



NWT CONFERENCE OF MANAGEMENT AUTHORITIES

CONSENSUS AGREEMENT ON LISTING AMERICAN WHITE PELICAN (*Pelecanus erythrorhynchos*)

The Conference of Management Authorities has reached a consensus (hereafter referred to as the “Consensus Agreement”) on the following:

Not to add American white pelican (*Pelecanus erythrorhynchos*) to the Northwest Territories List of Species at Risk.

The Minister of Environment and Climate Change, Government of the Northwest Territories, will provide to the Species at Risk Committee (SARC), and make available to the public, the reasons for inconsistency between this Consensus Agreement and SARC’s assessment of the status of the species, as per section 40 of the *Species at Risk (NWT) Act*.

INTERPRETATION


For greater certainty, terms and processes in this Consensus Agreement are as defined and described in the *Species at Risk (NWT) Act*.

For greater certainty, the Management Authority for American white pelican is the Government of the Northwest Territories (GNWT).

WE THE UNDERSIGNED, having reached this consensus, provide this Consensus Agreement on this **1st day of May 2024**, to the Minister of Environment and Climate Change, Government of the Northwest Territories.



Witness



Dr. Brett Elkin, Assistant Deputy Minister,
Wildlife and Forest Management
Dept. of Environment and Climate Change
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ANNEX A

REASONS FOR THE CONSENSUS AGREEMENT

On May 1, 2023, the Northwest Territories (NWT) Species at Risk Committee (SARC) provided the assessment and status report for American white pelican (*Pelecanus erythrorhynchos*) to the Conference of Management Authorities (CMA) and recommended that American white pelican be added to the NWT List of Species at Risk as a species of Special Concern. The *Species at Risk (NWT) Act* provides a 12-month period for the CMA to develop a consensus agreement on listing.

The CMA has reached consensus under paragraph 36(3)(a)(i) not to add American white pelican to the NWT List of Species at Risk. This Consensus Agreement was informed by the completed species status report, SARC's assessment and reasons for assessment, written clarification provided by SARC under section 34 of the *Species at Risk (NWT) Act*, public input (solicited by the Management Authority), and the results of GNWT engagement with Indigenous governments and Indigenous organizations. No information was provided to SARC by the CMA or the Management Authority under paragraph 31(1)(c) of the *Species at Risk (NWT) Act*. Actions taken by the Management Authority with respect to the required approvals and their preparation for the development of the Consensus Agreement on listing are described in Annex B of this Consensus Agreement.

Reasons for assessment that were noted by SARC:

SARC assessed the biological status of American white pelican on April 18-21, 2023, as a species of Special Concern in the NWT. An assessment of Special Concern means that SARC determined that American white pelican may become Threatened or Endangered in the NWT because of a combination of biological characteristics and identified threats. The assessment process and objective biological criteria used by the Species at Risk Committee determined that American white pelican met criterion SK (d) for Special Concern under SARC's Species Assessment Process:

Special Concern SK (d): The species qualifies for Threatened status but there is clear indication of rescue effect from extra-limital subpopulations.

Main factors:

- American White Pelican qualifies for Threatened under SK(D2) because the area of occupancy is less than 20 km² (the nesting colony is 8 km²), and it has only one known nesting location, such that it is prone to the effects of diseases within a very short period of time in an uncertain future.

- However, in the NWT and elsewhere, populations of American White Pelican have been increasing in numbers and there is clear indication of rescue effect (immigration) from southern populations.

Additional factors:

- American white pelicans are susceptible to a variety of diseases and parasites that have the potential of wiping out entire colonies because of their colonial breeding behaviour. Diseases include avian botulism, West Nile virus, H5N1 highly pathogenic avian influenza (HPAI or avian flu), and Newcastle disease. Disease outbreaks appear to be increasing in many parts of the White Pelican range.

Decision of the Management Authority

After reviewing the status report, assessment, clarification provided by SARC, public input and the results of engagement, the Management Authority determined that adding American white pelican to the NWT List of Species at Risk is not necessary at this time. The Government of the Northwest Territories' assessment is that not listing American white pelican will not infringe on Aboriginal or treaty rights. Based on this, the Conference of Management Authorities has agreed not to add American white pelican to the NWT List of Species at Risk.

Reasons for the inconsistency between this Consensus Agreement and SARC's assessment:

The purpose of the *Species at Risk (NWT) Act* is to prevent species from becoming extirpated or extinct by establishing an integrated and cooperative system for recovery and conservation of species at risk that integrates principles of co-management included in land claims agreements, and that recognizes the roles and responsibilities of all Management Authorities (s.9 of the Act). The risk of extirpation or extinction is assessed using best available Indigenous, community and scientific knowledge. In this case, the Species at Risk Committee (SARC) assessed American white pelican as a species of Special Concern in the NWT, with their rationale focused on the pelicans' very small area of occupancy (currently only one known nesting location) and their vulnerability to disease and parasite outbreaks.

The Slave River colony is the only known pelican colony in the NWT, which means a single threatening event could negatively impact all the pelicans in the NWT. Pelicans do use many habitats in the NWT and these habitats can be very important to them; examples include key feeding areas at Rapids of the Drowned (Fort Smith) and on the Taltson River. However, American white pelican is an unusual case for the *Species at*

Risk (NWT) Act because the colony's one known nesting location is outside the NWT in Alberta. The vulnerability of this single nesting area to threatening events is a primary reason the species met SARC's assessment criterion SK(D2); however Northwest Territories legislation and policies do not have powers to directly protect the nesting area from these threatening events, nor to protect the pelicans while they are at the nest. Therefore, the Conference of Management Authorities finds that listing the species in the NWT would not enable conservation measures or management planning that would be directly applicable to the nesting area in Alberta.

SARC identified potential future impacts of disease or parasite outbreaks on pelicans in the NWT as an important reason for their assessment of Special Concern. They indicated that American White Pelicans are susceptible to a variety of diseases and parasites that have the potential of wiping out entire colonies because of their colonial breeding behaviour. They explained that contagious diseases have been known to cause pelican mortalities and occasionally die-offs at colonies elsewhere and that disease outbreaks appear to be increasing in many parts of the range. They specifically highlighted avian botulism, West Nile virus, H5N1 highly pathogenic avian influenza (HPAI or avian flu), and Newcastle disease as diseases of concern.

The Conference of Management Authorities finds that there is insufficient information available to conclude that diseases are a priority driver of vulnerability for American white pelicans in the NWT. The life history of colonial nesting birds is conducive to transmission of contagious pathogens in nesting colonies, and pelicans are not unique among colonial nesting waterfowl in this respect. It is reasonable to consider diseases as a threat for this species in the NWT, as they would be to any species of colonial nesting bird, but the frequency and magnitude of disease effects cannot be estimated. There is a high level of uncertainty regarding potential population level impacts of diseases on American white pelicans in the NWT. The data upon which to assess the impacts and risks of disease are extremely sparse in the territory, as well as in most of the species' range.

Rocke *et al.* (2005) conducted a retrospective review of submissions to one diagnostic laboratory in the US. They proposed that diseases may be increasing in American white pelicans through some areas of their North American range, but they noted that this might reflect; (i) a change in surveillance practices and intensity; (ii) an increase in submissions due to increasing population sizes; or (iii) a true trend. To date, the diseases of concern to SARC have not been documented in the NWT. Much of the published information on disease concerns for American white pelicans focuses on cases of West Nile Virus infections in the United States (US). West Nile disease may be considered an expected event for pelicans, in general, but the lack of reported cases in birds in the NWT and lack of mosquitoes found to carry the virus in the NWT

<https://www.hss.gov.nt.ca/en/services/environmental-health/mosquitoes-and-mosquito-borne-diseases>) suggest it would be unexpected here. It is worth noting that most reports on West Nile virus impacts on American white pelicans were written during the epidemic phase of the West Nile virus outbreak in North America. Evidence suggests that in the current endemic phase of this disease, occurrences of cases of this disease in wild birds is decreasing (Foss *et al.* 2023).

As SARC noted in their assessment, populations of American white pelican have been increasing in the NWT, in Canada and in most of North America. The pelicans found in the NWT are highly mobile and move between breeding and foraging areas. They are not isolated, and there is evidence for genetic mixing. These factors provide some capacity to buffer local effects of diseases, allowing pelican populations to be ‘rescued’ through emigration, and reducing the likelihood of irreversible harm.

There are already measures in place under other jurisdictions that help to manage threats to the Slave River nesting colony. From April 15 to September 15, the nesting islands in Alberta are protected as a seasonal wildlife sanctuary under provincial legislation. A Transport Canada regulation prevents low altitude flights over the site during the same period.

The Management Authority for American white pelican, Government of the Northwest Territories (GNWT), recognizes that American white pelican is a valued species for many NWT residents and an important component of NWT’s biodiversity. The Pelican Advisory Circle, started in the early 1970s, is a locally-led group dedicated to monitoring and conserving the Slave River pelican colony. They work with the Town of Fort Smith, the Government of the Northwest Territories, and the Government of Alberta to teach people about the pelicans and help them watch the birds of the Slave River colony safely. This has helped lessen human disturbance on the colony. Partners have also been conducting annual surveys of the colony to estimate abundance and survival. Efforts have begun to learn more about pelican habitats in the NWT, including the possibility of additional nesting areas. The GNWT has been supporting these efforts and intends to continue doing so, as resources and capacity allow.

Given these factors, the CMA determined that adding American white pelican to the NWT List of Species at Risk is not necessary at this time.

References cited:

Foss, L., Feiszli, T., Kramer, V.L., Reisen, W.K., and Padgett, K. 2023. Epidemic versus endemic West Nile virus dead bird surveillance in California: Changes in sensitivity and focus. PLoS ONE 18(4): e0284039. <https://doi.org/10.1371/journal.pone.0284039>

Rocke, T., Converse, K., Meteyer, C., and McLean, B. 2005. The Impact of Disease in the American White Pelican in North America. *Waterbirds: The International Journal of Waterbird Biology*, vol. 28, 2005, pp. 87–94. <http://www.jstor.org/stable/4132653>

ANNEX B

ACTIONS THE MANAGEMENT AUTHORITY HAS UNDERTAKEN OR WILL UNDERTAKE WITH RESPECT TO LISTING

As provided for in section 36(3)(b) of the *Species at Risk (NWT) Act*, the Management Authority, having reached consensus to not add American white pelican (*Pelecanus erythrorhynchos*) to the NWT List of Species at Risk, is reporting the actions they have undertaken or agree to undertake with respect to the required approvals and their participation in this process:

Government of the Northwest Territories

The Government of the Northwest Territories' (GNWT) position on listing was formed through review of the species status report and assessment, written clarification provided by SARC, and engagement with Indigenous governments and Indigenous organizations (IGIOs), as well as the public. The Department of Environment and Climate Change (ECC) also worked with other GNWT departments through the Inter-departmental Species at Risk Committee.

Public Engagement

The GNWT provided an opportunity for members of the public and interested organizations to comment on the assessment and potential listing of American white pelican. The comment period was July 5 - October 31, 2023. The GNWT invited comments using a news release, print ads, fact sheets, radio announcements, social media posts, an online survey, the GNWT public engagement portal and NWT Species at Risk website. An in-person community discussion was also held in Fort Smith, the closest NWT community to the nesting area for the NWT pelican population.

The GNWT received six comments on the listing of American white pelican through this process. Three of the comments were in support of listing, two were not in favour of listing, and one provided no clear position. The written comments received, as well as those heard at the Fort Smith community meeting, were mixed. Some emphasized the importance of the Slave River pelican colony, their sensitivity to threats, and the need to continue with monitoring and conservation efforts. Others felt that listing is unnecessary for conserving the pelicans. All comments were considered in forming the GNWT's position on listing.

Indigenous Governments and Indigenous Organizations

The GNWT's assessment is that not listing American white pelican as a species of Special Concern will not infringe on Aboriginal or treaty rights. This decision will not change regulations, land management, anyone's ability to harvest, or rules around pelican viewing or activities allowed in pelican habitat.

The GNWT engaged with IGIOs through letters. IGIOs located in or near the NWT range of American white pelican were invited to comment on the potential listing of the species. One response was received through this process, expressing concern about potential impacts of listing on land use and the ability to harvest. The GNWT responded and clarified that listing would not change any regulations or add any legal protection for the species or its habitat.

The IGIOs engaged are listed below. Full records of engagement are on file at Wildlife Management Division, GNWT ECC, Yellowknife.

- Akaitcho Territory Government
- Denínu Kúé First Nation
- Łutsel K'e Dene First Nation
- Yellowknives Dene First Nation (Dettah)
- Yellowknives Dene First Nation (Ndilq)
- Salt River First Nation
- Northwest Territory Métis Nation
- Fort Resolution Métis Government
- Fort Smith Métis Council
- Hay River Métis Government Council
- Smith's Landing First Nation
- Fort Chipewyan Métis Local 125
- Kátł'odeeche First Nation
- Dehcho First Nations
- Deh Gáh Got'ie First Nation
- Fort Providence Métis Council
- The Métis Association Local 52 – Fort Simpson, N.W.T.
- Łíídlı Kúé First Nation
- Ka'a'gee Tu First Nation
- West Point First Nation
- Jean Marie River (Tthets'éhk'édélı) First Nation
- Pehdzéh Kı First Nation
- Sambaa K'e First Nation
- North Slave Métis Alliance