



NWT CONFERENCE OF MANAGEMENT AUTHORITIES

CONSENSUS AGREEMENT ON ACCEPTING THE RECOVERY STRATEGY FOR WOOD BISON (*Bison bison athabascae*) IN THE NORTHWEST TERRITORIES

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

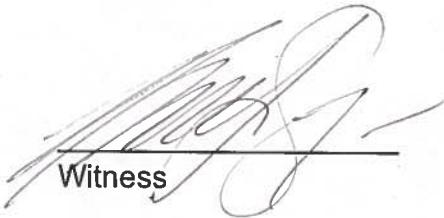
To accept, in accordance with section 66 of the *Species at Risk (NWT) Act*, the *Recovery Strategy for Wood Bison (*Bison bison athabascae*) in the Northwest Territories*.

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 Authorities for wood bison (*Bison bison athabascae*) in the Northwest Territories are: the Wek'èezhì Renewable Resources Board, Tłı̨chǫ Government, and Government of the Northwest Territories.

WE THE UNDERSIGNED, having reached this consensus on this 26 day of April 2019, provide this Consensus Agreement to the Minister of Environment and Natural Resources, Government of the Northwest Territories and the undersigned Management Authorities.



Witness



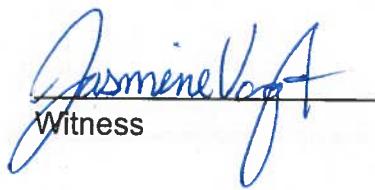
Joseph Judas, Chairperson
Wek'eezhì Renewable Resources Board



Witness



Grand Chief George Mackenzie
Tł'chǫ Government



Witness



Ms. Rita Mueller, Assistant Deputy Minister
Operations
Dept. of Environment and Natural Resources
Government of the Northwest Territories

ANNEX A

REASONS FOR THE CONSENSUS AGREEMENT

On July 13, 2017, the Minister of Environment and Natural Resources, Government of the Northwest Territories, acting on the direction provided by the Conference of Management Authorities in their *Consensus Agreement on Listing Wood Bison (Bison bison athabascae)* as *Threatened in the NWT*, added wood bison to the NWT List of Species at Risk as a Threatened species. If a species is listed as Threatened, the *Species at Risk (NWT) Act* provides a two year period for the Conference of Management Authorities to prepare and complete a recovery strategy for that species.

The *Recovery Strategy for Wood Bison (Bison bison athabascae) in the Northwest Territories* (recovery strategy) was prepared in accordance with the Conference of Management Authorities' guidelines and template for recovery strategies and management plans. There were many steps involved in the process, including Crown consultation with regard to Aboriginal or treaty rights, and providing the opportunity for public feedback. Comments and concerns that the Management Authorities heard regarding the recovery strategy were meaningfully considered and addressed as described in Annex B.

This Consensus Agreement was informed by the review of the recovery strategy, the Species at Risk Committee's assessment and reasons for assessment, the approved species status report, public input (solicited by the Management Authorities in 2018 and early 2019), and the results of Crown consultation duties performed by the Government of the Northwest Territories. No information was provided to the Species at Risk Committee by the Conference of Management Authorities or a Management Authority under paragraph 31(1)(c) and no written clarification was provided by the Species at Risk Committee under section 34 of the *Species at Risk (NWT) Act*. Actions taken by the Management Authorities with respect to the required approvals and their preparation for the development of the Consensus Agreement are described in Annex B of this Consensus Agreement.

The recovery strategy was developed appropriately with input from the necessary parties. The recovery strategy includes appropriate recommended objectives and approaches for the conservation and recovery of wood bison, as well as descriptions of threats and positive influences, as required under section 61 of the *Species at Risk (NWT) Act*. The recovery strategy will help the Management Authorities decide what actions to take, how

to prioritize their work, and how to allocate their resources in order to conserve and recover wood bison in the NWT.

For these reasons, the Management Authorities agree to accept the *Recovery Strategy for Wood Bison (Bison bison athabascae) in the Northwest Territories*.

ANNEX B

ACTIONS MANAGEMENT AUTHORITIES HAVE UNDERTAKEN OR WILL UNDERTAKE WITH RESPECT TO ACCEPTING THE RECOVERY STRATEGY

As provided for in paragraph 66(3)(b) of the *Species at Risk (NWT) Act*, the Management Authorities, having agreed to accept the *Recovery Strategy for Wood Bison (Bison bison athabascae) in the Northwest Territories*, are reporting the actions each Management Authority has undertaken or agrees to undertake with respect to the required approvals and its participation in accepting the recovery strategy:

Tłı̨chǫ Government

On August 4, 2005, the Tłı̨chǫ Government came into existence under the Comprehensive Self-government and Land Claim Agreement among the Tłı̨chǫ, Government of Canada and the Government of the Northwest Territories (“*Tłı̨chǫ Agreement*”). The Tłı̨chǫ Government has law making powers under its areas of jurisdiction and Tłı̨chǫ have rights set out in the *Tłı̨chǫ Agreement* throughout the areas known as Wek’èezhìi and Mowhì Gogha Dè Nijtlèè.

Joint Consultation

In November 2018, community consultations were advertised through the Tłı̨chǫ Government and WRRB social media pages, along with posters provided to Community Directors for posting.

Community consultations were held, during evening sessions, in Behchokò on November 6 and 13, 2018 and in Whatì on November 8, 2018. Approximately 22 participants in total attended the two community consultations on November 6 and 8, 2018. Unfortunately, there were no attendees to the November 13, 2018 meeting in Behchokò, due to the death of a community elder.

The WRRB and Tłı̨chǫ Government staff cooperated in joint consultations, and provided information on the Wood Bison Recovery Strategy, as prepared by the GNWT. Staff explained the national and territorial *Species at Risk Act* processes, and the species-at-risk status categories. Staff explained the listing of *ejie* (wood bison) as Threatened in the NWT, and the subsequent requirement to prepare a recovery document. Staff discussed the conservation and recovery goals as well as the objectives identified to reach the goals.

Key points raised by community members at the consultations were concerns about the impacts of bison to barren-ground caribou and boreal caribou. In general, there were mixed sentiments about wood bison with many community members “not wanting” them in their region. It was noted that as wood bison continue to move North and West into the Tłı̨chǫ region, more information will be needed about how to properly harvest and

utilize bison as continued caribou declines may require youth to rely on wood bison in the future.

Tłı̨chǫ Government staff have been involved and supported the development of the 2019 Wood Bison Recovery Strategy ("Recovery Strategy"). The Chief's Executive Council of Tłı̨chǫ Government will be requested to provide final approval on the Recovery Strategy and on that final approval, Tłı̨chǫ Government will, among other objectives, and always considering the Tłı̨chǫ interest in the circumstances, contribute to the review and implementation of management plans for the Mackenzie population, per Objective 1.

Chief Executive Council Decision

The Chief Executive Council met on April 15th, 2019 and provided final approval of the NWT Wood Bison Recovery Strategy.

Wek'èezhì Renewable Resources Board (WRRB)

As per clause 12.5.1 of the Tłı̨chǫ Agreement, the Wek'èezhì Renewable Resources Board (WRRB) reviewed the draft NWT Wood Bison Recovery Strategy, carried out joint consultations with the Tłı̨chǫ Government on the proposed recovery strategy in November 2018 in two Tłı̨chǫ communities, and then passed a motion to support the Wood Bison Recovery Strategy at its January 2019 meeting.

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The WRRB met on January 30, 2019 to discuss the proposed NWT Wood Bison Recovery Strategy as required under the *Species at Risk (NWT) Act*.

Board Decision

Based on available traditional knowledge and scientific information used during the assessment process, and public input during joint community consultations held by the Tłı̨chǫ Government and WRRB staff in Behchokǫ̀ and Whatì on November 6 and 8, 2018, respectively, the WRRB passed Motion #619-30-01-2019, supporting the NWT Wood Bison Recovery Strategy as presented.

Government of the Northwest Territories

The Government of the Northwest Territories’ (GNWT) position on the recovery strategy was formed through review of the recovery strategy, public engagement, and Aboriginal and treaty rights consultation. The Department of Environment and Natural Resources (ENR) 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 proposed draft recovery strategy for wood bison. The comment period was August 15 – October 31, 2018. The GNWT invited comments using print ads, posters, the NWT Species at Risk website, and an email distribution list.

The GNWT received two submissions on the wood bison recovery strategy through the public engagement process. One was from an organization and provided broad support for the recovery strategy and its implementation. One was from an individual and included suggestions for improving the recovery strategy as well as suggestions for harvest management. The GNWT recorded all comments. All comments were fully considered and revisions were made to the recovery strategy where appropriate. Detailed records of

comments and how they were addressed are on file at the Wildlife Division, Department of Environment and Natural Resources, Yellowknife.

Aboriginal and Treaty Rights Consultation

The GNWT was responsible for consulting with Indigenous Governments and Organizations in respect of potential infringement of established or asserted Aboriginal or treaty rights. Consultation was done through letters; meetings were held when requested. Consultation was triggered with organizations that hold asserted or established Aboriginal or treaty rights in or near the NWT range of wood bison.

The GNWT explained the consequences of the recovery strategy and the implementation agreement to follow. The GNWT explained that the recovery strategy would not result in any automatic prohibitions or protections for species or habitat, and that the recovery strategy would not change harvest quotas or any other regulations already in place. The GNWT requested input on whether the conservation and recovery objectives, approaches, and actions in the recovery strategy, if implemented, could potentially adversely affect established or asserted Aboriginal or treaty rights.

One group requested additional information and a meeting with the GNWT. A meeting was held in November 2018 to address their questions and concerns. Their concerns were primarily regarding the Nahanni herd, the management plan being developed for that herd, and bison-human conflict around communities. The GNWT provided information and clarification on the Nahanni bison management planning process. Options to reduce bison-human conflicts were discussed. The comments were meaningfully considered and the recovery strategy was revised as appropriate. The GNWT did not hear significant concerns about the recovery goal, objectives, and approaches or their implementation.

After reviewing the input received through consultation, the GNWT's assessment is that acceptance and implementation of the recovery strategy will not adversely affect asserted or established Aboriginal or treaty rights.

The GNWT recognizes that future recovery actions arising from the NWT species at risk process may have the potential to adversely affect Aboriginal or treaty rights. If actions that have the potential to adversely affect Aboriginal or treaty rights are contemplated in the future, such as changes to harvest regulations or legal habitat protection, the GNWT would consult on these changes before implementing them.

The organizations consulted are listed below. Full records of consultation are on file at the Wildlife Division, ENR, Yellowknife.

- Acho Dene Koe First Nation
- Akaitcho Dene First Nation
- Athabasca Chipewyan First Nation

- Ayoni Keh Land Corporation
- Black Lake Denesuline First Nation
- Chief Joseph Cluster Reserve #201
- Dehcho First Nations
- Dah Gah Got'ie First Nation
- Déljnę Got'jne Government
- Dene Tha' First Nation
- Denínu Kue First Nation
- Ehdiitat Gwich'in Council
- Fort Chipewyan Métis Local 126
- Fond du Lac Denesuline First Nation
- Fort Providence Métis Council
- Fort Resolution Métis Council
- Fort Simpson Métis Local #52
- Fort Smith Métis Council
- Gwich'in Tribal Council
- Gwichya Gwich'in Council
- Hatchet Lake Denesuline First Nation
- Hay River Métis Government Council
- Jean Marie River First Nation
- Ka'a'gee Tue First Nation
- Kaska Dena Council
- Kátł'odeeche First Nation
- Liard First Nation
- Łíídlįį Kúé First Nation
- Łutsel K'e First Nation
- Mikisew Cree First Nation
- Mountain Island Métis
- Nahanni Butte Dene Band
- Nihtat Gwich'in Council
- Norman Wells Land Corporation
- North Slave Métis Alliance
- Northwest Territory Métis Nation
- Pehdzeh Ki First Nation
- Ross River Dena Council
- Sahtú Dene Council
- Sahtú Secretariat Incorporated
- Salt River First Nation
- Sambaa K'e First Nation
- Smith's Landing First Nation
- Tetlit Gwich'in Council
- Tł'chǫ Government
- Tulít'a Land Corporation
- West Point First Nation

- Yamoga Lands Corporation
- Yellowknives Dene First Nation