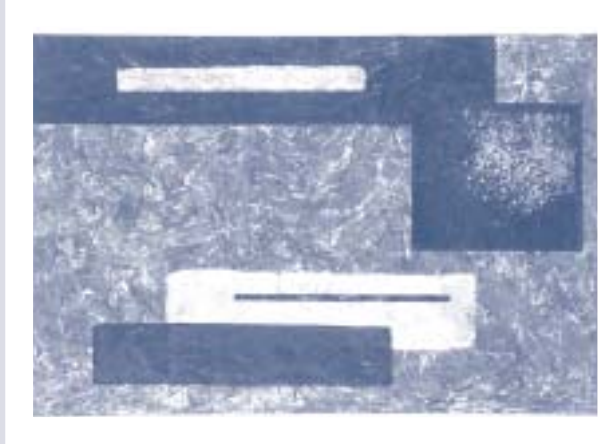


02
Annual Report
03

YUKON
Yukon Land Claims and Self-Government Agreements

Jacqueline Olson

Dawson City, Yukon



Blue Square, 2003
Mixed Medium
61cm x 91cm

Jacqueline Olson's heritage is one of Gwich'in and Danish descent. She was born and raised in Dawson City. She had lived there all her life but for the three years spent in Whitehorse working for the Yukon Indian Arts and Craft Society (1995-1988), and her four years studying art at Camosun College (Victoria, BC) and the Alberta College of Art and Design (Calgary, Alberta). Her time at the Indian Arts and Craft Society sparked her interest in Arts Administration, which she felt would improve her capabilities in her job. By the time she began her arts administration training at Camosun, Jacqueline realized that she had passion for making the art itself.

She went on to the Alberta College of Art to complete her Bachelor of Fine Arts. Since her return to Dawson in 1992, Jacqueline has been busy in the arts scene. She has participated in many art exhibitions in such cities as Munchen (Germany), Calgary, Banff, Red Deer, Yellowknife, Edmonton, Whitehorse and Dawson City. Jacqueline's work is also in many collections around the world as in Bavaria State Anthropology Museum in Munchen, National Indian Art Centre, the Yukon Permanent Art Collection to name a few.

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Minister's Foreword

I am pleased to present the eighth annual report of the Yukon Land Claim Agreements. This report notes that there have been enormous changes in Yukon. I am especially pleased that many partnering approaches have emerged as a means of addressing a wide range of management issues. Moreover, major advances have been made by self-governing Yukon First Nations in the implementation of their self-government agreements.

This annual report is based on the implementation of the agreements for the Champagne and Aishihik First Nations, Teslin Tlingit Council, First Nation of Nacho Nyak Dun, Vuntut Gwitchin First Nation, Little Salmon/Carmacks First Nation, Selkirk First Nation, Tr'ondëk Hwëch'in and Ta'an Kwäch'än Council. Participation from First Nations, as well as from the Governments of Yukon and Canada, and other implementing bodies, have made this report possible for another year.



The Honourable Andy Scott

Minister of Indian Affairs and Northern Development



Contents

HIGHLIGHT	1
INTRODUCTION	3
SUMMARY OF IMPLEMENTATION ACTIVITIES AND BACKGROUND	4
IMPLEMENTATION WORKING GROUP	4
Federal Implementation Co-ordination	
BOARDS, COUNCILS, COMMITTEES AND COMMISSIONS	5
Dispute Resolution Board	5
Yukon Enrollment Commission	5
Yukon Fish and Wildlife Management Board	6
Yukon Geographical Place Names Board	12
Yukon Heritage Resources Board	12
Yukon Land Use Planning Council	13
Yukon Salmon Sub-Committee	14
Yukon Surface Rights Board	16
Training Policy Committee	18
Yukon Water Board	18
Alesk Renewable Resources Council	19
Carmacks Renewable Resources Council	19
Dawson District Renewable Resources Council	20
Mayo District Renewable Resources Council	22
North Yukon Renewable Resources Council	22
Selkirk Renewable Resources Council	23
Teslin Renewable Resources Council	24
Settlement Land Committees	25
FIRST NATIONS	25
Champagne and Aishihik First Nations	25
Little Salmon/Carmacks First Nation	26
YUKON GOVERNMENT	27
Executive Council Office	28
Department of Community and Transportation Services	28
Department of Economic Development	28
Department of Energy, Mines and Resources	28
Department of Environment	29
Department of Health and Social Services	31

Department of Highways and Public Works	32
Department of Justice	32
Public Service Commission	32
Department of Tourism and Culture	33
Yukon Housing Corporation	35
GOVERNMENT OF CANADA	35
Indian and Northern Affairs Canada	35
Canadian Heritage	37
Environment Canada	38
Northern Conservation Division	38
Environmental Protection Branch	39
Fisheries and Oceans Canada	40
Human Resources Development Canada	41
Natural Resources Canada	41
Legal Surveys Division	41
Public Service Commission	42
Public Works and Government Services Canada	42
APPENDIX 1: YUKON FIRST NATIONS	44
APPENDIX 2: YUKON FIRST NATIONS WITH FINAL AGREEMENTS AND SELF-GOVERNMENT AGREEMENTS	44
APPENDIX 3: FEATURES OF THE UMBRELLA FINAL AGREEMENT	44
APPENDIX 4: FEATURES OF THE YUKON FIRST NATION FINAL AGREEMENTS	45
APPENDIX 5: FINANCIAL COMPENSATION PAYMENTS	48
APPENDIX 6: COSTS OF IMPLEMENTATION	48
APPENDIX 7: MEMBERSHIP OF IMPLEMENTING BODIES	49
APPENDIX 8: LIST OF ABBREVIATIONS	52
APPENDIX 9: MAP OF TRADITIONAL TERRITORIES	53

Highlights

- The Habitat Conservation and Stewardship Program (HCSP) comprehensive review was completed by the Yukon Fish and Wildlife Management Board in January 2003.
- The 2002-2003 period marked the seventh and final year of the Yukon River Drainage Basin Harvest Study. With completion of the harvest study, Schedule A of the Umbrella Final Agreement was activated and negotiations for a basic needs allowance will begin.
- To streamline the process of developing Integrated Fisheries Management Plans (IFMPs) for salmon in Yukon drainage basins, and to provide an opportunity for more meaningful input into the plans, the Yukon Salmon Committee established working groups for the Yukon, Porcupine and Alsek rivers.
- The Yukon Land Use Planning Council completed the discussion paper; *Financial Model for the Completion of Regional Land Use Planning under Chapter 11 of the Umbrella Final Agreement*, and successfully implemented *The Peel Action Plan: A Plan for the Establishment of the Peel Watershed Planning Commission*.
- The Yukon Surface Rights Board completed an in-depth review of its Rules of Procedure. The new rules will provide users with a more efficient approach to the Board's process, and are scheduled to be published in the *Canada Gazette* early in the new fiscal year.
- The Training Policy Committee approved the co-sponsorship of its first generic training program, the First Nation Environmental Officer Training Program, to be delivered by Yukon College in the fall of 2003.
- During the year, the Alsek Renewable Resources Council worked on management plans for the Champagne and Aishihik Traditional Territory, including the Champagne and Aishihik Traditional Territory Strategic Forest Management Plan, Dezadeash Lake Management Plan, Aishihik Integrated Wildlife Management Plan, Bison Management Plan and the Alsek Moose Management Plan.
- The Vuntut National Park Management Plan was signed by the North Yukon Renewable Resources Council, Vuntut Gwitchin First Nation and Parks Canada in December 2002, and at year end was awaiting approval by the federal Cabinet.
- The five-year review of the Nisutlin River Delta National Wildlife Area Management Plan was close to completion at year end. After presentation of the review document to the public for final input, the final draft will be approved and serve as the management plan in the Delta for the next 10 years.
- The Champagne and Aishihik First Nations completed the Strategic Forest Management Plan, developed a draft five-year heritage plan, and finalized and approved the Kluane National Park Management Plan.
- The Fishing Branch (Ni'iinlii' Njik) Wilderness Preserve was established as a Park under the *Parks and Lands Certainty Act* (Yukon).
- In September 2002, Cabinet approved the Teslin Tlingit Council Administration of Justice Agreement in principle. The approval-in-principle is subject to the approval of the negotiated implementation plan.
- The Teslin Tlingit Council, Teslin Renewable Resources Council and Yukon Government gave final approval to the Teslin Integrated Fish and Wildlife Management Plan in June 2002.

- The North Yukon Renewable Resources Council, Vuntut Gwichin First Nation and Yukon government gave final approval to the North Yukon Integrated Fish and Wildlife Management Plan in June 2002.
- The Yukon government, through the Public Service Commission, approved, in principle, a draft Yukon-wide plan for a representative public service, as well as similar plans specific to the Teslin Tlingit Council, First Nation of Nacho Nyak Dun and Champagne and Aishihik First Nation traditional territory.
- Canadian Heritage and the Yukon Government developed, approved and signed framework agreements and work plans with the Tr'ondëk Hwëch'in, First Nation of Nacho Nyak Dun, Teslin Tlingit Council, Champagne and Aishihik First Nation and Vuntut Gwichin First Nation for the development and management of tripartite strategic plans for heritage resources.
- On March 31, 2003, Fisheries and Oceans Canada released the final report, *Yukon River Drainage Basin Harvest Study*, to Yukon First Nations.
- The Selkirk First Nation and First Nation of Nacho Nyak Dun completed their survey programs of settlement lands during the year.

Introduction

Yukon is home to 14 individual First Nations representing approximately 8,250 Yukon Indian people (see Appendix 1). In 1973, these First Nations formed an umbrella organization, known as the Council for Yukon Indians (CYI) to pursue a comprehensive land claim with the federal government. In 1995, the CYI changed its name to the Council of Yukon First Nations (CYFN).

In 1989, the Government of Canada, Yukon and the CYI reached an Agreement-in-Principle which became the basis for the Council for Yukon Indians Umbrella Final Agreement (UFA). Shortly after the conclusion of the Agreement-in-Principle, the parties also agreed that, rather than a single, territory-wide agreement, individual final agreements embodying the provisions of the UFA would be concluded with each of the 14 Yukon First Nations (YFNs).

On May 29, 1993, representatives of the CYI, and the governments of Yukon and Canada signed the UFA. On the same date, Final Agreements incorporating the UFA, and Self-Government Agreements (SGAs) were signed between Canada, Yukon and the Teslin Tlingit Council (TTC), Champagne and Aishihik First Nation (CAFN), Vuntut Gwichin First Nation (VGFN), and the First Nation of Nacho Nyak Dun (NND).

Enabling legislation in the form of the *Yukon First Nations Claims Settlement Act* and the *Yukon First Nations Self-Government Act* received assent on July 7, 1994. The *Yukon Surface Rights Act*, an essential companion piece of legislation, received assent on December 15, 1994. The Governor in Council established February 14, 1995 as the effective date of the *Yukon Surface Rights Act*, the land claim and self-government settlement legislation and the first four YFN Final Agreements and Self-Government Agreements.

The Little Salmon/Carmacks First Nation (LSCFN) and Selkirk First Nation (SFN) Final and Self-Government Agreements were signed on July 21, 1997. The agreements took effect October 1, 1997. The Tr'ondëk Hwëch'in (TH) Final and Self-Government Agreements were signed on July 16, 1998, and came into effect on October 1, 1998. The

Ta'an Kwäch'an Council (TKC) Final and Self-Government Agreements were signed on January 13, 2002 and came into effect on April 1, 2003.

The eight YFNs with SGAs comprise approximately 5,646 beneficiaries. Under these Final Agreements, they received a total of 28,076 square kilometres in settlement lands of which 18,468 square kilometres include ownership of mines and minerals. They will also receive financial compensation payments of \$153,491,640 (1989 dollars) to be paid over 15 years.

Negotiations towards Final Agreements and Self-Government Agreements with the remaining YFNs were held during 2002-2003.

Summary of Implementation Activities and Background

Implementation Working Group

The UFA Implementation Plan and the Yukon First Nation Final Agreement and Self-Government Agreement implementation plans require each party to name a representative to act on its behalf in resolving implementation issues. While there is no requirement in the agreements for a formal committee, in 1994 the parties resolved to establish an informal Implementation Working Group (IWG) to monitor the implementation of the agreements and to address implementation issues. The IWG consists of representatives of the eight YFNs with Final Agreements, the CYFN, and the governments of Yukon and Canada.

To address the review requirements within the Umbrella Final Agreement Implementation Plan, final agreement implementation plans, self-government agreements and their respective implementation plans for the Champagne and Aishihik First Nation, First Nation of Nacho Nyak Dun, Little Salmon Carmacks First Nation, Selkirk First Nation, Teslin Tlingit Council, Tr'ondëk Hwëch'in and Vuntut Gwichin First Nation, a number of representatives on the IWG (or their delegates) formed the Implementation Review Working Group (IRWG).

During 2002-2003, the IWG met three times in Whitehorse and was involved in the following activities:

- follow up on some of the issues identified in the Five-Year Review of the first four final agreements and UFA Implementation Plans (completed in 2000-2001), such as trappers' compensation;
- development of a Consultation Protocol between the Yukon government and the YFNs;
- The YFNs, with the Yukon government, the CYFN and Canada, initiated planning for the reviews of the final and self-government agreements, and their respective implementation plans, which will take place in the 2003-2004 fiscal year;

- advising and working with the Yukon government on the Renewable Resources Council (RRC) Familiarization Project;
- discussion on the annual report process, including a name change from annual review to annual report. Future reports are to reflect both achievements and challenges faced by YFNs, and include self-government material.
- drafting a work plan and schedule by the Yukon government for continuing the policy development on trappers' compensation that Canada began prior to devolution.

Federal Implementation Coordination

The Implementation Management Branch (IMB), of Indian and Northern Affairs Canada (INAC), is responsible for the overall co-ordination and monitoring of federal government obligations under the YFN final and self-government agreements. The Branch represents the Government of Canada on the IWG and is also responsible for administering funding arrangements with Yukon. The CYFN, YSRB, YLUPC, Yukon Enrollment Commission and the Dispute Resolution Board. The Branch makes financial compensation payments to YFNs and is responsible for preparing the annual review.

During 2002-2003, planning and co-ordination for the 2003-2004 review of the final and self-government agreements and their respective implementation plans, was a significant focus for Implementation Branch. These Agreements and their implementation plans provide for various reviews and specify that the parties to these Agreements shall endeavor to carry out the reviews in a co-ordinated manner. The 2003-2004 Yukon Review will be carried out by the implementation representatives from the parties on the IWG.

Other noteworthy activities during the year included:

- initiation of a review of Program and Services Transfer Agreement (PSTAs), and identification of initial issues including the YFN funding base provided in PSTA 1 and 2, and implementation problems with the Northern Affairs Program PSTA and PSTA process;

- distribution and publishing of the *2000-2001 Yukon Land Claim Agreement Annual Report*;
- amendment of the TH Administration of Justice Interim Provisions (section 13.6.0, subsection 13.6.6) extending the provisions to 2006;
- promotion of co-ordination of federal implementation issues through frequent caucus meetings with other government departments; and
- working to facilitate a seamless transition as part of devolution on funding and other issues.

The Implementation Management Branch of INAC is responsible for monitoring federal obligations under the Yukon final and self-government agreements. Issues that IMB worked on during 2002-2003 include;

- amendments to YFN Final Agreements and SGAs;
- financial matters;
- policy work; and
- representing Yukon's interests within INAC and with central agencies.

In addition, the Branch participated in a wide variety of internal departmental meetings, workshops and briefing sessions related to the negotiation and implementation of Yukon land claim settlement agreements and SGAs.

Boards, Councils, Committees and Commissions

Dispute Resolution Board

The Dispute Resolution Board (DRB) was established to provide a comprehensive resolution process for disputes arising from the interpretation, administration or implementation of settlement agreements or settlement legislation, and to facilitate the out-of-court resolution of disputes in a non-adversarial and informal atmosphere. The Board consists of three members jointly selected and appointed by the CYFN, and the governments of Yukon and Canada.

During the year, the turnover of one board member position provided an opportunity for the DRB to review the provisions of Chapter 26 of the UFA. Guidance and legal advice were sought with respect to a number of its sections.

The DRB continued to field inquiries regarding the dispute resolution process. One request for mediation was facilitated and ended with a resolution of the issues between the parties.

Activities in the new fiscal year will include the review and revision of policies and procedures to make them as clear and useful as possible, and a meeting with the Yukon Enrollment Commission (YEC) to be informed about its mandate and strengthen the relationship between the YEC and the Dispute Resolution Board. As well, the Board will continue its discussions and efforts to raise the awareness of the proper use and benefits of the DRB for all parties affected by the UFA.

Yukon Enrollment Commission

The Yukon Enrollment Commission was established under the provisions of the UFA on July 1, 1989. Settlement legislation gives the Commission the power to determine eligibility for enrollment, to hear and adjudicate any appeal respecting enrollment and to provide for the enforcement of any order or decision. It is an independent body operating at arm's length from the parties to the land claim settlement agreements. The Commission will act until dissolution as per UFA section 3.10.4, which states that it will operate for 10 years from the settlement legislation effective date of February 14, 1995, or for two years after the last YFN final agreement is signed, whichever occurs first. At dissolution, the Commission will turn over all documents and records to the DRB.

The Commission has three commissioners and their alternates. One commissioner and alternate are nominated by the CYFN, one commissioner and alternate are jointly nominated by the governments of Yukon and Canada, and the third commissioner and alternate are chosen by the other two nominees. The three-year appointments are made by the Minister of Indian Affairs and Northern Development.

Copies of the YEC appeals and policy and procedures were provided to the YFN chiefs and councils, enrollment committees and the three parties to the UFA .

In accordance with these above sections, individuals applying for Yukon land claims enrollment will have been required to contact the listed self-governing YFNs directly; as of the following dates:

- CAFN, February 14, 1997;
- NND, February 14, 1997;
- VGFN, February 14, 1997;

- TTC, February 14, 1997;
- LSCFN, July 21, 1999;
- SFN July 21, 1999; and
- TH, July 16, 2000.

The TKC Final Agreement was signed on January 13, 2002; however the TKC will not assume the responsibilities of enrollment until January 13, 2004. Individuals applying for land claims enrollment can apply to the TKC directly or the Commission. In 2001-2002, the TKC enrollment population was 423 with 10 pending applications.

The Commission established working relationships with YFNs, various First Nations outside Yukon and federal and territorial government agencies. The Yukon's Family and Children's Services and the Commission work together to enroll YFN descendants whose adoptions occur within Yukon. Family and Children's Services also works with adoption agencies outside of Yukon to ensure that YFN descendants whose adoptions occurred outside Yukon are enrolled. The Commission and Family and Children's Services jointly mailed enrollment applications and information packages to adoption agencies across Canada and Alaska. The Commission also mailed these packages to various friendship centres across Canada. Advertisements regarding enrollment in the various Yukon land claims have appeared in major newspapers across Canada.

The Commission assists YFNs and INAC with the ratification of enrollment lists as required. The Commission's Web Site contains enrollment applications and information on how to enroll, including enrollment criteria.

Yukon Fish and Wildlife Management Board

The Yukon Fish and Wildlife Management Board (YFWMB), the primary instrument for the management of fish and wildlife in Yukon, is mandated to make recommendations on all issues related to fish and wildlife management, legislation, research, policies and programs. The Yukon's Minister of Renewable Resources appoints the 12-member board, consisting of six nominees by the CYFN and six by Yukon.

The activities of the Board have been listed below, prefaced by its statement of 2002-2003 goals.

Community Stewardship

Goal statement: The YFWMB will work toward fostering an understanding of the different partners involved in community-based management and their roles and responsibilities. This will help ensure effective co-operative resource management in Yukon communities and across the territory.

In July 2002, the YFWMB secured funding through both the Walter and Duncan Gordon Foundation and the Habitat Conservation Stewardship Program (HCSP) to hire a stewardship co-ordinator to assist with and promote stewardship programs throughout the territory.

Game Guardians

Throughout the Fall of 2002, the stewardship co-ordinator met with communities' game guardians, assisted with the hiring process for Ross River Dena Council's guardian program, and co-ordinated and facilitated the Game Guardian Workshop that was held in February 2003 in Champagne. This Workshop was an opportunity for guardians to meet one another as well as being an intensive species at risk training session. Over 40 people attended the Workshop, including representatives from eleven YFN governments. The Workshop was videotaped for a promotional document.

The stewardship co-ordinator is working on a document that will serve to promote guardian programs as well as assisting YFNs in the process of creating new guardian programs.

In the winter of 2002, the YFWMB submitted a proposal, which was accepted, concerning a presentation to the national conference, Leading Edge: Stewardship and Conservation in Canada, which will take place in July 2003 in Victoria, British Columbia.

Habitat Stewards

The HCSP comprehensive review was completed in January 2003, and involved the work of the stewardship co-ordinator and community habitat stewards. The review enabled the YFWMB to write an informed and persuasive proposal to re-create the salmon/habitat-oriented HCSP with a more comprehensive conservation and stewardship focus. This proposal was received favorably by both the Yukon River Restoration and Enhancement Trust and Ducks Unlimited. The YFWMB will receive funding from both of these agencies to reposition stewards in Yukon communities throughout the next three years. Initially, stewards will be placed in Mayo, Dawson and Haines Junction.

In January 2003, the community habitat stewards hosted a three-day workshop in Whitehorse for Yukon community youth, which was designed to expose them to various career opportunities in the field of fisheries.

Renewable Resources Council Support

Goal statement: The YFWMB will work towards developing a stronger relationship with RRCs and strive to find ways to assist them through increased communication, training and issue co-ordination.

Since the settlement of land claims, seven RRCs have been established. These councils deal with local management issues, often, the issues worked on by RRCs and the YFWMB are closely linked. In early 2002, the YFWMB hired a researcher/community liaison officer to facilitate the Board's communication with the RRCs on its issues, and to provide research expertise if the RRCs require it.

In addition, the Board continued to focus attention on ensuring that communication links between the Board and the RRCs are strengthened. The YFWMB continued its regular conference calls with RRCs to discuss common issues and concerns, and played a significant role in assisting the organization of the annual RRC workshop held in Carmacks in November 2002. One of the Board's major contributions at this meeting was the preparation of a plain-language overview of RRC responsibilities under the UFA. Board staff also helped RRC secretariats organize another half-day training session in November 2002.

Communications

Goal statement: The YFWMB will strive to enhance public awareness of Board activities and develop strong public education tools to foster a broad understanding of Yukon fish, wildlife and habitat issues.

Communication is an important focus of the Board. A public informed on issues related to fish and wildlife will help facilitate the Board's public consultations and ensure that it represents public interest in its recommendations. To enhance communication approaches, the Board developed a general communications strategy as well as specific communications strategies for the issues of live release angling and off-road vehicle use.

Over the summer of 2002, a series of radio ads promoting the careful use of live-release (catch and release) techniques was developed and aired on local radio stations. In addition,

flyers promoting the pinching of barbed hooks were distributed at various events and a pamphlet describing proper live-release techniques was developed and printed for distribution in the summer of 2003. Radio ads to promote ethical off-road vehicle use were aired during the entire year. Four different posters depicting important educational messages for off-road vehicle users were also developed and distributed throughout Yukon. Finally, the Board developed its own calendar with specific messages for each month targeted at Yukoners. The YFWMB is working on more generic information on the Board and RRCs for distribution to the public.

Moose Harvest Management

Goal statement: Working with governments, special interest groups and RRCs, the YFWMB will develop recommendations for a new moose harvest management system that meets the needs of wildlife managers and all Yukon hunters.

The Board established a moose harvest management working group in early 2000 to develop a clear and consistent framework for moose harvest management and regulation for the territory. Using information gathered at a stakeholder workshop and through the working group, a discussion paper was developed and distributed to all Yukon communities over the summer and fall of 2001. The working group then organized public meetings in November 2001 throughout Yukon, and compiled the resulting feedback into a final report which provided the basis for the working group to develop draft recommendations. The working group presented these recommendations to the Board in April 2002 for approval. The YFWMB finalized these recommendations in October 2002 and forwarded them to the Minister of Environment. The Minister approved all the recommendations. The YFWMB is publishing a public document outlining the moose harvest management framework.

Oil and Gas Development

Goal statement: The YFWMB will endeavour to ensure communities are aware of the potential impacts of oil and gas development on fish and wildlife in order for them to make informed decisions about how this development should occur in their area.

Oil and gas development is a relatively new industry in Yukon. Since the Yukon government took over the responsibility of managing oil and gas resources in the late 1990s, disposition processes have allowed companies to bid on

and receive access to explore certain parts of the territory. In addition, there has been discussion about the possibility of developing pipelines to take northern gas to southern markets. As a result, the Board has received many inquiries on the effects of these types of activities on fish and wildlife populations.

Funding from the Walter and Duncan Gordon Foundation allowed the creation of a one-year position for an oil and gas researcher to follow up on work done in the previous year. The Board printed and distributed the report, *The Effects of Oil and Gas Development on Fish and Wildlife*, and primers based on the report.

In October 2002, the annual oil and gas rights disposition in Yukon began the process recommended by the Board, the RRCs and YFNs. The new process was intended to give the RRCs the opportunity to provide information on ecological and cultural values in their area prior to a land disposition. Communities are asked to map areas of importance before land is opened to nominations. The Board provided support for the RRCs in this process.

In December, the Board and the North Yukon Renewable Resources Council (NYRRC) hosted a dinner and slide show in Old Crow on oil and gas development.

Access provided by linear developments, such as roads and seismic lines have been an area of concern for the Board and the public. The Access Working Group created a series of educational posters about off-road vehicle ethics. The YFWMB also helped in the production of a book entitled *Opening Up the Wilderness: The Effects of Roads and Trails on Wildlife*. The book outlines the effects of road and trail development on wildlife and wildlife habitat and how these impacts can be mitigated through planning, education, regulation and construction design. The book will be printed and distributed when funding for printing is confirmed.

Habitat Protection

Goal statement: The YFWMB will work to ensure habitats identified in planning exercises are protected through regulation.

In 1998, the *Yukon Wildlife Act* was amended to allow for the development of regulations to enforce the Act and provide direction for implementation. In response, the Board established a working group to develop recommendations on these changes. In January 2000, the Board released *Protecting Wildlife Habitat in the Yukon* and the working group associated with this activity was disbanded. In October 2000, the Board re-established a habitat working group to help facilitate the identification and designation of

Habitat Protection Areas (HPAs). It was clearly articulated at the time that this group would be looking at site - specific habitat protection, not large-scale areas like those identified under the Yukon Protected Areas Strategy (YPAS).

At the RRC Annual Meeting in November 2002, the issue of habitat protection was raised again. As a result of RRC concerns that the stalemate over the YPAS meant that important habitats were not going to be protected, the YFWMB was tasked with organizing a meeting to discuss future activities by the RRCs and Board. In February 2003, representatives from the Board and the RRCs met to develop a series of recommendations regarding the establishment of community management areas, or local HPAs, under the *Yukon Wildlife Act*. These recommendations were forwarded to the YFWMB for their review at the March 2003 meeting. The Board will be making official recommendations to the Minister of Environment in April 2003.

Forty-Mile Caribou

Goal statement: The YFWMB will endeavour to ensure the expansion of the Forty-Mile caribou herd into its former Yukon range.

At the turn of the century, the Forty-Mile Caribou Herd was estimated to have a population of almost 600,000 animals and ranged throughout central Alaska and much of the central and southern Yukon. By the 1970s, over harvesting, poor weather and predation had reduced the herd to about 5,000 animals. In response, a planning team of Alaskan and Yukon representatives, including the YFWMB, was established in 1995 to come up with possible ways of increasing the herd's size.

The herd has been steadily increasing in size, and in 2002-2003 it achieved one of the major goals of the recovery program: the herd crossed the Yukon River. This was a great achievement for the management team. The next step is to develop a harvest plan for the herd in Canada. The Board will then begin to work along with the Yukon government, YFNs, and RRCs to develop a complete management plan for the Forty-Mile Caribou Herd in Yukon.

Live Release Angling

Goal statement: The YFWMB will ensure the establishment of a regulation requiring the use of barbless hooks in all Yukon waters.

The Board hosted the first workshop on live release angling in Yukon in October 1999. The outcome of this

workshop was the establishment of the Board's Fish Think Tank. This group, which included First Nations, lodge owners, retailers and other stakeholder groups, held its first session in October 2000 to develop ways of improving the practice of live (catch and release) release angling in the territory. As a result of this work, the Board proposed a regulation change under the *Yukon Wildlife Act* in October 2001 that would require the mandatory use of barbless hooks in all Yukon waters. The Board's recommendation was accepted by the Minister of Environment in July 2002. Implementation of this regulation will begin in April 2004. In the meantime, the Fish Think Tank has been tasked with examining other possible ways of streamlining fishing regulations in the territory.

Harvest Monitoring

Goal statement: The YFWMB will provide a "home" for First Nation and resident hunter harvest data.

Mechanisms to store and share First Nation and resident hunter harvest information is an issue for fish and wildlife managers. Over the past few years, the Board worked with the Yukon government and YFNs to develop a system. In 2001, the Yukon government completed the development of a Web Site for the secure exchange of harvest information via the internet. The Board is the host of the Web Site and each government will input its harvest information onto the site. In January 2002, the Board assisted in the purchase of software required for access by YFNs. In addition, an information sharing protocol was developed in October 2002 and distributed to all YFNs for their review. Over the next year, the YFWMB will continue discussions with YFN governments to begin the recording and exchange of harvest data.

Legislation and Regulation

One principle function of the YFWMB is to provide public input on legislation or regulations that affect fish and wildlife resources. The Board provides comments to governments based on public consultations and research.

Each year, changes are made to regulations under the *Yukon Wildlife Act* in response to public or management concerns. Governments, RRCs, special interest groups and individual citizens can all propose changes to regulations. The YFWMB presents these proposed changes to the public each fall to obtain comments and hear concerns. Once the public consultation is complete, the Board will review all

information and provide recommendations to the Minister of Renewable Resources. The Minister will then either accept, vary or set aside the Board's recommendations. If the proposals are accepted, the new regulations will be put into effect for the following year.

The following proposed changes were examined during 2002-2003.

Hunting, Fishing and Trapping Regulation Proposals

Reduce the big game hunting age restriction to youth 12 years of age and over to increase hunting opportunities, the Yukon government proposed to amend *Yukon Wildlife Act* regulations to allow resident hunters age 12 and over to hunt big game and to have their own tags and bag limit. Youth 16 and under would still need to hunt accompanied by a licensed hunter over nineteen years of age. The Board recommended that 12 and 13 year olds should be allowed to hunt big game, but they should not have their own tag or bag limit, should be accompanied by a licensed parent or guardian or an adult 19 years or older with written consent from a parent or guardian, and should be required to take the hunter education and ethics course. The Minister accepted the Board's recommendations.

Change the Permit Hunt Authorization (PHA) System. As a result of an audit of the system, the Yukon government proposed to change the Permit Hunt Authorization (PHA) system by enabling successful applicants to voluntarily return a PHA within one week of being drawn. The next hunter on an eligibility list created for that species would be issued the PHA. While the PHA fee would not be reimbursed, the original successful hunter who had returned the permit would be considered as "unsuccessful" and would enter next year's draw with a higher probability of being drawn for that species. The deadline for PHAs would be changed by at least one and possibly two weeks to accommodate this change and allow for sufficient time to issue the permits before the start of the hunting season on August 1. As well, the language of the regulation would be changed to restrict the number of times a hunter could successfully obtain a bison permit, to prohibit the hunter from applying for a bison permit within four years of being successful in the PHA draw. Yukon also proposed to eliminate the ability to submit joint applications for moose and bison permits and to eliminate the "any GMS" section of the permit application form. This would be replaced by a third option to choose a

specific game management zone. The Board supported all these proposals and the Minister accepted the Board's recommendations.

Shorten the Porcupine caribou cow season for licensed hunters. To reduce the harvest on the declining Porcupine caribou herd, the Porcupine Caribou Management Board, in consultation with the Yukon government, forwarded a proposal to amend the regulations for the Porcupine caribou cow hunting season from August 1 to January 31 to a shorter four-month season from August 1 to November 30. The Board determined there had been sufficient public consultation on this proposal and referred the issue to the Porcupine Caribou Management Board to make the recommendation.

Allow for the use of vehicles for hunting and transporting wildlife in subzones 5-34 and 5-36 to 5-39. Section 4(5) of the *Yukon Wildlife Act* prohibits the use of vehicles for hunting or transporting wildlife within game management subzones 5-34 and 5-36 to 5-39, except on designated roads. However, some outfitters in the area use aircraft, which are considered under the new Act as vehicles for transporting hunters and wildlife in these areas. There is also an issue with the current prohibition of the use of snowmobiles to hunt bison in these areas.

The Board recommended that the regulation should maintain the restriction on the use of all terrain vehicles to designated routes in game zones 5-34 and 5-36 to 5-39. In addition, it recommended the use of aircraft for transporting hunters and wildlife should be removed and that snow machines for the use of hunting and transporting wildlife should be permitted from December 1 to March 31. Furthermore, the Board recommended that it work with the Yukon government to develop a territorial policy for the management of off-road vehicle use in Yukon. The Minister accepted the Board's recommendations.

Allow for bison hunting with a bow. The Yukon Bow Hunters Association proposed a regulation to allow for bison hunting with a bow, and an amendment to the regulations that specifies the caliber of weapons used for bison hunting to include bow poundage. Minimum 50 pound peak weight for a high performance compound bow and a 55 pound peak high performance recurve or longbow. The proposal included a requirement that all bow hunters should carry a high caliber rifle as a precautionary backup to ensure the safety of the hunter and a clean kill if problems are encountered. They also suggested that all bow hunters

complete a bison hunting course offered by the Yukon government and possibly pass a proficiency test. As a result of concerns about wounding loss and the fact that wood bison are a threatened species hunted only as a management tool, the YFWMB recommended that there should not be a regulation change. The Minister accepted the Board's recommendation.

Create a bow hunting only zone in the Grey Ridge area. To increase opportunities for bow hunters and to ensure a level of safety, the Yukon Bow Hunters Association proposed to create a regulation that would limit all licensed big game hunting in the Grey Ridge area to bow hunters only. The public did not support this proposal and, in turn, the Board recommended it should not be implemented. The Minister accepted the Board's recommendation.

Create a registration hunt for the caribou herd. The Alsek Renewable Resources Council (ARRC) proposed the creation of a registration hunt in which unlimited permits would be issued, but as soon as the predetermined harvest level was reached, hunting for this species in this area would immediately close. This would replace the current permit hunt in the area. It would be limited to August through September to avoid hunting during the rut and would only apply to game management subzones 5-27, 5-29 to 5-43, and 5-45 to 5-47 which would be divided into two zones, west and east separated by the road. The number of animals to be harvested should be determined after the 2002-2003 Yukon territorial government Aishihik caribou census.

The Board supported the notion of a registration hunt for the Aishihik caribou herd. However, the Board recommended that the ARRC and Yukon government work together to develop a more comprehensive proposal for the registration hunt and bring it back to the Board for review with the intention that a 2004 time frame will still be met.

Develop daily catch limits for burbot (lingcod). To ensure reasonable conservation measures are in place, the Yukon government proposed to set a daily limit of 10 fish and a possession limit of 20 fish for burbot that would apply to anglers and those with set line permits. The Board supported this proposal and further recommended that this be used as a guideline for set line permits where a conservation concern is identified. The Minister accepted this proposal.

Expand the definition of "resident" for hunting and trapping purposes. To protect residency status of individuals who leave the territory for work reasons, the Yukon government proposed to amend wildlife and trapping regulations to

include a special class for individuals who live in Yukon, but work outside the territory so they could be considered residents for hunting and trapping purposes. The Board supported this proposal and further recommended that the Department of Environment investigate other reasons for which people might be granted residency status (e.g., snowbirds, medical leave, travel) and present its findings to the YFWMB. The Minister accepted this recommendation and added special provisions for education purposes and for the spouses of individuals who are out of the territory for work purposes, education or medical leave.

Wildlife in Captivity Regulations

In April 2002, the new *Yukon Wildlife Act* came into effect. This updated Act addressed issues related to enforcement and administration, such as a court decision that found conditions on sundry permits could not be enforced if they were not backed up in regulation. As a result, the new Act has enabling clauses that allow for the development of regulations for the many activities that used to be allowed through sundry permits.

One of these activities is keeping wildlife in captivity. Wildlife is defined as "any animal wild by nature." The proposed wildlife in captivity regulations do not include game farming of elk, bison or muskox, which already operate under their own set of regulations. Wildlife can be kept in captivity (e.g., non-game farm animals, such as sheep, goats, caribou, moose, lynx, wolverine, falcons) for education, conservation, commercial viewing purposes, falconry, fur farming, rehabilitation or scientific study. Import and export of captive wildlife also fall into this category.

In January 2002, the Department of Environment stopped issuing permits for new activities that involved the capture or holding of Yukon wildlife until it developed a policy and regulations for the activity under the new *Yukon Wildlife Act*. In May 2002, Yukon government released a discussion paper outlining the various activities to be considered and invited stakeholders and the public to comment. Based on this input and other research, the Department of Environment drafted several regulation proposals for activities related to wildlife in captivity.

The YFWMB reviewed these proposals in October 2002, and developed a discussion paper for public comment. The YFWMB held meetings in several Yukon communities throughout November 2002 and a large public meeting in

Whitehorse in early December 2002. An unprecedented number of responses to the proposed changes were received. The YFWMB deliberated on the issues for two days in December 2002 and revisited the issue at the January 2003 board meeting before submitting final recommendations to the Minister of Environment.

The process for the Minister to respond to such recommendations is outlined in section 16.8.0 of the UFA. The Minister requested an extension to respond to these recommendations. His response is expected at the end of April 2003.

Yukon Wildlife Act

In response to recent court decisions, changes in management structures and public concerns, the Yukon government reviewed the *Yukon Wildlife Act*. This was a substantial task as there have only been a few changes to the Act since it was first established in 1982. Therefore, a three phase process was developed. The first phase (2000-2001) addressed administration and enforcement issues. These changes dealt with the *Canadian Charter of Rights and Freedoms*, authorities, penalties, licensing and streamlining administration.

The second phase of changes to the *Yukon Wildlife Act* focussed on species at risk and habitat issues. A public discussion paper was released by the Yukon government and a public meeting was held in December 2001 to initiate discourse on the topic. An initial stakeholder meeting was held in January 2002 and a follow-up meeting in May 2002. The YFWMB was briefed on the proposed content of the legislation in June 2002. It was anticipated that the legislation would be introduced in the Yukon legislature in the fall of 2002. However, a new territorial government was elected in November 2002, placing the species at risk legislation on hold. It is expected that new legislation will be introduced in the fall of 2003.

Canadian Species at Risk Act

The rapid disappearance of species and habitats around the world as a result of human activity prompted the Canadian government to develop a national act to protect species at risk. The Board is mandated through the UFA to make recommendations to governments on the identification and management of species at risk and, as a result, has been involved in developing and reviewing federal species at risk legislation since 1995. In the summer of 2002, the federal

government's *Species at Risk Act (SARA)* passed third reading and came into force.

The Board is involved in the implementation of this legislation. In February 2003, the Board's executive director attended a meeting in Ottawa to begin discussions with the Aboriginal Traditional Knowledge Working Group. A further meeting to include representatives from all wildlife management boards and the Committee on the Status of Endangered Wildlife in Canada was scheduled for Whitehorse in late April 2003.

Sharing the Land Conservation Award

To recognize the dedication and work of certain individuals to ensure the conservation of fish, wildlife and habitats, the Board established a conservation award, to be given each year to an individual nominated by the Board or the public.

The award for 2002 was presented to Alex Van Bibber of Champagne. Born in 1916 near Pelly Crossing, Alex grew up on the land with his parents and 11 siblings. He began working as a big game guide in 1943 and has held a guiding licence every year since with the exception of two years he spent in the Canadian Army during World War II. He was one of the founding members of the Yukon Fish and Game Association and has been involved in trapper education for the Yukon Trappers Association since 1976. In 1992, he received the Order of Canada. He has also been the recipient of the Canadian Wildlife Federation's Roland Michener Award for outstanding conservation achievement and was given the Annual Award from the Fur Institute of Canada for his contributions to trapper education. At 87 years old, Alex still is an active hunter, trapper and educator.

Sharing the Land Scholarship

In the spring of 2002, the YFWMB offered its first annual Sharing the Land Scholarship. Funds were donated by the organizers of the Eighth North American Caribou Conference held in Whitehorse in 1998. The scholarship is for any Yukon student pursuing post-secondary education in any field. The recipient is chosen based on a short essay outlining what significance the Yukon wilderness holds for them and how they hope to continue sharing the land with fish and wildlife in the future through their educational goals.

The recipient of the 2002 Sharing the Land Scholarship was Erin Wallingham, a student of the Yukon Native Teacher Education Program at Yukon College.

Yukon Geographical Place Names Board

The Yukon Geographical Place Names Board (YGPNB), established under the UFA, is responsible for considering and recommending to the Yukon government the possible naming or renaming of places for features located within Yukon, excluding highways, municipalities, parks or waterways originating from parks.

There are six members on the Board, three nominated by the Yukon government, and three nominated by the CYFN. The Yukon Minister of Tourism appoints all board members.

The Board held three meetings during 2002-2003 to review 47 place name applications. The Board agreed, that as a policy, Yukon place names should be documented whenever possible, through photographs and oral recordings, to establish the correct pronunciation and image of each place name feature. This information is used in the Board's annual reports and promotional materials, and will be used in a future Web Site and place name database.

During the year, the Board photographed place name features within the LSCFN's traditional area. This photo documentation project was cost shared with the Yukon Native Language Centre.

Yukon Heritage Resources Board

The Yukon Heritage Resources Board (YHRB) was established in March 1995 as one of the bodies required under the terms of the UFA and the enabling settlement legislation to make recommendations respecting the management of moveable heritage resources and heritage sites to the federal and territorial ministers responsible for heritage and to YFNs. The YHRB may make recommendations on ways to incorporate traditional knowledge in the management of heritage resources and means to preserve traditional languages.

Under the Yukon's *Historic Resources Act*, the YHRB advises the Minister on appropriate policies and guidelines for the designation of historic sites and appropriate policies, guidelines and standards for the care and custody of historic objects; performs functions that land claims agreements assign to the YHRB; and advises on the use of the Yukon Historic Resources Fund, and on the objectives, policies and programs of the Heritage Branch.

The YHRB is comprised of 10 representatives from across Yukon, including five CYFN nominees and five Yukon nominees. One member nominated by the Yukon government must be

selected in consultation with the Government of Canada. All appointments are made by the territorial minister responsible for heritage.

During 2002-2003, the full Board met four times. One meeting was held in Teslin, and one day in each of two board meetings was dedicated to the review and evaluation of sites nominated for territorial designation. The sub-committees of the Board met to review and develop policies on Yukon heritage issues, such as the development of evaluation criteria to determine territorial significance for built, archaeological and palaeontological sites.

Board activities undertaken during the review period included:

- meeting with the Yukon Minister of Business, Tourism and Culture, followed later in the year by a meeting with the new Minister of Tourism and Culture;
- meeting with the CYFN Grand Chief;
- publishing of Adäka Heritage Conference proceedings, and hosting an official launch;
- recommendations to the Yukon government that a Whitehorse site be designated on the basis of its local significance;
- attendance of three board members to the First Nations History, Culture, Agreements and Self-Government workshops as part of board training;
- participation in a heritage policy dialogue workshop hosted by Canadian Heritage;
- development of a chart identifying heritage documents, reports and other matters that may come to the Board for review or recommendation;
- with the YFN chiefs and heritage officers, participation in a historic places initiative workshop hosted by Canadian Heritage to engage Aboriginal peoples within the Historic Places Initiative;
- meeting with members of the YGPNB;
- regular attendance at the Yukon First Nations Heritage Group and Heritage Resources Implementation (Chapter 13) meetings; and
- sponsorship of the annual Yukon Heritage Fair.

Yukon Land Use Planning Council

Established February 14, 1995, the Yukon Land Use Planning Council (YLUPC) provides recommendations to governments and each affected YFN with respect to land use planning. These recommendations include issues relating to internal policies, goals and priorities, terms of reference for each

regional land use planning commission and boundaries of each planning region.

The YLUPC has 3 members, each independently nominated by the CYFN, and the governments of Yukon Canada. The Minister of Indian Affairs and Northern Development appoints the nominees to the Council.

During the year, the Council worked in five areas: assisting existing planning commissions, establishing planning commissions, addressing Yukon-wide issues associated with regional planning, administering funds and reviewing budgets, and advocating for regional planning.

Assisting Existing Planning Commissions Teslin Regional Planning Commission

The Council provided direct financial and administrative services for the Teslin Regional Planning Commission until September 2002, jointly presented material at the Cordilleran Round-Up in January 2003 and met regularly with Commission members.

North Yukon Planning Commission

The Council maintained direct financial and administrative control over the North Yukon Planning Commission, established or maintained contacts with both existing and nominated members, designed a training and orientation strategy for the Commission, and developed and recommended a revised terms of reference for the Commission. Furthermore, it worked with the parties to define the roles and responsibilities within the common land use planning process for Yukon.

Work to Establish Planning Commissions Peel Region

The Council developed and successfully implemented the Peel Action Plan, including the execution of a work plan for the creation of its general terms of reference. The Action Plan was developed in May 2002 and implemented through to April 2003.

Dakh Ka Region

The Dakh Ka Region consists of the existing Teslin Planning Region and a portion of the Carcross/Tagish First Nation (CTFN) traditional territory. Once the CTFN ratifies its land claims agreement, the intent is for these two areas to be joined into a single planning region known as the Dakh Ka Region. Until settlement of the CTFN land claim agreement, the Teslin Regional Planning Commission is proceeding with

land use planning independently. The Council facilitated and chaired meetings of the parties to the creation of the Dakh Ka Region to develop a general terms of reference for the Region. The Council was the principal author for the terms of reference.

Northern Tutchone Region

Work by the Council on the Northern Tutchone Region included meetings with the four parties on the general terms of reference for the Region, and a meeting to discuss planning boundary issues.

Yukon-Wide Issues Associated with Regional Planning

Issues regarding regional planning with Yukon-wide implications that the Council addressed during the year included:

- development of a common land use planning process for Yukon through a Council sponsored, Yukon-wide two day workshop in May 2002;
- projections on the establishment and activities of regional planning commissions between 2002 and 2009;
- through a Yukon-wide workshop sponsored by Environment Canada (EC) in February 2003, determination of the role of regional land use planning as a tool for managing cumulative effects; and
- development of a model for the allocation of implementation funds among the eight planning regions. This model was released as a discussion paper in January 2003.

Administering Funds and Reviewing Budgets

The Council prepared its annual report, as well as those of the Teslin Regional Planning Commission and the North Yukon Planning Commission. It reviewed and recommended the Teslin Regional Planning Commission's 2002-2003 mid-year budget, work plan and proposed 2002-2003 annual budget, and developed the same for the North Yukon Planning Commission in correspondence with the Commission's members. The Council proposed these budgets and its own work plan and budget to government and administered the funds received.

In addition, the Government of Canada, with assistance from the Council, developed a document that summarized the annual financial cycle for both the YLUPC and the planning commissions. The Council worked with the governments of Canada and Yukon from November 2002 to March 2003 to prepare for the Yukon Northern Affairs Program Devolution Agreement.

Advocating for Regional Planning

The Council continued to advocate for regional planning in Yukon through its presence at many meetings, workshops, assemblies, conferences, correspondence and its Web Site.

Results and Achievements

Council documents developed during the year included:

- The discussion paper; *Financial Model for the Completion of Regional Land Use Planning under Chapter 11 of the Umbrella Final Agreement*;
- *Estimated Schedule of Planning Commission Activities and Planning Region Priorities* (January 2003);
- *Proceedings from the Common Land Use Planning Process for Regional Planning in Yukon*;
- *Roles and Responsibilities for the North Yukon Planning Commission*;
- *Regional Land Use Planning and Cumulative Effects Management: Linkages and Applications*. Conference Proceedings;
- Training and Orientation Strategy for the North Yukon Planning Commission; and
- *The Peel Action Plan: A Plan for the Establishment of the Peel Watershed Planning Commission*.

The Council's Web Site underwent continued development and expansion, and three YLUPC newsletters were produced.

Much of the Council's work in 2002-2003 shifted from dealing with the process of establishing planning commissions to issues associated with the production of land use plans. This shift indicates the consistent progress being made on completing the UFA's vision of a land use plan in every region in Yukon. The development of the common land use planning process and the development and implementation of the Peel Action Plan represent process models that will assist in solving future challenges faced by the Council, planning commissions and parties to the Agreement. The Council will continue to develop closer relationships with all YFNs, planning commissions and Yukon.

Yukon Salmon Sub-Committee

The Yukon Salmon Sub-Committee (YSSC), which has informally adopted the name Yukon Salmon Committee is a public advisory body established under Chapter 16 of the UFA. The YSSC was created in 1995 to act as "the primary instrument of salmon management in Yukon." In this capacity, the YSSC makes recommendations to the Minister of

Fisheries and Oceans Canada (DFO) and to YFNs on all matters relating to salmon and salmon habitat. These recommendations may take the form of research, legislation, policies and programs.

Composed of 10 members, the YSSC is carefully structured to ensure balance. The YFWMB, Minister of DFO and First Nations of the Alsek, Porcupine and Yukon River drainage basins each nominate two members to the YSSC. Committee members are knowledgeable about sport, commercial, domestic and First Nation fisheries, and come from many different areas throughout Yukon.

The UFA requires that the majority of Canadian representatives on the Yukon River Panel (which was established under the Yukon River Salmon Agreement between Canada and the United States) are YSSC members.

Yukon Panel

The YSSC is mandated under the UFA to participate as a member of the Yukon Panel, which was established as part of the *Yukon River Salmon Agreement* between Canada and the United States. In 2002-2003, YSSC members met with their American counterparts on the Yukon Panel to discuss management issues for the Yukon River drainage basin.

Harvest Study

In 2002-2003, the seventh and final year of the Yukon River Drainage Basin Harvest Study. The Study was initiated in 1996 under UFA section 16.10.3. Committee members from the YSSC, in partnership with DFO, make up the Steering Committee, which directs and oversees the Study. With completion of the Study, Schedule A of the UFA was activated and negotiations for a basic needs allowance will begin.

Habitat Issues

The YSSC is mandated to make recommendations relating to Yukon salmon habitat. During the year, it dealt with numerous habitat issues affecting Yukon salmon, including water licences, Yukon Placer Authorization, United Keno Hill mine, Dawson City sewage, the BYG mine, fuel spills, Viceroy mine, the Ketzia mine, land use planning, the Anvil Range mine, Dublin Gultch mine, Yukon Mineral Strategy, *Yukon Waters Act*, the *Yukon Queen II*, *Yukon Quartz Mining Act*, abandoned mine site reclamation, oil and gas issues, the YPAS, the Development Assessment Process (DAP), mining regulations, fuel storage regulations and *Fisheries Act* compliance and enforcement policy.

Integrated Fisheries Management Plans (IFMPs)

The YSSC is also mandated under the UFA to make recommendations on the content and timing of salmon harvesting and management plans. To streamline the process of developing Integrated Fisheries Management Plans (IFMPs) for salmon in Yukon drainage basins, to provide an opportunity for more meaningful input into the plans, the YSSC established IFMP working groups for Yukon, Porcupine and Alsek rivers. These working groups consist of representatives from commercial, sport, domestic and Aboriginal fisheries, First Nations, the YSSC, RRCs and DFO.

Activities of the working groups included:

- review of various items, including post-season run strength, management processes, abundance estimates for the coming year and decision matrices, which resulted in a draft plan;
- presentation and review of the plans at a series of public meetings throughout Yukon; and
- improving in-season communications and stakeholder input, and addressing issues specific to each drainage basin.

Consultation

The YSSC continued to advise stakeholders of issues of concern through the following avenues:

- publication of a newsletter and maintenance of the Web Site;
- public meetings;
- provision of regular Yukon and Alsek River salmon updates, outlining run strength, timing and other information to a wide range of stakeholders;
- participation in workshops and conferences;
- regular updates to the CYFN and at individual First Nations assemblies, as well as a written offer to all YFNs for YSSC participation in general assemblies; and
- meetings with boards, committees, RRCs, First Nations and other organizations.

Other Activities

As described in the UFA, the YSSC is mandated to make recommendations to the Minister of Fisheries and Oceans Canada and to YFNs "on all matters related to salmon, their habitats and management, including legislation, research, policies and programs." Some additional issues and initiatives that the YSSC were involved with included:

- participation in the Yukon Placer Authorization Review;

- continuation of the Conservation Catch Card Program, which is designed to provide much needed harvest data on the Yukon salmon sport fishery. Through this program, the YSSC ran a youth contest in the spring of 2002 to promote the conservation and stewardship of Yukon's salmon resources;
- hosting a workshop to provide information on salmon aquaculture practices;
- participation in workshops to develop the Yukon River Basin Management Plan for the Canadian portion of the drainage;
- comment on the proposed federal species at risk legislation;
- comment on the draft National Code on Introductions and Transfers;
- review of a draft policy on community management of beaver in fish streams;
- review and comment on the federal sustainable development strategy;
- participation in the nine-year implementation review of YFN final agreements;
- initial development of a three-year strategic plan to lay out YSSC priorities; and
- initial development of conflict of interest guidelines.

Yukon Surface Rights Board

The *Yukon Surface Rights Board Act* came into effect on December 15, 1994. The Act was drafted to reflect the principles established in Chapter 8 of the UFA. The Act calls for the establishment of the Yukon Surface Rights Board (YSRB) and, as its primary mandate, empowers it to resolve disputes regarding surface rights issues falling within its jurisdiction. The Act, and the Board's rules of procedure, guide the functions of the Board.

The Act provides that up to 10 persons may sit on the Board; half are nominated by the CYFN and the other half by the Government of Canada. These latter nominations are made in consultation with the Yukon government. The Chair of the Board, on the recommendation of board members, is appointed by the Minister of Indian Affairs and Northern Development. The Board is presently has four members and a chair.

Nature of Disputes and the Jurisdiction of the Board

The Board's jurisdiction is derived from several federal statutes, primarily the *Yukon Surface Rights Board Act*. Pursuant to this Act, the Board can hear and render decisions

on access disputes between surface and subsurface rights holders in Yukon. The Board may also hear matters relating to disputes concerning specified substances (e.g., earth, clay, shale, gypsum, gravel and marl), quarries and the expropriation of settlement land. In addition, matters relating to security and compensation for activities occurring on quartz and placer claims may be heard by the Board, as provided for in the *Yukon Quartz Mining Act* (Canada) and the *Yukon Placer Mining Act* (Canada).

The YSRB Process

Parties involved in a dispute must first attempt to resolve the dispute by negotiation. If the parties fail to resolve their dispute, they may submit an application to the Board for consideration. The application must include the supporting documentation required by the *Yukon Surface Rights Board Act* and the Board's *Rules of Procedure*. If the Board determines that the matter under dispute falls within its jurisdiction and the parties have adequately attempted to resolve the dispute through negotiation, the Board will accept the application and offer mediation to the parties.

The Board conducts hearings on matters related to:

- access disputes between surface rights holders and subsurface rights holders on all Yukon lands;
- access to and crossing over of settlement lands for personal, commercial and other purposes;
- disputes over security for activities occurring on quartz and placer claims;
- disputes over specified substances such as earth, clay, shale, gypsum, gravel and marl;
- disputes related to quarries;
- expropriation of YFN settlement land; and
- disputes over compensation for activities.

Orders of the Board are binding on all parties and may become orders of the Supreme Court of Yukon territory.

Applications to the Board and decisions of the Board make up the Board's public record. A listing of the public record is available on the Board's Web Site or can be obtained by contacting the Board. The Act, the rules, the Board's application process, and other related literature, such as the other federal and territorial statutes relating to the Board's jurisdiction, can also be viewed or obtained from its Web Site (yukonsurfacerrights.com) or office.

Applications to the Board

The Board received two new applications within the fiscal year:

- File 2002-001 application is a dispute, pursuant to section 42(1) of the *Yukon Surface Rights Board Act* (Canada), respecting the access to mineral claims issued pursuant to the *Yukon Placer Mining Act* (Canada).
- File 2002-002 is an appeal, pursuant to section 18(2) of the *Yukon Placer Mining Act* (Canada), to the decision of the mining recorder respecting the amount of security required to be posted in relation to mineral claims issued pursuant to the *Yukon Placer Mining Act* (Canada).

Both of the above noted applications are still active. The Board also received a number of inquiries which, to date, have not resulted in filed applications.

Training

The issues that come before the Board are complex in nature requiring members to have a broad understanding of a range of concerns. These include, but are not limited to the UFA and YFN final agreements, administrative law, dispute resolution, mining and land use legislation and land use in Yukon. The Board has and is encouraged to attend conferences and training regarding these topics.

First Nation, Community and Industry Relations

Public Relations

The YSRB maintained its Web Site, produced and distributed its annual report, and attended numerous public functions and meetings with other Yukon boards and committees. The YSRB maintains an office in Whitehorse, which hosts a reading room for the viewing of the Board's public records. The Board completed the first stage of revising its communication and presentation material and plans on completing its strategy within the next fiscal year.

Industry Relations

The YSRB participates in industry-focussed activities to disseminate information on its mandate and procedures. It was an exhibitor and participated in the Geoscience Forum, the Cordilleran Round up and the Dawson City Gold Show. All Yukon industry associations are included on the YSRB public consultation mail-out list.

First Nations Relations

The Board was available to visit YFN communities on request. The visits are designed to help ensure proper liaison between YFN governments and the YSRB and to provide information and guidance to the Board's legislation and procedures. The Board is also available to communicate with YFNs via e-mail and telephone throughout the year and to attend YFN industry-related functions. Annually, the Board provides each YFN and co-management board with a copy of the YSRB annual report and they are all included on the Board's public consultation mail-out list.

Government Relations

The Board is readily available to all levels of government, attending board and committee meetings and workshops when invited, and filing obligatory reports to the Board's federal funding department and the federal Access to Information and Privacy Commissions.

Participation in Related Initiatives

The Board completed an in-depth review of its *Rules of Procedure* and put the consequential amendments for consultation with YFNs, the governments of Yukon and Canada, industry and other stakeholders. The new rule will provide users with a more efficient approach to the Board's process, and are scheduled to be published in the *Canada Gazette* early in the new fiscal year.

The Board continued to assist with the ongoing training development for tribunals in Yukon in conjunction with Yukon College. As well, it has an active membership in the Canadian Council for Administrative Tribunals and British Columbia Council for Administrative Tribunals.

Planned Activities for 2003-2004

The following activities are planned.

- Complete the last component of the plan to revamp the Board's communication and presentation material.
- Gazette and implement the Board's amended *Rules of Procedure*.
- Continue communications with industry, public, the YFNs, Canada and Yukon.
- Continue community visits and participation in industry trade shows.
- Enhance the Board's Web Site to increase and improve the public access to information.

- Install a better facility for viewing the Board's public records and the Board's library.
- Continue training initiatives for tribunal members and continue correspondence with the Canadian Council for Administrative Tribunals, British Columbia Council for Administrative Tribunals, Yukon College and governments to enhance training opportunities.

Training Policy Committee

The Training Policy Committee (TPC) consists of five representatives: one representative nominated by Canada, one by the Yukon government and three by the CYFN. Under UFA Chapter 28, the Committee's mandate is to deal with training matters resulting from the land claims. The Committee works to:

- establish training programs for YFN people;
- develop a training plan which addresses matters identified in the UFA implementation plan, followed by a work plan to be included in the implementation plan;
- develop guidelines for expenditures from the Yukon Indian Peoples' Training Trust (YIPTT) and ensure expenditures are in accordance with the approved work plan;
- establish consultative arrangements between government and YFNs to ensure effective and economical integration of existing programs with new programs established by the training plan; and
- act as trustees for the YIPTT.

Activities

The TPC held a two-day strategic planning session in the fall to look at the territorial picture and the important events that affect YFNs, make projections and identify what is needed to meet its mandate.

The generic training consultation meetings with the communities were completed. The executive director and at least one or two committee members went to all the 14 communities and met with the chief and council, and training or human resources staff to discuss training priorities for that community. The communities completed a questionnaire to assist TPC in determining the training priorities of all YFNs. Next steps of the TPC include research for the most economical and best training programs and courses. The TPC is strongly committed to building partnerships with other agencies to ensure the YFNs receive quality training that enables them to be successful in the implementation of their SGAs.

The TPC partnered with other agencies to deliver a successful workshop to the YFN human resources/environmental training officers in November 2002. A follow up workshop is planned for the fall of 2003. These workshops provide linkages between the TPC and YFNs and are a good avenue for the community human resources staff to network.

The TPC approved the co-sponsorship of a new program, the First Nation Environmental Officer Training Program, to be delivered by Yukon College in the fall of 2003. This is the first generic training program the TPC will sponsor, and has been done on a pilot basis until completion of the generic training needs report.

The TPC continued to modify and update its operational guidelines, office procedures, application forms and policies.

Yukon Indian People's Training Trust

In 1995, the governments of Yukon and Canada contributed \$6.5 million to the YIPTT. For the next five years, money from the trust fund was allocated to First Nations and over \$2 million was dispersed for training of YFN beneficiaries.

In May 2000, the CYFN leadership directed the TPC to make the YIPTT last forever, and new allocations were stopped in 1999-2000. The YIPTT is now managed as two funds, allocated and unallocated. The allocated fund includes committed amounts for each individual YFN. This fund earns interest and in 2002-2003, each YFN was advised on its portion of the earned income.

To access the fund, YFNs with allocations must submit a training plan and budget which are reviewed by the trustees. During the training period, they are required to produce progress and final reports accompanied by financial statements.

The unallocated fund is the main part of the YIPTT. Income from this fund is split equally, with one half reinvested in the YIPTT and the remaining half to be spent on generic training. Generic training will be the focus of the TPC in the coming years.

Yukon Water Board

The Yukon Water Board (YWB) was in existence at the time of the land claims settlement. The Board is responsible for the development, conservation and utilization of waters in Yukon in a manner that will benefit all Canadians, and Yukoners in particular. The UFA sets out several provisions with respect to water management in Yukon, and these same provisions have been reflected in the specific agreements that have been signed to date. The CYFN nominates one

third of the members of the Board, and appointments are made by the Minister of Indian Affairs and Northern Development.

A summary of activities was not available for this annual report.

Alsek Renewable Resources Council

The ARRC was created in 1995 and was among the first of the RRCs to begin its mandate. The Council works closely with local representatives of the Yukon and CAFN governments. Priority activities include consulting with community members one-on-one and through public meetings, open houses and traditional knowledge workshops. These partnerships with local government and community members lead to recommendations that are more informed and more likely to be acceptable to all stakeholders.

The ARRC is unique in that it is located in one of the most heavily populated and utilized areas in Yukon. It is especially active due to the wide variety of projects and processes in the traditional territory, which have potential impacts on fish, wildlife and habitat.

Key Implementation Activities

Some of the Council's most time-consuming endeavours were directed to creating management plans for the Champagne and Aishihik First Nation Traditional Territory. These include: the Champagne and Aishihik First Nation Traditional Territory Strategic Forest Management Plan, Dezadeash Lake Management Plan, Aishihik Integrated Wildlife Management Plan, Bison Management Plan and Alsek Moose Management Plan.

The Council has recently taken more of a leading role in management planning for the region. For example, both the ARRC is researching and writing the Strategic Forest Management Plan. and the Dezadeash Lake Management Plan are being researched and written by the ARRC. To complete both plans, additional funding has been accessed. Gathering community input was very expensive and challenging; however the ARRC believes plans that incorporate community knowledge and are accepted by the community are much more likely to achieve sustainable management successfully. Initial work on an integrated fish and wildlife plan for the whole traditional territory is anticipated in the upcoming year.

Other implementation activities included *Yukon Wildlife Act* revisions, trapline reviews, fire fighting priorities, water

use permit reviews, land use permit reviews, territorial regulation changes, harvest planning, total allowable harvest and outfitter/resident hunter allocations.

The Council was also consulted by government on a number of issues and projects, which illustrate the growing demand for time and assistance in decision-making processes. These included aquaculture, outfitter land tenure, the YPAS, oil and gas development, access management, live release, the Spruce Beetle Advisory Committee, fuel modification, Aishihik Kluane caribou recovery, the Ruby Range Sheep Steering Committee, the Kluane Land Use Plan Working Group, wolf trapping and regional budget planning.

Challenges

Dealing with the many issues requiring consultation by the ARRC was a difficult task during the year. Regular meetings seldom are sufficient to discuss adequately and reach decisions on every agenda item. Often the Council held special meetings and two to three regular meetings a month in an attempt to deal with the issues that fall within the ARRC mandate. Staff were also challenged to carry out all the required administrative tasks in addition to thoroughly researching issues of concern to the council.

Council efficiency is also affected when the territorial and YFN governments provide differing information and opinions. It results in more time spent by the ARRC researching and discussing a decision.

Council training is another area of need to supplement members' knowledge of resource management principles and assist in interpreting the language of the Champagne and Aishihik Final Agreement.

Carmacks Renewable Resources Council

The Carmacks Renewable Resources Council (CRRC) was established as a primary instrument for local renewable resources management in the traditional territory of the LSCFN as set out in the LSCFN Final Agreement signed July 21, 1997. In sections 16.6.1, 16.6.1.1, the CRRC objectives are as follows: "The Renewable Resources Council, acting in the public interest, may make recommendations to the Minister, Little Salmon Carmacks First Nation, the Fish and Wildlife Management Board and the Sub-Committee on any matter related to the conservation of Fish and Wildlife (Section 16.6.9)."

Activity Report

This past year was busy for the CRRC, with a focus on better defining its mandate and method of operation. Meetings were held at least once a month for an average of three to four hours, with invited delegations at every meeting, including regular updates from the Yukon government biologist.

In the past year, the CRRC met with a number of organizations and spent a great deal of time on many issues. These include:

- Meetings: Annual meeting of all RRCs at Carmacks in November, RRC Chairs meeting in March in Whitehorse, hearing to discuss the outfitter caribou quota on the Klaza herd held in Haines Junction, oil and gas discussions, and discussions regarding the Do'oli law for the Northern Tutchone, Forestry Summit.
- Workshops: Trapping, species at risk and captive wildlife.
- Presentations: Nordenskiöld HPAs and fish farming.
- Reviews: Placer Authorization Review and *Yukon Wildlife Act*.
- Working groups and teams: Moose Management Working Group and Bison Technical Team.
- Northern furbearer and
- Lake Trout Symposium.

A strategic planning session was held in February 2003, followed by implementation of major points arising from the session. The range of portfolios was expanded to include administration, oil and gas, forestry, fishing, wildlife, trapping and a number of other areas. There are at least two people appointed to all major issues addressed by the Council.

The first semi-annual meeting "on the land" was to be held in April 2003 at Airport Lake, with plans to go to Big Creek in late June 2003 for two to three days. Council has also committed to a major public consultation. Its first newsletter was published last year and as an alternative means of informing the Carmacks area of CRRC activities, regular monthly updates will be submitted to the community newsletter, *The Hooter*.

An October 2002 open house hosted by the CRRC introduced the Carmacks Fish and Wildlife Management Plan. This Plan identifies the priorities of the people for fish and wildlife in the CRRC traditional territory over the next five years. In partnership with the LSCFN and Yukon government, a survey was completed of the residents of the traditional territory. The results will be incorporated into the Plan, with an anticipated completion date of December 31, 2003. In

April and May, six focus groups were held to obtain an insight into people's knowledge and concerns for certain geographical areas. This will be followed by at least two more public open houses to allow for greater input and review from the public on the identified concerns.

The Carmacks area became open for the first stage of the oil and gas process during the past year. The CRRC is working toward completion of the Plan before this process continues, so Carmacks values are well documented and well considered by all involved parties.

Open and positive communication with other RRCs to ensure CRRC interests are well represented in mutual areas of traditional territory and wildlife is an important activity for the CRRC. Carmacks hosted the annual meeting held for all Yukon RRCs in November 2002, with attendance from all seven RRCs, the soon to be formed RRC in the Ta'an Kwäch'än traditional territory and the YFWMB.

Another major commitment of the CRRC was the development of guidelines and criteria for the assignment and reassignment of traplines in the CRRC traditional territory, after a review of similar guidelines developed by four other RRCs. Part of the CRRC mandate is to encourage and assist in the management and enhancement of the furbearing animal industry, for example, through incentive programs.

Dawson District Renewable Resources Council

The Dawson District Renewable Resources Council (DDRRC) is an integral part of the implementation of the Tr'ondëk Hwëch'in Final Agreement signed July 16, 1998.

Trapline Allocation: Guideline and Criteria

The DDRRC is responsible for reviewing the allocation of traplines within the TH traditional territory and recommending an allocation to the Yukon Environment Minister (for category 2) or TH (for category 1). The development of the guidelines for this review was initiated in 2002-2003 with the establishment of the Trapline Working Group by the DDRRC. It consists of community trappers, First Nation trappers, conservation officers and DDRRC members collectively representing the community, the trapping industry and the furbearer resource.

The Working Group was responsible for developing draft guidelines that represented all stakeholders and presenting

these to the DDRRC. On reviewing the guidelines, the Council then presented the draft version to the TH and Yukon government for preliminary comments. When all comments have been received, the draft will be distributed in a public forum for a second round of comments by government and the public. A final product will then be developed and recommended to individual governments for approval and use in their trapline allocation processes.

Yukon Queen II

The DDRRC established its Working Group in the previous year tasked with finding solutions for balancing the environmental, safety and economic impacts associated with the vessel, the *Yukon Queen II*. The Working Group, consisting of groups, organizations and businesses with a vested interest in solving this problem, realized this is a difficult and timely task. The DDRRC and DFO agreed on a community-based approach. The Working Group focussed on gaining public input on short-term solutions, and hosted one public meeting to update the community on the steps taken by the Group. Work continued on the establishment of sensitive habitat areas along the Yukon River.

The DDRRC was successful in receiving funds from the Yukon River Panel to continue investigations into the impact of the vessel's wake on stranded salmon and freshwater fry. During this year, the investigation focussed on obtaining a significance value for the fry stranding, and ended with a confirmed significant status. Future steps will be taken to look into other jurisdictions that have comparable cases, and observe other solutions used or being established.

RRC Handbook

The number one goal identified by the DDRRC for 2002-2003 was to undergo an extensive training regime that would provide long standing and new members with a mutually acceptable understanding of the UFA, the Council mandate and their roles/responsibilities. The DDRRC committed to approximately once a month training sessions that were facilitated by an independent contractor, who was also tasked to develop a handbook. The members of the Council were crucial in the development of this handbook. The DDRRC will develop a plan for its use in 2003-2004. Potential future uses of the handbook include new member orientation and a mechanism for refreshing the Council mandate. As well, the DDRRC may distribute copies to the other RRCs to act as a template for their own training

initiatives, or use it to increase community awareness of the DDRRC role.

Hart River Caribou Management Proposal

Concerns were expressed to the DDRRC that Hart River caribou are being harvested after the regulated hunting season, because they are intermingling with the much larger Porcupine caribou herd. In addressing this concern, the DDRRC developed a management proposal for consideration by community, governments and the Porcupine Caribou Management Board, which would change game management zone regulations and boundaries in some cases.

The DDRRC implemented a similar process as that used for the development of the Trapline Allocation Guidelines. Preliminary comments on the issue have been received. The DDRRC will present the proposal to the community for input before making any recommendations.

Outfitter Quotas

The DDRRC participated in the process to establish outfitter quotas for the Hart River caribou herd. Without a proper census for the herd, the DDRRC, TH, Yukon and area outfitters collectively established a population estimate that will help establish a reasonable harvest allocation number.

Other Activities Portfolio System

A portfolio system was created to streamline issues to specific members for initial discussion. The system will allow the DDRRC to juggle the sometimes overwhelming list of issues for review, comment or action. Two members and one alternate were assigned to most activities of the DDRRC. These small working groups initially review and discuss specific issues, then provide the DDRRC with recommendations, suggestions or options to consider.

Trapline Allocation

The DDRRC worked with local trappers and the regional conservation officer in the review of expired trapping concessions and applications for renewal or allocation.

Water and Land Use Applications

The DDRRC continued to review water use applications, generally for mining use, through a screening process. In addition, the DDRRC reviews mining and other land use

applications. In response to the increased development in the Dempster Highway, the Council is receiving training on laws, regulations and guidelines to be relevant to the area.

Dempster Highway Check Point Station

Through a separate contract with Yukon Department of Environment, the DDRRC provides administrative support for the Dempster Check Point Station. An annual event, the opening of the station, corresponds with the southern migration of the Porcupine Caribou herd. The station provides the Department of Environment with harvest records, valuable information about harvests, and harvest samples for data collection. The station also acts as a contact point for those travelling up the Dempster Highway.

Meeting and Workshops

The DDRRC held 20 regular and eight special council meetings, and 11 meetings of sub-committees and working groups. Thirteen meetings were held on specific topics, including the Hart River caribou, annual meeting preparation, oil and gas development, Porcupine caribou, Viceroy mine site, Tombstone Park Management Plan, forestry, fisheries management planning and Yukon protected areas. In addition, two workshops were attended: the RRC Chairs and Secretariat Workshop, and the RRC Annual Workshop hosted by the CRRC.

Mayo District Renewable Resources Council

During the year, the Mayo District Renewable Resources Council (MDRRC):

- Met twice a month to review land/water/timber/mining applications;
- finalized of the RRC's Trapline Guidelines;
- finalized the Personnel Policy and Operational Guidelines;
- finalized A Home for Mayo, a community-based project on defining areas of importance to wildlife, people and the environment using traditional knowledge;
- finalized the Mayo Community Fish and Wildlife Management Plan in conjunction with the NND and Yukon government;
- held public meetings for community consultation purposes; and
- in addition, Council members travelled to Whitehorse and other communities for information sessions and workshops to gather information and report back to the Council,

which in turn, reported to the community through newsletters; and

- sponsored trapper workshops and hunter ethics courses (among others) for community members.

North Yukon Renewable Resources Council

The NYRRC is the primary instrument for renewable resources management in the VGFN traditional territory.

Meetings

The NYRRC held 15 regular meeting and one annual general meeting in Old Crow during 2002-2003. As well, it hosted and helped organize meetings on several topics including Ducks Unlimited and a proposed conservation strategy, a YFWMB workshop on the environmental effects of oil and gas development, proposed changes to the fish and wildlife regulations, issues regarding the Old Crow dump and sewage lagoon, the proposed expedition to follow the Porcupine caribou herd during its migration, several SSC/Porcupine River Working Group meetings and a RRC hosted community lunch.

Council members or staff attended 15 meetings hosted externally on fish and wildlife management, trapping, conservation planning, climate change, wastewater effluent management and forest management among others.

Vuntut National Park Management Plan

The Vuntut National Park Management Plan was signed by the NYRRC, VGFN and Parks Canada in December 2002, and at year end was awaiting approval by the federal Cabinet. It addresses public access and allowable activities, commercial tourism, research and the use of snowmobiles and firearms in the Park. Posters were distributed to promote the Plan.

Next steps by the NYRRC, VGFN and Parks Canada include discussions and public consultations on the identification of the boundary for a wilderness area in the northern portion of the Park, which would have greater protection and limited access, including certain tourism activities.

Nii'inlii'jik (Fishing Branch) Wilderness Preserve and Habitat Protection Area

The Fishing Branch received official recognition and protection by the Yukon government in early 2003. A management committee was established for the Fishing Branch. An

important issue for discussion is the development of commercial bear viewing in the ecological reserve, and the associated management plan changes required.

Muskox Management Plan

The NYRRC reviewed the draft Muskox Management Plan in January 2003. Issues for resolution include whether the VGFN will lose harvesting rights by signing the Plan, and the fluctuation of harvest numbers depending on the number of muskox in the traditional territory at any given time.

Dempster Highway Regulation Review Subcommittee

The Porcupine Caribou Management Board held a series of meetings to review the caribou hunting regulations along the Dempster Highway. The NYRRC also worked with the VGFN to survey Old Crow residents and solicit public opinion regarding hunting on the Dempster. Consensus was reached on two issues: a shortened season for non-Aboriginal hunters, and a voluntary closure of the cow harvest. Other issues unresolved during a June 2002 meeting, and which will remain so, include the use of snowmobiles, a 500 metre no-hunting corridor, harvesting during the rut and closing areas at certain times of the year to let the leaders pass.

North Yukon Fish and Wildlife Management Plan

The North Yukon Integrated Fish and Wildlife Management Plan identifies key issues in the VGFN traditional territory and sets out responsibilities for all participants in the Plan. The approved Plan was released in 2002 and the planning team went through the first review of action items in 2003.

Yukon Protected Areas Strategy (YPAS)

As the YPAS process was halted by the Yukon government, the NYRRC and other resource agencies discussed alternatives for conservation planning in the Yukon. The NYRRC recommended to the Yukon government that a grass roots approach similar to the resource planning in the Deh Cho Region of the Northwest Territories be used.

Forest Management Plan

Discussions were begun on the development of a forest management plan, with the VGFN and Yukon government as committed partners. In addition, the VGFN and NYRRC met with the Yukon government regarding a review of fire management zones to ensure they adequately reflect those areas which are most important or vulnerable.

Sheep Management Plan for the North Richardson Mountains

In response to an interest in a licensed hunt for the Dall's sheep in the North Richardson Mountains, the NYRRC and VGFN consulted with the YFWMB and Yukon government on the creation of a joint management plan, together with the Gwich'in Renewable Resources Board in the Northwest Territories.

Land Use and Applications

In 2002-2003, the NYRRC reviewed the following land use applications and proposals: DFO cabin at the Fishing Branch weir site, Old Crow dump site and sewage lagoon, water licence application for Eagle Plains, winter road from Eagle Plains to Old Crow, Old Crow rock quarry and road extension, application for Eagle River pilot test well, wind monitoring station and a proposal to protect the Hart River caribou.

Other Activities

The NYRRC also:

- commented on changes to the *Yukon Historic Resources Act*;
- supported a wolf inventory in the traditional territory;
- supported a habitat conservation steward in Old Crow (cancelled because of funding issues);
- was involved in the Porcupine Caribou Body Condition Study (cancelled due to caribou crossing patterns);
- supported the Arctic Borderland Ecological Knowledge Coop;
- worked on trapping incentives and training programs;
- tagged Chum salmon on the Porcupine River;
- participated in salmon research projects, covering different aspects of salmon and salmon management, including Chinook salmon spawning, traditional knowledge of salmon, school education and a fresh water fishery revival;
- provided administrative and logistical support for the Mustelid (wolverine) survey in Crow Flats; and
- convened the 2002 and 2003 Vadzaih Choo Drin (Big Caribou Days).

Selkirk Renewable Resources Council

The Selkirk Renewable Resources Council (SRRC) was established in August 1998 under the SFN Final Agreement.

Activities related to the 2003 strategic plan included lobbying government to develop and implement reclamation plans, work on the MacMillan Big Game Management Plan,

development of trapline allocation guidelines and relationship building with the SFN.

Other activities during the year included work on an agreement on moose and harvest quotas with an outfitter, the continued development of a forest policy and the student awareness program (student employment in the MacMillan Monitoring Project).

Salmon Study

In the Summer of 2002, the SRRRC undertook the first Pelly River Tributaries Chinook Salmon Habitat and Utilization Study on the MacMillan, Kalzas and Pelly rivers in response to the lack of information on salmon spawning and habitat in this area.

The SRRRC recommended to the SFN that a HPA be designated on the Earn River due to the quantity and quality of salmon spawning beds in this river.

Mining

The SRRRC was involved in discussions on how to reclaim land after mining and stop contamination of the water and surrounding ground. Council was satisfied that the Anvil Range Mine is not releasing contamination in either the water or land close to the river.

Trapline Allocation Guidelines

The Trapline Allocation Guidelines were sent to the SFN and Yukon government for preliminary review. An open house is planned for the Fall of 2003 to comment on the expected changes from this review.

MacMillan Monitoring Project

The MacMillan Monitoring Project completed its third year, and provided sufficient information for the application of an HPA.

Teslin Renewable Resources Council

The Teslin Renewable Resources Council (TRRC) was established as the primary instrument for local renewable resources management in the Teslin Tlingit traditional territory as set out in the TTC Final Agreement.

Meetings and Workshops

The TRRC held 11 regular council meetings during the year. In addition, over 40 meetings were held on various topics including fish and wildlife management, the *Yukon Wildlife*

Act review, trapping, outfitting, the YFWMB, the YSSC, fire zone management, the Teslin Land Use Planning Commission, community wolf management, Nisutlin River Delta National Wildlife Area Management Plan review and Teslin Forest Management Plan.

Eight workshops and external meetings were attended, ranging from Yukon RRC meetings to species at risk, forest policy framework, mining reclamation and Fish Think Tank workshops.

Fish and Wildlife Management Plan

The Fish and Wildlife Management Plan is in its second year of implementation.

- As a result of a recommendation made by the TRRC, the trapping season for wolves was extended by three weeks. This is in response to the need to curtail wolf numbers in areas of high moose harvests and in the vicinity of the community.
- The moose survey scheduled for November 2002 was postponed for a year due to poor snow conditions.
- A process was initiated to co-ordinate the gathering of opinions, concerns, areas of special interest and key areas based on wildlife and cultural values as identified by the community.

Teslin Forest Management Plan

The Forest Management Plan provides the information necessary to determine a sustainable harvest level for the region, while maintaining and protecting ecological, traditional and social values. The Plan, which is in its third year of development, is under the direction of the Teslin Forest Management Planning Team consisting of representatives from the TRRC, TTC, Yukon government and INAC. It includes a training component to develop capacity building in resource management planning.

A number of public consultation and information workshops were held during the year to obtain input from area residents. Special interest groups will provide input on review of the draft plan. The draft, which will be released in the summer of 2003 for final review, will contain a strategic volume, resource assessment volume and an implementation plan. The latter will identify recommendations for the use of available resources over the next five to ten years.

Southern Lakes Forest Bird Research

The TRRC financially assisted the Canadian Wildlife Service in a forest bird study, which will assist in determining the distribution and composition of forest bird species in the Teslin area.

Nisutlin River Delta National Wildlife Area Management Plan

The five-year review of the Nisutlin River Delta National Wildlife Area Management Plan was close to completion at year end. After presentation of the review document to the public for final input, the final draft will be approved and serve as the management plan in the Delta for the next 10 years.

Teslin Forest Demonstration Area

The Teslin Forest Demonstration Area project was designed to investigate and illustrate the effects of alternative harvesting techniques, to guide forestry management planning and provide public education on northern forestry methods.

The demonstration area was originally harvested in 1997-1998. Since then, three silviculture projects have taken place. Information signage for the area was completed in the fall of 2002 by the TRRC and funded by the Yukon Forest Training Trust Fund.

The TRRC, with the support of the TTC, Village of Teslin and the Yukon Conservation Society, made an application for the establishment of a community forest for this area. The community forest will offer economically and environmentally sustainable opportunities for small-scale, local harvesters, and will continue to support traditional activities. The area also has the potential for research and education related to forest management activities. The community forest concept will be built into the Teslin Forest Management Plan.

Settlement Land Committees

Under the UFA, each YFN final agreement establishes a Settlement Land Committee (SLC) to make recommendations for surveying settlement lands, including site-specific selections, survey priorities and Special Management Area (SMA) boundaries. Each committee consists of two members appointed by government and two appointed by the First Nation. The Surveyor General appoints a representative to chair the Committee.

First Nations

Champagne and Aishihik First Nations

The people CAFN live primarily east of the Village of Haines Junction, the first major community northwest of Whitehorse on the Alaska Highway, and in Whitehorse. Other settlement communities of residency within the area include Klukshu, Canyon Creek, Champagne and Takhini River Subdivision. The two First Nations of Champagne and Aishihik were amalgamated in 1970 by INAC.

Governance

In 2002-2003, CAFN activities related to governance included:

- ongoing participation at intergovernmental forum meetings between self-governing chiefs, the CYFN Grand Chief, the Minister of Indian Affairs and Northern Development Canada and the Premier of the Yukon;
- preparations for the administration of justice as per section 13.60 of the CAFN SGA;
- hiring of an economic development officer to build and promote community development activities;
- development of a CAFN orientation manual for incoming chiefs and counselors;
- development of a legislative base and the estimation model for a First Nations sales tax;
- creation of a working relationship with Kluane National Park management to begin developing economic opportunities in business and employment as specified in the Final Agreement;
- participation in a capital workshop with federal, territorial and municipal governments regarding joint capital planning pursuant to Chapter 22.6.6 of the Final Agreement; and
- research into the *Municipal Act*.

Challenges

Challenges facing the CAFN included:

- outstanding transboundary land claims and overlap issues;
- reinitiating the British Columbia land claim process;
- continuing to build human resources capacity for the added responsibility related to the self-government and final agreements;
- developing and strengthening intergovernmental relationships in Yukon;

- incorporating CAFN traditional justice research into a CAFN dispute resolution system; and
- refining processes and procedures for planning and using settlement land.

In addition, through the renewal of the Financial Transfer Agreement (FTA) and review and renewal of the 10- year final agreement and self-government agreement implementation plans, YFNs are transitioning from *Indian Act* bands to self-governing First Nations. The construction of the formula gross expenditure base was based on the existing policies and funding levels related to *Indian Act* bands, without consideration for some of the cost implications arising from the transition to self-government.

Land Management

During the year, the CAFN:

- completed the draft Strategic Forest Management Plan for the CAFN traditional territory;
- developed and implemented the geographic information system training plan;
- participated in the development of the environmental officer training program; and
- worked with the Yukon Department of Highways on waste disposal sites and development, and rehabilitation of quarry pits on settlement land.

Renewable Resources

In the area of renewable resources, the CAFN:

- reviewed and updated the Bison Management Plan for a new five-year arrangement;
- continued work on recommendations in the Community Salmon Management Plan;
- submitted the list of category one traplines to the Yukon government and continued communications regarding the authority of trapline management;
- developed a monitoring program for Aishihik Lake as a result of the YWB decisions; and
- attempted to reintroduce Sockeye salmon via a trial transplant which moved 80 adult spawners from Klukshu into Little Klukshu Lake. This also included use of hatchery and incubation boxes with egg and milt taken from additional fish.

Heritage

Regarding heritage activities, the CAFN:

- developed a five-year heritage plan, which established long term goals, objectives, strategies and tasks;
- monitored ice patch research with the Yukon Heritage Branch, made presentations to schools, conferences and other interested groups in Yukon, as well as nationally and internationally;
- continued to participate in the First Nations Heritage Group on common heritage issues;
- completed the Cultural Steering Centre Planning Background Study and started to implement recommendations, including the establishment of the Cultural Centre Steering Committee; and
- finalized and approved the Kluane National Park Management Plan.

Education

In education, the CAFN:

- concluded a research project on jurisdiction, legislation, funding sources, school systems and Aboriginal curriculum, with the Chief and Council recommending that a feasibility study be conducted for a First Nations immersion school;
- produced four Southern Tutchone children's books, which were distributed to language instructors in the schools and the daycare;
- hired education support workers in Whitehorse and Haines Junction to provide student support, counseling and cultural programming; and
- assisted with the development and implementation of a YFN grades 5 and 6 curriculum project at the Hidden Valley School.

Little Salmon/Carmacks First Nation

Carmacks is located about 160 kilometres north of Whitehorse in Central Yukon. The community has a population of about 500 of which the majority are citizens of the Little Salmon/Carmacks First Nation (LSCFN). The LSCFN is one of three First Nations of the Northern Tutchone Council (the others being SFN and NND) whose common tie to one another is the Northern Tutchone language. Similar to the rest of Yukon communities, Carmacks is in an economic downturn, with government providing the major source of employment and very few opportunities available in economic development.

The LSCFN Final Agreement came into effect October 1, 1997. The LSCFN Council continues to be engaged in several processes related to the implementation of the final and self-government agreements.

Administration of Justice

There was little activity associated with the administration of justice negotiation due to limited resources. Five sessions were held during the year on the exploratory phase of discussions. Two individuals from the LSCFN attended the proceedings in Whitehorse. All of the self-governing YFNs share in this cost.

The LSCFN, NND and SFN, who make up the Northern Tutchone Council, expressed an interest in looking at justice matters jointly.

Program Service and Transfer Agreements

Negotiations continued at a common table attended by all the self-governing YFNs, and were completed on enhanced funding for the Canadian Prenatal Nutrition Program and Grants in Lieu of Taxes. Other negotiations during this fiscal year included Aboriginal languages, with Human Resources Development Canada (HRDC), Yukon Income Assistance Program, advanced education and the INAC Post Secondary Education Program. Also discussed were alternative options, such as administrative arrangements for at least one subject matter, the Service Class issue and Section 18 matters.

Tax Negotiations

Negotiations on sharing taxes were ongoing. These include negotiations on commodity taxes, corporate income tax, property tax and the First Nation sales tax (the latter was near completion) with an agreement to be included in the fall of 2003-2004.

Self-Government Secretariat

The CYFN Self-Government Secretariat organized the three day Self-Government Summit in Whitehorse in October 2003. Chiefs and councils, directors and senior staff attended the proceedings with much of the agenda focussing on implementation matters including the PSTA and tax negotiations. A capital forum was held in January attended by senior staff, negotiators from the self-governing YFNs and officials from the government of Yukon and Canada. An information sharing workshop in February was well attended

by all levels of government. These forums and workshops provide an invaluable opportunity for all governments to exchange information, discuss each government's programs and services, and bring forward issues from the communities.

Implementation Working Group and Implementation Review Group

Talks began this year in preparation for the nine year review of the final and self-government agreements. First Nations hold these reviews in high regard as an opportunity to discuss problems and successes with the above noted agreements. These reviews require the mobilization of all the departments within the LSCFN to participate in, and prepare for, the review.

Dooli or Traditional Laws

On an individual First Nation and Northern Tutchone level, the LSCFN worked on the development of traditional (Dooli) laws as they relate to lands and resources including fish and wildlife. Much of the LSCFN focus will continue to be on the development of the Dooli laws, not just in the above noted areas but also within every aspect of First Nation life.

Accountability

In June, the LSCFN holds an annual general assembly. During this assembly, reports are given on the activities of the LSCFN government, including those related to implementation. The audited financial statements are presented, discussed and approved at this time.

CYFN, NND, SFN, TH, TKC, TTC and VGFN : *Summaries of First Nations activities were not available for this annual report.*

Yukon Government

Yukon's implementation obligations and activities under the UFA and YFN Final and Self-Government Agreements are identified in each implementation plan.

The following are the highlights of Yukon implementation activities carried out by Yukon government departments during 2002-2003. Further information is available through the Yukon Land Claims and Implementation Secretariat.

Executive Council Office

The Land Claims and Implementation Secretariat, within the Executive Council Office, is responsible for negotiating implementation plans and co-ordinating implementation activities throughout the government, including land claim implementation capacity building within departments and the management of government-wide allocation of operating and capital budgets for implementation.

The Secretariat facilitates and tracks the implementation of obligations and provides deliverables pursuant to the Bilateral Agreement between the Government of Canada and Yukon. Tracking includes meeting obligations for review of the land claim agreements, such as the five-year and recently initiated nine-year review.

The Secretariat initiated the development of a multi-user database containing land claim agreement implementation information. The first phase involving a general design of the database is ongoing. The next phase, which entails more detailed component designs and testing by Yukon government departments with substantial land claim implementation responsibilities, will be completed in 2004. The database, which will be available to YFNs, will improve obligation and implementation activity tracking, and facilitate multi-party activity tracking and reporting.

The Secretariat works collaboratively with departments to co-ordinate ongoing activities regarding Yukon's land claim obligations. With input from a senior management committee on implementation, the Secretariat co-ordinates and monitors the funding provided to departments for implementation of land claim obligations.

The Secretariat also represents the Yukon government on the IWG. With membership of self-governing YFNs, the CYFN and the Government of Canada, this group addresses matters of concern in the implementation process and promotes effective implementation.

The Secretariat participates as an observer on the Senior Financial Advisory Committee established pursuant to the First Nations' FTAs. Committee members representing the parties to the agreements review and renegotiate the FTAs, and review any issues arising from their operation.

The Secretariat also represents Yukon at negotiations for new YFN final and self-government agreements.

The Executive Council Office, with the Government of Canada and the CYFN, developed draft federal legislation as part of implementing Chapter 12 of the UFA (DAP). In 2003,

Parliament passed the *Yukon Environmental and Socio-economic Assessment Act* (YESAA).

Department of Community and Transportation Services

The Property Assessment and Taxation Unit continued to work on the annual implementation requirements for property assessment and taxation matters. The Unit is actively working with YFNs still negotiating their final and self-government agreements, to provide information on property assessment and taxation matters.

Department of Economic Development

Economic opportunity plans are a joint planning exercise, initiated by individual YFNs, with the involvement and assistance of Canada and Yukon. Self-governing YFNs are contacted on an annual basis to review their interests respecting their plans.

Department of Energy, Mines and Resources

The Department participated as Yukon's representative on the Settlement Land Committee. Technical assistance was provided to Natural Resources Canada in order to complete the surveys of YFN settlement lands in a timely manner.

The Lands Branch participated in the review of the draft Proposed Site - Specific Settlement Land Memorandum of Understanding as it was being developed. The Lands Branch also reviewed and approved the location and configuration of any site-specific settlement lands that were subject to the Memorandum of Understanding.

The Department continued to be involved in initiatives in support of implementation obligations relating to Special Management Areas under Chapter 10 of the UFA and YFN final agreements. These included involvement in management planning for Tombstone Territorial Park. The Tombstone Park lands were transferred to the Yukon Government in February 2003 with prohibition and withdrawal orders and the ministerial order withdrawing oil and gas in place. The draft management plan is under review.

The Fishing Branch (Ni'iinlii' Njik) Wilderness Preserve was established as a Park under the *Parks and Lands Certainty Act* (Yukon). The prohibition and withdrawal orders are in place and the management plan is under review.

Other activities of the Department included:

- placement of land in the Old Crow Flats area under prohibition and withdrawal orders;
- provision of minerals information for Nordenskiöld Wetland Habitat Protection Area. Interim prohibition and withdrawal orders are in place;
- continued participation on the steering committee preparing the management plan for the Ddhaw Ghro Habitat Protection Area. The planning and consultation phase is underway and interim mineral withdrawal is in place;
- review of the management plan for the Lhutsaw Wetland Habitat Protection Area. Prohibition and withdrawal orders are in place;
- the prohibition order for Horseshoe Slough Habitat Protection Area is in place; and
- review of the proposal by the MDRRC for two new HPAs and provision of comments.

The Department was peripherally involved in the final review of the UFA Chapter 12 DAP legislation and draft regulations

The Department was involved in facilitating land use planning in the settled portion of the Dakh Ka planning region (i.e., TTC traditional territory) since the fall of 2001. During 2002-2003, the Teslin Regional Land Use Planning Commission developed precise terms of reference for the planning process, established a planning office and hired staff to assist with the development of the plan.

Over the spring and summer of 2002, the Department and the YLUPC worked together to prepare an amended general terms of reference and a start-up strategy for the new regional land use planning commission for the North Yukon. The Department participated as Yukon's representative in the process of nominating and appointing new members to the Commission to replace the members that had resigned at the beginning of 2002.

Discussions continued with affected YFNs on the establishment of a regional land use planning commission for the Northern Tutchone Council region. The main outstanding issue is the determination of a suitable boundary for the planning region. Preparatory work, including a general draft terms of reference, was also carried out by the Department with the YLUPC and affected YFNs to allow planning to commence in the Peel River Watershed.

Energy, Mines and Resources continued to work with the Yukon Department of Environment and other Yukon departments to develop a work plan related to the trappers' compensation policy required by the UFA.

The Department undertook consultation with RRCs and YFNs on a forest policy framework, and participated in two forest management planning processes – one in the Haines Junction area and one in the TTC traditional territory.

Yukon, through the Department of Energy, Mines and Resources, government disburses Crown is sharing resource royalties pursuant to an arrangement reached with YFNs as part of the related Final Agreement obligation Chapter 23 of the Final Agreements. Crown royalty Resource royalty revenue is disbursed annually to YFNs with final agreements.

Department of Environment

The Department of Environment is responsible for the Yukon government's obligations for fish and wildlife under the UFA, final and self-government agreements and relevant implementation plans. In addition, it is responsible for implementing various SMAs established under the final agreements. The Minister of Environment appoints members to the YFWMB and RRCs. Implementation funds to carry out these obligations are managed by the Department's Claims Implementation and Aboriginal Affairs Section.

During 2002-2003, the Department used implementation funding to carry out a number of activities.

RRC Operations

The objective of this project is to compile technical information for each traditional territory, to prepare a fish and wildlife reference manual, and participate in reaching agreement on the drafting of management plans. Activities included, the following.

- The TTC, TRRC and Yukon government gave final approval to the Teslin Integrated Fish and Wildlife Management Plan in June 2002.
- The VGFN, NYRRC and Yukon government gave final approval to the North Yukon Integrated Fish and Wildlife Management Plan in June 2002.
- Following a review of the 1997 Integrated Wildlife Management Plan for the NND traditional territory in March 2002, the parties held an information workshop (May 5-6, 2002) and a planning workshop (June 4-5, 2002) for the development of a new five-year plan.

- The Department's fish and wildlife planner participated in meetings with the LSCFN and CRRC in Carmacks to begin the process of plan development.
- The design and maintenance of a database system to track implementation of fish and wildlife planning commitments was established. The database and Web Site are key components to track plan implementation and ensure planning commitments are being met.

Trapline Administration

With the adoption of the new *Yukon Wildlife Act*, all trapping concession holders under 65 years of age are required to be graduates of a recognized trapper training workshop. As there was a high percentage of individuals without the appropriate training, trappers workshops were carried out in Ross River, Teslin, Haines Junction and Old Crow in February and March 2003. The focus of the workshops was on the large community group trapping concessions, which consist of members who are part of a YFN. The fur harvest technician traveled to the communities to work with the YFNs and RRCs.

Copying trapline administrative documents, and drafting, reading and printing maps were also carried out under this project.

Yukon Wildlife Act Amendments

Through an internal working group, the Department of Energy, Mines and Resources and Department of Justice completed an internal analysis of the *Yukon Wildlife Act* and prepared a scoping document to support future amendment considerations. The analysis included legal opinions on various provisions of YFN final agreements and the *Yukon Wildlife Act*.

Northern Tutchone Regional Program

The Northern Tutchone Program continued to grow and become more active in all three Northern Tutchone communities (Carmacks, Pelly Crossing and Mayo), offering a wide range of co-operative programs of wildlife management with the YFNs and RRCs. The regional biologist meets frequently with YFNs and RRCs in each community to identify issues and address work plans. There were seven ongoing planning processes associated with SMAs in this region in 2002-2003. In addition, fish and wildlife planning occurred in all three communities.

Wildlife surveys are conducted in response to community needs. A regular program of ground-based monitoring of

moose, furbearers, smaller mammals and birds was initiated with active involvement of local residents. Local and traditional knowledge of wildlife and their habitats was collected from knowledgeable hunters, trappers and elders to supplement the information gathered during technical surveys undertaken by the Department.

Special Management Areas

Habitat Protection Areas

Lhutsaw Wetland HPA Planning. A draft management plan was completed and as of March 31, 2003 was under review by the parties to the plan.

Nordenskiold HPA Planning. Work toward the development of a management plan was ongoing throughout the fiscal year and will continue in 2003-2004.

Ddhaw Ghro HPA Planning. Work toward development of a management plan continued. It is expected the Steering Committee will complete a recommended management plan early in 2005. During the spring 2002, the steering committee worked with Mayo, Pelly Crossing and Carmacks residents to document local knowledge about wildlife populations and habitat information in the Ddhaw Ghro area.

Forty-Mile Caribou Working Group Planning. Preparatory mapping and assembling habitat work to assist the Working Group in plan development is underway .

Parks

The public and government review of the Tombstone Territorial Park Management Plan was completed. With the presentation of final recommendations to the Tr'ondëk Hwëch'in and the Yukon government on January 10, 2003, the Steering Committee mandate was also complete. YG revised the existing Tombstone Park administrative plan in March 2003 to identify the Tombstone Corridor. Further work involves intergovernmental discussions between the TH and the Yukon government to review the plan and achieve consensus.

Freshwater Fisheries Management

Field surveys were completed for fisheries assessment in support of Special Management Area planning of the Ddhaw Ghro. Winter monitoring of some pike populations was completed for the Lhutsaw Wetland.

Mandanna Lake Fishing Camp/Control Lakes field assessment and the Mandanna Lake trout spawning

assessment and monitoring was completed. Lake trout baseline population surveys on fishing camp and undeveloped lakes for comparison to fishing camp lakes in the LSCFN traditional territory were completed on 12 lakes. The Mandanna Lake Management Plan was signed by the Steering Committee, and will go to the Minister for approval.

Transmitters were purchased and fieldwork was completed for the Dezadeash Lake trout studies.

First Nation education and involvement in live release and sport fishing regulation review occurred through YFWMB processes. Live release education materials were produced and radio programming was delivered with YFN input. A sport fishing regulation workshop was also held.

A baseline monitoring of the 50 Mile River was conducted to serve as an index of aquatic stream health for placer mining streams and unmined streams, and assist YFNs in project review and stream classification processes. This project was completed in co-operation with EC, DFO, INAC Water Resources and Mining Programs, and the Yukon Placer Mining Committee.

Legislative/Policy Analyst

This position provided support on land claims implementation matters and general policy and legislative issues surrounding land claims and the Department's operations, such as *Yukon Wildlife Act* amendments and their consistency with YFN Final Agreements.

DAP Interim Measures Staff Position

This position contributed to the departmental implementation of UFA Chapter 12 (DAP) via the YESAA. Projects or activities undertaken by DAP staff included:

- participating on the Dublin Gulch project management team;
- participation regarding the Yukon Energy Corporation-Aishihik hydro re-licensing project on the Interim Measures Cooperative Environmental Review Committee (was completed November, 2002);
- participating as a member on the federal Land Use Advisory Committee, which summarized Applications and forwards them to various parties including YFN trappers;
- liaising with band resource officers on other fish and wildlife issues stemming from federal (INAC) land use applications; and
- acting as Department contact for the Yukon River Inter-Tribal Watershed Council.

First Nation Harvest Co-ordinator

The First Nation Harvest Coordinator worked with the YFWMB, YFNs and RRCs to create a harvest monitoring system in Yukon. Appropriate software was set up with each YFN with a final agreement to enable them to upload and download data onto the YFWMB file transfer protocol site. A contractor traveled to the communities with the YFWMB representative to explain the system. A service contract was also used to facilitate and expedite the collection of First Nation harvest data.

A harvest data-sharing protocol was developed and sent out by the YFWMB to all YFNs with final agreements.

A Microsoft Access database for three of the eight self-governing YFNs was established and the Department worked with First Nation staff to develop reports and harvest maps.

Other Projects

The Department was also involved in, and contributed resources to, a number of projects including:

- membership nomination and appointments, and financial administration for RRCs and the YFWMB;
- Secretariat orientation sessions in the Spring of 2002;
- updating harvest rights pamphlets and associated traditional territory maps;
- review and advice on the RRC trapline allocation guidelines;
- allocation and renewal decisions on traplines consistent with YFN final agreements;
- public communications and publications respecting public access for hunting;
- review and negotiate outfitter compensation;
- approval for signatures by the Commissioner of the Orders-in-council to establish the Fishing Branch Wilderness Preserve and Ecological Reserve and associated withdrawals on February 2003 effective April 1, 2003.

Department of Health and Social Services

Health and Social Services implementation activities flow from responsibilities laid out in the YFN SGAs. The Department's main activities support PSTA negotiations and the administration of justice negotiations.

Self-governing YFNs continue to explore the transfer of various health and social programs and services through the

PSTA process. During the reporting period, Yukon Health and Social Services provided detailed briefings on some departmental programs including Alcohol and Drug Services, and Family and Children's Services. The Department also continued to work with YFNs to design and develop a process for overall administration of social assistance in Yukon after program transfer.

Health and Social Services also has the responsibility for youth justice. While the Department of Justice led the negotiation of the TTC Administration of Justice Agreement, Health and Social Services participated actively. During the reporting period, Health and Social Services participated in a series of discussions with the TTC, Yukon Department of Justice and the Government of Canada to explore various implementation options. Health and Social Services also assisted the Yukon Department of Justice with the development of an implementation negotiating mandate for the TTC Administration of Justice Agreement, and continued to participate in exploratory discussions with other First Nations on administration of justice issues.

Department of Highways and Public Works

The Department's Transportation Division continued to update YFNs on the status of eliminating the use of existing quarries on settlement land.

The Contract Services Branch continued to provide information on a regular basis on contracts awarded that were not advertised for public tender. Copies of contract award lists that are tabled annually in the Legislature were also provided to YFNs.

Contract Services continued to provide information to YFNs and First Nations development corporations regarding access to contracts, standing offer agreements and the method of registering on lists or inventories. Where possible, contracts in all branches continued to be structured so they are of a size manageable by small business.

Department of Justice

The Department of Justice has a number of responsibilities in respect to the final and self-government agreements, including land titles, estate administration and legal services.

The Aboriginal Law Group (Legal & Regulatory Service Branch) provided legal advice to government departments regarding the interpretation and implementation of final and

self-government agreements. The Aboriginal Law Group co-ordinated the consultation process on First Nation laws submitted to government, pursuant to the consultation provisions in the SGAs.

Aboriginal Law Group lawyers participated in the taxation and PSTA negotiations.

The Department is the lead in ongoing negotiations on the administration of justice with the TTC and the Government of Canada under section 13.6.0 of the TTC SGA. In September 2002, Cabinet approved the TTC Administration of Justice Agreement in principle, subject to the approval of the negotiated Implementation Plan. The Department continues to participate in the agreement negotiations with the TTC and Government of Canada.

The Department participated in exploratory discussions on the administration of justice with the CAFN, NND, VGFN, TH, LSCFN, SFN, TKC and the Government of Canada. These discussions with YFNs could eventually lead to administration of justice negotiations under section 13.6.0 of the SGAs.

The Land Titles Office is involved in the registration and issuance of title for First Nation fee simple settlement land parcels, as well as the filing and reproduction of survey plans for the settlement lands.

The Public Administrator assists self-governing YFNs with the administration of estates. If an executor has not assumed the responsibility of administering an estate, the Public Administrator is appointed to administer the estate on behalf of the deceased First Nation citizen. The Public Administrator's office also assists First Nations with Canada Pension Plan applications and offers guidance to First Nation people in relation to the administration of estates.

Public Service Commission

Yukon, through the Public Service Commission (PSC), developed a draft Yukon-wide plan for a representative public service, and draft plans for the TTC, NND, CAFN, LSCFN and TH traditional territories. All the plans are developed through a joint planning process with YFN and Yukon representatives. Of these, Yukon approved in principle, the Yukon-wide, TTC, NND and CAFN traditional territory plans. These plans were submitted to the respective YFN governments for their consideration and comment pursuant to the formal consultation requirements of the final agreements.

Representative Public Service planning sessions were ongoing with the TH to prepare its draft traditional territory

plan for approval-in-principle. An invitation to begin representative public service planning sessions was extended to the SFN and initial contact was made with the TKC. Planning would begin when it is mutually convenient for both governments. Planning sessions focussed on the participation of each YFN in the Yukon-wide plan and the development of traditional territory plans. Discussions took place with the VGFN on developing its traditional territory plan and although they, VGFN indicated interest, it has been unable to participate in a planning process at the end of this reporting year.

The CAFN responded to the formal request from the Minister for comments on the Representative Public Service Plan (RPSP) and the Minister has replied to the items raised in that response.

Some initiatives in the Yukon-wide RPSP and the traditional territory plans are being pre-implemented. Formal reporting and review of the plans will begin after the YFNs have responded to the draft plans and they are approved by the Yukon Cabinet. An interim progress report on the initiatives agreed to in both the government-wide RPSP and the completed traditional territory plans is being prepared.

Under the government-wide plan, the following initiatives have been implemented:

- development of overall protocol for temporary assignments in December 1997, negotiated between the Yukon government and YFNs as required;
- administration of the survey of Aboriginal and non-Aboriginal Yukon government employees, and reporting in *Spotlight on Diversity*;
- continuation of land claims training in Whitehorse and the communities (YFN presenters provided content relevant to a specific First Nation, and both YFN and Yukon Government employees completed the training).
- the ongoing encouragement of Yukon's human resources units to use First Nation representation on interview boards and receive current lists of contacts at YFNs, (Authority was received for payment of travel per diems to facilitate YFN representation on these boards).
- provision of public information sessions by Public Service Commission on the application process, including sessions to YFNs as requested;
- participation in career fairs hosted by the CAFN (twice), NND, TH and TTC (twice), (Yukon's participation is at the invitation of YFN governments).

- approval by Cabinet of changes to the First Nation Training Corps in July 2001 making eligibility criteria restricted to persons of YFN Aboriginal ancestry (proposals can also be jointly sponsored by a department and a YFN, allowing for the capacity building of YFN governments. This program is actively used for training and is ongoing).
- participation on the planning committee for the Aboriginal Day celebration, June 21, 2002;
- participation in conference planning for YFN's human resource workers for capacity building and networking. The Public Service Commission also presented workshops on policy training plan development and provided technical expertise for panels during this conference in 2002.
- meeting of affected departments with YFNs human resource workers to report on vacant devolved positions and their plans to fill the positions with respect to representative Public Service obligations;
- invitations to YFNs for internal temporary assignments opportunities;
- invitations to YFNs to participate in a coach training program; and
- provision of workshop sessions to YFNs requesting training on preventing and managing workplace harassment.

Department of Tourism and Culture

Heritage

Lansing Post Heritage Site

Archaeological investigations are ongoing with NND to establish extent and boundaries of heritage resources.

Rampart House and Lapierre House Historic Sites

Work continued on structural investigations and stabilization as part of establishing a comprehensive preservation plan for Rampart House. Preservation plans were called for as part of the management plan. Preliminary work began on an interpretation plan, also to be developed as a subsidiary document to the management plan. Discussions took place between the Department, VGFN and the Cadzow family of Fort Yukon, Alaska, who claim ownership of certain property at the site.

Project #80 Forty Mile Historic Site

Co-operatively with TH, Heritage continued a multi-year program of archaeological investigations, funded in part with Government of Yukon resources, to assist in

management planning for the Forty-Mile Site. The TH provided matching dollars with the Department for a team of planners to develop a management plan and participate in the planning process for Forty-Mile Historic Site. The planning process involved establishment of the Joint Steering Committee and public consultations in Dawson City and Whitehorse. The final draft of the management plan has been forwarded by the Steering Committee for internal review by the TH and Yukon Government before they signing off.

Special Management Areas

Lhutsaw Wetland Habitat Protection Area Public (WHPA) interpretation material was developed to provide information to the community on the heritage resources and heritage management considerations in the Lhutsaw WHPA.

Nordenskiold Wetland habitat Protection Area

Phase II of a heritage site inventory in the Nordenskiold WHPA was undertaken co-operatively with the LSCFN to assist in management planning.

Ddhaw Ghro Habitat Protection Area

Oral history research on traditional land use in the Ddhaw Ghro HPA was carried out with the Selkirk First Nation to assist in management planning.

Tombstone Park

With the TH, a preliminary inventory of historic sites in the northern portion of the park (Ts'ok gittlin) requiring enhanced protection/special management; was carried out with work also done with the Steering Committee to draft heritage resource management and protection strategies.

Tourism

Product Development and Research Branch

During the year, the Branch focussed on land claims implementation activities in several key areas. It:

- participated and responded to final agreement driven initiatives that include or affect tourism opportunities for YFN individuals and others;
- improved service to YFN individuals wanting to develop tourism businesses that capitalize on growing market interest in Aboriginal tourism product; and
- improved service to YFN governments, corporations and organizations interested in tourism-related economic opportunities for their members.

Special Management Area projects included:

- work with the Tombstone Park Steering Committee to finalize tourism information and recommendations in the Final Plan; and
- work with the Vuntut National Park Management Planning Team and review of draft planning material. The Branch also participated on the Ddhaw Ghro Yukon's advisory group and provided tourism information as required.

Land use planning activities included research, mapping and issue identification for the Teslin Regional Land Use Plan process.

In the area of economic opportunities, the Branch:

- continued ongoing community-based work on the North Yukon Tourism Plan, including local consultation with interested residents, YFN and Economic Development Corporation representatives. The Plan is expected to be completed next fiscal year. It will reflect community priorities and capabilities, and identify and assess realistic tourism product development opportunities in the VGFN traditional territory, including those in SMAs, the VGFN Economic Opportunities Plan and other final agreement driven initiatives; and
- provided research and information to First Nations developing major tourism infrastructure, including the Four Mountains hotel project.

First Nations frequently expressed the need for tourism operators, especially those in the back country, to know about aspects of final and self-government agreements that affect them. As an ongoing activity, Branch staff ensure clients who contact the Department are aware of final agreement obligations, especially regarding settlement land, access provisions, and heritage, fish and wildlife chapters, and encourage clients to contact YFNs in areas where they would like to operate. Tourism industry organizations are encouraged to also educate clients, or refer them to the Department. Most tourism operators want to understand final agreements and how to approach and work with YFNs. Both factors are crucial to successful business and to establishing respectful relationships with YFNs.

Other Related Activities. The Branch provided information, research and advice to support clients looking to research, plan, develop and market tourism products on an ongoing

basis. To support growing interest of YFNs in Aboriginal tourism opportunities, the Branch continued to improve its collection of current information on Aboriginal tourism and deliver it effectively to clients throughout the territory. Although the Branch's client services are not a direct result of a final and self-government agreement obligation, they provide support to YFN individuals who want to implement tourism-related economic opportunities identified in their agreements. Activities in 2002-2003 included:

- updating and distributing the Funding Sources booklet with a focus on YFN programs;
- attending First Nation career fairs in Yukon communities, ongoing communication with, and distribution of, tourism research and information to YFNs, economic development corporations and the Yukon First Nations Tourism Association and delivering Aboriginal tourism workshops in partnership with the Association and others as requested;
- providing core funding and technical support to the Yukon First Nations Tourism Association;
- including strong YFN cultural messages and tourism product information in Branch publications and on the Branch Web Site; and
- seeking YFN input and review for major tourism publications including the *Vacation Guide* and *On Yukon Time*.

Yukon Housing Corporation

The Yukon Housing Corporation (YHC) delivers housing programs and services in the Yukon, and during the year continued to work on implementation of land claims obligations. Activities included:

- presentation of information on YHC and discussion of housing issues at the PSTA table with the self-governing YFNs;
- attendance at career fairs with YFNs, including booth set up;
- provision of community development by assisting and advising YFNs on housing policies, programs and administrative procedures, and by providing technical advisory services on construction, retrofit and maintenance issues;
- assistance with an energy efficiency initiative with YFNs;
- provision of accommodation and office space for a self-governing YFN, and
- initiation of planning, as an active partner, for the second Yukon and Northern First Nations Housing Conference scheduled for the fall 2003; and
- organization and facilitation of the Housing Innovations Workshop for YFNs. The workshops provided information on producing a conceptual design, applying house

construction methods, products and technology to the conceptual design, and practical tips in choice of materials and application techniques for new and commonly used building materials.

Government of Canada

Indian and Northern Affairs Canada

The Department's primary role is to support Yukon First Nations in developing healthy, sustainable communities and in achieving their economic and social aspirations. On behalf of the federal government, INAC oversees implementation of the UFA and YFN SGAs and their implementation plans.

The process of negotiating a comprehensive land claim agreement, a self-government agreement or some combination of the two, is a complex undertaking. Once an agreement is signed and brought into effect, a new and equally challenging phase begins for the parties, which focusses on implementing the many provisions contained in the agreement. This is not a passing phase, but rather an enduring one, marking a new relationship among the parties- the federal government, the Aboriginal group, and the provincial or territorial government involved. In the case of a comprehensive land claim agreement, this new relationship involves fulfilling the many legal obligations each party has assumed. In the case of a self-government agreement, this new relationship begins interaction on a government-to-government basis.

One key tool to facilitate the transition to this new relationship is the implementation plan that accompanies each final agreement. While the comprehensive land claim or self-government agreement defines the new relationship, the implementation plan and its accompanying documents (e.g., financial transfer agreements) describe how this new relationship should operate.

Fiscal Relations and Program Transfers Directorate Program and Service Transfer Agreements Negotiations

Since 1995, self-governing YFNs have provided yearly notice letters to the governments of Canada and Yukon, outlining their priorities for PSTA negotiations. These are conducted pursuant to section 17 of the SGAs. These agreements allow

for the assumption of responsibility and funding for the management, administration and delivery of any government program or service within the jurisdiction of the First Nation.

A number of PSTAs have been concluded with YFNs. The federal programs for which YFNs have assumed responsibility include most of INAC community-based programs and services (such as social assistance and housing), Health Canada community-based programs and services, and land and resource management programs and services of the Northern Affairs Program, which was formally part of INAC. Negotiations are ongoing in relation to a variety of federal and territorial programs, as outlined by the parties in the annual PSTA work plan.

Accomplishments and activities of the PSTA negotiations during 2002-2003 included:

- conclusion of a PSTA on INAC social programs; and
- agreement on two self-governing FTA amendments regarding the Canada Prenatal Nutrition Program enhancement (Health Canada) and the Band Support Funding increase (INAC).

Negotiations were ongoing with YFNs based on the priorities identified in the 2002-2003 work plan. These priorities include INAC programs such as income assistance, post-secondary education and capital infrastructure. Discussions were also ongoing with other federal departments, including Canadian Heritage and HRDC, and will continue in 2003-2004.

In addition to continuing a focus on INAC programs (e.g., post-secondary education, income assistance, ancillary services, and residual lands and trust services), the PSTA negotiation priorities in 2003-2004 are expected to include a number of Yukon programs in health and social services and resource management sectors.

Tax Negotiations

Section 14 of the SGAs provides YFNs with the power to enact laws relating to taxation of interests in settlement land and other direct forms of taxation, such as personal income tax. Self-governing YFNs negotiated tax collection and tax sharing agreements with the governments of Yukon and Canada respecting personal income tax.

Negotiations on sharing federal consumption tax (sales tax) were advanced during the year. Federal legislation, the *First Nation Goods and Services Tax Act*, was introduced in

Parliament in March 2003. Negotiation of the Tax Administration Agreement between YFNs and Canada respecting the Act was ongoing.

In the coming year, taxation negotiation priorities will focus on finalizing the Tax Administration Agreement respecting First Nation goods and services taxes, and the necessary federal and YFN legislation. This legislation is anticipated by the fourth quarter of 2003-2004. As well, negotiations on sharing arrangements with the Yukon government for fuel, alcohol and tobacco taxes, corporate income tax and property taxes will continue.

Senior Financial Arrangements Committee and Self-Governing FTA Management

The Senior Financial Arrangements Committee consists of representatives from self-governing YFNs and the Government of Canada. It was established to administer the self-government FTAs and review them every five years.

During the year, the Committee:

- confirmed the methodology to calculate annual fiscal grants to self-governing YFNs which flow through the self-government FTAs;
- completed an independent assessment of First Nation population databases;
- obtained federal approval to enter into sharing agreements with self-governing YFNs, on the condition that they enact privacy legislation; and
- began the review of the self-government FTA in November 2002.

Intergovernmental Relations

To address intergovernmental relationships, the Self-Government Secretariat was created to share information and financial and human resources among YFNs, collective problem-solving and the development of common strategies to meet the challenges of self-government. As well, the Intergovernmental Forum (IGF) allows potential leaders to develop a shared vision for governance, and program and service delivery in Yukon within the context of land claim and self-government agreements. The IGF process is supported by a group of senior officials from federal, territorial and YFN governments.

The parties have agreed to hold IGF meetings three times per year. During 2002-2003, two forums were held, with the Minister of Indian Affairs and Northern

Development, the Premier of Yukon, and YFN chiefs in attendance. Discussion focussed on three key areas: education, economic development and fiscal issues.

In 2003-2004, support is expected to continue for the Self-Government Secretariat in the finalization of its multi-year work plan. The Senior Officials Group will continue to support the IGF process. This ongoing process will provide guidance and political direction on key issues regarding land claim and self-government implementation.

Canadian Heritage

The obligations of the Department of Canadian Heritage under the UFA and the individual YFN SGAs focus primarily on the national parks and historical sites programs. The UFA also obliges the Department to work toward equity in program delivery between the culture and heritage of YFNs and Yukon at large.

Development and Management of Heritage Resources

Canadian Heritage has the lead federal responsibility for UFA Chapter 13. This chapter deals with heritage resources, and includes an objective relating to their equitable distribution among YFNs, Yukon and Canada. Canadian Heritage hosted one in a series of meetings (three per year with rotating chair) between YFNs, Yukon and Canada to advance the implementation of these Catch Up/Keep Up clauses. The meetings focus on YFNs with signed land claim agreements; however, other YFNs and the YHRB are invited.

Canadian Heritage and the Yukon government developed, approved and signed framework agreements and work plans with the TH, NND, TTC, CAFN and VGFN for the development and management of tripartite strategic plans for heritage resources.

In April 2002, Canadian Heritage offered a workshop to YFNs on strategic planning for community stewardship of heritage resources. This workshop provided information and tools to help YFNs build their capacity to take over managing their heritage resources.

Through the Museum Assistance Program, Canadian Heritage provided support to the CAFN for its Cultural Centre Detailed Planning Project (\$77,000); and to the Danoja Zo Cultural Centre (TH) for Healing through Heritage: Exhibit Development Phase (\$30,000).

Canadian Heritage contributed \$6,380 in celebration of National Aboriginal Day in Yukon (\$2,380 to the Society for

the Yukon Artists of Yukon Ancestry; and \$4,000 to Gathering Traditions).

A YFN representative from the TTC participated in a workshop in March 2003 sponsored by Canadian Heritage on intellectual property, an issue fundamental to managing heritage resources.

The Canadian Conservation Institute continued to work with a number of YFNs to provide advice, assistance and technical services to help them better preserve their collections.

Vuntut Gwitchin First Nation

Activities related to the VGFN included the following.

- Funding was provided for the completion of the Vuntut Gwitchin Oral History Project. The Project's objectives are to enhance the community's ability to articulate its values and traditional knowledge to cover national park management, and to inform Canadians of the Vuntut Gwitchin contribution to Canada.
- A business case study of the visitor reception and operations centre was completed and approved in principle.
- The contract for the conceptual design for the Old Crow visitor reception centre was awarded to Midnight Arts of Whitehorse.
- In a project supported by the NYRRC, Parks Canada began a multi-year study to establish important baseline information about the population of wolverines and other mustelids within the Park. The second winter of monitoring the forty kilometre track transect for wolverines and other mustelids to establish a relative index for these populations was carried out in the Old Crow Flats starting in November 2002 (projected end date of May 2003).
- In August 2002, the second year of a three-year project, a field survey crew studied the Gwitchin caribou fence at Thomas Creek. The fence, an elaborate complex of snare nets, wing fences, caches and a surround, remains a prominent element of the Gwitchin cultural landscape of the Park. In addition, the crew found one fence that had been rumored to exist, but not previously located. The exact location is now recorded and is one of seven known caribou fences within the Park.
- The Park Superintendent or delegate met with the RRCs more frequently than the annual requirement of the UFA, to consult on Park development and management matters.
- The Park management plan was submitted for approval by the Minister.

- Parks Canada continued to train and employ VGFN beneficiaries and met the goal of at least 50 percent of the Public Service employment positions being filled by Vuntut Gwitchin. Parks Canada has also seconded an employee to the VGFN to meet common government objectives of Parks Canada and the VGFN.
- Parks Canada continued to contract the VGFN to provide maintenance and upkeep of its facilities in Old Crow. In general, information respecting contracts for the provision of goods and services in the VGFN traditional territory is provided to the VGFN.

Tr'ondëk Hwëch'in

The site named in the Final Agreement as Tr'o-ju-wech'in is now referred to as Tr'ondëk. Activities related to TH included the following.

- Parks Canada, in conjunction with Canadian Heritage and the Yukon government, engaged in meetings with the TH related to Chapter 13.4.1 and 13.4.2 (catch -up and keep -up). The focus was on developing a five-year strategic plan.
- One Parks Canada staff member was seconded to the TH and worked in the heritage area. Support for this secondment was extended to March 2004 by Parks Canada.
- An interpretive manual for a Dawson City waterfront walking tour was developed. A major component addressed traditional First Nation linkages with the Yukon River.
- Parks Canada worked with the TH on the promotion and use of parks and Partners pass at the DänojB Zho Cultural Centre. As a result of the partnership, the centre's visitation more than doubled from the previous year.

Champagne and Aishihik First Nation

Activities related to the CAFN included:

- Parks Canada took part in two new ongoing initiatives in co-operation with other land managers in the southwest Yukon, including the CAFN and ARRC: the CA Traditional Territory Strategic Forest Management Planning Exercise and the CA Traditional Territory Integrated Wildlife Planning Exercise.
- Parks Canada continued work related to the Alsek Moose Management Agreement, specifically the monitoring of the Kluane Park moose population.
- With First Nations involvement, work continued on monitoring the furbearer population along the Mush Bates Road in the

Keeping Track project. Due to low snowfalls, it met with limited success.

- Parks Canada began the implementation of the recommendations in the Kluane National Park and Reserve/Community of the Haines Junction Preliminary Fire Risk Assessment, 2002, which is a Kluane Park Management Board strategy. This work was based on a collaborative review of wildfire risk by joint agencies and land managers, including a CAFN representative. The preliminary forest fuel modification provided an employment opportunity with CAFN members.
- With the passing of the YESAA, work continued to ensure the new YESAA regulations reflect the *Canadian Environmental Assessment Act*.
- A series of special events were co-ordinated to increase the community and visitors awareness of local First Nations culture. Elders' songs and stories, the Icepatch Discoveries presentation and the craft exhibits attracted new audiences to the Park, communicated important messages to the public and were judged to be a great success. This program is expected to continue in 2004.

Environment Canada

Northern Conservation Division

The responsibilities of EC's Northern Conservation Division (NCD) pertain to the *Game Export Act*, *Endangered Species Protection Act* and the *Migratory Birds Convention Act*. The NCD also has a role in the development of management plans for special wildlife management areas. Specific activities of the Division included the following.

Old Crow Flats Special Management Area

The NCD continued to monitor the status of management planning for the Old Crow Flats SMA (Chapter 10, schedule C, section 5 of the VGFN Final Agreement). Two parcels of undesignated federal land within the SMA were recently transferred to the Yukon Government in the devolution process. It is expected that the Yukon government and VGFN will take the lead for developing the SMA management plan. The NCD will continue to provide technical input and advice during the management planning process, and is completing a land cover map of the SMA in co-operation with Parks Canada.

Nisutlin River Delta National Wildlife Area

The NCD continued work to update the Nisutlin River Delta National Wildlife Area Management Plan in conjunction with the TRRC, TTC and Yukon Department of Renewable Resources.

NatureServe Yukon

In 2002-2003 the Yukon Conservation Data Centre, NatureServe Yukon, became operational. NatureServe Yukon tracks information on rare species and reports on its status. To expand partnership with the Environment Conservation Branch of the Yukon Department of Environment that established NatureServe Yukon presentations were made to the RRCs of the NND, VGFN, LSCFN, SFN, TH and CAFN. Renewable resources staff (or equivalent) of the YFN were present at several of these meetings. In addition, presentations and an invitation to partner in NatureServe Yukon activities, specifically to compile and share information on rare species, were made to YFN renewable resources staff (or equivalent) of the LSCFN, CAFN, VGFN and TTC. A presentation and an invitation to partner was also made to the YFWMB.

Arctic Borderlands Ecological Knowledge Co-op

The NCD continued to co-ordinate the Arctic Borderlands Ecological Knowledge Co-op's community-based monitoring program in Old Crow, including consulting with the NYRRC and the VGFN Lands and Resources Department, and contracting a VGFN beneficiary to conduct and report on community interviews related to ecological status and trends. This program is directed by a board that includes members from Old Crow, Aklavik, Fort McPherson and Alaskan communities.

Advice, Technical Expertise and Capacity Building

The NCD provided ongoing technical advice regarding forestry and oil and gas exploration issues to the TTC.

The NCD initiated a pilot study in 2000-2001 on forest birds in the Teslin area, in co-operation with the TRRC and TTC. In 2002-2003, songbird surveys and forest habitat sampling in forest habitats were conducted in the Teslin area. The TTC provided logistical assistance with the field work and the TRRC assisted in hiring a local field assistant and covered 50 percent of the assistant's salary.

The NCD worked with the CYFN and other individual YFNs on monitoring and communicating information about contaminant issues through the Yukon Contaminants Committee.

Environmental Protection Branch

Activities of the Environmental Protection Branch (EPB) included the following.

Federal Development and Assessment Process

The EPB is an ongoing active member of the federal DAP caucus. This involved reviewing position papers prepared by the federal lead (INAC), recommending conditions the DAP process should meet to accomplish EC requirements and meet the needs of the *Canadian Environmental Assessment Act*, and reviewing the YESAA legislation drafts. As well, the EPB provided advice directly to INAC regarding departmental requirements and capacities. Other parts of EC were kept informed through briefings or through direct contact for input (re: section 12.3.0 of UFA).

Canadian Environmental Protection Act

The EPB organized and conducted formal consultation sessions with the CYFN, Yukon government and northern British Columbia First Nations that do not have land claims settlements, in relation to proposed amendments to the fuel storage tank regulation under Part 9 of the *Canadian Environmental Protection Act*.

Response to Spills

As self-government agreements provide YFNs with environmental management responsibilities, the EPB continued discussion with the CYFN and YFNs with SGAs to discuss their interest in becoming involved as a participant in the Letter of *Understanding Concerning Government Response to Spills in the Yukon*. A number of YFNs expressed an interest in participating in this ongoing initiative.

Advice, Technical Expertise and Capacity Building

The EPB:

- worked with INAC in the provision of environmental training for YFN environmental staff;
- initiated direct contact with the TTC, NND, LSCFN, CAFN and VGFN to solicit input on matters ranging from wildlife/pollution enforcement, sustainable community initiatives and pollution threats/contaminated sites;
- worked co-operatively with the TH to evaluate the effect of land disposal of treated effluent in a forested area and decommissioning plans at the Brewery Creek mine; and
- continued to participate in meetings of the Yukon Inter-Tribal Watershed Council to establish links with YFNs and

provide information to the Council on departmental programs. The EPB provided funding support for digitized resource maps on the Council's Web Site and provided training related to water quality sampling during 2002-2003. The Council consists of Alaskan First Nations and nine YFNs along the Yukon River that want to initiate action to protect the Yukon River water quality in a co-operative manner with government.

Fisheries and Oceans Canada

Under the provisions of the UFA, final and self-government agreements, DFO is responsible for the provision of technical and administrative support to the YSSC. Throughout 2002–2003, DFO continued to fulfill these obligations. A senior official of the Department serves as executive secretary to the YSSC. Senior members of the Stock Assessment, Habitat Enhancement, Conservation and Protection, Treaties and Aboriginal Fisheries Strategies sectors briefed the YSSC on issues and provided technical assistance to the Committee. In addition, DFO staff provided a full range of administrative services.

Other implementation activities undertaken by the department in 2002–2003 include the following.

Schedule A Basic Needs Allocation Negotiations

On March 31, 2003, DFO released the final report on the *Yukon River Drainage Basin Harvest Study* to YFNs. As per the UFA, the release of this report activated Schedule A, section 3.9.2. Three of the eight affected YFNs, including the NND and TH, replied within the specified three-month period, and requested the negotiation of a basic needs allocation for salmon in their First Nations. These negotiations must be completed in one year, with preliminary meetings scheduled for the fall of 2003.

Restoration and Enhancement

Projects, funded through the Research and Enhancement Fund of the Canada–United States Yukon River Salmon Agreement, have a strong link to the UFA due to the SSC's involvement in the Yukon Panel. The Department was active in the development, selection and implementation of these projects. In addition, DFO actively encouraged communities to become involved in their own restoration and enhancement planning, and provided technical support in the development of project proposals.

Consultation

Fisheries and Oceans Canada continued to provide information and request feedback from stakeholders according to UFA consultation guidelines. During 2002-2003, the Department continued to partner with the YSSC to form working groups for the development of IFMPs for a number of drainage basins. These Working Groups provided stakeholders with more meaningful input into the development of these Plans and provided a mechanism for identifying communications gaps for DFO. The Department also provided comprehensive updates of run strength, timing and ongoing management of Yukon and Alsek River salmon fisheries during the review period. DFO staff from DFO accompanied YSSC members to communities to consult with YFNs and other stakeholders regarding the management of Yukon River salmon stocks.

Stock Assessment

The Department has ongoing stock assessment projects, operated in partnership with the CAFN and VGFN. These long-term projects, use implementation funding and include the following.

Klukshu Weir

This counting weir is operated in partnership with the CAFN. During the year, DFO continued to address issues with this project through the Alsek River Working Group. This Working Group is composed of representatives from the CAFN, YSSC and DFO. The Klukshu Weir project continued to offer economic benefits to the community through employment opportunities, as well as capacity building.

Fishing Branch Weir

The Fishing Branch Weir stock assessment project is operated in partnership with the VGFN, and provides similar benefits as the Klukshu Weir.

Technical Input

Fisheries and Oceans Canada had frequent interactions with UFA boards, committees and councils, and provided input into UFA processes including SMAs, land use plans, DAP, YWB, RRCs and the land selection process.

Commercial Licences

Under UFA section 16.10.15, Canada is required to issue additional commercial salmon fishing licences to YFNs whose traditional territories include part of the Yukon

drainage basin. It was determined that eight additional licences will be made available to YFNs. This issue remained outstanding in 2002–2003 pending the completion of a sharing arrangement among affected YFNs.

Human Resources Development Canada

Human Resources Development Canada supports the employment and training initiatives of YFNs through its existing programs and through two Aboriginal Human Resource Development Agreements (AHRDAs). The Department maintains an ongoing dialogue with YFNs with respect to their operations or activities under the AHRDA including frequently discussing operational issues, clarifying and defining various clauses of the AHRDA and providing advice on implementing aspects of the Agreement. The Human Resources Centre of Canada located in Whitehorse also provides employers and job seekers with information on available programs and services provided by HRDC.

The AHRDAs are five-year contribution agreements (1999-2004), which provide funding for labour market training for First Nation, Métis and Inuit living in Yukon. The AHRDAs also provide funding for child-care initiatives to increase the supply of quality child-care services for children with working or training First Nation or Inuit parents who reside in Yukon.

The AHRDAs enable YFNs to design and deliver a full service menu of options by integrating several Aboriginal programs including labour market programming and services, capacity building, an urban Aboriginal component, youth programming, child-care programs and programs for persons with disabilities.

A summary of activities was not available for this annual report.

Natural Resources Canada

Legal Surveys Division

The Legal Surveys Division of Natural Resources Canada is responsible for the legal surveying of YFN settlement lands. Annual survey programs are based on recommendations made by First Nation SLCs. Six of the 14 YFNs are implementing legal surveys of their settlement lands, and two YFNs completed their survey programs during the year. A Memorandum of Understanding between the parties to the Final Agreements is required to facilitate the exchange of land where site-specific selections were incorrectly

located. This was not completed and will be required to complete the legal survey programs for five YFNs.

Thirteen survey contracts were awarded in 2002-2003:

CAFN	2 contracts
LSCFN	1 contract
SFN	3 contracts
TKC	2 contracts
TTC	1 contract
TH	3 contracts
VGFN	1 contract

2002-2003 YFN Settlement Land Surveying Contracts (all amounts exclude goods and services tax)

First Nation	Contract Amounts	First Nation Involvement	First Nation % of Amount Contracts
CAFN	\$153,712	\$50,260	32.7%
LSCFN	\$160,588	\$24,138	15.0%
SFN	\$233,474	\$108,545	46.5%
TKC	\$130,985	\$39,541	30.2%
TTC	\$159,171	\$84,358	53.0%
TH	\$793,974	\$403,452	50.8%
VGFN	\$170,388	\$70,497	41.4%
MOU plan contracts (2)	\$26,078	\$0	0%
Total Yukon Contracts	\$1,828,370	\$780,791	average = 42.7%

Champagne and Aishihik First Nation

Two legal survey contracts were completed in 2002-2003.

- At least 22 site-specific parcels require utilization of the Memorandum of Understanding.
- Six site-specific parcels remained to be surveyed as well as the final adjustment boundaries for Category A and Category B lands.

LSCFN

Two legal survey contracts were carried out in 2002-2003.

- Surveys were completed; signing of plans will occur in 2003.

- Seven site-specific parcels require utilization of the Memorandum of Understanding.

SFN

- Three legal survey contracts were completed, two of which were small contracts.
- The Legal survey program was completed. All surveys were recorded; all survey products, and other information created (i.e., photos) directly as a result of the implementation program were provided to the SFN.

NND

- The Legal survey program was completed. All surveys were recorded; all survey products, and other information created (i.e., photos) directly as a result of the implementation program were provided to NND.

TKC

- In 2002-2003, the TKC survey implementation program got underway.
- Two legal survey contracts were completed for community land selections.

TTC

- One legal survey contract was completed in 2002-2003.
- At least 14 site-specific parcels require utilization of the Memorandum of Understanding.
- The Survey of Category A lands were completed. The survey of two site-specific parcels and the final adjustment of Category B lands were not completed.
- About 50 surveyed site-specific parcels were not signed by the TTC during this reporting period.

TH

- Three legal survey contracts were carried out for the TH survey program.
- Nine site-specific parcels require utilization of the Memorandum of Understanding to move the parcels to the locations desired by the TH.

VGFN

- One legal survey contract was completed in 2002-2003.
- Nine site-specific parcels require utilization of the Memorandum of Understanding to move the parcels to the locations desired by the VGFN.
- One small survey contract was outstanding for 2003 to place the final survey monument for the final adjustment of the settlement land area.

Public Service Commission

The Yukon District Office of the Public Service Commission Canada continued the consultation process to develop the Human Resource Plan to meet obligations set out in Chapter 22 of the SGAs. Consultations took place with all federal departments in the Yukon government to review the current status and outcomes to date, and to recommend a process for establishing priorities and finalizing the government-wide plan. In mid-March 2003, another two-day workshop was hosted by the Public Service Commission to discuss issues related to the design of a new, improved human resources plan for a public service representative of YFNs.

Participants from the YFNs, TPC, Yukon government and several federal departments discussed Canada's efforts to build capacity and increase the representation of YFN employees in the federal public service. The final document will be a living document which is expected to be updated on a regular basis.

In support of capacity building for YFNs, the Public Service Commission was involved in planning, developing and facilitating a three-day workshop entitled Strengthening First Nation Communities. This successful workshop provided an opportunity for community participants to network, meet others in the human resource field, share experiences and information, and build unity among community human resources personnel. Several participants felt they could begin using many of the skills and ideas immediately on returning to their communities. The evaluations were very positive and supported the need for more workshops.

Public Works and Government Services Canada

Public Works and Government Services Canada (PWGSC) provides advice to federal government departments on their procurement activities within land claim areas in Yukon.

In accordance with UFA sections 22.3.3.1 and 22.3.3.2, PWGSC continued to provide YFNs, YFN corporations and YFN contractors with information on how to register with Contracts Canada as a supplier of goods and/or services to access government contracts and standing offers. In accordance with provisions in the UFA and individual final agreements, it also continued to notify YFNs of procurement opportunities in their respective land claim areas.

In addition, PWGSC provided procurement advice to all federal government departments located in Yukon on their procurement activity obligations within land claim areas. Individual procurement processes (where applicable) were adapted to deal with issues surrounding specific provisions of a particular final agreement.

In partnership with INAC, PWGSC has coordinated, for several years, the procurement and contract training to YFNs to expand their capacity and knowledge related to training and assist them when evaluating and bidding on federal government initiatives.

Contracts awarded under a final agreement and as set-asides in 2002-2003 were:

- VGFN, Old Crow: special operating agency fuel, \$80,250.
- S&D Trucking, Whitehorse: snow removal, \$17,120.
- Shar-Cho Construction, Whitehorse: construction/special operating agencies, \$56,075.32.
- 974095 NWT Ltd., Inuvik, NWT: goods, \$9,152.78.
- Northeast Vacuum Service, Whitehorse: services, \$28,483.40.
- Eight set-asides with five Aboriginal contractors: facilities' maintenance services (i.e., painting, fit-ups, minor maintenance work), \$18,100.00.

Financial Compensation Payments

CAFN: \$2,412,629	SFN: \$1,324,024
NND: \$1,236,819	LSCFN \$1,234,677
TTC: \$1,635,222	TH: \$1,709,555
TKC: \$1,256,848	VGFN: \$1,679,645

Implementation Funding

YSRB: \$100,561	YLUPC: \$502,325
SSC: \$193,200	CYFN:* \$253,735
DRB: \$35,214	Yukon:** \$1,413,273

Enrollment Commission: \$89,653

* Canada provides funds to the CYFN to support the TPC as well as CYFN implementation costs.

** Canada provides funds to the Yukon government to support the FWMB, YHRB, YGPNB and the RRC of each First Nation.

APPENDIX 1:

YUKON FIRST NATIONS

Carcross/Tagish First Nation (CTFN)
 Champagne and Aishihik First Nations (CAFN)
 First Nation of Nacho Nyak Dun (FNND)
 Kluane First Nation (KFN)
 Kwanlin Dun First Nation (KDFN)
 Liard First Nation (LFN)
 Little Salmon/Carmacks First Nation (LSCFN)
 Ross River Dena Council (RRDC)
 Selkirk First Nation (SFN)
 Ta'an Kwäch'än Council (TKC)
 Teslin Tlingit Council (TTC)
 Tr'ondëk Hwëch'in (TH)
 Vuntut Gwitchin First Nation (VGFN)
 White River First Nation (WRFN)

APPENDIX 2:

YUKON FIRST NATIONS WITH FINAL AND SELF-GOVERNMENT AGREEMENTS

(as of March 31, 2003)
 Champagne and Aishihik First Nations (CAFN)
 First Nation of Nacho Nyak Dun (FNND)
 Little Salmon/Carmacks First Nation (LSCFN)
 Selkirk First Nation (SFN)
 Ta'an Kwäch'än Council (TKC)
 Teslin Tlingit Council (TTC)
 Tr'ondëk Hwëch'in (TH)
 Vuntut Gwitchin First Nation (VGFN)

APPENDIX 3:

FEATURES OF THE UMBRELLA FINAL AGREEMENT

The UFA is the framework within which each of the 14 Yukon First Nations will conclude a final claim settlement agreement. All UFA provisions are part of each First Nation final agreement. The quantum of settlement land and financial compensation guaranteed by the UFA is allocated to individual First Nations based on a formula that was arrived at by the 14 YFNs.

Key provisions include:

- title to 41,439 square kilometres of land including Category A land with surface and sub-surface rights and Category B land with surface rights only, but including rights to materials, such as sand and gravel;
- \$246,600,000 in financial compensation payments (1989 dollars);
- payment of individual First Nation shares over 15 years, beginning when each final agreement is reached;
- \$6,500,000 Yukon Indian People Training Trust (1988 dollars);
- \$3,000,000 Fish and Wildlife Management Trust;
- up to \$1,500,000 for the Yukon River drainage basin for a salmon harvest study;
- a total of \$4,000,000 (1990 dollars) as initial capital for the establishment of the YFN Implementation Fund;
- payment of \$26,570,000 in exchange for the *Indian Act*, section 87, tax rights, beginning on the third anniversary of the effective date of the UFA;
- rental revenues from surface leases and royalties from the development of non-renewable resources;
- rights to harvest wildlife for subsistence purposes throughout the traditional territory;
- preferential harvesting of some species and exclusive harvesting on Category A settlement land;
- approximately 70 percent of the traplines allocated in each traditional territory;

- guaranteed one-third First Nation membership on the Yukon Water Board, the Dispute Resolution Board and the Yukon Land use Planning Council, and up to two-thirds representation on regional land use planning councils;
- guaranteed 50 percent representation on the Development Assessment Board, Yukon Surface Rights Board, Yukon Fish and Wildlife Management Board and the traditional territory regional resources councils;
- provisions for promoting and preserving the culture and heritage of YFNs; and
- provisions for the ownership and management of heritage resources and designated heritage sites.

APPENDIX 4:

FEATURES OF THE FIRST NATION SELF-GOVERNMENT AGREEMENTS

Common Specific Provisions

- Participation in government employment, contracting and development projects in the traditional territory;
- options to acquire up to 25 percent of projects managed by the Yukon government or its agencies or corporations in future non-renewable resource and hydro-electric developments in the traditional territory; and
- economic development and employment planning processes.

Champagne and Aishihik First Nations

(Effective date: February 14, 1995)

- A total of 1,230.24 square kilometres (475 square miles) of land with surface and sub-surface title (Category A), 1,165.49 square kilometres (450 square miles) of land with surface title only, but including rights to materials such as sand and gravel (Category B), and 31.52 square kilometres (12.17 square miles) of land set aside as reserve;
- financial compensation payments of \$31,937,855 over 15 years;
- specific moose harvests for subsistence needs;
- primary consideration in the allocation of freshwater fish resources in traditional territory;
- priority allocation of a minimum number of sockeye and chinook salmon in the Alsek River basin;

- guaranteed participation in commercial freshwater, salmon fishery and sports fishing, adventure travel, forestry, outfitting and campsite operations in the traditional territory;
- representation on the Kluane National Park Management Board;
- proportional representation in public service positions in Kluane Park;
- exclusive opportunity or right of first refusal for commercial operations in Kluane Park;
- exclusive harvesting rights in Kluane National Park within the Champagne and Aishihik First Nation traditional territory;
- establishment of a Special Management Area to guide the development of Kluane National Park and Sha'washe and the surrounding area, and joint management of the Tatshenshini River;
- provisions to nominate the Tatshenshini River as a Canadian Heritage River.

First Nation of Nacho Nyak Dun

(Effective date: February 14, 1995)

- A total of 2,408.69 square kilometres (930 square miles) of land surface and sub-surface title, 2,330.99 square kilometres (900 square miles) of land surface title only, but including rights to material such as sand and gravel, and 9.27 square kilometres (3.58 square miles) of land set aside as reserve;
- financial compensation payments of \$16,888,734 over 15 years;
- specific commercial wilderness rights in commercial freshwater fishing; adventure travel and commercial freshwater sports fishing.
- a comprehensive economic plan, which may include preferential employment and business initiatives for the NND;
- subsistence harvesting rights of moose, woodland caribou, fish, birds, etc;
- agreement to enter into negotiations with government and the Selkirk First Nation to establish the McArthur Wildlife Sanctuary as a Special Management Area;
- representation on the Peel River Advisory Committee;
- establishment of a wetland Habitat Protection Area at Horseshoe Slough;
- participation in management of the Peel River watershed;

- designation and management of a trading post on NND settlement land at Lansing as a historic site; and
- provisions to nominate the Bonnet Plume River as a Canadian Heritage River.

Teslin Tlingit Council

(Effective date: February 14, 1995)

- A total of 1,230.24 square kilometres (475 square miles) of land with surface and sub-surface title, 1,165.49 square kilometres (450 square miles) of land with title in surface only, but including rights to material, such as sand and gravel, and 33.36 square kilometres (12.88 square miles) of land set aside as reserve;
- financial compensation payments of \$21,646,715 over 15 years;
- guaranteed participation in commercial freshwater and sports fishing, outfitting and commercial wilderness adventure travel; certain employment opportunities for work related to heritage sites, forestry and surveying;
- specific moose harvest for subsistence needs;
- primary consideration in allocation of freshwater fish resources in traditional territory;
- required approval for any proposed game farming or ranching activities in the traditional territory when Teslin Tlingit harvesting rights may be affected;
- establishment of the Nisutlin River Delta National Wildlife Area and preparation of a joint management plan which considers traditional and current use by Teslin Tlingit;
- rights to harvest wildlife and forest resources in the Nisutlin River Delta National Wildlife Area; and
- provisions for recognizing and protecting the heritage and cultural significance of several specific routes and sites and of the Nisutlin River Valley.

Vuntut Gwitchin First Nation

(Effective date: February 14, 1995)

- A total of 7,744.06 square kilometres (2,990 square miles) of land with surface and sub-surface title, 7.16 square kilometres (2.74 square miles) of land set aside as reserve;
- financial compensation payments of \$22,234,780 over 15 years;
- exclusive rights to all new big game outfitting concessions within the VGFN traditional territory;

- all commercial salmon fishing licences and all commercial salmon sport licences in the Porcupine River drainage basin for 15 years, with preferential rights afterward to any allocation of commercial and sport fishing salmon licences;
- right of first refusal for commercial wilderness travel and commercial freshwater sport fishing in the Vuntut Gwitchin settlement territory;
- at least 50 percent of public service positions with the Vuntut National Park to employ VGFN members,
- first option on business licences within the Vuntut National Park,
- specific moose harvest for subsistence requirements,
- basic needs allocation of salmon in the Porcupine River drainage basin;
- rights to subsistence level and harvesting in the VGFN traditional territory,
- three Special Management Areas to be established, Vuntut National Park, Fishing Branch Ecological Reserve and Old Crow Flats Special Management Area;
- provisions concerning the preparation of a land use plan before an all-weather road is constructed into the community of Old Crow;
- provisions for the protection, ownership and management of heritage resources and designated historic sites; and
- joint ownership and management of Rampart House and Lappierre House historic sites.

Little Salmon/Carmacks First Nation

(Effective date: October 1, 1997)

- A total of 2,598.46 square kilometres (1,003.27 square miles) of settlement land with title to the surface, including 1,533.99 square kilometres (600 square miles) of land for which there is ownership of mines and minerals in fee simple;
- financial compensation of \$20,908,598 (1997 dollars) paid over 15 years;
- certain preferential allocations of any new licences or permits for commercial freshwater fishing, commercial freshwater sports fishing, commercial wilderness adventure travel and outfitting concessions in the traditional territory;

- specific formulas to set out the priority allocation for moose and woodland caribou harvest for subsistence needs in the event of necessary limitations;
- exclusive harvesting rights on Category A settlement land;
- A Special Management Areas established to guide the management and development of the Nordenskiöld Wetland Habitat Protection Area;
- a management plan for Mandanna Lake to be jointly prepared by government and the Little Salmon and Carmacks First Nation to address and balance priorities of harvest between First Nation and other users;
- Processes to enable co-operation between the First Nation and government in identifying and protecting heritage sites incorporated into the Final Agreement.

Selkirk First Nation

(Effective date: October 1, 1997)

- A total of 4,739 square kilometres (1,830 square miles) of settlement land with surface title, including 2,408.69 square kilometres (930 square miles) for which there is ownership of mines and minerals in fee simple,
- financial compensation of \$22,289,077 (1997 dollars) paid over 15 years;
- certain preferential allocations of any new licences or permits for commercial freshwater fishing, commercial freshwater sports fishing, commercial wilderness adventure travel and outfitting concessions in the traditional territory;
- negotiated arrangements for employment and contracting benefits associated with any construction and operation of a hydro-electric project at Granite Canyon;
- specific formulas to set out the priority allocation for moose and woodland caribou harvest for subsistence needs in the event of necessary limitations;
- exclusive harvesting rights on Category A settlement land;
- special management Areas to be established to guide the management, protection and development of Ta'Tla Mun Lake, Lhutsaw Wetland HPA and Ddhaw Ghro HPA; and
- Fort Selkirk to become a designated historic site and jointly owned, planned and managed by the SFN and Yukon.

Tr'ondëk Hwëch'in

(Effective date: September 15, 1998)

- A total of 2,598 square kilometres (1,003 square miles) of settlement land with surface title, including 1,554 square kilometres (600 square miles) for which there is ownership of mines and minerals in fee simple;
- financial compensation of \$47,884,845 (1998 dollars) paid over 15 years, less outstanding negotiation loans;
- Tombstone Territorial Park to be established as a special management area in the central Yukon following a two-year public consultation process, Canada to transfer the land for the Park to the Commissioner of Yukon and permanently withdraw mines and mineral mining rights once the park has been approved;
- the Tr'o-ju-wech'in Heritage Site to be established in the area known as Klondike City, across the Klondike River from Dawson City;
- a special waterfront area scheme to provide for the protection of lands along the shores of sites of particular importance to the First Nation, with the TH to control those uses which are incompatible, such as people leaving refuse, visiting the sites without permission and removing artifacts;
- specific economic opportunities in connection with the North Fork hydro-electric project if a decision is made to proceed with the project;
- a working group established to make recommendations to the Minister and TH on habitat protection measures that may contribute to the growth of the Forty-Mile caribou herd; and
- the Forty-Mile, Fort Cudahy and Fort Constantine historic sites will be established as a designated heritage site and will be jointly owned and managed by the TH and Yukon.

Ta'an Kwäch'än Council

(Effective Date: April 1, 2003)

- Approximately 785 square kilometres (303 square miles) of settlement land, divided into Category A land, (338 square kilometre or 150 square miles) and Category B and fee simple land, (396 square kilometres or 153 square miles);
- financial compensation of \$26.95 million payed over 15 years; and

- direct involvement as a government in a broad range of decisions about land and resources within its traditional territory.

Unique provisions in the Final Agreement include:

- the protection of the historical Livingstone Trail located northwest of Whitehorse;
- recognition of the earlier designation of the Yukon River Thirty Mile Section as a Canadian Heritage River; and
- the establishment of the Yukon River Watershed Working Group charged with protecting and enhancing the Yukon River between Lake Bennett and Lake Larberge; retention of the Lake Laberge Indian Reserve No.1 as a reserve with specific provisions affecting it outlined in the self-government agreement; an additional one-time payment of \$3.5 million resulting from the Government of Canada's decision to re-index compensation dollars;
- commitment by Canada to establish a unique \$4.9 million economic development fund;
- implementation plans for the final and self-government agreements to provide funding for implementation;
- preferential fish and wildlife harvesting rights within the traditional territory including exclusive hunting rights on Category A settlement land;
- first Nations participation in decision making affecting fish and wildlife and non-settlement land within the traditional territory through various boards, committees and councils;
- provision of tools within the self-government agreement to allow TKC to seize economic development opportunities, preserve its cultural heritage and foster community pride;
- better positioning of the Ta'an Kwäch'än people to control their destiny, prosperity and well-being, through the final and self-government agreements; and
- exercise law-making powers on settlement lands in the areas of land use and control, hunting, trapping and fishing, the administration of justice, environmental protection, licensing and the regulation of business. The TKC also have power to enact laws for its citizens' primarily around the provision of program and services;

APPENDIX 5:

FINANCIAL COMPENSATION PAYMENTS

Chapter 19 of each YFN FA provides that capital transfer payments shall be made to that YFN on the anniversary date of the signature date of each YFN final agreements. Settlement payments (net of negotiation loans) have been made to YFNs as follows.

Fiscal Year	Payments
1994–1995	\$9,380,366
1995–1996	\$8,744,728
1996–1997	\$8,109,089
1997–1998	\$12,163,681
1998–1999	\$13,655,500
1999–2000	\$12,977,994
2000–2001	\$11,529,120
2001–2002	\$11,529,125
2002–2003	\$12,489,419

APPENDIX 6:

COSTS OF IMPLEMENTATION

These funds represent funds allocated by Canada to CYFN and various boards and committees for implementation purposes.

Fiscal Year	Payments
1994–1995	\$10,504,745
1995–1996	\$1,608,601
1996–1997	\$2,175,012
1997–1998	\$2,463,814
1998–1999	\$2,426,573
1999–2000	\$2,237,664
2000–2001	\$2,430,336
2001–2002	\$2,547,661
2002–2003	\$2,719,872

APPENDIX 7: MEMBERSHIP OF IMPLEMENTING BODIES

YUKON ENROLLMENT COMMISSION

Chair

Adeline Webber

Commissioners

Irene Adamson

Alternate Commissioners

Shari Borgford

Elizabeth Jackson

Mary Jane Jim

* one position was vacant

YUKON GEOGRAPHICAL PLACE NAMES BOARD

Chair

John Ritter

Members

Monty Alford

Diane Chisholm

Percy Henry

Sam Johnston

Florence Whyard

Margaret Workman

Jeff Hunston (*ex-officio*, Yukon)

YUKON HERITAGE RESOURCES BOARD

Chair

Clara Schinkel

Members

Caroline Allen

Elizabeth Blair

Robert Bruce, Jr.

Patricia Cuning

Thomas J. Hammer

Ingrid Johnson

Joe Johnson

Robert Monroe

Susan Twist

Jeff Hunston (*ex-officio*, Yukon)

YUKON LAND USE PLANNING COUNCIL

Chair

Lesley Cabot

Members

Tom Cove

Albert Peter

NORTH YUKON LAND USE PLANNING COMMISSION

Chair

Bruce Chambers

Members

Joe Birger

Marvin Frost

Shirlee Frost

Darius P. Kassi

Essau Schater

TESLIN REGIONAL PLANNING COMMISSION

Members

Brandy Greenwood

Sue Swerda

Niel Johnson

Mike Gergel

Sandy Smarch

Frank Johnson

Tim Dewhurst

John Martychuck

Stan Stewart

Adam Grinde

YUKON SURFACE RIGHTS BOARD

Chair

Stephen J. Mills

Members

Mark Eikland

Brian MacDonald

F. Bruce Underhill

Isaac Wood

YUKON TERRITORY WATER BOARD

Chair

Gregg Jilson

Vice Chair

John Grainger

Members

Don Buyck

Bruce Chambers

Shannon Cooper

Sheryl Grieve

Oliver Jim

Dianna Raketti

DISPUTE RESOLUTION BOARD

Chair

Tracy-Anne McPhee

Member

Pearl Callaghan

Judge Harry Maddison

* There were a number of Board vacancies in 2002-2003

YUKON FISH AND WILDLIFE MANAGEMENT BOARD

Chair

Ed Kormendy

Members

Gerald Couture

Neils Jacobsen

Lawrence Joe

Art Johns

Joe Johnson

Joanne Koser

Yvonne Lepage

Dan McDiarmid

Harry Smith

Georgina Sydney

Clayton White

YUKON SALMON SUB-COMMITTEE

Chair

Lorelei Smith

Members

Gerry Couture

Chuck Hume

Vicky Josie

Craig McKinnon

Stanley Njootli

Frank Patterson

Hardy Ruf

Carl Sidney

Steve Taylor

TRAINING POLICY COMMITTEE

Chair

Louise Clethero

Members

Karen Duncan

Sharon Peter

Brent Slobodin

Kathy Van Bibber

ALSEK RENEWABLE RESOURCES COUNCIL

Chair

Rose Kushniruk

Members

Boyd Campbell

Craig MacKinnon

Pat Delaney

Ethard Ruf

Valerie Drummond

Alternates

Shane Oakley

Martin Pauls

CARMACKS RENEWABLE RESOURCES COUNCIL**Chair**

Vacant

Members

Beverly Brown

Ted Fairclough

Don Marino

Ken Roberts

Gary Sam

Alternates

Sheila Garvice

DAWSON DISTRICT RENEWABLE RESOURCES COUNCIL**Chair**

Peter Nagano

Members

Sebastian Jones

Rick Reimer

Marcia Jordan

Linda Taylor

Alternates

Jack Fraser

MAYO DISTRICT RENEWABLE RESOURCES COUNCIL**Co-Chairs**

Keith Hepner

Members

Scott Bolton

Dan Klippert

James Genier

Simon Mervyn Sr.

Jimmy Johnny

Alternates

Ken Cooper

NORTH YUKON RENEWABLE RESOURCES COUNCIL**Chair**

Bruce Chambers

Members

Joe Binger

Marvin Frost

Shirlee Frost

Darius P. Kassi

Essau Schafer

SELKIRK RENEWABLE RESOURCES COUNCIL**Chair**

David Johnny

Members

Roger Alfred

Danny Joe

Dale Bradley

Heinz Sauer

Linch Curry

Alternates

Daryl Johnnie

TESLIN RENEWABLE RESOURCES COUNCIL**Acting Chair**

Brandy Greenwood

Members

Sam Johnson

Brenda Oziewicz

Robert Sharp

Richard Sidney

William Sidney

APPENDIX 8: LIST OF ABBREVIATIONS

AHRDA	Aboriginal Human Resource Development Agreement	SLC	Settlement Land Committee
ARRC	Alsek Renewable Resources Council	SMA	Special Management Area
CAFN	Champagne and Aishihik First Nations	SRRC	Selkirk Renewable Resources Council
CRRC	Carmacks Renewable Resources Council	TKC	Ta'an Kwäch'än Council
CTFN	Carcross/Tagish First Nation	TH	Tr'ondëk Hwëch'in
CYFN	Council of Yukon First Nations	TPC	Training Policy Committee
CYI	Council for Yukon Indians	TRRC	Teslin Renewable Resources Council
DAP	Development Assessment Process	TTC	Teslin Tlingit Council
DDRRC	Dawson District Renewable Resources Council	UFA	Umbrella Final Agreement
DFO	Fisheries and Oceans Canada	VGFN	Vuntut Gwitchin First Nation
DRB	Dispute Resolution Board	WHPA	Wetland Habitat Protection Area
EC	Environment Canada	YEC	Yukon Enrollment Commission
EPB	Environmental Protection Branch (Environment Canada)	YESAA	<i>Yukon Environmental and Socio-economic Assessment Act</i>
FTA	Financial Transfer Agreement	YFN	Yukon First Nation
HCSP	Habitat Conservation and Stewardship Program	YFWMB	Yukon Fish and Wildlife Management Board
HPA	Habitat Protection Area	YGPNB	Yukon Geographical Place Names Board
HRDC	Human Resources Development Canada	YHC	Yukon Housing Corporation
IB	Implementation Branch	YHRB	Yukon Heritage Resources Board
IFMP	Integrated Fisheries Management Plan	YIPTT	Yukon Indian Peoples' Training Trust
IGF	Intergovernmental Forum	YLUPC	Yukon Land Use Planning Council
INAC	Indian and Northern Affairs Canada	YPAS	Yukon Protected Areas Strategy
IRG	Implementation Review Working Group	YSRB	Yukon Surface Rights Board
IWG	Implementation Working Group	YSSC	Yukon Salmon Sub-Committee
LSCFN	Little Salmon/Carmacks First Nation	YWB	Yukon Water Board
MDRRC	Mayo District Renewable Resources Council		
NCD	Northern Conservation Division (Environment Canada)		
NND	First Nation of Nacho Nyak Dun		
NYRRC	North Yukon Renewable Resources Council		
PHA	Permit Hunter Authorization		
PSTA	Programs and Services Transfer Agreement		
PWGSC	Public Works and Government Services Canada		
RRC	Renewable Resources Council		
RPSP	Representative Public Service Plan		
SARA	<i>Species at Risk Act</i>		
SFN	Selkirk First Nation		
SGA	Self-Government Agreement		

APPENDIX 9: MAP OF TRADITIONAL TERRITORIES

Informational map (not exact) to be inserted

