



## NWT CONFERENCE OF MANAGEMENT AUTHORITIES

### CONSENSUS AGREEMENT ON LISTING DOLPHIN AND UNION CARIBOU *(Rangifer tarandus groenlandicus x pearyi)*

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

To list Dolphin and Union caribou in a higher risk category on the Northwest Territories List of Species at Risk, as an Endangered species.

#### 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 Dolphin and Union caribou are: the Wildlife Management Advisory Council (NWT) and the Government of the Northwest Territories (GNWT).

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



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Witness



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Larry Carpenter, Chair  
Wildlife Management Advisory Council (NWT)



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Dr. Brett Elkin, Assistant Deputy Minister,  
Wildlife and Forest Management  
Dept. of Environment and Climate Change  
Government of the Northwest Territories

## ANNEX A

### REASONS FOR THE CONSENSUS AGREEMENT

Dolphin and Union caribou has been listed as a species of Special Concern in the Northwest Territories (NWT) since 2015. On May 1, 2023, the NWT Species at Risk Committee (SARC) provided the reassessment and status report for Dolphin and Union caribou (*Rangifer tarandus groenlandicus x pearyi*) to the Conference of Management Authorities (CMA) and recommended that Dolphin and Union caribou be listed in a higher risk category on the NWT List of Species at Risk as an Endangered species. 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 50(3)(a)(iii) of the *Species at Risk (NWT) Act* to list Dolphin and Union caribou as an Endangered species. This Consensus Agreement was informed by the completed species status report, SARC's assessment and reasons for assessment, public input (solicited by the Management Authorities), the results of consultation undertaken by WMAC (NWT), and the results of GNWT engagement with Indigenous governments and Indigenous organizations. No information was provided to SARC by the CMA or the Management Authorities 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 on listing are described in Annex B of this Consensus Agreement.

#### Reasons for assessment that were noted by SARC:

SARC reassessed the biological status of Dolphin and Union caribou as an Endangered species in the NWT during its meeting on April 18-21, 2023. An assessment of Endangered means that SARC determined Dolphin and Union caribou is facing imminent extirpation or extinction. The assessment process and objective biological criteria used by the Species at Risk Committee are based on Indigenous and community knowledge (ICK) and scientific knowledge (SK). SARC determined Dolphin and Union caribou met criteria ICK (c) and SK (A2 a) under SARC's Species Assessment Process:

Endangered ICK (c): It is generally agreed that the species is observed less frequently than in the past in a large portion of its range AND is understood by knowledge holders to be very sensitive to natural or human-caused threats AND knowledge holders express high concern about widespread threats impacting the species.

Endangered SK (A2 a): Based on direct observations, the species has experienced a population size reduction  $\geq 50\%$  over the last 3 generations where the causes of the reduction may not have ceased and may not be reversible.

Main factors (ICK):

- The decline in the population of Dolphin and Union caribou is a serious concern for local communities.
- Ulukhaktok has implemented a voluntary maximum harvest of 50 Dolphin and Union caribou per year and a voluntary closure in the spring to allow pregnant cows to migrate and calve. Strict harvesting limits for Dolphin and Union caribou have also been implemented in Nunavut. These restrictions are significantly impacting the traditional and cultural connections to the land and to Dolphin and Union caribou for all communities sharing the range of this species.
- Climate change is a high concern because of the impacts to Dolphin and Union caribou habitat as well as caribou body condition and survival.
- Important threats during migration of Dolphin and Union caribou include dangerous ice crossings, and increased ship traffic leading to increased drownings and inability to migrate across the sea ice.
- Unseasonably warm temperatures due to climate change can cause rain in the winter or freeze-thaw cycles that can create an ice crust on the snow, and delay ice formation on lakes, rivers and the sea. This makes migration and foraging difficult for Dolphin and Union caribou.
- Communities are very concerned about potential increased shipping traffic and impacts on ice conditions and migration across the sea ice.
- Access to forage is reduced by icing on snow and vegetation events, heavy precipitation, and changes in vegetation. These threatening events are linked to climate change and are predicted to increase in the future.

Main factors (SK):

- There has been an 89% decline in the total population of Dolphin and Union caribou over a 23-year period from 1997 to 2020 (approximately 3 generations [24-27 years]).
- The Dolphin and Union caribou population is currently estimated at about 3,815 caribou and has experienced a continued decline since the late 1990s. If the population continues to decline, at some point there may be potential for a genetic bottleneck.
- The decline is due to a combination of factors including some that can be managed (e.g., predation, harvest). However, threats related to climate change are extremely difficult to manage or reverse (e.g., changes to sea ice, icing events, snow cover, and extreme weather events).

Additional factors:

- Interactions with predators and increases in goose populations are also threats to Dolphin and Union caribou. Community members are very concerned about grizzly bears as a new predator establishing itself on Victoria Island. An overabundance of geese is leading to the elimination of vegetation in some areas important to Dolphin and Union caribou.
- Community members have expressed concerns regarding the impacts of future mining projects and possible expansion of current mining activities on caribou migration routes and winter-feeding grounds.

### Decision of the Management Authorities

After reviewing the assessment and the results of engagement, the Management Authorities determined that listing Dolphin and Union caribou as an Endangered species on the Northwest Territories List of Species at Risk is appropriate based on SARC's status report and assessment, including the threats to this species. The Government of the Northwest Territories' assessment is that the action of listing Dolphin and Union caribou as an Endangered species will not infringe on Aboriginal or treaty rights. Based on this, the Management Authorities agree to list Dolphin and Union caribou as an Endangered species on the NWT List of Species at Risk.

## ANNEX B

### ACTIONS THE MANAGEMENT AUTHORITIES HAVE UNDERTAKEN OR WILL UNDERTAKE WITH RESPECT TO LISTING

As provided for in section 50(3)(b) of the *Species at Risk (NWT) Act*, the Management Authorities, having reached consensus on listing Dolphin and Union caribou (*Rangifer tarandus groenlandicus x pearyi*) as an Endangered species on the NWT List of Species at Risk, are reporting the actions they have undertaken or agree to undertake with respect to the required approvals and their participation in listing the species:

#### **Wildlife Management Advisory Council (NWT)**

The Wildlife Management Advisory Council (WMAC) (NWT)'s position on the proposed listing of Dolphin and Union caribou in a higher category of risk as an Endangered species was formed through review of the species status report, SARC's assessment, and its consultations with the Inuvialuit Game Council, and meetings with Hunters and Trappers Committees (HTCs) and community members of the communities of Inuvik, Aklavik, Paulatuk, Tuktoyaktuk, Sachs Harbour, and Ulukhaktok.

No additional action taken.

#### **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 and engagement with Indigenous governments and Indigenous organizations, 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 proposed listing of Dolphin and Union caribou in a higher risk category. 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, and an email distribution list.

The GNWT received five submissions on the listing of Dolphin and Union caribou through the public engagement process. Three were in support of the listing and two were against

it. The comments included concerns about the population decline of Dolphin and Union caribou and the threats they face, a need to take action to help the caribou recover, and information that Dolphin and Union caribou have mixed with other herds. All the comments were considered in forming the GNWT's position on listing.

### Indigenous Governments and Indigenous Organizations

The GNWT's assessment is that the action of listing Dolphin and Union caribou as an Endangered species will not infringe on Aboriginal or treaty rights. There are no automatic prohibitions or protections for species or habitat that come into effect upon listing in a higher category of risk. The action of listing the species under the *Species at Risk (NWT) Act* will not change harvest quotas, regulations or land management already in place. The only direct consequence of listing the species as Endangered is the requirement that a recovery strategy be developed within one year of listing. There is already a *Management Plan for Dolphin and Union caribou in the Northwest Territories and Nunavut*, completed in 2018, and it will continue to provide management goals and objectives for the species until the recovery strategy is complete. If actions for the recovery of Dolphin and Union caribou are contemplated that have the potential to adversely affect Aboriginal and/or treaty rights, the GNWT would consult on those actions before implementing them.

The GNWT engaged with Indigenous governments and Indigenous organizations (IGIOs) through letters. IGIOs located in or near the NWT range of Dolphin and Union caribou were invited to comment on the potential listing of Dolphin and Union caribou as an Endangered species. No responses were received through this process.

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

- Inuvialuit Game Council
- Inuvialuit Regional Corporation
- Nunavut Tunngavik Incorporated