



NWT CONFERENCE OF MANAGEMENT AUTHORITIES

CONSENSUS AGREEMENT ON LISTING PEARY CARIBOU (*Rangifer tarandus pearyi*)

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

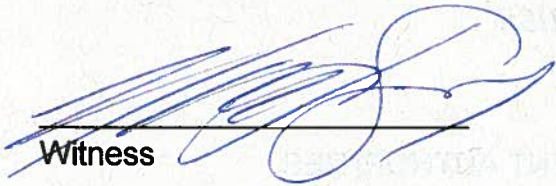
To add Peary caribou (*Rangifer tarandus pearyi*) to the Northwest Territories List of Species at Risk as a ‘threatened’ species.

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, Management Authorities for Peary caribou (*Rangifer tarandus pearyi*) are: the Government of the Northwest Territories and the Wildlife Management Advisory Council (NWT).

WE THE UNDERSIGNED, having reached this consensus on this 8th day of October 2013, provide this Consensus Agreement to the Minister of Environment and Natural Resources, Government of the Northwest Territories and the Wildlife Management Advisory Council (NWT).



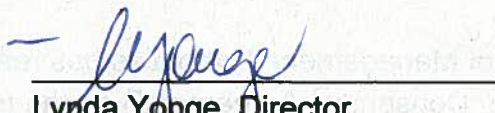
Witness



Rob Gau, Member
Wildlife Management Advisory
Council (NWT)



Witness



Lynda Yonge, Director
Wildlife Division
Dept. of Environment and Natural Resources
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ANNEX A

REASONS FOR THE CONSENSUS AGREEMENT

On December 12, 2012, the Northwest Territories (NWT) Species at Risk Committee (SARC) provided the assessment and status report for Peary caribou (*Rangifer tarandus pearyi*) to the Conference of Management Authorities (CMA) and recommended that Peary caribou be added to 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.

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 between April and August 2013), and the results of Crown consultation duties, performed by the Government of the Northwest Territories. No information was provided to SARC by the CMA or a Management Authority under paragraph 31(1)(c) and no written clarification was provided by SARC under section 34 of the *Species at Risk (NWT) Act*. Actions taken by 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.

The reasons for the Consensus Agreement are as follows:

SARC assessed the biological status of Peary caribou on December 4, 2012 as 'threatened' in the NWT. An assessment status of 'threatened' means that SARC determined that Peary caribou were likely to become endangered in the NWT if nothing is done to reverse the factors leading to their extirpation or extinction. SARC further determined that Peary caribou met criteria (a) and (c) for 'threatened' under SARC's Species Assessment Process (2012): (a) there is evidence that the population is declining in such a way that it could disappear from the NWT in our children's lifetime and (c) there is evidence that the population size is small and there is a decline and change (fluctuation) in population size such that it could disappear from the NWT in our children's lifetime.

The following reasons for assessment were noted by SARC:

- All three Peary caribou subpopulations in the NWT display similar trends. High abundance was recorded in either the 1970s or 80s (Banks and northwest Victoria Islands) or the early 1960s (western Queen Elizabeth Islands), followed by steep declines (averaging >90%), with little evidence of recovery to historic high numbers over a 20 year period.
- The only evidence of some recovery has been seen in the Queen Elizabeth Islands.
- The sustained low numbers (estimated 7,250 individuals) and high population variability between survey years suggest high vulnerability to further declines.
- A key influence that likely halted the decline of Peary caribou in the 1990s was the restriction of hunting, especially of female caribou.

- There does not seem to be an imminent threat (i.e., they are not facing imminent extinction), but they are very vulnerable to random catastrophic events.
- Peary caribou only exist in the NWT and Nunavut. The NWT and Nunavut cannot count on a rescue effect from each other, because Peary caribou numbers are low across their entire range.

The Management Authorities for Peary caribou, the Government of the Northwest Territories and the Wildlife Management Advisory Council (NWT), did not receive any information indicating that the assessment of Peary caribou as 'threatened' in the NWT was incorrect. After reviewing the results of consultation, the Government of the Northwest Territories' assessment is that the action of listing Peary caribou as 'threatened' will not infringe on Aboriginal or Treaty rights. Based on this, and their support for SARC's conclusions and methodology, the Management Authorities agree that Peary caribou should be added to the NWT List of Species at Risk as a species that is 'threatened' in the NWT.

ANNEX B

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

As provided for in section 36(3)(b) of the *Species at Risk (NWT) Act*, the Minister of Environment and Natural Resources, Government of the Northwest Territories (GNWT) and the Wildlife Management Advisory Council (NWTC), having reached consensus on adding Peary caribou (*Rangifer tarandus pearyi*) to the NWT List of Species at Risk, are reporting the actions each Management Authority has undertaken or agrees to undertake with respect to the required approvals and its participation in listing the species:

Government of the Northwest Territories

The GNWT's position on listing was formed through review of the species status reports and assessments, 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 and Managing This Land 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 Peary caribou. The comment period was July 2 – August 14, 2013. The GNWT invited comments using print ads, green screens, posters, media interviews, the NWT Species at Risk website and an email distribution list.

The GNWT received 5 comments on Peary caribou through this process. All were in support of listing Peary caribou as 'threatened'. The comments included questions about the NWT species at risk process and the opportunities for involvement, and about potential recovery actions. The GNWT did not receive any information indicating that the assessment of Peary caribou as 'threatened' in the NWT was incorrect.

The GNWT recorded all the comments and provided clarification and answers to questions. All comments were considered in forming the GNWT's position on listing.

Aboriginal and Treaty Rights Consultation

The GNWT was responsible for consulting with Aboriginal organizations in respect of potential infringement of established or asserted Aboriginal or Treaty rights. Consultation was done mainly 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 Peary caribou.

The GNWT explained the consequences of listing and explained that listing would not result in any automatic prohibitions or protections for species or habitat, and that listing would not change any harvest quotas or regulations already in place. The GNWT requested input on how the proposed listings may have the potential to adversely affect established or asserted Aboriginal or Treaty rights. The GNWT provided clarification and answers to questions as needed.

Concerns were expressed that listing Peary caribou would impact the Inuit of the Kitikmeot region and the communities of Resolute Bay and Grise Fiord in Nunavut. Concerns were also expressed that management actions following listing could infringe on harvesting rights. There is a desire to continue to be involved in NWT species at risk processes. The GNWT provided assurances that the groups would be consulted during the development of the recovery strategy and prior to implementing any management actions that could infringe on Aboriginal or Treaty rights. All the comments and concerns were recorded and were considered in forming the GNWT's position on listing.

After reviewing the results of consultation, the GNWT's assessment is that the action of listing Peary caribou as 'threatened' will not infringe on Aboriginal or Treaty rights. However, it is not known what management actions may be contemplated in the future after Peary caribou is listed. Possible approaches to recover the species will be discussed during the development of the recovery strategy. The GNWT recognizes that there is potential for future management actions arising from the NWT species at risk process to infringe on Aboriginal or Treaty rights. Therefore, the GNWT is committed to continued consultation as the recovery strategy is developed. The GNWT is also committed to being inclusive in the development of the recovery strategy.

With respect to the listing of Peary caribou, the GNWT consulted the Inuvialuit Game Council and Nunavut Tunngavik Inc. Full records of consultation are on file at the Wildlife Division, Department of Environment and Natural Resources, Yellowknife.

Wildlife Management Advisory Council (NWT)

The Wildlife Management Advisory Council (NWT)'s (WMAC (NWT)) position on listing was formed through review of the species status reports and assessments and its consultation meetings with the Inuvialuit Settlement Region (ISR) Hunters and Trappers Committees (HTCs) and the public.

WMAC (NWT) arranged for consultation meetings to be held in the four mainland ISR communities in April/May 2013. Meetings in the two island communities occurred in August 2013. All meetings were arranged with the HTCs but were advertised and open to the public to comment on the assessment and potential listing of Peary caribou. WMAC (NWT) members and/or representatives went through a summary presentation and answered all questions put forward.

The comments included many questions: about the NWT species at risk process in the ISR and degree of Inuvialuit involvement; about the information that SARC used in their assessments; about future consultations; and about the threats to species. WMAC (NWT) recorded all the comments and provided clarification and answers to questions.

All the comments and concerns were recorded and were considered in forming WMAC (NWT)'s position on listing. After reviewing and considering the results of the consultation at the Council's September 2013 Regular Meeting, WMAC (NWT) will support the listing of Peary caribou to the NWT List of Species at Risk as a species that is 'threatened' in the NWT.