



## NWT CONFERENCE OF MANAGEMENT AUTHORITIES

### CONSENSUS AGREEMENT ON LISTING HAIRY BRAYA (*Braya pilosa*)

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

To add another 10-year term to the current expiration date for hairy braya as a Threatened species on the Northwest Territories List of Species at Risk.

#### 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 hairy braya 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 **2<sup>nd</sup> day of May 2025**, to the Minister of Environment and Climate Change of the Government of the Northwest Territories and the undersigned Management Authorities.



Witness



Larry Carpenter, Chair  
Wildlife Management Advisory Council (NWT)



Witness



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

Hairy braya has been listed as a Threatened species in the Northwest Territories (NWT) since 2014. On May 2, 2024, the NWT Species at Risk Committee (SARC) provided the reassessment and status report for hairy braya (*Braya pilosa*) to the Conference of Management Authorities (CMA) and recommended that hairy braya remain on the NWT List of Species at Risk as a Threatened 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)(ii) of the *Species at Risk (NWT) Act* to add another 10-year term to the current expiration date for hairy braya as a Threatened 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 hairy braya as a Threatened species in the NWT during its meeting on April 24-26, 2024. An assessment of Threatened means that SARC determined hairy braya is likely to become Endangered if nothing is done to reverse the factors leading to its extirpation or extinction. The assessment process and objective biological criteria used by the Species at Risk Committee determined that hairy braya met criteria SK(B1) and (B2) for Threatened under SARC's Species Assessment Process:

- SK (B1) where the extent of occurrence is less than 20,000 km<sup>2</sup>
- SK (B2) where the area of occupancy is less than 2,000 km<sup>2</sup>

SARC further determined that hairy braya met conditions (a) and (b) (i, ii, iii, iv, v) met conditions (a) and (b) (i, ii, iii, iv, v) for Threatened under SARC's Species Assessment Process:

- (a) number of locations is less than or equal to 10
- (b) continuing decline, observed, estimated, inferred, or projected, in any of:
  - (i) extent of occurrence,
  - (ii) area of occupancy,
  - (iii) area, extent, or quality of habitat,
  - (iv) number of locations or subpopulations,
  - (v) number of mature individuals.

Main factors:

- Increased range and numbers since the last assessment are due to an expanded search effort and research on its range.
- This species does not exist anywhere else in the world and is found in a very small area of the Northwest Territories that remained unglaciated during the last glacial period.
- Range is limited (extent of occurrence 457 km<sup>2</sup>); index of area of occupancy 96 km<sup>2</sup>.
- There are only 10 known locations, but there may be more on Cape Bathurst Peninsula.
- Coastal habitat continues to decline (~10 m/year erosion) and this is expected to increase due to climate change. Increasing sea level, storm surges, longer ice-free periods and melting permafrost all contribute to accelerating coastal erosion.
- Hairy braya only exists on Cape Bathurst Peninsula and Baillie Islands in the Northwest Territories, so there is no possibility of rescue from outside populations.
- Hairy braya has specialized habitat requirements and is unlikely to expand its range.
- The species does not compete well with other plant species when establishing or colonizing new areas.

Additional factors:

- Salinization is affecting coastal habitat, resulting in population decline.
- Increased drought conditions and lightning-caused wildfires are potential threats to the species.

### Decision of the Management Authorities

After reviewing the assessment and the results of engagement, the Management Authorities determined that adding another 10-year term to the current expiration date for

hairy braya as a Threatened species 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 adding another 10-year term to the current expiration date for hairy braya as a Threatened species will not infringe on Aboriginal or treaty rights. Based on this, the Management Authorities agree that another 10-year term should be added to the current term for listing hairy braya as a Threatened 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 adding another 10-year term to the current term for hairy braya (*Braya pilosa*) to the NWT List of Species at Risk as a Threatened species, 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 re-listing of hairy braya as a Threatened species was formed through review of the species status report, SARC's assessment, and its consultations with the Inuvialuit Game Council (IGC), and meetings with Hunters and Trappers Committee's (HTC's) and community members of the communities of Inuvik, Aklavik, Paulatuk, Tuktoyaktuk, Sachs Harbour, and Ulukhaktok.

WMAC (NWT) arranged for consultation meetings and provided information about SARC's re-assessment of hairy braya during the sensitive habitat position paper verification tour in Aklavik, Inuvik, Tuktoyaktuk, and Paulatuk in September 2024, and during the WMAC (NWT) November 2024 community tour in Inuvik, Paulatuk, and Tuktoyaktuk. All meetings were arranged with the HTC's and a separate public engagement session was advertised for community members to attend and provide comments on the re-listing of hairy braya. WMAC (NWT) members and staff went through a summary presentation and answered all question put forward. WMAC (NWT) provided an update during the IGC regular board meeting in December 2024.

WMAC (NWT) provided the same re-listing information and presented during the WMAC (NWT) February 2025 community tour in Aklavik, Sachs Harbour, and Ulukhaktok.

During the tour, the HTC's and the public at large had many questions including: the need for *Species at Risk (NWT) Act*, the NWT species at risk process in the ISR and degree of Inuvialuit involvement, information used by SARC to conduct scientific assessments, other species that may need to be assessed; future consultation and opportunities for collaboration, and threats to species. WMAC (NWT) recorded all comments and concerns and provided clarification and answers.

All recorded comments and concerns were considered in forming WMAC (NWT)'s position on the re-listing of hairy braya. After reviewing and considering the results of the consultation at the Council's February 2025 regular board meeting, WMAC (NWT) supports re-listing hairy braya to the NWT List of Species at Risk as a 'Threatened' species in the NWT for another 10-year term.

### **Government of the Northwest Territories**

The Government of the Northwest Territories' (GNWT) position on re-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 re-listing of hairy braya. The comment period was August 15 – November 1, 2024. The GNWT invited comments using a news release, print ads, fact sheets, radio announcements, social media posts, an online survey, the NWT Species at Risk website, and an email distribution list.

The GNWT received four submissions on the listing of hairy braya through this process. Three were in support of the listing and one was undecided. 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 adding another 10-year term to the current term for hairy braya as a Threatened 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 adding another 10-year term to the current term. 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 *Recovery Strategy for Hairy braya (Braya pilosa) in the Northwest Territories*, completed in 2015, will continue to provide conservation and recovery goals and objectives for the species.

The GNWT engaged with Indigenous governments and Indigenous organizations (IGIOs) through letters. IGIOs located in or near the NWT range of hairy braya were invited to comment re-listing hairy braya to the NWT List of Species at Risk as a Threatened

species for an additional term of 10 years. 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
- Pehdzéh Kí First Nation