



NWT CONFERENCE OF MANAGEMENT AUTHORITIES

CONSENSUS AGREEMENT ON LISTING GRIZZLY BEAR (*Ursus arctos*)

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

Not to add grizzly bear (*Ursus arctos*) to the Northwest Territories List of Species at Risk.

The Minister of Environment and Natural Resources, Government of the Northwest Territories, will provide to the Species at Risk Committee, and make available to the public, the reasons for the inconsistency between this Consensus Agreement and the assessment.

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 grizzly bear are: the Wildlife Management Advisory Council (NWT), the Gwich'in Renewable Resources Board, the Sahtú Renewable Resources Board, the Wek'èezhìi Renewable Resources Board, the Tłı̄chq̄ Government, and the Government of the Northwest Territories.


WE THE UNDERSIGNED, having reached this consensus on this 19th day of March 2018, provide this Consensus Agreement to the Minister of Environment and Natural Resources, Government of the Northwest Territories and the undersigned Management Authorities.

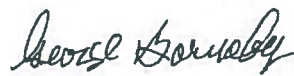

Witness


Rob Gau, ~~Co-Chairperson~~ *Vice-Chair*
Wildlife Management Advisory Council (NWT)



Witness


Eugene Pascal, Chair
Gwich'in Renewable Resources Board


Witness

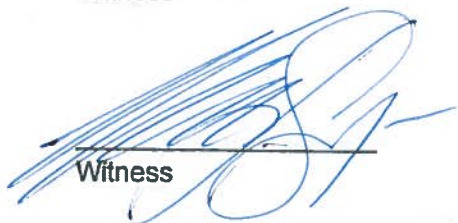

George Barnaby, A/Chair
Sahtú Renewable Resources Board



Witness


Grant Pryzyk, Chair
Wek'èezhii Renewable Resources Board


Witness


Grand Chief George Mackenzie
Tłı̨chǫ Government


Witness


Acting / AOM
Mr. Fred Mandeville, Assistant Deputy Minister
Operations
Dept. of Environment and Natural Resources
Government of the Northwest Territories

ANNEX A

REASONS FOR THE CONSENSUS AGREEMENT

On April 12, 2017, the Northwest Territories (NWT) Species at Risk Committee (SARC) provided the assessment and status report for grizzly bear (*Ursus arctos*) to the Conference of Management Authorities (CMA) and recommended that grizzly bears 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.

This Consensus Agreement was informed by the completed species status report, SARC's assessment and reasons for assessment (summarized below), written clarification provided by SARC under section 34 of the *Species at Risk (NWT) Act* (summarized below), public input (solicited by the Management Authorities), and the results of consultation. No information was provided to SARC by the CMA or the Management Authorities under paragraph 31(1)(c) 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.

The Management Authorities for grizzly bear received many responses during consultation and engagement disagreeing with the assessment of grizzly bear as a species of Special Concern in the NWT. After reviewing the assessment and the results of engagement, the Management Authorities agree that grizzly bear should not be added to the NWT List of Species at Risk. After reviewing the results of consultation, the Government of the Northwest Territories' assessment is that this action will not infringe on Aboriginal or treaty rights.

SARC's assessment:

SARC assessed the biological status of grizzly bears as a species of Special Concern in the NWT. An assessment of Special Concern means that SARC determined that grizzly bears may become Threatened or Endangered in the NWT because of a combination of biological characteristics and identified threats. SARC further determined that grizzly bears met criterion (b) for Special Concern under SARC's Species Assessment Process: (b) the species may become Threatened if negative factors are neither reversed nor managed effectively.

The following reasons for assessment were noted by SARC:

- Of the overall population estimate of 4,000-5,000 grizzly bears in the NWT, only an estimated 2,000-3,000 are mature individuals. This is considered to be a small population.
- There is evidence that in some areas (Gwich'in Settlement Area, Mackenzie Delta, Mackenzie Mountains) the number of grizzly bears is stable or increasing. However, density throughout the NWT is naturally low and outside the Richardson and southern Mackenzie mountains is very low.
- Although grizzly bears are long-lived, their reproductive output is very low, making them less resilient to disturbance and other factors affecting their population. A female grizzly bear becomes sexually mature at 4-5 years, but most reproduce later (e.g., 8 years). Litters of 1-3 cubs are produced approximately every four years.
- Limiting biological characteristics like small population, delayed age at maturity, and low reproduction rate make grizzly bears more vulnerable to the effects of threats.
- Because the land in much of the NWT has low productivity, home ranges of grizzly bears include the largest ranges reported for the species. This suggests that grizzly bears in the NWT require a great deal of habitat to obtain the resources they need. Future reduction in habitat is therefore of concern.
- Hibernation is one of the most notable aspects of grizzly bear life history. This is a key time for grizzly bears during which they are more vulnerable to disturbances and habitat changes (e.g., climate change altering timing of seasons). All grizzly bears in the NWT are expected to den for several months, unlike bears in southern North America.
- Although their range is apparently expanding (e.g., Arctic Archipelago), the reasons behind this expansion are not well understood.
- The main threats are:
 - Recent behavioural changes in grizzly bears (e.g., attraction to hunting activities) have been noted in the Mackenzie Mountains and there are already indications of increasing instances of human-grizzly bear interactions.
 - Although the current level of human-caused mortality is estimated at less than one percent of the total estimated population, even a small increase in human-caused mortality can negatively impact the population. Current and future increases in human-grizzly interactions, leading to human-caused mortality, may become a threat, causing population decline.
 - Permanent removal of suitable habitat by human activity within grizzly bear range remains relatively small in terms of the species' overall range in the NWT. However, because individual grizzly bears need large home

ranges, avoidance of industrial projects, increased future resource development, and establishment of transportation corridors could potentially pose a significant threat by the removal of a larger portion of effective habitat.

- Additional factors:
 - Reduced availability of barren-ground caribou as a prey resource could become a limiting factor for grizzly bears on the barrens.
 - Random natural events and changes to habitat due to climate change appear to be less significant threats; however, these impacts are not fully understood. In general, the impact of climate change on grizzly bears in the NWT is speculative.

On June 11, 2017, the CMA requested written clarification from SARC under section 34 of the *Species at Risk (NWT) Act* regarding magnitude and scope of the identified threats and the likelihood of them resulting in population-level declines.

In their July 7, 2017 response, SARC noted that:

- Despite a harvest rate currently within sustainable limits in the NWT, combining this with the transboundary harvest in Nunavut's Kitikmeot region results in an average annual harvest of closer to 3%, which exceeds the 1.1% sustainable rate suggested for that low-productivity habitat.
- Although grizzly bears in the NWT are subject to consistent and well thought-out management, human-grizzly bear interactions appear to be on the rise. While management responses to these interactions may include non-lethal methods of intervention, non-lethal removals are often not effective and management kills of grizzly bears are generally the outcome of conflicts where they occur in the NWT. Regardless of quotas, it appears likely that the need for management intervention, including lethal means of removal, will increase in the future if the increasing trend in human-grizzly bear interactions continues.
- The primary concern with development activities is not their footprint, but rather, the potential for those developments to act as population sinks for grizzly bears. Some elements of human infrastructure have proven useful or attractive to grizzly bears (e.g., man-made trails and seismic lines, camps, dumps). SARC is concerned a grizzly bear's curious and food-driven nature, coupled with the food sources that can be either associated with or made more easily accessible by development projects, could adversely impact grizzly bears.

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, subspecies, and distinct populations from becoming extinct or extirpated. The risk of this happening is assessed using best available traditional, community, and scientific knowledge on factors such as population, population trends, habitat quality and quantity, habitat trends, threats, and positive influences. In this case, SARC assessed grizzly bears as Special Concern, with their rationale specifically focused on identified threats combined with limiting biological characteristics.

While the CMA recognizes that grizzly bears display a number of limiting biological characteristics (e.g., delayed age at maturity, long-lived, low reproductive output, and small population), there doesn't seem to be a firm connection to any clear, present threats to grizzly bears that could result in declines at the population level.

In the Inuvialuit Settlement Region and Gwich'in Settlement Area, where harvest of grizzly bears is the highest in the NWT, all causes of human-caused mortality are managed effectively through a male-biased quota system. In regions without harvest quotas (Sahtú, Dehcho, North Slave), overall human-caused mortality is generally low, although somewhat variable. All grizzly bears in the NWT are protected by prohibitions against hunting a bear in a den, a bear accompanied by a cub, or damaging/destroying/disturbing a den. Even with an increase in instances of human-grizzly bear interactions as noted by SARC, implementation of effective management mechanisms should substantially reduce the likelihood of reaching unsustainable levels of human-caused mortality.

With respect to development pressures, the status report explains that the NWT has generally low levels of road density and development activity. Permanent removal of suitable habitat by human activity within grizzly bear range remains relatively small in terms of the species' overall range in the NWT. Further, the level of habitat protection afforded grizzly bears in the NWT (>12% of the range; greater if excluding areas of water and sea ice) ranks among the strongest afforded to the species in North America. Although the status report describes several planned development projects that could impact grizzly bears in the NWT, it is not clear that the scale of habitat removal will be sufficient to lead to population-level impacts.

Overall, the CMA determined that there was not sufficient evidence at this time to support the addition of grizzly bears to the NWT List of Species at Risk. The CMA decision reflects that a species may not qualify for a status of Special Concern if it exists

at naturally low densities in the absence of a recognized threat (e.g., a large predatory animal with a large home range)¹.

However, the CMA recognizes that the assessment brought to light some gaps in management and knowledge, and are supportive of working together at the CMA table to address those gaps. Gaps of particular interest for Management Authorities include research on population levels, collection and verification of traditional knowledge related to grizzly bears, mandatory reporting of human-caused mortality, biological sampling, and the introduction of a strong management program to all regions of the NWT.

Further, the Management Authorities agree, in making this consensus decision not to list grizzly bears, that at minimum, all existing management continues and that if significant changes are proposed to management that would adversely impact the status of grizzly bears, a re-assessment of the species will be scheduled as soon as possible. Grizzly bears are recognized as an important and sacred species in the NWT, and this decision should not be interpreted to mean that the CMA feels no management of grizzly bears is necessary or that emerging threats should not be addressed using appropriate management tools.

¹ See SARC's Assessment Process and Objective Biological Criteria, p. 9 of 22:
http://www.nwt-species-at-risk.ca/sites/default/files/assessment_process_and_obc_approved_april_2017.pdf

ANNEX B

ACTIONS THE 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 Management Authorities, having reached consensus to not add grizzly bears (*Ursus arctos*) to 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 this process:

Wildlife Management Advisory Council (NWT)

The Wildlife Management Advisory Council (WMAC) (NWT)'s position on the proposed listing of grizzly bear as Special Concern was formed through review of the species status report, SARC's assessment, correspondence between SARC and the CMA clarifying SARC's assessment, and its engagement meetings with Hunters and Trappers Committees (HTCs) and community members in the six Inuvialuit Settlement Region (ISR) communities.

WMAC (NWT) reviewed the information in the status report for grizzly bear in the NWT as well as SARC's assessment and the request for clarification from the CMA and SARC's response. SARC assessed grizzly bear as Special Concern based on criterion (b) – "The species may become Threatened if negative factors are neither reversed nor managed." The assessment was based on a combination of biological characteristics and identified threats. The request for clarification was focused on how SARC considered threats in their assessment. WMAC (NWT) recognizes that, as per the request for clarification, SARC chose to use a cautious interpretation of threats in their assessment, and that grizzly bears are especially vulnerable to threats given their limiting biological characteristics, but the Council found that the threats as described in the status report are descriptive of potential future threats, but are not immediate or present threats to grizzly bears.

WMAC (NWT) held community engagement meetings in September and October 2017. A total of 110 people attended these meetings from all six ISR communities. HTC Directors were invited and the meetings were open to the public. The meetings were advertised through letters to the HTCs and posters in each community. WMAC (NWT) representatives at these meetings included the Chair, Larry Carpenter, member Marsha Branigan, and staff members Jodie Maring and Allison Thompson. During the meetings, the Council provided an overview of the Species at Risk (NWT) Act and SARC's assessment of grizzly bears. A series of questions were posed about the proposed listing of grizzly bears as Special Concern: Should grizzly bear be added to the NWT

List of Species at Risk? Would the listing have negative impacts? Do you think the status assessment is correct? Is there new or missing information that hasn't been considered? Meeting attendees provided feedback on these questions.

Across all six communities, WMAC (NWT) heard that grizzly bears are not considered to be at risk in the ISR. Community members had questions about the information used in the status report and SARC's assessment, which WMAC (NWT) answered. Community members commented on the amount of traditional knowledge of grizzly bears in the ISR that is undocumented and therefore couldn't be included in the status report and assessment. All meetings included comments that people are seeing more grizzly bears in recent years, despite ongoing grizzly bear harvest. On Victoria and Banks islands, community members stated that grizzly bears are considered to be invasive species. It was mentioned that negative impacts of grizzly bear range expansion and population increase include damage to human infrastructure (e.g., cabins) as well as increased mortality to other species of high harvest value. WMAC (NWT) heard comments that people have increasingly encountered grizzly bears while out on the land, and people are seeing an increasing number of cubs; up to three cubs with one mother bear.

WMAC (NWT) met from December 1-3, 2017, and at this meeting the Council discussed the proposed listing of grizzly bear as Special Concern in the NWT, taking into consideration the status report, SARC's assessment and correspondence pertaining to the request for clarification, and feedback heard at community engagement meetings. The Council formed a position not to support the listing of grizzly bears as Special Concern in the NWT, with the following resolution:

Resolution 12/17 (#3): WMAC (NWT) does not support the listing of grizzly bears as Special Concern at this time, as grizzly bears are currently not at risk in the NWT. Moved by Bradley Carpenter, seconded by Charles Gruben – carried.

Although the Council does not support the proposed listing of grizzly bears in the NWT as Special Concern, WMAC (NWT) strongly supports more research into the population status of grizzly bears in the NWT. WMAC (NWT) also recommends that other jurisdictions adopt an approach to grizzly bear harvest management that is similar to the one used in the ISR that includes mandatory reporting of all human-caused mortalities and biological samples for proof of sex and age. A strong management system across the NWT would be a very positive influence on grizzly bears.

Gwich'in Renewable Resource Board

The Gwich'in Renewable Resources Board (GRRB) followed its rules and procedures for consultation to prepare a position on the proposed listing for grizzly bear in the NWT. In summary, this process includes pre-consultation, consultation meetings, opportunity for feedback, and the presentation of the content to the Board, in order for the Board to make a decision.

Pre-consultation

As a general rule, the GRRB provides the Renewable Resources Councils (RRCs) with consultation material at least 30 days in advance of any meeting, to allow the council time to read and discuss the material. The RRBs and Gwich'in Tribal Council, Lands Department, were sent the final species status report for grizzly bear in the NWT for review on June 6, 2017.

Consultation meetings

As a general rule, when requesting input on board decision items, the GRRB prefers to hold public meetings, but if there are limitations to funding then solely RRC meetings will be attended. Public meetings were held in Inuvik (September 11, 2017), Tsiigehtchic (September 12, 2017), Aklavik (September 14, 2017), and Fort McPherson (September 28, 2017). The Gwich'in Tribal Council, Lands Department, attended the meeting in Inuvik.

A teleconference was also held with Arctic Red River Outfitters, who guide in 10,000 square miles in the Arctic Red River headwaters.

Opportunity for feedback

The general rule is for the GRRB to allow the RRCs at least 30 days after a consultation meeting to provide additional written comment. All the comments received at these meetings were summarized by GRRB staff. After the consultation meetings, each RRC was requested to submit a written position on the proposed listing for grizzly bear in the NWT. All RRCs provided written responses; all four RRCs were not in support of the listing of Special Concern, or any other at risk category.

Community comments

Community comments included the view that grizzly bear populations are stable; concern for increased presence of grizzly bears in communities and at dumps; the lack of baseline data; the understanding that listing may mean money becomes available for research and management, but that this is not the purpose of the *Species at Risk (NWT) Act*.

Board decision

During the February 6-8, 2018 board meeting in Inuvik, staff provided an overview of the *Species at Risk (NWT) Act* process, a summary of the reasons why grizzly bear had been assessed as Special Concern in the NWT, a summary of community consultation results and main concerns, and provided staff recommendations. While the GRRB acknowledges the limiting biological characteristics such as delayed age at maturity, long-lived, low reproductive output, and small population, they did not feel that these biological characteristics or the identified threats were significant enough to warrant the addition of the species to the NWT List of Species at Risk. The board believes there are other mechanisms and management tools available other than adding to the NWT List of Species at Risk and that the *Species at Risk (NWT) Act* is to be used only after all other management options are exhausted.

The GRRB made a motion (GRRB 18-13) to not support the listing of grizzly bear as Special Concern or any other at risk category, and were not willing to revise their position.

Sahtu Renewable Resources Board

The ʔehdzo Got'Inę Gots'ę Nákedı (Sahtú Renewable Resources Board – SRRB) reached its decision on the listing of sah cho (the big guy, grizzly bear) through review of the species status report, the Species At Risk Committee (SARC) assessment, community engagement, and consideration of inputs from other Management Authorities.

Community input

ʔehdzo Got'Inę (Renewable Resources Councils) and local and regional leadership organisations in the Sahtú Region – including Colville Lake, Fort Good Hope, Norman Wells, and Tulít'a – were provided with a briefing note about the proposed listing as bek'e k'énats'ewə² or bek'e k'inaʔədit's'ewe gha got'ódeʔa³ - we need to keep an eye on them (Special Concern), and their input was requested.

Culturally there is a reluctance to talk about the sah cho or directly name him – especially in winter, according to some community members. Sah cho is considered a very sacred animal, and must be treated with the greatest respect.

The Tulít'a ʔehdzo Got'Inę was engaged regarding a genetic monitoring initiative for sah cho in Shúhtaot'Inę Nënë (the Mackenzie Mountains) in 2016 and early 2017, and has

² Tulít'a and Déljné dialects.

³ K'áhsho Got'Inę and Dela Got'Inę (Fort Good Hope and Colville Lake) dialects.

since continued to express strong interest in traditional knowledge and non-invasive scientific research and monitoring as a basis for any future management initiatives.

The Délı̨nę Got'ı̨nę Government and Norman Wells ʔehdzo Got'ı̨nę noted for the record that they have no comment on the proposed listing. No other comments were received.

Board decision

The Board's initial decision given the available evidence, taken on February 15, was to support the proposed listing. However, based on input from other Management Authorities, the Board revisited its decision on March 15. The Board's final decision is as follows: "The SRRB supports a consensus decision of the Conference of Management Authorities that sah cho (grizzly bears) not be listed under the NWT Species At Risk Act, with the understanding that further traditional knowledge and scientific research is needed on the status of grizzly bears in the Sahtú region; if evidence emerges that grizzly bear populations may be at risk or subject to new negative impacts, they should be reassessed."

Wek'èezhii Renewable Resources Board

As per clause 12.5.1 of the Tłı̨chǫ Agreement, the Wek'èezhii Renewable Resources Board (WRRB) carried out joint consultations with the Tłı̨chǫ Government on the proposed listing in October and November 2017 in all four Tłı̨chǫ communities, and then passed a motion to support the listing of grizzly bear as Special Concern at its February 2018 meeting.

Joint consultation

In October and November 2017, 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 Wekweèti on October 25, 2017, in Gamèti on November 2, 2017, in Whati on November 9, 2017, and during an afternoon session in Behchokò on November 7, 2017. Approximately 83 participants in total attended the four community consultations.

The WRRB and Tłı̨chǫ Government staff cooperated in joint consultations, and provided information on the proposed listing of grizzly bear as Special Concern, as prepared by the Species at Risk Secretariat. Staff described and explained the *Species at Risk (NWT) Act*, the Species at Risk Committee, and the assessment process. Staff provided information about the current population of grizzly bear in the NWT and the rationale for

assessing grizzly bear as Special Concern, primarily due to concerns about increased threats such as future resource development, transportation corridors, and human-grizzly interactions. As well, staff provided information about recovery documents, which is the next step in the process.

Key points raised by community members at the consultations were the recognition of the spiritual and physical power of grizzly bears, the loss of individual knowledge and subsequent knowledge transfer about grizzly bears as there are fewer people on the barrenlands, concerns about climate change, especially related to negative impacts to denning and health, and concerns about safety near communities and changes in behaviour (grizzly bears can be dangerous due to aggressiveness and lack of fear).

The WRRB met on February 7, 2018 to discuss the proposed listing of grizzly bear as Special Concern as required under the *Species at Risk (NWT) Act*. The WRRB noted that in Wek'èezhìi, while there is no open season, there is no current plan for management of barren-ground grizzly bears. Additionally, there are several current and future resource developments planned in Wek'èezhìi, including the proposed Tłı̄chq̄ All-Season Road and the proposed Tibbitt to Contwoyto All-Season Road.

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 Tłı̄chq̄ Government and WRRB staff in Wekweèti, Gamèti, Behchokò, and Whati on October 25, 2017, November 2, 2017, November 7, 2017, and November 9, 2017, respectively, the WRRB passed Motion #570-07-02-2018, supporting the listing of grizzly bear as Special Concern in the NWT, but willing to say Not at Risk if all existing management continues as is and any significant changes proposed to management that would negatively impact the status of grizzly bear would result in a re-assessment.

Following discussions at a Conference of Management Authorities meeting on February 20-21, 2018 in Inuvik, NWT, the WRRB agreed not to add grizzly bear to the NWT List of Species at Risk.

Tłı̄chq̄ Government

The Tłı̄chq̄ Government carried out joint consultations with the Wek'èezhìi Renewable Resources Board (WRRB) on the proposed listing in October and November 2017 in all four Tłı̄chq̄ communities. At its December 2017 meeting, the Chiefs Executive Council passed a motion to recommend to not add sahcho (grizzly bear) to the NWT List of Species at Risk.

Joint consultation

The Tłıchq Government and WRRB held joint consultations in all four Tłıchq communities to ask what Tłıchq citizens think about the assessment. The community tour included public meetings in each community to consult on sahcho (grizzly bear).

- Oct 25 in Wekweèti (10 participants)
- Nov 2 in Gamèti (19 participants)
- Nov 7 in Behchokò (21 participants)
- Nov 9 in Whatì (33 participants)

Summary of the community consultations:

Powerful animals – recognition of the spiritual and physical power of bears, to not speak about sahcho (grizzly bear) and/or to speak with respect.

Climate change – changing season, warming temperatures, habitat and vegetation changes, whole ecosystem, changing in denning seasons and health of bears.

Cycles – calving grounds shifting, times past when caribou didn't arrive and then rebounded, but this is different, not following natural predator/prey cycles.

Predators – if Special Concern listing is named for sahcho (grizzly bear), what is going to happen to caribou?

Balance of protecting wildlife and protecting way of life – teaching younger generation a respectful way to harvest, need more education, a forum for dialogue about caribou decline, knowledge is incomplete as people are not on the barrenlands as often as before.

Working together – co-management, do not year have a Tłıchq Hunters and Trappers association or a committee for Tłıchq citizens to participate and have a voice on.

Health and safety of people – concerns about people's safety when harvesting caribou, concerns about predators' aggressiveness and lack of fear.

Chiefs Executive Council decision

Based on available traditional knowledge and scientific information used during the assessment process, and public input during joint community consultations held by the Tłıchq Government and WRRB staff in Wekweèti, Gamèti, Behchokò, and Whatì on October 25, 2017, November 2, 2017, November 7, 2017, and November 9, 2017, respectively, the Tłıchq Government passed *Motion # 2017-63: Motion to recognize that*

Tłıchq elders have recommended that the caribou is the animal of greatest concern and must be focused on with available resources while the grizzly bear should not be raised to a higher level of concern. Moved by Chief David Wedawin, seconded by Chief Clifford Daniels – carried unanimously.

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, 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 assessment and potential listing of grizzly bears. The comment period was June 1-July 29, 2018. The GNWT invited comments using print ads, posters, the NWT Species at Risk website, and an email distribution list.

The GNWT received 11 comments on the listing of grizzly bears through this process. Two of the comments were in support of listing, six were not in favour of listing, and three provided no clear position. The comments were considered in forming the GNWT's position on listing.

Commenters noted the presence of a strong management regime in the Inuvialuit Settlement Region and Gwich'in Settlement Area, coupled with high rates of compliance with those quotas; no resident, non-resident, or non-resident alien harvest in the NWT except in the mountains; generally low harvest rates by Aboriginal and General Hunting License holders; healthy and possibly expanding populations and range; and generally non-specific and unsubstantiated threats to grizzly bear populations in the NWT. It was noted that an apparently healthy, increasing species should not be listed simply because something might happen. On the other hand, a need for better information on population size and trend was also noted.

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 and/or treaty rights. Consultation was done through letters. Consultation was triggered with organizations that hold asserted or established Aboriginal and/or treaty rights in or near the NWT range of grizzly bear.

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 listing may have the potential to adversely affect established or asserted Aboriginal and/or treaty rights.

One group responded expressing support for listing the species as Special Concern and expressed a desire to be involved in any subsequent management planning. These comments were recorded and considered in forming the GNWT's position on listing.

After reviewing the results of consultation, the GNWT's assessment is that not listing grizzly as a species of Special Concern will not adversely affect asserted or established Aboriginal or treaty rights. Harvest quotas, regulations or land management already in place will not change as a result of this decision.

The Aboriginal governments and organizations consulted are listed below. Because consultation was undertaken for three other species at the same time (northern myotis, little brown myotis, and barren-ground caribou), this list is somewhat longer than it would be had consultation been undertaken for grizzly bear alone. Full records of consultation are on file at Wildlife Division, ENR, Yellowknife.

- Acho Dene Koe First Nation
- Akaitcho Territory Government
- Akaitcho Treaty 8 Tribal Corporation
- Aklavik Community Corporation
- Athabasca Denesuline Nene Land Corporation
- Ayoni Keh Land Corporation
- Begaa Deh Shuh Tah Got'ie
- Behdzi Ada' First Nation Band Council
- Black Lake Denesuline First Nation
- Community Government of Behchokò
- Community Government of Gamètì
- Community Government of Wekweètì
- Community Government of Whatì
- Deh Gáh Got'ie First Nation
- Dehcho First Nations
- Délıne Got'ıne Government
- Denesuline Nene Land Corporation
- Deninu Kue First Nation
- Ehdiitat Gwich'in Council
- Fort Good Hope Métis Local #54
- Fort Liard Métis Local #67
- Fort Norman Métis Land Corporation
- Fort Providence Métis Council

- Fort Resolution Métis Council
- Fort Simpson Métis Local #52
- Fort Smith Métis Council
- Ghotlenene K'odtineh Dene
- Gwich'in Tribal Council
- Gwichya Gwich'in Council
- Hatchet Lake Denesuline First Nation
- Hay River Métis Government Council
- Inuvialuit Game Council
- Inuvialuit Regional Corporation
- Inuvik Community Corporation
- Jean Marie River First Nation
- Ka'a'gee Tu First Nation
- K'asho Got'ıne Community Council
- Kaska Dene Council
- Kát'odeeche First Nation
- Liard First Nation
- Łíídlıı Kúé First Nation
- Łutsel K'e Dene First Nation
- Mountain Island Métis
- Na-cho Nyäk Dun First Nation
- Nahanni Butte Dene Band
- Nihtat Gwich'in Council
- Norman Wells Land Corporation
- Northlands First Nation
- North Slave Métis Alliance
- Northwest Territory Métis Nation
- Nunavut Tunngavik Inc.
- Paulatuk Community Corporation
- Pehdzeh Ki First Nation
- Prince Albert Grand Council
- Ross River Dena Council
- Sachs Harbour Community Corporation
- Sahtú Dene Council
- Sahtú Secretariat Inc.
- Salt River First Nation #195
- Sambaa K'e First Nation
- Saskatchewan Athabasca Denesuline
- Sayisi Dene First Nation
- Smith's Landing First Nation
- Tetlit Gwich'in Council
- Tııchq Government
- Tuktoyaktuk Community Corporation
- Tulit'a Dene Band

- Tulit'a Land Corporation
- Ulukhaktok Community Corporation
- Vuntut Gwitchin First Nation
- West Point First Nation
- Yamoga Lands Corporation
- Yellowknives Dene First Nation (Dettah)
- Yellowknives Dene First Nation (N'Dilo)