



NWT CONFERENCE OF MANAGEMENT AUTHORITIES

CONSENSUS AGREEMENT ON ACCEPTING AND ADOPTING THE *MANAGEMENT PLAN FOR AMPHIBIANS 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 the *Management Plan for Amphibians in the Northwest Territories* and to adopt it, in accordance with section 63 of the *Species at Risk (NWT) Act*, as the recovery strategy for the western toad (*Anaxyrus boreas*) and northern leopard frog (*Lithobates pipiens*).

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 Authority for both western toad (*Anaxyrus boreas*) and northern leopard frog (*Lithobates pipiens*) is the Government of the Northwest Territories.

WE THE UNDERSIGNED, having reached this consensus on this 23RD day of November 2016, provide this Consensus Agreement to the Minister of Environment and Natural Resources, Government of the Northwest Territories.



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Lynda Yonge, Director
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ANNEX A

REASONS FOR THE CONSENSUS AGREEMENT

On March 19, 2015 and February 25, 2016, respectively, 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 Northern Leopard Frog (*Lithobates pipiens*)* (December 2014) and *Consensus Agreement on Listing Western Toad (*Anaxyrus boreas*)* (December 2015), added northern leopard frog and western toad 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.

A multi-species *Management Plan for Amphibians in the Northwest Territories* was developed by the Conference of Management Authorities to address the needs of all amphibians in the NWT. It is intended to provide guidance and direction to co-management partners with respect to the management of amphibians throughout the NWT. The plan includes species information, descriptions of limiting factors, threats, and positive influences, as well as management, conservation and recovery goals, objectives and approaches. The process of developing the plan included discussions with the Management Authorities for amphibians, conducting Crown consultation with regard to Aboriginal and Treaty rights, and providing the opportunity for public comment. Feedback was incorporated into the management plan, which was reviewed and approved by the appropriate Management Authorities for amphibians: Government of the Northwest Territories, Wildlife Management Advisory Council (NWT), Gwich'in Renewable Resources Board, Wek'èezhii Renewable Resources Board, Sahtú Renewable Resources Board, and Tłı̄chǫ Government. Each of these Management Authorities reviewed and approved the management plan in accordance with their own policies and procedures and approval was confirmed in writing to the Species at Risk Secretariat.

The Government of the Northwest Territories, as the Management Authority for northern leopard frog and western toad, is confident that the *Management Plan for Amphibians in the Northwest Territories* satisfactorily addresses recovery requirements for western toad and northern leopard frog, as required by the *Species at Risk (NWT) Act*.

This Consensus Agreement was informed by the review of the management plan, the Species at Risk Committee's assessments and reasons for assessment of northern leopard frog and western toad, the approved species status reports, clarification on the assessments provided by SARC under section 34 of the *Species at Risk (NWT) Act*,

public input (solicited by the Management Authorities), 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). Actions taken by the Government of the Northwest Territories 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 Government of the Northwest Territories did not hear any significant concerns about the management, conservation and recovery goals, objectives and approaches during the development of the *Management Plan for Amphibians in the Northwest Territories*. After reviewing the input received through consultation, the Government of the Northwest Territory's assessment is that the amphibian management plan and its implementation will not adversely affect asserted or established Aboriginal or treaty rights.

The management plan was developed appropriately with input from the necessary parties. The management plan includes appropriate recommended objectives and approaches for the conservation and recovery of western toad and northern leopard frog, as well as descriptions of threats and positive influences, as required under section 61 of the *Species at Risk (NWT) Act*. The management plan 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 western toad, northern leopard frog, and other amphibians.

For these reasons, the Government of the Northwest Territories, as the Management Authority for northern leopard frog and western toad, agrees to accept the *Management Plan for Amphibians in the Northwest Territories* and adopt it as the recovery strategy for western toad and northern leopard frog.

ANNEX B

ACTIONS MANAGEMENT AUTHORITIES HAVE UNDERTAKEN OR WILL UNDERTAKE WITH RESPECT TO ACCEPTING AND ADOPTING THE MANAGEMENT PLAN

As provided for in paragraph 66(3)(b) of the *Species at Risk (NWT) Act*, the Government of the Northwest Territories (GNWT), having agreed to accept the *Management Plan for Amphibians in the Northwest Territories* and to adopt it as the recovery strategy for the western toad (*Anaxyrus boreas*) and northern leopard frog (*Lithobates pipiens*), is reporting the actions they took or agree to take with respect to the completion and approval of this Consensus Agreement:

Government of the Northwest Territories

The Government of the Northwest Territory's (GNWT) position on the management plan was formed through review of the proposed management plan, 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 management plan for amphibians. The comment period was July 8 - August 12, 2016. The GNWT invited comments using print ads, posters, the NWT Species at Risk website, and an email distribution list.

Four organizations commented on the amphibian management plan through this process. They included suggestions for improving the management plan. The GNWT recorded all the comments and provided clarification and answers to questions. All comments were considered and revisions were made to the management plan where appropriate.

No significant concerns about the management plan were raised.

Aboriginal and Treaty Rights Consultation

The GNWT was responsible for consulting Aboriginal organizations in respect of potential adverse effects of the management plan and its implementation on established or asserted Aboriginal or Treaty rights. Consultation was done through

letters. Consultation was triggered with organizations that hold asserted or established Aboriginal or Treaty rights in or near the NWT range of amphibians.

The GNWT explained the consequences of the management plan and the implementation agreement to follow. The GNWT explained that the management plan would not result in any automatic prohibitions or protections for species or habitat, and that the management plan would not change harvest quotas for any species or any other regulations already in place. The GNWT requested input on how the proposed management plan, if implemented, could potentially adversely affect established or asserted Aboriginal or Treaty rights.

No concerns were expressed with respect to the proposed management plan or its implementation. One organization submitted comments that highlighted the importance of working with community Elders and land users on amphibian management and comparing traditional knowledge and western science, and made suggestions for how to ensure that people on the land have a better understanding of what is happening to amphibians. The comments were meaningfully considered in revising the management plan. The management plan includes objectives and recommended management approaches to address those recommendations.

After reviewing the results of consultation, the GNWT's assessment is that acceptance, adoption and implementation of the management plan will not infringe on Aboriginal or treaty rights. The GNWT recognizes that future management 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 future, such as changes to harvest regulations or legal habitat protection, the GNWT would consult on these changes before implementing them.

With respect to the amphibian management plan, the GNWT consulted with:

- Acho Dene Koe First Nation/Fort Liard Métis Local #67
- Akaitcho Treaty 8 Tribal Corporation, Chiefs and Band Councils
- Athabasca Chipewyan First Nation
- Athabasca Denesuline
- Begaa Deh Shuh Tah Got'ie
- Dehcho First Nations and Chiefs
- Déljñę Got'jñe Government
- Dene Tha' First Nation
- Fort Chipewyan Métis Local 125
- Gwich'in Tribal Council
- Inuvialuit Game Council

- Kaska Dene First Nations
- Kátł'odeeche First Nation
- Manitoba Denesuline
- Mikisew Cree First Nation
- Mountain Island Métis
- First Nation of Nacho Nyak Dun
- North Slave Métis Alliance
- Northwest Territory Métis Nation
- Nunavut Tunngavik Inc.
- Sahtú Secretariat Incorporated
- Salt River First Nation
- Smith's Landing First Nation
- Tłı̨chǫ Government
- Vuntut Gwich'in

Full records of consultation are on file at the Wildlife Division, Department of Environment and Natural Resources, Yellowknife.

