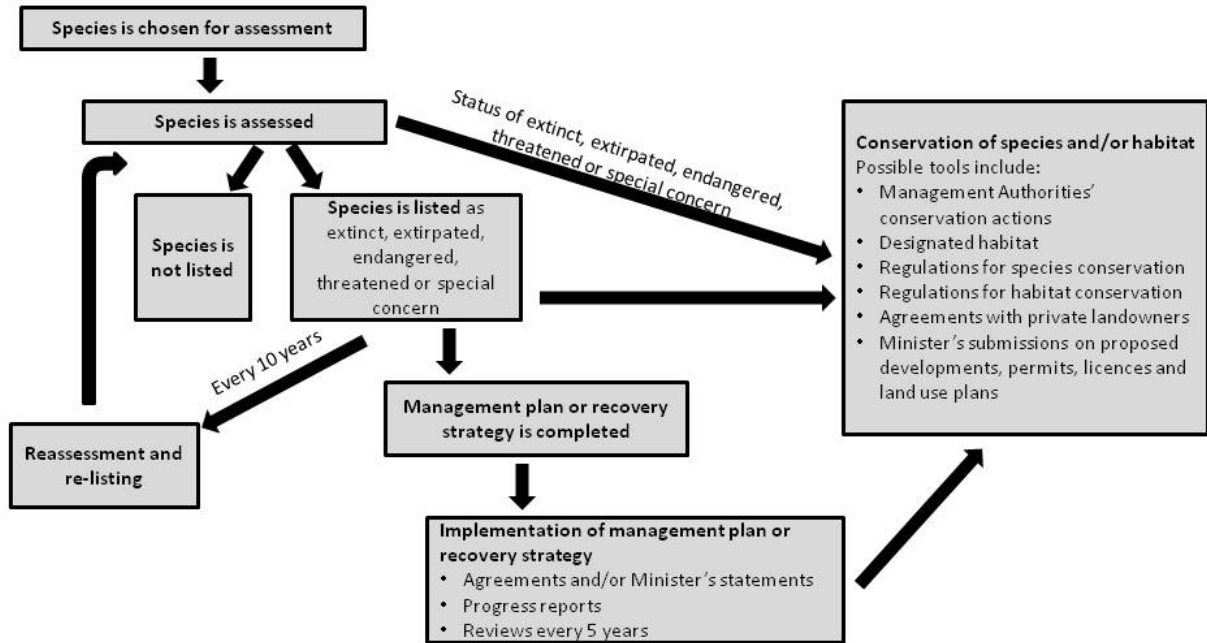


CONFERENCE (CMA)



General overview of processes

(see following pages for more detail on these processes and who does what)

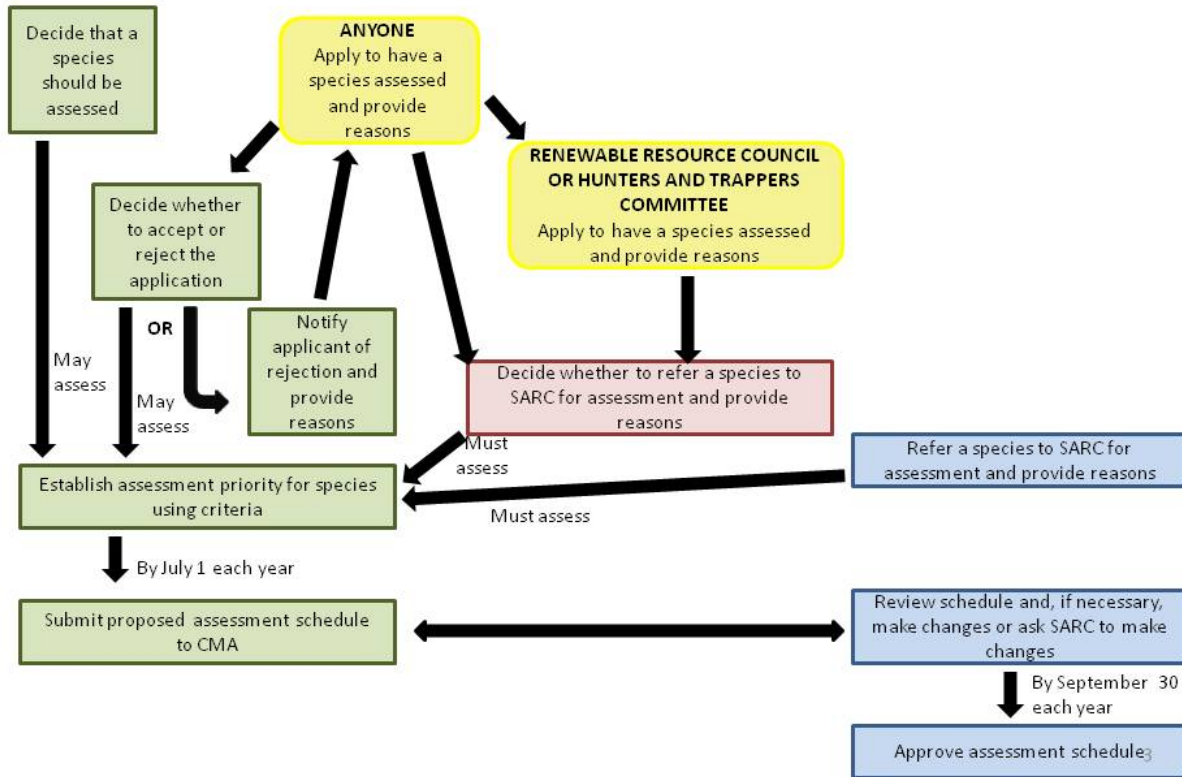


Developing the assessment schedule (s.25-29)

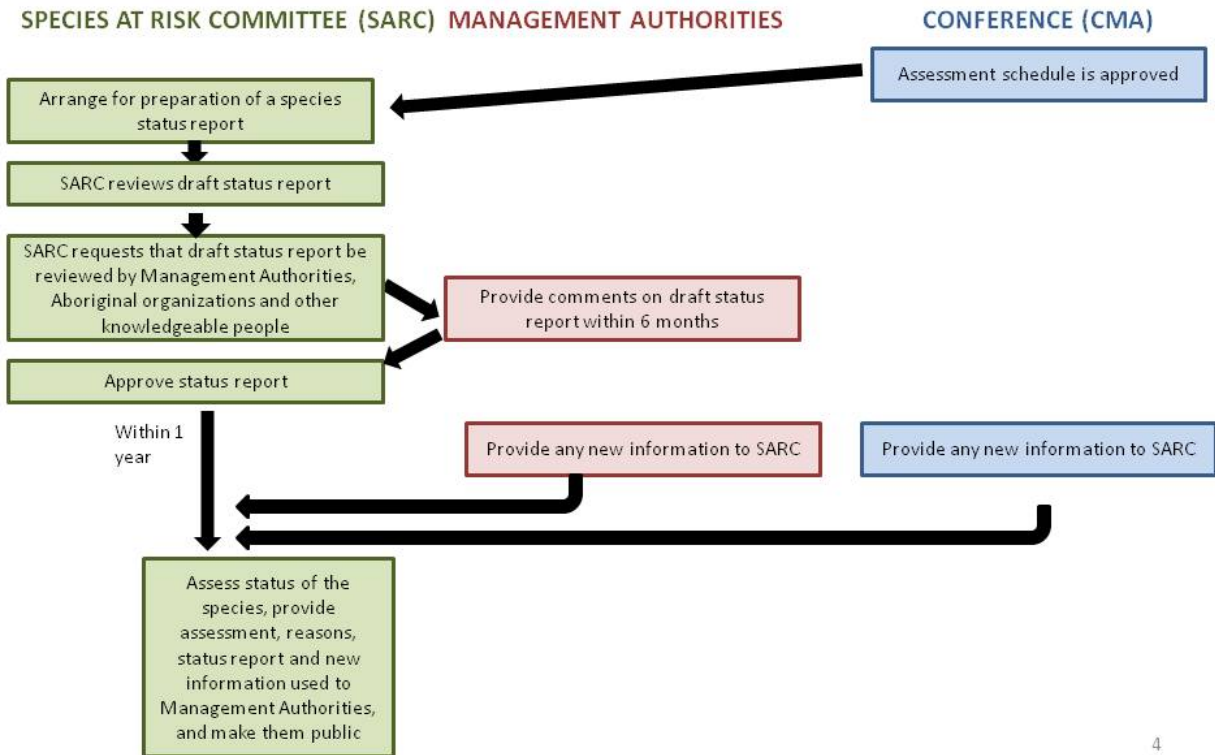
SPECIES AT RISK COMMITTEE (SARC)

MANAGEMENT AUTHORITIES

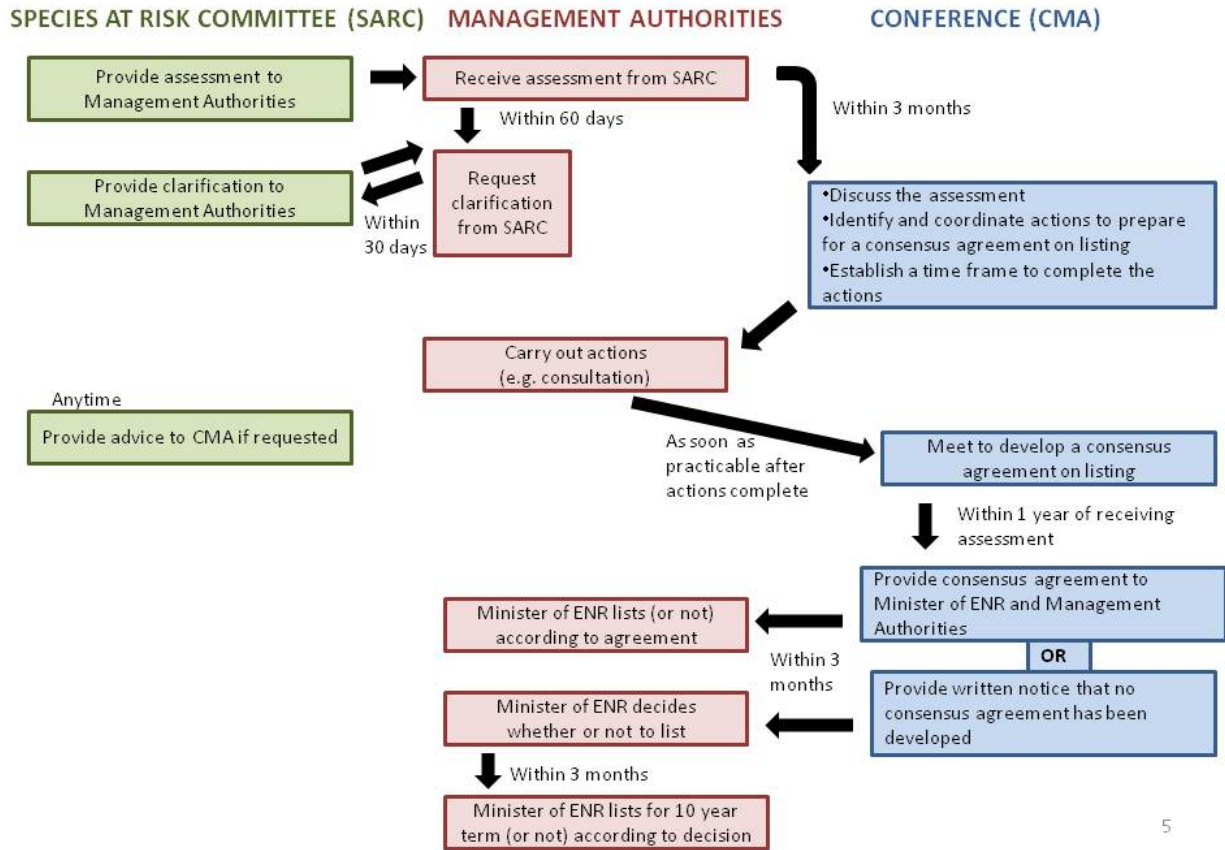
CONFERENCE (CMA)



Assessing the status of a species (s. 31-33)
(see last page for more detail on internal review process)



Listing a species (s. 33-42)

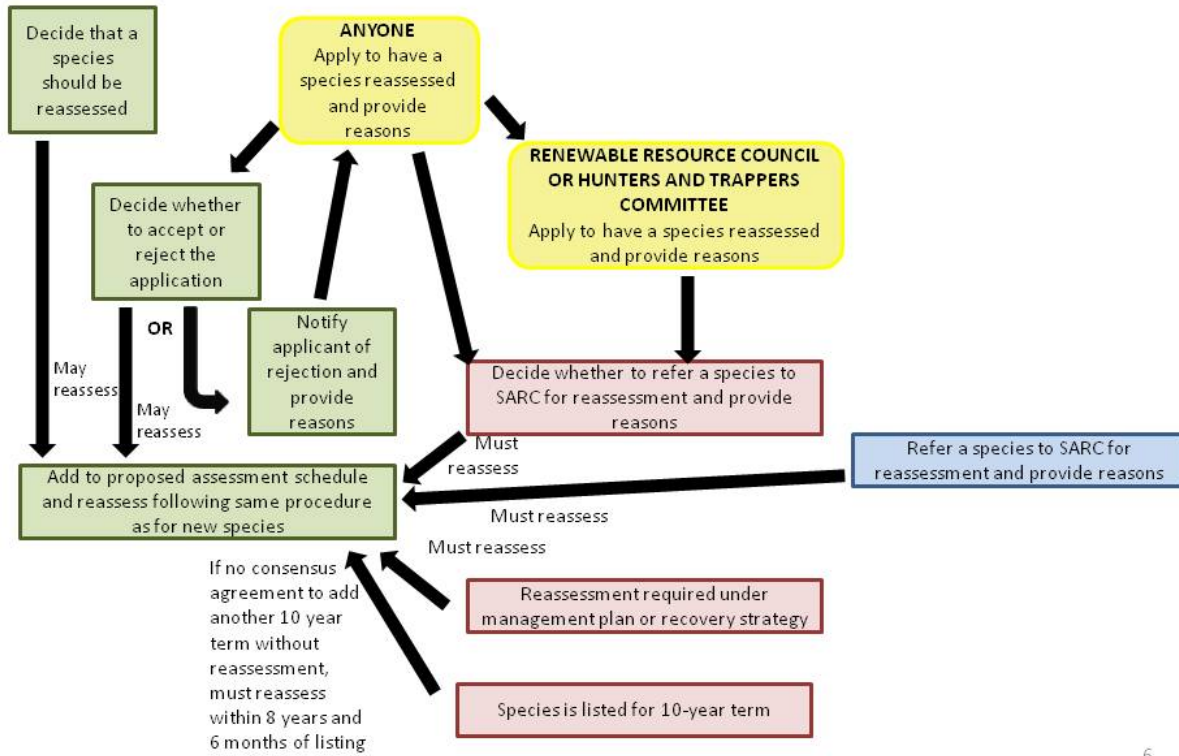


Reassessing a species (s.47-49)

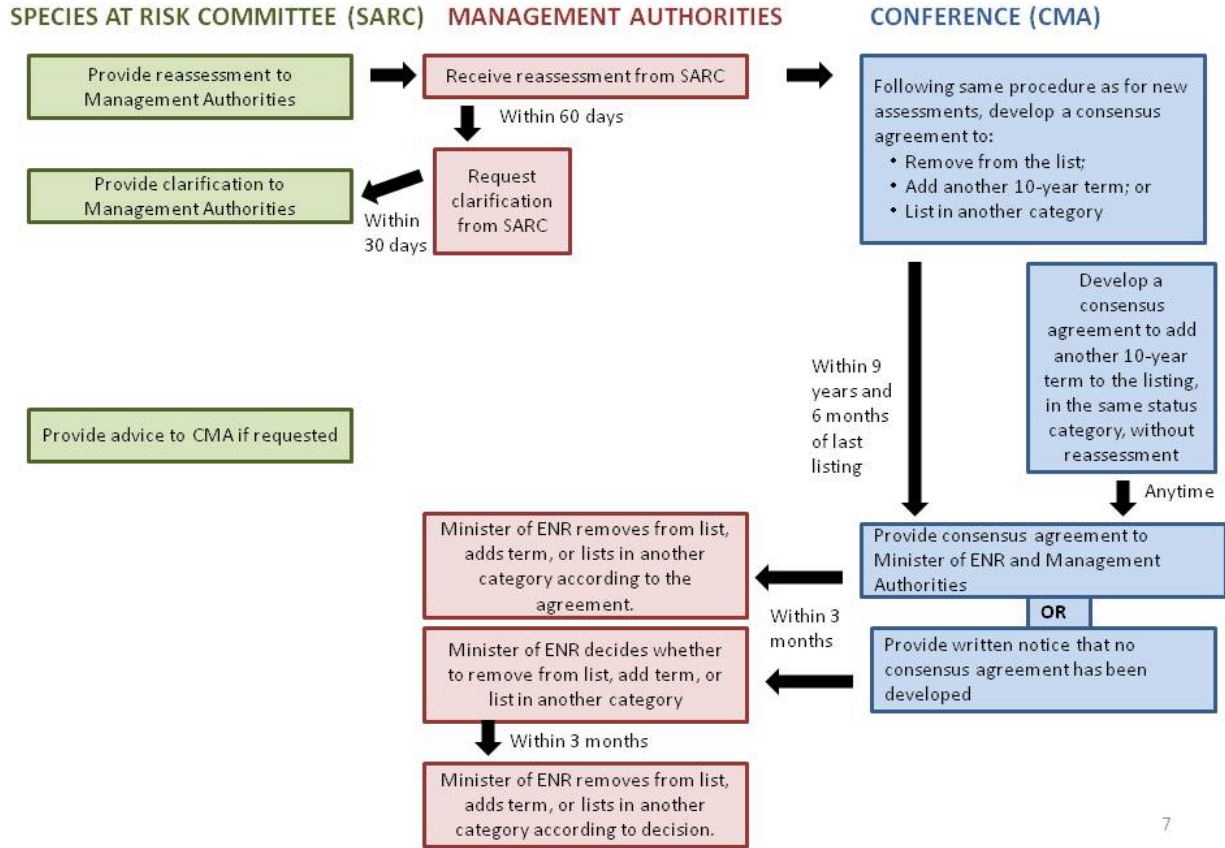
SPECIES AT RISK COMMITTEE (SARC)

MANAGEMENT AUTHORITIES

CONFERENCE (CMA)

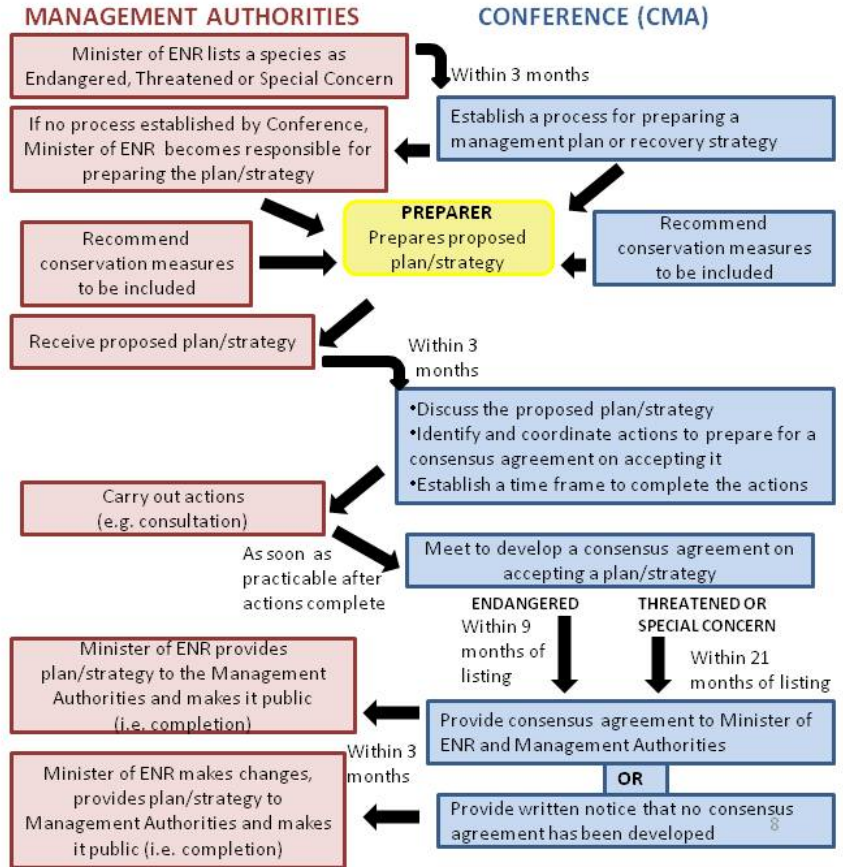


Re-listing a species (s.45, 50-54)



Completing management plans and recovery strategies (s. 58-69)

SPECIES AT RISK COMMITTEE (SARC)

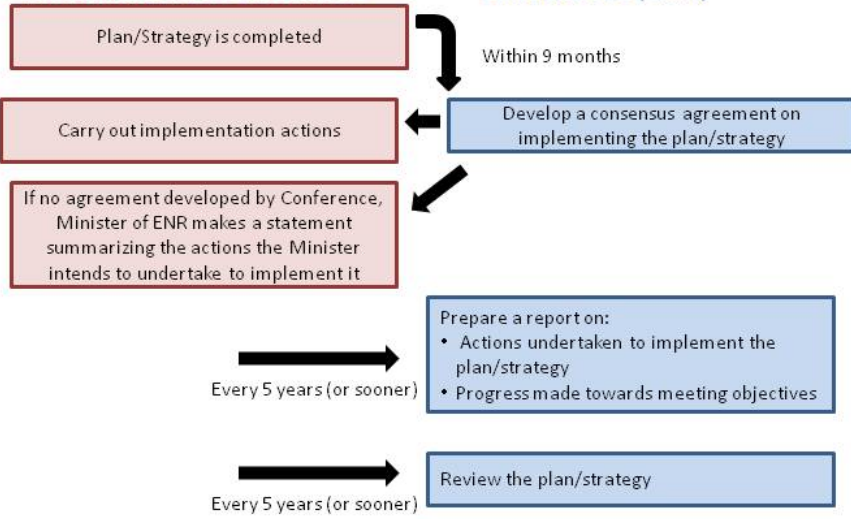


Implementing management plans and recovery strategies (s. 70 – 74, 155)

SPECIES AT RISK COMMITTEE (SARC)

MANAGEMENT AUTHORITIES

CONFERENCE (CMA)

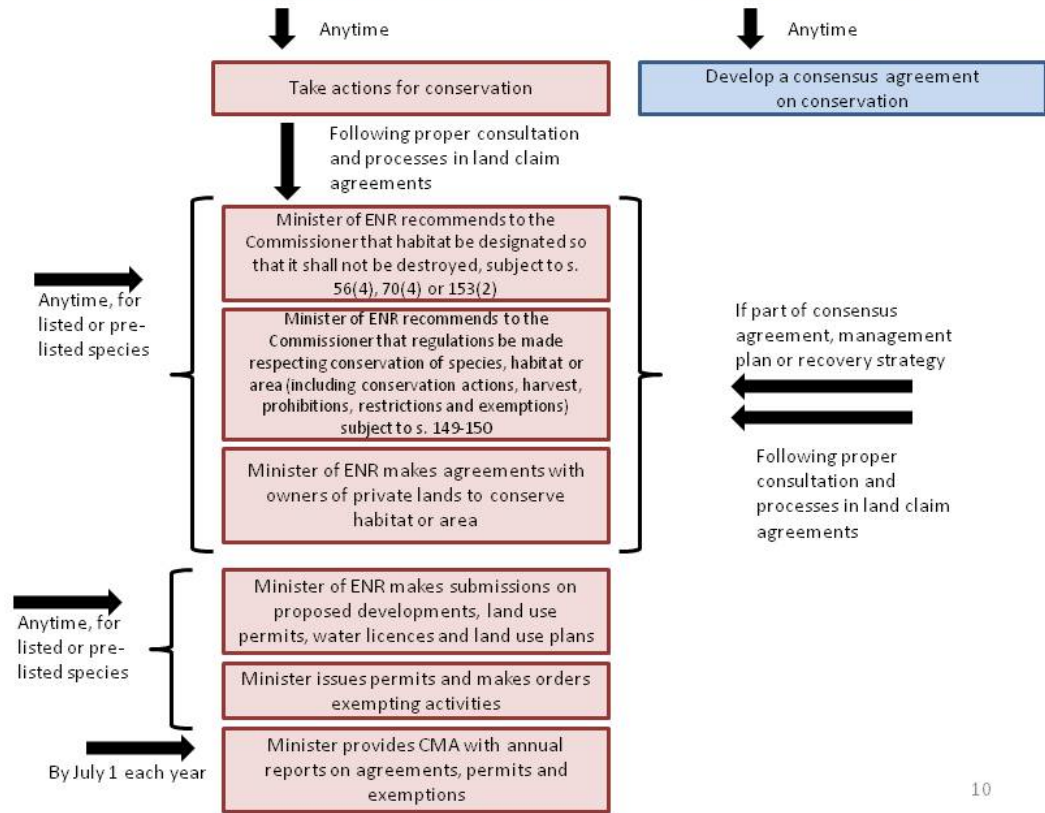


Conservation of species and habitat (s 56, 70, 76-86, 149-154)

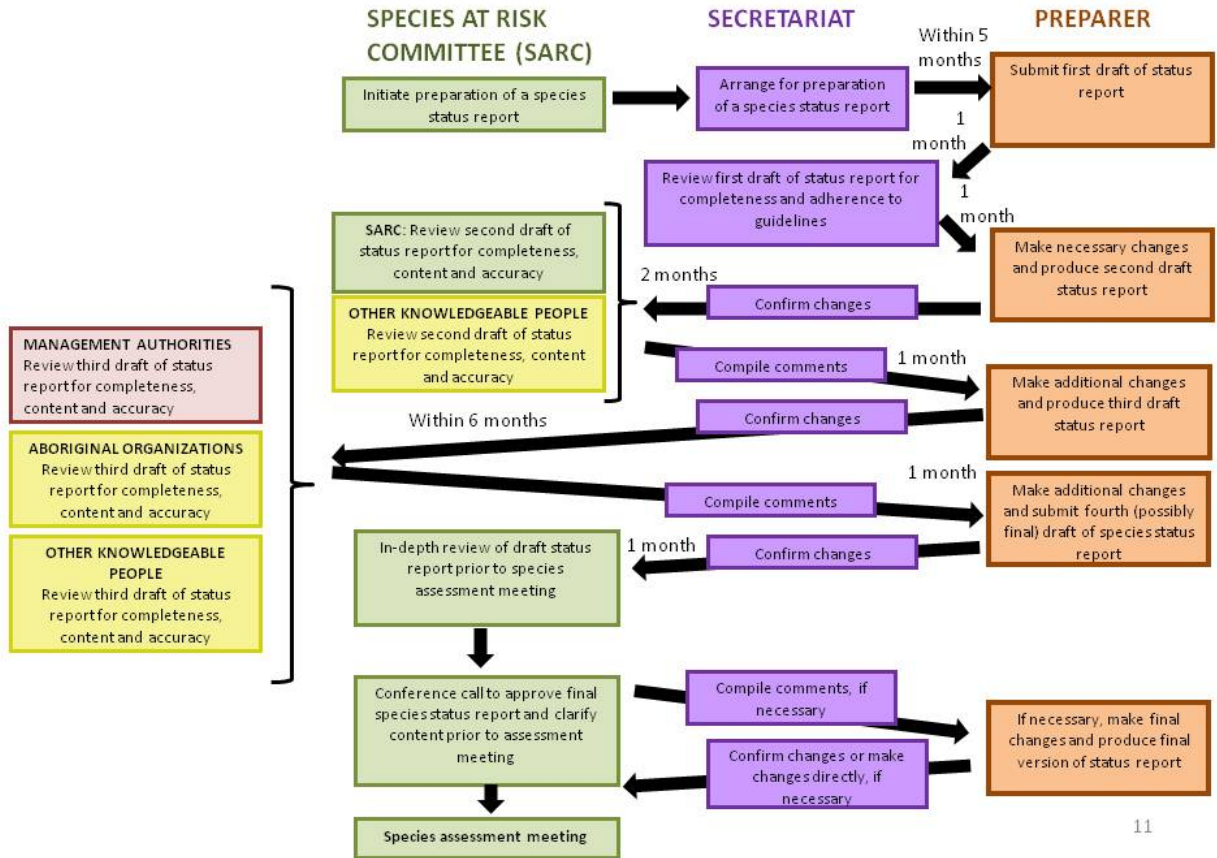
SPECIES AT RISK COMMITTEE (SARC)

MANAGEMENT AUTHORITIES

CONFERENCE (CMA)



Review process for species status reports (internal process determined by SARC)



APPENDIX B – ROLES OF THE CMA (DETAILED)

Details on the roles of the CMA are summarized below. These are not verbatim from the *Species at Risk (NWT) Act*; for legal requirements please refer to the legislation. These are the roles of the CMA as a group. Individual Management Authorities have additional roles that are described in Appendices C and D.

A. Assessment schedule

Refer species for assessment (*from section 26 of the Act*)

- The relevant members of the CMA may refer a species (or a subspecies, geographically or biologically distinct population, or other distinct population) to SARC for assessment.
- The CMA shall provide reasons for requesting the assessment and, if it is a distinct population other than a geographically or biologically distinct population, reasons why that distinct population should be assessed.
- SARC is required to assess a species referred in this way.

Review and approve a species assessment schedule (from sections 28, 29 and 31(4) of the Act)

- The CMA will receive the species assessment schedule from SARC by **July 1** in each year.
- The CMA shall review and approve the assessment schedule by **September 30** in each year. The approved assessment schedule will be as submitted by SARC, or with changes made by SARC at the CMA's request, or with changes made by the CMA.
- If SARC submits a revised assessment schedule, the CMA shall review and approve the revised assessment schedule as submitted by SARC, or with changes made by SARC at the CMA's request, or with changes made by the CMA.
- After a status report has been approved, SARC has one year to assess the status of that species. The CMA may, at the request of SARC, grant an extension of this one-year period.

B. Contribute to best available knowledge

- Contribute to best available knowledge used by SARC to assess a species (from section 31(1c) of the Act)
- After a species status report is approved by SARC, if the species has not yet been assessed, the CMA shall communicate in writing to SARC any information on the biological status of a species that should be considered in the assessment but is not already included in the approved report.

C. Consensus agreement on listing species

Discussion of species status assessment and planning of actions (*from section 35 of the Act*)

- The relevant members of the CMA shall discuss a species assessment within **3 months** after SARC provides an assessment to the Management Authorities.
- Within **3 months** after SARC provides an assessment to the Management Authorities, if the species is assessed as special concern, threatened, endangered, extirpated or extinct, the CMA shall also:
 - Identify and co-ordinate the actions each Management Authority agrees to undertake in preparation of a consensus agreement on listing the species, including any actions required to fulfil requirements under land claims agreements; and
 - Establish a time frame for Management Authorities to complete the actions.

Development of a consensus agreement on listing of species (*from section 36(1) of the Act*)

- After completing the actions referred to above, the relevant members of the CMA shall meet to develop a consensus agreement on listing the species.
- In developing the consensus agreement, the CMA shall consider:
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the CMA or a Management Authority, and any written clarification provided by SARC; and
 - The results of the actions referred to above.
- The consensus agreement must include:
 - That the CMA has reached a consensus on the following:
 - Not to add the species to the List; or To add the species to the List under a certain status category; and
 - Actions each Management Authority has undertaken or agrees to undertake with respect to the required approvals and its participation in listing the species.
- The CMA must provide the consensus agreement and the reasons for it to the Minister of ENR and the Management Authorities.

If the CMA does not develop a consensus agreement within 1 year (*from section 38 of the Act*)

- The relevant members of the CMA shall, within 1 year after SARC provides an assessment, provide written notice to the Minister and Management Authorities that no consensus agreement has been developed, include the reasons why, and make the notice and reasons available to the public.
- If the Minister of ENR receives notice that no consensus agreement has been developed or does not receive either a consensus agreement or notice, the Minister shall make a decision whether or not to add the species to the List.

D. Consensus agreement on re-listing species

Extending a term of listing without reassessment (from section 45 of the Act)

- The relevant members of the CMA may develop a consensus agreement to add an additional 10-year term to a current term for a listed species without a reassessment, as long as the designation does not change.
- The consensus agreement must set out:
 - That the CMA has reached a consensus on adding another 10-year term to the current term for the listed species in the same category;
 - The actions that the Management Authorities agree to take with respect to adding a 10-year term; and
 - The reasons for developing the consensus agreement without a reassessment.
- The CMA shall provide the consensus agreement and reasons to the Minister of ENR and the Management Authorities.

Developing a consensus agreement on listing of reassessed species (from section 50(3))

- The procedure for developing a consensus agreement on reassessed species is the same as described above. However, the content of the consensus agreement is different. A consensus agreement developed in respect of a reassessment must set out:
 - That the CMA has reached a consensus;
 - To remove the species from the List; or
 - To add another 10-year term to the current expiration date for the species in the same category; or
 - To list the species in another category.
 - Actions the Management Authorities agree to undertake with respect to adding another 10-year term or listing the species in another category.

E. Referring species for reassessment

Referring a species for reassessment (from section 48 of the Act)

- The relevant members of the CMA may refer a species to SARC for reassessment and must provide reasons for requesting the reassessment.

F. Developing a consensus agreement respecting conservation

Developing a consensus agreement for conservation of pre-listed species, listed species and habitat (from section 56 of the Act)

- The relevant members of the CMA may develop consensus agreements respecting the conservation of a pre-listed species or a listed species, and its habitat, the area in which the habitat is located, or surrounding area. Such agreements may include provisions respecting:
 - Actions Management Authorities agree to undertake to conserve the species, habitat or area;

- The preparation of a management plan or recovery strategy for the species; and
- Any other matter that the CMA considers necessary or advisable to conserve the species, habitat or area.
- In developing a consensus agreement, the CMA shall consider:
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the Conference or a Management Authority under paragraph 31(1)(c), and any written clarification provided by SARC under section 34;
 - The management plan or recovery strategy, if any;
 - The results of any actions undertaken by Management Authorities in preparation for the development of the consensus agreement; and
 - Any applicable consensus agreement.
- The CMA may also consider information provided by any other person or body.
- A consensus agreement may only include a provision in which the Minister, on behalf of the Government of the Northwest Territories, agrees to recommend to the Commissioner that a designation of habitat be made under section 153 such that “no person shall destroy any part of designated habitat” (sec. 80),
 - If the CMA considers that:
 - The habitat is essential to the survival or recovery of the species, and
 - The designation is necessary for the conservation of the species or its habitat
 - Where the habitat is on private lands or a reserve, if the CMA is satisfied that habitat of the species on public lands is insufficient to meet the conservation or recovery needs of the species (unless the owner of the lands consents to the designation); and
 - Where the habitat is on private lands, after the CMA consults with the owner of those lands.

G. Overseeing the preparation of management plans and recovery strategies

Guidelines for management plans and recovery strategies (from section 62 of the Act)

- The full CMA may establish guidelines respecting the preparation of a management plan or recovery strategy. The CMA must make these guidelines public.

Process for preparing management plans and recovery strategies (from section 61 of the Act)

- The relevant members of the CMA may establish a process for preparing a management plan or recovery strategy.

- If the CMA does not establish a process within three months after a species is listed, the Minister is responsible for preparing the management plan or recovery strategy, and shall request the CMA's advice concerning its preparation.
- Subject to any guidelines established by the CMA, the preparer may delegate the preparation of a management plan or recovery strategy, or any part of it, to any person or body, or may involve any person or body in its preparation.

Completion dates for management plans and recovery strategies (from sections 59 and 60 of the Act)

- For species listed as species of special concern:
 - A management plan for the species must be prepared and completed.
 - The CMA shall determine a completion date which must be within 2 years after the species is listed.
- For species listed as threatened:
 - A recovery strategy for the species must be prepared and completed.
 - The CMA shall determine a completion date which must be within **2 years** after the species is listed.
- For species listed as endangered:
 - A recovery strategy for the species must be prepared and completed.
 - The CMA shall determine a completion date which must be within **1 year** after the species is listed.
- For species listed as extirpated:
 - A recovery strategy for the species may be prepared.
- The completion dates may exceed the periods given above if the relevant members of the CMA are satisfied by reasons provided by the preparer that the management plan or recovery strategy cannot be prepared and completed within that period.
- The CMA shall make completion dates and preparer's reasons for extension available to the public.

Considerations and recommendations for management plans and recovery strategies (from section 61 of the Act)

- The relevant members of the CMA may recommend to the preparer measures to conserve the species and its habitat, or the area in which the habitat is located, or the surrounding area. The preparer shall consider these recommendations in preparing the management plan or recovery strategy.
- In preparing the management plan or recovery strategy, the preparer shall also consider:
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the Conference or a Management Authority under paragraph 31(1)(c), and any written clarification provided by SARC under section 34; and
 - Any applicable consensus agreement.

- In preparing the management plan or recovery strategy, the preparer may also consider information provided by any person or body.
- The preparer shall review any designation made under section 153 and any regulations made under section 151, 152 or 154 that apply to the species, and shall include recommendations to continue, amend or repeal the designation or regulations in respect of the species.
- The CMA may consider whether a multi-species or an ecosystem approach may be adopted in preparing a management plan or recovery strategy.

Content of management plans and recovery strategies (from sections 61, 62 and 63 of the Act)

- A management plan or recovery strategy must include:
 - Everything required by the guidelines;
 - A description of the existing and potential threats to and positive influences on the survival and recovery of the species;
 - A description of the existing and potential threats to and positive influences on the habitat of the species;
 - In the case of a management plan, recommendations on objectives for the management of the species and approaches to achieve those objectives; and
 - In the case of a recovery strategy, recommendations on objectives for the conservation and recovery of the species and approaches to achieve those objectives.
- If the preparer of a recovery strategy determines that the recovery of a threatened species, an endangered species or an extirpated species is not biologically feasible, the recovery strategy must include the reasons why recovery is not biologically feasible and any other information that the CMA considers appropriate.
- The preparer may incorporate all or part of an existing plan or strategy prepared by any person or body.

H. Consensus agreement on accepting a management plan or recovery strategy

Discussion of management plan or recovery strategy and planning of actions (from section 65 of the Act)

- Within **3 months** after the preparer provides a proposed management plan or recovery strategy to the Management Authorities, the relevant members of the CMA must:
 - Discuss the proposed management plan or recovery strategy;
 - Identify and co-ordinate the actions each Management Authority agrees to undertake in preparation for a consensus agreement, including actions required to fulfill land claims agreements; and
 - Establish a time frame for Management Authorities to complete the actions.

- At the CMA's request, the preparer shall provide advice to the CMA relating to the proposed management plan or recovery strategy.

Developing a consensus agreement on accepting management plans and recovery strategies (from section 66 of the Act)

- After completing the actions referred to above, the relevant members of the CMA shall meet to develop a consensus agreement on accepting a management plan or recovery strategy.
- In developing the consensus agreement, the CMA shall consider:
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the Conference or a Management Authority under paragraph 31(1)(c), and any written clarification provided by SARC under section 34;
 - The proposed management plan or recovery strategy;
 - The results of the actions; and
 - Any applicable consensus agreement.
- The consensus agreement must set out:
 - That the CMA has reached a consensus on accepting a management plan or recovery strategy (which may be as proposed by the preparer or with changes made by the CMA); and
 - The actions each Management Authority has undertaken or agrees to undertake with respect to accepting the management plan or recovery strategy.
- The CMA shall provide the consensus agreement to the Minister and the Management Authorities.

If the CMA does not develop a consensus agreement (from section 67 of the Act)

- If the CMA does not complete a consensus agreement by the day that is **three months before the completion date**, the CMA shall provide written notice to the Minister and Management Authorities that no consensus agreement has been developed, include the reasons why, and make the notice and reasons available to the public.
- If the Minister of ENR receives notice that no consensus agreement has been developed, or does not receive either a consensus agreement or notice, the Minister shall make a decision on the management plan or recovery strategy.

I. Implementation of management plans and recovery strategies

Developing consensus agreements respecting implementation of management plans and recovery strategies (from section 70 of the Act)

- The relevant members of the CMA may develop consensus agreements respecting the implementation of a management plan or recovery strategy.
- The consensus may include provisions respecting
 - The actions Management Authorities agree to undertake to implement a management plan or recovery strategy;

- Any other matter that the CMA considers necessary or advisable respecting the implementation of a management plan or recovery strategy.
- In developing a consensus agreement, the CMA shall consider:
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the Conference or a Management Authority under paragraph 31(1)(c), and any written clarification provided by SARC under section 34;
 - The management plan or recovery strategy;
 - The results of any actions undertaken by Management Authorities in preparation for the development of the consensus agreement; and
 - Any applicable consensus agreement.
- In developing a consensus agreement, the CMA may consider information provided by any person or body.
- A consensus agreement may only include a provision in which the Minister, on behalf of the Government of the Northwest Territories, agrees to recommend to the Commissioner that a designation of habitat be made under section 153:
 - If the CMA considers that:
 - The habitat is essential to the survival or recovery of the species, and
 - The designation is necessary for the conservation of the species or its habitat;
 - Where the habitat is on private lands or a reserve, if the CMA is satisfied that habitat of the species on public lands is insufficient to meet the conservation or recovery needs of the species (unless the owner of the lands consents to the designation); and
 - Where the habitat is on private lands, after the CMA consults with the owner of those lands.
- The CMA must make the consensus agreement available to the public.

If the CMA does not develop a consensus agreement (from section 72 of the Act)

- If the CMA does not complete a consensus agreement on implementing a management plan or recovery strategy within **nine months** after the management plan or recovery strategy is completed, the Minister shall make a statement summarizing the actions the Minister intends to undertake to implement it. The Minister's statement shall be provided to the CMA and made available to the public.
- A statement by the Minister does not preclude the CMA from developing consensus agreements on implementation.

Progress reports and reviews of management plans or recovery strategies (from sections 73 and 74 of the Act)

- The relevant members of the CMA must prepare a report every **5 years** (or sooner if required by a management plan or recovery strategy), on the actions undertaken to implement it and the progress made towards meeting its objectives.

- The CMA must make the progress report available to the public.
- The CMA must review a management plan or recovery strategy every **5 years**.

J. Annual report

Submit an annual report to the Minister (from section 16 of the Act)

- The CMA shall submit an annual report to the Minister of ENR by **September 30** in each year.
- The annual report shall include, for the previous fiscal year, a summary of CMA activities and a list of consensus agreements.

K. Establish guidelines for Secretariat

CMA establishes guidelines for the Secretariat (from section 24 of the Act)

- The CMA may establish guidelines regarding the direction to be provided by the Minister to the Secretariat.

APPENDIX C – ROLES OF THE MANAGEMENT AUTHORITIES AS MEMBERS OF CMA (DETAILED)

Details on the roles of the individual Management Authorities are summarized below. These are not verbatim from the *Species at Risk (NWT) Act*; for legal requirements please refer to the legislation.

These roles apply to all the Management Authorities, including the GNWT as represented by the Minister of ENR. However, the Minister of ENR also has additional roles under the *Species at Risk (NWT) Act* that are described in Appendix D.

A. Appoint members to the Species at Risk Committee (SARC)

Appoint members to the SARC (from sections 18-19 of the Act)

- Each co-management board may appoint one member to SARC.
- The Government of Canada may appoint one member, unless there is an agreement under section 144 for the purpose of assessing or reassessing the status of fish, marine plants or migratory birds under the *Species at Risk (NWT) Act*. If there is such an agreement then Government of Canada may appoint an additional member.
- The Minister of ENR appoints the other members, to a maximum of 15 on the SARC.
- When considering an appointment in an area subject to an unsettled land claim, the Minister shall seek the advice of the Aboriginal organization respecting the appointment.
- The Management Authority making the appointment shall discuss the proposed appointment with the other Management Authorities to ensure that SARC has, to the extent possible, expertise in respect of all species and all areas of the Northwest Territories, including expertise derived from Aboriginal traditional knowledge, community knowledge and scientific knowledge.
- Before making the appointment, the Management Authority making the appointment shall be satisfied that the proposed member has significant expertise of species, habitat, northern ecosystems or conservation drawn from Aboriginal traditional knowledge, community knowledge or scientific knowledge.

Appoint alternate members to the SARC (not stated in the Act; follows from SARC's Rules of Conduct)

- The SARC Rules of Conduct allow for each appointed member to have a designated alternate appointed by that member's appointing organization.

B. Refer species for assessment or reassessment

Refer species to SARC for assessment or reassessment (from sections 26 & 48 of the Act)

- A Management Authority may refer a species (or a subspecies, or a geographically or biologically distinct population) to SARC for assessment or for reassessment.
- The Management Authority shall provide reasons for requesting the assessment or reassessment.
- SARC is required to assess or reassess a species referred in this way.

C. Contribute to species status reports

Review draft species status reports (from section 30(5) of the Act)

- The relevant Management Authorities will be asked by SARC to review a draft species status report and provide comments on the completeness and accuracy of the information in it.
- Comments will be due **within six months** of the request.

Contribute to best available knowledge used by SARC to assess a species (from section 31(1c) of the Act)

- After a species status report is approved by SARC, if the species has not yet been assessed, the Management Authorities shall communicate in writing to SARC any information on the biological status of a species that should be considered in the assessment but is not already included in the approved report.

D. Request clarification from SARC

Request clarification from SARC (from section 34 of the Act)

- A Management Authority may request written clarification respecting the assessment or the reasons for it, the approved status report, or any information provided to SARC by the CMA or a Management Authority after the status report was approved.
- A Management Authority may not request information about the assessment process that led to the assessment.
- The request for clarification must be made **within 60 days** of receiving the assessment.

E. Carry out actions related to listing and re-listing species

Carry out actions required to prepare for a consensus agreement on listing or re-listing (not explicitly stated, but follows from sections 35-36, 45 & 50 of the Act)

- Each Management Authority will complete the actions they agreed to undertake in preparation for a consensus agreement on listing or re-listing, including any actions required to fulfil requirements under land claims agreements.
- The actions agreed to by the Government of the Northwest Territories must include an opportunity for the public to provide comments to the Minister on the assessment and may include further engagement of the public by the Minister regarding the assessment.

Carry out actions included in a consensus agreement on listing or re-listing (not explicitly stated, but follows from sections 35-36, 45 & 50 of the Act)

- Each Management Authority will complete the actions they agreed to undertake in a consensus agreement, with respect to the required approvals and its participation in listing or re-listing the species.

F. Carry out actions related to the conservation of pre-listed species, listed species and habitat

Carry out actions required to prepare for a consensus agreement on conservation (not explicitly stated, but follows from section 56 of the Act)

- Each Management Authority will complete the actions they agreed to undertake in preparation for a consensus agreement on conservation.

Carry out actions included in a consensus agreement on conservation (not explicitly stated, but follows from section 56 of the Act)

- Each Management Authority will complete the actions they agreed to undertake in a consensus agreement to conserve a species, its habitat, the area in which the habitat is located, or the surrounding area.

G. Contribute to management plans and recovery strategies

Recommend conservation measures for management plans and recovery strategies (from section 61(5) of the Act)

- A Management Authority may recommend to the preparer measures to conserve the species and its habitat, or the area in which the habitat is located, or the surrounding area. The preparer shall consider these recommendations in preparing the management plan or recovery strategy.

H. Carry out actions related to accepting management plans and recovery strategies

Carry out actions required to prepare for a consensus agreement on accepting a management plan or recovery strategy (not explicitly stated, but follows from sections 65 & 66 of the Act)

- Each Management Authority will complete the actions they agreed to undertake in preparation for a consensus agreement on accepting a management plan or recovery strategy, including any actions required to fulfil requirements under land claims agreements.
- The actions agreed to by the Government of the Northwest Territories must include an opportunity for the public to provide comments to the Minister on the proposed management plan or recovery strategy, and may include further engagement of the public by the Minister regarding the proposed plan/strategy.

Carry out actions included in a consensus agreement on accepting a management plan or recovery strategy (not explicitly stated, but follows from sections 65 & 66 of the Act)

- Each Management Authority will complete the actions they agreed to undertake in the consensus agreement, with respect to accepting the management plan or recovery strategy.

I. Implement management plans and recovery strategies

Carry out actions required to prepare for a consensus agreement on implementation of plan/strategy (not explicitly stated, but follows from section 70 of the Act)

- Each Management Authority will complete the actions they agreed to undertake in preparation for a consensus agreement on implementing a management plan or recovery strategy.

Carry out actions included in a consensus agreement on implementation of plan/strategy (not explicitly stated, but follows from section 70 of the Act)

- Each Management Authority will complete the actions they agreed to undertake in the consensus agreement, to implement a management plan or recovery strategy.

APPENDIX D – ADDITIONAL ROLES OF THE MINISTER OF ENR (DETAILED)

Details on the roles of the Minister of ENR are summarized below. These are not verbatim from the *Species at Risk (NWT) Act*; for legal requirements please refer to the legislation.

These roles apply only to the Minister of ENR and are in addition to the GNWT's responsibilities as a Management Authority outlined in Appendix C.

The Minister also has other responsibilities under sections 5 ('Enforcement') and 6 ('General') of the *Species at Risk (NWT) Act* that are not described here.

A. Listing and re-listing species

Minister's additional responsibilities for listing and re-listing (from sections 39-43, 46, 51-55 of the Act)

- **Within three months** after receiving a consensus agreement to add a species to the List, the Minister shall add the species to the List according to the agreement.
- **Within three months** after receiving a consensus agreement to add another 10-year term to the current term for a listed species in the same category, the Minister shall add the 10-year term on the List.
- **Within three months** after receiving a consensus agreement respecting listing of a reassessed species, the Minister shall remove the species from the List, add another 10-year term or list the species in another category, in accordance with the consensus agreement,
- If a listed species is reassessed as 'data deficient' or 'not at risk', the Minister shall remove the species from the List **within three months** after the reassessment is discussed by the CMA.
- If the Minister of ENR receives notice that no consensus agreement has been developed, or does not receive either a consensus agreement or notice **within one year** after SARC provides the assessment or the reassessment, the Minister shall make a decision on listing or re-listing **within three months**. The Minister shall provide the decision and reasons to the Management Authorities and make it public.
- If the Minister's decision is to list then the Minister shall add the species to the List **within three months** after the decision is made.
- If a consensus agreement or Minister's decision on listing or re-listing is inconsistent with an assessment, the Minister shall provide reasons for the inconsistency to SARC and the Management Authorities and make these reasons public.

B. Prepare management plans and recovery strategies

Minister's responsibility for preparing a management plan or recovery strategy (from section 61 of the Act)

- If the CMA does not establish a process for preparing a management plan or recovery strategy within **three months** after a species is listed, the Minister is

responsible for preparing the management plan or recovery strategy, and shall request the CMA's advice concerning its preparation.

C. Complete management plans and recovery strategies

Minister's responsibility to complete a management plan or recovery strategy (from sections 68-69 of the Act)

- **Within three months** of receiving a consensus agreement to accept a management plan or recovery strategy, the Minister shall provide the plan/strategy to the Management Authorities and make it public.
- If the Minister of ENR receives notice that no consensus agreement on accepting a management plan or recovery strategy has been developed, or does not receive either a consensus agreement or notice by the day that is **three months before the completion date**, the Minister shall consider the relevant information (see sec. 69(2a)), make changes he/she deems appropriate, provide the plan/strategy to the Management Authorities and make it public.

D. Implement management plans and recovery strategies

Minister's statement on implementing a management plan or recovery strategy (from section 72 of the Act)

- If the CMA does not complete a consensus agreement on implementing a management plan or recovery strategy within **nine months** after the plan/strategy is completed, the Minister shall make a statement summarizing the actions the Minister intends to undertake to implement it.
- The Minister shall provide the statement to the CMA and make it public.

E. Make agreements with land owners

- Minister makes agreements respecting habitat conservation (*from section 79 of the Act*)
- The Minister may enter into an agreement with an owner of private lands for the purpose of conserving the habitat of a pre-listed species or a listed species, or the area in which the habitat is located, or the surrounding area.
- Before entering into such an agreement, the Minister shall consider any applicable consensus agreement respecting conservation.

Minister makes orders exempting activities authorized by agreements from regulations (from section 79 of the Act)

- The Minister may make an order exempting activities authorized by an agreement from regulations.
- Before making such an order, the Minister:
 - Shall consider:
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the

- CMA or a Management Authority under paragraph 31(1)(c), and any written clarification provided by SARC under section 34;
 - The management plan or recovery strategy, if any;
 - The results of any actions undertaken by Management Authorities in preparation for the development of the consensus agreement; and
 - Any applicable consensus agreement.
 - May also consider information provided by any other person or body.
 - Shall be satisfied that:
 - affecting the species is incidental to the activity;
 - all reasonable alternative means of undertaking the activity have been considered, and the alternative adopted will likely result in the least negative impacts on the species and its habitat;
 - all feasible measures will be taken to minimize any negative impacts of the activity on the species and its habitat; and
 - the activity will not jeopardize the survival or recovery of the species.

F. Ask the Commissioner to make regulations

Minister recommends regulations respecting a management plan or recovery strategy (from section 155 of the Act)

- The Minister may recommend that the Commissioner make regulations respecting management plans and recovery strategies, respecting their implementation, or exempting a person from the prohibition on destroying designated habitat for purposes of activities authorized by a plan/strategy.

Minister recommends regulations respecting the conservation of species (from sections 149-151 of the Act)

- The Minister may recommend to the Commissioner that a regulation be made respecting the conservation of pre-listed species or listed species, including but not limited to:
 - requiring the doing of things that may conserve the species;
 - prohibiting activities that may adversely affect the species;
 - respecting the harvest of the species, including the establishment of a system of quotas, authorizations or permits;
 - imposing prohibitions against killing, harming, harassing, capturing or taking an individual of a species;
 - imposing prohibitions against buying or otherwise acquiring, selling, leasing, trading, bartering, or offering for sale or lease an individual of a species (or any part or derivative);
 - imposing prohibitions against possessing an individual of a species (or any part or derivative);
 - imposing prohibitions against importing or exporting an individual of a species (or any part or derivative);

- excluding an individual of a species (or any part or derivative), or a class of individuals (or parts or derivatives), from these prohibitions;
 - exempting a person from these prohibitions.
- If there is no consensus agreement developed respecting these regulations, the Minister shall, before making the recommendation, consider:
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the CMA or a Management Authority under paragraph 31(1)(c), and any written clarification provided by SARC under section 34;
 - The management plan or recovery strategy, if any;
 - The results of any actions undertaken by Management Authorities in preparation for the development of the consensus agreement; and
 - Any applicable consensus agreement.
 - The Minister may also consider information provided by any other person or body.

Minister recommends regulations designating habitat (from sections 80-81, 149-150 & 153 of the Act)

- The Minister may recommend to the Commissioner that a regulation be made designating habitat of a pre-listed or listed species, or a component or combination of components of habitat.
 - The Act states that “no person shall destroy any part of designated habitat” (sec. 80).
 - Before designating habitat on private lands, the Minister shall make reasonable efforts to enter into an agreement with the owner of the lands respecting impacts of the designation and conservation of the species and its designated habitat.
 - If habitat is designated on private lands and an agreement is not reached, the Minister may, in accordance with the regulations, provide compensation to the owner of the lands for economic losses actually incurred as a result of any extraordinary impacts of the designation.
- If there is no consensus agreement developed respecting the designation of habitat, the Minister may only make this recommendation:
 - if he or she considers that:
 - The habitat is essential to the survival or recovery of the species, and
 - The designation is necessary for the conservation of the species or its habitat; and
 - Where the habitat is on private lands or a reserve, if the Minister is satisfied that habitat of the species on public lands is insufficient to meet the conservation or recovery needs of the species (unless the owner of the lands requests the designation).

- Where the habitat is on private lands, after the Minister consults with the owner of those lands,
 - Where the habitat is on federal land, after the Minister consults with the Government of Canada,
 - Where the habitat is a reserve, after the Minister consults with the Government of Canada and the band.
- If there is no consensus agreement developed respecting the designation of habitat, the Minister shall, before making the recommendation, consider:
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the CMA or a Management Authority under paragraph 31(1)(c), and any written clarification provided by SARC under section 34;
 - The management plan or recovery strategy, if any;
 - The results of any actions undertaken by Management Authorities in preparation for the development of the consensus agreement; and
 - Any applicable consensus agreement.
 - The Minister may also consider information provided by any other person or body.

Minister recommends regulations respecting habitat conservation (from sections 149-150, 152 & 154 of the Act)

- The Minister may recommend to the Commissioner that a regulation be made respecting the conservation of habitat of pre-listed or listed species.
- The Minister may also recommend to the Commissioner that a regulation be made respecting the conservation of designated habitat.
- In both cases the regulation could also apply to the area in which the habitat is located or the surrounding area.
- The possible regulations include but are not limited to:
 - requiring the doing of things that may conserve the habitat or area;
 - prohibiting activities that may adversely affect the habitat or area;
 - imposing prohibitions against damaging or destroying the habitat or area;
 - controlling, restricting or prohibiting any use of, access to, or activity in the habitat or area; and
 - controlling, restricting or prohibiting the release of any substances in or into the habitat or area.
- If there is no consensus agreement developed respecting these regulations, the Minister shall, before making the recommendation, consider:
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the CMA or a Management Authority under paragraph 31(1)(c), and any written clarification provided by SARC under section 34;
 - The management plan or recovery strategy, if any;

- The results of any actions undertaken by Management Authorities in preparation for the development of the consensus agreement; and
 - Any applicable consensus agreement.
- The Minister may also consider information provided by any other person or body.

G. Make submissions to development authorities, land and water authorities and land use authorities regarding species at risk

Minister makes submissions on proposed developments and applications (from sections 76-77 of the Act)

- If the Minister considers that any of the following may affect a pre-listed species or a listed species, or its habitat, or the area in which the habitat is located, or the surrounding area:
 - a proposed development subject to preliminary screening, screening, environmental assessment or environmental impact review;
 - an application for a water licence, or
 - an application for a land use permit; then
- the Minister shall make a submission to the responsible body regarding the potential impacts on the species, habitat or area.

Minister makes submissions on land use plans (from section 78 of the Act)

- If the Minister considers that a habitat designation or a regulation made under the Act may be inconsistent with a land use plan or a proposed land use plan, the Minister shall make a submission regarding the purpose and need for the designation or regulation to the appropriate land use planning body, and request that the land use plan take it into account.

H. Issue permits and exception orders (Minister only)

Minister issues permits (from section 84 of the Act)

- The Minister may issue a permit authorizing the recipient to engage in an activity that would otherwise contravene a regulation or habitat designation made under the Act.
- The Minister may revoke or amend a permit if he or she considers that the revocation or amendment is appropriate for the conservation or protection of the species or its habitat.
- Before issuing a permit, the Minister:
 - Shall provide notice to Management Authorities;
 - Shall consider:
 - Any submissions made by a Management Authority;
 - The assessment, the reasons for the assessment, the approved species status report, any information provided to SARC by the CMA or a Management Authority under paragraph 31(1)(c), and any written clarification provided by SARC under section 34;
 - The management plan or recovery strategy, if any;
 - The results of any actions undertaken by Management Authorities in preparation for the development of the consensus agreement; and
 - Any applicable consensus agreement.
 - May also consider information provided by any other person or body.
 - Shall be satisfied that:
 - affecting the species is incidental to the activity;
 - all reasonable alternative means of undertaking the activity have been considered, and the alternative adopted will likely result in the least negative impacts on the species and its habitat;
 - all feasible measures will be taken to minimize any negative impacts of the activity on the species and its habitat; and
 - the activity will not jeopardize the survival or recovery of the species
 - the activity
 - is scientific research relating to the conservation of the species and is conducted by qualified persons,
 - benefits the species or could reasonably be expected to enhance its chances of survival,
 - is necessary for the health of animals or plants, or
 - is for Aboriginal ceremonial, medicinal or cultural purposes,

Minister makes exceptions for existing authorizations (from section 86 of the Act)

- The Minister may, by order, provide that regulations do not apply to someone who was authorized to engage in an activity by an agreement, permit, licence, order or similar authorization before the regulation came into force.
- Before making an exception order, the Minister shall consider any applicable consensus agreement respecting conservation.

I. Provide annual reports

Minister provides annual reports on agreements, permits and exemptions (from sections 79, 82 & 84 of the Act)

- The Minister shall, by July 1 in each year, provide the CMA with annual reports respecting the following for the previous fiscal year, and shall make these reports public:
 - Agreements with owners of private lands under sec. 79;
 - Orders exempting activities authorized by these agreements from regulations;
 - Information on exempted activities provided to the Minister under sec. 82(1a); and
 - Permits issued and permits refused, including the reasons for issuing or refusing to issue a permit.

Minister tables CMA and SARC's annual reports (from sections 16 & 23 of the Act)

- The Minister shall lay the CMA annual report before the Legislative Assembly as soon as is practicable, and shall make the report available to the public after it has been laid.
- The Minister shall lay the SARC annual report before the Legislative Assembly as soon as is practicable, and shall make the report available to the public after it has been laid.

J. Extend deadlines

Minister may extend most terms under the Act (from sections 38, 44 & 139 of the Act)

- Unless otherwise provided in this Act, the Minister may, as he or she considers appropriate, extend any time period that applies to SARC, the CMA, a Management Authority or the Minister.
- After an assessment or reassessment the CMA has one year to develop a consensus agreement on listing or re-listing, or to provide notice of no consensus agreement. This term may not be extended.
- If a reassessment of a listed species cannot be completed in sufficient time to allow the species to be dealt with for re-listing, the Minister may, before the listing expires, extend the term of listing to provide sufficient time.

K. Provide Secretariat support and give direction to Secretariat

Minister provides Secretariat support and gives direction to Secretariat (from section 24 of the Act)

- The Minister shall, through the Secretariat, provide the professional, technical, administrative, clerical and other assistance that the Minister considers necessary for the CMA and SARC to exercise their powers and perform their duties.
- The Minister shall consult with the CMA and SARC regarding resources required by the Secretariat.
- The Minister shall provide direction to the Secretariat in accordance with guidelines established by the CMA.

APPENDIX E – ROLES OF THE SPECIES AT RISK SECRETARIAT (DETAILED)

Details on the roles of the Species at Risk Secretariat (the Secretariat) with respect to the CMA are summarized below. The Secretariat provides professional, technical, administrative, clerical and other assistance to the CMA. The roles below are not described in the *Species at Risk (NWT) Act*; they come from the Secretariat's job descriptions and previous CMA requests.

A. CMA Meetings

- Coordinate, organize and provide administrative support for CMA meetings including:
 - arranging meeting logistics;
- developing agendas with input from the Chair and Management Authorities;
 - developing and distributing meeting materials;
 - preparing and distributing a formal record of meeting proceedings;
 - tracking requests for observers to attend meetings and circulating requests to the CMA;
 - providing information and materials to observers as appropriate after their attendance is approved;
 - reviewing decisions and action items at the end of each meeting, finalizing these with the Chairperson, and circulating these within a week of the meeting.

B. Circulate proposed SARC membership appointments for discussion

- As provided for in section 19(2) of the Act, a person or body responsible for making an appointment to the SARC shall discuss the proposed appointment with each Management Authority.
- The Secretariat shall circulate proposed SARC appointments to all the Management Authorities so that there is an opportunity for discussion.
- The Secretariat shall receive any questions or issues regarding proposed SARC appointees and forward to the appropriate Management Authority. If there are no questions or issues, the Secretariat will coordinate that the appointments will be finalized by the appropriate Management Authority.

C. Documentation and processes

- Develop and periodically review 'rules of conduct' and other documents at the request of the CMA;
- Prepare and deliver presentations for use in consultations;
- Coordinate materials for CMA members including species referrals, assessment schedule, species status reports, results of consultation, management plans and recovery strategies for approval, consensus agreements, notices of no consensus agreement, briefing materials and key messages;

- Coordinate work plans and track actions undertaken by Management Authorities to prepare for developing consensus agreements;
- Prepare consensus agreements and report on commitments made;
- Process recommendations, approvals and decisions from wildlife co-management boards in accordance with processes in the land claim agreements;
- Manage tasks associated with listing, relisting and delisting a species;
- Develop and review guidelines and templates for management plans and recovery strategies, criteria for determining feasibility of recovery, and terms of reference for recovery teams;
- Prepare progress reports on management plans and recovery strategies;
- Prepare the CMA's annual report and Ministerial briefing package on behalf of the Chairperson;
- Prepare a workplan for CMA and ensure review of relisted species is included
- Track species referred for assessment;
- Facilitate the movement of documents, information and requests between the CMA, SARC and Minister;
- Prepare and distribute CMA correspondence; and
- Act as liaison between and among Management Authorities.

D. Communications

- Act as the primary point of contact for enquiries with respect to CMA;
- Forward enquiries to the Chairperson or to a Management Authority as appropriate, and copy all the Management Authorities;
- Respond to general enquiries related to the Act that are not specific to the CMA;
- Circulate key messages associated with media enquiries to the CMA;
- Develop, periodically review, and distribute public information materials with respect to CMA;
- Develop and update material for a public website and publish CMA documents in accordance with requirements under the Species at Risk (NWT) Act; and
- Prepare briefing material and key messages as needed.

E. Other

- Track timelines and extensions for CMA activities;
- Prepare budget estimates, annual financial reports and plans, and maintain financial records for CMA;
- Arrange honoraria, expense payments, contracts and contribution agreements for CMA activities; and
- Maintain a CMA contact list with points of contact for the Management Authorities.

APPENDIX F – NWT SPECIES CONSERVATION AND RECOVERY FUND SUB-COMMITTEE TERMS OF REFERENCE

A. MANDATE

The NWT Species Conservation and Recovery Fund (SCARF) Sub-Committee (“the sub-committee”) is established under the authority of the Conference of Management Authorities (CMA) to administer the NWT Species Conservation and Recovery Fund Program.

B. THE NWT SPECIES CONSERVATION AND RECOVERY FUND

Goal

The goal of this fund is to support efforts to conserve, recover, and protect species at risk in the Northwest Territories.

Objectives

The NWT Species Conservation and Recovery Fund supports the long-term conservation, recovery, and protection of species that are at risk in the NWT. This includes projects that:

- Address threats to species, habitats, landscapes, or ecosystems.
- Fill knowledge gaps related to species, habitats, or threats.
- Contribute to outreach, education, and awareness about species.

The NWT Species Conservation and Recovery Fund focuses on the conservation and recovery of species at risk. In order to emphasize actions aimed directly at recovery, projects will be granted funding according to a tiered priority system. Priorities have been established based on how projects link to recovery strategies or management plans, species focus, and the main purpose or objective of the project.

TIER 1 PRIORITIES (SPECIES)

Rank	Project Type	Eligible Species
1	Project links to a published final or draft NWT species recovery strategy or management plan.	Species that are legally listed under the <i>Species at Risk (NWT) Act</i> with a published final/draft management plan/recovery strategy.
2	<p>Project benefits NWT species at risk, pre-listed species or Data Deficient species, but is not linked to a published recovery strategy or management plan.</p> <p>Project benefits NWT species at risk. If a published federal recovery strategy or management plan exists, project should link to the plan/strategy.</p>	<p>Species that are legally listed under the <i>Species at Risk (NWT) Act</i> but no management plan/recovery strategy has been developed yet.</p> <p>Species that have been assessed by SARC as at risk but are not currently legally listed under the <i>Species at Risk (NWT) Act</i> (also known as pre-listed species).</p> <p>Species that have been assessed as Data Deficient by SARC.</p> <p>Species that have been assessed by COSEWIC or are legally listed under Schedule 1 of the federal <i>Species at Risk Act</i> and that occur in the NWT, and have known or suspected threats in the NWT.</p>

TIER 2 PRIORITIES (PROJECTS)

Rank	Purpose/Objective
A	Addresses threats to species, habitats, landscapes, or ecosystems.
B	Fills knowledge gaps related to a species, its habitat, or its threats.
C	Contributes to outreach, education, and awareness about the species.

C. JURISDICTION

The NWT Species Conservation and Recovery Fund is limited to species at risk and their habitat in the Northwest Territories.

D. THE SUB-COMMITTEE

Membership

The regular membership is composed of four representatives designated by the CMA, including one representative from the GNWT Department of Environment and Natural Resources. The term shall be designated by the CMA to a maximum of two years and can be renewed.

Alternate Membership

A regular member may designate an alternate from their organization where the regular member is unable to take part in a meeting. The term shall be designated by the CMA to a maximum of two years and can be renewed.

Sub-committee Chairperson

The Sub-committee Chairperson shall be selected from one of the regular members designated by the CMA. The term shall be designated by the CMA to a maximum of two years and can be renewed.

Alternate Sub-committee Chairperson

The alternate shall be selected when the Chairperson is unavailable and shall be one of the sub-committee members. The term shall be designated by the CMA to a maximum of two years and can be renewed.

Voting Members and Quorum

Each regular member or designated alternate is entitled to one vote.

The Chair or Alternate and two other voting members shall constitute a quorum.

General Activities

- Promote the NWT Species Conservation and Recovery Fund through information development and distribution
- Develop and approve program forms and procedures
- Review and approve applications for grants
- Report to the CMA on program activities annually

Decisions

Decisions shall be made by the sub-committee to allocate financial resources to NWT Species Conservation and Recovery Fund applicants.

Decisions to allocate financial resources are made by consensus of each member or alternate in attendance.

Other decisions may be made by general agreement of the membership.

Meetings

Meetings shall be held at least once annually to meet the requirements of the Program's administration and operation. Meetings may be held by conference call.

Administrative Support

The Species at Risk Secretariat shall provide administrative support and coordination to the NWT Species Conservation and Recovery Fund and the sub-committee.

Annual Report

The NWT Species Conservation and Recovery Fund sub-committee shall provide reports as requested by the CMA or specific in legislation.

E. APPLICATION REVIEW

The Process

Completed applications must be submitted to the NWT Species at Risk Secretariat using the template application form. Applications must include:

1. Completed application
2. Budget
3. Letter of support, if required

Timelines

There are several key dates to note:

- January 15 – Call for Applications
- March 1 – Application deadline
- April 1 – Project start date
- March 31* – Project end date
- April 30* – Project report due

* of the following year

Application Evaluation

Applications will be reviewed and evaluated by a subcommittee of the Conference of Management Authorities (CMA). A standard set of evaluation criteria will be used to evaluate applications. Proposals must:

- Be completed in full,
- Demonstrate eligibility,
- Clearly show how the project will meet one or more objectives, and,
- Be well-planned and feasible.

A priority list shall be established based on points allocated for each application.

Program Grant

The maximum amount of funding available is \$60,000 per year, to be split among several projects. Projects typically range from \$5,000 to \$10,000, however, there is no maximum allowable funding cap per project.

As much as possible, the funding shall be distributed across the regions of the NWT.

The priority project in each region will be offered a program grant and where the grant is refused or cannot be used due to unforeseen circumstances it shall be offered to the next qualified applicant with the next highest total point score in that region.

Where the priority list is exhausted in one region or no applications were received from a region, the sub-committee may elect to award a grant to an applicant in another region based on the priority list.