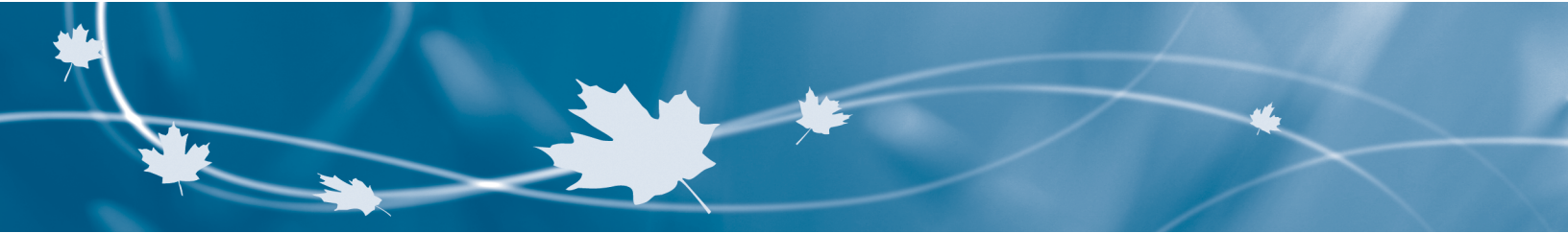




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Nisutlin River Delta National Wildlife Area Management Plan



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About Environment Canada Protected Areas and Management Plans

What are Environment Canada Protected Areas?

Environment Canada establishes marine and terrestrial National Wildlife Areas and Migratory Bird Sanctuaries for the purposes of conservation, research and interpretation. These areas are established to protect migratory birds, species at risk, and other wildlife and their habitat. National Wildlife Areas are established under the authority of the *Canada Wildlife Act* and are, first and foremost, places for wildlife.

What is the size of the Environment Canada Protected Areas Network?

The current Protected Areas Network consists of 54 National Wildlife Areas and 92 Migratory Bird Sanctuaries comprising over 12 million hectares across Canada.

What is a management plan?

Management plans provide the framework in which management decisions are made. Management plans are intended to be used by Environment Canada staff to guide decision making, especially with respect to permitting. Management is undertaken in order to maintain the ecological integrity of the protected area and to maintain the attributes for which the protected area was designated. The Canadian Wildlife Service prepares a management plan for each protected area in consultation with the public and other stakeholders.

The management plan specifies activities that are allowed and identifies other activities that may be undertaken under the authority of a permit. Management plans may also specify how and where to make habitat improvements. Management plans must respect Aboriginal rights and allowable practices specified under land claims agreements. Further, measures carried out for the conservation of wildlife must be consistent with any law respecting wildlife in the province or territory in which the lands are situated.

What is Protected Area Management?

Management includes monitoring wildlife, maintaining and improving wildlife habitat, periodic inspections of facilities, enforcement of regulations, and the maintenance of signs and other infrastructure. Research is also an important function of protected areas; hence, Environment Canada staff carries out or coordinates research at some sites.

Each protected area is managed in accordance with the specific characteristics of the site and of the local area but shares the same overall management strategy: to protect and maintain habitat vital for wildlife and to improve habitat when necessary for wildlife use.

The Series

All National Wildlife Areas administered by Environment Canada will have a management plan. These management plans will initially be reviewed 5 years after the approval of the first plan, and every 10 years thereafter.

To Learn More

To learn more about Environment Canada's protected areas, please visit our website at www.ec.gc.ca/ap-pa or contact the Canadian Wildlife Service in Ottawa.

Nisutlin River Delta National Wildlife Area

The Nisutlin River Delta National Wildlife Area (NWA) is best known as a principal waterfowl staging area on the Pacific Flyway. Thousands of ducks, geese and swans feed along the delta each year, along with hundreds of shorebirds. The NWA is particularly important for migrating waterfowl and waterbirds in the fall because most other water bodies in the region are at high water, making them unsuitable feeding areas. In both fall and early spring, the NWA provides excellent habitat for moose, and is especially important in late winter and early spring as a feeding area for cow moose and their calves. The area also provides habitat for several species at risk as assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC).

The NWA is located in Nisutlin Bay on the east side of Teslin Lake in the south-central Yukon. This area has great significance to the Teslin Tlingit people and is an important source of traditional foods. The Teslin Tlingit Council made the establishment of the Nisutlin River Delta National Wildlife Area a condition of its land claim agreement (Teslin Tlingit Council Final Agreement 1993). The main objectives for the protected area are to conserve nationally and locally important wildlife and wildlife habitat, to protect the traditional and current use of the area by Teslin Tlingit, to protect the full diversity of wildlife and their habitats from activities that could reduce the land's capability to support wildlife, and to encourage public awareness and appreciation of the area's natural resources.

The NWA is relatively remote and, as of 2013, has not been greatly influenced by human activities. Access to the NWA is mainly by boat in summer and snow machine in winter; there are no roads. While there are no immediate threats likely to have significant impacts on the ecological integrity of the NWA, any upstream industrial activities such as, mining, oil and gas exploration and development, and road building have the potential to disrupt hydrologic processes and biological productivity of the delta. Hydroelectric development within the Teslin watershed would also be cause for concern. The NWA is managed primarily to maintain full biological diversity and maintain the natural ecosystem.

In accordance with the Final Agreement, the Teslin Renewable Resources Council and the Canadian Wildlife Service jointly develop and conduct periodic reviews of the management plan. This is the second review of the original management plan that came into effect in September 1997. Preparation of this plan has involved consultation with the Teslin Tlingit Council, the Government of Yukon, the residents of Teslin, the Yukon public, plus other interested parties. This plan will be reviewed in 10 years.

Under this management plan, certain activities are prohibited, some have special restrictions and others are allowed without restriction. Access to the NWA is not restricted; however, to ensure conservation goals for the area are realized, the NWA is not promoted as a tourism destination or for on-site public education.

The Nisutlin River Delta NWA is the first of its kind in the Yukon and stands as a prime example of how a shared vision for conservation can be achieved through a First Nation land claims settlement agreement.

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REPORT ACRONYMS

COSEWIC	Committee on the Status of Endangered Wildlife in Canada
DFRP	Department of Federal Real Property
DND	Department of National Defence
EC	Environment Canada
IBA	Important Bird Area
IUCN	International Union for the Conservation of Nature
NTS	National Topographic System
NWA	National Wildlife Area
PA	Protected Area
RCMP	Royal Canadian Mounted Police
SARA	<i>Species at Risk Act</i>
TRRC	Teslin Renewable Resources Council
TTC	Teslin Tlingit Council
UXO	Unexploded Explosive Ordnance
YESAB	Yukon Environmental and Socio-economic Assessment Board

1 SITE DESCRIPTION

Nisutlin River Delta National Wildlife Area (NWA) is located in the Yukon within the Teslin Tlingit settlement area (Figure 1), and protects habitat of national importance. The Nisutlin River delta, the focal point of the NWA, is a principal staging area for waterfowl on the Pacific Flyway. The NWA is embedded in a landscape that is largely unaltered by human use and remains subject to natural processes including fire and flooding.

The NWA was established in 1995 to protect habitat for waterfowl while recognizing the traditional use of the land by local peoples and incorporating these uses into the management of the site. The NWA is managed by the Canadian Wildlife Service in cooperation with the Teslin Renewable Resources Council.

Table 1: Protected Area Summary

Protected Area (PA) designation	National Wildlife Area
Province/territory	Yukon
Latitude/longitude	60°12'N, 133°30'W (approximate centre) NTS: 105C07, 105C01, 105C02, 105C08
Size	5480 hectares
PA designation criteria	1(a) "The area supports a population of a species or subspecies or a group of species which is concentrated, for any portion of the year" and; 3 "The area is a rare or unusual wildlife habitat, of a specific type in a bio-geographic region".
PA classification system	B (Med-High) Site connectivity
International Union for Conservation of Nature (IUCN) classification	Category III
Order in Council number	References: 1995-0677 (SOR/1995-0354);1995-1195 (SI/1995-0056)
Directory of Federal Real Property (DFRP) number	PC 1995-1195
Gazetted	July 26, 1995
Additional designations	Important Bird Area of Canada; North American Important Bird Area
Faunistic and floristic importance	Nisutlin River Delta NWA is the most outstanding example of a productive inland river delta in the Yukon and is used by a significant number of ducks, geese and swans using the Pacific Flyway, particularly during autumn.
Invasive species	None known
Species at risk	Eleven species at risk as assessed by COSEWIC
Management agency	Environment Canada, Canadian Wildlife Service, Northern Conservation Division, Whitehorse, Yukon
Public access and use	The public is allowed to access the NWA; however, there are no roads to the site or any buildings, facilities or infrastructure for visitors. Environment Canada does not offer services for visitor safety in NWAs.

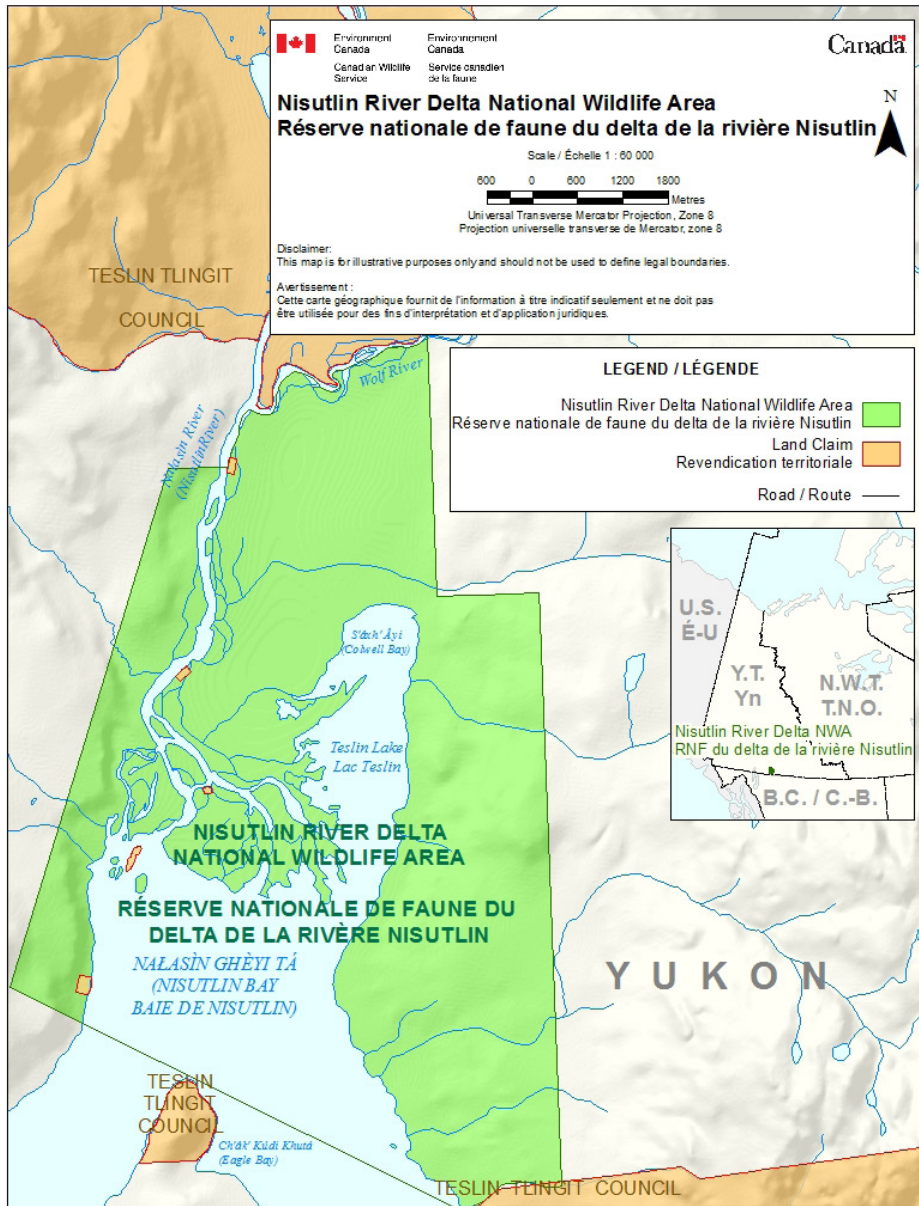


Figure 1: Nisutlin River Delta National Wildlife Area

1.1 REGIONAL CONTEXT

The Nisutlin River Delta NWA is approximately 10 kilometres northeast of the village of Teslin (~population 415), which is located on the shore of Teslin Lake. The 4-kilometre-wide Nisutlin River delta (Figure 2) is the most extensive delta in the Yukon south of the Beaufort Sea coast. The delta is formed by the Nisutlin River¹, which has always been of great importance to the early inhabitants of the area both for transportation and providing traditional foods (Greer et al. 1990, Cooley 1991).

North of the NWA, the many ponds, oxbows, lakes and floodplain along the lower Nisutlin River are very productive waterfowl breeding habitat, and provide some of the best habitat for breeding Trumpeter Swans in all of Canada (IBA Canada 2004). Forest cover is mainly open coniferous and mixed woodland stands of spruce, pine, balsam poplar and aspen.

In the surrounding area, limited commercial activities include one big game outfitter, wilderness tourism outfitters (river trips), and seasonal fish guiding operations, trapping and forestry. Prior to 1992, horses were overwintered on the delta under the terms of a grazing lease issued by Indian and Northern Affairs Canada.

Forest productivity in the region is classified as poor and medium (Anonymous 2007). The Alaska Highway pipeline easement parallels the Alaska Highway to the south of the NWA boundary. There are placer and quartz claims within the Nisutlin River drainage.

This region is an important hunting and recreation area. The Nisutlin Delta is Yukon's most popular spot for migratory bird hunting in the fall, and the Nisutlin River and its tributaries provide access to excellent moose habitat. The Nisutlin and Wolf rivers are popular canoe river trips and attract foreign tourists looking for a wilderness adventure.

There are no roads to or within the NWA; access is mainly by boat in summer and snow-machine in winter. There are two main points of entry. Motorboat users tend to depart from a boat dock in Teslin located next to the Nisutlin Bay bridge. People doing river trips usually start on the Wolf River after flying in to Wolf Lake, or drive to a Nisutlin River boat access spot (called "Portage") 68 kilometres up the South Canol Road. Motorboat travel on the river and near the delta becomes more difficult during the fall when low water levels expose many sandbars and mud flats, and aquatic vegetation fills many parts of the bay.

¹ On 19 June 1998, the official name of the Nisutlin River was formally changed to the Tlingit name Nafasin River, which means "sneaking down" or "calm waters". Nisutlin River is now the official alternate name; however, to prevent confusion within this document, the alternate name Nisutlin River is used.



Figure 2: Aerial photograph of Nisutlin River Delta at low water, 8 September 2010

Photo: Jim Hawkings © Environment Canada, Canadian Wildlife Service

1.2 HISTORICAL BACKGROUND

This area has special importance to the Teslin Tlingit. Each summer, the ancestors of the Teslin people gathered at traditional sites along the lower Nisutlin River to harvest salmon. The people worked together to process and dry the salmon, then cache it for winter. At other times of the year, whitefish were taken. Their winter supply of meat (moose, caribou, sheep and gophers) and berries also came from the surrounding area (Cooley 1991).

The lower Nisutlin River and delta continues to be an important fishing and hunting area for the Teslin people. It is also an area with nationally important waterfowl habitat. Through land claim negotiations, the Teslin Tlingit found an opportunity to provide lasting protection and management for the area by making the creation of a National Wildlife Area a condition of their Final Agreement.

On May 29, 1993, the Council for Yukon Indians, the Yukon Territorial Government and the Federal Government of Canada signed the Umbrella Final Agreement (1993). Four First Nation Final Agreements, including the Teslin Tlingit Council Final Agreement (1993), were signed at the same time and came into legal effect on February 14, 1995, when they were entrenched in the Canadian Constitution under section 35 of the *Constitution Act, 1982*.

On July 26, 1995, the Nisutlin River Delta National Wildlife Area was officially established (SOR/95-354 P.C. 1995-1195), as per section 3.1 of Schedule A (Chapter 10) of the Teslin Tlingit Council Final Agreement.

1.3 LAND OWNERSHIP

The Nisutlin River Delta NWA is owned and administered by the Government of Canada. The federal Minister of the Environment has the administration and control of surface and subsurface rights within the NWA (Minister of Public Works and Government Services Canada 2001). The NWA shares boundaries with Teslin Tlingit settlement lands to the north and south. All other lands adjacent to the NWA are Government of Yukon public lands.

There are five Teslin Tlingit Site Specific Settlement Land Selections within the NWA, as well as two Teslin Tlingit heritage sites and a heritage trail. The use of Site Specific Settlement Land within the NWA may be limited in accordance with the *Canada Wildlife Act*, R.S.C. 1985 c. W-9, and the approved management plan for the NWA.

1.4 FACILITIES AND INFRASTRUCTURE

There are no roads or buildings on the Nisutlin River Delta NWA, and no facilities or infrastructure for visitors. Teslin Tlingit members have some cabins, fire pits and fish drying racks on Teslin Tlingit Site Specific Settlement Land Selections within the NWA.

NWA information signs are located at the Nisutlin Bay bridge boat dock and on the Canol Road at the “Portage” boat launch. There are five boundary area markers located at primary spots on the Nisutlin River and on each side of Nisutlin Bay.

2 ECOLOGICAL RESOURCES

2.1 TERRESTRIAL AND AQUATIC HABITATS

The Nisutlin River deposits a constant supply of nutrients to the delta, which support thriving populations of invertebrates and aquatic plants. As it meanders through the delta, the Nisutlin River cuts into old stands of spruce on the outside edge of each curve and on the opposite bank deposits silt, which is colonized by early successional plant species. This dynamic system maintains the semi-aquatic environment of the delta and the wildlife that depends on it.

The inner part of the delta is dominated by deciduous trees (trembling aspen and balsam poplar). Expanding outward, vegetation communities change into shrub communities (mainly willow spp. and bog birch), sedge meadows, water-tolerant grass species, and finally mud flats and shallow water with emergent and submergent aquatic plants.

There has been a slow but steady increase of sandbars, shrub and meadow communities on the delta. An analysis of available data from 1948 to 2007 suggested that human-made changes to the flow of the Nisutlin River in 1964 (six cars were deposited in a major delta channel) may have contributed to an increase in sediment deposition on the northeast half of the delta (Flynn 2008). Some local people with long-term knowledge of the area believe that willow growth has expanded on the delta because horses are no longer overwintered there.

Teslin Lake water levels can vary as much as 5 metres between the spring peak to the fall low (Water Survey of Canada 2009). In late summer, water levels begin to decline on the delta, exposing mud flats and aquatic plants (Dennington 1985). Waterfowl follow the receding water, feeding on submerged aquatic and emergent communities, and seasonally exposed terrestrial communities. Feeding craters left by geese and swans are a prominent feature of the outer delta (Mossop and Coleman 1984). The delta's low water level in the fall is what makes this area unique and important. Most other water bodies in the Southern Lakes Region are at high water in the fall, making them unsuitable for feeding waterfowl.

2.2 WILDLIFE

The Nisutlin River Delta and adjoining Colwell Bay are one of southern Yukon's most important fall staging sites for migrating waterfowl. This area is designated an Important Bird Area of Canada (IBA Canada 2004) and of North America (Commission for Environmental Cooperation 1999). An estimated 2000 swans (Trumpeter and Tundra), 3000 Canada Geese, and 4000 ducks have been observed during surveys in the late 1970s and early 1980s (Foothills Pipeline (Yukon) Ltd. 1976, 1977; Canadian Wildlife Service 1979a, 1979b; Mossop and Coleman 1984). A photo survey of swans on the delta in October 2010 revealed 4810 individuals. The total number of waterfowl using the delta in a year is unknown due to the constant flux of birds during migration, but is certain to be larger than numbers found on single surveys.

Canada Geese tend to feed by cratering for aquatic plants made available by falling water levels. When water levels stagnate or rise up, geese may make feeding flights to grazing areas situated near the upper edge of the exposed delta (Mossop and Coleman 1984). Swans prefer cratering for aquatic plants in deeper water. Large concentrations of waterfowl attract many hawks, eagles and falcons, including the *anatum* race of Peregrine Falcon. Peregrines do not nest in the area itself but are frequently observed here during migration. During fall migration, an abundance of warblers use the willows, with Lapland Longspur, American Pipit and Snow Bunting on the open flats. In all, over 150 bird species have been recorded on the delta (Yukon Wetlands Technical Committee 2007).

In both fall and early spring, the delta provides excellent habitat for moose and many fur-bearers and is especially important in late winter and early spring as a feeding area for cow moose and their calves (Hoefs 1976, Jingfors and Markel 1987). The Government of Yukon's Department of Environment conducted moose surveys in the region (game management subzones 1021–1023) in 1986, 1994, 2003 and 2010.

The Nisutlin River and its tributaries have some of the most significant chinook salmon-rearing habitat in the area (Mercer 2005, The United States and Canada Yukon River Joint Technical Committee 2009); chum salmon are also found here. Eight species of freshwater fish have been captured in small-mesh gillnet surveys² within Nisutlin Bay. The most abundant species captured were broad whitefish, lake whitefish and northern pike.

2 Environment Yukon surveys conducted 1997 and 2003.

2.3 SPECIES AT RISK

There are 11 species assessed by COSEWIC that are known to be present, at least part of the year, on the Nisutlin River Delta NWA (Table 2).

Table 2: Species at Risk or assessed by COSEWIC to be of Special Concern found in the Nisutlin River Delta National Wildlife Area

Common Name	Latin Name	COSEWIC ¹	SARA ²	Territorial ³
Birds				
Common Nighthawk	<i>Chordeiles minor</i>	TH	I	
Horned Grebe	<i>Podiceps auritus</i>	SC	NS	
Olive-sided Flycatcher	<i>Contopus cooperi</i>	TH	I	
Peregrine Falcon ⁴	<i>Falco peregrinus anatum</i>	SC	I	SP
Rusty Blackbird	<i>Euphagus carolinus</i>	SC	I	
Short-eared Owl	<i>Asio flammeus</i>	SC	I	
Barn Swallow	<i>Hirundo rustica</i>	TH	NS	
Mammals				
Grizzly bear (North-western population)	<i>Ursus arctos</i>	SC	NS	
Wolverine (Western population)	<i>Gulo gulo</i>	SC	NS	
Woodland caribou (Northern Mountain population)	<i>Rangifer tarandus caribou</i>	SC	I	
Little Brown Myotis	<i>Myotis lucifugus</i>	EN	NS	

1 COSEWIC listing (SC – Special Concern; TH – Threatened; EN – Endangered)

2 SARA schedule (1, 2, 3 or NS – No Schedule)

3 Yukon Wildlife Act (SP – Specially Protected)

4 Recently downgraded to SC by COSEWIC but temporarily still listed as Threatened on Schedule 1 of SARA

3 GOALS AND OBJECTIVES

3.1 VISION

The long-term vision for Nisutlin River Delta NWA is conservation to maintain habitat for wildlife and plants, with priority given to waterfowl, while protecting the traditional and current use of the area by Teslin Tlingit people.

This vision is based on the objectives for the NWA found in Schedule A (Chapter 10) of the Teslin Tlingit Council Final Agreement (1993): to conserve nationally and locally important wildlife and wildlife habitat for the benefit of all Canadians, to recognize and protect the traditional and current use of the area by Teslin Tlingit, to protect the full diversity of wildlife populations and their habitats from activities that could reduce the land's capability to support wildlife, and to encourage public awareness of and appreciation for the natural resources of the area.

3.2 GOALS AND OBJECTIVES

Further expression of the vision is set out in the following management goals and objectives for the NWA:

Goal 1. The full diversity of wildlife populations and their habitats are protected from activities that could reduce the land's capability to support wildlife.

- 1.1 Sub-goal: Natural processes such as hydrology, sedimentation, water quality and plant succession will be sustained.
 - a. Objective: Promote the maintenance of naturally occurring seasonal water-level fluctuations and water quality within the Nisutlin River drainage basin by participating in local land use planning and environmental assessment processes.
- 1.2 Sub-goal: Wildlife resources will not be overharvested.
 - a. Objective: Coordinated and sustainable management of fish and wildlife populations that cross the boundary of the NWA.
 - b. Objective: Achieve hunter compliance with regulations.
- 1.3 Sub-goal: Human activities do not degrade the ecological integrity of the NWA.
 - a. Objective: Users practise no trace camping and comply with regulations.
 - b. Objective: Boat use in the area does not negatively affect staging waterfowl.
 - c. Objective: Recommendations of the Contaminated Sites Assessment Phase I are implemented.
 - d. Objective: The public has sufficient access to information and public notices.
- 1.4 Sub-goal: The NWA remains free of invasive species.
 - a. Objective: Reduce or manage the risk of invasive species introduction to the NWA.
 - b. Objective: Monitor, eliminate or manage introduced invasive species.

Goal 2. The traditional and current use of the area by Teslin Tlingit is protected, and the public is aware of and values the natural resources of the area.

- a. Objective: Teslin Tlingit traditional and current uses of the area continue.
- b. Objective: NWA information is provided to the public at regular intervals and in various media formats.

3.3 EVALUATION

Annual monitoring will be performed within the limits imposed by financial and human resources. Evaluation will take the form of an annual review of activities, including any data obtained from monitoring and research projects. This data and the annual review will be used to inform future management as well as to evaluate federal contributions towards accomplishing the mandates specific to Environment Canada for which the protected area was established. The management plan itself will be reviewed every 10 years.

4 MANAGEMENT CHALLENGES AND THREATS

There are no immediate threats to wildlife or habitat within or adjacent to the NWA. Community and user consultation, undertaken in 2001–2002 by the Teslin Renewable Resources Council, determined a high level of support for a no-development buffer extending outward for 1 kilometre from the NWA boundary. The purpose of this initiative is to reduce the potential impact of development. An NWA development buffer will be reviewed within the context of any future land use plans for the Teslin Tlingit Traditional Territory. In the absence of a regional land use plan, all parties will need to make best efforts to intervene, when needed, on behalf of maintaining the integrity of the NWA. Projects and activities with potential impacts on habitats, wildlife populations and communities are assessed by the Yukon Environmental and Socio-economic Assessment Board (YESAB). The YESAB Designated Office in Teslin handles most local project evaluations (assessments) and includes a review process for public comments.

4.1 INDUSTRY

Any upstream industrial activities such as mining, oil and gas exploration and development, and road building have the potential to disrupt hydrologic processes and biological productivity of the delta. Hydroelectric development within the Teslin Lake drainage would also be a concern. The proposed Alaska Gas Pipeline parallels the Alaska Highway near the mouth of Nisutlin Bay, downstream from the NWA. There may be an increase in recreational activity in the NWA during the construction phase of large projects in the region.

Past forestry activity in the area dates back to World War II, when limited small patches were taken along the Nisutlin River and floated down to a now abandoned sawmill on Nisutlin Bay (Anonymous 2007). No commercial timber operators are currently in the Teslin area, but the community hopes to see an expansion of the forest sector in the region. To guide forest management, a Teslin Strategic Forest Management Plan (Anonymous, 2007) was developed by the Yukon Energy, Mines and Resources Department, the Teslin Tlingit Council, and the Teslin Renewable Resources Council. The need to manage transboundary impacts of activities outside the NWA was mentioned in the plan.

4.2 TOURISM

The Wolf and Nisutlin rivers have been identified as places where increased tourism may occur in the future (Anonymous 2007). Several wilderness tourism outfitters currently promote canoe trips on the Nisutlin and Wolf rivers; these are also popular trips with Yukon residents. Some management of recreational activities may be necessary in the future if disturbance of waterfowl during fall migration becomes a management concern.

4.3 HUNTING AND FISHING

Hunting and fishing are popular activities within the Yukon and are allowed within the NWA with special restrictions and conditions (see section 6). As well, hunters may pass through the NWA via the Nisutlin River to access the lower Nisutlin River valley and Wolf River. The Government of Yukon, with input from First Nations, monitors fish and game population levels and sets harvest and season dates within game management zones. The NWA contains a small part of two game management zones (10-22 and 10-23).

Habitat impacts associated with hunting in the NWA are thought to be small to negligible because most activity is associated with river travel. There are no roads to the area, and ATV use is prohibited. Fall hunting activity is generally restricted to the river corridor, and winter hunting is done using snow machines.

Waterfowl hunting in the NWA is not considered to pose a threat to local or continental populations as hunting pressure and harvest are low compared with other parts of the continent. Disturbance from hunting and boating activity has the potential to keep birds from using preferred habitats and cause them to fly more often, possibly interfering with their ability to build energy reserves prior to their continued migration. Mossop and Coleman (1984) found that when migratory bird hunting season opened in September, there was a decline in goose numbers on the delta and a subsequent increase in their numbers on smaller, less acceptable staging habitats nearby. Goose numbers rebuilt on the delta in late September as hunting pressure decreased.

Some management of hunting activities may be necessary in the future if hunting pressure on the delta increases and is determined to be a management concern.

5 MANAGEMENT APPROACHES

This section contains a description of the possible approaches that could be used in the management of the Nisutlin River Delta NWA. However, management actions will be determined during the annual work planning process and will be implemented as human and financial resources allow.

The Nisutlin River Delta NWA will be managed primarily to maintain full biological diversity and protect the natural ecosystem (Environment Canada 2011). The NWA is relatively remote and, as of 2013, has not been greatly influenced by human activities.

5.1 HABITAT MANAGEMENT

Natural processes of plant succession that occur in the delta ensure its stability as an area of prime importance to local wildlife and migratory waterfowl in particular. These natural processes are dependent on conditions upstream of the delta, and on the seasonal water-level fluctuations of Teslin Lake. Management strategies will aim to promote the maintenance of natural processes essential to the ecological integrity of the NWA. This will involve participation in local land use planning processes regarding the entire Nisutlin drainage, and research to fill knowledge gaps. In the event that willow encroachment negatively impacts upon preferred waterfowl habitats, methods to reduce or contain shrub growth may be explored.

5.2 ALIEN AND INVASIVE PLANTS

Currently, there are no invasive species known to be within the NWA. Introduction of any exotic species, including domestic animals, is prohibited (except horses, see section 6.3). Monitoring for, and if necessary management of, non-native or invasive plants or animals will be considered primarily in relation to their potential impacts on indigenous wildlife and plant communities.

5.3 WILDLIFE MANAGEMENT

5.3.1 Birds

The focus will be to maintain existing habitat conditions on the delta primarily for the benefit of waterfowl, but also for species that might require special attention. Migratory bird abundance on the delta during fall will be monitored to provide long-term trend data. If necessary, a waterfowl refuge (to protect waterfowl from disturbance and hunting) may be designated as stipulated in the land claim agreement.

5.3.2 *Other Wildlife and Fish Species*

Management strategies will focus on maintaining overall habitat conditions. Population management of mammals and fish is conducted on a regional scale by the Government of Yukon's Department of Environment. Wildlife and fish inventories of individual species or species groups within the NWA may be conducted periodically as part of regional monitoring programs.

5.3.3 *Species at Risk*

As of 2012, there are no species at risk requiring special management consideration within the NWA. No management activities will occur that could have a detrimental effect upon vulnerable, threatened or endangered species as identified by the COSEWIC, the Canadian *Species at Risk Act* or Specially Protected and Threatened species pursuant to the *Yukon Wildlife Act*. Any such species may be identified for special study and management as required.

5.4 MONITORING

Coordinated long-term monitoring is needed to ensure that management goals for the NWA are met. A monitoring plan will be developed to further identify the needs and priorities for the NWA.

1. Assess and establish current environmental quality for a range of wildlife, fish and plant species with an emphasis on migratory birds and endangered species.
2. Assess the impact of management and research practices.
3. Cooperate with agencies in monitoring habitat conditions, wildlife populations and human activities contiguous with the NWA that could impact the NWA.
4. Assess the impacts of public use.

5.5 RESEARCH

All research activities within the NWA require a permit. Research activities will be considered for permitting on the following priority topics, as well as other topics that address the management goals (section 3.0):

1. Understand the relationship between birds, particularly waterfowl, and habitat use on the delta, and how this compares with other staging sites within the Southern Lakes Region.
2. Investigate future changes to the structure of the delta and associated vegetation communities.
3. Investigate potential role of horse grazing to help reduce shrub growth and expansion into preferred wetland habitats.

All proposals for biological research will be reviewed by the Canadian Wildlife Service in consultation with the Teslin Renewable Resources Council, Government of Yukon and Teslin Tlingit Council. To obtain a permit in order to conduct research in the Nisutlin River Delta NWA and to receive instructions on guidelines for research proposals, please contact:

Environment Canada
 Canadian Wildlife Service
 Pacific and Yukon Region
 91780 Alaska Highway
 Whitehorse YT Y1A 5X7
 Tel.: 867-393-6700

5.6 PUBLIC INFORMATION AND OUTREACH

Encouraging public awareness of and appreciation for the natural resources of the Nisutlin River Delta is a principal goal of the Teslin Tlingit Council's original objectives for the NWA. Access to the NWA is not restricted, but to ensure conservation goals for the area are realized, the NWA is not promoted as a tourism destination or for on-site public education. Fostering of public appreciation and awareness is conducted mainly off-site through communications, education and outreach materials or other means. A three-panel NWA display is located at the Alaska Highway rest area south of Teslin. An information kiosk will be built close to the Nisutlin Bay bridge boat launch to improve how NWA information and notices are made available to visitors and local users of the area.

Table 3: Summary of Threats, Goals, and Management Approaches

Threats and Challenges	Goals	Approaches
Changes to seasonal water-level fluctuations	(1) Natural processes such as hydrology, sedimentation, water quality, and plant succession will be sustained.	Promote the maintenance of ecological integrity within the entire Nisutlin River drainage basin. This will involve participation in local land use planning processes, and possibly research to fill knowledge gaps.
Wildlife harvest	(2) Wildlife resources will not be overharvested.	Wildlife and fish inventories will be conducted as part of regional monitoring programs to establish long-term trend information. Management and enforcement will be coordinated via a fish and wildlife cross-boundary management protocol.
Recreational activities	(3) Human activities do not degrade ecological integrity.	Monitor activities that may impact directly upon habitats or wildlife.
Invasive species	(4) The NWA remains free of potentially harmful invasive species.	Monitoring and management of non-native or invasive plants or animals will be considered primarily in relation to their potential impacts on indigenous wildlife and plant communities.

Community engagement	(5) Traditional and current use of the area by Teslin Tlingit is protected, and the public is aware of and values the natural resources of the area.	Fostering of public appreciation and awareness is conducted mainly off-site through communications, education and outreach materials or other means. A new information kiosk at the Teslin boat launch will help get information, notices and reminders out to the public.
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6 PROHIBITED ACTIVITIES AND ENTRY

For the benefit of wildlife and its environment, human activities are minimized and controlled in NWAs through the implementation of *the Wildlife Area Regulations*. These regulations set out activities that are prohibited (subsection 3(1)) and provide mechanisms for the Minister of the Environment to allow for certain activities to take place in NWAs that are otherwise considered prohibited. They also provide the authority to the Minister to prohibit entry into NWAs.

Access to and use of an NWA is authorized where notices have been posted or published in local newspapers. Unless posted or published, all activities in an NWA are unauthorized. However, a permit may be obtained from the Minister of Environment authorizing certain activities to take place.

As set out in the Teslin Tlingit Council Final Agreement (Chapter 10, Schedule A Section 4.1 and Chapters 16 and 17), Teslin Tlingit shall have the right to harvest fish and wildlife incidental to traditional customs or pursuits. However, such activities may also be restricted by laws according to the Teslin Tlingit Council Self Government Agreement or as part of the Cooperative Cross-Boundary Management Protocol.

6.1 AUTHORIZATIONS

Under the *Wildlife Area Regulations*, the Minister of the Environment may authorize an activity that is prohibited through the issuance of permits and/or through public notices in local newspaper or posted at the entrance of any wildlife area or on the boundary of any part thereof.

Authorizations may be issued only if the Minister is of the opinion that the activity is scientific research relating to wildlife or habitat conservation, benefits the wildlife and their habitats or will contribute to wildlife conservation, or is otherwise consistent with the criteria and purpose for which the NWA was established as stated in this management plan. These conditions must be met before the Minister will consider authorizing a prohibited activity.

Terms and conditions governing the activity may be added to the authorizations that the Minister considers necessary for protecting and minimizing the impact of the authorized activity on wildlife and their habitat.

All permit requests must be made in writing to:

Environment Canada
Canadian Wildlife Service
Pacific and Yukon Region
91780 Alaska Highway
Whitehorse YT Y1A 5X7

6.2 AUTHORIZED ACTIVITIES

For Nisutlin River Delta NWA, the notice authorizing allowed activities will be posted at the Nisutlin Bay bridge boat dock and on the Canol Road at the “Portage” boat launch.

Authorized activities **without** special restrictions:

- Entering the NWA
- Swimming and picnicking
- Camping (groups of 25 or more people are requested to notify the Canadian Wildlife Service prior to departure)
- Possessing a firearm for self-defence or transit through the NWA

Authorized activities **with** special restrictions:

- Use of firearms (restrictions: allowed only for hunting, trapping or self-defence; and not within an established refuge)
- Hunting (restrictions: hunters must be authorized to hunt in Yukon; and hunting must be conducted in a manner that is not inconsistent with *Yukon Wildlife Act* and Regulations and *Migratory Birds Convention Act, 1994*; and lead shot prohibited for hunting of waterfowl and upland game birds)
- Guiding (restrictions: guides must be authorized to guide in Yukon; and guiding must be conducted in a manner that is not inconsistent with *Yukon Wildlife Act* and Regulations and *Migratory Birds Convention Act, 1994*)
- Fishing (restrictions: requires valid Yukon Angling Licence and Salmon Conservation Catch Card; and use of lead sinkers is prohibited)
- Berry-picking (restriction: commercial collection prohibited)
- Trapping (restrictions: must be conducted consistent with Teslin Tlingit Council Final Agreement)
- Campfires (restrictions: cutting of live or dead standing trees is prohibited; and Yukon fire bans must be respected – 1-800-826-4750 Fire Information line)
- Dogs (restriction: dogs must be under owner’s control at all times)
- Boating (restriction: motorized personal watercraft³, air boats and hovercrafts are prohibited; and not outside an established designated channel)
- Snow machine (restriction: winter use only)
- Commercial wilderness tourism (restriction: requires territorial permit; and may be regulated to conform to overall management goals for the area)

Note: If there is a discrepancy between the information presented in this document and the notice, the notice prevails as it is the legal instrument authorizing the activity.

³ A recreational watercraft that the rider rides or stands on, rather than inside of (as in a boat), commonly known as a jetski, seadoo or waverunner.

6.3 EXCEPTIONS

The *Wildlife Area Regulations* allow for exceptions to the prohibited activities (permits still required) under the following circumstances:

- Activities related to public safety, health or national security, that are authorized by or under another Act of Parliament or activities under *Health of Animals Act* and the *Plant Protection Act* for the health of animals and plants.
- Activities related to routine maintenance of NWAs, to the implementation of management plans, and enforcement activities conducted by an officer or employee of Environment Canada.

For Nisutlin River Delta NWA, exceptions to the prohibited activities include but are not limited to:

- Grazing of livestock; overwintering of horses on the delta requires a permit.

6.4 OTHER FEDERAL AND TERRITORIAL AUTHORIZATIONS

Depending on the type of activity, other federal or territorial permits may be required to undertake an activity in the Nisutlin River Delta NWA. Contact your regional federal and territorial permitting office for more information.

Environment Canada
Canadian Wildlife Service, Pacific Yukon Region
91780 Alaska Highway
Whitehorse YK Y1A 5X7

Government of Yukon
Department of Environment
10 Burns Road
Whitehorse YK Y1A 4Y9

6.5 PROHIBITION OF ENTRY

Under the *Wildlife Area Regulations*, the Minister may post notices at the entrance of any wildlife area or on the boundary of any part thereof prohibiting entry to any wildlife area or part thereof. These notices can be posted when the Minister is of the opinion that entry is a public health and safety concern and when entry may disturb wildlife and their habitat.

For Nisutlin River Delta NWA, entry is prohibited under the following circumstance:

- Unexploded ordnance is deemed, upon further investigation, to pose a significant risk to visitors.

The notice of prohibited entry will be posted at the Nisutlin Bay bridge boat dock and on the Canol Road at the “Portage” boat launch.

Note: If there is a discrepancy between the information presented in this document and the notice, the notice prevails as it is the legal instrument prohibiting entry.

6.6 HUNTING, FISHING, TRAPPING AND OUTFITTING

The Yukon Angling Licence and Yukon Salmon Conservation Catch Cards are valid within the Nisutlin River Delta NWA, but it is unlawful to use lead sinkers. A person authorized to hunt in Yukon may also hunt for same in the Nisutlin River Delta NWA. Hunting, guiding and outfitting must be conducted in a manner that is not inconsistent with the *Yukon Wildlife Act* and Regulations.

To hunt migratory game birds within the NWA, hunters are required to possess a valid federal Migratory Game Bird Hunting Permit with a Canadian Wildlife Habitat Conservation Stamp, and must follow all applicable regulations. Possession of lead shot is prohibited for the hunting of migratory birds and upland game birds. Hunters may use dogs for retrieval of dead or injured birds.

Hunting is allowed when and where it does not interfere with management programs or ongoing research. Certain areas may be either designated as off limits or opened to hunting of certain species as required for management.

Trap lines are managed according to Chapter 16 of the Teslin Tlingit Council Final Agreement.

Teslin Tlingit have the right to harvest fish and wildlife incidental to traditional customs or pursuits. However, such activities may also be restricted by laws according to the Teslin Tlingit Council Final Agreement and Teslin Tlingit Council Self Government Agreement, or as part of a Cooperative Cross-Boundary Management Protocol (see section 9.1).

6.7 FORESTRY

As set forth in the Teslin Tlingit Council Final Agreement (Chapter 10, Schedule A Section 4.1 and Chapters 16 and 17), Teslin Tlingit shall have the right to harvest forest resources incidental to traditional customs or pursuits (hunting, fishing, trapping, gathering). However, such activities may also be restricted by laws according to the Teslin Tlingit Council Self Government Agreement or as part of the Cooperative Cross-Boundary Management Protocol.

6.8 RECREATION

Non-consumptive recreational activities including commercial wilderness tourism, wildlife viewing and photography are allowed. If needed, such activities may be regulated to conform to the overall management goals for the area.

7 HEALTH AND SAFETY

All reasonable efforts will be made to protect the health and safety of the public, including adequately informing visitors of any known or anticipated hazards or risks. Further, Environment Canada staff will take all reasonable and necessary precautions to assure their own health and safety and that of their co-workers. However, people planning to visit the area (including researchers and contractors) must make all reasonable efforts to inform themselves of risks and hazards and must be prepared and self-sufficient. Natural areas are inherently dangerous, and proper precautions must be taken by visitors. Environment Canada staff do not regularly patrol and do not offer services for visitor safety in National Wildlife Areas.

Contacts in the event of an emergency:

Life threatening emergency–RCMP: 1-867-667-5555

Environmental emergency–Emergency Measures Organization: 1-800-661-0408

7.1 CONTAMINATED SITE ASSESSMENT

An Environmental Site Assessment Phase I was conducted by Environment Canada in 2006 (Sine 2006). Based on a records review, interviews and site visit, it was concluded that there was low potential for environmental concern resulting from three on-site areas of potential concern identified as 1) car bodies buried in sediment in the Nisutlin River; 2) remnants of a plane crash in Nisutlin Bay; and 3) potential unexploded explosive ordnance (UXO) as identified by the Department of National Defence.

Recommendations included:

- further site reconnaissance to determine the exact location of the car bodies and the plane crash, and to quantify any material remnants submerged and/or buried by sediment;
- follow-up sampling to confirm the presence or absence of heavy metals contamination associated with the car bodies and the plane crash;
- determine if and how scrap metal and debris could be removed from the site in order to return the NWA to natural conditions as much as possible;
- implementation of a waste management program to ensure visitors to the site are aware of their duty to remove all waste materials;
- ensure activities on Teslin Tlingit Council site-specific lots are regulated to reduce risk of environmental contamination.

7.2 UNEXPLODED EXPLOSIVE ORDNANCE (UXO)

Following the findings of the Environmental Site Assessment Phase I (Sine 2006), the Department of National Defence (DND) confirmed that Nisutlin Bay was used in 1952 as a high-explosive aerial bombing range and is considered to be an UXO Legacy site. The DND has conducted three site visits (2007, 2010, 2012), completed a historical records review (Morrison et al. 2011), and assessed the risk associated with the potential presence of UXO at Nisutlin Bay (the level of risk is determined by assessing the probability of human interaction with a UXO combined with the probability that such interaction will result in the detonation of an explosive). DND informed the Canadian Wildlife Service (letter dated 24 October 2011) that “based on the area’s current land use, isolated location, rugged terrain, and that the majority of the danger area is underwater, the probability of human interaction with a live UXO is determined to be extremely remote. The explosive hazard severity resulting from a 500 lb. bomb detonation is assessed as fatal. Consequently, the risk associated with the potential presence of UXO at Nisutlin Bay has been assessed as Medium.”

In order to reduce the risk index at the site to Low, DND installed on-site signage to inform visitors of the potential UXO hazard, deter visitors from approaching UXO items, and to provide contact information in the event that UXO is discovered. Signage combined with annual posts in local print media is deemed sufficient to lower the risk at Nisutlin Bay. Should the level of human interaction change or more information regarding UXO at the site is obtained the DND UXO and Legacy Sites Program will reassess the risk and take appropriate steps to ensure public safety.

7.3 OTHER RISKS TO HUNTERS, FISHERMAN AND RECREATIONAL USERS

A number of risks are inherent to carrying out activities in remote areas of wilderness. Grizzly bears, wolves and moose can be found within the NWA and may, under certain conditions and behaviours, pose a danger to users of the area. Users are at risk if hunters do not follow safe practices in the handling of firearms. River travellers may encounter hazards such as sweepers (a fallen tree that is partially or completely blocking passage of a boat), submerged logs and rocks, log jams, and shallow water. Logs swept down the river often end up in the bay and can be a hazard to boaters. Weather conditions can change rapidly leading to cold exposure and possibly hypothermia. Winds can pick up quickly and pose a hazard to users of watercraft travelling in Nisutlin Bay. Signage informs visitors that the NWA is an undeveloped wilderness area with no staff, facilities or services and that visitors should be self-sufficient, well equipped, and experienced in wilderness and river travel.

8 ENFORCEMENT

The federal and territorial governments work cooperatively to ensure that fish and wildlife management and enforcement of the Nisutlin River Delta NWA is compatible with those of the surrounding area.

Environment Canada Wildlife Officers enforce the *Canada Wildlife Act*, which includes *Wildlife Area Regulations*, and are also cross-appointed for the purpose of enforcing the provisions of the *Yukon Wildlife Act* and Regulations. The federal Minister of the Environment may also appoint Yukon Conservation Officers to enforce the *Canada Wildlife Act*.

Officers monitor compliance with these laws on an ongoing basis and will initiate investigations as required.

Examples of some of the violations found on NWAs can include:

- hunting or fishing without the required licences and permits;
- using lead sinkers or lead jigs while fishing;
- using lead shot while hunting migratory birds or upland game birds;
- cutting down live or dead trees;
- damaging, destroying, or removing a nest or egg;
- carrying on any commercial or industrial activity (unless otherwise authorized or permitted);
- allowing domestic animals to run at large;
- removing, defacing, damaging or destroying any artifact, building, fence, poster, sign or other structure;
- disturbing or removing soils, sand, gravel, rock or related material;
- dumping or depositing waste or other refuse materials or substance that would degrade or alter the quality of the environment.

9 PLAN DEVELOPMENT AND IMPLEMENTATION

The management plan is prepared jointly by the Canadian Wildlife Service and the Teslin Renewable Resources Council as set out in the Teslin Tlingit Council Final Agreement. In preparing the management plan, the Canadian Wildlife Service and the Teslin Renewable Resources Council take into account the traditional and current use of the area by Teslin Tlingit, and include a process for public consultation.

Details of management plan implementation will be developed through Environment Canada's annual work planning process and will be implemented as human and financial resources allow.

Two actions necessary for the successful implementation of this plan include the development of a Cooperative Cross-Boundary Management Protocol (section 9.1) and a monitoring plan.

9.1 COOPERATIVE CROSS-BOUNDARY MANAGEMENT PROTOCOL

Section 6.2 of Schedule A (Chapter 10) of the Teslin Tlingit Council Final Agreement directs responsible agencies, the Fish and Wildlife Management Board and councils to make best efforts to coordinate the management of fish and wildlife populations that cross the boundaries of Nisutlin River Delta NWA. The Canadian Wildlife Service will coordinate the development and implementation of a Protocol as set out in the Teslin Tlingit Council Final Agreement Implementation Plan (1993).

9.2 MANAGEMENT AUTHORITIES AND MANDATES

9.2.1 *Government of Canada*

The Canadian Wildlife Service of Environment Canada administers the *Migratory Birds Convention Act, 1994*, the *Species at Risk Act*, and the *Canada Wildlife Act*. The *Migratory Birds Convention Act, 1994* provides for the protection of bird species defined in the Act as "migratory birds", including waterfowl, waterbirds, shorebirds and landbirds. The *Species at Risk Act* strives to prevent wildlife species from becoming extinct, and secures the necessary actions for their recovery. The *Canada Wildlife Act* provides for the protection of wildlife and wildlife habitat, as well as authorizing Environment Canada to create and manage National Wildlife Areas for the purpose of wildlife conservation, research and interpretation. Management of all National Wildlife Areas must be consistent with these objectives. Enforcement of all legislation in the National Wildlife Area will be conducted in accordance with Environment Canada's Compliance and Enforcement Policy for Wildlife Legislation.

9.2.2 *Teslin Tlingit Council*

The Teslin Tlingit Council (TTC) was established in 1995 as the government of the Teslin Tlingit by the Teslin Tlingit Council Final Agreement, a land claims agreement within the meaning of section 35 of the *Constitution Act, 1982*. The TTC is responsible for settlement lands and resource management on these lands. Additionally, the TTC has legislative powers to manage, administer and control the right or benefits of persons enrolled under their final agreement. The TTC can give consent for subsistence hunting by other Yukon First Nations people within their traditional territory. The TTC has enacted a *Fish and Wildlife Act* that sets hunting and trapping rules for Teslin Tlingit Citizens and non-Citizens, sets trapping rules for Category 1 traplines, protects habitat, and enables licensing, permits, regulations and enforcement.

9.2.3 *Government of Yukon*

The Yukon Government is responsible for public lands and the management of water, forestry, wildlife and mineral resources. The *Yukon Act* gives authority to the Yukon Legislature to make laws in relation to the conservation of wildlife and its habitat, other than in a federal conservation area. These laws apply to First Nation people and must be applied consistent with First Nation Final Agreements. Environment Yukon manages wildlife under the *Yukon Wildlife Act* and in accordance with First Nation Final Agreements. This Act defines “wildlife” as any vertebrate animal of any species or type that is wild by nature, and includes wildlife in captivity, but does not include fish or a species of animal prescribed by the regulations not to be wildlife. This Act provides rules for hunting and trapping, outfitting and guiding, licensing, enforcement, habitat protection, and the authority to make regulations.

9.2.4 *Teslin Renewable Resources Council*

The Teslin Renewable Resources Council (TRRC) was established in 1993 under Section 16.6.0 of the Teslin Tlingit Council Final Agreement as an instrument of public government for local renewable resource management. The TRRC makes recommendations to governments, the Yukon Fish and Wildlife Management Board, and the Yukon Salmon Sub-Committee on matters related to the conservation of fish and wildlife and forest resource management. Governments are required to make information available to the TRRC. Once legislative amendments to the *Yukon Wildlife Act* are made, the TRRC may establish bylaws under the Act for the management of fur-bearers.

9.3 **MANAGEMENT PLAN REVIEW**

The management plan is reviewed jointly by the Canadian Wildlife Service and the TRRC at least every 10 years after its approval. Any proposed amendments to the management plan will be referred before approval to the TRRC for its review and recommendations. Recommendations for amendments to the management plan are sent by the TRRC to the federal Minister of the

Environment for approval, as per the Teslin Tlingit Council Final Agreement.

In addition, the TRRC may at any time cooperatively review and make recommendations for revision of the plan in response to concerns or comments it receives. Amendments to the plan shall be made only after appropriate consultation with the proper management authorities.

10 COLLABORATORS

Environment Canada

Canadian Wildlife Service

91780 Alaska Highway

Whitehorse YT Y1A 5X7

Tel.: 867-393-6700

Fax: 867-393-7970

Teslin Renewable Resources Council

PO Box 186

Teslin YT Y0A 1B0

Tel.: 867-390-2323

Fax: 867-390-2919

Email: teslinrrc@northwestel.net

Teslin Tlingit Council

PO Box 133

Teslin YT Y0B 1B0

Tel.: 867-390-2532

Fax 867-390-2204

Email: tracy.boyes@ttc-teslin.com

Government of Yukon

Department of Environment

10 Burns Road

Whitehorse YT Y1A 4Y9

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APPENDIX A

Schedule A: Nisutlin River Delta National Wildlife Area as described in the Teslin Tlingit Council Final Agreement (1993). www.aadnc-aandc.gc.ca/DAM/DAM-INTER-HQ/STAGING/texte-text/al_ldc_ccl_fagr_ykn_ttcfa_1330370495597_eng.pdf

SCHEDULE A

NISUTLIN RIVER DELTA NATIONAL WILDLIFE AREA

1.0 Objectives

- 1.1 The objectives of this schedule are as follows:
 - 1.1.1 to establish a national wildlife area in the Nisutlin River delta to conserve nationally and locally important Wildlife and Wildlife habitat for the benefit of all Canadians;
 - 1.1.2 to recognize and protect the traditional and current use of the Area by Teslin Tlingit;
 - 1.1.3 to protect the full diversity of Wildlife populations and their habitats from activities which could reduce the land's capability to support Wildlife; and
 - 1.1.4 to encourage public awareness of and appreciation for the natural resources of the Area.

2.0 Definitions

In this schedule, the following definition shall apply.

“Forest Resources” has the same meaning as in Chapter 17 – Forest Resources.

3.0 Establishment

- 3.1 Canada shall establish a national wildlife area in the Nisutlin River delta (the “Area”) pursuant to the *Canada Wildlife Act*, R.S.C. 1985, c. W-9 on the Effective Date of this Agreement.
- 3.2 The boundaries of the Area shall be as set out on map “Nisutlin River Delta National Wildlife Area, (NRDNWA)”, in Appendix B – Maps, which forms a separate volume to this Agreement.
- 3.3 No land forming part of the Area shall be removed from national wildlife area status under the *Canada Wildlife Act*, R.S.C. 1985, c. W-9, without the consent of the Teslin Tlingit Council.

4.0 Fish and Wildlife

- 4.1 Teslin Tlingit shall have the right to harvest Fish and Wildlife in the Area in accordance with their Harvesting rights pursuant to Chapter 16 – Fish and Wildlife.

5.0 Forest Resources

- 5.1 Teslin Tlingit shall have the right, during all seasons of the year, to harvest Forest Resources in the Area for purposes incidental to: 5.1.2 the exercise of their traditional pursuits of hunting, fishing, trapping and gathering; and
- 5.1.1 the practice of their traditional customs, culture and religion or for the traditional production of handicrafts and implements.
- 5.2 The right provided by 5.1 is subject to the provisions of 17.3.2, 17.3.3, 17.3.4.1, 17.3.4.2 and 17.3.6 of Chapter 17 – Forest Resources.

6.0 Management of the Area

- 6.1 Except as otherwise provided in this schedule, the Area shall be managed in accordance with the *Canada Wildlife Act*, R.S.C. 1985, c. W-9, and the management plan established for the Area pursuant to 7.0, as approved by the Minister.
- 6.2 The responsible agencies, and the Board and Councils, shall make best efforts to coordinate the management of Fish and Wildlife populations which cross the boundary of the Area.
- 6.3 Mining, prospecting and locating of mines and minerals under the *Yukon Quartz Mining Act*, R.S.C. 1985, c. Y-4 and the *Yukon Placer Mining Act*, R.S.C. 1985, c. Y-3 shall not be permitted in the Area except under the terms and conditions which are consistent with the *Canada Wildlife Act*, R.S.C. 1985, c. W-9 and the approved management plan.

7.0 Management Plan Implementation

- 7.1 The management plan for the Area shall be prepared jointly by the Teslin Renewable Resources Council and the Canadian Wildlife Service and recommended to the Minister within 22 months of the Effective Date of this Agreement.
- 7.1.1 If the Teslin Renewable Resources Council and the Canadian Wildlife Service are unable to agree within 22 months on part or all of the contents of the management plan, they shall, within a further period not exceeding 60 days, jointly identify the outstanding matters and refer them to the Minister together with that part, if any, of the management plan which has been prepared and is being recommended.
- 7.2 The Minister shall consider and decide the matters recommended or referred to the Minister pursuant to 7.1 within 60 days of the recommendation or referral.
- 7.3 The Minister may extend the time provided in 7.2 by 30 days.
- 7.4 The Minister shall forward his decision under 7.2 to the Teslin Renewable Resources

Council and to the Canadian Wildlife Service in writing and the plan shall be implemented in accordance with 6.1.

- 7.5 Government shall implement as soon as practicable the management plan established pursuant to 7.0.

8.0 Management Plan

- 8.1 The management plan shall include recommendations respecting the regulation of recreational land use in the Area for the purpose of minimizing land use conflicts and negative environmental impacts.
- 8.2 In preparing the management plan, the Teslin Renewable Resources Council and the Canadian Wildlife Service shall take into account the traditional and current use of the Area by Teslin Tlingit.
- 8.3 The development of the management plan shall include a process for public consultation.

9.0 Review and Amendments

- 9.1 The management plan shall be reviewed jointly by Government and the Teslin Renewable Resources Council no later than five years after its initial approval and at least every 10 years thereafter.
- 9.2 Any proposed amendments to the management plan shall be referred before approval to the Teslin Renewable Resources Council for its review and recommendations.
- 9.3 The provisions of 16.8.0 shall apply in respect of any recommendations made pursuant to 9.2.

10.0 Site Specifics

- 10.1 Subject to 4.1 and 5.0, the use of Site Specific Settlement Land within the Area may be limited in accordance with the *Canada Wildlife Act*, R.S.C. 1985, c. W-9, and the approved management plan for the Area.

www.ec.gc.ca

Additional information can be obtained at:

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