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Yukon Land Claims and Self-Government Agreements



Annual Report 2003–2004

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2003–2004 Highlights

- In October, 2003, Kluane First Nation (KFN), Yukon and Canada signed the Kluane First Nation Final Agreement and Self-Government Agreement, along with the respective implementation plans and related documents. The effective date of the agreements was February 2, 2004.
- The Champagne and Aishihik First Nations (CAFN) hosted an intergovernmental forum attended by Indian and Northern Affairs Canada (INAC) Minister Robert Nault, Yukon Premier, Dennis Fentie, Council of Yukon First Nations (CYFN), Ed Schultz and Yukon First Nations chiefs.
- Eight self-governing Yukon First Nations signed a consultation protocol with the Government of Yukon.
- The Teslin Tlingit Council (TTC) signed an administration of justice agreement (AJA) in 2002. Throughout 2003 and 2004, TTC was involved in negotiating the implementation of this agreement.
- The Little Salmon/Carmacks First Nation (LSCFN) continued its work on re-establishing and documenting its traditional laws. The work involved extensive consultation through interviews, meetings, and workshops, with Elders, other LSCFN citizens, and representatives of the First Nation of Na-Cho Nyak Dun (FNNND) and the Selkirk First Nation (SFN).
- First Nation of Na-Cho Nyak Dun (FNNND) citizens adopted the Election Procedures Manual for the election of their chief and deputy chief, thus ensuring the rights of all FNNND citizens to vote, wherever they may be in Canada.
- The Kluane National Park & Reserve Management Plan, which both KFN and CAFN helped develop, was officially approved by the Minister of the Environment, David Anderson.
- Memoranda of understanding with respect to First Nation delivery of the INAC Post-Secondary Education Program were completed and will take effect in May, 2004.
- A Strategic Forest Management Plan for the Champagne and Aishihik Traditional Territory was developed by a core group that included the Government of Yukon, the Alsek Renewable Resource Council (ARRC) and the CAFN. The plan was widely distributed to stakeholders and the core group members also hosted a series of public meetings about the plan, which the ARRC anticipates finalizing and recommending early in the new fiscal year.
- In September, 2003, the Yukon Land-Use Planning Council (YLUPC) developed an on-line data atlas, targeted at public users seeking basic land resource planning information. It has been available on-line since the spring of 2004 at <http://207.189.243.180:8080/atlas.php>.
- In December, 2003, the Mabel McIntyre House of Mayo became the first officially designated Yukon Historic Site under the *Historic Resources Act*.
- A First Nations Environmental Officer-Training Program, developed with the financial support of partners that included the Training Policy Committee, was introduced in the 2003 fall semester at Yukon College. There is a waiting list of future students for this unique program, which incorporates a whole-person approach and will produce graduates ready to become environmental officers in their own communities.
- As a result of the Community Based Fish and Wildlife Management Plan, Devil's Elbow was identified as a prime site for viewing wildlife. The Mayo District Renewable Resource Council (MDRRC) developed a proposal and sent it to various organizations and businesses, asking for assistance with necessary roadwork and construction. The parking area and turnout construction were completed in November, 2003, and other developmental work on the viewing site was ongoing at the end of 2003–2004.
- The Selkirk Renewable Resource Council (SRRC) has been monitoring the MacMillan River, which is a major source of food for SFN beneficiaries and is also a moose calving and wintering area. At the 2003 May gathering, the public reported that as a result of this project, hunting and camping infractions have been reduced and camp sites are cleaner.
- The Government of Yukon's Department of Tourism and Culture conducted archaeological investigations of Lynx City, Copper City and Donjek historic sites in the White River/Donjek River area of southwest Yukon.

- Parks Canada prepared a detailed inventory of known heritage sites, a listing of all archaeological specimens collected from those sites and a set of digital images related to the archaeological work conducted in the Tachal Region, and delivered them to KFN shortly after the effective date of the Kluane First Nation Final Agreement.
- The Yukon Geographical Place Names Board (YGPNB) initiated the development of a web site, which will include place name descriptions including sound bites, information about the Yukon's place name process and links to other place name sites. The board anticipates launching the web site in the 2004–2005 fiscal year.
- The Government of Yukon's Public Service Commission (PSC) developed a two-day orientation program for new deputy ministers. The workshop, which featured CYFN Grand Chief Ed Schultz as a guest speaker and First Nations facilitators, was delivered for the first time in March, 2004.
- The Government of Canada and First Nations worked on issues related to the administration of the GST.

Introduction

The Yukon is home to 14 individual First Nations representing approximately 8,250 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, the Government of Yukon and the CYI reached an agreement-in-principle which became the basis for the Council for Yukon Indians Umbrella Final Agreement (UFA). (See Appendix 2.) 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.

On May 29, 1993, representatives of 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, TTC, CAFN, Vuntut Gwitchin First Nation (VGFN) and FNNND.

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 these acts and of the first four Yukon First Nations final agreements and self-government agreements.

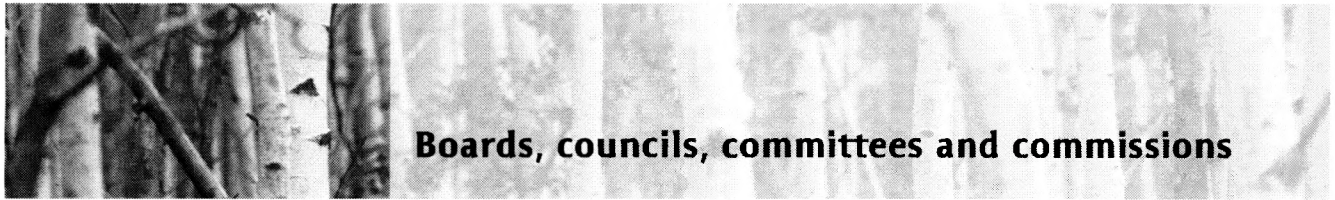
The LSCFN and SFN final and SGAs were signed on July 21, 1997. The agreements took effect October 1, 1997. The Tr'ondëk Hwëch'in (TH) final and SGAs were signed on July 16, 1998 and came into effect on October 1, 1998. The Ta'an Kwäch'än Council (TKC) final and SGAs were signed on January 13, 2002 and came into effect on April 1, 2003. The KFN final and SGAs were signed in October 18, 2003 and came into effect on February 2, 2004.

The nine self-governing Yukon First Nations (see Appendix 3) with SGAs comprise approximately 5,787 beneficiaries. Under their final agreements (see Appendix 4), they received a total of 28,989 square kilometres in settlement lands, of which 19,115 sq. km include ownership of mines and minerals. They will also receive financial compensation payments of \$156,170,260 to be paid over 15 years; see Appendix 5. (This represents the 1989 aggregate amount for those Yukon First Nations with settled claims at the time of the report.)

In addition, Canada provides funding to CYFN and to various boards and committees for implementation. (See Appendix 6 for information on the costs of implementation, and Appendix 7 for further information on funded boards and committees).

Negotiations toward final and SGAs with the remaining YFNs were held during 2003–2004. (See Appendix 8 for a map of the traditional territories of the Yukon First Nations.)

SUMMARY OF IMPLEMENTATION ACTIVITIES



Yukon Enrollment Commission

The Yukon Enrollment Commission (YEC) was established under the provisions of the UFA in 1989. Settlement legislation gives the YEC 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. The YEC is an independent body operating at arm's length from the parties to the settlement agreements. It will operate until its dissolution as described in UFA section 3.10.4, which states that the YEC will operate for ten years from the settlement legislation effective date of February 14, 1995, or for two years after the last First Nation final agreement comes into effect, whichever comes first. At dissolution, the YEC will turn over all documents and records to the Dispute Resolution Board (DRB). During the next fiscal year the YEC and DRB will together begin the planning process for the transfer of responsibilities as set out in the UFA.

The membership consists of three commissioners and alternates appointed by the Minister of Indian Affairs and Northern Development for three-year terms. The YEC staff consists of one full-time enrollment coordinator.

Throughout 2003–2004, the YEC continued the ongoing enrollment of Yukon First Nation descendants eligible under UFA criteria with the Yukon First Nations who have not yet assumed enrollment responsibilities. The YEC also continued to assist with training requested by First Nations who have final agreements and have assumed responsibilities for enrollment.

Elder Enrollment Commissioner Irene Adamson retired as of December, 2003.

In March, 2004 the YEC received one application of appeal.

Yukon Fish and Wildlife Management Board

The Yukon Fish and Wildlife Management Board (YFWMB) is recognized in the UFA as the "primary instrument for the management of Fish and Wildlife and their habitat in the Yukon" and makes recommendations on all issues that relate to fish and wildlife management, legislation, research, policies and programs. The board is composed of 12 members, six of whom are recommended by the Council of Yukon First Nations, and six of whom are recommended by the Government of Yukon. During 2003–2004, the board had two full-time employees and nine part-time employees.

The board had the following strategic goals for the 2003–2004 fiscal year:

- Access management: continue supporting the steering committee developing proposed approaches for the management and use of off-road vehicles in the Yukon.
- Aquaculture: develop a policy for submission to government.
- Captive wildlife: develop a recommendations package to send to government on comprehensive changes to the *Wildlife Act*.
- Communications: develop more effective communication products.
- Community stewardship: continue to support and expand the Yukon Stewardship Program and First Nation Game Guardians.
- Forty Mile Caribou Herd: encourage the establishment of a management plan for the Forty Mile Herd.
- Habitat protection: assist in establishing a Habitat Protection Area.

- Harvest monitoring: continue to support the collection by governments of harvest data, through the use of the web site.
- Renewable Resource Council (RRC) support.
- Trapping: promote and support the development of a Yukon fur strategy.

Implementation activities

The board was involved in a range of implementation activities in working toward these goals. Key implementation activities are described below.

- Typically, the board has had six meetings each year. During 2003–2004, budgetary constraints resulted in the board holding only five three-day meetings. Honoraria, per diem and travel expenses were paid to all members for attendance and participation.
- A comprehensive annual report was produced.
- The board conducted a public consultation for regulation changes to the *Wildlife Act*. Consultation meetings were held across the territory.
- The board was represented by members at several working group meetings, conferences and workshops throughout 2003–2004, including:
 - 11th Northern Furbearer Conference - May, 2003;
 - Yukon Placer Committee - May, 2003; October, 2003; February, 2004;
 - Yukon Trapper Working Group - April, 2003; September, 2003;
 - Forestry Policy Development - November, 2003;
 - Renewable Resource Council Annual General Meeting - May, 2003;
 - Implementation Review Committee - November, 2003;
 - Chisana Caribou Recovery - January, 2004;
 - Dawson Fur Show - January, 2004;
 - Traditional Knowledge Roundtable - February, 2004;
 - Dall Sheep in the Richardson Mountains, February, 2004; and
 - Species at Risk - March, 2004.

Challenges

The board identified numerous challenges at the 2003–2004 Review of UFA and Yukon First Nation Final Agreement Implementation Plans meeting in November, 2003. Among these were:

- maintaining and enhancing relationships with different governments and exercising the board's mandate;
- the need to see a meaningful integration of traditional knowledge in the near future;
- a range of training needs and issues including training for candidates of the board prior to appointment, inadequate budgets for training, lack of curriculum for Board training and the absence of a training policy committee;
- a very limited budget, which covers only YFWMB operations and does not allow for the additional work required to engage an informed public in Board deliberations. (The addition of new RRCs in the future is expected to exacerbate this problem.);
- providing adequate support to RRCs, particularly for liaison purposes among the RRCs and with the Government of Yukon with respect to annual budgets; and
- the board's relationship with the Yukon Salmon Sub-Committee (YSSC), a YFWMB sub-committee that indicated the desire to be more autonomous. As a result, the board feels that salmon management has been completely separate from freshwater fish management.

Yukon Salmon Sub-Committee

The Yukon Salmon Sub-Committee (YSSC) is a public advisory body established under Chapter 16 of the UFA. The YSSC was created in 1995 to act as the main instrument of salmon management in the Yukon. In this capacity, the

YSSC makes recommendations to the federal Minister of Fisheries and Oceans and to Yukon First Nations on all matters related to salmon and salmon habitat. These recommendations may be in regard to research, legislation, policies and programs.

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

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

During the 2003–2004 review period, the YSSC undertook the implementation activities described below.

Yukon River Panel

The YSSC representatives form the majority of the Canadian representatives to the Yukon River Panel, which was established as part of the Yukon River Salmon Agreement between Canada and the United States. In 2003–2004, YSSC members met with their American counterparts on the Yukon River Panel to discuss management issues for the Yukon River drainage basin.

Habitat issues

The YSSC is mandated to make recommendations about Yukon salmon habitat. Throughout 2003–2004, they dealt with numerous habitat issues affecting Yukon salmon, including:

- water licences;
- Yukon placer mining;
- United Keno Hill mine;
- Brewery Creek;
- mining production licences;
- Mount Nansen mine site;
- abandoned mine site reclamation;
- Yukon mine reclamation and closure policy;
- habitat job shadowing for Yukon College students;
- *Yukon Environmental and Socio-Economic Assessment Act* (YESAA);
- federal *Fisheries Act* streamlining;
- Ketza mine site;
- Minto Resources mine site;
- Dawson City sewage;
- the *Yukon Queen II* riverboat;
- oil and gas issues;
- coal bed methane extraction;
- Anvil Range mine;
- Viceroy mine site;
- proposed new mine sites;
- land-use planning;
- Dawson City bridge; and
- BYG mine.

Integrated Fisheries Management Plans

The YSSC is mandated to make recommendations on “the content and timing of Salmon Harvesting and management plans.” In an effort 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 YSSC developed IFMP working groups for the Yukon, Porcupine and Alsek rivers. These working groups consisted of representatives from commercial, sport, domestic and Aboriginal fisheries, First Nations, the YSSC, RRCs and the Department of Fisheries and Oceans Canada.

Working groups met to review post-season run strength, management processes, abundance estimates for the coming year, decision matrices and assorted other matters. These working groups produced draft plans that were presented to the public and reviewed at a series of public meetings held throughout the Yukon. Working groups also looked at ways to improve in-season communications, improve stakeholder input and address issues specific to each drainage basin.

Consultations

The YSSC continued to advise stakeholders about issues of concern by undertaking a wide range of communication activities, which included:

- publishing a newsletter;
- maintaining a web site;
- holding public meetings;
- issuing regular Yukon and Alsek River salmon updates, outlining run strength, timing etc., to a wide range of stakeholders;
- participating in workshops and conferences;
- issuing regular updates at CYFN and individual First Nations general assemblies, as well as extending a written offer to all Yukon First Nations for YSSC participation in general assemblies; and
- meeting with other boards, committees, RRCs, First Nations and other organizations, etc.

Specific issues on which the YSSC consulted the public included: salmon open-net cage farming, commercial salmon licensing and separation of the commercial and domestic salmon fisheries.

Other

The YSSC is mandated to make recommendations to the Minister of DFO and to Yukon First Nations on all matters related to Salmon, their habitats and management, including legislation, research, policies and programs. Some additional activities in which the YSSC was involved in 2003–2004 included:

- participating in the development of a new regime for Yukon placer mining;
- continuing its involvement with the Conservation Catch Card Program, which is designed to provide much-needed harvest data on the Yukon’s salmon sport fishery. Through this program, the YSSC ran a youth contest in the spring of 2003 to promote the conservation and stewardship of the Yukon’s salmon resource;
- participating in the nine-year review of implementation of Yukon final agreements;
- completing a three-year strategic plan to lay out priorities;
- creating conflict of interest guidelines and a code of conduct for members;
- supporting a First Nations gaffing workshop in the Champagne and Aishihik Traditional Territory; and
- collecting First Nations harvest data.

Yukon Geographical Place Names Board

The YGPNB is constituted under the UFA, signed by CYFN, the Government of Yukon and the Government of Canada. The board's primary function is to consider and recommend naming or renaming places or features located within Yukon. The board's mandate does not include the naming/renaming of features or sites within municipal boundaries or of transportation corridors (highways and bridges).

Proposals to name or rename a geographical feature are received from Yukon residents and YFN governments. To evaluate each application consistently and in accordance with the terms and conditions identified when the board was established, the YGPNB follows principles and procedures established by the Geographical Names Board of Canada. In addition, when reviewing place name applications on settlement lands, the board adheres to procedures set out in the UFA.

During the period of this report, the board gave priority to processing place-name applications in as timely a manner as possible. The speed at which a place name application was processed depended on a number of factors, which included:

- the completeness of the application;
- whether the site identified was on First Nation traditional or settlement land, federal or territorial lands; and
- whether the identified site was in a park.

Summary of YGPNB activities

During the 2003–2004 fiscal year, the board carried out a variety of tasks that included:

- Board meetings: The YGPNB met four times during the fiscal year. Meetings were held on May 30, 2003, November 14, 2003, December 5, 2003 and March 8, 2004.
- Review of place name applications: Throughout the year, the board reviewed and the Government of Yukon approved 47 place name applications from LSCFN and 38 applications derived from Gertie Tom's research in the Big Salmon River region. In addition, the board reviewed two previously submitted requests from individuals for which additional information had to be acquired before further assessment. The board also addressed a request to re-establish a previously posted place name sign.
- Development of a web site: During the year the board initiated the development of a web site. The web site will include place name descriptions including sound bites, information about the Yukon's place name process, links to other place name sites and access to all of the board's published annual reports. The board anticipates launching the web site in the 2004–2005 fiscal year.

Addressing the backlog

Place-name applications received from Yukon First Nations and the public-at-large require significant research to clarify the accuracy of the names, background and the exact latitude and longitude of locations. The board must also be aware of whether there are existing names for the site, the status of land claim negotiations for the pertinent First Nation, and whether there is joint jurisdiction over the naming of the site (e.g., Parks Canada for the Kluane region). As a result of the extent of research required, at the end of 2003–2004, the board was faced with a backlog of 148 place name applications from Yukon First Nations. These included the following.

Applicant	Number of applications to be processed/reviewed	Year submitted
Selkirk First Nation	12	1991
Carcross/Tagish First Nation	1	1992
Champagne and Aishihik First Nations	3	1992
First Nation of Na-Cho Nyak Dun	55	1997–1998
Teslin Tlingit Council	60	1988–1993
Miscellaneous	17	1986–2003
Total	148	

During 2003–2004, at the recommendation of the board, the Government of Yukon hired a full-time toponymist (an individual skilled at searching for consistency in the use of geographical names) to address the backlog of place name applications that have to be processed by the Government of Yukon before being submitted to the board for review. Next year, as the board continues to review the backlog of place name applications, it will be consulting primarily with the Yukon toponymist to ensure that application information is accurate. If necessary, the board will also continue to consult with applicants, First Nations consultants, language experts and the public to confirm that all place names have been accurately documented before they are approved and forwarded to the Minister, who makes the final decision on the board's recommendation.

Yukon Heritage Resources Board

The Yukon Heritage Resources Board (YHRB) was established in March, 1995. It is established pursuant to the UFA and the enabling settlement legislation to make recommendations to federal and territorial heritage ministers and to YFNs about the management of moveable heritage resources and heritage sites. The YHRB may make recommendations on ways to incorporate traditional knowledge in the management of heritage resources and on means to preserve traditional languages.

Under the Yukon's *Historic Resources Act*, the YHRB is to:

- advise the minister on appropriate policies and guidelines for the designation of historic sites and on appropriate policies, guidelines and standards for the care and custody of historic objects;
- perform functions that land claims agreements assign to the YHRB; and
- advise on the use of the Yukon Historic Resources Fund.

The YHRB consists of ten representatives from across Yukon, including five CYFN nominees and five Yukon nominees. One member nominated by Yukon must be selected in consultation with the Government of Canada. All appointments are made by the territorial minister responsible for heritage. From April 1, 2003 until March 31, 2004, the YHRB was involved in the following implementation activities.

- There were four meetings of the full Board.
- Board members met regularly to review the ongoing development of a museum strategy for the territory.
- In March, the board reviewed a joint nomination from the Government of Yukon and SFN for Fort Selkirk to be designated as a historic site under the *Historic Resources Act*.
- The YHRB was asked to recommend the museum strategy. In March, concerns were forwarded to the minister, which required resolution prior to recommending acceptance of the strategy.

- In June, the YHRB evaluated the nomination for the Mabel McIntyre House of Mayo and recommended its designation. In December, the Mabel McIntyre House of Mayo became the first officially designated Yukon Historic Site under the *Historic Resources Act*.
- In October, a board member attended the First Nations History, Culture, Agreements and Self-Government workshop, a workshop provided several times a year by the Government of Yukon and open to UFA board members.
- In November, the YHRB made two written submissions and presented five recommendations to the 2003–2004 UFA/Yukon First Nation final agreements reviewers on how the implementation plan arrangements could be improved to assist the board in carrying out its responsibilities.
- The YHRB developed criteria for the Yukon Historic Resources Fund, which is administered by the Department of Tourism and Culture, with recommendations by the board on fund allocation. Half of the interest generated by this \$1,000,000 endowment fund provides financial assistance for capital and legacy heritage projects in archaeology, paleontology, community museums, heritage/cultural centres, native language preservation, historical research and place names. The first applications were reviewed by the board in March, with seven of 17 projects submitted recommended for funding in the amount of \$20,900.
- The YHRB made a recommendation to the federal Minister of Canadian Heritage that Yukon be represented on the Aboriginal Languages Task Force.

Other 2003–2004 activities included:

- approving final plans for refurbishing the Taylor House grounds;
- co-sponsoring the annual Yukon Heritage Fair and being represented on the fair's steering committee;
- hosting members of the Yukon First Nations Heritage Group at the Taylor House;
- completing interpretive panels about the board and its activities and displaying the panels at the Council of Yukon First Nations General Assembly in Carcross in July;
- hiring a facilitator in August to conduct a two-day strategic planning workshop on the basics of strategic planning, oriented toward heritage resources;
- providing advice to the Adjudication Committee of the Yukon Heritage Training Fund, which supports short-term training that enhances the skills of people and groups working in the heritage field;
- meeting in November with the Minister and Deputy Minister of Tourism and Culture, regarding a new contribution agreement and recommendations on the Yukon Historic Resources Fund; and
- attending a presentation on the new YESAA; and how the *Act* relates to heritage resources.

Yukon Land-Use Planning Council

Established on February 14, 1995, the Yukon Land-Use Planning Council (YLUPC) is responsible for providing recommendations to governments and each affected Yukon First Nation about land-use planning. Highlights of the 2003–2004 implementation activities are provided below.

- Presentation of the nine-year review: The implementation plan for the UFA calls for a review of the implementation plan in the ninth year of the ten-year implementation period. This nine-year review started in 2003–2004. In November, the council made a submission to the Implementation Review Group (IRG) conducting the nine-year review. The main conclusion of the council's submission was that the activities of the council have been hindered by unsettled land claims and slow implementation. The council anticipates not achieving its goal of having all eight proposed regions engaged in land-use planning until five years after the completion of the current ten-year implementation period, with another five years required to complete and approve the land-use plans.

- Restart of the North Yukon Planning Commission: In 2003–2004 the North Yukon Planning Commission restarted. It had previously functioned as the Vuntut Planning Commission and was subject to direct financial and administrative control by the YLUPC during 2002–2003. Four new commissioners were appointed in June, 2003. The council monitored and assisted the commission with the implementation of its 2003–2004 work plans and budget and continued to function as the commission's financial administrator. It also provided planning, information management, administrative and technical assistance as required.
- Agreement on terms of reference for the Peel Watershed Planning Commission: The council continued to assist in establishing the Peel River Watershed Planning Commission. An agreement on the general terms of reference was reached on April 13, 2003 and at year-end, preparation of the terms was nearing completion. The terms of reference will be recommended to the parties early in the 2004–2005 fiscal year.
- Improvements in the budgeting and work planning process for the council and commissions: Each year the council transfers money from government to commissions by way of flexible transfer payment funding agreements. The council is responsible for reviewing and monitoring budgets and continued to refine these agreements with the commissions. It also refined the administrative assistance it gives to planning commissions to ease their administrative burden and ensure that they meet the terms of the flexible transfer payments. The council also continued to assist planning commissions with their work plans.
- Hosting the Annual Meeting of the Federal Provincial Committee on Land Use: In August, 2003, the council coordinated and hosted the annual meeting of the Federal Provincial Committee on Land Use. The meeting was held in Whitehorse and 24 people from jurisdictions across Canada attended. Attendees felt that the meeting, which was the first of its kind held in the territory, was successful.
- Drafting a proposed land designation system for the Yukon: In June, 2003, the council prepared A Proposed Strategic Regional Land Designation System for the Yukon. The document was presented during a YLUPC-sponsored conference called "Land Use: What's In It For You?" in Whitehorse on March 16-17, 2004.
- Developed an on-line data atlas: In September, 2003 the council developed an on-line data atlas. The atlas is targeted at public users who are seeking basic land resource planning information. It was made available on-line in spring 2004 (<http://207.189.243.180:8080/atlas.php>).

Yukon Surface Rights Board

The Yukon Surface Rights Board (YSRB) is a tribunal whose primary role is to resolve access disputes between those owning or having an interest in land (surface rights holders) and others with access rights to the land. The board gets involved in disputes when the parties are unable to reach an agreement and a party applies to the board. The board offers mediation services and, failing mediation, conducts formal hearings on disputes. A summary of the board's activities in 2003–2004 is presented below.

Applications to the board

The board was scheduled to go to a combined hearing early in April, 2003 for two separate dispute files. One file featured a dispute about access to mineral claims. The other was an appeal of a previous decision by the mining recorder about the amount of security required to be posted in relation to mineral claims issued. The parties to both disputes requested a postponement of the scheduled hearing to pursue resolutions through private negotiations. The board has granted the parties permission as requested and these negotiations continue.

Training

The issues that come before the board are complex and require members to have a broad understanding of a wide range of matters, including:

- the UFA and the First Nation final agreements;
- administrative law and the principles of natural justice;

- dispute resolution;
- mining and land-use legislation; and
- land-use issues.

In 2003–2004, board staff and members participated in relevant training and conferences related to the board's activities and capacity development.

First Nation, community and industry relations

Public relations

During the last fiscal year the board maintained an office in Whitehorse, updated the YSRB web site, produced and distributed the board's annual report and attended public functions and meetings.

Industry relations

The board worked to inform industry about the board's role and activities by:

- attending industry functions pertaining to the board's jurisdiction, such as pipeline and railroad information forums, the Yukon Geoscience Forum, Dawson City Gold Show and the British Columbia and Yukon Chamber of Mines' Cordilleran Round-up;
- communicating YSRB's mandate, jurisdiction and procedural information via conference and forum program guides and by hosting the board's display booth; and
- ensuring Yukon industry associations are included on the board's consultation mail-out list.

First Nations relations

The board was available on request to visit First Nation communities to provide information and guidance about the board's legislation and procedures. The board normally allows for one visit to each First Nation community with a signed First Nation final agreement. These visits are made only at the request of the First Nation. Annually, the board provides each Yukon First Nation and all UFA boards and councils with a copy of the board's annual report. All Yukon First Nations and UFA boards and councils are included on the board's consultation mail-out list.

Government relations

The board maintained contact with First Nations, territorial, federal and municipal governments. This often required attending workshops with the various governments. The board also filed obligatory reports to the board's federal funding department, the federal Office of the Information Commissioner and the Office of the Privacy Commissioner.

Participation in related initiatives

- The board has completed an in-depth revision of its Rules of Procedure which included a public consultation process with First Nations, federal and Yukon government, industry and other stakeholders. The revised rules were published in the September 27, 2003, *Canada Gazette* (vol. 137, no. 39).
- Since the adoption of the revised rules, the board's presentation display booth and brochure revisions and production were also completed. The revised rules and publications provide users with a more efficient approach to the board's process.
- The board continued to assist with the ongoing training development for tribunals in the Yukon in conjunction with Yukon College.
- The board remained an active member of the Council of Canadian Administrative Tribunals and the British Columbia Council of Administrative Tribunals.

Training Policy Committee

The Training Policy Committee's mandate is to deal with training matters resulting from land claims. Some key activities undertaken in 2003–2004 are described below.

Champagne and Aishihik First Nations

CAFN partnered with the Yukon Indian Peoples' Training Trust (YIPTT) to achieve their training plan objectives. The objectives were for the Chief and Council to work effectively as a team, define roles and responsibilities, enhance their conflict resolution skills and communicate and work effectively with CAFN government senior management. The training was completed in February and was very successful. As a result of the training, participants now have tangible tools and references they can use to hone the skills they acquired.

First Nation of Na-Cho Nyak Dun

FNNND secured funds from the YIPPTT to implement its 12-month training plan. The plan covered the broad areas of team working relationships and capacity building. The objectives were to improve staff efficiency in all departments, develop career skills in many aspects of self-government and enhance the skills needed for staff to work effectively in an atmosphere of mutual respect and trust. This training was provided for the whole community (elders, staff, Chief and Council and youth); all participants completed the program successfully.

Ta'an Kwäch'än Council

The TKC secured funding through the YIPPTT and Human Resources Development Canada (HRDC) and then made its own contribution to finance the implementation 2003–2004 training plan. In striving toward effective self-government, TKC's objectives are to prepare its members to be self-sufficient. One component of the plan was to prepare members for employment by building on their present skills and abilities.

Liard First Nation

Liard First Nation (LFN) successfully implemented an ambitious training plan designed to build capacity within the local government community structure. Funds for the plan were secured through the YIPPTT, partnered with HRDC, and there have already been some successes. For example:

- one trainee was offered a position at the Town of Watson Lake;
- a director assistant now has a qualified back-up; and
- through the Liard Learning Centre, trainees from the community are gaining employment skills in computer sciences.

Teslin Tlingit Council

TTC used some of its own funds and also accessed funds from the YIPPTT to meet the objectives of its ambitious 2003–2004 training plan. The plan included training for an environmental officer in the First Nations Environmental Officer Training program at Yukon College. Conflict resolution skills were enhanced when TTC brought in a facilitator from the Justice Institute of British Columbia to complement modules offered by Yukon College.

As a result of this training effort, TTC members and employees now have certificates of completion, which are transferable to other institutions for further education and training. While the training is not completed yet, TTC is achieving its goals to increase capacity for its government, to achieve economic self-sufficiency for its citizens and to build conflict management skills.

Carcross/Tagish First Nation

The Carcross/Tagish First Nation (CTFN) undertook two highly active and exciting programs to help them prepare for self-government: the Skill and Job Enhancement Program and the Targeted Trainee Program. Two major activities arose from the Targeted Trainee Program: the administration of CTFN justice according to the SGA, and drafting the CTFN Book of Laws. Both activities used diverse groups of funding partners.

First Nations Environmental Officers Training Program

The Training Policy Committee was one of an impressive group of partners who made financial contributions to the First Nations Environmental Officers Training Program. The program started in the fall semester of 2003 at Yukon College. Its graduates will have the necessary skills and knowledge to work as environmental officers in their respective communities. A waiting list of future students provides the driving energy for coordinators to continue with this unique program which incorporates a whole-person approach and which featured:

- guest lecturers, including elders who added their traditional knowledge to western learning, and working professionals who added detail and real life experience; and
- in-the-field case studies.

Coordinators report a high level of success and are confident that graduates of this program will return to their home communities with employment skills and approaches that will benefit their communities.

Alsek Renewable Resource Council

The Alsek Renewable Resource Council (ARRC) was created in 1995 and was among the first of the RRCs to begin operating. ARRC is located in one of the most heavily populated and utilized areas in the Yukon. It is especially active due to the wide variety of projects, initiatives and processes in the traditional territory, which have potential impacts on fish, wildlife and habitat. Highlights of the council's implementation activities during 2003–2004 are presented below.

Strategic Forest Management Plan

A Draft Strategic Forest Management Plan for the Champagne and Aishihik First Nations Traditional Territory (CATT) was developed by a core group made up of the ARRC, CAFN and Government of Yukon's Forestry Branch, with assistance from a facilitator. The Government of Yukon's forestry staff replaced representatives from INAC in the process this year, as responsibility for forest management was devolved by the Government of Canada to the territorial government in April, 2003. All forest management planning work carried out by the council in 2003–2004 was funded through special arrangements with the Government of Yukon.

Copies of the draft strategic plan were widely distributed by mail, internet and throughout the community to governments, businesses, stakeholders and other organizations during a 60-day public comment period. ARRC and other core group members also hosted a series of public meetings in Haines Junction, Champagne and Whitehorse. The council will recommend the final plan to both governments early in the next fiscal year and it is anticipated it will be approved quickly and implementation will begin shortly thereafter.

CATT Integrated Fish and Wildlife Management Plan

Preliminary steps were taken by ARRC and other partners to begin developing a plan to address fish and wildlife management throughout the CATT. The plan will also incorporate the now-expired Alsek Moose and Aishihik Integrated management plans. Planning team members include ARRC, CAFN and the Government of Yukon. Kluane National Park & Reserve will also be represented throughout the process.

Dezadeash Lake Management Plan

The Dezadeash Lake Management Plan neared finalization in 2003–2004 until planning partner CAFN determined that the actions called for in the plan were insufficient to address First Nations conservation concerns. ARRC and CAFN discussed ways of resolving these differences and it is hoped the First Nations government will present several options for acceptable revisions or additions to the plan in the coming fiscal year. Though this planning process has not yet resulted in a finalized operational plan, it has increased knowledge and improved communication about the area.

Outfitter quotas

ARRC met twice in 2003 with the three Aishihik outfitters to negotiate the 2003 outfitter quota for Aishihik caribou. The council is scheduled to meet with outfitters as soon as possible in 2004 to negotiate again for the outfitter (non-resident) Aishihik caribou quota. During the fall/winter of 2003–2004, the council again worked with a local outfitter to distribute packaged, frozen moose and caribou meat throughout the community. ARRC maintains a freezer at its office and advertises the meat in local newsletters, which generates awareness of both ARRC and the outfitter.

Wildlife Act regulation changes

ARRC proposed two fishing regulation changes during the 2003 review cycle, both of which were approved and implemented in the 2004–2005 fishing regulations. The council also participated and provided comments during the 2003 review of all regulation change proposals.

Communications

The council took steps to accommodate public concerns brought forward this year.

- ARRC posted its own web page in 2003–2004 at www.alsekrrc.ca. It is intended to be used as a communication tool to inform a broad audience on the work of the council.
- ARRC and the community steward were partners in producing a burbot brochure. This was in response to increased interest in set-line fishing in this traditional territory and throughout Yukon. As well, the ARRC, community steward and concerned community members collaborated to produce a hunter awareness brochure.

Community events

ARRC members and staff participated in a number of community events during the past year. These included providing new fishing regulations and burbot information during the Yukon Fish and Game Association's family fishing day at Pine Lake, attending the CAFN annual general assembly in Aishihik, contributing to CAFN's science and culture camps for youth and co-hosting YSSC's annual public meeting in Haines Junction.

Summer student trainee program

With assistance from Yukon and CAFN, the ARRC was again able to offer a summer student training position. Lindsay Chambers, the CAFN student, learned the administrative functions of the ARRC and helped out in the office. She also worked with other local managers during a variety of summer field projects. The ARRC will continue to seek funding to hire at least one summer student annually. As awareness of the program increases, more and more opportunities become available to introduce students to the many aspects of renewable resource management in Yukon.

Other activities

The ARRC was also involved in a range of other activities and issues including traplines, land use, water use and off-road vehicle use.

Mayo District Renewable Resource Council

MDRRC consists of six members and two alternates and deals with:

- land and water use applications and permits. These include agricultural leases, timber permits and placer mining applications;
- trapline allocations; and
- outfitter quotas.

During 2003–2004, the council held 17 regular meetings and sent representatives to 16 other meetings, information sessions and workshops, including a furbearers' conference, a regulation changes public meeting, an information session on oil and gas values for the FNNND Traditional Territory, the Yukon Forest Policy Framework Review and the RRC Annual General Meeting in Old Crow.

Projects for 2003–2004

Habitat Protection Area/U-Slough and Devil's Elbow

At public meetings for the Community-Based Fish and Wildlife Management Plan, this area was identified as an important moose calving habitat. Meetings were held with the public to see if there was public support for designating this as a habitat protection area (HPA). The council's chairman also met with people who have a vested interest in the area and gained the approval of all parties concerned. The final HPA proposal was sent to Yukon Environment Minister Jim Kenyon on June 6, 2003. The council had not yet received approval at year end.

Trapper's wolf-snaring course

In mid November, 2003, Alan Baer of the Government of Yukon came to Mayo to teach a number of local trappers active in the area new wolf-snaring methods. All participants completed the course and now incorporate their new skills whenever possible. The MDRRC would now like to see an interested participant take over the role of teacher so this course can be offered yearly.

Devil's Elbow wildlife viewing site

As a direct result of the Community Based Fish and Wildlife Management Plan, this area was identified as a prime site for viewing wildlife. A proposal was written and sent to various organizations and businesses requesting assistance with the roadwork and construction portion of the project. The parking area and turnout construction were completed in early November, 2003. Developmental work on the information panels and other signage has been ongoing through the Government of Yukon Heritage and Wildlife Viewing program along with FNNND-Heritage. Trail development and platform construction will take place in either April or May, 2004.

Operations for 2003–2004

During 2003–2004, the MDRRC:

- moved locations twice, once in June and then again in November, to the FNNND Development Corporation duplex;
- finalized its Standard Operating Guidelines for Renewal and Allocation of New, Vacant and Under-Utilized Traplines; and
- met and reviewed the Operations Guidelines and the Personnel Policy on two separate occasions and approved and adopted them on May 6, 2003.

At the end of the 2003–2004 fiscal year, a lack of funding forced the MDRRC to shut its doors and lay off its secretary.

Selkirk Renewable Resource Council

Community relations

The Spring Open House in 2003 was held as a gopher hunt on the farm of a council member, with the hope that people would come for the day to hunt and to visit with council members. It was planned as an informal meeting with the public to obtain information about what they felt were issues in the community. A couple of elders attended; however, no issues were raised.

The Fall Open House was focused on informing people about the final review of the Lhutsaw Wetland HPA (which was being conducted at that time) and SRRC's final review of the Selkirk Allocation Trapline Guidelines. About 50 people attended.

Britannia Creek Placer Mine

The SRRC heard complaints of a mine left in disarray in the summer of 2003. The member who holds the mining portfolio travelled into the area to verify the complaints and take pictures in September, 2003. Council worked with SFN Lands and Resources and the Government of Yukon to have this acknowledged as a serious problem and a plan for reclamation set in place during 2004. This was a challenge as there was no department within the Government of Yukon that wanted to accept responsibility for having signed off this mining activity. Council will work on a reclamation plan with the Government of Yukon for the summer of 2005.

Trapline allocation guidelines

The members felt that the initial process used to arrive at preliminary trapline allocation guidelines, completed in the fall of 2003, was a good one. As a result, a special meeting was held, aimed at developing effective guidelines for the trapline allocation process. Council also subsequently met with trappers to solicit their views. Following these meetings, council members further refined their work in order to produce guidelines more understandable to the public. This final version was presented to the public and adopted for use. Starting in 2004, Council began using these guidelines to allocate registered trapline concessions then vacant.

Training new trappers

Council had a successful basic trapping course in the fall of 2003. It is hoped that this will help people realize that concessions must be used and that they will thus make plans to develop their traplines. Many of the concessions have been burnt in the last 25 years by wildfires and will need extensive development before trapping can actually take place. The success of the fall 2003 course has led to plans to deliver another one in the fall of 2004.

MacMillan monitoring project

Council spent the past four years monitoring the MacMillan River. The monitors observed and noted animal sightings, people's activities and waterfowl activities. The May gathering report noted that the public felt this project has been beneficial, having reduced hunting and camping infractions and made people more aware of the need to leave camps clean. As a result, this area, which is a major source of food for SFN beneficiaries and is also a huge moose calving and wintering area, now remains pristine after each season.

Despite the overall success of this project, council was not satisfied with the information gathering done by the monitors during the 2003 season. Council members felt they had not been able to hire people with the required monitoring skills. This led to the project described below.

Developing monitors for the MacMillan monitoring project

This 2003 program was designed to interest younger people in renewable resources by allowing students to travel with monitors conducting their fall survey on the MacMillan River. Council felt it had a 50 per cent success rate. One of the two students who participated in the program gained an interest in renewable resources and is continuing his education as well as working with the SRRC during the summer months.

Working with Selkirk First Nation

Since its inception, the relationship between the SRRC and SFN has been a challenging one. Council has worked hard to improve this relationship and feels it achieved some success in this regard in 2003. Council is now working better with the SFN Lands and Resources Department on some projects. More information is being shared and the council has been invited to some of Lands and Resources' public meetings. A prime example is the Fish and Wildlife Management Plan, which began with SFN and with which the SRRC was not involved. In 2003, the council Secretariat was invited to observe meetings about the plan. In 2004, Secretariat and Council members were invited to have input and give advice. Council and SFN will now work together to finish the management plan. At the annual 2004 RRC workshop, other councils recognized the value of the SRRC and SFN Fish and Wildlife Management process developed through these joint efforts.

Teslin Renewable Resource Council

The Teslin Renewable Resource Council (TRRC) was established as a primary instrument for local renewable resources management in TTC traditional territory. The council's mission is to ensure:

- the wealth, welfare, and extended life of TTC's natural resources; and
- that their children's children may benefit with them from these resources.

The council consists of ten members with one nominee from each of the five clans of TTC and five nominees of the minister.

Meetings and workshops

During 2003–2004, the TRRC held 12 regular council meetings and four meetings on its finance and administration. In addition, 45 other meetings were held on various topics including fish and wildlife management and related legislation, land-use planning, community planning and the use of off-road vehicles. The TRRC also participated in seven workshops, including for example, the Wildlife in Captivity Forum (May, 2003), Teslin Regional Planning Commission Public Workshops (November, 2003) and the Forest Ventures Workshop (March, 2004).

Fish and Wildlife Management Plan

The TRRC is now into the fourth year of implementing this plan. Implementation activities included:

- the conduct of a mid-term review, which took place in May, 2003 (a second review is scheduled to occur in the 2004–2005 fiscal year);
- an aerial moose survey, which took place during the late fall of 2003 (two Council members and four community members participated in this survey along with the regional biologist, who will present a detailed summary of the findings that emerged to Council);
- an early-spring flight over the ranges in the area of Deadman Creek, by the regional biologist and a Council member, to see where the Deadman moose herd was wintering (they also flew over the Nisutlin Delta area to observe moose activity in the area.);
- local trappers increasing their efforts to curtail wolf numbers in the area of high moose harvests and in the vicinity of the community (Al Baer of the Government of Yukon Wildlife Management Branch continued to

visit the community over the winter months to work with trappers interested in learning skills to snare wolves); and

- carrying out a creel survey on Teslin Lake during the summer of 2003. A local university student was hired to conduct the survey, which was designed to obtain information on the number of fish being caught through sports fishing on Teslin Lake and to acquire biological information on the fish caught.

Live-release angling

The TRRC sponsored a live-release angling information session in early June. Teslin's local conservation officer presented the information session to the Teslin School children and interested members of the public. The session was followed by a barbeque lunch cooked by members of the council. The weather was great and everyone had fun.

Nisutlin River Delta National Wildlife Area Management Plan

Biologists and special interest groups continue to use the area for research purposes. Ducks Unlimited Canada recently conducted waterbird surveys in the area. In addition, the five-year review of the management plan was completed by the plan's partners. The working group for the review included representatives from TTC, the Yukon Department of Environment and the Canadian Wildlife Service. The review yielded a number of proposed amendments, to be presented to the public early in 2004–2005. Once amended, the document will serve as the new management plan for the next ten years.

Youth Council

The TRRC launched a Youth Council project, through which interested youth and young adults (age 12 and up) could become familiar with the workings of the council, visit related agencies, attend a Council meeting and perhaps raise an issue at that meeting. The first participant in the program was 13-year-old Joshua Martens, who was presented with a TRRC cap and a gift certificate in recognition of his participation. Council would like to continue this program and has made application forms available at the RRC office.

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 will identify opportunities to provide for sustainable forest sector investment and development, which will help the community of Teslin become more economically self-reliant. The plan is being developed by a team made up of representatives from TTC, the Government of Yukon and TRRC. This project has been ongoing for four years. Throughout that time, the public has been kept informed about plan development and a number of public information workshops have been held to enable the planning team to acquire public information and input into the plan.



First Nations

Champagne and Aishihik First Nations

The two First Nations of Champagne and Aishihik were amalgamated by INAC in 1970. The people of CAFN live primarily on the east side of the village of Haines Junction (the first major community northwest of Whitehorse on the Alaska Highway) and in Whitehorse. Other communities where CAFN people live include Canyon Creek, Champagne and Takhini River subdivision.

Governance

The CAFN governance-related accomplishments for 2003–2004 are highlighted below:

- The *Champagne and Aishihik First Nations Goods and Services Tax Act* was enacted and a draft tax administration agreement with Canada was approved.
- The *Champagne and Aishihik First Nations Lotteries Act* was enacted, but was not brought into force.
- CAFN hosted a self-governing First Nation workshop regarding the administration of justice as per section 13.6.0 of the CAFN SGA.
- The governments of Canada, Yukon and CAFN agreed to an AJA workplan for 2004–2005 that requires CAFN to begin community development work, consultations and organizing AJA negotiations.
- CAFN participated in the review and reorganization of CYFN and its constitution.
- CAFN hosted an intergovernmental forum attended by INAC Minister Robert Nault, the Premier of Yukon Dennis Fentie, Grand Chief of CYFN Ed Schultz and YFN Chiefs.
- A consultation protocol was signed with the Government of Yukon. The protocol provides for a consistent, meaningful and effective consultation process under the CAFN Final Agreement and CAFN SGA. The protocol may also be used for any other consultation to which both parties agree it should be applied.
- A cooperative governance memorandum of understanding (MOU) with Government of Yukon was approved. This process will be implemented in 2004–2005.
- CAFN signed an agreement with the Northern Nations Alliance at the B.C. Claims Summit. The agreement will increase collaborative work among southern Yukon First Nations and northern B.C. First Nations on common issues and claims issues.
- An economic development strategy for CAFN was initiated.
- The nine-year review of the CAFN Final Agreement Implementation Plan, to determine the adequacy of the provisions of the plan and of the implementation funding provided under the plan, began.
- The ongoing review of its Financial Transfer Agreement (FTA) continued. CAFN has prepared an analysis of the gross expenditure base and a CAFN model self-government structure to inform the renegotiation and renewal of the FTA.
- CAFN participated in reciprocal agreement negotiations regarding the delivery of social assistance on behalf of Canada, Yukon and other self-governing First Nations.
- CAFN re-instated the Dakwakada Development Corporation.

The challenges CAFN encountered in dealing with governance issues in 2003–2004 are highlighted below:

- The federal funding provided for the AJA preparation work described above was not sufficient to complete all tasks required prior to the negotiations.

- CAFN would have preferred that Canada also sign the consultation protocol that was signed between CAFN and Yukon. Canada tabled another version of a consultation process template, which was not favourably received by self-governing First Nations as they prefer a stronger commitment from Canada to ensure that consultation obligations are met.
- The Home and Community Care program faced increasingly higher demands from clients.
- CAFN feels that a review of the funding adequacy of their Self-Government Agreement is necessary.
- Accurate statistics assist in building an accurate tax base and in doing analysis required for the delivery of programs and services. CAFN is developing a new database, which it hopes will provide accurate and up-to-date statistics.
- Progress on some issues at the review table stalled, because there was no federal response to associated reports and submissions by First Nations.
- HRDC's continued position of promoting a central administrative arrangement rather than negotiating a Programs and Services Transfer Agreement (PSTA), as allowed by the SGA, posed challenges at the negotiation table.
- Funding for a ten-year period pursuant to section 3.1.2 of their SGA Implementation Plan expired. This resulted in a revenue shortfall of \$261,232.
- There was a welcome increase in large economic development projects, but insufficient funds to participate fully in those projects.
- CAFN continues to lack the kind of community-based businesses that could create employment for CAFN citizens.
- Providing municipal services to CAFN's five satellite communities without adequate resources remained an ongoing issue.

Land management

Highlights of CAFN land management activities are presented below:

- CAFN held a public consultation on the draft Strategic Forest Management Plan for the CAFN Traditional Territory.
- An agreement was negotiated to form a partnership with the Government of Yukon to implement the Forest Management Plan.
- CAFN and residents of Aishihik and Champagne areas worked together to develop draft community land-use plans.
- A CAFN emergency committee was established and began a draft for emergency planning for communities.
- CAFN coordinated a number of Fire Smart projects.
- The Government of Yukon Taxation and Assessment department worked with CAFN to ensure that CAFN properties are identified and accurately assessed.
- A draft land acquisition policy for purchasing private land was developed.
- Surveys of 98 percent of the settlement lands have been completed.
- Preparation for implementation of YESAA, including initiating required SGA amendments, began.
- Work on a specific claim within CATT resumed.
- CAFN participated in the National Land Claim Agreement Coalition to improve relationships with Canada.
- The Tatshenshini-Alsek Foundation was established to assist CAFN to remain connected to the land and to support research and job opportunities.
- CAFN participated in developing a proposal and in planning for a joint traditional knowledge project with Kluane Park Management Board and KFN.

Land management activities that were particularly challenging in 2003–2004 are described below:

- Forest harvesting activities on settlement lands increased, but existing policies and procedures were not adequate to control and administer these activities.

- The process of land allocation was complicated by insufficient criteria or guidelines.
- Heritage areas were at high risk of being lost to forest fires, but were not covered by the FireSmart program.
- There was a shortage of building lots in Haines Junction and Klukshu.

Renewable Resources

Highlights of CAFN 2003–2004 activities focus on renewable resources are presented below:

- CAFN co-managed the Klukshu Weir with Fisheries and Oceans Canada. The underwater video surveillance trial showed promising results and will be compared against the weir counts to determine the accuracy of counting fish with this method.
- The seasonal wildlife monitor program continued.
- CAFN and the Government of Yukon discussed issues related to the authority of trapline management for Category 1 traplines and traplines in overlap areas.
- The Alsek Moose Management Plan and the Aishihik Wildlife plan expired. CAFN worked on developing a traditional territory wildlife plan.

Challenges CAFN encountered when dealing with renewable resources are described below:

- Finding alternatives for the Klukshu Weir while maintaining Pacific Salmon Treaty commitments was also challenging.
- Ensuring that fish and wildlife populations continue to be managed at the community level was a challenge.
- The draft Dezadeash Lake Management Plan developed by ARRC was not yet accepted and finalized.
- Collecting harvest data was challenging.
- There was insufficient funding for the Harvest Support Pilot Project.

Heritage

CAFN heritage activities are presented below:

- Development of the Five-Year Heritage Plan was completed.
- CAFN worked on an agreement with Canada and the Government of Yukon to implement the “catch up keep up” provisions of the CAFN Final Agreement to increase the funding for heritage programs.
- Work with the Kwáday Dän T’sinchi Management Group continued. Priorities included artifact reproduction and genealogical research for the DNA project.
- An archival management plan to prepare for the management of database records was developed.
- Work began on a feasibility study for a CAFN cultural centre.
- CAFN hosted a community workshop to discuss several options for a CAFN culture centre and through that workshop identified cultural programming priorities.
- The CAFN Cultural Centre Steering Committee toured First Nation cultural centres in Yukon, B.C., Washington and Oregon.
- CAFN engaged in heritage collection acquisitions.

Challenges encountered when dealing with heritage issues are presented below.

- Documenting traditional leadership and organizing clan meetings was demanding and complex.
- Balancing traditional values and modern science in CAFN’s heritage work remained an ongoing challenge.
- External factors delayed the completion of the Kwáday Dän T’sinchi DNA study.
- Developing a cultural facility that the community can afford, and providing community access to heritage resources with limited staff, database and policy, was a challenge.
- The CAFN heritage resource materials and collection continued to grow, which led to a search for additional space for housing them.

Education

The ongoing review of language goals, an education five-year plan and education-related topics continued, as did work on programming the Southern Tutchone language and culture for kindergarten to Grade 12 with the Government of Yukon.

Education-related activities presented a considerable challenge. CAFN continued striving to:

- find ways to increase community participation in language activities/events;
- address all of the needs in Whitehorse schools;
- ensure continuity in programming; and
- acquire adequate funding to meet the five-year plan, program goals and objectives.

Little Salmon/Carmacks First Nation

Carmacks is a small community in central Yukon located about 160 km north of Whitehorse. The community has a population of approximately 500 residents of whom the majority are citizens of LSCFN.

The LSCFN Final Agreement came into effect on October 1, 1997. The LSCFN Council is engaged in several processes in the implementation of the final and SGAs. Key activities that occurred during the review period are described below.

Program and Service Transfer Agreements

Negotiations continued at a common table attended by all of the self-governing First Nations. Viola Mullett attended these proceedings on behalf of LSCFN for part of the year. Michael Vance assumed this task as of January, 2004. Other senior officials or directors from LSCFN attended relevant proceedings, which continue to be scheduled for the last week of each month. Negotiations during this fiscal year included Aboriginal languages, HRDC, Government of Yukon's Income Assistance Program (with a particular focus on completing a reciprocal agreement) and the Government of Yukon's Alcohol and Drug Services. During the next fiscal year (2004–2005), LSCFN will enter into an administrative arrangement with INAC on the post secondary education program to assess the feasibility of assuming responsibility for this program.

Tax negotiations

Negotiations for sharing taxes are ongoing. LSCFN completed the negotiations for the sharing of Goods and Services Tax (GST) revenue and prepared to introduce and approve legislation during the Annual General Assembly to be held in early summer.

Implementation Working Group and Implementation Review Group

The nine-year review of Final and Self-Government Agreements and implementation plans began. Viola Mullett, the Director of Implementation, attended these proceedings on behalf of LSCFN until December 31, 2003; Michael Vance took over in January, 2004. The talks have been very challenging, particularly when dealing with mandate issues. The LSCFN representatives have felt that the Government of Canada has not always been responsive to their views, specifically in terms of the need for an effective consultation process. A consultation protocol has been signed by the Government of Yukon and the self-governing First Nations.

Dooli or Traditional Laws

LSCFN continued to work on re-establishing and documenting its traditional laws. This work is time consuming and it will take several years to complete as it involves extensive consultation including interviewing elders, holding numerous workshops, conducting discussions with LSCFN citizens and with the LSCFN's Northern Tutchone neighbours, FNNND and SFN.

Governance

LSCFN held its annual general assembly in June, 2003. During this assembly, the citizens discussed major items, such as the transfer of programs and services and tax negotiations. They also provided direction to the Chief and Council and staff for the ongoing governance of the First Nation. The audit was presented and debated at length to ensure accountability to the citizens of the First Nation.

LSCFN also held several strategic planning sessions with all departments to map out the direction to be taken in relation to self-governance moving into a traditional system of government. LSCFN has moved to using traditional names for government departments and has agreed to focus on language, culture and traditional laws.

First Nation of Na-Cho Nyak Dun

This is the eighth year that the FNNND government has exercised its authority to self-govern. The FNNND government continues to serve its citizens within the mandate established through the SGA. Strategic planning, capital planning and administration planning for the FNNND government changes year to year depending on the direction citizens provide through their annual general assemblies. During 2003–2004, FNNND was involved in many implementation activities, some of which are described below.

Adopting the *Governance Act* and financial policy ensured FNNND accountability.

The citizens of FNNND adopted the Election Procedures Manual for the election of their Chief and Deputy Chief, thus ensuring the rights of all FNNND citizens to vote, wherever they might be in Canada. There were also discussions around the election or nomination process for the clan leaders, which will be reviewed for the upcoming General Assembly. The clan will decide how the selection process for the clan leaders will unfold in the future.

The possibility of initiating a change in the Constitution was discussed throughout the year, but at year's end, no decision had been made about whether a change would be required. An intergovernmental relations accord was signed by both the Yukon and FNNND governments, but FNNND feels that more work is required on the consultation process, particularly as it applies to two components:

- ♦ proposed *Yukon Act* changes; and
- ♦ government-to-government processes (this applies to both the territorial and federal governments).

FNNND reached agreement with the federal government for sharing GST. The First Nation is in the process of passing the necessary legislation to implement these agreements. These negotiations continue and will provide the First Nation with more of the revenue needed to fund the programs and services offered to citizens.

Throughout the year, FNNND undertook a range of other governance activities including, for example, participating in the Northern Tutchone Council, the Council of Yukon First Nations and the Municipal Village Council, and passing amendments to improve the tax powers of FNNND.

Finally, FNNND started a review of the FA and SGA implementation plans and of the SGA. FNNND cannot fully exercise its rights to self-government without sufficient capacity, and it believes the funding to which the three governments agreed when these documents were signed in 1995 is inadequate to achieve this required level of capacity. At the time of signing there was very little experience in implementing SGAs and therefore little knowledge of the costs associated with implementation.

Additionally, the FNNND government holds that several federal obligations under the FTA, implementation plans and the SGA have not been honoured and that accordingly, SGAs have not been implemented as successfully as they could have been. In some cases (like negotiations related to administration of justice, HRDC programs and languages

programs) FNNND views federal failures to respond to expressed concerns as a failure to negotiate in good faith. For example, FNNND initiated the negotiation of an AJA in 1998. FNNND feels that since that time, despite an obligation to do so, Canada has refused to provide adequate or timely funding for this process, and also has refused to engage in meaningful discussions in this regard. As well, significant delays have hampered the progress of discussions at the program and service transfer negotiations. It appears to FNNND that this is often a result of broader entrenched government policy. FNNND recognizes that the identified negotiators for Canada continue to work diligently within their organization to address the issues at the table.

FNNND also had significant concerns regarding the review process itself during the year. They felt that government representatives were unable to carry out a full and objective discussion of the financial issues faced by First Nations during the implementation process, due to expressed concerns that it would prejudice the outcome of future negotiations. The First Nation believes a more objective, less positional approach is necessary to complete a meaningful review that can assist in better implementation in the future.

Teslin Tlingit Council

TTC is based in the community of Teslin, 170 km south of Whitehorse on the Alaska Highway. The community has a population of about 500 residents. The TTC Final and SGAs came into effect on February 14, 1995. TTC has been engaged in a range of activities related to the implementation of these agreements. Key activities that occurred during 2003–2004 are described below.

Program and Service Transfer Agreement

Program and service transfer agreement negotiations continued at a common table attended by all of the self-governing First Nations. TTC departmental staff, usually directors and technical staff, attended relevant proceedings. Negotiations during this fiscal year included aboriginal languages, HRDC, the Government of Yukon's Income Assistance Program (with a particular focus on completing a reciprocal agreement), and its Alcohol and Drug Services. TTC also concluded an administrative agreement for the council to administer the INAC Post-Secondary Education Program on an annual basis.

Tax negotiations

TTC participated with the other self-governing First Nations in Yukon in ongoing negotiations related to achieving tax-sharing agreements with those governments. The TTC has passed GST legislation and the finalization and implementation of the GST administration agreements has been a priority.

Implementation Working Group and Implementation Review Group

TTC participated in the ongoing nine-year review along with the other self-governing First Nations and the Governments of Yukon and Canada. This review was frustrating because of the many issues that are still unresolved. The IRG is still working diligently to wrap up this nine-year review successfully.

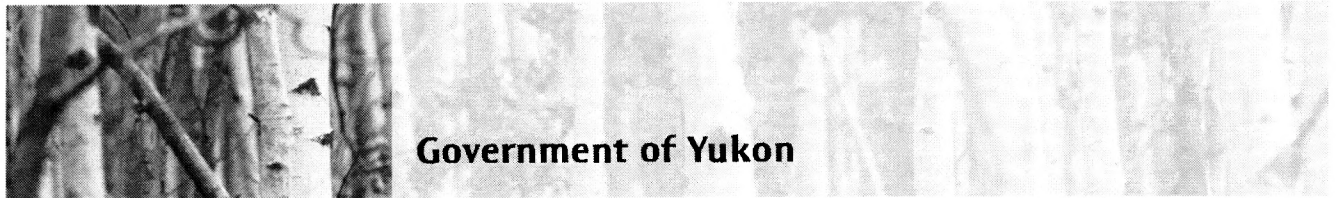
Administration of Justice

The Administration of Justice Agreement (AJA) was signed in March of 2002. In 2003–2004, TTC was involved in negotiating the implementation of this agreement. Those negotiations are ongoing.

Governance

TTC holds an annual general assembly in July of each year. During the 2003 assembly, the General Council discussed major items such as the PSTA, tax negotiations, justice and priorities for capital and infrastructure development, health and social services and education. The General Council also provided direction to the Executive Council and staff for the ongoing governance of the First Nation. The audit was presented and debated at length to ensure accountability to the citizens of the First Nation.

Council of Yukon First Nations, SFN, VGFN, TH and TKC: Reports were not available for this draft.



A range of Government of Yukon departments implemented aspects of the Yukon First Nation final agreements and SGAs during the 2003–2004 fiscal year. Each department highlighted below was involved in implementation activities, and each received a portion of the funding required for its land claim-related tasks through the Canada/Yukon Bilateral Agreement dealing with implementation funding for land claim and SGAs. Tasks requiring funding beyond that provided by the agreement were resourced from each department's base funds at the expense of other ongoing program activities and service delivery.

Department of Community Services

Property Assessment and Taxation Unit

The Property Assessment and Taxation Unit continued to work on the annual implementation requirements for property tax assessment and taxation matters, as outlined in the First Nation final agreement implementation plans. As part of each First Nation final agreement, unimproved rural settlement land is exempt from property taxes. The identification of rural settlement land is completed after the effective date of each ratified final agreement. All rural settlement lands have been identified for those First Nations that had ratified final agreements as of 2003.

Throughout the year, there were ongoing negotiations between the Government of Yukon and Yukon First Nations with respect to sharing property tax revenue. Limited progress was made, as the issue of revenue in relation to the cost-effective delivery of services remained outstanding. It was also recommended that the self-government implementation plan for 14.6.2 be amended to reflect the activities contained in the recommendations.

Protective Services

The Government of Yukon assumed responsibility for the Wildland Fire Management Program on April 1, 2003 under the Devolution Transfer Agreement (DTA). As part of the DTA, the Government of Yukon is required to follow the Fire Zonation Policy, which was established prior to devolution and must remain in effect for five years (2003–2008). Yukon First Nation concerns with the policy have been identified; however no changes can be made to the policy until after 2008. Throughout the 2003–2004 fiscal year, zone protection managers within the Wildland Fire Management Unit worked collaboratively with Yukon First Nations to address their concerns with the policy and help identify tangible values at risk, to effect permissible changes in policy implementation.

Consultation requirements under First Nation Final Agreement Chapter 17 include the need to consult with all Yukon First Nations on general firefighting priorities on settlement land. There is also a separate requirement to consult with four First Nations to identify economic and employment opportunities associated with forest fire management within their traditional territories prior to April 1 of each year. Those First Nations include LSCFN, SFN, TKC and TH. Consultation obligations for the 2003 fire season were the responsibility of the federal government (INAC).

Consultation letters for the 2004 fire season were sent by the Government of Yukon to each First Nation in February, 2004. Consultation sessions were conducted with TTC and the TH in March, 2004. Several Yukon First Nations indicated that the short turnaround time prevented them from participating in the consultations. This concern was noted and letters inviting First Nation requests for consultation will be sent in the fall of 2004.

The Government of Yukon will continue to fight fires on settlement lands and fire crew contracts were put in place for all Yukon First Nations with final agreements.

Under the terms of the DTA, the Government of Yukon assumed responsibility for contracts Canada had previously entered into with self-governing First Nations. These renewable contracts support First Nations' participation in the Forest Fire Management Program and expire in March, 2007. The number of fires in the 2003 fire season was well below average and extra firefighters were only hired in the Ross River and Dawson districts.

Department of Environment

Traditional Territory overlaps

The continued existence of traditional territory overlap presents operational challenges with respect to the implementation of various components of the First Nations final agreements Chapter 16, Fish and Wildlife, particularly in regard to trapline administration and allocation. The department continued to help inform RRCs of their limited mandate in traditional territories overlap and continued to liaise with First Nations to determine the extent of administrative arrangements between First Nations to clarify the subsistence harvest-sharing agreements.

Environment also continued to produce and make available public information identifying the harvesting rights and responsibilities of First Nations with respect to subsistence harvesting rights, consent provisions and the application of laws of general application in overlap traditional territories.

Access to and use of Settlement Lands

Environment published information in its annual hunting and fishing regulation synopsis to help communicate the public rights of access to hunt or fish on settlement land. Environment continued to produce maps in 2003–2004 for public sale to identify the location of settlement lands in relation to game management sub-zones, trapping and outfitting concessions.

Outfitters who have a provable loss due to their inability to use settlement land may make application for compensation. The process for compensation is identified in a Canada-Yukon agreement on outfitter compensation. A total of 13 compensation claims were submitted by the end of 2002–2003. In 2003–2004 no new applications for compensation were received. In 2003, the Government of Yukon and Government of Canada undertook an initial assessment of the applications. Affected outfitters were advised of the need for additional details required by reviewers determining compensable losses. No compensation claims were resolved in 2003–2004.

Special Management Areas

Activities that occurred in support of implementation of various special management areas (SMAs) under final agreements included:

- Ddhaw Ghro HPA: Data were collected to support the management planning process.
- Nordenskiöld HPA: Data collection/research was conducted and a public workshop was delivered.
- Lhutsaw Wetland HPA: A draft management plan was prepared.
- Old Crow Flats SMA: Discussions were conducted with VGFN on the timing of the management planning process and on providing information about designation options.
- Tombstone Territorial Park: An internal Government of Yukon review of the draft management plan was undertaken, as recommended by the Steering Committee.

Development Assessment Process

Environment continued to maintain a term position in 2003–2004 to help support implementation of the Yukon *Environmental Assessment Act* and the federal YESAA. The department provided input on draft project regulations under YESAA and prepared a departmental implementation plan to support the development assessment process transition.

Fish and wildlife management

Trapper training and trapline administration

Consistent with First Nation final agreements section 16.13.2, Environment delivered trapper training programs in various communities. The department developed and maintained trapping concession maps and provided information to RRCs to support the maintenance of a register of Category 1 and 2 traplines as required under section 16.11.10.5.

Trapline allocation continued to be a complex undertaking for all parties involved. During 2003–2004, work on applying RRC allocation guidelines and on processes related to the jurisdictional authority for Category 1 and 2 traplines continued.

Renewable resource councils and Yukon Fish and Wildlife Management Board operations

The department provided administrative support for the payment of annual contribution funds to RRCs and the YFWMB. The RRC and YFWMB membership was maintained through departmental support for the nomination and appointment process of both the RRCs and the YFWMB.

In August, 2003, the Laberge RRC was established as required under the Ta'an Kwäch'än Council Final Agreement. Environment, in cooperation with TKC staff, provided orientation sessions and distributed background material to the Laberge RRC, to further understanding of the council's mandate and responsibilities under the TKC Final Agreement.

Environment responded to RRCs and YFWMB wildlife management recommendations and recommendations on regulations under the *Wildlife Act* in accordance with the process requirements as contained in final agreements 16.8.0.

The *Wildlife Act* and wildlife program delivery

Environment, in conjunction with other affected Government of Yukon departments, completed a scoping exercise to identify the extent of conflict and inconsistency between the *Wildlife Act* and provisions of final agreements, which could lead to future legislative amendments.

Throughout 2003–2004, regional wildlife program delivery continued to support community interests in wildlife management. These efforts included community fish and wildlife management planning in coordination with affected RRCs and First Nations.

Economic opportunities

The department worked with representatives of the TH to address the contracting provisions associated with the operation and maintenance of the Yukon River campground, in accordance with the final agreements.

Self-government agreements

In accordance with the consultation requirements under First Nation SGAs, in 2003 the department participated in the Government of Yukon's review of TH's proposed *Lands and Resources Act* and provided input to VGFN on their proposed *Wildlife Act*.

Executive Council Office

The Yukon's Land Claims and Implementation Secretariat, within the Executive Council Offices, is responsible for negotiating final and self-government agreements and implementation plans and coordinating Yukon's implementation activities throughout the government. Providing support for capacity building within government related to land claim implementation is an important element of the Secretariat's role. This includes managing the Government of Yukon-wide allocation of funding received from the Government of Canada for implementation.

The Secretariat is responsible for facilitating and tracking the implementation of obligations as well as for providing related deliverables identified in the bilateral agreement between Canada and Yukon. The tracking includes meeting specific obligations for review of the land claim agreements, including the five-year and current nine-year reviews.

During 2003–2004, the Secretariat continued the development of a multi-user database containing land claim agreement implementation information. The first phase, an initial general design of the database, was completed. The next phase, which entails developing more detailed component designs and testing, was initiated with two Government of Yukon departments with substantial land claim implementation responsibilities. When testing is completed, the results will be provided to the Implementation Working Group (IWG) for its consideration and for decisions about how other parties to the land claim agreements will access and use the database.

The Secretariat works collaboratively with departments to coordinate ongoing activities to address the Government of Yukon's land claim obligations. Among other responsibilities, the Secretariat provides policy advice related to the final agreements and SGAs, and other First Nation-related matters, to other Government of Yukon departments and to Cabinet. The Secretariat also supports the provision of legal advice by Department of Justice lawyers on matters related to the agreements. With input from a senior management committee on implementation, the Secretariat continued to coordinate and monitor the funding provided to departments for projects related to implementation of land claim obligations.

The Secretariat also represented the Government of Yukon:

- ♦ on the IWG (with membership including all self-governing Yukon First Nations, the Council of Yukon First Nations, Government of Yukon and Canada, this working group continued to address matters of concern in the implementation process and promote effective implementation throughout 2003–2004);
- ♦ in program and service transfer agreement and tax revenue sharing negotiations with all self-governing Yukon First Nations; and
- ♦ at negotiations for new First Nation final and SGAs. In October, 2003 KFN, Yukon and Canada signed the Kluane First Nation Final Agreement and SGA along with the respective implementation plans and related documents.

Finally, at the invitation of the self-governing Yukon First Nations and Canada, the Secretariat participated as an observer on the Senior Financial Arrangements Committee (SFAC) established pursuant to the First Nations' financial transfer agreements. Members of the SFAC representing the parties to the agreements review the financial transfer agreements and deal with any identified issues arising from the operation of those agreements.

Department of Health and Social Services

Health and Social Services implementation activities flow from responsibilities set out in the First Nation final agreements. The department's main activities support the PSTA and the administration of justice negotiations.

The PSTA negotiations on the transfer of social assistance continued throughout the report period. The discussions were complex due to the nature of the legislation and the current delivery system involving three governments. Significant time was spent discussing the scope of authority of the parties to the negotiations and a mechanism for service delivery that will ensure a smooth and seamless transfer. The parties also worked on developing a reciprocal billing arrangement so blended families can receive service through one government agency.

Health and Social Services is responsible for youth justice. The department has been involved in the negotiation of the TTC AJA. While the Yukon's Department of Justice leads these negotiations, Health and Social Services participates and was active in providing program and policy information. During the reporting period, the department participated

in exploratory discussions about the implementation of the TTC AJA. During this period, Canada and Yukon obtained their negotiating mandates for implementation negotiations. Health and Social Services also participated with the Yukon's Department of Justice in exploratory discussions with other First Nations on AJA issues.

Department of Justice

The Department of Justice has a number of responsibilities related to First Nation final and SGAs. The majority of implementation activity occurs in the Legal and Regulatory Services Branch, made up of the Legal Services Branch (Aboriginal Law Group, Legislative Counsel and Litigation Group) and Court Services Branch (Land Titles and Public Administrator's Office). Some are carried out by the Finance and Administration Division of the Management Branch.

Aboriginal Law Group

The Aboriginal Law Group (ALG) provides legal support and policy advice to the Government of Yukon regarding the interpretation and implementation of final and SGAs. During 2003–2004:

- The ALG lawyers provided legal support, advice and opinions in the areas of: settlement land and land disposition; implementation and interpretation of First Nation laws pursuant to the consultation provision in SGAs; economic development measures, as set out in Chapter 22 of the UFA; administration of justice negotiations, as set out under section 13.6.0 of the SGAs; taxation matters; PSTA negotiations; transboundary negotiations; and final and SGA-related litigation matters.
- The ALG continued to play a lead role in ongoing administration of justice negotiations with TTC and Canada under section 13.6.0 of the Teslin Tlingit Council SGA. In September, 2002, Cabinet approved the TTC AJA in principle. The approval-in-principle is subject to the approval of a negotiated implementation plan. Implementation plan negotiations are ongoing and will continue on into the next fiscal year.
- The ALG participated in administration of justice exploratory discussions with CAFN, FNNND, VGFN, TH, LSCFN, SFN, TKC, KFN and Canada. These exploratory discussions may eventually lead to administration of justice negotiations under section 13.6.0 of the SGAs.
- The ALG initiated talks related to the extension of interim justice provisions, with TTC, CAFN, VGFN, LSCFN, SFN and TH. Justice also participated in discussions to renew the interim justice provisions for FNNND, which expired in February, 2000.

Legislative Counsel

Legislative Counsel contributes to the implementation of final and SGAs by preparing withdrawal orders and other enactments at the request of the Land Claims and Implementation Secretariat, amending Yukon legislation to address conflicts between Yukon laws and newly enacted First Nation laws, and translating all Yukon legislation into French.

In 2003–2004, Legislative Counsel experienced an increased workload due to the large number of orders related to devolution for April 1, 2003. During this reporting period, Legislative Counsel developed withdrawal orders, orders, enactments and regulations on a number of issues related to developing legislation for and about SMAs; ratifying final and self-government agreements; prohibiting entry to lands that may be part of final agreement negotiations; land disposals and land transfers; interim regulations; and devolution.

Litigation Group

The Litigation Group represents the Government of Yukon on all matters related to final and SGAs that are brought before the courts. In 2003–2004, the Litigation Group was involved in litigation related to SMAs on settlement lands; and outfitters' compensation claims when part of their concession land becomes settlement land pursuant to a First Nation final agreement.

Land Titles Office

The Land Titles Office (LTO) is involved in registering and issuing title for First Nation fee simple settlement land parcels, as well as for filing and reproducing survey plans for the settlement lands. In 2003–2004, this office experienced a significant increase in workload resulting from the land registration requirements of First Nation agreements; 60 percent of registered survey lands were related to land claims.

During this reporting period, the LTO also: issued fee simple title to surface and subsurface rights on settlement land; cancelled grants to titled territorial and federal land when protection orders were lifted; provided extensive job training to First Nations; provided support to land claims negotiations; registered mortgages and easements; provided the public with information about current First Nations interests on Category A and B lands; and responded to First Nations enquires related to land and land title.

Public Administrator's Office

The Public Administrator is responsible for administering First Nations citizens' estates when the First Nation is self-governing or when the individual does not reside on settlement land. (INAC administers the wills of First Nations citizens who do not have final agreements and administers the estates of citizens who live on reserve land). The activities involved in assisting with and administering First Nations estates include contacting the next of kin, making inquiries about the existence of a will, administering the assets of the deceased and advising on other estate matters. The Public Administrator administers approximately five percent of First Nation citizens' estates.

In 2003–2004:

- First Nation estates comprised 36 percent of estates opened (31 of 87 estates). The percentage of these estates has progressively increased since 1999 and will continue to increase as more final agreements are signed. As a result, implementation funding was used to hire a First Nation Estate Officer to address capacity and workload issues.
- The Public Administrator also liaised with First Nation governments and citizens to offer assistance with various forms, such as the Canadian Pension Plan and answered queries and offered guidance about the administration of testate and intestate estates.

Finance and Administration

Finance and Administration administers and tracks all contribution agreements related to Justice's implementation activities. During 2003–2004, this group administered contribution agreements related to administration of justice negotiations and administration of justice exploratory discussions. Finance and Administration also administered departmental funds received through the Canada-Yukon Bilateral Agreement on Implementation Funding.

Public Service Commission

Chapter 22 of the UFA includes a general provision that government is to facilitate training and professional development of Yukon First Nations people so they will be able to access available public service employment opportunities. Specific provisions within Chapter 22, however, identify two significant initiatives related to the public service. The first deals with government obligations to create a Representative Public Service Plan (RPSP), including a traditional territory plan, following consultation with individual First Nations. The second is a requirement to review job descriptions and other requirements for public service positions to eliminate implicit or explicit cultural bias in the hiring and promotional process and to avoid unnecessary requirements that reduce employment or promotional opportunities for residents of traditional territories.

The 2003–2004 PSC activities related to these responsibilities are highlighted below.

First Nations Training Corps

The First Nations Training Corps program provides opportunities for training and development of Yukon First Nations people through assignments within the Government of Yukon. In 2003–2004, the program provided positions for one to two years on-the-job training for First Nations citizens within the Government of Yukon.

Staff development

Yukon First Nations history, culture, land claims and self-government training

This four-day training program (delivered by consultants who are members of Yukon First Nations, bolstered by First Nation guest speakers) covers First Nations culture, intercultural communications and the history and process of land claims. Since March of 1989, when the training started as an eight-day program, 89 courses have been delivered to a total of 1,306 participants. This represents one third of the government's current full-time work force.

During 2003–2004:

- The program was delivered in Whitehorse, twice in Dawson, twice in Watson Lake, twice in Haines Junction, and once in Teslin and Mayo.
- A total of 77 First Nations government employees (attending at Government of Yukon expense) participated in the program, as did 38 employees from the Child Development Centre, Yukon College, Yukon LEARN, the RCMP, the Dawson Shelter Society, Canada Mortgage and Housing Corporation, and three consultants.
- Requests for training delivery were made by the Alsek Renewable Resource Council, Lake Laberge Renewable Resource Council, YHRB and YFWMB.

Specific training and development for departments and senior government staff

During 2003–2004, Staff Development was involved in developing and delivering a range of other training programs for Government of Yukon departments and senior government staff. Some of these are described below.

- The Yukon First Nations History, Culture, Land Claims and Self-Government Training described above can be tailored to address department-specific needs. Examples during this reporting period included two-day workshops that were delivered to Health and Social Services staff in 24-hour facilities and to road maintenance crews and foster parents.
- A special two-day orientation for new deputy ministers was developed and delivered for the first time in March, 2004. This workshop involved Grand Chief Ed Schultz, staff from the Land Claims and Implementation Secretariat as guest speakers and First Nations facilitators.
- Staff Development created specific content for the Department of Health and Social Services on Yukon First Nations beliefs around death, dying and family support, traditional healing methods, residential school effects on family structure and relationships, First Nations view of care facilities and care providers, personal care routines and roles and community elders' expectations. This material will be used as part of a specialized two-day workshop for continuing care staff in the territory.
- Some departments also crafted their own internal training to assist their employees in meeting specific obligations outlined in final agreements. Examples include conservation officers in the Department of Environment, lawyers in the Department of Justice, Yukon Housing Corporation (YHC), Community Services and Highways and Public Works.

Yukon First Nations participation in Government of Yukon training and development programs

During 2003–2004, Yukon First Nations participated in Government of Yukon training and development programs as highlighted below.

- Staff Development invited First Nations governments to participate in its Executive Coach Training Program. One member from the Teslin Tlingit Council did this, and there was considerable interest from others.
- Staff Development corresponded and discussed with CYFN and individual First Nation governments the participation of their employees in both the Government of Yukon Leadership Forum and the Executive Coach Training Program. Seven First Nation executive director-level employees participated in the Executive Coach Program.
- 116 Yukon First Nations government participants attended general Staff Development-sponsored training other than land claims and First Nations culture training. Staff Development quarterlies promoting training courses offered by the branch are regularly distributed to all First Nation government offices.

Representative Public Service Plans

In 1999, the draft Yukon-wide Representative Public Service Plan (RPSP) was approved in principle. A number of elements have been completed or are underway, including many of the initiatives outlined above. Consultation has occurred on traditional territory RPSPs with T'TC, FNNND, CAFN, LSCFN and TH. It is recognized that each First Nation will have its own priorities and developing these plans must accommodate these priorities. In addition, the PSC recognizes the importance of its own role in working on these plans in a timely manner.

Throughout 2003–2004, a substantial amount of effort went into internal communication and education on the RPSPs. This included establishing an interdepartmental working group, making presentations to a majority of departments on the RPSPs and distributing First Nation contact lists to key positions across government. First Nation government information has now been included in the Government of Yukon telephone directory.

Job descriptions and staffing practices

The Government of Yukon continued to work on increasing the participation of First Nation citizens on interview boards. Departments may also authorize payment of travel expenses where First Nation citizens are asked to travel to a community to participate on a board.

The rating system has been revised so candidates are assessed on the rated qualifications (e.g., knowledge, abilities or personal suitability) as a whole, rather than on a factor by factor basis. The intent of this change is to introduce flexibility into the staffing process so qualified candidates are not unnecessarily bypassed.

Throughout 2003–2004, individual departments continued to work with the PSC on a variety of initiatives. Examples included Highways and Public Works setting up a new, interview-free hiring process for some casual and auxiliary positions.

Department of Energy, Mines and Resources

With devolution on April 1, 2003, Energy, Mines and Resources (EMR) took over responsibility for the majority of the land claims implementation obligations of the INAC Northern Affairs Program.

Tenure and management of Settlement Land

The department continued to be involved in implementing the land-related implementation activities pursuant to the final agreements, at a level that reflected Yukon's new resource management responsibilities. This included:

- participating as the Yukon member on the Settlement Land Committees (SLCs);

- providing the Government of Yukon's input on survey priorities to the SLCs;
- providing technical assistance to Natural Resources Canada to facilitate the completion of survey programs for the Selkirk, FNNND, VGFN and TH;
- implementing the land-related requirements associated with the Kluane First Nation Final Agreement, such as creating, amending and cancelling reservations and licences;
- assisting with putting into place all mirror prohibition and withdrawal orders required by the DTA.
- the continued maintenance and monitoring of orders-in-council for SMAs and heritage sites as per the final agreements;
- assisting with maintaining the interim withdrawals required for proposed site-specific settlement land and interim withdrawals for lands under negotiation;
- maintaining the prohibition and withdrawal orders required pursuant to the Inuvialuit Final Agreement and Vuntut Gwitchin Final Agreement for the North Slope and Old Crow Flats Area;
- continuing to administer renewal or replacement of encumbering rights as per Section 5.6.9 of the final agreements;
- participating in the review by the parties of the draft proposed Site-Specific Settlement Land Memorandum of Understanding; and
- participating in land exchange discussions with TTC and FNNND First Nation.

Special Management Areas

The department continued to be involved in initiatives supporting implementation obligations relating to SMAs under Chapter 10 of the final agreements.

- Ddhw Ghro SMA: Departmental representatives continued to serve on the Ddhw Ghro Steering Committee. Considerable progress was made on identifying management plan issues and drafting preliminary management plan recommendations.
- Tombstone Park: The department participated as part of the Government of Yukon team in reviewing the management plan and began to resolve outstanding issues.
- Fishing Branch SMA: The department participated on the Government of Yukon team to resolve outstanding issues relating to the management plan.
- Old Crow Flats SMA: During 2003–2004, some preliminary mineral potential work was undertaken by EMR's Yukon Geological Survey.
- Nordenskiöld Wetland HPA: Staff participated in Steering Committee meetings in the fall of 2003 to provide and discuss technical resource information. During the winter of 2003–2004, the Steering Committee reviewed information and began preparing recommendations for the management plan.
- Lhutsaw Wetland HPA: The department worked with Environment throughout 2003–2004 on drafting of statements in the draft management plan relating to geology and mineral potential and forestry.
- Horseshoe Slough HPA: The prohibition order remains in place. No change.
- KFN settled their claim. Work is pending for Pickhandle Lakes HPA and the Asi Keyi Natural Environment Park.

Land-use planning

The department continued to be involved in facilitating land-use planning in the North Yukon, Teslin and Peel Watershed planning regions during 2003–2004.

With devolution on April 1, 2003, EMR took over responsibility for reviewing and approving council and commission annual budgets. The Minister of Energy, Mines and Resources also took over responsibility from the federal Minister of Indian Affairs and Northern Development for appointing new members to the YLUPC.

Specific activities included the following.

- The Teslin Regional Land-Use Planning Commission conducted data gathering and wrote its strategic directions document, *Land: A Living Space*.
- The department supported the North Yukon Planning Commission by providing land and resource information, spatial data compilation and resource potential analyses and by reviewing the commission's precise terms of reference for their activities.
- The department and the YLUPC worked together to prepare a general terms of reference and start-up strategy for the Peel Watershed Planning Region; EMR initiated a process involving consensus with the affected First Nations for nominating and appointing members to the commission.
- Discussions continued with affected Yukon First Nations on the establishment of a regional land-use planning commission for the Northern Tutchone region. The main outstanding issue is the determination of a suitable boundary for the planning region.
- Other EMR projects supporting regional land-use planning included budget approvals, funding agreements, council/commission appointments, a nine-year land claims implementation review, planning process linkage development and presentations at planning workshops.

Development Assessment Process

From April to August 2003, EMR focused on implementing the *Environmental Assessment Act* and dealing with the transition. Beginning in September 2003, EMR turned its attention to departmental and corporate implementation planning for YESAA, the new development assessment process (DAP) legislation. The department was also involved in reviewing the proposed designated office district boundaries and finalizing YESAA regulations.

Trapline-holder compensation

The Northern Affairs Program responsibilities for the 16.11.13 obligation in the final agreements were transferred to Yukon on April 1, 2003.

The Department of Energy, Mines and Resources and the Department of Environment began working together to develop the trappers' compensation policy required by Section 16.11.13 of the final agreements.

- Yukon established an interdepartmental working group in August 2003 with representatives of affected Government of Yukon departments.
- Yukon provided a work plan to the IRG in September 2003 to address the recommendation arising from the five-year review to establish a timetable and target dates for policy development.
- The interdepartmental working group began to meet intensively during the spring of 2004 to identify various compensation process considerations and options requiring Cabinet direction.

Forest resources

- The department released a discussion paper, *Towards a Forest Policy Framework for the Yukon*, in August 2003 and continued consultation with RRCs and Yukon First Nations on the Framework.
- The Forest Management Branch undertook and completed consultation with Yukon First Nations on the order of forest management plans.
- The department continued to work with the Alsek and Teslin RRCs to complete two forest management planning processes for the Haines Junction and Teslin areas.
- The department continued to work on the collection and development of the Yukon forest inventory. The department undertook work in the North Yukon around Old Crow, Mayo and Dawson. Inventory mapping data were provided to the Mayo, Dawson and Old Crow RRCs.
- The Forest Management Branch has been working with First Nations on small-volume timber harvest development planning areas in the Whitehorse, Dawson, Mayo and Old Crow areas.

Resource Royalty Sharing

- Government of Yukon disburses Crown royalties pursuant to Chapter 23 of the final agreements. This is done annually.

Consultation and communication protocols

The department began to implement the requirements of the consultation protocols signed in October 2003 between Yukon and eight of the self-governing Yukon First Nations for consultation obligations outlined in the final agreements pertaining to the EMR.

The department also continued to follow the requirements of the Communication Protocol between the Gwich'in Tribal Council and INAC (Yukon Region), pursuant to the DTA.

Department of Tourism and Culture

During 2003–2004, Heritage Resources within the Department of Tourism and Culture undertook a range of activities, some of which are described below.

Historic sites projects

- Rampart House and Lapierre House Historic Sites: Structural investigations and recording was done in support of developing a comprehensive preservation plan. Research was also carried out as part of completing an interpretation and visitor services plan. These plans are called for by and subsidiary to the overall Management Plan completed in 1999.
- Forty Mile, Fort Cudahy and Fort Constantine Historic Site: Archaeological investigations and archival research were carried out to assist in developing a management plan for the site. Consultants were engaged to draft the management plan under the direction of a steering committee of Government of Yukon and First Nations representatives.

Place names

- The Yukon toponymist worked closely with the YGPNB to ensure features for which names are proposed are accurately located and that the meaning, spelling and cultural significance of proposed names are correctly documented.
- The Minister of Tourism and Culture approved 47 LSCFN place name applications. Eight applications needed generic list additions (fish trap site, river site etc.) before federal approval could be granted to the new names.
- Progress was made on the backlog of 148 place-name applications dating from 1988. Difficulties due to knowledgeable elders dying were frequently encountered. The newly nominated YGPNB elder advisors proved very helpful in these situations.
- Work with an elder of SFN on place names applications submitted in 1998 was undertaken.

Archaeology

Work was completed on a number of archaeological sites throughout Yukon. The projects ranged from early to later steps of the work to be completed at each site. First Nation involvement in the projects was substantial and added to the overall benefits derived from undertaking the projects.

Projects included:

- Forty Mile Historic Site archaeological resources mitigation;
- annual monitoring of Southern Yukon alpine ice patches;

- an archaeological inventory and assessment of Fort Pelly Banks, Yukon;
- an archaeological survey in the Ddhaw Ghro HPA, Central Yukon;
- Teslin Lake Archaeological Heritage Inventory 2003;
- archaeological investigations of Lynx City, Copper City and Donjek historic sites in the White River/Donjek River area of southwest Yukon;
- an archaeological and historic site inventory and assessment in Tombstone Territorial Park and the Dempster Highway Corridor;
- an archaeological salvage excavation of site JeUt-18, Louise Lake, southern Yukon; and
- a preliminary archaeological heritage inventory of the Nordenskiöld Wetland HPA, Central Yukon.

“Searching for Our Heritage” database

This database is composed of records of Yukon artifacts that are in museums outside of Yukon in Canada, the United States and Europe. Work began in 1988 and was accelerated in 1997 with the design of a database. Approximately 5,000 Yukon First Nations objects have been identified in over 100 institutions worldwide.

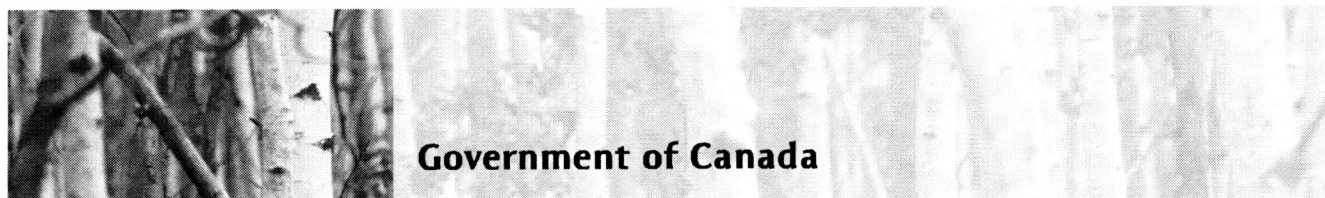
The purpose of this project is to identify the location of Yukon First Nation artifacts and collections outside of the territory and thereby provide the opportunity to learn from elders and Yukon Indian ancestors. It is hoped that the information gained will form the basis for future research projects, artifact loans, exhibits and publications and the eventual repatriation of significant Yukon First Nation artifacts. Through use of the database, First Nations, researchers and museums will have a new source of research material at their disposal. Museum specialists will be able to improve their ability to identify the provenance of Yukon First Nation artifacts here in Yukon collections or those held elsewhere. This in turn will aid in the development of a body of knowledge that will assist in the future acquisition of artifacts.

Four First Nations have copies of this database. During 2003–2004, a PowerPoint presentation and a user’s manual for the database were completed.

Yukon Housing Corporation

The YHC delivers housing programs and services in the Yukon. During the 2003–2004 year, YHC activities included:

- providing community development services by assisting and advising First Nations on the set up of housing policies, programs and administrative procedures, and technical advisory services on construction, retrofit, maintenance and indoor air quality issues;
- assisting Yukon First Nations with energy efficiency initiatives;
- participating as an active partner, in the presentation of the second Yukon and Northern First Nations Housing Conference in the fall of 2003; and
- assisting with funding proposals for various First Nation housing initiatives.



Canadian Heritage - Parks Canada

The obligations of the Department of Canadian Heritage under the UFA and the individual Yukon First Nation FAs focus primarily on the National Parks and Historical Sites programs.

Kluane National Park & Reserve

Two final agreements have provisions specific to the Kluane National Park & Reserve. They are the final agreements of the CAFN and KFN. Relevant activities conducted by Parks Canada during 2003–2004 are highlighted below.

- The Kluane First Nation Final Agreement, which was signed in October, 2003, came into effect in early February, 2004. The Kluane Park Management Board was increased in size to accommodate two members of KFN.
- Under provision 13.4.8, a detailed inventory of known heritage sites, a listing of all archaeological specimens collected from these sites, and a set of digital images related to the archaeological work conducted in the Tachal Region was prepared for and delivered to KFN shortly after the effective date of the Final Agreement.
- Under special funding from the Parks Canada New Sites Initiative, KFN conducted community consultations and heritage site inventories in their traditional territory. A bibliography of known heritage information was compiled, heritage resource maps were developed and a background paper on heritage of KFN was prepared. The purpose of this project is to prepare a nomination to the Historic Sites and Monuments Board of Canada for the national designation of a selected heritage from KFN traditional territory.
- Kluane Park Management Board and the First Nations cooperated in updating and rewriting the process for recruiting, training and developing staff, with a goal to employ more First Nations citizens.
- Parks Canada, Yukon Field Unit, with CAFN and KFN prepared a submission for funding a multi-year heritage resource/traditional knowledge project in Kluane National Park & Reserve. The proposal for \$1.3 million, which was subsequently approved under special Ecological Integrity funding from Parks Canada, aims to reintegrate First Nations into Kluane National Park & Reserve and incorporate traditional knowledge in decision-making and in managing the park.
- The Management Plan for Kluane National Park & Reserve was officially approved by Minister of the Environment, David Anderson. Both KFN and CAFN were involved in its development.

Tr'ondëk Hwëch'in

Parks Canada entered into the development of a three-party joint heritage resource strategy with the Government of Yukon and the First Nation.

Vuntut National Park

- The management plan for Vuntut National Park was signed by Minister of the Environment, David Anderson. The plan was developed with the participation of VGFN.
- A Parks Canada historian worked with the First Nation in 2003–2004 to define the cultural values of the caribou fences in the park. This work is ongoing.
- Parks Canada archeologists and extant recorders completed the second field season, in 2003, of a three-year project to record caribou fences located within Vuntut National Park. This work is ongoing.

- Interpretive messaging and design for the new visitor reception centre was developed in conjunction with VGFN.
- The operational base for the park was relocated from Haines Junction to Old Crow, which will result in an increased presence and interaction in the community. Two full-time staff now reside in the community.
- Parks Canada is working with the RRC and VGFN to celebrate Caribou Days, which commemorates the traditional lifestyle of the community. A Parks Canada staff member acted as coordinator for the event.

Environment Canada - Northern Conservation Division

Old Crow Flats SMA

The Northern Conservation Division (NCD) worked toward completing a land cover map of the Old Crow Flats SMA in cooperation with Parks Canada and will continue to provide technical input and advice during the management planning process.

Nisutlin River Delta National Wildlife Area

The NCD completed an update of the Nisutlin River Delta National Wildlife Area Management Plan in conjunction with the TRRC, TTC and Yukon Department of Energy, Mines and Resources.

NatureServe Yukon

The NCD continued to support Yukon's new Conservation Data Centre, which tracks information and reports on the status of rare species in Yukon. First Nations and the YFWMB were kept informed of the centre's progress.

Northern Ecosystem Initiative

The NCD supported a project that builds cumulative effects management tools in the southeast Yukon in cooperation with the Kaska First Nations and with support from CYFN members on the project steering committee.

Arctic Borderlands Ecological Knowledge Co-op

The NCD continued as a full participant in this program, which is helping to coordinate ecological monitoring, using community-based monitoring and scientific indicators to track change in the Inuvialuit Settlement Region, the Gwich'in Settlement Area and Vuntut Gwitchin traditional territory, along with northeastern Alaska and adjacent coastal areas. The program also expanded its indicators and community-based monitoring into the Mackenzie Delta.

Advice, technical expertise and capacity-building

Throughout 2003–2004, the NCD:

- provided ongoing technical advice to LFN and TTC regarding forestry and oil and gas exploration issues;
- participated in the work of the Kaska Forest Stewardship Council and in the implementation of the Champagne and Aishihik First Nations Strategic Forest Management Plan;
- communicated with First Nations and RRCs regarding the *Species at Risk Act* and the Habitat Stewardship Program;
- provided funding to White River and CAFN for species at risk management capacity building;
- included community habitat stewards in an ongoing NCD long-term waterfowl monitoring program; and
- participated with the White River First Nation (WRFN), YFWMB and Yukon Department of Environment, on a project to restore the Chisana Caribou Herd.

Environmental Protection Branch

Development Assessment Process

The Environmental Protection Branch (EPB) has been an ongoing active member of the federal Development Assessment Process (DAP) caucus. Associated activities included reviewing position papers prepared by the federal lead (INAC) and making recommendations to ensure that DAP meets the needs of the Canadian Environmental Assessment Agency. Drafts of the YESAA legislation, for which the Minister of Environment is the lead, have been reviewed and commented upon. Phase one of the YESAA was passed in May, 2003 with full implementation scheduled for November, 2004.

Canadian Environmental Protection Act

The EPB organized and conducted formal consultation sessions with CYFN and Yukon and Northern B.C. 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*. A five-year review of the *Act* is scheduled to start in 2004, and although Environment Canada's Pacific and Yukon Region was unable to schedule a public workshop for the Yukon, efforts will be made to provide some type of follow-up.

Response to spills

The EPB talked with CYFN and all Yukon First Nations with SGAs to assess their interest in getting involved in the Letter of Understanding Concerning Government Response to Spills in the Yukon. A number of First Nations expressed an interest in participating. This ongoing activity is a result of the SGAs that provide First Nations with environmental management responsibilities.

Advice, technical expertise and capacity building

During 2003–2004, the EPB:

- worked with INAC to provide environmental training for First Nations environmental staff;
- initiated direct contact with a number of First Nations (TTC, White River, FNNND, LSCFN, Champagne and Aishihik, Vuntut Gwitchin) to solicit input on a range of issues including wildlife/pollution enforcement, sustainable community initiatives and pollution threats/contaminated sites;
- worked cooperatively with the Tr'ondëk Hwëch'in First Nation 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 Yukon First Nations and provide information to the council on departmental programs. The EPB provided funding support to allow the council to digitize resource maps for its web site, provide training related to water quality sampling during 2002–2003, and do a survey of First Nations on water quality concerns in 2004–2005. The council consists of Yukon and Alaska First Nations along the Yukon River (nine Yukon First Nations active) that want to work cooperatively with government to protect Yukon River water quality.

Fisheries and Oceans Canada

Fisheries and Oceans Canada (DFO) undertook a wide range of implementation activities during the period of April 1, 2003 to March 31, 2004, some of which are described below.

Technical and Administrative Support to the Yukon Salmon Sub-Committee

Under the provisions of the UFA, DFO is required to provide technical and administrative support to the YSSC. In addition, a senior official of the department is required to serve the YSSC as executive secretary (Chapter 16.7.17.10).

Throughout 2003–2004, DFO continued to fulfil these obligations. Senior members of the Stock Assessment, Ocean, Habitat and Enhancement, Conservation and Protection, Treaties and Aboriginal Fisheries Strategy sectors briefed the YSSC on issues and provided technical assistance to the Committee. Departmental staff attended YSSC public meetings and the Yukon River Drainage Basin Working Group meetings to present technical information and answer questions. In addition, DFO staff provided a full range of administrative services including meeting planning and implementation; budget preparation, monitoring and analysis; booking of travel and accommodations, preparation and tracking of honoraria, monitoring of correspondence, administration of the YSSC web site; production and distribution of YSSC publications; creation, editing and distribution of meeting minutes; drafting of correspondence, backgrounders, briefing notes and promotional materials etc.

Schedule A Basic Needs Allocation negotiations

On March 31, 2003 DFO released the final report on the Yukon River Drainage Basin Harvest Study to Yukon First Nations. As per the UFA, the release of this report activated 3.9.2 of Schedule A. Three of the eight affected Yukon First Nations (NND, TH and KDFN) replied within the specified three-month period requesting the negotiation of a basic needs allocation for salmon for their First Nation. Two First Nations, TTC and SFN, responded after the three-month period had lapsed. The department conducted preliminary discussions with CYFN regarding a process for negotiation but no formal agreement has been reached to date on how the parties will proceed.

Restoration and Enhancement

Restoration and enhancement (R&E) projects, funded through the R&E fund of the Canada-U.S. Yukon River Salmon Agreement, have a strong link to the UFA due to the YSSC's involvement in the Yukon River Panel. The department has been very active in the development, selection and implementation of these projects. In addition, DFO actively encouraged communities to become involved in their own R&E planning, and provided technical support in the development of project proposals. In addition, the Yukon River Panel decided to fund more projects in Yukon communities, in an effort to build community capacity.

Consultation

The department continued to provide information and request feedback from stakeholders as per the guidelines for consultation laid out in the UFA. During 2003–2004, DFO continued to partner with the YSSC to form working groups for the development of IFMP for the Yukon, Porcupine and Alsek River drainage basins. These working groups provided stakeholders with the opportunity to have more meaningful input into the development of IFMPs and also 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. Departmental staff accompanied YSSC members travelling to communities to consult with First Nations and other stakeholders regarding the management of Yukon River salmon stocks. Conservation and Protection staff from DFO travelled throughout Yukon, meeting with a wide range of stakeholders to consult on proposed regulatory amendments.

Stock assessment

The department continued work on ongoing stock assessment projects, operated in partnership with CAFN and VGFN. These long-term projects, which are operated using implementation funding, are highlighted below.

Klukshu Weir

This counting weir is operated in partnership with CAFN. During the review period, DFO continued to address issues with this project through the Alsek River Working Group. This Working Group is composed of representatives from CAFN, the YSSC and DFO. The Klukshu weir project continues to build capacity and offer economic benefits to the community through employment opportunities and is a good example of a co-management initiative.

Fishing Branch Weir

This stock assessment project is operated in partnership with VGFN and provides benefits similar to those described above.

First Nations salmon harvest data

The department continued to provide technical assistance to First Nations in implementing community-based harvest data collection programs. The department also continued to maintain central records of salmon harvest data collected by First Nations throughout the Yukon River drainage basin in Canada.

Technical input

The department had frequent interactions with UFA boards/committees/councils and provided input into UFA processes including SMAs, land-use plans, the development assessment process, the Yukon Water Board (YWB), RRCs and the land selection process.

Ocean, Habitat and Enhancement Branch staff participated in a number of UFA processes related to land-use and natural-resource planning. Project reviews were conducted through UFA boards and government agencies and in accordance with the spirit of the development assessment process. Working arrangements with First Nations and land claims entities were developed in anticipation of more formal processes. Staff contributed to RRC initiatives, including the community-based *Yukon Queen* Working Group.

Commercial licences

Under the UFA (16.10.15) the Government of Yukon is required to issue additional commercial salmon fishing licences to Yukon First Nations whose traditional territories include part of the Yukon drainage basin. It has been determined that eight additional licences will be made available to Yukon First Nations. This issue remained outstanding in 2003–2004 pending the completion of a sharing arrangement among affected Yukon First Nations.

Natural Resources Canada Legal Surveys Division

The Legal Surveys Division is responsible for the legal surveying of Yukon First Nation settlement lands. Annual survey programs are based on recommendations made by First Nation SLCs.

Survey program activity

Two First Nations (NND and SFN) have completed their survey programs. Seven of the Yukon First Nations that have final agreements are continuing to implement legal surveys of their settlement lands. Six of these seven First Nations will require an MOU between the parties to the final agreements, to facilitate the exchange of land where site-specific selections were incorrectly located. That MOU has not yet been completed and will need to be in order to complete the legal survey programs for those six Yukon First Nations. More detailed information on the seven ongoing survey programs is provided below.

Vuntut Gwitchin First Nation

- One final survey contract was completed to place the final survey monument for the adjustment parcel. All fieldwork and plans for the legal surveys are complete.
- Nine site-specific parcels require the MOU mentioned above, in order to properly include the parcels intended to be selected by the First Nation in settlement land descriptions. The final survey plan will be signed only after the MOU parcels have been signed off.

Little Salmon/Carmacks First Nation

- All fieldwork and plans for the legal surveys are complete.
- Seven site-specific parcels require the MOU. The final survey plan will be signed only after the MOU parcels have been signed off.

Champagne and Aishihik First Nations

- At least 22 site-specific parcels require utilization of the MOU.
- Six site-specific parcels remain to be surveyed as do the final adjustment boundaries for Category A and Category B lands.
- Signing of completed survey plans continued throughout the year.

Teslin Tlingit Council

- One legal survey contract was prepared for completion in 2004 for community site boundary investigation and for reposting and surveying of the remaining site-specific parcels.
- At least 14 site-specific parcels require the MOU.
- Surveys of Category A lands are complete.

Tr'ondëk Hwëch'in

- One legal contract was carried out for the survey program for TH for the retracement, reposting and investigation of exterior boundaries of 42 TH community land selections and for the surveying of seven site-specific parcels.
- Nine site-specific parcels require the MOU in order to move the parcels to the locations desired by the First Nation.
- Government of Yukon, Canada and TH continued working to resolve land title issues for one C-site and one R-block.

Ta'an Kwäch'än Council

- Six legal survey contracts were carried out in 2003–2004 for TKC settlement lands.
- Several site-specific parcels require the utilization of the MOU.

Kluane First Nation

The SLC was established. A survey program was discussed and is expected to start in 2004–2005.

Survey contract activity

Eight legal survey contracts were awarded in 2003–2004.

First Nation	Number of contracts	Contract total values by FN (\$)	FN involvement amount (\$)	FN involvement (%)
Ta'an Kwäch'än Council	6	927,478	205,630	22.2
Tr'ondëk Hwëch'in	1	170,923	27,761	16.2
Vuntut Gwitchin First Nation	1	15,493	300	1.9
Total 2003–2004 Yukon contracts	8	1,113,894	233,691	21

Fieldwork for survey contracts began in the spring of 2003 with the bulk of work carried out during the summer and fall. During the late fall and winter, contractors planned and prepared for work still required. Throughout the year, plans were reviewed by the SLCs and signed by parties, with the majority of the reviews occurring after December.

Status of the survey process and relationships

To date, no First Nation SLC has needed to use the dispute resolution process to resolve any survey disputes. Legal Surveys Division continued to assist Comprehensive Land Claims, Claims and Indian Government, with advice and comments on the land selections for the remaining First Nations negotiating final land claims agreements.

Public Service Commission

The Yukon District Office of the PSC of 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 to review the current status and outcomes to date, to recommend a process for establishing priorities, and to finalize the government-wide plan. In mid-March, 2003, another two-day workshop was hosted by the commission to discuss issues related to the design of a new, improved human resources plan for a public service that is representative of Yukon First Nations.

Participants from the Yukon First Nations, the Training Policy Committee, Government of Yukon and several federal departments discussed Canada's efforts to build capacity and increase the representation of Yukon First Nations 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 Yukon First Nations, the 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 resources field, share experiences and information, and build unity among the 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 this capacity, throughout 2003–2004, PWGSC continued to provide Yukon First Nations, the First Nations corporations and contractors with information on how to register with Contracts Canada as a supplier of goods and services in order to access government contracts and standing offers. In accordance with provisions in the UFA and individual final agreements, it also continued to notify Yukon First Nations of procurement opportunities in their respective land claim areas.

In addition, PWGSC provided procurement advice to 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.

Finally, PWGSC continued to work in partnership with INAC, to coordinate procurement and contract training to Yukon First Nations, to help build their knowledge of and capacity to evaluate and bid on federal government initiatives.

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. The department oversees implementation of the UFA and Yukon First Nation final agreements and SGAs, and their implementation plans, on behalf of the federal government.

Claims and Indian Government Sector

The Claims and Indian Government Sector is responsible for key federal policies covering the negotiation and implementation of specific claims, comprehensive land claims and SGAs. Significant activities are described below.

Implementation Branch highlights

The Implementation Branch negotiates implementation plans and fiscal transfer agreements that accompany self-government and comprehensive land claim agreements. The branch is also responsible for monitoring and coordinating federal obligations under comprehensive claim and SGAs on behalf of the Government of Canada. In Yukon, the branch is responsible for the overall coordination and monitoring of federal government obligations under the final and SGAs. The branch makes financial compensation payments to Yukon First Nations and is responsible for preparing the annual report. In addition, the branch is responsible for administering funding arrangements with the Government of Yukon, Council of Yukon First Nations, YSRB, YLUPC, YEC and the Dispute Resolution Board.

The branch also represents the Government of Canada on the IWG. In 2003–2004, the IWG met three times in the Yukon, and during the year the IWG was involved in the following activities and discussions.

- The Kluane First Nation Final Agreement and SGA was signed in 2003 with an effective date of February 2, 2004. Subsequently, the KFN IWG representative joined discussions at the IWG table.
- There was a discussion at the IWG to ensure that the Dispute Resolution Board and the YEC are undertaking adequate transition activities. Pursuant to the UFA, the YEC will cease to exist as of February 13, 2005 and the responsibility for its activities, as well as its records, will be transferred to the Dispute Resolution Board.
- Self-governing Yukon First Nations expressed interest in amending their SGAs as a result of the *Yukon Environmental Socio-Economic Assessment Act* coming into effect.

The final and SGAs and their respective implementation plans provide for various reviews and specify that the parties to these agreements will strive to conduct the reviews in a coordinated manner. Accordingly, the IRG with representatives of the parties (including the Implementation Branch) involved in implementation activities was established. The IRG is charged with reviewing the progress of implementation and developing and presenting recommendations in a report to the involved parties. Key IRG activities are described below.

- In 2003–2004, the IRG met 11 times in Yukon and during the year the IRG developed terms of reference for the Yukon review, and developed a work plan and scheduling chart. Areas of review were implementation successes, general issues, and the implementation plans for the final and SGAs, funding adequacy, SGA 6.6 reviews and boards.
- The Government of Canada provided \$15,000 in funding to the seven
- self-governing Yukon First Nations involved in the review for the conduct of the SGA 6.6 review.
- The IRG decided that each party will complete its work on implementation plan status sheets and the status of amendments by providing its own report on the status of the agreement provisions. Compiled versions will then be prepared for review by the IRG.
- Other work included discussions on funding adequacy, future reviews, comparison with other SGAs and a review of whether PSTAs have been successful.
- Presentations to the IRG were made by all boards except the YWB. Common themes in those presentations included funding, training and the appointments process.

In addition to their involvement in the tasks described above, headquarters and regional office personnel 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. Branch staff also performed a liaison role with the other federal departments and agencies implicated in implementation of the agreements and their implementation plans.

Devolution and related changes

In 2003, many federal lands and resources management responsibilities were devolved to the Government of Yukon. Under SGAs, most Yukon First Nations now have direct control over the management of their lands and resources, and the structure and delivery of programs and services to their citizens. The department's Yukon Regional Operations began to restructure and redefine its role in 2003, to respond effectively to these changes.

Programs and Services Transfer Agreement negotiations

Since 1995, self-governing Yukon First Nations have provided yearly notice letters to Canada and the Government of Yukon, outlining their priorities for Programs and Services Transfer Agreement (PSTA) negotiations, which are conducted pursuant to section 17 of the Yukon self-government agreements. These agreements allow for the assumption of responsibility and funding for the management, administration and delivery of any government programs or services within the jurisdiction of the First Nation.

A number of PSTAs have been concluded with self-governing Yukon First Nations. The federal programs for which Yukon First Nations have assumed responsibility include most of the community-based Indian and Inuit Affairs programs and services of INAC (such as social assistance and housing); the community-based programs and services of Health Canada; and land and resource management programs and services of the Northern Affairs Program, formerly of INAC. Negotiations are ongoing in relation to a variety of federal and territorial programs, as outlined by the parties in the annual PSTA workplan.

Involvement in key committees and forums

The SFAC is a bilateral (Canada and the self-governing Yukon First Nations) committee established to administer the Self-Government Financial Transfer Agreements (SGFTAs) and to review these agreements every five years. In 2003–2004, Claims and First Nations government representatives involved in this committee continued to work on the review pursuant to section 14 of the SGFTAs.

The Inter-Governmental Forum was established as a venue for elected officials to develop a shared vision for governance, and program and service delivery within the context of Yukon land claim and SGAs. The first forum took place during the fourth quarter of 2003–2004 and the agenda items included education, economic development and fiscal relations.



Appendices

Appendix 1. Yukon First Nations

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

Appendix 2. 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 First Nations.

Key provisions include:

- title to 41,439 sq. km of land including Category A land with surface and subsurface rights and Category B land with surface rights only, but including rights to specified substances 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 (1998 dollars) Yukon Indian People Training Trust;
- \$3,245,736 (1992 dollars) Fish and Wildlife Management Trust;
- up to \$1,500,000 (1992 dollars) 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 Yukon First Nations Implementation Fund;
- payment of \$26,570,000 (1992 dollars) 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 Nations membership on the YWB, the Dispute Resolution Board and the Yukon Land-Use Planning Council, and up to two-thirds representation on regional land-use planning commissions;
- guaranteed 50 percent representation on the Development Assessment Board, YSRB, YFWMB and the traditional territory renewable resource councils;
- provisions for promoting and preserving the culture and heritage of Yukon First Nations; and
- provisions for the ownership and management of heritage resources and designated heritage sites.

Appendix 3. YFNS with final and self-government agreements

(As of March 31, 2004)

Champagne and Aishihik First Nations (CAFN)
 First Nation of Na-Cho Nyak Dun (NND)
 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)
 Kluane First Nation (KFN)

Appendix 4. Features of the FN final and 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.
- Economic development and employment planning processes.

Champagne and Aishihik First Nations (CAFN)

(Effective date: February 14, 1995)

- A total of approximately 1,230.24 sq. km of land with surface and subsurface title (Category A); 1,165.49 sq. km of land with surface title only, but including rights to materials such as sand and gravel (Category B); and 31.52 sq. km of land set aside as reserve.
- Financial compensation payments of \$31,937,855 (1993 dollars) over 15 years.
- Specific moose harvests for subsistence needs.
- Primary consideration in allocation of freshwater fish resources in traditional territory.
- Priority allocation of a minimum number of sockeye and chinook salmon in the Alsek River basin.
- 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.
- Representation on the Kluane Park Management Board.
- Proportional representation in federal public service positions in Kluane National Park & Reserve.
- Exclusive opportunity or right of first refusal for commercial operations in Kluane National Park & Reserve.
- Exclusive harvesting rights in Kluane National Park & Reserve within CAFN traditional territory.
- Establishment of an SMA to guide the development of Kluane National Park & Reserve 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 Na-Cho Nyak Dun (NND)

(Effective date: February 14, 1995)

- A total of approximately 2,408.69 sq. km of land surface and subsurface title (Category A); 2,330.99 sq. km of land surface title only, but including rights to material, such as sand and gravel (Category B); and 9.27 sq. km of land set aside as reserve.
- Financial compensation payments of \$16,888,734 (1993 dollars) 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.

- A comprehensive economic plan that may include preferential employment and business initiatives for FNNND.
- Subsistence harvesting rights of moose, woodland caribou, fish, birds, etc.
- Agreement to enter into negotiations with government and SFN to establish the McArthur Wildlife Sanctuary as an SMA.
- Representation on the Peel River Watershed Advisory Committee.
- Establishment of a wetland HPA at Horseshoe Slough.
- Participation in management of the Peel River watershed.
- Designation and management of a trading post on FNNND settlement land at Lansing as a historic site.
- Provisions to nominate the Bonnet Plume River as a Canadian Heritage River.

Teslin Tlingit Council (TTC)

(Effective date: February 14, 1995)

- A total of approximately 1,230.24 sq. km of land with surface and subsurface title (Category A); 1,165.49 sq. km of land with title in surface only, but including rights to material such as sand and gravel (Category B); and 33.36 sq. km of land set aside as reserve.
- Financial compensation payments of \$21,646,715 (1993 dollars) over 15 years.
- Guaranteed participation in commercial freshwater and sports fishing, outfitting and commercial wilderness adventure travel.
- Certain preferential 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 the 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.
- 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 (VGFN)

(Effective date: February 14, 1995)

- A total of approximately 7,744.06 sq. km of land with surface and subsurface title (Category A); 7.16 sq. km of land set aside as reserve.
- Financial compensation payments of \$22,234,780 (1993 dollars) over 15 years.
- Exclusive rights to all new big game outfitting concessions within VGFN traditional territory.
- All commercial salmon fishing licences and all commercial salmon sport licences in the Porcupine River drainage basin for 15 years; preferential rights afterward to any allocation of commercial and sport fishing salmon licences.
- 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.
- At least 50 percent of federal public service positions with the Vuntut National Park to employ VGFN members.
- First option to acquire 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 Vuntut Gwitchin traditional territory.
- Three SMAs to be established: Vuntut National Park, Fishing Branch Ecological Reserve and Old Crow Flats SMA.
- 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.
- Joint ownership and management of Rampart House and Lapierre House historic sites.

Little Salmon/Carmacks First Nation (LSCFN)

(Effective date: October 1, 1997)

- A total of approximately 1,533.99 sq. km of land with surface and subsurface title (Category A); 1,061.47 sq. km of land with surface title only, but including rights to materials such as sand and gravel (Category B); and 31.52 sq. km of land set aside as reserve.
- 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.
- An SMA established to guide the management and development of the Nordenskiöld Wetland HPA.
- A management plan for Mandanna Lake to be prepared jointly by government and LSCFN 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 (SFN)

(Effective date: October 1, 1997)

- A total of approximately 2,408 sq. km of land with surface and subsurface title (Category A); and 2,330.31 sq. km of land with surface title only, but including rights to materials such as sand and gravel (Category B).
- 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.
- SMAs to be established to guide the management, protection and development of Ta'Tla Mun Lake, and the Lhutsaw Wetland and Ddhaw Ghto HPAs.
- Fort Selkirk to become a designated historic site and jointly owned, planned and managed by SFN and the Yukon.

Tr'ondëk Hwëch'in (TH)

(Effective date: September 15, 1998)

- A total of approximately 1,554 sq. km of land with surface and subsurface title (Category A), and 1,044 sq. km of land with surface title only, but including rights to materials such as sand and gravel (Category B).
- Financial compensation of \$47,884,845 (1998 dollars) paid over 15 years, less outstanding negotiation loans.
- 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.
- Tombstone Territorial Park to be established as an SMA 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'ochëk 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; the TH to control those uses that 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.
- 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 TH and the Yukon.

Ta'an Kwäch'än Council (TKC)

(Effective Date: April 1, 2003)

- Approximately 338 sq. km of land with surface and subsurface title (Category A); and 396 sq. km of land with surface title only, but including rights to materials such as sand and gravel (Category B).
- Financial compensation: \$26.95 million (2002 dollars) paid over 15 years.
- 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 protection and enhancement of Yukon River between Lake Bennett and Lake Laberge.
- Retention of the Lake Laberge Indian Reserve No.1 as a reserve with specific provisions affecting it outlined in the SGA.
- An additional one-time payment of \$3.5 million (2002 dollars) resulting from the Government of Canada's decision to re-index compensation dollars.
- Commitment by Canada to establish a unique \$4.9 million (2002 dollars) economic development fund.
- Implementation plans for the Final and SGAs will 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 SGA to allow the TKC to seize economic development opportunities, preserve its cultural heritage and foster community pride.

- 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 has the power to enact laws for its citizens primarily around the provision of program and services.
- Better positioning of the Tá'an Kwäch'än people to control their destiny, prosperity and well-being, through the Final and SGAs.

Kluane First Nation (KFN)

(Effective Date: February 2, 2004)

KFN, Yukon and Canada signed the Kluane First Nation Final Agreement and SGA on October 18, 2003.

- Provided with new law-making authority and more effective tools to manage and protect its land and resources, preserve and enrich its culture and way of life, and enhance the economic growth and well-being of its community.
- A total of approximately 647 sq. km of land with surface and subsurface title (Category A); and 266 sq. km of land with surface title only, but including rights to materials such as sand and gravel (Category B).
- \$13.5 million in compensation over the next 15 years, as well as an additional one-time payment of \$2.9 million to re-index compensation dollars.
- Approximately \$4.54 million for economic development, training and education projects.
- Establishment of three SMAs: the Asi Keyi Park Natural Environment Park, which includes the Klutlan Glacier; HPA at Pickhandle Lakes; and Tachal Region of Kluane National Park & Reserve
- Specific rights for fish and wildlife harvesting, and economic and employment opportunities.
- Guaranteed wildlife harvesting rights and participation in decision-making bodies dealing with renewable resources management on non-settlement land within traditional territory.
- Authority to enact certain laws on its settlement lands, including laws with respect to fish and wildlife harvesting.
- Deliver programs and services and enact laws for its citizens in Yukon over a wide range of matters including language, culture, health care, education, training and social services.

APPENDIX 5. FINANCIAL COMPENSATION PAYMENTS

Chapter 19 of each Yukon First Nation Financial Agreement provides that capital transfer payments shall be made to that Yukon First Nation on the anniversary date of the signature date of each Yukon First Nation final agreement. Settlement payments (net of negotiation loans) have been made to Yukon First Nations 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
2003–2004	12,219,606

Appendix 6. Costs of implementation

These funds represent funds allocated by Canada to the Council of Yukon First Nations 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
2003–2004	3,295,667

Appendix 7. Membership of implementing bodies

Yukon Enrollment Commission

Chair	Adeline Webber
Commissioner	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	Florence Whyard
	Diane Chisholm	Margaret Workman
	Percy Henry	Jeff Hunston (ex-officio, Yukon)
	Sam Johnston	

Yukon Heritage Resources Board

Chair	Clara Schinkel	
Members	Caroline Allen	Ingrid Johnson
	Elizabeth Blair	Joe Johnson
	Robert Bruce, Jr.	Robert Monroe
	Patricia Cuning	Susan Twist
	Thomas J. Hammer	Jeff Hunston (ex-officio, Yukon)

Yukon Land-Use Planning Council

Chair	Lesley Cabott	
Members	Tom Cove	Albert Peter

North Yukon Land-Use Planning Commission

Chair	Bruce Chambers	
Members	Joe Birger	Darius P. Kassi
	Marvin Frost	Essau Schafer
	Shirlee Frost	

Teslin Regional Planning Commission

Members	Brandy Greenwood	Frank Johnson
	Sue Swerda	Tim Dewhurst
	Niel Johnson	John Martychuck
	Mike Gergel	Stan Stewart
	Sandy Smarch	Adam Grinde

Yukon Surface Rights Board

Chair	Stephen J. Mills	
Members	Mark Eikland	F. Bruce Underhill
	Brian MacDonald	Isaac Wood

Yukon Territory Water Board

Chair	Gregg Jilson	
Vice-Chair	John Grainger	
Members	Don Buyck	Sheryl Grieve
	Bruce Chambers	Oliver Jim
	Shannon Cooper	Dianna Raketti

Dispute Resolution Board

Chair	Tracy-Anne McPhee	
Members	Pearl Callaghan	The Honourable Harry Maddison

Yukon Fish and Wildlife Management Board

Chair	Ed Kormendy	
Members	Gerald Couture	Yvonne Lepage
	Neils Jacobsen	Dan McDiarmid
	Lawrence Joe	Harry Smith
	Art Johns	Georgina Sydney
	Joe Johnson	Clayton White
	Joanne Koser	

Yukon Salmon Sub-Committee

Chair	Lorelei Smith	
Members	Gerry Couture	Frank Patterson
	Chuck Hume	Hardy Ruf
	Vicky Josie	Carl Sidney
	Craig McKinnon	Steve Taylor
	Stanley Njootli	

Training Policy Committee

Chair	Louise Clethero	
Members	Karen Duncan	Brent Slobodin
	Sharon Peter	Kathy Van Bibber

Alsek Renewable Resource Council

Chair	Rose Kushniruk	
Members	Boyd Campbell	Craig MacKinnon
	Pat Delaney	Hardy Ruf
	Valerie Drummond	Paul Birkel
Alternates	Shane Oakley	Martin Pauls

Carmacks Renewable Resource Council

Chair	Vacant	
Members	Beverly Brown	Ken Roberts
	Ted Fairclough	Gary Sam
	Don Marino	
Alternate	Sheila Garvice	

Dawson District Renewable Resource Council

Chair	Peter Nagano	
Members	Sebastian Jones	Rick Reimer
	Marcia Jordan	Linda Taylor
Alternate	Jack Fraser	

Mayo District Renewable Resource Council

Co-Chair	Keith Hepner	
Members	Scott Bolton	Dan Klippert
	James Genier	Simon Mervyn Sr.
	Jimmy Johnny	
Alternate	Ken Cooper	

North Yukon Renewable Resource Council

Chair	Bruce Chambers	
Members	Joe Binger	Darius P. Kassi
	Marvin Frost	Essau Schafer
	Shirlee Frost	

Selkirk Renewable Resource Council

Chair	David Johnny	
Members	Roger Alfred	Danny Joe
	Dale Bradley	Heinz Sauer
	Linch Curry	
Alternate	Daryl Johnnie	

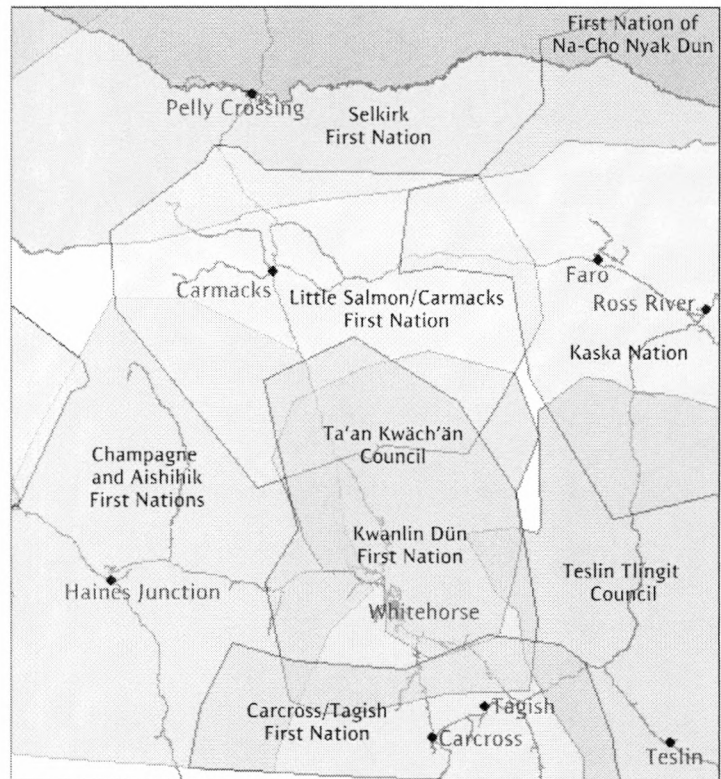
Teslin Renewable Resource Council

Acting Chair	Brandy Greenwood	
Members	Sam Johnson	Richard Sidney
	Brenda Oziewicz	William Sidney
	Robert Sharp	

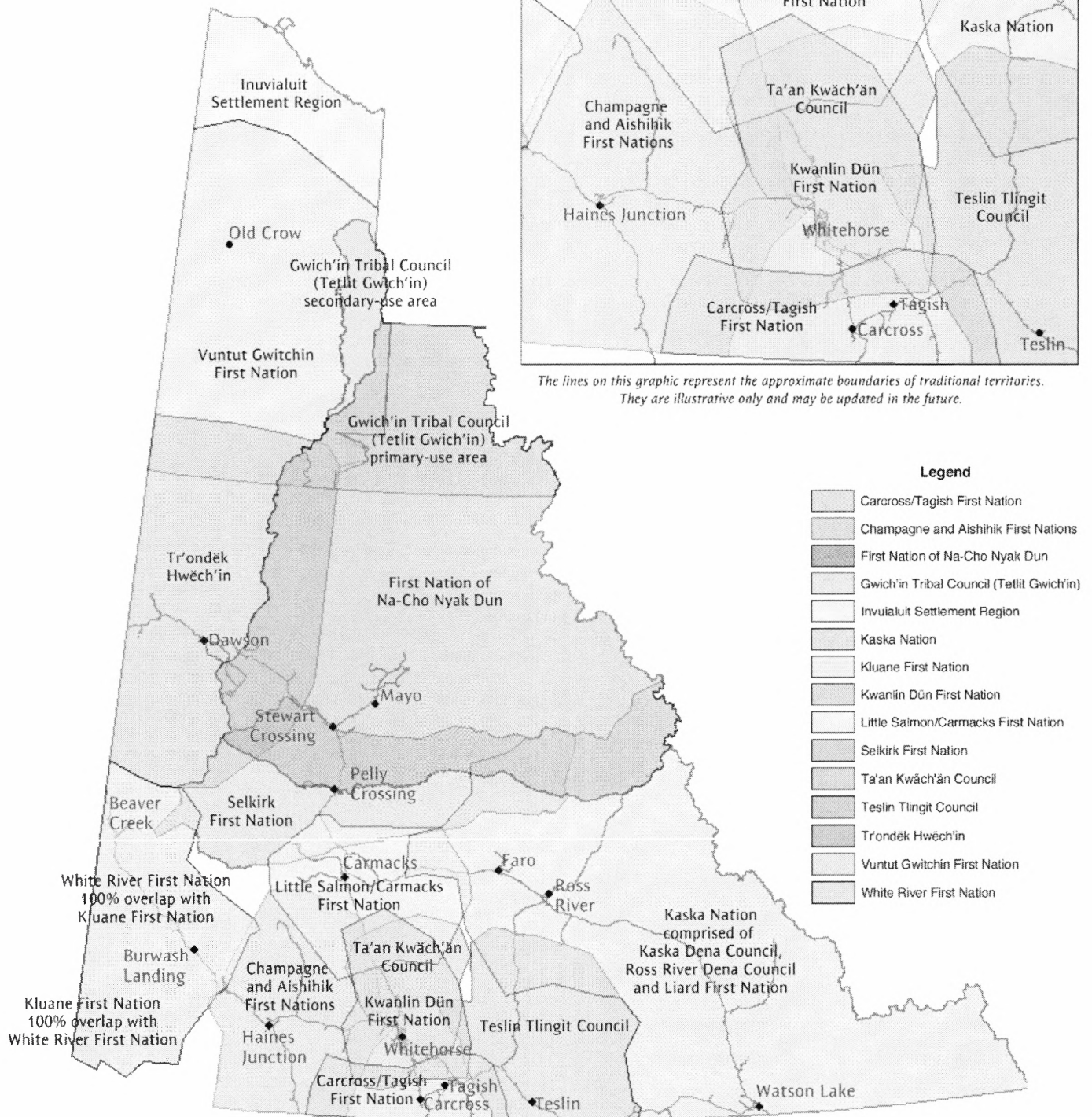
Appendix 8. Map of traditional territories

First Nations Traditional Territories in the Yukon

Compiled by:
DIAND, Claims and Indian Government
Yukon Region; September 2002
From maps provided by the First Nations
Referenced in the Umbrella Final Agreement



The lines on this graphic represent the approximate boundaries of traditional territories. They are illustrative only and may be updated in the future.



Legend

- Carcross/Tagish First Nation
- Champagne and Aishihik First Nations
- First Nation of Na-Cho Nyak Dun
- Gwich'in Tribal Council (Tetlit Gwich'in)
- Inuvialuit Settlement Region
- Kaska Nation
- Kluane First Nation
- Kwanlin Dün First Nation
- Little Salmon/Carmacks First Nation
- Selkirk First Nation
- Ta'an Kwäch'än Council
- Teslin Tlingit Council
- Tr'ondëk Hwëch'in
- Vuntut Gwitchin First Nation
- White River First Nation

Appendix 9. Acronyms used in this report

AJA	Administration of Justice Agreement
ALG	Aboriginal Law Group
ARRC	Alsek Renewable Resources Council
CAFN	Champagne and Aishihik First Nations
CATT	Champagne and Aishihik Traditional Territory
CTFN	Carcross/Tagish First Nation
CYFN	Council of Yukon First Nations
CYI	Council for Yukon Indians
DAP	Development Assessment Process
DFO	Fisheries and Oceans Canada
DRB	Dispute Resolution Board
DTA	Devolution Transfer Agreement
EMR	Energy, Mines and Resources
EPB	Environmental Protection Branch
FN	First Nation
FNNND	First Nation of Na-Cho Nyak Dun
FTA	Financial Transfer Agreement
GST	Goods and Services Tax
HPA	Habitat Protection Area
HRDC	Human Resources Development Canada
IFMP	Integrated Fisheries Management Plan
INAC	Indian and Northern Affairs Canada
IRG	Implementation Review Group
IWG	Implementation Working Group
KDFN	Kwanlin Dün First Nation
KFN	Kluane First Nation
LFN	Liard First Nation
LSCFN	Little Salmon/Carmacks First Nation
LTO	Land Titles Office
MDRRC	Mayo District Renewable Resources Council
MOU	Memorandum of Understanding
NCD	Northern Conservation Division
PSC	Public Service Commission
PSTA	Programs and Services Transfer Agreement
PWGSC	Public Works and Government Services Canada
R&E	Restoration and Enhancement
RRC	Renewable Resource Council
RPSP	Representative Public Service Plan
SFAC	Senior Financial Arrangements Committee
SFN	Selkirk First Nation

SGA	Self-Government Agreement
SLC	Settlement Land Committee
SMA	Special Management Area
SRRC	Selkirk Renewable Resources Council
TH	Tr'ondëk Hwëch'in
TKC	Ta'an Kwäch'än Council
TRRC	Teslin Renewable Resources Council
TTC	Teslin Tlingit Council
UFA	Umbrella Final Agreement
VGFN	Vuntut Gwitchin First Nation
WRFN	White River First Nation
YEC	Yukon Enrollment Commission
YESAA	<i>Yukon Environmental and Socio-Economic Assessment Act</i>
YFWMB	Yukon Fish and Wildlife Management Board
YGPNB	Yukon Geographical Place Names Board
YHC	Yukon Housing Corporation
YHRB	Yukon Heritage Resources Board
YIPTT	Yukon Indian Peoples' Training Trust
YLUPC	Yukon Land-Use Planning Council
YSRB	Yukon Surface Rights Board
YSSC	Yukon Salmon Sub-Committee
YWB	Yukon Water Board