



NWT CONFERENCE OF MANAGEMENT AUTHORITIES

CONSENSUS AGREEMENT ON ACCEPTING AND ADOPTING THE *MANAGEMENT PLAN FOR BATS 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 Bats in the Northwest Territories* and to adopt it, in accordance with section 63 of the *Species at Risk (NWT) Act*, as the management plan for little brown myotis (*Myotis lucifugus*) and northern myotis (*Myotis septentrionalis*).

INTERPRETATION

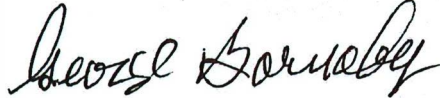
For greater certainty, terms and processes in this Consensus Agreement are as defined and described in the *Species at Risk (NWT) Act*.

For greater certainty, the Management Authorities for little brown myotis (*Myotis lucifugus*) are the Sahtú Renewable Resources Board, Wek'èezhìi Renewable Resources Board, Tłıchq Government, and Government of the Northwest Territories. The Management Authority for northern myotis (*Myotis septentrionalis*) is the Government of the Northwest Territories.

WE THE UNDERSIGNED, having reached this consensus on this 8th day of April 2020, provide this Consensus Agreement to the Minister of Environment and Natural Resources, Government of the Northwest Territories and the undersigned Management Authorities.



Witness



George Barnaby, Acting Chairperson
Sahtú Renewable Resources Board



Witness



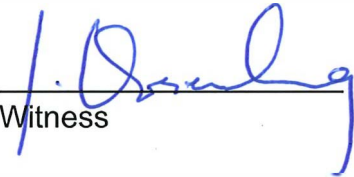
Joseph Judas, Chairperson
Wek'èezhì Renewable Resources Board



Witness



Grand Chief George Mackenzie
Tłıchq Government



Witness



Dr. Brett Elkin, A/Assistant Deputy Minister
Operations
Dept. of Environment and Natural Resources
Government of the Northwest Territories

ANNEX A

REASONS FOR THE CONSENSUS AGREEMENT

On July 11, 2018, 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 Little Brown Myotis (Myotis lucifugus)* (April 2018) and *Consensus Agreement on Listing Northern Myotis (Myotis septentrionalis)* (April 2018), added little brown myotis and northern myotis to the NWT List of Species at Risk as species of Special Concern. If a species is listed as Special Concern, the *Species at Risk (NWT) Act* provides a two year period for the Conference of Management Authorities to prepare and complete a management plan for that species.

A multi-species *Management Plan for Bats in the Northwest Territories* was developed by the Conference of Management Authorities to address the needs of all bats in the NWT. It was prepared in accordance with the Conference of Management Authorities' guidelines and template for recovery strategies and management plans. There were many steps involved in the process, including Crown consultation with regard to Aboriginal or treaty rights, and providing the opportunity for public feedback. Comments and concerns that the Management Authorities heard regarding the management plan were meaningfully considered and addressed as described in Annex B.

This Consensus Agreement was informed by the review of the management plan, the Species at Risk Committee's assessments and reasons for assessment of little brown myotis and northern myotis, the approved species status report, 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 Management Authorities 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 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 little brown myotis and northern myotis, 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 manage little brown myotis, northern myotis, and other bats.

The Management Authorities for little brown myotis and northern myotis are confident that the *Management Plan for Bats in the Northwest Territories* satisfactorily addresses management requirements for little brown myotis and northern myotis, as required by the *Species at Risk (NWT) Act*.

For these reasons, the Management Authorities for little brown myotis and northern myotis, agree to accept the *Management Plan for Bats in the Northwest Territories* and adopt it as the management plan for little brown myotis and northern myotis.

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 Management Authorities, having agreed to accept the *Management Plan for Bats in the Northwest Territories* and to adopt it as the management plan for little brown myotis and northern myotis, are reporting the actions they took or agree to take with respect to the completion and approval of this Consensus Agreement:

ʔehdzo Got'İne Gots'É Nákedı (Sahtú Renewable Resources Board)

The ʔehdzo Got'İne Gots'É Nákedı (Sahtú Renewable Resources Board (SRRB)) reviewed the draft *Management Plan for Bats in the Northwest Territories*. The Board has no concerns regarding the Management Plan. The SRRB has not been able to obtain documented evidence of bat presence within the Sahtú region outside of Nááts'İhch'oh National Park Reserve. The Board approves of management measures being undertaken in other regions, and continues to partner in University of Alberta efforts to detect bat presence in the Sahtú region through an acoustic monitoring program.

Wek'èezhı Renewable Resources Board

As per clause 12.5.1 of the Tłıchq Agreement, the Wek'èezhı Renewable Resources Board (WRRB) reviewed the draft *Management Plan for Bats in the NWT*, carried out joint consultations with the Tłıchq Government on the proposed management plan in October and November 2019 in all four Tłıchq communities, and then passed a motion to support the management plan at its February 2020 meeting.

Joint Consultation

In October and November 2019, community consultations were advertised through the Tłıchq Government and WRRB social media pages, along with posters provided to Community Directors for posting.

Community consultations were held, during evening sessions, in Gamèti on October 29, 2019, in Whatı on November 4, 2019, in Wekweèti on November 7, 2019, and in Behchokq on November 12, 2019. It total, approximately 75 participants attended the four community consultation sessions.

The WRRB and Tłıchǫ Government staff cooperated in joint consultations, and provided information on the *Management Plan for Bats in the NWT*, as prepared by the Species at Risk Secretariat. Staff explained the *Species at Risk (NWT) Act* processes, and the species at risk status categories. Staff explained the listing of *dłıǵ k'et'à* (bat, means flying mouse), specifically the little brown myotis as Special Concern in the NWT, the subsequent requirement to prepare a management plan, and what is and is not included in a management plan. Staff discussed the conservation goals as well as the objectives identified to reach the goals.

There were no comments on the management plan or any specific management suggestions; however, the consultation sessions were a great education tool to discuss *dłıǵ k'et'à*, their distribution, their place in the ecosystem, and their threats, i.e., white-nose syndrome. There was a lot of interest in *dłıǵ k'et'à* so it is hoped that communities will report any future sightings.

The WRRB met on February 12, 2020 to discuss the proposed *Management Plan for Bats in the NWT* as required under the *Species at Risk (NWT) Act*.

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 Tłıchǫ Government and WRRB staff in Gamètı on October 29, 2019, in Whatı on November 4, 2019, in Wekweètı on November 7, 2019, and in Behchokǫ on November 12, 2019, the WRRB passed Motion #689-12-02-2020, supporting the *Management Plan for Bats in the NWT* as presented.

Tłıchǫ Government

On August 4, 2005, the Tłıchǫ Government came into existence under the Comprehensive Self-government and Land Claim Agreement among the Tłıchǫ, Government of Canada, and the Government of the Northwest Territories ("*Tłıchǫ Agreement*"). The Tłıchǫ Government has law making powers under its areas of jurisdiction and Tłıchǫ have rights set out in the *Tłıchǫ Agreement* throughout the areas known as Wek'èezhıı and Mǫwhı Gogha Dè Nııttèè.

The *Management Plan for Bats in the Northwest Territories* (dłıǵ k'et'à – 'bat' means flying mouse) was developed to guide management of two species of dłıǵ k'et'à – little

brown myotis and northern myotis that were listed as species of Special Concern and therefore require management plans.

Joint Consultation

As noted by the Wek'èezhì Renewable Resources Board (WRRB), the WRRB and Tłıchq Government staff cooperated in joint consultations in Tłıchq communities and provided information on the *Management Plan for Bats in the Northwest Territories* as prepared by the Species at Risk Secretariat. Tłıchq Government staff noted that there were no comments on the management plan or any specific management suggestions; however, like the WRRB, Tłıchq Government staff found that the consultation sessions were a great education tool to discuss dı́ą k'et'á, and hope that Tłıchq communities will report future sightings.

Chief Executive Council Decision

Based on Tłıchq citizen input during joint Tłıchq community consultations held by the Tłıchq Government and WRRB staff and having received the advice of Tłıchq Government staff, the Chiefs Executive Council met on March 23, 2020 and supported the *Management Plan for Bats in the Northwest Territories* as presented.

Government of the Northwest Territories

The Government of the Northwest Territory's (GNWT) position on the management plan was formed through review of the management plan, public engagement, and Aboriginal 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 draft management plan for bats. The comment period was August 1 – November 1, 2019. The GNWT invited comments using print ads, fact sheets, the NWT Species at Risk website, an online survey, and an email distribution list.

The GNWT received eight submissions through the public engagement process. Four were submitted directly and four were responses to the online survey. The submissions included suggestions for improving the management plan as well as statements of

support for the management plan and its implementation. No significant concerns about the management plan were raised. The GNWT recorded all comments. All comments were fully considered and revisions were made to the management plan where appropriate. Detailed records of comments and how they were addressed are on file at the Wildlife and Fish Division, Department of Environment and Natural Resources, Yellowknife.

Aboriginal Consultation

The GNWT has a legal duty to consult and accommodate Indigenous governments and organizations whenever it considers carrying out a government action that has the potential to adversely affect asserted or established Aboriginal or treaty rights.

Accepting the management plan does not result in any automatic prohibitions or protections for species or habitat, or automatic harvesting restrictions for anyone.

ENR sent consultation letters to the following Indigenous governments and organizations that hold asserted or established Aboriginal and/or treaty rights in or near the NWT range of bats:

- Acho Dene Koe First Nation
- Akaitcho Dene First Nations
- Athabasca Chipewyan First Nation
- Dehcho First Nations and Chiefs
- Délı̨ne Got'ı̨ne Government
- Dene Tha' First Nation
- Fort Chipewyan Métis Local 125
- Ghotlenene K'odtineh Dene
- Kaska Dena Council
- Kátł'odeeche First Nation
- Mikisew Cree First Nation
- Mountain Island Métis
- First Nation of Na-cho Nyäk Dun
- Nahanni Butte Dene Band
- North Slave Métis Alliance
- Northwest Territory Métis Nation
- Prince Albert Grand Council
- Sahtú Dene Council
- Sahtú Secretariat Incorporated
- Salt River First Nation # 195
- Smith's Landing First Nation
- Tłı̨chǫ Government

ENR provided these Indigenous governments and organizations with copies of the management plan for their respective review and consideration of potential effects to their asserted or established Aboriginal or treaty rights.

Feedback received through this consultation process included a request for additional information, which was provided in a formal response letter, as well as comments on the potential value of the management plan as an educational tool. None of the Indigenous governments or organizations consulted identified any potential adverse effects to their asserted or established Aboriginal or treaty rights.

Having reviewed the responses received during consultation, the GNWT's review is that acceptance and implementation of the management plan will not adversely affect asserted or established Aboriginal or treaty rights. In the event future government actions are proposed pertaining to harvest quotas, regulations, or habitat protection that may adversely affect asserted or established Aboriginal or treaty rights, additional consultation may be required.

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