



Crown-Indigenous Relations
and Northern Affairs Canada

Relations Couronne-Autochtones
et Affaires du Nord Canada

Yukon Land Claims and Self-Government Agreements Implementation Report 2012–2017



Canada 

This report refers to Indigenous and Northern Affairs Canada to reflect the Department's name at the end of the 2012–17 reporting period. However, at the time of printing, the Department's name had changed to Crown-Indigenous Relations and Northern Affairs Canada, which appears on the cover of the report.

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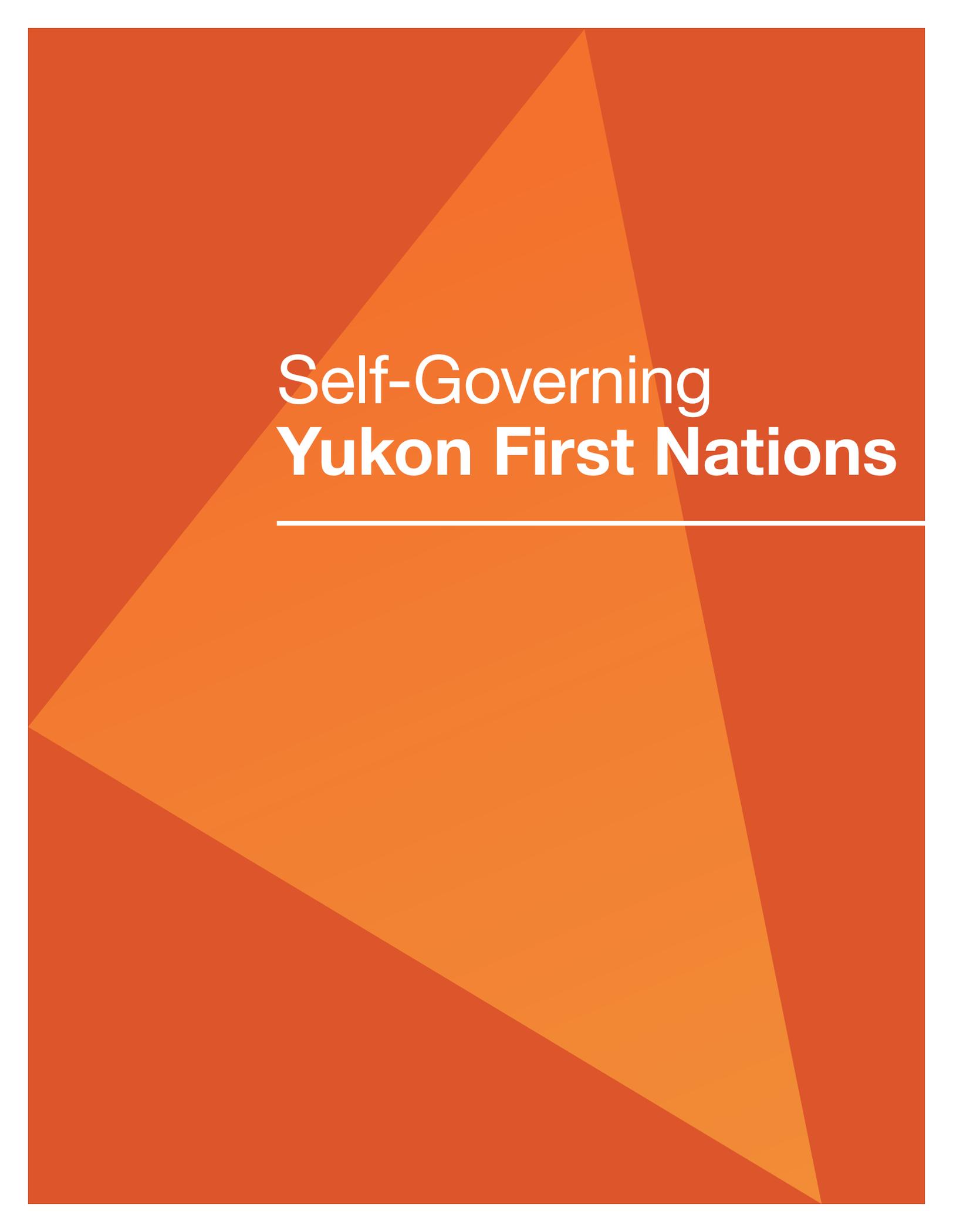
Introduction

Indigenous and Northern Affairs Canada is pleased to provide the 2012–2017 report on the implementation of the Yukon Land Claims and Self-Government Agreements. This report covers the five-year period from April 1, 2012 to March 31, 2017. Implementing the agreements presents opportunities and challenges. Progress is being achieved through a relationship defined by the recognition of rights, respect, cooperation and partnership and a commitment to fulfilling the obligations set out in the agreements.

This report stems from the March 16, 1987, Fifth Report of the Standing Committee on Public Accounts where it was recommended that the Minister of Indian Affairs and Northern Development table annual reports on all Aboriginal claims settlements.

In addition, in the 2003 Report of the Auditor General of Canada, the Auditor General noted that Indian and Northern Affairs Canada (known also as Indigenous and Northern Affairs Canada) should work with the other signatories of the land claims agreements to overhaul the annual reports and make them more results based.

First Nations, Government of Yukon, boards, committees and councils created as a result of the Umbrella Final Agreement or a First Nation Final Agreement, and all federal departments with obligations in the Yukon, were asked to provide information about their key implementation activities, successes, challenges and public information resources for the 2012–2017 fiscal years. This report includes the submissions provided by each respondent group, adapted for a common look and feel. Accordingly, the statements and viewpoints offered by contributors to this report are not necessarily shared by other contributors. In cases where a submission was not contributed, contact information and a general description of the organization's mandate are provided.

The background is a solid orange color with a large, lighter orange triangle pointing downwards from the top center. The text is white and positioned in the upper left quadrant of the page.

Self-Governing **Yukon First Nations**



Carcross/Tagish First Nation

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Self-Government and Final Agreements

- ▶ **Signing Date:** October 22, 2005
- ▶ **Effective Date:** January 9, 2006

Citizenship: 1,007

Language: Tlingit, Tagish

Land Quantum: 1,561.51 sq. km of Settlement Land

- ▶ **Category A:** 1,036.00 sq. km (surface and subsurface rights)
- ▶ **Category B:** 518.00 sq. km (surface rights only)
- ▶ **Fee Simple:** 7.51 sq. km

The Carcross/Tagish First Nation administration buildings are located in the unincorporated community of Carcross, on the shores of beautiful Nares Lake.

Activities 2012 to 2017

Governance

Carcross/Tagish First Nation established a new education committee, a hiring team, and a task group for the Peacemaking Training Initiative. The First Nation also developed a policy for workplace conflict resolution, introduced workplace safety measures, and contracted an ombudsperson.

Two elections were held for the Khà Shâde Héni (Chief) position and the appointment process for clan representatives took place.

The *Carcross/Tagish First Nation Personal Income Tax Act* was signed off.

Economic Development

The Carcross Commons opened in May 2013, which provides a destination for tourists, allowing them to stay longer and make more purchases while in Carcross. The village was previously more of a pit stop.

Their Royal Highnesses the Duke and Duchess of Cambridge visited the Carcross area. Carcross/Tagish First Nation leaders spoke with them about increasing cooperation with the federal and territorial governments.

Construction of the Learning Centre started in 2015. Once completed, this state-of-the-art venue is expected to replace the local school gymnasium as a community gathering place, helping to build community pride.

Housing and Infrastructure

Carcross/Tagish First Nation passed its Housing Policy and completed a tiny homes project.

The First Nation also constructed an access road in Rural Residential Subdivision C-82B, upgraded the water system in Tagish and participated in building a skate park in Carcross.

Education and Support

Carcross/Tagish First Nation entered into an education agreement with the Government of Yukon.

The First Nation carried out case management planning for the Temporary Financial Assistance Program and the Transitional Employment Program, with a goal of helping people move from social assistance to temporary work assignments.

The Haa Yatx'I Hidi Centre provided early childhood education services free to Carcross/Tagish First Nation children.

Carcross/Tagish First Nation's Health and Wellness department participated in monthly interagency meetings for the community of Carcross.

Negotiation and Implementation

Parties to the Self-Government Agreements added and amended sections 17.7 to 17.10. Carcross/Tagish First Nation continued to try to make progress on specific claims files.

The First Nation carried out negotiations for a Yukon Asset Construction Agreement with the Government of Yukon and negotiated a Financial Transfer Agreement with the Government of Canada.

The Draft Interim Administrative Agreement on Overlapping Traditional Territories was signed on February 12, 2013 with Kwanlin Dün First Nation, Ta'an Kwäch'än Council and Champagne and Aishihik First Nations.

Heritage, Land and Resources

The First Nation worked on remediation of the Venus and the Arctic Gold and Silver mine sites.

The Heritage, Lands and Natural Resources Department and the Capacity Development Department worked in partnership to host culture camps and First Hunts. The First Nation also carried out a salmon reintroduction program.

The Kusawa Territorial Park Management Committee consisting of representatives from the Government of Yukon, Carcross/Tagish First Nation, Kwanlin Dün First Nation, and Champagne and Aishihik First Nations was struck and a draft plan was completed. On February 2, 2016 the recommended plan was forwarded to the relevant governments for approval.

Carcross/Tagish First Nation participated in the Yukon Food System Design and Planning Project. The First Nation purchased a farm, with the goal of providing sustainable food, including organic vegetables for Carcross/Tagish First Nation citizens at reasonable prices. The community garden has chickens, pigs and bees, with plans for expanding to include goats and cows. Preliminary discussions took place on the use of aquaponics, which will provide year-round vegetables and coho salmon.

In November 2013 Carcross/Tagish First Nation declared its Traditional Territory track free.

In 2014 a steering committee of six members — three designated by Carcross/Tagish First Nation and three designated by Yukon — was established to prepare and recommend a management plan for the Conrad Historic Site as set out in Schedule B of the Carcross/Tagish First Nation Final Agreement. Planning began and was expected to continue over the next two years. The site is co-owned and co-managed by the First Nation and the Government of Yukon.

Carcross/Tagish First Nation worked to develop an Indigenous model for land-use planning. The Yukon Land Use Planning Council has been basically non-functioning since the Conservative government dealt with the Peel River Planning process 'not in good faith'. The Supreme Court of Canada heard the case on March 22, 2017.

Web Resources

destinationcarcross.ca

Governments of Canada and Yukon announce funding for Carcross/Tagish First Nation Learning Centre:

www.gov.yk.ca/news/16-327.html

Carcross/Tagish First Nation is taking steps to make home ownership a reality in the community:

www.youtube.com/watch?v=ONb7vJptfYc

<http://mappingtheway.ca/stories/carcrosstagish-first-nation-finds-strength-economic-development>

Carcross/Tagish First Nation calls on William and Kate to support land rights:

<https://www.theglobeandmail.com/news/national/yukon-first-nation-calls-on-william-and-kate-to-support-land-rights/article32118992/>

Food security:

www.kpu.ca/sites/default/files/ISFS/CTFN%20Community%20Food%20Report_2014.12.16_FINAL%20APPROVED.pdf

Conrad Historic Site management plan:

www.yukonheritage.com/heritage-plans/conrad

Peel watershed dispute before Supreme Court of Canada:

<https://www.cbc.ca/news/canada/north/peel-watershed-supreme-court-canada-1.4030859>



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Self-Government and Final Agreements

- ▶ **Signing Date:** May 29, 1993
- ▶ **Effective Date:** February 14, 1995

Citizenship: 1,284

Language: Southern Tutchone

Land Quantum: 2,395.00 sq. km of Settlement Land

- ▶ **Category A:** 1,230.00 sq. km (surface and subsurface rights)
- ▶ **Category B:** 1,165.00 sq. km (surface rights only)

The Champagne and Aishihik First Nations main community and administrative headquarters are centered in Haines Junction, with a satellite office in Whitehorse; there are also several satellite communities on Settlement Land that programs and services are provided to.

Activities 2012 to 2013

Governance

Chief and Council developed a 2012 to 2015 strategic plan that identified three priorities: wellness, economic development, and building on a vibrant traditional culture.

Two new departments were created: Language, Culture and Heritage, and Human Resources. The revised Champagne and Aishihik First Nations Constitution was passed.

Economic development

Champagne and Aishihik First Nations and five partners carried out a pre-feasibility study for a biomass renewable energy project in Haines Junction.

A comprehensive Economic Development Plan was completed, with input from Champagne and Aishihik First Nations citizens.

Registry and citizen support

During the fiscal year, total Champagne and Aishihik First Nations membership was 1,265; about 727 members resided in the Yukon.

Legal work continued on a draft citizenship act to resolve outstanding enrollment issues and provide clear guidelines on citizenship.

Under the *Gender Equity in Indian Registration Act*, 27 applicants were registered as Champagne and Aishihik First Nations status.

Building on a vibrant traditional culture

The Da Kų Cultural Centre was completed and opened in June 2012.

Implementation Working Group

A review of Chapter 22 of the Umbrella Final Agreement continued. Several performance measurement charts were created and will be used as a data source to assist in determining whether the objectives have been met.

The Communications Working Group continued to implement the communications strategy.

Work continued on developing a Heritage Resources Manual.

Negotiations

Negotiations began for the ten-year funding of the Alsek Renewable Resources Council and the Kluane National Park Management Board.

Post-secondary education

The First Nations sponsored 51 full-time students and 12 part-time students; 11 Champagne and Aishihik First Nations students graduated from post-secondary programs. An increasing number of Champagne and Aishihik First Nations members want to continue in school, but the First Nations have limited funding for post-secondary education.

Lands and resources

Work continued on a Kluane regional land-use plan. Champagne and Aishihik First Nations also continued Settlement Land planning in the Traditional Territory.

Mining and exploration

The First Nations continued to work with companies exploring for mineral potential in the Champagne and Aishihik Traditional Territory. The number of quartz

claims peaked in April 2012, with more than 10,300 pending claims.

The Mineral Industry Code was completed; through implementing this code, the First Nations have established relationships with exploration companies.

The First Nations developed a Heritage 101 guide to provide exploration crews with information about how to distinguish potential heritage sites.

Champagne and Aishihik First Nations continued to work with other First Nations to seek a successor to the outdated *Quartz Mining Act* and *Placer Mining Act*.

Park planning

Champagne and Aishihik First Nations worked with Kwanlin Dün First Nation, Carcross/Tagish First Nation and the Government of Yukon to develop a management plan for Kusawa Territorial Park.

Environmental assessment and monitoring

The First Nations continued to monitor the downstream effects of the Aishihik Hydro Plant. Twenty-two projects on Champagne and Aishihik Traditional Territory have been assessed under the *Yukon Environmental and Socio-economic Assessment Act*, bringing the total to 285 since the Act came into effect. The focus was on rural and agricultural development.

Challenges

Program and Service Transfer Agreements

Internal policies and a Treasury Board Directive do not allow Human Resource Service Development Canada (HRSDC) to negotiate an intergovernmental Labour Market Agreement similar to those between HRSDC and some provinces.

In the view of Champagne and Aishihik First Nations, Canada believes that the funding it provides to the Government of Yukon for Alcohol and Drug Services is adequate to address the program and service needs of all the governments in Yukon. Yukon believes that if Yukon First Nations want to move into these program areas, they should get the resources they need from Canada.

Activities 2013 to 2014

Governance

Champagne and Aishihik First Nations continued to work on a number of key issues: the ongoing development of the Da Kų Cultural Centre, intergovernmental issues related to ice patches, education, transitional housing, home ownership and economic development.

The First Nations engaged with other Indigenous treaty groups through the national Land Claims Agreements Coalition, which is lobbying Canada to adopt a self-government implementation policy that reflects the obligations and intent of the 25 agreements across the country.

Champagne and Aishihik First Nations finalized the *Dákwänje Language Act*, believed to be the first of its kind in Canada.

The Elders Senate continued work on the Elders Senate Review.

The 2013 Youth General Assembly passed two resolutions to amend the Youth Council procedures to include youth ages 14 to 24 and proposed constitutional amendments.

Economic development

The First Nations partnered with Canada and the Government of Yukon in a preliminary exploration of the potential for wind, mini-hydro, biomass and solar energy.

Champagne and Aishihik First Nations were designated as the Council of Yukon First Nations lead to engage in the Government of Yukon's process to develop a policy for independent power production.

Registry and enrollment

During the fiscal year, total Champagne and Aishihik First Nations membership was 1,257; about 726 members resided in the Yukon. A Council Resolution was passed to establish eligibility criteria; these would be in addition to the eligibility and enrollment criteria in Chapter 3 of the Final Agreement.

Champagne and Aishihik First Nations continued to review the dual citizenship issue, and participated in an Enrollment Summit hosted by the Council of Yukon First Nations; staff from all 11 self-governing Yukon First Nations participated. First Nations shared expenses to review enrollment lists with representatives from Indigenous and Northern Affairs Canada. Champagne and Aishihik First Nations identified 14 dual citizens enrolled with other Yukon First Nations and several dual citizens enrolled elsewhere in Canada.

Gender Equity in Indian Registration Act

Under the *Gender Equity in Indian Registration Act*, 36 Champagne and Aishihik First Nations citizens have regained their status. This increase in the number of citizens will affect negotiations on future federal programs.

Implementation Working Group

The Implementation Working Group completed the 2010 review of Chapter 22 of the Final Agreement.

The Communications Sub-group continued to implement a communications strategy, including the Mapping the Way website.

A heritage legislation template was developed, and negotiations on the renewal of the Umbrella Final Agreement Implementation Plan were completed.

Negotiations

The First Nations negotiated ten-year funding agreements for the Aisek Resources Renewable Council and the Kluane National Park Management Board.

Post-secondary education

Champagne and Aishihik First Nations sponsored 34 full-time and 42 part-time students through the Aboriginal Skills and Employment Training Strategy.

The First Nations had 23 post-secondary graduates.

Lands and resources

Kluane regional land-use planning stalled, but community meetings were held on Settlement Land planning in the Champagne and Aishihik Traditional Territory.

Land titles

Champagne and Aishihik First Nations and six other self-governing First Nations signed a memorandum of understanding to work together to develop land titles legislation and an electronic land registry system.

Mining and exploration

The First Nations continued to work with companies exploring for mineral potential in the Champagne and Aishihik Traditional Territory. In May 2013, 7,115 quartz mining claims were active or pending.

Environmental assessment and monitoring

Thirty-two projects were assessed under the *Yukon Environmental and Socio-economic Assessment Act* within Champagne and Aishihik Traditional Territory. The focus remains on rural and agricultural development.

Challenges

Program and Service Transfer Agreements

Champagne and Aishihik First Nations held meetings with Canada and Yukon regarding the scope of negotiations for alcohol and drug services. The impasse with respect to assumption of responsibility for Yukon programs and services, as described in the 2012–13 section, was not resolved.

Activities 2014 to 2015

Governance

In October 2014, Champagne and Aishihik First Nations held an election for Chief and Council. The incoming Council identified three top priorities for their four-year term: self-reliance; connecting; and better government.

The First Nations maintained an intergovernmental relationship with the Village of Haines Junction, identifying common goals and priorities.

Champagne and Aishihik First Nations drafted rules of procedures for General Assembly delegates.

Economic development

Champagne and Aishihik First Nations engaged in regional planning and sectoral development initiatives.

Champagne and Aishihik First Nations led the Yukon First Nations' response to the Yukon Independent Power Production Policy, which ensures specific benefits for Yukon First Nations.

The First Nations also secured additional funding for work on forest and mineral resource policy.

Registry and enrollment

During the fiscal year, total Champagne and Aishihik First Nations membership was 1,261; about 735 members resided in the Yukon.

Work continued on developing an *Enrollment Act* and addressing dual citizenship.

Negotiations

Negotiations began on renewing the Financial Transfer Agreement with Canada, which expired March 31, 2015.

Alcohol and drug services were identified as a priority for negotiation, as was a First Nation Labour Market Agreement.

Program and Service Transfer Agreements

Champagne and Aishihik First Nations draft Administration of Justice Framework Agreement continued to wait for Canada's signature.

The First Nations held discussions on service class with other self-governing Yukon First Nations.

Implementation Working Group

The priorities were Chapter 22 review, Heritage Act template legislation and the Implementation Working Group Terms of Reference.

The Communications Sub-group was tasked with increasing public knowledge of the land claims agreements.

The obligation of a Representative Public Service Plan was discussed. Indigenous employment within the public service is 13% in the Yukon. The Government of Yukon needs to increase aboriginal employment to 23% to meet its obligations; this means approximately 500 jobs. Champagne and Aishihik First Nations comprise about 10% of the Indigenous population in the Yukon Territory and would benefit tremendously if another 50 citizens had public service jobs.

Post-secondary education

Champagne and Aishihik First Nations provided assistance and support to 65 full-time and 9 part-time post-secondary and trades students.

The Government of *Yukon's Student Financial Assistance Act* was being revised; it was important for the First Nations to participate in this process in order to preserve and increase student funding.

Champagne and Aishihik First Nations receives funding through the Aboriginal Skills and Employment Training Strategy that helps to extend training; however, funding ran out, causing some citizens' training to be deferred until the next fiscal year.

Lands and resources

Regional land-use planning was put on hold due to the court case related to the Peel watershed plan.

Mining and exploration

The First Nations continued to work with companies exploring for mineral potential in the Champagne and Aishihik Traditional Territory. There were 5,545 active or pending quartz claims and 360 placer claims.

Kusawa Territorial Park

Champagne and Aishihik First Nations continued to work with Kwanlin Dün First Nation, Carcross/Tagish First Nation and the Government of Yukon to develop a management plan for Kusawa Territorial Park. Interests to be managed include preserving and enhancing traditional uses, maintaining ecological integrity and managing access and services for Yukon residents and tourists.

Environmental assessment and monitoring

The First Nations continued to participate in the *Yukon Environmental and Socio-economic Assessment Act* process for projects being proposed in Champagne and Aishihik Traditional Territory. Twenty-two projects were assessed.

Champagne and Aishihik First Nations were extensively involved in protecting the treaty rights and interests affected by amendments to *Yukon Environmental and Socio-economic Assessment Act* through the *Yukon and Nunavut Regulatory Improvement Act*.

Activities 2015 to 2016

Governance

Champagne and Aishihik First Nations hosted one of the most significant political events in the North; the Council of the Federation brought Premiers and national Indigenous leaders from across the country to Haines Junction.

Operation Nanook with the Canadian Armed forces also took place in Haines Junction. A legacy of this was the construction of a trail from the Champagne and Aishihik First Nations Youth Centre to St. Elias Community School.

In October 2015, Champagne and Aishihik First Nations, Little Salmon/Carmacks First Nation and Teslin Tlingit Council filed a petition in Yukon Supreme Court challenging the legitimacy of the passage of the *Yukon and Nunavut Regulatory Improvement Act*. With that and with a Liberal government elected in Ottawa, Canada is proceeding with the repealing the offending changes to *Yukon Environmental and Socio-economic Assessment Act* brought about by the *Yukon and Nunavut Regulatory Improvement Act*.

The First Nations created three standing committees — on finance, citizen services and housing — that will review and refine the vision and policies for each of these areas in order to deliver more effective operations and meet the goals of Chief and Council.

Citizen services

The citizen services project is focused on moving away from the colonial legacy of the Department of Indian Affairs and Indigenous and Northern Affairs Canada and taking the first step towards the integration of *Dän K'e* (Our Way) into self-government. The First Nations carried out extensive consultation with their citizens to help reshape the delivery of programs and services.

Economic development

Champagne and Aishihik First Nations provided support to six business people.

Registry and citizen support

During the fiscal year, total Champagne and Aishihik First Nations membership was 1,238; about 747 members resided in the Yukon.

The First Nations carried out consultation on the *Enrollment Act*.

Negotiations/implementation

Renewal negotiations continued for a new Financial Transfer Agreement.

Areas identified for negotiations under Section 17 of the Self-Government Agreement included alcohol and drug services and a First Nation Labour Market Agreement.

Champagne and Aishihik First Nations' Administration of Justice Framework Agreement was signed by the Minister of Indigenous and Northern Affairs Canada.

Implementation Working Group

Work continued on developing a Terms of Reference, and a thorough and complete review of Chapter 22 began.

Education support

Champagne and Aishihik First Nations' Education Support Workers provided assistance to 48 students in Haines Junction, 60 elementary school students in Whitehorse and 23 high school students in Whitehorse.

Post-secondary education

Champagne and Aishihik First Nations provided assistance and support to 53 full-time and 14 part-time post-secondary and trades students.

Post-secondary education continued to be one of the First Nations' largest program expenditures.

Mining and exploration

Champagne and Aishihik First Nations continued to work with companies exploring for mineral potential in the Champagne and Aishihik Traditional Territory. There were 4,631 quartz claims, 34 of which overlapped Settlement Land; and 379 placer claims, 41 of which overlapped Settlement Land.

Kusawa Territorial Park

The management plan for the park was completed and recommended for approval by Champagne and Aishihik First Nations, Kwanlin Dün First Nation, Carcross/Tagish First Nation and Government of Yukon.

Aishihik Hydro Plant relicensing

Champagne and Aishihik First Nations and Yukon Energy worked on ways to improve their relationship with respect to the Aishihik Hydro Plant. Senior officials from Yukon Energy visited Aishihik, where they signed a Protocol Agreement to ensure that the mistakes and challenges of the last relicensing (1999 to 2002) were not repeated. The current license expires at the end of 2019.

Activities 2016 to 2017

Governance

Champagne and Aishihik First Nations, the Government of Yukon and other Yukon First Nations signed the Working Together Declaration to reinvigorate the Yukon Forum, originally created in 2005. The declaration included a list of joint priority items, including effective collaborative bilateral and trilateral relationships and processes; reconciliation through the Final and Self-Government Agreements; strong, healthy communities; and closing socio-economic gaps.

Champagne and Aishihik First Nations reorganized their departments to better reflect their strategic priorities; Heritage rejoined Lands and Resources.

The Executive Council Office analyzed the various supports required by Chief and Council to address capacity gaps within the department. A Chief Financial Officer and Executive Director were hired, and a Senior Advisor position was developed.

Council passed the *Āghàatān (My Relatives) Enrollment Act* to address and prevent dual citizenship going forward.

The General Assembly Procedures were endorsed by delegates.

Citizen services

Champagne and Aishihik First Nations are proceeding with a phased implementation plan to shift the way we provide **all services** at the First Nations to reflect *Dän K'e* values. The plan follows carefully considered steps to gradually phase in changes at Champagne and Aishihik First Nations in a way that is sensitive to and respects the needs of citizens, the community and staff.

Skills and Partnership Fund

The First Nations worked with Canada on a Skills and Partnership Fund proposal: “Our People Working Together.” If successful, this would provide funding for programs and training for four years.

Economic development

Champagne and Aishihik First Nations completed the Phase 1 feasibility study of the proposed Mät'ätäna Resort at Kathleen Lake. The study showed encouraging results. The First Nations commissioned a Phase 2 study to examine the market more closely and to produce initial design concepts for the resort.

The First Nations' Business Employment Enhancement Fund assists Yukon businesses to help create jobs for citizens, primarily within the Traditional Territory. The fund provided \$24,000 in funding during the fiscal year.

The Champagne Aishihik Community Corporation completed work to refocus its role and appointed new board members.

Registry and citizen support

During the fiscal year, total Champagne and Aishihik First Nations membership was 1,284; about 751 members resided in the Yukon.

Connecting

Champagne and Aishihik First Nations had long recognized the need for a new daycare and a language hub. Funding from the Canadian Northern Economic Development Agency and the Yukon Community Development Fund required the new facility, Dákwänje Kų, to be connected to an existing building. The First Nations selected Da Kų as the new location. Transitional programming, supported through the Language and Culture Department, will increase language exposure and development.

The Dákwänje Kų will directly benefit from the Adult Immersion Program by staff having the language knowledge and abilities to provide language and culture as core values in early childhood curriculum and programming.

Negotiations/Implementation

A further extension of the Financial Transfer Agreement was negotiated. A Financial Transfer Agreement increase was achieved through the negotiation of a three-year moratorium of revenue offsets.

Champagne and Aishihik First Nations are working with other Yukon First Nations and Indigenous governments with modern treaties to create a new policy for financing modern treaty governments. In the view of Champagne and Aishihik First Nations, policy problems are one reason Canada is not meeting its obligations to fund a Financial Transfer Agreement that enables the First Nations to provide public services comparable to those provided by other governments.

Program and Service Transfer Agreements

Champagne and Aishihik First Nations again identified Yukon Alcohol and Drug Services, a self-governing First Nation/Canada Intergovernmental Agreement with Employment and Social Development Canada and a resolution to the Service Class as major issues.

Implementation Working Group

The Terms of Reference were finalized and signed by the Parties.

Work continued on a thorough and complete review of Chapter 22 of the Final Agreement.

Post-secondary education

Champagne and Aishihik First Nations provided assistance and support to 68 full-time and 12 part-time post-secondary students.

Lands and resources

In June 2016 the federal government introduced Bill C-17 (An Act to amend the *Yukon Environmental and Socio-economic Assessment Act* and to make a consequential amendment to another Act) to reverse the changes brought about by the *Yukon and Nunavut Regulatory Improvement Act*. Champagne and Aishihik First Nations,

Little Salmon/Carmacks First Nation and Teslin Tlingit Council agreed to put the court case regarding the *Yukon and Nunavut Regulatory Improvement Act* on hold. Champagne and Aishihik First Nations Chief Steve Smith made a presentation to the Parliamentary Standing Committee studying Bill C-17.

The First Nations secured a three-year agreement with Canada that will enable it to complete a Settlement Land Plan for all six regions of Champagne and Aishihik First Nations Settlement Land.

Aishihik Dam relicensing

Champagne and Aishihik First Nations worked with Yukon Energy Corporation on impact assessment studies and with committees established to make recommendations. The First Nation also carried out a traditional knowledge research project.

Mining and exploration

Champagne and Aishihik First Nations continued to work with other First Nations and Government of Yukon to address a wide range of legal and policy issues in order to modernize the current mining regime in a way that respects and works more equitably with the Final and Self-Government Agreements. This objective is a key priority identified by the Yukon Forum.

During the fiscal year 19 projects were submitted for *Yukon Environmental and Socio-economic Assessment Act* assessment in the Traditional Territory, consisting mainly of quartz mining and wilderness tourism initiatives in Kluane National Park and Reserve.

Challenges

Limitations created by Section 18 of the Self-Government Agreement (Government of Yukon Financial Contributions) continue to cause a roadblock.

Resources

Yukon First Nation Self-Government:
www.mappingtheway.ca



First Nation of Nacho Nyäk Dun

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Self-Government and Final Agreements

- ▶ **Signing Date:** May 29, 1993
- ▶ **Effective Date:** February 14, 1995

Citizenship: 630

Language: Northern Tutchone, Gwichin, Slavey

Land Quantum: 4,748.95 sq. km of Settlement Land

- ▶ **Category A:** 2,408.69 sq. km (surface and subsurface rights)
- ▶ **Category B:** 2,330.99 sq. km (surface rights only)
- ▶ **Fee Simple:** 9.27 sq. km

Traditional Territory covers 162,456 square kilometres of land: 131,599 sq. km in the Yukon and 30,857 sq. km in the Northwest Territories. The First Nation of Nacho Nyäk Dun Traditional Territory encompasses an incorporated municipality called Mayo located approximately 410 km north of Whitehorse. The First Nation's Government House is located on Settlement Land approximately 2 km outside the municipal boundary.

Activities 2012 to 2017

Nacho Nyäk Dun Heritage Act

In 2016, the Nacho Nyäk Dun General Assembly enacted the *Nacho Nyäk Dun Heritage Act*. This Act recognizes and affirms the inherent right of the Nacho Nyäk Dun over their heritage and culture, recognizes and affirms the Nacho Nyäk Dun Self-Government Agreement Section 13 powers over Nacho Nyäk Dun heritage and culture, recognizes the uniqueness of Nacho Nyäk Dun concepts of heritage, and fulfils Nacho Nyäk Dun Final Agreement provisions to ensure that heritage resources within Nacho Nyäk Dun Traditional Territory are managed with respect and in accordance with the First Nation's values. The implementation of this act is proceeding slowly due to funding constraints.

Lansing Post Management Plan

Pursuant to Schedule A to Chapter 13 of the Nacho Nyäk Dun Final Agreement, work was done with the Government of Yukon in 2016 and 2017 to co-develop a Management Plan for Lansing Post. We expect an approved Plan within the next fiscal year. Planning work to date has been funded by proposal driven programs. Funds to implement the Plan have not been identified.

Amendments to the Nacho Nyäk Dun Self-Government Agreement

In 2013, the Nacho Nyäk Dun General Assembly approved amendments to the Nacho Nyäk Dun Self-Government Agreement to incorporate provisions similar to those in Sections 17.7 through 17.10 of the Tr'ondëk Hwëch'in Self-Government Agreement for the dividing and sharing of responsibility for education programs. The objective was to open the door to collaborative arrangements with the Government of Yukon for the shared delivery of education programs in Nacho Nyäk Dun Traditional Territory.

The Nacho Nyäk Dun entered into a Memorandum of Understanding with the Government of Yukon, which acknowledges that the public education offered by the Government of Yukon does not meet the needs of Nacho Nyäk Dun students, nor does it achieve the full range of educational outcomes and levels of success that Nacho Nyäk Dun students aspire to. The Memorandum of Understanding does not affect the authority of the First Nation over education under the Self-Government Agreement and does not limit its ability to assume responsibility for education programs and services under the Self-Government Agreement.

Nacho Nyäk Dun transboundary negotiations

Chapter 25 of the Nacho Nyäk Dun Final Agreement provides for the First Nation to negotiate a transboundary agreement with the Governments of Canada and Northwest Territories to address the un-surrendered Aboriginal rights and title of the Nacho Nyäk Dun in that part of the Nacho Nyäk Dun Traditional Territory located in what is now the Northwest Territories. This territory lies within what are now the Gwich'in Settlement Region and the Sahtu Settlement Area.

The Nacho Nyäk Dun engaged in transboundary negotiations with the Governments of Canada and Northwest Territories throughout the 2012 to 2017 period. The First Nation also engaged with its Gwich'in and Sahtu brothers and sisters to keep them informed of the status of the negotiations and to seek their advice and guidance.

After a framework agreement was signed in 2015, negotiations initially proceeded well. In 2016, however, differences among the mandates of the parties emerged, particularly concerning settlement land, self-government, subsurface rights and economic issues. Negotiations were suspended for a period of time. In 2017 new negotiators were

appointed for both Nacho Nyäk Dun and the Government of Canada. Negotiations resumed on an “exploratory” basis, with all parties agreeing to engage in interest-based discussions with the objective of reaching a shared mandate, for which they would then seek instructions from their respective principals.

Discussions on this “exploratory” basis continued, with negotiation sessions occurring on a regular basis. It remains unclear if these renewed negotiations will resolve the issues that previously stalled the process.

Proposed amendments to Nacho Nyäk Dun Citizenship Code

The Nacho Nyäk Dun Citizenship Code was developed in 1992, prior to the effective date of the Nacho Nyäk Dun Final and Self-Government Agreements. The code represented the best efforts the First Nation could make in 1992, but did not fully allow for the realities of self-government. Problems arose with procedures that allowed citizens and applicants to transfer in and out of Nacho Nyäk Dun at will. As a result, Nacho Nyäk Dun Council was forced to put a freeze on these transfers.

In 2014, Nacho Nyäk Dun Council appointed a Citizenship Review Committee to consult with citizens and develop proposed amendments to the code. The committee brought forward proposed amendments to the code to the Annual General Assembly in June 2016. Unfortunately, the proposed amendments fell three votes shy of the 75% approval required by the Nacho Nyäk Dun Constitution, therefore the code remains under review.

Mining engagement with Government of Yukon

Nacho Nyäk Dun officials spent thousands of hours during the 2012 to 2017 period engaging with the Government of Yukon and other self-governing Yukon First Nations to attempt to bring the Yukon *Placer Mining Act* and Yukon *Quartz Mining Act* into conformity with Yukon First Nation Final Agreements.

The Yukon *Placer Mining Act* came into force in 1906 and is substantially unchanged since then. This Act gives placer miners priority rights over all other land uses in Yukon, notwithstanding the commitment Canada and Yukon made in the Final Agreements to protect a Yukon Indian way of life that is based upon an economic and spiritual relationship with the land, which requires that the renewable resource productive capacity of the land remain intact.

Unfortunately, very little progress has been made on the mining file. Large swaths of land in Nacho Nyäk Dun Traditional Territory continue to be alienated by an out-of-control mining industry.

Program and Service Transfer Agreements

Section 17.1 of the Nacho Nyäk Dun Self-Government Agreement provides that “the Nacho Nyäk Dun and Government **shall** negotiate the assumption of responsibility by the Nacho Nyäk Dun for the management, administration and delivery of any program or service within the jurisdiction of the Nacho Nyäk Dun.”

However, despite the strong language of the clause and thousands of hours attempting to negotiate the assumption of responsibility for important programs such as those provided by Health Canada, Yukon Alcohol and Drug Services and Family and Children's Services programs, absolutely no progress was made in Section 17.1 negotiations during the 2012 to 2017 period.

In the view of Nacho Nyäk Dun First Nation, the cause of the impasse is Canada's Inherent Right Policy, which provides that all of Canada's obligations under self-government have to be met within Indigenous and Northern Affairs Canada's existing A base funding. In other words: “no new money”.

The Inherent Right Policy simply doesn't work in the self-government context. Successful implementation — which includes the commitment to provide the Nacho Nyäk Dun with sufficient resources to enable the First Nation to provide programs and services that are comparable to those generally prevailing in the Yukon — requires an investment of new resources by Canada. The old Indian Band model simply doesn't cut it. Program and Service Transfer Agreement negotiations have been an abysmal failure.

Tax agreements

Section 14 of the Nacho Nyäk Dun Self-Government Agreement provides that the First Nation have the power to impose taxes on citizens residing on their Settlement Land and, if agreed by Canada and/or Yukon, non-citizens. Section 14 further provides that Nacho Nyäk Dun tax powers are not exclusive; that is, they do not automatically displace the powers of other governments to levy tax. This raises the prospect of double taxation and, in practical terms, means that a Tax Coordination Agreement must

be negotiated when the Nacho Nyäk Dun exercises tax powers, so that other governments vacate the tax room that Nacho Nyäk Dun occupies.

In the early years of self-government the Nacho Nyäk Dun enacted two tax laws: the *First Nation of Nacho Nyäk Dun Income Tax Act* (1996) and the *First Nation of Nacho Nyäk Dun Goods and Services Tax Act* (2000). Concurrently, Tax Coordination Agreements were negotiated so that residents of settlement land did not pay increased taxes. These laws and agreements enabled the Nacho Nyäk Dun Government to access important revenue streams.

Unfortunately, the tax revenue streams dried up after the income tax and good and services tax acts were enacted. In the view of Nacho Nyäk Dun First Nation this is because the Government of Yukon is willing to share corporate income tax as well as fuel, alcohol and tobacco taxes, but Canada's Department of Finance is not willing to remove the revenue associated with those taxes from Yukon's deemed revenue capacity in the event that Yukon vacates that tax room in favour of Yukon First Nations. This would mean that the fiscal transfers to both Yukon and Yukon First Nations would be “offset” on account of the same revenue — essentially amounting to double dipping on the part of Canada. This closes the door on those potential revenue streams for Yukon First Nations.

Renewal of Nacho Nyäk Dun Self-Government Financial Transfer Agreement

The initial Nacho Nyäk Dun Financial Transfer Agreement came into effect April 1, 2010. At that time significant new monies were brought into the Financial Transfer Agreement for “General Governance” responsibilities, but the federal mandate for negotiations did not allow for any consideration of new resources for programs and services or treaty implementation per the Inherent Right Policy previously discussed.

The Self-Government Financial Transfer Agreement is meant to be a five-year initiative, with provisions to be extended for an additional two years if no successor agreement comes into place. Beginning in 2014, Yukon First Nations began to engage with Canada to negotiate a new Financial Transfer Agreement. The chief federal negotiator changed four times over the next three years, forcing Yukon First Nation negotiators to continuously cover old ground to bring the new federal negotiator up to speed on Yukon issues.

In 2017 we still didn't have a renewed Financial Transfer Agreement and were forced to extend the 2010 agreement. The need for resources to provide comparable programs and services has still not been addressed; nor has the need for resources to effectively implement the First Nations' treaties.

Collaborative development of new Canada Fiscal Policy for Self-Government

The collaborative engagement on a new Canada Fiscal Policy for Self-Government is one of the brightest stars on the Nacho Nyäk Dun implementation horizon. With the election of the Trudeau government, Canada is finally acknowledging that its policy framework for dealing with Indigenous self-government is fundamentally flawed.

In April of 2016 Canada began to engage with all 26 self-governing Indigenous governments in Canada (11 of which are in Yukon) to develop a new federal fiscal policy for supporting self-government; the policy will be recommended to the Minister of Indigenous and Northern Affairs Canada and federal cabinet.

Moratorium on own-source revenue offset

As a result of the positive work at the fiscal policy table, and in recognition that First Nation own-source revenues should not be "clawed back" until First Nation governments have achieved a semblance of comparability, Canada announced plans to institute a three-year moratorium on offset of own-source revenue commencing April 1, 2017. This was a welcome sign of good faith from Canada.

Peel River watershed regional land use planning and litigation

Chapter 11 of Yukon Final Agreements provides for the collaborative development of regional land-use plans, in order to minimize land-use conflicts, promote the cultural values of Yukon Indian people, utilize the knowledge and experience of Yukon Indian People, recognize Yukon First Nation responsibilities for the management of land; and ensure that development occurs in a sustainable manner.

In 2004, the Parties nominated commissioners to develop a land-use plan for the 68,000-square-km Peel Watershed, a pristine area with high cultural values for the Nacho Nyäk Dun, Tr'ondëk Hwëch'in, Vuntut Gwitchin and Gwich'in Tribal Council.

In 2009, after extensive research and public consultation, the Peel Watershed Planning Commission recommended that 80% of the watershed be permanently protected from industrial development. The Yukon public and Yukon First Nations embraced the recommendation, coming out in thousands for rallies and celebrations. For political reasons the Government of Yukon played its cards close to the chest and did not clearly indicate to the Commission its views on the recommended plan.

In 2011, the Commission made its final recommendation to the Parties, again proposing that 80% of the Watershed be protected. After seven years of hard work interacting with affected governments and the public, this was the end of the Commission.

Shortly after receiving the Commission's final recommended plan, the Government of Yukon proceeded to roll out "New Principles" and new land designations to guide the "completion" of the Peel Watershed Land Use Plan. The affected First Nations and Yukon public cried foul. The Government of Yukon had had seven years to feed into the Plan and propose modifications to the Commission, but chose not to do so. In the view of Nacho Nyäk Dun First Nation, it was simply not right to make sweeping modifications to the plan after the Commission had reached the end of its mandate.

In January of 2014, the Government of Yukon rolled out its own plan for the Peel Watershed. The Yukon plan bore little resemblance to the Commission's plan, and it had not been consulted on with affected First Nations or the Yukon public.

On January 26, 2014, the Nacho Nyäk Dun, Tr'ondëk Hwëch'in, Canadian Parks and Wilderness Society, and Yukon Conservation Society took the Government of Yukon to court, arguing that the government violated the process set out in Chapter 11 of Yukon First Nation Final Agreement. It was argued that the Yukon plan should be quashed and the process sent back to the final round of intergovernmental and public consultation — and with the proviso that Yukon's authority to modify the Commission's final recommended plan is limited to the modifications Yukon had proposed during the seven years of planning. Over the next four years this action wound its way through the Courts.

In March of 2017 the Peel case was argued before the Supreme Court of Canada.

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Self-Government and Final Agreements

- ▶ **Signing Date:** October 18, 2003
- ▶ **Effective Date:** February 2, 2004

Citizenship: 236

Language: Southern Tutchone

Land Quantum: 913.31 sq. km of Settlement Land

- ▶ **Category A:** 647.50 sq. km (surface and subsurface rights)
- ▶ **Category B:** 259.00 sq. km (surface rights only)
- ▶ **Fee Simple:** 6.81 sq. km

The Kluane First Nation main community and administrative headquarters are located in Burwash Landing on the shores of Kluane Lake, approximately 285 km west of Whitehorse.

Activities 2012 to 2017

In August 2012, Kluane First Nation signed an innovative benefit agreement with Prophecy Platinum, then-owner of the Wellgreen Platinum project. Under the agreement, the First Nation receives shares in addition to incentives related to training and employment.

On October 18th, 2013, Kluane First Nation celebrated the tenth anniversary of the signing of its Final Agreement and Self-Government Agreement.

Representatives of Kluane First Nation sit on the Southern Tutchone Tribal Council.

Kluane First Nation participated in the pilot stage of a language nest project. The program resulted in greater community engagement and helped staff and children in the daycare learn Southern Tutchone. Programming has continued to include Southern Tutchone in the daycare and the school.

The First Nation carried out initiatives under the Kluane Dana Shāw Limited Partnership and the Kluane Community Development Corporation. The former organization focuses on wealth generation by means of cooperative ventures such as limited partnerships. The mandate of the second corporation is to enhance community growth by providing local economic opportunities, community builds and infrastructure in the community.

In 2015–16, Kluane First Nation participated in testing for contaminants in food fish in Kluane Lake as part of Phase 2 of “Nourishing Our Future: An Adaptive Food Security Strategy to Ensure the Cultural and Physical Well-Being of the Kluane First Nation Against the Impacts of Climate Change in the Yukon.” Other projects goals were ensuring that traditional knowledge of fishing locations, seasons, methods, and preparation is passed from elders to youth; and discussing potential impacts of climate change that affect access to local traditional foods. The project was funded by the Indigenous and Northern Affairs Canada’s Northern Contaminants Program, the Yukon Fish and Wildlife Enhancement Trust and the Dän Keyi Renewable Resources Council.

In February 2015, the Government of Yukon and the Kluane First Nation signed a \$583,000 agreement to collect geophysical data via an airborne survey of a portion of the Kluane mountain ranges. The survey was funded by the First Nation and the Yukon Geological Survey through the Canadian Northern Economic Development Agency’s Strategic Investments in Northern Economic Development program. The survey area, southeast of the Donjek River and west of the Alaska Highway, is a region known for its prospective nickel-copper-platinum group deposits.

Kluane First Nation is a member of the steering committee for Asi Keyi Territorial Park. The park has not yet been designated under the Yukon’s *Parks and Land Certainty Act*, but the area within the park that is identified through land claim agreements has been permanently withdrawn from mineral and oil and gas exploration.

In October 2016, the Kluane Community Development Corporation started work on a new gym and change room in front of the existing Burwash arena. The project was funded by the Canadian Northern Economic Development Agency, the Community Development Fund, and the First Nation. The project employed ten Kluane First Nation citizens, who were trained on the job under the guidance of a certified Red Seal carpenter and were able to apply their employment hours towards a carpentry journeyman program.

Successes

The First Nation is exploring energy initiatives to reduce its dependence on diesel generation. These include expanding its current solar panels with an additional 42 kilowatts of power. This expansion was supported by the federal Build Canada Fund. Kluane First Nation is also working with the Cold Climate Innovation Centre in Whitehorse to assess the potential of wind energy in Burwash Landing and Destruction Bay, two communities in its Traditional Territory.

Challenges

Kluane First Nation’s Traditional Territory overlaps 100 percent with that of the White River First Nation, which has not negotiated a Final Agreement or Self-Government Agreement. This overlap causes ongoing difficulties with Kluane First Nation’s implementation efforts.

In September 2015, Kluane First Nation notified the Governments of Canada and Yukon that they wished to initiate negotiations on an Administration of Justice Agreement. The agreement has not yet been negotiated; this causes a lack of clarity about enforcement of Kluane First Nation laws in their Traditional Territory.



Kwanlin Dün First Nation

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Self-Government and Final Agreements

- ▶ **Signing Date:** February 19, 2005
- ▶ **Effective Date:** April 1, 2005

Citizenship: 1,024

Language: Southern Tutchone

Land Quantum: 1,042.89 sq. km of Settlement Land

- ▶ **Category A:** 648.50 sq. km (surface and subsurface rights)
- ▶ **Category B:** 394.30 sq. km (surface rights only)
- ▶ **Fee Simple:** 0.09 sq. km

Kwanlin Dün First Nation main community and administrative headquarters are located in Whitehorse.

Activities 2012 to 2017

Governance

Kwanlin Dün First Nation passed a number of pieces of legislation, including the *Kwanlin Dün Governance Act*, *Elections Act*, *Judicial Council Act*, *Lands and Resources Act*, *Investment Governance Act*, *Goods and Services Act*, *Finance Administration Act* and a Referendum Code. A number of policies have also been developed and approved, including the Housing Rental Policy, Market Based Housing Policy and Procedures, Post-Secondary Education Policy, Finance Policy and Procedures Manual, Panorama Security Policies, Personnel Policy and Procedures Manual, Records Management Policy and the Transitory Records Policy and Procedures.

In 2014, the First Nation developed a strategic plan for the period 2014 to 2018. Six key pillars were identified to guide the First Nation's programming and initiatives. Many of the initiatives undertaken are underway or have been accomplished. These include a strategy for a greener community, home ownership, ten-year capital plan, wellness strategy, employment strategies, community emergency and crisis response plan, community circle of care, enhanced elders programs and services, supports for family and children, intergovernmental accords, creation of sound legislation and policy, constitutional review and amendments, social assistance review, human resource strategy, and achieving a Certificate of Recognition from the British Columbia Construction Safety Alliance.

Kwanlin Dün First Nation is a member of the Land Claims Agreements Coalition. This organization was formed in 2003 and works to ensure that modern land claim treaties are fully implemented by working closely with the Government of Canada and others.

The First Nation participates in the Implementation Working Group with representatives from the other self-governing Yukon First Nations, and the Governments of Yukon and Canada. It has taken some time to develop a terms of reference for this Working Group. The Mapping the Way campaign has been successful in raising awareness of the Yukon Final and Self-Government Agreements.

Lands and resources

The First Nation participated in the Marsh Lake Local Area Planning process with the Government of Yukon. The plan will help guide future planning and development of the Marsh Lake area. It is substantially complete, but waiting for review by the Carcross/Tagish First Nation prior to finalizing.

Kusawa Territorial Park is a Special Management Area that is included in the Traditional Territories of Kwanlin Dün First Nation, Carcross/Tagish First Nation and the Champagne and Aishihik First Nations. The Kusawa Park Management Plan provides a long-term vision and direction for future management and operation of the park and for the protection of the park's natural and cultural resources. Since 2009 Kwanlin Dün First Nation has participated on the Kusawa Park Steering Committee, which completed the Kusawa Park Management Plan.

Heritage

The Ajänatth'a Elders Portrait Project was created in 2014. With the support of the First Nation, the staff of the Kwanlin Dün Cultural Centre interviewed and photographed 22 elders who are active and prominent within the community. The portraits of these elders hang in the centre and a small limited-edition booklet was produced that included stories from these remarkable individuals.

In 2015, Kwanlin Dün First Nation completed an oral histories transcript and audio recording inventory of Indigenous knowledge. A Heritage Capacity Assessment was undertaken from 2016 to 2017. The assessment was community based and included a review of the heritage,

cultural and program requirements of Kwanlin Dün citizens. An employee-wide assessment of heritage services and programming was also conducted.

The Kwanlin Dün Waterfront Heritage Project started in 2014. This five-phase project provides an opportunity for increased promotion, education and interpretation of the First Nation's histories and experiences along the waterfront in Kwanlin Dün Traditional Territory, with an emphasis on the Whitehorse area.

Economic development

According to Chapter 22.9.1 of Kwanlin Dün First Nation's Final Agreement, a review of the effectiveness of the provisions of the chapter was due to be carried out in 2010. However, since there was no consistent method to track and report on the provisions, and many of the provisions have yet to be implemented, the Parties decided that a review would not be productive at that time and should occur instead in 2015. A Memorandum of Agreement dated December 31, 2010 was signed by the Governments of Canada and Yukon and all self-governing Yukon First Nations. The agreement stated that a progress review be completed in 2010 and a full and complete review be undertaken in 2015. The progress review was completed in December 2012. Although work on the complete review has started, delays have occurred and the review has not proceeded as quickly as originally planned.

Justice

Kwanlin Dün First Nation is participating in negotiations for an Administration of Justice Agreement. The negotiations are based on community interests and needs, and have focused on a number of areas, including the court system, policing and enforcement, corrections, and community services. The First Nation's approach is to develop a justice system for itself that works with the mainstream justice system and does not duplicate processes or services. A working group was established to assist the negotiating team, and a Kwanlin Dün First Nation Administration of Justice model has been developed.

Key Successes and Challenges

Governance

The citizenship office, which has not been able to accept any new applications for citizenship or transfers since April 2005, reopened in May 2015 to process new enrollments. Work has been done toward resolving the dual citizenship issue with other self-governing Yukon First Nations. Council approved the transfer of status individuals from other Yukon First Nations to Kwanlin Dün First Nation if the citizen was a beneficiary of the Kwanlin Dün First Nation, thereby reconciling almost 305 of the dual citizens on record.

Lands and resources

The Kwanlin Dün First Nation Traditional Territory overlaps with the traditional territories of five other Yukon First Nations. Chapter 2 of the Kwanlin Dün First Nation Final Agreement includes a list of provisions that are suspended until the overlaps are resolved. On February 12, 2013, Kwanlin Dün First Nation signed the Interim Administrative Agreement for Overlapping Traditional Territories with three other Yukon First Nations: Carcross/Tagish First Nation, Ta'an Kwäch'än Council and the Champagne and Aishihik First Nations. The agreement provides area boundaries for forest management planning, regional land-use planning, a plan for assessment and management of freshwater fish, and an allocation of trap lines among First Nations in the overlap area. Other suspended provisions have yet to be addressed.

The Kwanlin Dün Traditional Territory Land Vision Project began in 2014. The intent of this project was to ensure a consistent approach to the planning, management and use of land within the Traditional Territory. The vision sets out clear values, principles and goals that were generated by the community, and will help guide future planning and management of Kwanlin Dün First Nation Settlement Land and non-Settlement Land within the First Nation's Traditional Territory. It was approved by Kwanlin Dün First Nation Council in May 2016.

The First Nation wanted the ability to register Settlement Land in the Government of Yukon's Land Registry while maintaining Aboriginal rights and title to the land. This ability to register would allow Kwanlin Dün First Nation to lease Settlement Land and record the lease in a

land registry system. Amendments have been made to the Yukon Land Titles Act and a clause was added to the Kwanlin Dün First Nation Self-Government Agreement to allow for this type of registration.

Heritage

The Kwanlin Dün Cultural Centre opened on June 21, 2012, National Aboriginal Day. It was a memorable occasion for Kwanlin Dün citizens who wanted to reclaim space along the Whitehorse waterfront. Construction of the culture centre was noted as a specific provision in Chapter 13 (Heritage) of the Kwanlin Dün First Nation Final Agreement. At the opening, a permanent display of archival photographs was unveiled, along with panels depicting the First Nation's history.

Economic Development

A Yukon Asset Construction Agreement is one of the specific economic measures meant to contribute to the achievement of objectives set out in Chapter 22 of the Kwanlin Dün First Nation Final Agreement. Yukon Asset Construction Agreement provisions are a practical way by which the Government of Yukon can enable the First Nation, its citizens and firms to gain employment, business training and other opportunities arising from major capital projects undertaken by the Government of Yukon in the First Nation's Traditional Territory. Yukon Asset Construction Agreement provisions are in effect for a 12-year period starting April 1, 2005 and ending March 31, 2017. Kwanlin Dün First Nation was successful in negotiating 25 Yukon Asset Construction Agreements, which have provided significant benefits to the First Nation.

Yukon Energy Corporation invited Kwanlin Dün First Nation to participate in the development of a liquefied natural gas storage and power generation facility to be located in the City of Whitehorse. The First Nation and Yukon Energy Corporation signed a cooperation agreement in 2014, and signed the Kwanlin Dün First Nation Investment Options Agreement in 2015.



Little Salmon/Carmacks First Nation

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Self-Government and Final Agreements

- ▶ Signing Date: July 21, 1997
- ▶ Effective Date: October 1, 1997

Citizenship: 740

Language: Northern Tutchone

Land Quantum: 2,598.46 sq. km of Settlement Land

- ▶ **Category A:** 1,553.99 sq. km (surface and subsurface rights)
- ▶ **Category B:** 1,036.00 sq. km (surface rights only)
- ▶ **Fee Simple:** 8.47 sq. km

The Little Salmon/Carmacks First Nation main community and administrative headquarters are located in Carmacks, approximately 177 km north of Whitehorse, where *Ts'āwlnjik Chu* (Nordenskiöld River) flows into *Tàgé Cho* (Yukon River). The First Nation also has a satellite office in Whitehorse.

Activities 2012 to 2017

Little Salmon/Carmacks First Nation government has 88 permanent and seasonal employees in six departments: Council Office (*Dän yatthi yetth'i*), Executive (*Nakhwän nak'i hù'é do*), Finance (*Dàné dän do k'anete*), Capital (*Dän kezhi k'anete*), Health (*Dän sóthän nùtl'et do*) and Lands, Resources and Heritage (*Nän nena Dän do k'ānete*). The First Nation also has active Youth and Elders councils.

The First Nation continued efforts to align its governance practices with Dän K'i (*"Indigenous way"*) principles and practices, based on the foundational principles of caring (*Ekátsedli*), sharing (*Łeyâts'eli*), respect (*Na t'le traa*) and teaching/Learning (*Hats'adän*). This included work on Dooli project, as well as a Dän K'i Code of Conduct. In addition, the First Nation created a new department of Culture, Language and Education to support more intensive and immediate revitalization of traditional culture and language.

Little Salmon/Carmacks First Nation carries out stewardship efforts over lands, natural resources and heritage values over the whole of its Traditional Territory. Infrastructure activities during this period included maintenance and servicing of 15 government buildings and 146 houses, including water delivery, snow removal, garbage pick-up, and providing elders' firewood. The First Nation provided health programs and social services, daycare services, and a meals-on-wheels program.

Little Salmon/Carmacks First Nation constructed a new health and social services and daycare building (using debt financing) to address current space shortfalls and future needs. The First Nation also carried out major repairs on eight older housing units, which were funded through the Yukon Housing Corporation and Canada Mortgage and Housing Corporation.

The First Nation operated the Tagé Cho Hudän Interpretive Centre in the summer and a satellite office in Whitehorse year-round.

The First Nation established a new Trust and a Board of Trustees during this period.

Challenges

Prolonged negotiations continue around the renewal of the Financial Transfer Agreement, which expired in 2015.

Inadequate fiscal resources prevented Little Salmon/Carmacks First Nation from addressing program needs and deficiencies, namely around housing, land and resource stewardship, language revitalization, and cultural education and well-being programs.

During the reporting period Little Salmon/Carmacks First Nation had critical housing shortages and infrastructure deficits, which led to difficulties in meeting its capacity needs. Wage/benefits gaps and inadequate housing hinders the First Nation's ability to attract and retain skilled staff, and socio-economic gaps in the community result in a deficit of skilled local workers.

The First Nation addressed specific and cumulative impacts of industrial development on treaty rights and values, such as fish and wildlife habitat, water, cultural resources and traditional use areas.

Traditional Knowledge/ Dooli Project

The Chief and Council of the Little Salmon/Carmacks First Nation invested heavily in the research, documentation, preservation and active teaching of the Northern Tutchone Doolí (traditional laws). For thousands of years, the Northern Tutchone people lived by these traditional laws, which guided them about how to live in harmony with the natural world and with other people. The laws were based on the foundational principles of respect, caring, sharing and teaching. They governed all aspects of the Northern Tutchone life, from conception to leaving this world and beyond, as well as how to interact with one another, as a collective within the wolf and crow clans, with plants and animals, and with the natural world.

Little Salmon/Carmacks First Nation developed 27 booklets, several animations, a documentary film and lesson plans for students and day care. This work was done through extensive collaboration with Northern Tutchone elders and citizens of Selkirk First Nation and the First Nation of Nacho Nyäk Dun. This work will form the foundation for aligning governance practices and will provide guidance for the Little Salmon/Carmacks First Nation people. The First Nation also hosted several retreats with a focus on bringing generations together to learn traditional knowledge and Doolí teachings on the land.

SPOTLIGHT on Implementation



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WEB www.selkirkfn.com



Self-Government and Final Agreements

- ▶ **Signing Date:** July 21, 1997
- ▶ **Effective Date:** October 1, 1997

Citizenship: 704

Language: Northern Tutchone

Land Quantum: 4,749 sq. km of Settlement Land

- ▶ **Category A:** 2,408 sq. km (surface and subsurface rights)
- ▶ **Category B:** 2331 sq. km (surface rights only)
- ▶ **Fee Simple:** 10 sq. km

The Selkirk First Nation main community and administrative headquarters are located in Pelly Crossing, approximately 285 km north of Whitehorse.

Activities 2012 to 2013

In 2012, Selkirk First Nation started an ambitious process of policy and legislative development, including updating human resources policies, developing a finance policy, revising the *Election Act* by establishing an oversight committee, setting a consistent date, and adding Elder and Youth Councillor positions, creating a code of conduct and a student support policy. The implementation of the Minto Mine Royalty Policy was a significant accomplishment in 2012.

Negotiations with the Government of Yukon on a Memorandum of Understanding regarding Eliza Van Bibber School Education matters were also initiated.

Exploratory discussions on the renewal of the Financial Transfer Agreement began in preparation for the renewal date of 2015.

Selkirk First Nation funded and hosted a successful Youth Conference focused on preparing youth for the future.

In collaboration with Little Salmon/Carmacks First Nation and the First Nation of Nacho Nyäk Dun, Selkirk First Nation started work on an organizational plan for the Northern Tutchone Council.

The First Nation continued to be actively involved in the development and implementation of a work plan for the Self-Government Secretariat, and participated in the Implementation Working Group.

Activities 2013 to 2014

The First Nation established a Senior Management Team to support strong leadership within the administration. A review of all senior positions in the organization was initiated.

Negotiations on the Financial Transfer Agreement renewal began in January 2014.

Amendments to the Selkirk First Nation Constitution were passed to address qualifications for office in advance of the upcoming election.

The First Nation continued to be actively involved in the development and implementation of a work plan for the Self-Government Secretariat, and participated in the Implementation Working Group.

Activities 2014 to 2015

Selkirk First Nation had an Election. New leadership was elected in April 2014.

The First Nation identified the following priorities for the coming years: providing safe housing, supporting healing in the community, protecting and respectfully using the land, and supporting the education of community members of all ages.

This fiscal year saw a major restructuring of the Executive Department, dividing the role of Executive Director into three positions: Director of Governance, Director of Operations, and Executive Advisor.

Following a resolution passed at the 2014 General Assembly, the Elders' Council also underwent a restructuring.

The Heritage Office led a research trip to Ottawa to explore how Northern Tutchone history is depicted in museums in the capital. Many Selkirk First Nation recordings, photos and artifacts were found.

The First Nation continued to be actively involved in the development and implementation of a work plan for the Self-Government Secretariat and the Implementation Working Group.

Activities 2015 to 2016

In 2015, Selkirk First Nation and the Government of Yukon signed a Memorandum of Understanding on education that had been in negotiation since 2013. This agreement includes the implementation of curriculum and programs in Eliza Van Bibber School in Pelly Crossing that encompass Selkirk First Nation traditional and cultural beliefs.

Work began on a ten-year capital plan to identify priorities for the Selkirk First Nation Capital Department, including an assessment of all housing stock. The Capital Department began preparations for the construction of a new Early Childhood Development Centre.

Chief and Council participated in the Yukon Forum and Intergovernmental Forum, the first to be held in a number of years.

The Financial Transfer Agreement term expired in 2015 and was extended to 2017. Turnover in the federal negotiator position had delayed the ability to engage in negotiations, which resumed in 2016.

The Lands and Resources Department began work on a traditional land-use study to document Selkirk First Nation's use of its lands, which will assist the First Nation in the management of its lands and resources and allow them to be better prepared to respond to proposed resource exploration and development in the Traditional Territory.

The First Nation continued to be involved in the development and implementation of a work plan for the Self-Government Secretariat and the Implementation Working Group. The working group had a busy year developing a terms of reference and communications work plan.

Activities 2016 to 2017

The Terms of Reference for the Justice Committee was approved as the first step in establishing a Justice Council, as defined in the Selkirk First Nation Constitution. Work on this initiative will be a significant activity in 2017–18, following the dissolution of the Northern Tutchone Council in summer 2016.

Amendments to bring clarity on the time-line for nominations in the *Election Act* were passed in 2016 in preparation for the April 2017 election.

Royalty Policy amended in 2016 outlining specific investments.

Housing in the community continues to be one of the biggest challenges for Selkirk First Nation. A significant portion of the First Nation's budget was allocated to build six new houses and undertake four major house renovations in 2016.

The First Nation continued to be actively involved in the development and implementation of a work plan for the Self-Government Secretariat, and participated in the Implementation Working Group.





Ta'an Kwäch'än Council

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Self-Government and Final Agreements

- ▶ **Signing Date:** January 13, 2002
- ▶ **Effective Date:** April 1, 2002

Citizenship: 482

Language: Southern Tutchone

Land Quantum: 785.31 sq. km of Settlement Land

- ▶ **Category A:** 388.50 sq. km (surface and subsurface rights)
- ▶ **Category B:** 388.50 sq. km (surface rights only)
- ▶ **Fee Simple:** 8.31 sq. km

The Ta'an Kwäch'än Council main community and administrative headquarters are located in the Whitehorse area.

Activities 2012 to 2017

Ta'an Kwäch'än Council adopted a community-driven strategic plan that outlines key priorities to help guide the government's activities from 2018 to 2023. The First Nation undertook major projects relating to environmental restoration, housing, heritage and culture; and participated in numerous regional and national committees that influence the First Nation's health, education, culture and heritage, economy, and environment.

During the reporting period Ta'an Kwäch'än Council held its General Assemblies once a year.

Successes

Ta'an Kwäch'än Council has a strong traditional structure with cultural beliefs and values unique to its people. The First Nation's government is comprised of the General Assembly, Council, the Elders Council, and the Judicial Council. Work commenced to establish a Youth Council.

Final and Self-Government Agreements

The 15th anniversary of the signing of the Ta'an Kwäch'än Council Final and Self-Government Agreements occurred on January 13, 2017.

Ta'an Kwäch'än Council negotiated a post-secondary education agreement under Section 17 of the Self-Government Agreement, which will allow the First Nation to provide funding for post-secondary programming to its citizens.

Programs

Ta'an Kwäch'än Council built and developed diverse and culturally relevant programs and services for citizens and their families. These included culture camps, traditional sewing activities, education support, and parent-child language groups.

Intergovernmental relationships

As a modern treaty holder, Ta'an Kwäch'än Council places a priority on advancement through the strengthening of partnerships with other levels of government. This includes collaboration with the Governments of Canada and Yukon, other Yukon First Nation governments, and the City of Whitehorse. Ta'an Kwäch'än Council was a delegate at the 2017 Canada and Modern Treaty and Self-Governing First Nations Forum, and is committed to developing intergovernmental accords and relationships with other levels of government within the Yukon.

River Bend development

Ta'an Kwäch'än Council worked to address the low-income housing crisis in Whitehorse through a partnership with its development corporation Da Daghay, Government of Yukon, and Canada Mortgage and Housing Corporation. The River Bend Development, announced in November 2015, includes 42 units (in three buildings), 12 of which are available to the First Nation's citizens. The development is located in the Whistle Bend subdivision of Whitehorse.

Geothermal Monitoring and Research

In partnership with Da Daghay Development Corporation and the Yukon Geological Survey, the First Nation is assessing geothermal energy potential in the Whitehorse area. This is the first deep geothermal monitoring well in Yukon and Ta'an Kwäch'än Council may use the data to explore geothermal renewable energy potential.

Language

With the number of fluent Southern Tutchone speakers declining, Ta'an Kwäch'än Council, in partnership with the Yukon Native Language Centre and Ogoki Learning, developed a Southern Tutchone language app to promote and assist with learning the language through technology. The learning and use of the Lake Laberge dialect by citizens, and recognition of the dialect in the Whitehorse area are ongoing priorities for the First Nation.

Conservation

Ta'an Kwäch'än Council aims to ensure that viable natural salmon stocks are abundant enough to contribute to a sustainable harvest for current and future generations, as a part of their culture and heritage (see Spotlight, next page).

Key challenges

Implementing provisions of the Final and Self-Government Agreements was a challenge during the reporting period, specifically Chapter 22 (Representative Public Service Plan) and Program and Service Transfer Agreements.

Enrollment, including reconciling lists of dual citizens, beneficiaries and status Indians, was a challenge for the First Nation.

An outdated and under-capacity administration building was another challenge, as was the turnover in human resources staff. Ta'an Kwäch'än Council often loses staff members to other governments with higher paying jobs after they gain experience working for the First Nation.

Revisions to the Yukon's *Land Titles Act* — including an electronic registrar and database — are still in the early stages of being developed by a group of self-governing Yukon First Nations.

The lack of adequate housing and employment for Ta'an Kwäch'än Council citizens were key challenges; job qualification requirements meant limited employment opportunities.

The timing of contribution agreements created fiscal challenges.

Ta'an Kwäch'än Council struggled to meaningfully connect citizens with their heritage and traditional activities. An active Youth Council has not yet been established due to the limited youth population.

Jenna Duncan, left, and Stan Clethero, right, transferring fry into the tote at McIntyre Creek Incubation for the annual Fox Creek fry release.



Photo:
Deborah Fulmer

Fox Creek Chinook Salmon Stock Restoration

According to Ta'an Kwäch'än Elders, Fox Creek historically supported a chinook salmon fishery. Since the late 1950s the salmon, a traditional food source, have disappeared; the cause is unknown. There has been no subsistence harvesting since that time. Starting in 2007, Ta'an Kwäch'än Council developed and implemented the Fox Creek Chinook Salmon Stock Restoration Project. Fry were first released in the creek in 2009 and each year since, with a total of 326,000 released to date. Adult salmon have been observed in the creek for several years and the number of returning spawners seems to be increasing. In 2016 wild young were seen emerging from the substrate, indicating spawning success.

Ta'an Kwäch'än Council citizens, staff and summer students are involved in monitoring, tagging and project monitoring. Elders offer guidance and prayers and release the first bucket of fry each year.



Photo:
Deborah Fulmer

Adult chinook salmon returning to spawn.

Major components of the project included training and capacity building (through formal and mentorship opportunities); project planning and implementation; brood stock collection and incubation; support of daily maintenance and operations at the McIntyre Creek incubation facility; annual fry releases into Fox Creek; biophysical monitoring of juveniles; hydrology and water quality; monitoring adult salmon returns and potential barriers to upstream migration; and recording and monitoring of potential spawning sites.

The project is an excellent example of strong partnerships and working relationships with Yukon College and the Government of Canada.

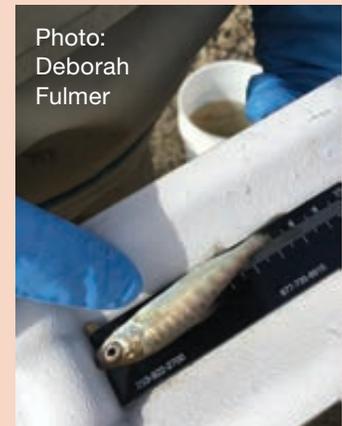


Photo:
Deborah Fulmer

Measuring growth rates of juveniles in Fox Creek as part of the annual project monitoring activities.

Teslin Tlingit Council



Teslin Tlingit Council

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Self-Government and Final Agreements

- ▶ **Signing Date:** May 29, 1993
- ▶ **Effective Date:** February 14, 1995

Citizenship: 732

Language: Tlingit

Land Quantum: 2,429.09 sq. km of Settlement Land

- ▶ **Category A:** 2,408 sq. km (surface and subsurface rights)
- ▶ **Category B:** 1,230.24 sq. km (surface rights only)
- ▶ **Fee Simple:** 33.36 sq. km

The Teslin Tlingit Council main community and administrative headquarters are located in Teslin, 170 km south of Whitehorse.

Activities 2012 to 2017

Teslin Tlingit Council participated in ongoing work by the Implementation Working Group to establish a subgroup to develop a communications strategy. The communications subgroup launched additional products related to the “Mapping the Way” initiative and hired an evaluator to review Implementation Working Group communications work to date. In addition, Teslin Tlingit Council participated in the heritage manual drafting committee established by the Implementation Working Group.

The First Nation received a modest amendment to the Financial Transfer Agreement in respect of the Indian Student Support Program.

Teslin Tlingit Council negotiated with Canada and Yukon regarding the enforcement provisions of the Administration of Justice Agreement signed in February 2011.

Teslin Tlingit Council held ongoing discussions with Canada regarding Program and Service Transfers, including Alcohol and Drug Services.

Teslin Tlingit Council held an Enrolment Summit in December 2013 and March 2015 to discuss the changes related to the *Gender Equity in Indian Registration Act*; these were attended by Section 17 negotiators and Yukon First Nation enrolment officers. See Challenges section, next page.

Teslin Tlingit Council prepared for a review of Chapter 22 of its Final Agreement. Teslin Tlingit Council's right of first refusal to acquire new permits or licenses in its Traditional Territories for commercial fishing, wilderness adventure travel, and outfitting concessions under Schedule A to Chapter 22 was due to expire on January 1, 2016. Teslin Tlingit Council requested that Canada and Yukon extend the application of this clause until the obligations of government under Chapter 22 cease, pursuant to Section 22.9.1 of the Final Agreements.

Teslin Tlingit Council attended meetings on the implementation of the Representative Public Service Plan, which were organized by the Government of Yukon's Public Service Commission through the Aboriginal Recruitment and Development Program.

In May 2016, representatives from the Government of Canada and self-governing Yukon First Nations — and Indigenous groups from across Canada — initiated a process to develop a collaborative fiscal policy. The policy framework, released by Indigenous and Northern Affairs Canada in July 2015, included a revised method to calculate offsets for own-source revenue. Teslin Tlingit Council withdrew from this process in early fall 2016.

Successes

In October 2016, Teslin Tlingit Council and the Village of Teslin received the Economic Developers Award for their ten-year Teslin Community Development Plan from the Council for the Advancement of Native Development Officers (CANDO). The integrated community development plan addresses shared community development needs while respecting each organization's jurisdiction.

Challenges

Resolving the questions raised by the *Gender Equity in Indian Registration Act*, including dual citizenship and aligning the federal government's Indian Register list with Yukon First Nation citizenship lists — continues to be an issue. Teslin Tlingit Council is concerned about the effects of new status registrants on its assumed responsibilities for programs and services and the increased number of registrants as a result of the Act for whom the First Nation is now responsible.



Tr'ondëk Hwëch'in

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Self-Government and Final Agreements

- ▶ **Signing Date:** July 16, 1998
- ▶ **Effective Date:** September 15, 1998

Citizenship: 1,082

Language: Hän

Land Quantum: 2,598.51 sq. km of Settlement Land

- ▶ **Category A:** 1,553.99 sq. km (surface and subsurface rights)
- ▶ **Category B:** 1,036.00 sq. km (surface rights only)
- ▶ **Fee Simple:** 8.52 sq. km

The Tr'ondëk Hwëch'in main community and administrative headquarters are located in Dawson City, at the confluence of the Yukon and Klondike rivers about 540 km northwest of Whitehorse.

Activities 2012 to 2017

Legislation

The Tr'ondëk Hwëch'in General Assembly enacted three pieces of legislation during the 2012 to 2017 period.

The Tr'ondëk Hwëch'in *Access to Information and Protection of Privacy Act* is meant to assure citizens that confidential information under the control of the Tr'ondëk Hwëch'in government is properly managed and protected. It also provides a process to enable citizens to have access to information that is held by the Tr'ondëk Hwëch'in government. In addition, the Act enables Tr'ondëk Hwëch'in to exchange confidential information with other governments in order to improve the quality of programs and services that it and other governments provide to Tr'ondëk Hwëch'in citizens. Unfortunately, funding constraints have prevented Tr'ondëk Hwëch'in from successfully implementing this Act.

The *Tr'ondëk Hwëch'in Heritage Act* recognizes and affirms the inherent right of the Tr'ondëk Hwëch'in over its heritage and culture, and recognizes and affirms the Tr'ondëk Hwëch'in Self-Government Agreement Section 13 powers over Tr'ondëk Hwëch'in heritage and culture. It also recognizes the uniqueness of Tr'ondëk Hwëch'in concepts of heritage, and fulfills Tr'ondëk Hwëch'in Final Agreement provisions to ensure that heritage resources within Tr'ondëk Hwëch'in Traditional Territory are managed with respect and in accordance with Tr'ondëk Hwëch'in values. The implementation of this Act is proceeding slowly due to funding constraints.

The *Tr'ondëk Hwëch'in Elections Act* corrects irregularities in the predecessor, *Tr'ondëk Hwëch'in Election Rules*, and ensures that *Tr'ondëk Hwëch'in* elections are fairly and transparently conducted.

Tr'ondëk Hwëch'in Land Use and Tenure Regulations

The *Tr'ondëk Hwëch'in Land Use and Tenure Regulations* were also enacted over this period. These regulations require proponents and individuals who use *Tr'ondëk Hwëch'in* Settlement Land for commercial purposes to notify *Tr'ondëk Hwëch'in* and to apply for permits for activities that exceed specified thresholds.

Mining engagement with Government of Yukon

Tr'ondëk Hwëch'in officials spent thousands of hours during the 2012 to 2017 period engaging with the Government of Yukon and other self-governing Yukon First Nations to attempt to bring the *Yukon Placer Mining Act* and *Yukon Quartz Mining Act* into conformity with Yukon First Nation Final Agreements.

The *Yukon Placer Mining Act* came into force in 1906 and is substantially unchanged since then. The Act gives placer miners priority rights over all other land uses in Yukon. This is notwithstanding the commitment Canada and Yukon made in the Final Agreements to protect a Yukon Indian way of life that is based on an economic and spiritual relationship with the land, which requires the renewable resource productive capacity of the land to remain intact.

In 2016 \$65,000,000 of placer gold were reported to have come out of *Tr'ondëk Hwëch'in* Traditional Territory; this figure probably under-reports the actual amount. Fewer than one hundred of those dollars found their way to the *Tr'ondëk Hwëch'in* government, while hundreds of square kilometres of *Tr'ondëk Hwëch'in* Traditional Territory were irredeemably damaged.

In 2016 the *Tr'ondëk Hwëch'in* initiated litigation, asking the Territorial Court to declare that the Government of Yukon has an obligation to notify, and where appropriate consult and accommodate, the *Tr'ondëk Hwëch'in* when mining exploration activities have the potential to affect *Tr'ondëk Hwëch'in* rights under the Final Agreement. In 2017 this action was settled in favour of the *Tr'ondëk Hwëch'in* by way of a Consent Order.

Unfortunately, that is the sum total of progress that has been made on the mining file. Large swaths of land in *Tr'ondëk Hwëch'in* Traditional Territory continue to be damaged and alienated by an out of control mining industry.

Program and Service Transfer Agreements

Section 17.1 of the *Tr'ondëk Hwëch'in Self-Government Agreement* provides that “the *Tr'ondëk Hwëch'in* and Government **shall** negotiate the assumption of responsibility by the *Tr'ondëk Hwëch'in* for the management, administration and delivery of any program or service within the jurisdiction of the *Tr'ondëk Hwëch'in*.”

Despite the strong language of the clause and thousands of hours attempting to negotiate the assumption of responsibility for important programs such as those provided by Health Canada and Yukon Alcohol and Drug Services and Family and Children's Services, absolutely no progress was made in Section 17.1 negotiations during the 2012 to 2017 period. In the view of *Tr'ondëk Hwëch'in*, the cause of the impasse is Canada's Inherent Right Policy, which provides that all of Canada's obligations under self-government have to be met within Indigenous and Northern Affairs Canada's existing A base. In other words: “no new money.”

The inherent right policy simply doesn't work in the self-government context. Successful implementation — which includes the commitment to provide *Tr'ondëk Hwëch'in* with sufficient resources to enable the First Nation to provide programs and services that are comparable to those generally prevailing in Yukon — requires an investment of new resources by Canada. In the view of *Tr'ondëk Hwëch'in*, the old Indian Band model simply doesn't cut it. Program and Service Transfer Agreement negotiations have been an abysmal failure.

Tax agreements

Section 14 of the *Tr'ondëk Hwëch'in Self-Government Agreement* provides that the *Tr'ondëk Hwëch'in* have the power to impose taxes on citizens residing on Settlement Land, and if agreed by Canada and/or Yukon, on non-citizens. Section 14 further provides that *Tr'ondëk Hwëch'in* tax powers are not exclusive; that is, they do not automatically displace the powers of other governments to levy tax. This raises the prospect of double taxation and in practical terms means that a Tax Coordination Agreement must be negotiated when *Tr'ondëk Hwëch'in*

exercise tax powers, so that other governments vacate the tax room that Tr'ondëk Hwëch'in occupies.

In the early years of self-government Tr'ondëk Hwëch'in enacted two tax laws: the *Personal Income Tax Act* and the *Tr'ondëk Hwëch'in Goods and Services Tax Act*. Concurrently, Tax Coordination Agreements were negotiated so that residents of settlement land would not pay increased taxes. These laws and agreements enabled the First Nation to access important revenue streams to support the Tr'ondëk Hwëch'in government.

Unfortunately, the tax revenue dried up after the income tax and GST deals. The Government of Yukon is willing to share corporate income tax, and fuel, alcohol and tobacco taxes, but Canada's Department of Finance is not willing to concurrently remove the revenue associated with those taxes from Yukon's deemed revenue capacity in the event that Yukon vacates that tax room in favour of Yukon First Nations. This means that the fiscal transfers to both Yukon and Yukon First Nations would be "offset" on account of the same revenue — essentially amounting to double dipping on the part of Canada. This closes the door on those potential revenue streams for Yukon First Nations.

Administration of Justice Agreement

In 2007 negotiators for Tr'ondëk Hwëch'in, Canada and Yukon initialed a Framework Administration of Justice Agreement that outlined an incremental approach to negotiating a full-blown agreement. The agreement would help Tr'ondëk Hwëch'in build capacity and coordinate with other governments as the First Nation moved into the field of justice.

The governments of Tr'ondëk Hwëch'in and Yukon proceeded to formally approve the framework agreement. However, the framework agreement languished in Ottawa for four years without being approved, and in 2011 was shelved altogether when Canada announced a new "mandate" for Administration of Justice Agreements. The new mandate did not accommodate the gradual approach that had been agreed in the Framework.

The Tr'ondëk Hwëch'in mandate for Administration of Justice is based upon the incremental approach set out in the 2007 Framework Agreement. Accordingly, the Tr'ondëk Hwëch'in and federal mandates are at loggerheads.

Tr'ondëk Hwëch'in officials continue to talk to federal officials to explore opportunities to negotiate an

Administration of Justice Agreement that all Parties can live with, but as of March 31, 2017 the impasse remains. This means that the First Nation has no effective means to enforce their laws, which undermines the strength of Tr'ondëk Hwëch'in law-making authority.

Renewal of Tr'ondëk Hwëch'in Self-Government Financial Transfer Agreement

The Tr'ondëk Hwëch'in Self-Government Financial Transfer Agreement came into effect April 1, 2010. At that time significant new monies were brought into the Financial Transfer Agreement for "General Governance" responsibilities, but the federal mandate for negotiations did not allow for any consideration of new resources for Programs and Services or Treaty Implementation (per the inherent right policy discussed above).

The agreement was meant to be a five-year initiative, with provisions to extend for an additional two years if no successor agreement was in place. Beginning in 2014 Yukon First Nations began to engage with Canada to negotiate new Financial Transfer Agreements. The federal negotiator changed four times over the next three years, forcing Yukon First Nation negotiators to continuously cover old ground to bring the new federal negotiator up to speed on Yukon issues.

Our needs for resources to provide comparable Programs and Services have still not been addressed, nor have our needs for resources to effectively implement our treaties.

Collaborative development of new Canada fiscal policy for self-government

Along with the pending Supreme Court decision on the Peel watershed Regional Land Use Planning process, the collaborative engagement on a new approach by Canada to fiscal policy for self-government is definitely the brightest star on the Tr'ondëk Hwëch'in implementation horizon. With the election of the Trudeau government, Canada is finally acknowledging that its policy framework for dealing with Indigenous self-governance is fundamentally flawed.

In April 2016 Canada began to engage with all 26 self-governing Indigenous governments in Canada (11 of whom are in Yukon) to develop a new fiscal policy for supporting self-governance; the policy will be recommended to the Minister of Indigenous and Northern Affairs Canada and federal Cabinet.

The Parties still have to put meat on the policy skeleton and develop concrete funding methodologies, but thus far the collaborative fiscal policy engagement is promising.

Moratorium on own source revenue offset

As a result of the positive work at the fiscal policy table, and in recognition that First Nation own source revenues should not be clawed back until First Nation governments have achieved a semblance of comparability, Canada instituted a three-year moratorium on own source revenue offset commencing April 1, 2017. This is a welcome signal of good faith from Canada.

Self-Government Agreement Section 17.7 Education Agreement

In the summer of 2013 Tr'ondëk Hwëch'in and Yukon signed an Agreement pursuant to Section 17.7 of the Tr'ondëk Hwëch'in Self-Government Agreement for the “dividing and sharing of responsibility” for certain education programs offered in Tr'ondëk Hwëch'in Traditional Territory. This represents an important evolution in the approach of governments to providing high-quality programs and services to all of the people in the Yukon.

The Governments of Yukon and Tr'ondëk Hwëch'in have concurrent authority over education in Tr'ondëk Hwëch'in Traditional Territory; Tr'ondëk Hwëch'in laws prevail in the event of any inconsistency with Yukon laws. The Section 17.7 approach is to marry the Tr'ondëk Hwëch'in and Yukon authority and provide a single unified education program to all primary and secondary students in Dawson City.

Tr'ondëk Hwëch'in believes that this is the future of self-government in the Yukon. Rather than using an apartheid approach of establishing separate institutions for Yukon Indian People and the rest of the Yukon population, the best approach is to merge First Nation and government authority and share decision-making authority as equals for the benefit of all Yukoners. To realize this vision, Tr'ondëk Hwëch'in has to have the same capacity as its Yukon counterparts.

Peel River watershed regional land use planning and litigation

Chapter 11 of Yukon Final Agreements provides for the collaborative development of regional land-use plans in order to minimize land-use conflicts, promote the cultural values of Yukon Indian People, utilize the knowledge and experience of Yukon Indian People, recognize Yukon First Nation responsibilities for the management of land; and ensure development occurs in a sustainable manner.

In 2004 the Parties nominated commissioners to develop a land-use plan for the 68,000-square-km Peel River watershed, a pristine area with important cultural values for the Tr'ondëk Hwëch'in, First Nation of Nacho Nyäk Dun, Vuntut Gwitchin First Nation and Gwich'in Tribal Council.

In 2009, after extensive research and public consultation, the Peel Watershed Planning Commission recommended that 80 percent of the watershed be permanently protected from industrial development. The Yukon public and Yukon First Nations embraced the recommendation, coming out in the thousands for rallies and celebrations. For political reasons the Government of Yukon played its cards close to its chest and did not clearly indicate to the commission how it felt about the recommendation.

In 2011 the Commission made its final recommendation to the Parties, again proposing that 80 percent of the watershed be protected. After seven years of hard work interacting with affected governments and the public, this was the end of the Commission.

Shortly after receiving the Commission's final recommended plan, the Government of Yukon rolled out its “New Principles” and new land designations to guide the “completion” of the Peel Watershed Land Use Plan. The affected First Nations and Yukon public cried foul. The Government of Yukon had had seven years to propose modifications to the Commission, but chose not to. It was simply not right to make sweeping modifications to the plan after the Commission had reached the end of its mandate.

In January 2014 the Government of Yukon proposed its own plan for the Peel watershed, which bore little resemblance to the Commission's version. The Government of Yukon did not consult with affected First Nations or the Yukon public when developing its plan.

On January 26, 2014, Tr'ondëk Hwëch'in, the First Nation of Nacho Nyäk Dun, Canadian Parks and Wilderness Society, and Yukon Conservation Society took the Government of Yukon to court, arguing that the Government violated the process set out in Chapter 11 of Yukon First Nation Final Agreements. It was argued that the Yukon Plan should be quashed and the process sent back to the final round of intergovernmental and public consultation – and with the proviso that Yukon's authority to modify the Commission's Final Recommended Plan was limited to the modifications Yukon had proposed during the seven years of planning. Over the next four years this action wound its way through the courts. The Supreme Court of Canada heard the case on March 22, 2017.

Dawson regional land-use planning

In 2014 the Dawson regional land-use planning process was suspended, pending the outcome of the Peel litigation.





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Self-Government and Final Agreements

- ▶ **Signing Date:** May 29, 1993
- ▶ **Effective Date:** February 14, 1995

Citizenship: 830

Language: Gwich'in

Land Quantum: 7,751.16 sq. km of Settlement Land

- ▶ **Category A:** 7,744.06 sq. km (surface and subsurface rights)
- ▶ **Fee Simple:** 7.10 sq. km

The Vuntut Gwitchin First Nation main community and administrative headquarters are located in Old Crow, which is the northernmost community in the Yukon, located 128 km north of the Arctic Circle, at the confluence of the Crow and Porcupine rivers.

Activities 2012 to 2017

Vuntut Gwitchin First Nation participated in the regional land-use planning process for the Peel Watershed in accordance with Chapter 11 of the Vuntut Gwitchin First Nation Final Agreement. The First Nation also advanced implementation of the North Yukon Regional Land Use Plan, including collaboration with partners to develop management plans for Dàadzàii Vàn Territorial Park and Ch'ihilii Chik Habitat Protection Area.

The First Nation initiated negotiations with Canada towards a renewed Financial Transfer Agreement.

Vuntut Gwitchin First Nation constructed a temporary winter road to Old Crow in partnership with the Government of Yukon, and also constructed a new fuel tank farm in Old Crow, as well as supporting construction of an Arctic Co-op store.

The Old Crow Solar Project moved forward through the final design and engineering stage of project development, and the First Nation advanced capital planning for a new health centre, multiplex and "Home for the Wise Ones."

Vuntut Gwitchin First Nation also developed and implemented Gwich'in language classes. In addition, it launched the Historical Lifeways Project to involve youth with their culture through research and experiential learning.

The First Nation developed and enacted the Vuntut Gwitchin First Nation *Heritage Act*, developed the Vuntut Gwitchin Government *Oil and Gas Engagement Policy*, and participated in the Collaborative Fiscal Policy Development Process.

Vuntut Gwitchin First Nation also participated in the Yukon Forum and Intergovernmental Forum. At the national level, the First Nation participated in the Prime Minister's Modern Treaty and Self-Governing First Nations Forum.

The First Nation agreed to a contiguous boundary to resolve the issue of overlapping Traditional Territory boundaries with Tr'ondëk Hwëch'in.

Vuntut Gwitchin First Nation advocated for the permanent protection of the sacred calving grounds of the Porcupine Caribou herd, situated in the Arctic National Wildlife Refuge.

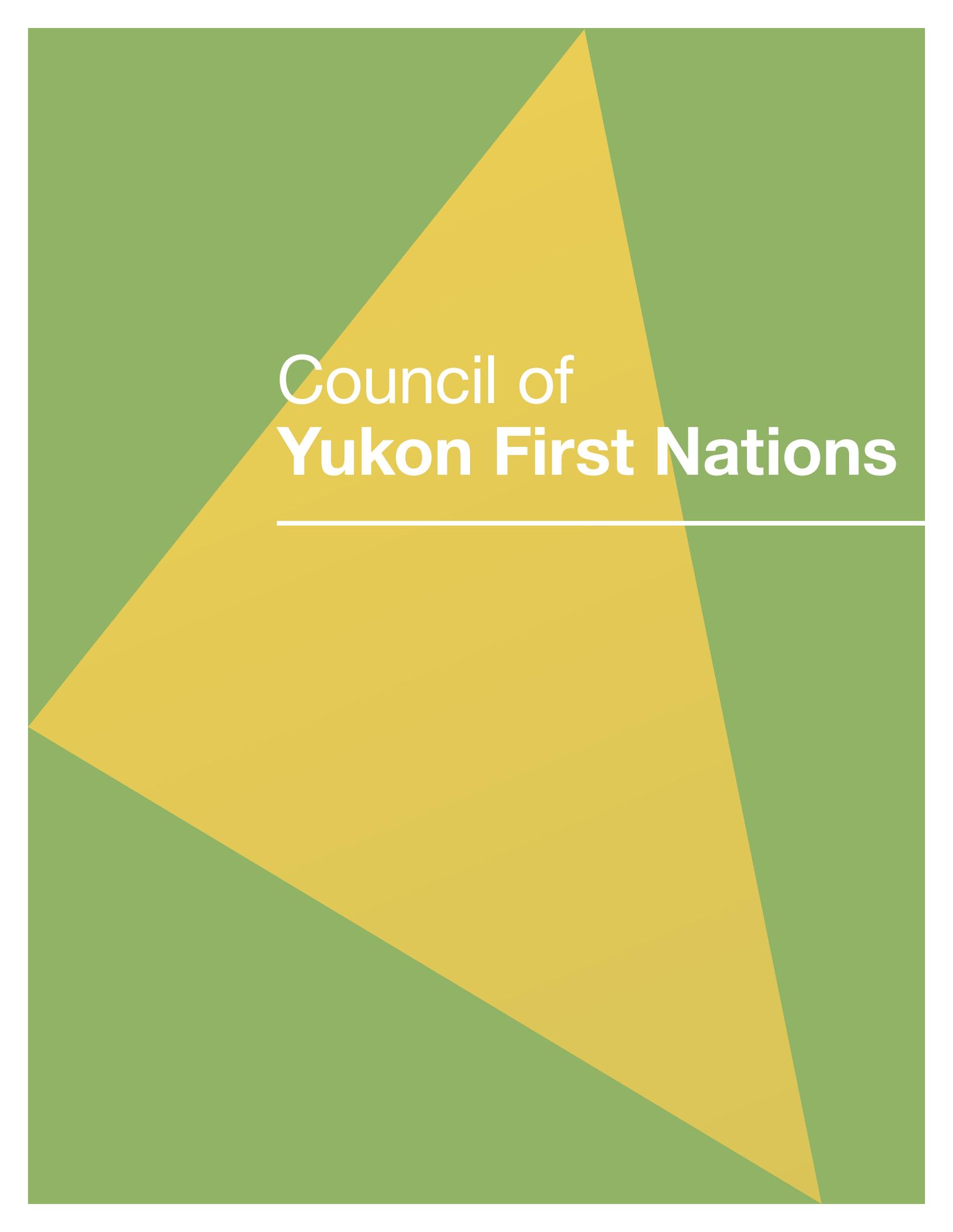
Challenges

A key challenge was the breach of the honour of the Crown and Chapter 11 of the Vuntut Gwitchin First Nation Final Agreement by the Government of Yukon in the regional land-use planning process for the Peel Watershed.

Implementing the Vuntut Gwitchin First Nation Final and Self-Government Agreements with insufficient fiscal resources was another challenge.

Vuntut Gwitchin First Nation also had to navigate many challenges because it is located in a remote, fly-in community.



The logo features a large, stylized yellow triangle pointing downwards, set against a solid green background. The text 'Council of Yukon First Nations' is centered within the upper portion of the yellow triangle. A thin white horizontal line is positioned below the text.

Council of **Yukon First Nations**



CYFN

Council of Yukon First Nations

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The Council of Yukon First Nations was originally formed as the ‘Council for Yukon Indians’ in 1973 specifically to negotiate land claims. The Council is formed as a non-profit organization under the *Societies Act* of the Yukon, and operates under a constitution adopted by its member First Nations at a General Assembly. At present, the Council’s membership is composed of Yukon First Nations who have reached land claim and self-government agreements, with First Nations from the Mackenzie River Delta region of the Northwest Territories. The Council plays an important role in intergovernmental relations on behalf of Yukon First Nations. Its mandate is to serve as a political advocacy organization for First Nations holding Traditional Territories in the Yukon, and to protect their rights, titles and interests.

Among its roles and responsibilities, the Council of Yukon First Nations nominates, and in some cases appoints, First Nation citizens to the boards and committees that were established to assist Yukon First Nations in implementing initiatives under the Yukon First Nation Final Agreements. Additionally, the Council of Yukon First Nation nominates Yukon First Nation citizens to boards and committees established through Yukon territorial statutes and on occasion, through federal statutes.

The Council of Yukon First Nations is composed of a variety of departments whose staff are collectively mandated to achieve their respective department’s goals and objectives. The Education Department works with partners to support Yukon First Nation education priorities. The Natural Resources and Environment Department participates in circumpolar issues that may affect the interests of Yukon First Nation citizens, and participates in the Northern Contaminants Program and climate change

initiatives. The Justice Department works with other Council of Yukon First Nation departments, First Nation justice workers, justice committees, Indigenous court workers and various Government of Yukon departments on shared objectives. The Health and Social Development Department coordinates and addresses issues and activities pertaining to health and social development. The Self-Government Secretariat works with self-governing Yukon First Nations to achieve specific outcomes related to the implementation of the Final and Self-Government Agreements, and participates in the Lands Claims Agreements Coalition.

The corporate vision and mandate of the Council of Yukon First Nations is established by leadership, which is composed of the Chiefs of member First Nations. For greater certainty, all leadership meetings are open to Chiefs (or their designate) of all First Nations, including those Yukon First Nations without Final Agreements.

The General Assembly is the overall governing body of the organization. The Council of Yukon First Nations reports on its activities and receives direction on an annual basis at the General Assembly, which is hosted each year by one of the member First Nations, and is open to all Yukon First Nation citizens.

Activities 2012 to 2013

Phase I of Walking Together to Revitalize and Recognize Yukon First Nation Languages, administered by Council of Yukon First Nation's Self-Government Secretariat, was completed in August 2012. Projects completed included a Tlingit Immersion Camp; initiation of language nests for Kluane First Nation, Kwanlin Dün First Nation, and Carcross/Tagish First Nation; and a community language plan for the Vuntut Gwitchin Government.

In June 2012 Kluane First Nation hosted the Council of Yukon First Nations General Assembly. Topics discussed included implementation of the corporate strategic plan; Bill C-38 on environmental assessment; the Youth Council; and the First Nations Bank.

On December 13, 2012, the Council of Yukon First Nations attended a teleconference information session hosted by the Government of Canada on potential amendments to the *Yukon Environmental and Socio-economic Assessment Act*. On January 9, 2013, the Council of Yukon First Nations Grand Chief Ruth Massie called on the Premier of the Government of Yukon to continue discussions with the Council of Yukon First Nations on issues related to those proposed amendments to ensure that the involvement of Yukon First Nations was consistent with Chapter 12 of the Umbrella Final Agreement and with the five-year review of the *Yukon Environmental and Socio-economic Assessment Act*.

Activities 2013 to 2014

The Yukon First Nation Statistics Agency, created by the Council of Yukon First Nation's Self Government Secretariat with funding from the Northern Strategy Trust Fund, supported Yukon First Nation governments by developing population projections, analyzing data held by other levels of government on Yukon First Nation citizens, and undertaking research. In 2013, the agency worked with the Council of Yukon First Nation's Self Government Secretariat and Yukon Education to produce a draft report on student achievement specific to First Nations students.

In March 2013 the Council of Yukon First Nation's Education Department hosted the Yukon Education Summit.

Initiatives identified by the Council of Yukon First Nation's Health and Social Development Department were funded under the Aboriginal Health Human Resource Initiative, which lasted until the initiative ended in March 2014.

In June 2013 the Council of Yukon First Nation held its General Assembly in Whitehorse. Events included a presentation by the Yukon River Inter-Tribal Watershed Council, implementation of the Council of Yukon First Nation Strategic Plan; the Memorandum of Understanding on land titles; and an all-candidates forum for candidates for Grand Chief.

Activities 2014 to 2015

Resources under the Aboriginal Health Human Resource Initiative continued to be available through the Council of Yukon First Nation's Health and Social Development Department, and courses under the Community-Based Worker Training program continued until March 31, 2015, including Mental Health First Aid for Northern Peoples.

In 2014 Canada's Aboriginal Justice Strategy funded a proposal to conduct research to determine if a Gladue program would be feasible in the Yukon and to create some basic protocols that could support such a program. The Steering Committee included representatives from

the Council of Yukon First Nation's Justice Programs, the Public Prosecution Service of Canada – Yukon Region, the Yukon Department of Justice, and Kwanlin Dün First Nation's Justice Department. The report was released in 2015.

In June 2014 Champagne and Aishihik First Nations hosted the Council of Yukon First Nation General Assembly in Haines Junction. The topics discussed included the Assembly of First Nations Annual General Assembly in Halifax, the *Yukon and Nunavut Regulatory Improvement Act* to amend the *Yukon Environmental and Socio-economic Assessment Act*, the report of the First Nations Education Commission, the Salmon Sub-Committee, and the Council of Yukon First Nations Constitution.

In November 2014 the Council of Yukon First Nations held a special two-day General Assembly in Whitehorse to discuss its mandate with all interested Yukon First Nations. This was a focused opportunity for Yukon First Nation leadership and citizens to consider and shape the mandate of the Council of Yukon First Nations.

Activities 2015 to 2016

In June 2015 the Selkirk First Nation hosted the Council of Yukon First Nations General Assembly at Minto Landing. Issues discussed included salmon management and the passage of the *Yukon and Nunavut Regulatory Improvement Act* to amend the *Yukon Environmental and Socio-economic Assessment Act*, and an all-candidates forum for the Assembly of First Nations Yukon Regional Chief.

Council of Yukon First Nations' senior leadership travelled to meet with Yukon First Nations in their respective communities to present the *What We Heard* document that followed from the Special General Assembly held in November 2014.

In September 2015 Yukon First Nations and the Council of Yukon First Nations hosted a forum for candidates in the federal election campaign.

In December 2015 the Council of Yukon First Nations' Grand Chief Ruth Massie joined the Yukon delegation in Paris at COP-21, the 21st Conference of the Parties of the United Nations Framework Convention

on Climate Change. The Yukon delegation also included the leaders of Yukon's opposition parties, the Climate Change Youth Ambassador and officials from the Government of Yukon's Department of Environment.

In 2015 and 2016 the Council of Yukon First Nations, along with its partners in education — the First Nation Education Commission, and Yukon Education — continued to meet and move ahead with initiatives under the Joint Education Action Plan. These followed from the Joint Education Action Plan Implementation Strategy, which was an outcome of the 2015 Education Summit. The focus of the 2016 summit was on three key areas: cultural inclusion standards; a framework for a Yukon First Nation engagement protocol; and support for First Nations students.

In January 2016 the Council of Yukon First Nations and Yukon College launched Yukon First Nation 101, an online course developed in partnership with the 14 Yukon First Nations. The four-hour program builds on the Yukon First Nations core competency that all Yukon College credit students are required to have. Northwestel was the first corporate partner to participate in the course, which is available to any Yukon business or non-government organization.

Also in January, the Council of Yukon First Nations' Grand Chief Ruth Massie expressed support for the government-to-government protocol and work plan on mining-related matters and shared priorities developed by the Government of Yukon and self-governing Yukon First Nations.

In February the Council of Yukon First Nations and member Yukon First Nations advocated support for the three First Nations — Nacho Nyäk Dun, Tr'ondëk Hwëch'in and Vuntut Gwitchin — who were among the appellants moving forward with the Peel watershed case to the Supreme Court of Canada.

In March 2016 the Council of Yukon First Nations and the Yukon Planning Group on Homelessness conducted the first Point-in-Time Homeless Count in Whitehorse. The Point-in-Time count is part of the Government of Canada's Homelessness Partnering Strategy, which is funded by Employment and Social Development Canada.

Activities 2016 to 2017

In April 2016 the federal Minister of Indigenous and Northern Affairs, along with the Yukon Premier, the Council of Yukon First Nations Grand Chief and Chiefs of the 11 self-governing Yukon First Nations met at the Intergovernmental Forum in Whitehorse, the first forum in nearly six years. A highlight was the signing of a memorandum of understanding between Canada, Yukon, the Council of Yukon First Nations and self-governing Yukon First Nations that outlines mutually agreeable key steps towards addressing many of the First Nations' concerns regarding changes to *Yukon Environmental and Socio-economic Assessment Act*.

In May 2016 former Chief of Teslin Tlingit Council Chief Peter Johnston was acclaimed as the Council of Yukon First Nations' next Grand Chief. Johnston was sworn in at the Council of Yukon First Nations' General Assembly, hosted by the Little Salmon/Carmacks First Nation in June.

In 2016 the Government of Yukon and First Nations partners supported several community projects through the Mental Wellness Innovation Fund. The proposals were reviewed by a committee consisting of representatives from the Council of Yukon First Nations, Kwanlin Dün First Nation and the Government of Yukon.

During the 2016 territorial election the Council of Yukon First Nations hosted a public forum for the party leader candidates. In November the Council of Yukon First Nations Grand Chief Peter Johnston congratulated the three First Nations women who won seats in the Yukon Legislative Assembly.

Yukon's premier and chiefs attended the Yukon Forum in January 2017, the first one attended by newly elected Premier Sandy Silver. Participants committed to holding four Yukon Forums a year and to developing a joint action plan for shared priorities.

Also in January 2017 the Government of Yukon and self-governing Yukon First Nations signed a memorandum of understanding at the Mineral Exploration Roundup in Vancouver. The agreement establishes a government-to-government relationship that enables the Government of Yukon and First Nations chiefs to work together to improve the management of mineral resources in the Yukon.

In February 2017 the Premier, Cabinet ministers and a First Nations delegation travelled to Ottawa for three days of meetings. The meetings, part of the annual Yukon Days, provided an opportunity for First Nations chiefs to meet with federal ministers.

In early 2017 the Council of Yukon First Nations hosted the Yukon First Nation Choice School Visioning Sessions. Yukon First Nations examined how First Nation education is structured in Canada and discussed options for a First Nation education system in the territory.

On March 17, 2017 the federal Minister of Indigenous and Northern Affairs, along with the Yukon premier, Council of Yukon First Nations Grand Chief Peter Johnston and Yukon First Nations chiefs met at the Intergovernmental Forum in Whitehorse. The governments provided updates on shared priorities, including the Truth and Reconciliation Commission's Calls to Action and Missing and Murdered Indigenous Women and Girls.

Also in March 2017, Yukon First Nations, the Government of Yukon and the Yukon Chamber of Mines confirmed their united support to have federal Bill C-17 (An Act to amend the *Yukon Environmental and Socio-economic Assessment Act* and to make a consequential amendment to another Act) passed by Parliament without change. Bill C-17 would repeal contentious amendments to *Yukon Environmental and Socio-economic Assessment Act*.

Renewable Resources Councils

Renewable Resources Councils are local bodies who make management recommendations to self-governing Yukon First Nations, the Government of Yukon, and the Government of Canada. They are established where individual land claim agreements have been signed. To date, 10 of the 11 self-governing Yukon First Nations have established a Renewable Resources Council.

Renewable Resources Councils allow for local management of renewable resources — such as fish, wildlife, habitat and forest resources — in each Yukon First Nation's Traditional Territory. Renewable Resources Councils also support the Yukon Fish and Wildlife Management Board, including the Salmon Sub-Committee, by raising awareness of specific issues and providing local and traditional information.

The Councils have six to ten members, plus alternates; half are nominated by the respective First Nation, and half are nominated by the Government of Yukon.



Alsek Renewable Resources Council

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Establishing Authority:

Provision 16.6.0 of the Champagne and Aishihik First Nations Final Agreement.

Jurisdiction:

Champagne Aishihik Traditional Territory, which includes the communities of Haines Junction, Canyon Creek, Takhini, Mendenhall, Silver City, Kloo Lake, Aishihik and Klukshu.

Activities 2012 to 2017

The Alsek Renewable Resources Council participated in the development and implementation of the Alsek Integrated Moose Management Plan. The primary objective of the plan is the recovery of moose populations in the southern portion of the Champagne and Aishihik Traditional Territory. The plan requires the Alsek Renewable Resources Council to partner with Champagne and Aishihik First Nations, Government of Yukon, Parks Canada, and the Government of British Columbia. The Council provided in-kind and financial contributions to support a ground-based wolf reduction program per the objectives of the Yukon Wolf Conservation and Management Plan. Council participates in the annual and triannual review of this plan.

Alsek Renewable Resources Council partnered with the Yukon Department of Energy, Mines and Resources and Champagne and Aishihik First Nations on the development of a new Timber Supply Analysis for the Champagne and Aishihik Traditional Territory. The analysis will provide the framework for a new Allowable Annual Cut determination by Forest Management Branch, which will be the first of its kind since the implementation of the *Yukon Forest Resources Act* and *Forest Resources Regulation* in 2011. Council was pleased to have been involved in this important work to ensure that forest harvesting in the Champagne and Aishihik Traditional Territory takes place in a sustainable manner and that the local use of forests is considered by governments when determining the annual allowable cut. Council also participated in the ongoing timber harvest planning process, and provided the public with a forum to comment on forestry activities through the *Yukon Environmental and Socio-economic Assessment Act* process.

The Council is a member of the Aishihik Lake Advisory Committee. The Committee is collaboration between Yukon Energy and Champagne and Aishihik First Nations, and includes a variety of government and non-profit organizations to discuss the continued use of the Aishihik

watershed for hydro production. Associated ongoing research and monitoring programs provide Council with up-to-date information regarding fish and wildlife populations in the Aishihik watershed.

Alsek Renewable Resources Council developed and implemented an ongoing habitat restoration and enhancement project for Pine Creek, a local food and recreational fishery in the Haines Junction area that has been negatively impacted by changes to the watershed. Community consultation indicated that Pine Creek had historically been an important subsistence harvest and recreational fishery site for both First Nation and non-First Nation community members. Alsek Renewable Resources Council members interviewed First Nation elders and longtime community members, who provided local and traditional knowledge regarding historic fish populations and noted trends. They were also able to provide important details regarding changes in the watershed that may have resulted in declines in fish populations.

Alsek Renewable Resources Council received funding from the Yukon Fish and Wildlife Management Board's Fish and Wildlife Enhancement Trust Fund to assess fish populations and fish health in Pine Creek, and to design and implement an in-stream habitat enhancement project. Council contracted an environmental assessment firm, who collaborated with Champagne and Aishihik First Nations and the Yukon Youth Conservation Corps. This is an ongoing community project that has secured additional funding for future work.

The Council supported harvest restrictions on Pine Lake, an important local recreational and subsistence fishery. The goal of the multi-year program is to rebuild lake trout populations to a sustainable harvest level. The Council partnered with Champagne and Aishihik First Nations to complete a study of fish health and contaminants and included local high school students in the sampling work. The Pine Lake project is an extension of the efforts to restore habitat in Pine Creek; it is hoped that the two projects will complement each other to ensure the optimum long-term productivity of the Pine Lake watershed.

The Council hosted and attended numerous intergovernmental and community meetings on various topics, including the management of wood bison, elk, grizzly bears, off road vehicle use, and regulatory changes to the *Yukon Wildlife Act*. The Council continued to attend meetings hosted by the Yukon Fish and Wildlife

Management Board, and annual gatherings of the Renewable Resources Council Chairs, as well as the Renewable Resources Council Annual General Meeting. Alsek Renewable Resources Council, along with Dän Keyi Renewable Resources Council of the Kluane First Nation Traditional Territory co-hosted the 2016–17 Annual General Meeting, an on-the-land gathering of First Nations, Renewable Resources Councils, and various government bodies at Silver City on the shores of Kluane Lake.

Alsek Renewable Resources Council participated in outfitter harvest quota meetings, trap line concession reviews, harvest management policy development meetings, and continued to support research and monitoring activities in the Champagne and Aishihik Traditional Territory relating to wildlife, water quality and climate change.

The Council continued to maintain its public office and staff member in Haines Junction.

Successes

The most significant success for the Council was the development of the five-year (2016 to 2021) Community-Based Fish and Wildlife Work Plan, which involved extensive intergovernmental and community-based consultation. The work plan will provide guidance to the Alsek Renewable Resources Council on current and future projects and activities. The plan establishes four priorities — moose, freshwater fish, thinhorn sheep, and trapping — for the Council to focus its efforts on, as well as other monitoring and stewardship activities for the Council to consider, including caribou, mountain goats, wolves, grizzly bears, upland game birds, wildlife viewing, water monitoring, and off-road vehicle management.

Challenges

The most significant challenges faced by the Council are the recruitment and retention of Council members; and funding shortfalls for training and development of Council members and staff to ensure that they are current with a wide array of topics, including financial and administrative management, wildlife ecology, climate change, and communication technology as it relates to public engagement.



Carcross Tagish Renewable Resources Council

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Establishing Authority:

Provision 16.6.0 of the Carcross/Tagish First Nation Final Agreement.

Jurisdiction:

Carcross/Tagish First Nation Traditional Territory which includes the communities of Carcross and Tagish.

During the reporting period Carcross Tagish Renewable Resources Council continued to seek ways to enhance hunting, trapping, and on-the-land opportunities, and to develop, promote and encourage local ground-based monitoring programs. The Council continued to enjoy positive working and information-sharing relationships with government biologists, conservation officers, and Carcross/Tagish First Nation Lands personnel, and developed a communications strategy to guide its public awareness and participation at community events.

Carcross Tagish Renewable Resources Council participated in the current Southern Lakes Forest Resources Management Plan process and co-hosted public meetings in various communities to garner public input. The Council also regularly provided comments on and input to *Yukon Environmental and Socio-economic Assessment Act* and land-use applications.

Activities 2012 to 2013

In 2012–13 Carcross Tagish Renewable Resources Council developed the concept and undertook preliminary planning for a multi-jurisdictional “On the Land” gathering.

The Council also launched a public awareness campaign, “Don’t Lose It, Use It!” that offered options for dealing with freezer-burned meat and fish. The council also finalized its trapline allocation guidelines.

Activities 2013 to 2014

In 2013–14 the Council provided feedback on a range of proposed legislative and policy changes.

Activities 2014 to 2015

In 2014–15 Carcross Tagish Renewable Resources Council sponsored two youths in the Basic Trapper Training Workshop. The Council also hosted a wolf pelt handling workshop in Carcross that focused on the necessary steps in pelt handling and was well attended by wolf trapping trainees and others.

Carcross Tagish Renewable Resources Council successfully completed the first year of a multi-year project to recover abandoned telegraph wire in the Southern Lakes region in partnership with Carcross/Tagish First Nation, and with assistance from the Yukon Youth Conservation Corps, to map the locations of the abandoned wire.

The Council hosted a public meeting with the Yukon Fish and Wildlife Management Board to seek public input on how roadside bear hunting should be regulated, and also hosted a trappers' gathering to better understand how to assist trappers in the Carcross/Tagish First Nation Traditional Territory; and how the Council could work more effectively with trappers and support the trapping industry.

From 2014 to 2017 the Carcross Tagish Renewable Resources Council worked with the Government of Yukon on an awareness campaign to decrease Southern Lakes caribou mortalities on the highway.

Activities 2015 to 2016

In 2015–16 the Council hosted a three-day trapping and ice fishing youth camp with Carcross/Tagish First Nation, encouraging youth and teaching them about fishing, trapping and being on the land. That same year Carcross Tagish Renewable Resources Council and Yukon Fish and Wildlife Management Board jointly hosted a public review of the proposed changes to *Yukon Wildlife Act* regulations. The two organizations also jointly hosted five fur-handling workshops; these “hands-on” events were funded through the Government of Yukon’s Department of Economic Development. The council participated in the planning process for the Tagish River Habitat Protection Area.

The Council established a working relationship with a local outfitter and distributed moose meat that he donated to community elders and people in need. Carcross Tagish Renewable Resources Council developed a website as part of its overall communication strategy to connect to all four communities in the Traditional Territory: Carcross, Tagish, Marsh Lake and Mount Lorne.

Activities 2016 to 2017

In 2016–17 the Council carried out a study on least cisco populations in the Tagish and Nares rivers; the study was initiated to address the longstanding concerns of Carcross/Tagish First Nation elders that these populations had declined significantly over the past fifty years or so and were continuing to decline. The study, which included field surveys and sampling, was partly funded by the Yukon Fish and Wildlife Enhancement Trust and the Yukon Energy Corporation.

In June 2016 Carcross Tagish Renewable Resources Council hosted the fourth annual On the Land Gathering, attended by various First Nation governments as well as the Governments of Yukon and British Columbia, to discuss management of the Southern Lakes caribou and other wildlife related issues. The Council also participated in and provided funding for a caribou education curriculum for schools.

The Council hosted a three-day Youth Muskrat Camp at Little Atlin Lake in partnership with Carcross/Tagish First Nation. The camp taught youth about muskrat trapping, beaver trapping, skinning of animals and ice fishing, and included talks by conservation officers, a biologist, a First Nation elder, and the RCMP. This was a very successful initiative and all the participants expressed interest in attending another camp.

Resources

Carcross Tagish Renewable Resources Council has worked on and completed many projects over the 2012–2017 period. Various project reports can be viewed and/or downloaded at the following link: www.ctrrc.ca/index.php/projects

Carmacks Renewable Resources Council

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Establishing Authority:

Provisions 2.12.0 and 16.6.0 of the Little Salmon/Carmacks First Nation Final Agreement.

Jurisdiction:

Little Salmon/Carmacks First Nation Traditional Territory which includes the community of Carmacks.



Dawson District Renewable Resources Council

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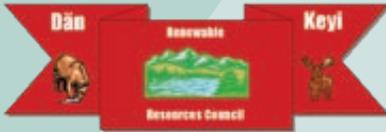


Establishing Authority:

Provision 16.6.0 of the Tr'ondëk Hwëch'in Final Agreement.

Jurisdiction:

Tr'ondëk Hwëch'in Traditional Territory which includes the community of Dawson City.



Dän Keyi Renewable Resources Council

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Establishing Authority:

Provision 16.6.0 of the Kluane First Nation Final Agreement.

Jurisdiction:

Kluane First Nation Traditional Territory which includes the communities of Beaver Creek, Burwash Landing, and Destruction Bay.

Activities 2012 to 2017

All the Council's regular monthly meetings are open to the public and the agenda is posted the week before the meeting. The Council operates from September to June and is closed in July and August.

During the reporting period, the Dän Keyi Renewable Resources Council focused on strengthening partnerships with Kluane First Nation, Environment Yukon and other organizations that manage renewable resources. The Council has expanded its network to include organizations such as Wildwise Yukon, Yukon Wildlife Viewing, Yukon Outfitters Association, Arctic Institute of North America, Yukon Invasive Species Council, Arctic Institute of Community-Based Research, Yukon Trappers Association; plus mineral exploration companies, as well as many independent researchers.

The Council has also made significant effort to increase public awareness and understanding of its mandate and to encourage a sense of land stewardship among key groups such as youth, trappers, hunters and other land users. This includes working with the Kluane Lake School in Destruction Bay to encourage youth to understand renewable resource management. Dän Keyi Renewable Resources Council has designed and implemented creative initiatives such as a youth photo contest focused on renewable resources, adding trapping to the curriculum and coordinating field trips like annual visits to spawning sites for chum salmon.

Dän Keyi Renewable Resources Council also makes regular presentations to the Kluane First Nation Elders Council to encourage elders in the communities in the Traditional Territory to engage with its work. Dän Keyi Renewable Resources Council attends Kluane First Nation General Assemblies, Harvest Camps and other events that provide opportunities to share information.

Dän Keyi Renewable Resources Council initiated a wildlife observation project to encourage the documentation of local knowledge in order to better inform wildlife monitoring and management planning, thereby providing a venue for residents and land users of the Kluane First Nation Traditional Territory core area to contribute their observations and opinions on matters that impact wildlife. It includes distributing wildlife observation journals to community residents and local land users to record their wildlife sightings and return the information to the Council. The project also involves annual community interviews with volunteers related to observations of changes with wildlife populations, climate change and other factors that affect renewable resources. A third component is the use of motion sensor cameras in key areas of wildlife habitat. The project has increased public awareness and expanded the Council's data base of local knowledge, although managing the information collected and reporting the findings to the public remains a challenge for the Council, which is a small organization with limited funds and capacity.

Extensive independent research takes place within the Traditional Territory. For example, the Kluane Lake Research Station, operated by the Arctic Institute of North America, hosts university students and academics who study a variety of research topics relevant to renewable resources. Dän Keyi Renewable Resources Council has increased communication between researchers and the public by hosting events such as its annual open house, where researchers and other organizations with projects relevant to the Kluane First Nation Traditional Territory can exchange ideas with members of the public, Kluane First Nation and the Council.

The Renewable Resources Council accumulated surplus funding has allowed Dän Keyi Renewable Resources Council to support two research projects of great value to the area. The "Nourishing Our Futures" project analyzed contaminants and nutrients in Kluane Lake fish and included comprehensive engagement with youth and the community. Results of the project were very positive and concluded that Kluane Lake trout are very healthy to eat, showing only minimal signs of contaminants.

The surplus fund also enabled the Council to support the continued collection of data related to the water temperature and conductivity of Kluane Lake to help determine the effects of climate change. This research is especially relevant in light of recent changes to the Slims River (A'ay Chù) drainage basin that has for hundreds of years

provided the majority of freshwater to Kluane Lake. The baseline data collected through these two projects will contribute to the long-term management of the lake's resources.

Dän Keyi Renewable Resources Council participates in a wide range of consultations related to the management of local renewable resources, including the development of a regional moose management strategy; proposed off-road vehicle regulations; grizzly bear conservation and management planning; wild salmon policy implementation; preventing wildlife collisions; and proposed *Wildlife Act* amendments. Many of these discussions are ongoing.

Challenges

Since the Dän Keyi Renewable Resources Council was established in 2004, the 100 percent overlap of the Kluane First Nation's traditional territory with White River First Nation in the Umbrella Final Agreement map has been a hindrance. The overlap is an impediment to fulfilling the Kluane First Nation Final Agreement, including the Council's mandate as laid out in 16.6.1 of the Kluane First Nation Final Agreement.

Also, the Council has been caught between the Kluane First Nation's interpretation of White River First Nation's role in the Kluane First Nation Core Area and the federal government's interpretation of White River First Nation's role in the Kluane First Nation Core Area. The reality of these contradicting interpretations has presented situations of challenge for the Council.



Laberge Renewable Resources Council

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Establishing Authority:

Provisions 2.12.2.3 and 16.6.2 of the Ta'an Kwäch'än Council Final Agreement.

Jurisdiction:

Ta'an Kwäch'än Council Traditional Territory which includes the city of Whitehorse.

Activities 2012 to 2017

Laberge Renewable Resources Council participates in submissions to the Yukon Environmental and Socio-economic Assessment Board, the Yukon Water Board, and land applications. This is done to sustain the land for future generations.

Laberge Renewable Resources Council attends meetings of the Yukon River Panel and the Yukon River Inter-Tribal Watershed Council to talk about international issues related to salmon. The Laberge Renewable Resources Council continued with its project for Shallow Bay, sharing the cost of an environmental and land-use data gap analysis with Ta'an Kwäch'än Council. The Laberge Renewable Resources Council attended meetings on energy, elk, caribou and moose, and spent a great deal of time working on the Southern Lakes Forest Resources Management Plan. The Laberge Renewable Resources Council sent a request to the Yukon Minister of Energy, Mines and Resources for an emergency ban of off-road vehicles on all new trails in several zones; unfortunately, it was not acted on. The Laberge Renewable Resources Council worked with other renewable resources councils on issues that affect the Ta'an Kwäch'än Council Traditional Territory.

The biggest challenge over the years has to do with the fact that Ta'an Kwäch'än Council Traditional Territory almost completely overlaps those of other First Nations. This affects trapping, forest and land-use planning efforts. The other main challenge is trying to establish off-road vehicle legislation in the Yukon. Ta'an Kwäch'än Council hopes that once this legislation is in place it will help to protect fish and wildlife and their habitat.

Laberge Renewable Resources Council hopes to continue its efforts to protect fish and wildlife and their habitat in Ta'an Kwäch'än Council Traditional Territory in the years to come.



Mayo District Renewable Resources Council

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E-MAIL info@mayorrc.ca

Establishing Authority:

Provisions 2.12.0 and 16.6.0 of the First Nation of Nacho Nyäk Dun Final Agreement.

Jurisdiction:

First Nation of Nacho Nyäk Dun Traditional Territory which includes the communities of Mayo, Stewart Crossing, Elsa, and Keno City.

Activities 2012 to 2017

The Mayo District Renewable Resources Council reviewed applications for land use, including mining, forestry, farming and residential uses. The Council also reviewed new and revised territorial regulatory documents and met with government delegates and the community.

The Mayo District Renewable Resources Council hosted community meetings to present issues and hear local views, and attended other meetings around the territory related to its mandate. The Council met annually with the other renewable resources councils to compare and collaborate on areas of common interest and concern.

The Council worked with the community and the First Nation of Nacho Nyäk Dun to update the work plans for the local habitat protection area and community-based fish and wildlife.

In 2012 the Mayo District Renewable Resources Council hosted the Renewable Resources Council Annual General Meeting in Whitehorse.

In 2014 and 2016, the Council hosted the Mayo District Renewable Resources Council Day, bringing in government representatives that the Council works with to mingle and converse about mutual issues and concerns. The fun atmosphere encouraged everyone to participate, especially youth and children.

In 2015 the Mayo District Renewable Resources Council held a one-day training session for Council members on topics such as the Council's mandate, policies and procedures, and financial responsibilities.

The Ethel Lake voluntary no-hunt program seems to be working; herd and calf survival numbers are slowly climbing.

Challenges

The Yukon Energy Corporation hydro facility and changes to the Mayo Lake and river are an ever-present concern for the Council. Issues include changes to the drawdown of reserve water from the lake over the years and requests for further footage, and more and more harvest pressure on the lake fish due to salmon restrictions, resulting in fish populations being stressed.

The government challenges and court case related to the Peel watershed land-use plan have meant that without a plan in place, land-use and mining applications near the area are a concern.

Community-Based Plan for Fish & Wildlife

In 2014 the fourth review of the Mayo Community-based Fish and Wildlife Work Plan — which the Council was instrumental in developing in 1993 — took place. The plan is a cooperative approach to guide fish and wildlife management and populations, habitat and harvest practices that involve the First Nation of Nacho Nyäk Dun, Environment Yukon and the Mayo District Renewable Resources Council.

In 2017 the Council participated in the five-year review of the Management Plan for the Horseshoe Slough Habitat Protection Area. The plan, created under Chapter 10 of the Umbrella Final Agreement and signed in 2001, includes conservation and protection of wildlife and habitat, traditional and cultural areas, and public awareness.

SPOTLIGHT
on Implementation

North Yukon Renewable Resources Council

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E-MAIL nyrrc@northwestel.net

Establishing Authority:

Provisions 2.12.0 and 16.6.0 of the Vuntut Gwitchin First Nation Final Agreement.

Jurisdiction:

Vuntut Gwitchin First Nation Traditional Territory which includes the community of Old Crow.

Selkirk Renewable Resources Council

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E-MAIL selkirkrrc@northwestel.net

Establishing Authority:

Provision 16.6.3 of the Selkirk First Nation Final Agreement.

Jurisdiction:

Selkirk First Nation Traditional Territory which includes the community of Pelly Crossing.



Teslin Renewable Resources Council

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FAX 867-390-2919



E-MAIL teslinrrc@northwestel.net

Establishing Authority:

Provisions 16.6.3 of the Teslin Tlingit Council Final Agreement.

Jurisdiction:

Teslin Tlingit Council Traditional Territory which includes the community of Teslin.

Activities 2012 to 2017

Teslin Renewable Resources Council was represented on a working group with the Teslin Tlingit Council and Yukon Forest Management Branch to work on the development of a Timber Harvest Plan for the Traditional Territory. The forest research project concluded in 2016 and information gathered will be used to assist with the harvest plan.

As partners in the Nisutlin River Delta National Wildlife Area, the Teslin Renewable Resources Council and the Teslin Tlingit Council continued to work with Canadian Wildlife Services on matters related to the delta area. Regular monitoring trips into the area take place annually and, in 2014, the Resources Council sponsored a day trip into the area for elders and schoolchildren.

The Yukon Outfitters Association and Teslin Tlingit Council continued to offer financial incentives to trappers who focus on harvesting wolves on their trap lines. In November 2015 a trappers' evening and supper was hosted by the Teslin Renewable Resources Council, which was attended by approximately 75 trappers and their families. The Resources Council had designed new trail signs for the trappers, which were handed out at the dinner. In 2016 Teslin Renewable Resources Council provided financial assistance to hold trapping camp for children during the school spring break.

Teslin Renewable Resources Council provides some financial support to the Teslin Lake Bird Observatory on an annual basis. In 2016 the Council had signage constructed for the observatory to make the public aware of its location.

In 2016 the Resources Council began a two-year study of lake trout in Teslin Lake. Biologists conducted studies on the various groups of trout found in the lake, identifying spawning grounds, tagging fish and collecting DNA to help determine fish populations and movement in the lake.

Success

Every June, the Teslin Renewable Resources Council hosts a barbecue and information session for Teslin community members and other interested parties. The event is always very well attended, with as many as 150 people at times.

With funding assistance from Environment Canada, Teslin Renewable Resources Council was able to design, construct and install two signs at Johnson's Crossing to educate the public on the spring staging areas for swans in the Teslin River.

Teslin Renewable Resources Council sponsors youth activities on the land such as a spring beaver hunt, salmon education and restoration, and trapping.

Boards, Committees and Councils



Dispute Resolution Board

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The mandate of the Dispute Resolution Board is set out in Chapter 26 of the Umbrella Final Agreement and the Yukon First Nation Final Agreements. The Board facilitates mediation — an out-of-court, non-adversarial dispute resolution process — to resolve disputes arising from the interpretation, administration or implementation of the Final Agreements or Settlement legislation. If mediation is not successful, the Parties may use the more formal process of arbitration.

The three board members are appointed for three-year terms. The Board is supported by an Executive Director and an on-call employee.

Activities 2012 to 2017

The Board facilitated one successful mediation, which saw the participants continue with further negotiations to resolve the issue.

On learning that a dispute was going to court, the Board contacted the parties and outlined the advantages of the mediation process under Chapter 26 of the Umbrella Final Agreement. The parties declined this offer because they felt the courts would provide a more clear answer on matters of interpretation.

The Board met with representatives of the Teslin Tlingit Council Peacemaker program to share information about their respective dispute resolution processes.

The Dispute Resolution Board fielded enrollment queries, referred individuals to the appropriate offices, and received enrollment records from First Nations.

The Board hosted a two-day Mediators Clinic for its mediators and arbitrators to explore how the mediation process should proceed under Chapter 26.

The Board hosted a one-day workshop on the Enrollment Appeals Process. The workshop covered the process under Chapters 3 and 26 of the Umbrella Final Agreement; the history of the Yukon land claim; fair adjudication; and common law rules, principles and processes; and provided a guide to the enrollment appeals process. This workshop was attended by decision-makers for Yukon land claim enrollment.

The Board chair and employee attend the yearly Council of Yukon First Nations General Assembly to distribute information and meet the attendees. The chair attended the “Keeping the Promise” conference hosted by the Land Claims Agreements Coalition in Ottawa, and participated in the plenary sessions on dispute resolution within modern treaties.

The Board’s employee attended Council of Yukon First Nations’ Enrollment Forum and Summit to present the history of the Yukon land claims enrollment records and to outline the Dispute Resolution Board’s responsibility for the enrollment appeal process under Chapters 3 and 26.

The Board members and employee attended the Umbrella Final Agreement Boards and Committees Forum hosted by the Land Use Planning Council. The forum provided an opportunity for participants to learn from one another and find out how to coordinate their activities.

The Board has begun the consultation process with the signatories to the land claims agreements regarding adopting arbitration rules.

Successes

The Board hosted a two-day symposium that covered the history, spirit and intent of the Yukon land claim and ways to activate mediation under Chapter 26 of the Umbrella Final Agreement. This was attended by representatives of Yukon First Nations, Canada, and Yukon, Dispute Resolution Board mediators and arbitrators and members of another board.

Challenges

The Board was without appointed members twice during the five-year reporting period: from January 14, 2012 to September 28, 2012; and from September 27, 2015 to January 25, 2016. The Board notified the Parties that the office was inactive at these times; the Board’s employee continued to maintain the office. The Board retained a law firm to administer its funds to ensure that the office lease continued and the enrollment records were housed. In addition, one term appointment was vacant from September 27, 2015 to March 29, 2017.

With the Board appointments made in 2016 and 2017, the Parties to the Umbrella Final Agreement implemented overlapping term lengths of the three board members to ensure that appointments will always be in place.



TRAINING
POLICY COMMITTEE

Training Policy Committee

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The Training Policy Committee was established under Chapter 28 of the Umbrella Final Agreement to assist Yukon First Nations in obtaining the training they need to implement their Final Agreements. The Committee consists of five members who represent their appointing body; three from the Council of Yukon First Nations, one from the Government of Yukon, and one from the Government of Canada. Committee members are also trustees of the Yukon Indian Peoples Training Trust.

Activities 2012 to 2017

Trustees have worked on updating the Yukon Indian Peoples Training Trust Agreement so that it is more aligned with the intention of the Umbrella Final Agreement.

Trustees of Yukon Indian Peoples Training Trust funded the following Yukon First Nation training projects:

- ▶ Participation in a restorative justice conference;
- ▶ A language immersion program for Vuntut Gwitchin First Nation;
- ▶ Training in records and information management for Kwanlin Dün First Nation and Teslin Tlingit Council;
- ▶ Yukon First Nations Land Registry Training Project;
- ▶ Development of a cultural orientation workshop for Tr'ondëk Hwëch'in;
- ▶ Training for Yukon First Nation emerging leaders through the Our Voices initiative;
- ▶ Training in Indigenous leadership and management for Ta'an Kwäch'än Council and Kwanlin Dün First Nation;
- ▶ Tr'ondëk Hwëch'in Teaching and Working Farm;
- ▶ Carcross/Tagish First Nation's Transitional Employment and Youth Training Program;
- ▶ Financial training for Little Salmon/Carmacks First Nation;
- ▶ Training in communications and media for the Council of Yukon First Nations; and
- ▶ Training in Microsoft Office software for Carcross/Tagish First Nation.

The Training Policy Committee completed a literature review to take a comprehensive look at what has been written about the process of rebuilding nations, including the essential training areas, and the best training models and approaches for Yukon First Nations to adapt and use. The goal was to provide Yukon First Nations with well-researched rationale they can reference when planning for training and applying for related funding.

The report focuses on the five areas where Yukon First Nations can achieve their visions and overcome the challenges they face: governance; economic development; capital; leadership; and community engagement.

It outlines three approaches to assessing training needs that are adaptable to a Yukon First Nation context and have been effective in similar Indigenous contexts: strength-based; community-led development; and geographic information system mapping.

The report aims to equip Yukon First Nations with ideas to design innovative and meaningful training plans and programs. The range of approaches demonstrates that training needs to be community centered, forward thinking, and adaptable to the needs of each First Nation.

In 2015–16 the Training Policy Committee completed a baseline assessment of people who work for Yukon First Nation governments. The assessment evaluated their training needs, the challenges they face, best practices in providing training opportunities, and what supports would best serve Yukon First Nation training initiatives. Data was collected over a six-month period.

The assessment report was intended to be a tool to develop Yukon First Nation capacity and training initiatives by creating action plans to facilitate change. The assessment measured factors such as who Yukon First Nation workers are; workloads; stresses related to jobs and expectations; and the major challenges to professional development for Yukon First Nation workers. Challenges include the need to learn essential skills, the high cost of training, including travel and accommodation, and the difficulties of getting out of the office for training.

The information gathered and the recommendations that came out of this assessment will inform the work of the Training Policy Committee.

Resources

The Yukon First Nation Literature Review will be available electronically on Wayfinderyukon.ca

The Baseline Assessment of Yukon First Nation Government Workers is available on request at: tpced@tpcyukon.ca

Out of respect for the people who participated in the research, the Committee will share the report only with people or organizations who have been briefed on the context of the information.

Wayfinder

In response to the recommendations of the 2015–16 baseline assessment the Training Policy Committee is developing a current and comprehensive website called Wayfinder that pulls together information on training, funding, jobs and resources that is tailored to Yukon First Nation people.

Wayfinder is being built based on the needs identified by Yukon First Nations and will be full of Yukon First Nation-specific content. It will be structured so people can find specific information, will house specific course information, and provide links to the course provider's registration page.

Wayfinder will be launched in the 2017–18 fiscal year.

SPOTLIGHT on Implementation



Yukon Environmental and Socio-economic Assessment Board

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The Yukon Environmental and Socio-economic Assessment Board was established as an arm's-length, independent body under the *Yukon Environmental and Socio-economic Assessment Act*. The Act sets out a process to assess the environmental and socio-economic effects of development activities in Yukon, or that might affect Yukon, in a transparent, participatory and impartial manner. The *Yukon Environmental and Socio-economic Assessment Act* was created to implement Chapter 12 (Development Assessment) of the Umbrella Final Agreement and Yukon First Nation Final Agreements.

Activities 2012 to 2017

The Yukon Environmental and Socio-economic Assessment Board received 1,042 project proposals and completed close to 1,000 assessments. Most of these assessments were conducted by the Board's six designated offices. The Executive Committee completed four screenings: Eagle Gold Mine, Mactung Mine, Yukon Energy Corporation's Natural Gas Conversion Project, and the Stewart to Keno Power Transmission Line. The Casino, Coffee Gold and Kudz Ze Kayah mine projects were all submitted to the Executive Committee for screenings and the Casino Mine Project was subsequently referred to the first-ever review by a panel of the Board. To date no panel has been established.

The Board continued to develop guidance for project proponents, clarifying aspects of the assessment process and information requirements. The Board also focused on building internal capacity through guidance and training for assessment staff, providing training in organized reasoning to support structured and defensible conclusions in assessment reports.

The Board began work on the development of a framework for determining the significance of adverse environmental and socio-economic effects, and circulated a draft interpretive bulletin on the assessment methodology under *Yukon Environmental and Socio-economic Assessment Act* for public review and comment.

The Board conducted more than 50 random audits of evaluation reports and developed a framework for reviewing screening reports. A project proposal checklist was developed for Executive Committee screenings in order to provide greater certainty in determining whether a proposal is complete.

A conceptual design for the pre-submission phase of projects being submitted to the Executive Committee was developed to facilitate early engagement of the project proponents, First Nations and communities potentially affected by a project, regulators and assessors. Consultation with governments and industry indicated strong support for a pre-submission process.

The Board also initiated work on the development of a governance framework to provide clarity on the mandate of the organization, its structure, roles and responsibilities, and the relationship between the Board and administration.

The Board partnered with the Government of Yukon, First Nations, and the Yukon Water Board on the Mine Licensing Improvement Initiative.

The Board continued its outreach efforts through regular meetings with decision bodies and industry associations, information sessions, and participation in conferences and workshops. Community meetings between Board members and First Nations' leadership resumed in 2015.

The average time required to complete assessments has remained constant or decreased slightly for most sectors, despite increasing demands and expectations of the assessment process.

The Yukon Environmental and Socio-economic Assessment Board developed and published the following policies and guides:

- ▶ Temporal Scoping Policy;
- ▶ Geohazards and Risk: A Proponent's Guide to Linear Infrastructure;
- ▶ Model Documentation Guide; and
- ▶ Consultation Guidance for Proponents.

The Board also completed work on the following information products:

- ▶ Proponent's Guide: Completing a Forestry Project Proposal;
- ▶ Project Proposal Form: Forestry;
- ▶ Proponent's Guide: Completing a Land Disposition Project Proposal; and
- ▶ Project Proposal Form: Land Dispositions.

The Yukon Environmental and Socio-economic Assessment Board, along with federal, territorial and First Nation governments, participated in eight *Yukon Environmental and Socio-economic Assessment Act* forums.

Participants explored opportunities for pursuing the recommendations from the five-year review of the Act.

The Board participated in discussions on proposed amendments to the *Yukon Environmental and Socio-economic Assessment Act* through the *Yukon and Nunavut Regulatory Improvement Act* (41st Parliament) and Bill C-17 (An Act to amend the *Yukon Environmental and Socio-economic Assessment Act* and to make a consequential amendment to another Act, passed during the 42nd Parliament), offering advice on the operational implications of proposed changes. As a neutral and independent body, the Board did not take policy positions on the proposed amendments.

Over a period of 30 months, the Yukon Environmental and Socio-economic Assessment Board successfully positioned itself to implement amendments to the *Yukon Environmental and Socio-economic Assessment Act* made through the *Yukon and Nunavut Regulatory Improvement Act* and Bill C-17.

Challenges

Key challenges and opportunities moving forward include:

- ▶ Continuing to define the assessment framework under the *Yukon Environmental and Socio-economic Assessment Act* through, for example, the elaboration of a clear assessment methodology and framework for determining the significance of adverse effects;
- ▶ Developing and implementing a pre-submission engagement process for Executive Committee screenings that enables early scoping of projects and assessments and provides proponents and other participants in the assessment process with greater certainty;
- ▶ Exploring means of enabling designated offices to dedicate more of their time and resources to the evaluation of higher risk projects;
- ▶ Undertaking Yukon's first-ever panel review;
- ▶ Continuing to work with governments to define the relationship between the assessment and regulatory review processes and to clarify roles and responsibilities in fully meeting the purposes of the *Yukon Environmental and Socio-economic Assessment Act*; and,
- ▶ Working with the federal, territorial and First Nations governments to understand and clarify how the assessment process can inform Crown consultation.

Resources

Yukon Environmental and Socio-economic Assessment Board Online Registry:

www.yesabregistry.ca

Proponent guides and other information resources:

www.yesab.ca/submit-a-project

Environmental Assessment Framework

Over the past several years, the Yukon Environmental and Socio-economic Assessment Board has invested time and resources in further developing and defining its assessment framework under the *Yukon Environmental and Socio-economic Assessment Act*.

This involved several tasks:

- ▶ creating a process and structure for policy development;
- ▶ commissioning research on the determination of significance in Canada and internationally;
- ▶ defining the elements of a framework for determining the significance of adverse effects of development projects;
- ▶ describing and detailing the assessment methodology under the Act;
- ▶ clarifying the Board's mandate and working with partners to define its roles and responsibilities within the overall assessment and regulatory review processes in Yukon; and
- ▶ providing staff with the tools necessary to develop transparent, well-reasoned and defensible conclusions in assessment reports.

This work has largely been internally focused, although it was informed by a range of partners. The goal was to strengthen assessment capacity and support continuous improvement within the Yukon Environmental and Socio-economic Assessment Board, provide greater process certainty, and ensure meaningful assessment outcomes that fulfill the full extent of the Board's mandate.

The initiative is expected to result in a number of guidance and interpretive products and a more clearly articulated framework for the *Yukon Environmental and Socio-economic Assessment Act* assessments.

SPOTLIGHT
on Implementation



Yukon Fish and Wildlife Management Board

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The Yukon Fish and Wildlife Management Board was established in Chapter 16 of the Umbrella Final Agreement as the “primary instrument of Fish and Wildlife management in the Yukon.” As set out in the Umbrella Final Agreement, the Board acts in the public interest, and may advance recommendations to the responsible Minister, Yukon First Nation and to Renewable Resources Councils in all areas relating to fish and wildlife management, focusing on territory-wide legislation, policy and other measures that guide fish and wildlife management in the Yukon. The Board is comprised of twelve members who are appointed by the Yukon Minister of Environment for a five-year term. The Council of Yukon First Nations and the Government of Yukon each nominate six candidates from across the Yukon who demonstrate a commitment to the conservation and sustainable use of our fish and wildlife resources.

Activities 2012 to 2017

The Board reviewed more than 100 proposed regulation changes for the Yukon *Wildlife Act*. This was a two-year process that the Board undertook with the Yukon Department of Environment.

The Board conducted many outreach and engagement activities, including facilitating public review of regulation changes and wildlife plans, attending open houses, and participation in conferences and national and international meetings.

In 2015, the Board worked as a partner on the update to the *Management Plan for Elk in the Yukon*, including bringing the plan to public review and recommending the final plan to the Yukon Minister of Environment.

From 2015 to 2017, the Board worked extensively as a partner on the development of the Grizzly Bear Conservation Plan, which included working with First Nations, Government of Yukon, Renewable Resources Councils, other relevant experts, and the public. The Grizzly Bear Conservation Plan will be reviewed by the public and recommended to the Yukon Minister of Environment in 2018.

The Board remains an active representative in many other fish and wildlife management groups, including the Wood Bison Technical Team, the Elk Technical Team, and the 40 Mile Caribou Working Group.

With direction from the Trapper Working Group, the Board administered a project to enhance Yukon's trapping culture and industry, which ran from 2012 to 2017.

The project was a great success : it improved participants' pelt handling skills, and allowed us to give money back to trappers to offset auction house fees and give awards for fur quality.

The Board continued to administer a scholarship for post-secondary students, renamed in 2014 as the Alex Van Bibber Sharing the Land Scholarship. In 2016 the scholarship was updated to award two \$1,000 prizes.

The Board has seen improved relationships with federal departments, specifically the Department of Fisheries and Oceans, during the review of the changes to the federal *Fisheries Act* (ongoing since 2016).

A major project the Board remained committed to working on is amending the Yukon *Wildlife Act* to bring it into conformity with the spirit and intent of the Yukon First Nation Final Agreements. To that end, the Board continued to work with the Yukon Department of Environment to refine and improve transparency and accountability within the process to change Yukon *Wildlife Act* Regulations.

Emerging issues that the Board was concerned about included access management (specifically, the Yukon Resource Gateway Project), wild sheep health and domestic sheep containment, and reviewing the angling and fisheries management system in the Yukon.

Resources

For Yukon Fish and Wildlife Management Board Annual Reports from 2010–17 and other publications mentioned here: yfwmb.ca/publications

Grizzly Bear Conservation

In 2014, the Yukon Fish and Wildlife Management Board sought public comment on a proposed regulation change that would make it unlawful to harvest grizzly bears within 30 metres of the road on some highways in the Southern Lakes area during the spring bear hunting season. Based on the input received, the Board recommended that the Yukon Minister of Environment set aside the proposed regulation change and develop an overall Grizzly Bear Conservation Plan for the Yukon. The Board recognized that grizzly bears are important to Yukoners, and saw an opportunity to develop a collaborative and proactive plan to ensure that this iconic species remains on the landscape for future generations.

Representatives from Government of Yukon and the Yukon Fish and Wildlife Management Board formed the Yukon Grizzly Bear Conservation Plan Working Group to produce a draft conservation plan for grizzly bears that would consider local, traditional and scientific knowledge.

The process for developing the plan involved a lot of ground work, listening to community perspectives from across the Yukon and transboundary areas before anything was written on paper. Workshops with Renewable Resources Councils and First Nations, as well as a public survey and presentations from other organizations, provided the Working Group with an abundance of knowledge to inform the plan's vision and goals. As of the 2017 fiscal year, the draft of the Grizzly Bear Conservation Plan was nearing completion. The next steps include a public review of the draft plan, completing the final plan, and recommending the plan to the Yukon Minister of Environment in 2018.

SPOTLIGHT
on Implementation



Salmon Sub-Committee

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The Yukon Fish and Wildlife Management Board, Salmon Sub-Committee is a public advisory body established under Chapter 16 of the Umbrella Final Agreement and the Yukon First Nation Final Agreements. The Yukon Fish and Wildlife Management Board, the federal Minister of Fisheries and Oceans, and the First Nations located in the Alesk, Porcupine and Yukon River drainage basins each nominate two members to the Sub-Committee.

The Salmon Sub-Committee is established as the main instrument of salmon management in the Yukon, and may make recommendations to the federal Minister of Fisheries and Oceans and to Yukon First Nations on all matters related to salmon, their habitat and management, including legislation, research, and policies and programs. Additionally, the Umbrella Final Agreement requires that Sub-Committee members make up the majority of the Canadian representatives on the Yukon River Panel (established under the Yukon River Salmon Agreement between the Government of Canada and the United States of America).

Yukon Geographical Place Names Board

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WEB

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The Yukon Geographical Names Board was established in 1987 to research and approve geographical names in the Yukon. In 1995, under Chapter 13 of the Umbrella Final Agreement, the Yukon Geographical Names Board was replaced by the Yukon Geographical Place Names Board. The Board is comprised of six members: three nominated by the Government of Yukon and three by the Council of Yukon First Nation. Their duties are to contribute expertise on linguistic place names and community use and keep informed on issues relating to toponymy in the Yukon.

Activities 2012 to 2017

The Board held three meetings each year. The primary focus of Board meetings is to review place name applications and decide whether to recommend them for approval by the Yukon Minister of Tourism and Culture. The number and nature of submissions vary from year to year.

Most place name applications reviewed by the Board during this period were submitted by Yukon First Nations. Champagne and Aishihik First Nations, Teslin Tlingit Council, Trondëk Hwëch'in and Vuntut Gwitchin First Nation were the primary contributors. In addition, a number of applications for names in the Peel River watershed in northern Yukon were received from the Tetlit Gwich'in of Fort McPherson, Northwest Territories. Whenever possible, the Board asks fluent elders from the respective geographical area to assist in reviewing any proposed names, and to provide the correct pronunciation, background and meaning of each proposed name.

The Board attempts to compile photo documentation for those place names it recommends for approval by the Minister. Aerial photo documentation using a helicopter was carried out in September 2012, August 2014, and March 2017.

The Board arranged to have approximately 17,000 slides professionally digitized. The slides show geographical features for which the Board had previously received applications.

The Board was pleased to receive a visit from the Yukon Minister of Tourism and Culture and the Director of Cultural Services at its February 2014 meeting. Board members provided an overview of the review process and explained the rationale for recommending both official and alternate place names.

The Geographic Names Board of Canada holds national meetings in various regions of the country on a rotating basis. In September 2012 one of the co-chairs and one member of the Yukon Geographical Place Names Board attended the national meeting in Quebec City.

In April 2015, one of the Board's co-chairs and two Board members travelled to Anchorage, Alaska to attend and present at a conference of the Council of Geographic Names Authorities. The Yukon delegation gave a presentation about the methodology for naming geographical features in Yukon. The presentation was well-received and participants asked many follow-up questions about the naming process and use of First Nation place names in Yukon.

Successes

The Board's website was upgraded. It is an excellent tool for educating the public, with sound file recordings of First Nation names being spoken and photographs of the corresponding geographical feature. The site was updated to make it more accessible by handheld devices and to accommodate the full range of spelling requirements of Yukon First Nation languages.

Challenges

In August 2014 well-respected member Monty Alford passed away. Monty was a retired federal hydrographer and mountaineer and had served on the Board since 2003. His knowledge of the territory's mountains and rivers had been a great resource for the Board, and his kind and wise presence is missed.



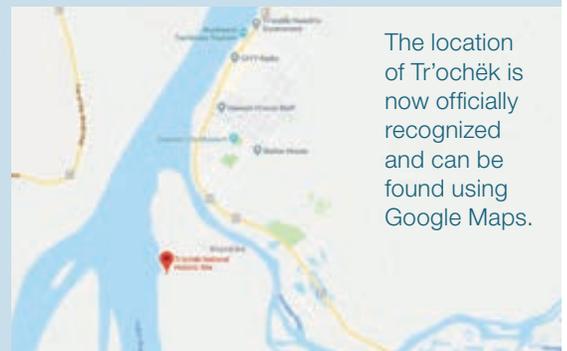
Photo: Wayne Towriss for the Yukon Geographical Place Names Board

SPOTLIGHT on Implementation

Tr'ochëk National Historic Site

In June 2015, the Board reviewed an unusual submission by Tr'ondëk Hwëch'in. The First Nation requested that the Hän name "Tr'ochëk" for the area at the mouth of the Klondike River be officially recognized. This is an extremely important cultural and historical site; rich oral history and written documentation of it date back to the nineteenth century. The name was recorded by Anglican Archdeacon Robert McDonald during an extensive trip he made along the Yukon and Stewart rivers in 1887. The area is now Tr'ochëk National Historic Site.

The area at the confluence of the Klondike River with the Yukon River, Tr'ochëk, was an important salmon fishing location for the Tr'ondëk Hwëch'in. The area at the mouth of the Klondike was a traditional site used by the local Hän people. The Klondike River is known as Tr'ondëk or Tr'odëk in the Hän language, and the area at the mouth is called Tr'ochëk.



The location of Tr'ochëk is now officially recognized and can be found using Google Maps.



Yukon Heritage Resources Board

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The duties and responsibilities of the Yukon Heritage Resources Board are set out in the Yukon First Nations Final Agreements, the Yukon's *Historic Resources Act*, and the Yukon First Nations heritage acts. Per its mandate, the Board makes recommendations to federal, territorial, and Yukon First Nation governments regarding the management of a wide range of heritage resources and heritage sites in the Yukon, and may also be asked to make determinations related to ownership of some heritage resources, pursuant to sections 13.3.2.1 and 13.3.6 of the Final Agreements.

Activities 2012 to 2017

The Yukon Heritage Resources Board's activities focused on ensuring implementation of core operations and mandated activities, including its decision-making function, per the relevant legislation; and on increasing engagement and involvement with the Governments of Yukon, Canada and Yukon First Nations.

The Board worked to increase awareness of its mandate, and of the overall profile of heritage in the Yukon; to enhance Board member knowledge of Yukon culture, heritage and implementation to facilitate provision of informed and relevant recommendations to the Parties; and to ensure that Board operations are efficient, appropriate, current and relevant.

The Yukon Heritage Resources Board formally adopted the Truth and Reconciliation Commission of Canada's Principles of Reconciliation in making recommendations, and will refer to the Principles and the Calls to Action in its recommendations and correspondence, as applicable.

The Board encouraged the Parties to continue discussions and activities related to the development of a manual, per Section 13.5.3.6 of the Final Agreements, to facilitate the management of the Yukon's heritage resources within the framework of the Final Agreements, and provided related input and recommendations to the Parties.

The Board received updates from the Parties on the development, finalization and implementation of First Nation heritage acts and on development of intergovernmental heritage management agreements, per Section 13.3.8 of the Final Agreements, providing input as requested; and continued discussions with the Parties to clarify its mandate and responsibilities under Sections 13.3.2.1 and 13.3.6 of the Final Agreements and in regard to access to related funding.

The Board participated in a variety of training initiatives, conferences, information sessions, and heritage community events to further Board member understanding of the Yukon Heritage Resources Board's mandate and enable them to continue providing informed and relevant recommendations to the Parties; and undertook specialized training to ensure that members are prepared to address the decision-making responsibilities set out in Sections 13.3.2.1 and 13.3.6 of the Final Agreements.

The Yukon Heritage Resources Board recommended to the Government of Yukon that it initiate the development of regulations related to the management of paleontological resources under the territory's *Historic Resources Act* and consistent with the objectives, mandates and guidance of the Yukon First Nations Final Agreements. The Board reviewed nominations and made recommendations on Historic Site designation for the wreck of the *A.J. Goddard*, Old Log Church and Rectory, and the Watson Lake Sign Post Forest, and participated in designation ceremonies for these sites.

The Board reviewed and made recommendations on draft management plans for Kusawa Park and Klondike National Historic Sites; and reviewed and made recommendations on updating of public documents related to nominating sites for Historic Site designation.

Activities also included submitting information requests and receiving updates from the Government of Canada with regard to heritage management planning for the Keno Hill mining district, and reviewing and making recommendations on the draft plan; reviewing specific updates and information on management planning processes for the Conrad and Lansing Post Heritage Sites and the community of Carcross; and making recommendations regarding consultation about, conservation of, and planning for the historic Ross River suspension bridge.

The Board made recommendations to the Government of Yukon related to policies, strategies, communications and funding for museums and cultural centers; participated in an ex-officio and observer capacity on the territory's Museums Advisory Committee and in annual museums and cultural centre roundtables; and recommended to Canada that it identify alternative funding for small Yukon archives affected by the termination of the National Archival Development Program in 2012.

The Board also engaged in outreach activities:

- ▶ presenting and hosting at conferences, Gold Show, General Assemblies, open houses, cultural events and Culture Days;
- ▶ distributing a variety of informational and promotional materials and updating its website, brochures and information panels; and
- ▶ working with partners to organize the Heritage Fairs program as a way to foster appreciation for Yukon history and heritage among youth.

The Board carried out these activities satisfactorily and met all the requirements of its Transfer Payment Funding Agreements, while adjusting to new financial and budgetary procedures enacted by the Government of Yukon. It initiated and completed development and implementation of its new strategic plan to guide activities and budgeting into 2021; and continued to update its policies and procedures to streamline internal operations, provide guidance for Board members and staff, facilitate communications, and align activities with the Board's mandate.

The Board reviewed and made recommendations annually regarding allocation of funding through the Yukon Historic Resources Fund program; and reviewed and made recommendations regarding Yukon Historic Resources Fund program documents, administration, public relations and advertising, and fund enhancement and management.

The Board received regular updates on national and international historic site designation efforts for Yukon sites; and tracked regional and national heritage issues through regular engagement with governments; territorial, regional and national heritage organizations; and the public.

The Board continued to experience difficulties related to training access and assistance, overall funding levels and inflexibility, inability of funding allocations to reflect Board appointment schedules, and inadequacy of funding and funding access procedures related to the Board's decision-making mandate.

Successes

The Yukon Heritage Resources Board has continued to engage the Parties around a variety of implementation issues, helping to ensure that Chapter 13 obligations are addressed through the development of documents, agreements and relationships that improve and facilitate appropriate heritage management in the Yukon, and move toward full implementation of the Final Agreements.

The Board is further encouraged that the Parties have begun engaging in discussions related to its decision-making mandate under the Final Agreements. Since 2007, when the Yukon Heritage Resources Board developed its Rules of Procedure for undertaking this mandate and initiated related consultation with the Parties, the Board has sought codification of a process to obtain adequate funding for carrying out this function, should it be called upon to do so. Responses from the Parties have been intermittent, without much clarity or certainty established.

More recent discussions have resulted in acknowledgement of, and increased clarity about, the nature and obligations of this mandate and the associated procedures, as well as the potential complexities and implications of its implementation. It is anticipated that planned future discussions will result in a more comprehensive understanding among the Parties about this mandate and increased certainty about the Yukon Heritage Resources Board's access to essential related resources.

Resources

Yukon Heritage Resources Board Publications:
www.yhrb.ca/board-publications

Yukon Heritage Resources Board Rules of Procedure for Determining Ownership of Heritage Resources under Chapter 13 of Yukon First Nation Final Agreements:
https://docs.wixstatic.com/ugd/64691d_56dc93bea4d2450798fec23b29470fe6.pdf



Yukon Land Use Planning Council

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Established under Chapter 11 of the Umbrella Final Agreement, the Yukon Land Use Planning Council makes recommendations to the Government of Yukon and Yukon First Nations on land-use planning in the Yukon and assists regional planning commissions. The Council makes recommendations relating to policies, processes, goals and priorities; planning regions, boundaries and priority planning areas; terms of reference for the planning commissions; and other matters as agreed to by Government and each affected Yukon First Nation. The Council also reviews annual budgets and work plans prepared by the planning commissions; organizes annual meetings of commission chairs, and conducts conformity checks based on the North Yukon Regional Land Use Plan.

Activities 2012 to 2017

Peel watershed

After the Peel Watershed Planning Commission submitted its Final Recommended Plan in July 2011, the Government of Yukon consulted on concepts for its new plan in 2012–13. The Council reviewed the Commission's Final Recommended Plan and the Government of Yukon's New Plan Concepts and recommended actions in April 2013.

The Government of Yukon rejected the planning commission's Final Recommended Plan and adopted its own plan in January 2014. On January 26, 2014, Tr'ondëk Hwëch'in, First Nation of Nacho Nyäk Dun, Canadian Parks and Wilderness Society (Yukon Chapter), Yukon Conservation Society and named individuals took the Government of Yukon to court, arguing that the government violated the process set out in Chapter 11 of Yukon First Nation Final Agreements.

On December 2, 2014, the Supreme Court of Yukon quashed the Government of Yukon's plan, ruling that the government had violated its treaty obligations in respect of the land-use planning process, and sent the process back to the final round of consultation, putting limitations on the Government of Yukon's ability to modify that plan.

On December 30, 2014 the Government of Yukon appealed the Supreme Court ruling to the Yukon Court of Appeal. On November 4, 2015, the Yukon Court of Appeal sent

the process back to the review stage of the Recommended Plan. On December 23, 2015 the First Nations and conservation groups applied to appeal to the Supreme Court of Canada, and in June 2016 this application was granted, signifying that the Peel Watershed case was of national significance.

The Supreme Court of Canada heard the case on March 22, 2017.

Organizational and outreach activities

Yukon Land Use Planning Council held 30 Council meetings in the reporting period, averaging six per year. Council members also attended special meetings and events. The three-person Council had six different members over this period.

The Council's outreach work extended throughout the Yukon. It included attending 19 Yukon First Nation General Assemblies and 59 meetings with senior government staff, primarily Yukon and Yukon First Nation but also Canada. The Council made presentations at 24 additional events in the Yukon and eight presentations at conferences outside of the Yukon. The Council hosted four large gatherings: From Claim to Plan (and Beyond) in January 2013; Planning for Success in January 2014; the Northern Planning Conference in February 2016; and the Umbrella Final Agreement Boards and Committees Forum in March 2017. The Council also organized a Meeting of the Chairs in June 2013.

Recommendations

Yukon Land Use Planning Council followed-up on its 2011 recommendation regarding planning regions in the southern Yukon and organized a series of meetings with the Government of Yukon, Champagne and Aishihik First Nations, Kwanlin Dün First Nation, Carcross/Tagish First Nation and Teslin Tlingit Council to develop detailed boundaries for the three planning regions involved. The Council developed draft terms of references for the Kluane and Teslin planning regions.

As part of improving the regional planning process under the land claim agreements, the Council, with assistance from a contractor, completed a review of the regional processes to date. It developed fifty recommendations relating to both the planning processes and organizational structures associated with the implementation of Chapter 11. Other process review work included two workshops involving Yukon First Nations and the Government of Yukon.

The Council recommended that a committee of senior officials from all Yukon First Nations and the Government of Yukon be established to address a number of land claim interpretation issues that it had identified. These included the lack of any response or ratification processes for Council's recommendations. It did not receive a response to this recommendation.

Yukon Land Use Planning Council reviewed and recommended budgets for the Dawson Regional Planning Commission and entered into two financial agreements that defined the Commission's financial accountability. The assistance that Yukon Land Use Planning Council provided to the Commission included financial administrative services and human resources support, field work, mapping services, preparation of reports and orientation of new members. The Commission had carried out preliminary work and begun to prepare a draft plan when in late 2014 the Government of Yukon, Trondëk Hwëch'in and the Vuntut Gwitchin Government decided jointly to place the Commission in abeyance until the court case related to the Peel watershed land use plan was resolved.

The Council assisted with the implementation of the North Yukon Regional Land Use Plan. This involved technical work related to a cumulative effects framework and the determination of the historical human footprint. The Council also conducted conformity checks on projects in the North Yukon region, even though this work was identified in legislation to be conducted by the North Yukon Regional Planning Commission.

Successes

Successes in the reporting included implementation of the North Yukon Regional Land Use Plan, identification of core Chapter 11 interpretation issues, three regional planning workshops and conferences, and one gathering of Umbrella Final Agreement Boards and Committees.

Challenges

The court cases related to the approval of the Peel watershed land use plan prevented the advancement of regional plans, since the signatories to the land claim agreements did not want more plans produced while the approval process was uncertain.

Regional planning processes are hindered by the uncertain role of Yukon First Nations without settlement agreements, and of transboundary First Nations without settlement agreements and with traditional territories in the Yukon; the lack of response and ratification procedures for Yukon Land Use Planning Council recommendations; and uncertainty with respect to the long-term existence of regional commissions.

Resources

Yukon Land Use Planning Council website contains updates on current activities and annual reports:

<http://planyukon.ca>

Challenges Associated with Implementing Chapter 11-Regional Land Use Planning, October 2016:

www.planyukon.ca/index.php/documents-and-downloads/reference-documents/38-chapter11/file

A Source Book for Commission Members, Yukon Land Use Planning Council, V. 1, 2010:

www.planyukon.ca/index.php/documents-and-downloads/reference-documents/578-the-source-book-for-commission-members/file

Our Land, Our Vision: a video on regional planning in the Yukon, 2011:

www.planyukon.ca/about-us/video-our-land-our-future

Dakhká Khwáan
Dancers



Photo:
archbould.com

Northern Planning Conference

February 15–18, 2016, Kwanlin Dün Cultural Centre, Whitehorse, Yukon

The Northern Planning Conference, involving planners from the circumpolar north, was held in February 2016 in Whitehorse. The purpose was to develop and share ways forward to ensure that northern planning is relevant, timely, cost-effective and well-functioning; to share northern experiences; and to create a network of northern planners. The content of presentations at the conference informed the Yukon Land Use Planning Council's review of Common Land Use Planning Process.

Jointly funded by the Canadian Northern Economic Development Agency and the Yukon Land Use Planning Council, the organizing committee included the Governments of Yukon and the Northwest Territories, the Yukon Land Use Planning Council, the Council of Yukon First Nations, the Planning Institute of British Columbia, and the Alberta Professional Planners Institute. The conference was attended by 230 participants from across Canada's North, Europe and the United States.



Photo:
archbould.com

Jeff Cook, Keynote Speaker

SPOTLIGHT
on Implementation



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The primary role of the Yukon Surface Rights Board is to resolve access disputes between persons owning or having an interest in the surface of the land and others having a right to access or use the land. The Board's main responsibility is to hear and decide disputes related to access or use of Yukon First Nation Settlement Land and, in certain circumstances, disputes involving access to or use of non-Settlement Land. The Board's jurisdiction derives from several statutes, primarily the *Yukon Surface Rights Board Act (Canada)*, which came into force on February 14, 1995. The Act was drafted to reflect the principles established in Chapter 8 of the Umbrella Final Agreement.

Activities 2012 to 2017

The Board accomplished many implementation activities to create a smooth process for the public while adhering to the spirit and intent of legislation, the Umbrella Final Agreement Implementation Plan, and the principles of law.

Settlement Land

In relation to Settlement Land, the responsibilities of the Board include:

- ▶ resolving access disputes between a Yukon First Nation and a person with a right to enter and use, cross, or stay on that Yukon First Nation's Settlement Land;
- ▶ resolving access disputes between a Yukon First Nation and a person with right to access Settlement Land;
- ▶ resolving disputes between Government and a Yukon First Nation relating to Government's use or restoration of gravel quarries located on Settlement Land; and
- ▶ determining the compensation to be provided to a Yukon First Nation for the expropriation of Settlement Land.

Non-Settlement Land

In relation to non-Settlement Land the primary responsibility of the Board is to resolve disputes between a person with a right or interest in the surface of the land — for example, a landowner — and a person who has a right of access to that land under a mineral right. The Board has specific responsibilities under the Yukon *Placer Mining Act* and *Quartz Mining Act* to hear and determine disputes about compensation to be paid under those Acts for loss or damages, and about the adequacy of security required by the mining recorder. The Board also hears disputes related to the interpretation of certain provisions of the Yukon laws that have been identified in regulations and that confer rights of access to exercise a mineral right.

Additional responsibilities of the Board are set out in other laws and agreements, including the *Oil and Gas Act* (Yukon), the *Expropriation Act* (Canada), the *Radiocommunication Act* (Canada), and Yukon First Nation Final Agreements.

The Board's process starts when the Parties are unable to reach an agreement and one of the Parties applies to the Board.

Communications

Pursuant to section 38 (a) of the *Yukon Surface Rights Board Act* the Board kept a public record of all applications made to the Board and orders and other decisions made by the Board in respect of applications.

Listings of the Board's public record, summary of access to information requests, governance and procedure documents, and publications can be accessed from the Board's office or website (www.yukonsurfacerrights.ca). The Board fine-tuned its website. The Board's office, located in Whitehorse, maintained a reading room for viewing the Board's public records and reference material.

Public relations

During the reporting period the Board updated its web site, produced and distributed its five annual reports. Board members attended public functions and meetings.

Industry relations

The Board kept industry informed by attending and/or hosting a booth at industry functions such as the Yukon Geoscience Forum and the Dawson City Gold Show; and including industry associations on the Board's consultation mailing list.

First Nations relations

The Board was available to meet First Nations on request and to provide information and guidance respecting its legislation and procedures. Annually, the Board provided each Yukon First Nation and all Umbrella Final Agreement boards and councils with a copy of its annual report. All Yukon First Nation and Umbrella Final Agreement boards and councils were included on the Board's consultation mailing list.

Government relations

The Board kept in contact with First Nation, territorial, federal and municipal governments. This often required attending workshops with the various governments when invited. The Board submitted funding reports to Indigenous and Northern Affairs Canada and provided activity reports to the federal Office of the Information Commissioner and the Office of the Privacy Commissioner.

Related initiatives

During the reporting period the Board carried out these tasks:

- ▶ provided information, when requested, for federal government updates to the *Yukon Surface Rights Board Act* and Regulations;
- ▶ updated its communications materials;
- ▶ marketed the Board's role and process;
- ▶ participated in Board member development initiatives; and
- ▶ developed and implemented in-house training opportunities.

Training

Due to Board member turnover ongoing training was needed for new members. The complex issues that come before the Board require members to have a broad understanding of a wide range of issues, including these:

- ▶ the Umbrella Final Agreement and First Nation Final Agreements and their respective implementation plans;
- ▶ administrative law and the principles of natural justice;
- ▶ dispute resolution;
- ▶ mining and land-use issues, legislation and best practices; and
- ▶ a range of legislation governing the Board and its administration.

Board members and staff participated in relevant training and conferences to maintain and develop capacity. The Board retained legal counsel and was regularly briefed on legal decisions that were directly or indirectly related to its jurisdiction or process. The Board worked on updating a dynamic in-house training manual for new and existing Board members.

Successes

The following key successes occurred over the last five fiscal years:

- ▶ participated in developing new regulations that provide Board jurisdiction to interpret provisions of the certain sections of laws of the Legislature of Yukon conferring rights of access for the purpose of exercising a mineral right;
- ▶ identified additional jurisdictions of the Board in relation to particular parcels of settlement land within individual Yukon First Nation Final Agreements that would legislate duties of the Board by identification in regulations;
- ▶ implemented changes to legislation such as securing the services of a new auditor as the Office of the Auditor General of Canada was no longer required to perform the duties of auditing the Board's financial statements; and,
- ▶ on November 14, 2016, the Board rejected Application 2016-001, an application by placer miners in Dawson City who were trying to remove homes in the Tr'ondëk Hwëch'in subdivision in order to mine the subsurface. The miners had staked claims in the 1970s and 1980s, before Tr'ondëk Hwëch'in had a Final Agreement.

Some of the land is now First Nation Settlement Land, and approximately 40 families live in the area.

In rejecting the application, the Board chair said the miners had failed to negotiate meaningfully with the First Nation before asking the board to intercede. According to Section 26(1) of the *Yukon Surface Right Board Act*.

Resources

File 2016-001 and Decision:

<http://www.yukonsurfacerrights.com/downloads/public/2016-001.pdf>

Brochure:

www.yukonsurfacerrights.com/downloads/publications/brochure.pdf

Fact Sheet:

www.yukonsurfacerrights.com/downloads/publications/fact_sheet.pdf

2016-17 Annual Report:

www.yukonsurfacerrights.com/downloads/publications/YSRB-Annual_Report_2016-17_WEB.pdf

Government of Yukon

The Government of Yukon is actively engaged in implementation activities provided for in the Yukon First Nation Final and Self-Government Agreements. Many of these activities carry on from year to year as departments continue to work with self-governing Yukon First Nations.



Government of Yukon

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Activities 2012 to 2017

Executive Council Office, Aboriginal Relations Division

The Government of Yukon met with the Minister of Indigenous and Northern Affairs Canada and Yukon Chiefs for Intergovernmental Forums in April 2016 and March 2017. These meetings were an opportunity to discuss common priorities including reconciliation, Missing and Murdered Indigenous Women and Girls, fiscal matters and the federal Arctic Policy Framework and the implementation of the Final and Self-Government Agreements. In April 2016, the leaders signed a memorandum of understanding on concerns related to the *Yukon Environmental and Socio-economic Assessment Act*.

The Government of Yukon met with Yukon Chiefs for Yukon Forums in May 2014, April 2016 and four times in 2017. The Yukon Forum was reinvigorated in January 2017 through the signing of an intergovernmental declaration. The leaders committed to meet four times a year and develop an action plan on joint priorities.

In February 2017, the Government of Yukon and Yukon First Nations Chiefs jointly met with many federal ministers as a part of Yukon Days. It was an opportunity to present a unified Yukon voice to federal leaders and highlight the priorities of both Yukon and Yukon First Nation governments.

Governance and capacity conferences were hosted by the Government of Yukon, Indigenous and Northern Affairs Canada and the Council of Yukon First Nations in February 2012, February 2013 and February 2014. The conferences focused on governance, capacity building, economic development and education.

The Government of Yukon has provided funding and support to the development of the Yukon College, First Nations Governance and Public Administration Program. The certificate, which will soon expand to a degree, focuses on building the skills, education and hands-on training needed to implement the Final and Self-Government Agreements.

In 2014, the governments of Yukon and Canada and the Council of Yukon First Nations reached an agreement on the Umbrella Final Agreement Implementation Plan. The plan provides 10 years of secure funding for boards and committees established by the Umbrella Final Agreement. Yukon, Canada, and Yukon First Nations also reached an improved funding arrangement for the Renewable Resources Councils. This agreement allows the Renewable Resource Councils access to the pooled surplus for specific projects.

In 2015, the governments of Yukon, Canada, Champagne and Aishihik First Nations, First Nation of Nacho Nyäk Dun, Teslin Tlingit Council, and Vuntut Gwitchin First Nation signed agreements to extend certain provisions in Chapter 22 of these First Nations' Final Agreements, which were due to expire on January 1, 2016.

In 2013, the Government of Yukon worked with the Carcross/Tagish, Kwanlin Dün, and Vuntut Gwitchin First Nations to develop a capacity assessment tool to help First Nations assess their capacity needs.

In November, 2013, the governments of Yukon and Canada and Yukon First Nations signed the *Acceptance of the Chapter 22 Working Group Report*. The report gave an overview on the actions taken by the Chapter 22 Working Group to fulfill a memorandum of agreement signed by the Parties in 2010. One of the tasks set out under the agreement, was to develop tools that would assist with the 2015 Review of Chapter 22. The Working Group included a description of each of the tools created in their report.

Energy, Mines and Resources

Mining

In January 2016, and again in January 2017 the Government of Yukon signed a memorandum of understanding on mining with self-governing First Nations. The agreement establishes a working group and work plan to discuss ways to improve Yukon's mining regime to ensure it is consistent with the Final and Self-Government Agreements.

The Government of Yukon is contributing funding and significant in-kind support to the Minto Socio-economic Monitoring Program Framework Agreement. The program is designed to monitor the social, economic and cultural effects of the Minto Mine on Selkirk First Nation citizens.

Forest Resources

The Government of Yukon is working with various First Nations to develop and implement forest resources management plans as per Chapter 17 of the Final Agreements.

In April 2016, the Government of Yukon and Champagne and Aishihik First Nations began working on a new timber supply analysis for the Champagne and Aishihik Traditional Territory. The timber supply analysis is part of the larger forest planning process set out in Chapter 17 of the Champagne and Aishihik First Nations Final Agreement. In March, 2013, The Dawson Forest Resources Management Plan was approved by the Government of Yukon and Tr'ondëk Hwëch'in. This strategic plan is intended to guide forest resource management through the integration of different community values in the Dawson region and Tr'ondëk Hwëch'in Traditional Territory. The plan is one of three being jointly implemented by the Government of Yukon and Yukon First Nations. Others include the Forest Management Plan for Teslin Tlingit Traditional Territory and the Champagne Aishihik Traditional Territory Strategic Forest Management Plan.

Land Management and Planning

The Government of Yukon is working with various First Nations to develop residential, agricultural and recreational lots: Kluane First Nation, Kwanlin Dün First Nation, Carcross/Tagish First Nation, Champagne and Aishihik First Nations, Teslin Tlingit Council, and Ta'an Kwäch'än Council.

In Dawson City, the Government of Yukon supported the relocation and renovations of the community's organic greenhouse and community garden. The government's contribution also supported hiring a Coordinator to manage the site and to deliver educational workshops and food preservation programming.

The Government of Yukon continues to work with Vuntut Gwitchin First Nation to implement the North Yukon Regional Land Use Plan.

The Dawson and Peel Regional Land Use planning processes are underway.

Community Services

The Government of Yukon worked with First Nations, Canada and municipalities to support upgrades and construction of community infrastructure through the Gas Tax, Building Canada, Small Communities and Clean Water and Wastewater funds.

The Government of Yukon continues to work with First Nations to provide emergency management planning.

Economic Development

The Government of Yukon worked closely with Tr'ondëk Hwëch'in, the City of Dawson and Canada to finalize a regional economic development plan related to Chapter 22 of the Final Agreements. The plan was signed by the Parties on August 11, 2015.

In 2015–16 the Government of Yukon worked with Yukon Information Technology Industry Society to host a First Nation information technology conference focusing on the IT needs of First Nation governments.

The Government of Yukon supported a number of First Nation projects through the Regional Economic Development, Community Development, Enterprise Trade and Strategic Industries funds.

Education

Beginning in 2013, the Government of Yukon worked with Canada, Yukon First Nations and the Council of Yukon First Nations to develop and implement the Joint Education Action Plan. The plan recognizes First Nations' jurisdiction in education and focuses on cultural inclusion and collaboration to close academic achievement gaps.

The Government of Yukon entered into education agreements with Tr'ondëk Hwëch'in in 2013, Kluane First Nation in 2015, and with Carcross/Tagish First Nation and the First Nation of Nacho Nyäk Dun in 2016. These agreements outline joint communication and participation on curriculum development, school programming and staffing.

The Government of Yukon supported the Kwanlin Dün House of Learning to provide upgrading; employment and trade-specific training, certifications and tickets; career and personal counselling, personal growth programs; and capacity building for Kwanlin Dün citizens.

The government maintained informal partnerships with Little Salmon/Carmacks, Selkirk and Nacho Nyäk Dun First Nations to facilitate the development of educational resource material development from a Northern Tutchone perspective. Traditional story "Dooli" booklets, posters, a DVD, a Potlatch resource and a land claims booklet have been developed.

The Government of Yukon supports several Yukon First Nation experiential learning programs including the CHAOS (Community, Heritage, Adventure, Outdoors and Skills) program offered to Grade 9 and 10 students, Rural Experiential Model, and carving training in partnership with Northern Cultural Expressions Society.

The Government of Yukon amended the *Student Financial Assistance Act* to increase First Nations students' eligibility.

Environment

There are collaborative fish and wildlife monitoring and management systems in place with various First Nations as well as Habitat Protection Area and Special Management Area plans.

The Government of Yukon worked with First Nations to develop the Yukon Water Strategy from 2012 to 2014.

The Government of Yukon worked in collaboration with First Nations to develop and manage several campgrounds including Conrad.

The Government of Yukon developed park management plans collaboratively with First Nations for the Kusawa, Asi Keyi, Daadzaii Van parks.

The Government of Yukon jointly managed the Tombstone, and Ni'iinlii Njik (Fishing Branch) Territorial Parks with First Nations.

Justice

The Government of Yukon is working with Canada and Teslin Tlingit Council to implement an Administration of Justice Agreement. The Government of Yukon is also discussing innovative Administration of Justice models with Kwanlin Dün First Nation and Canada.

In 2017, the Government of Yukon, Kwanlin Dün First Nation and Canada finalized a first-of-its-kind land registration amendment to the First Nation's Self-Government Agreement. The Government of Yukon also amended its *Land Titles Act* to enable the registration of leases on Settlement Land.

In 2016, the government provided \$1.4 million in funding support to the Kwanlin Dün First Nation for their Community Safety Liaison Officer pilot project.

The Government of Yukon continued to work with First Nations to implement the recommendations of Sharing Common Ground, the 2010 police review, which included participation on the Community Safety Committee.

The Government of Yukon supported a variety of community justice and Aboriginal court worker projects with First Nations.

The Government of Yukon supported the Council of Yukon First Nations to provide reintegration assistance to offenders returning to their communities.

Public Service Commission

The Government of Yukon renewed its Representative Public Service Plan in 2014 and continues to implement the plan in collaboration with First Nations, including recruitment, cross-government employment postings, promotion of temporary assignment exchanges between the Government of Yukon and First Nations governments, and increasing Yukon First Nation preference hires. Aboriginal representation in the Government of Yukon work force is approximately 14%.

The Government of Yukon maintained several programs to develop Aboriginal employees including a dedicated career counselor, career counselling workshops, an Aboriginal Development Program, and the Aboriginal Recruitment and Development Program.

Tourism and Culture

The Government of Yukon continued to provide funding support to the Yukon First Nation Culture and Tourism Association and to Yukon First Nation Cultural Heritage Centers.

The government continued to work with a number of First Nations to research, protect and provide educational materials on heritage resources including the ice patch, the Ni'iinlii Njik Caves, burial sites, and exhibits on archaeology.

The Government of Yukon co-owns and manages several historic sites with First Nations including Rampart House, Forty Mile, Fort Selkirk, Conrad Historic Site, and Lansing Historic Site.

The Government of Yukon has supported training and projects to restore and provide public information on a variety of Historic Sites.

Highways and Public Works

From 2012 to 2017, the Government of Yukon concluded 11 Yukon Asset Construction Agreements with Kwanlin Dün First Nation and one with Carcross/Tagish First Nation. Examples of projects completed under these agreements include a continuing care facility, community fire hall, drug and alcohol treatment center and a bridge.

Health and Social

The Government of Yukon funded liaison and family support positions for many First Nations to support child and family welfare.

The government regularly met with the First Nations Health Commission to discuss areas of collaboration.

The Government of Yukon worked with First Nations to develop a ten-year Mental Wellness Strategy in 2016.

Successes

Intergovernmental Accords

Intergovernmental Accords are government-to-government agreements that identify shared priorities for cooperative action. They include a commitment for regular meetings and an action plan that coordinates and monitors progress on the shared priorities. The Government of Yukon entered into Intergovernmental Accords with Vuntut Gwitchin First Nation and Kluane First Nation in 2013, and Kwanlin Dūn First Nation and Carcross/Tagish First Nation in 2015. The Carcross/Tagish agreement provided \$2.7 million for the Carcross/Tagish First Nation Learning Centre, and the Vuntut Gwitchin agreement led to a \$2.7 million investment in their community recreational center.

Challenges

The interpretation of the regional land use planning process laid out in the Final Agreements was a key challenge during this time period. The Peel land use planning process was brought to the Supreme Court of Canada for a ruling. This conflict strained relations between the Government of Yukon and First Nations. This led to the parties reengaging and developing a greater certainty and understanding of land use planning, and best practices for working together to meet the objectives of Chapter 11.

Resources

Yukon First Nation Self-Government:
www.mappingtheway.ca

Capacity Assessment Tool:
cat.gov.yk.ca

Mental Wellness Strategy 2016–2026: Forward Together:
www.hss.gov.yk.ca/forwardtogether.php

Yukon Forum:
yukon.ca/en/your-government/find-out-what-government-doing/yukon-forum

Intergovernmental Declaration:
www.gov.yk.ca/news/17-005.html

Joint Education Action Plan:
www.education.gov.yk.ca/joint-education-action-plan.html

Yukon Heritage Planning:
www.yukonheritage.com

Kusawa Park Steering Committee:
kusawapark.ca

Asi Keyi Natural Environment Park:
yukon.ca/en/outdoor-recreation-and-wildlife/parks-and-protected-areas/asi-keyi-territorial-park

Secrets From The Ice
www.cbc.ca/natureofthings/episodes/secrets-from-the-ice



Photo:
Government of Yukon

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on Implementation

Yukon Forum

The Yukon Forum is a political meeting of the leaders of Yukon First Nations, Council of Yukon First Nations and the Government of Yukon. The goal of the Yukon Forum is to foster reconciliation, develop strong government-to-government relations and collaborate on shared priorities including the implementation of the Final and Self-Government Agreements. In January 2017, the leaders recommitted to the Forum through the signing of the intergovernmental declaration. The declaration called for the creation of a joint five-year action plan on shared priorities and committed the governments to meet 4 times a year.



Photo:
Government of Yukon

Government of Yukon and First Nations leaders gathered for the January 2017 Yukon Forum.

Government of **Canada**



Government
of Canada

Gouvernement
du Canada

WEB

www.canada.ca

Overview of Federal Departments with Obligations in Yukon

Yukon First Nation Final and Self-Government Agreements set out obligations for federal departments that operate in Yukon or have responsibilities in Yukon.

The Government of Canada saw many changes over the past five years in regard to its approach to modern treaty implementation. In July 2015, a Whole of Government Approach to modern treaty implementation was announced. Fulfilling Canada's responsibilities under modern treaties and self-government agreements requires the sustained commitment of over 30 departments and agencies that have obligations under existing agreements across Canada. Under this approach, Indigenous and Northern Affairs Canada remains the lead in coordinating modern treaty implementation, but the Crown as a whole is accountable for its obligations. Since this announcement, enhanced tools and systems for raising awareness, monitoring and reporting on modern treaty compliance, senior-level oversight, and a strong accountability framework have been initiated across the federal government.

Further, the Government of Canada released the Statement of Principles on the Federal Approach to Modern Treaty Implementation to provide policy guidance to federal departments and agencies on the implementation of modern treaties and self-government agreements. This included the Cabinet Directive on the Federal Approach to Modern Treaty Implementation, which lays out an operational framework for the management of the Crown's modern treaty obligations by federal departments and agencies. These initiatives paved the way for greater federal collaboration in modern treaty implementation and have enhanced accountability across the federal government in adhering to obligations contained in modern treaties.

In November 2015, the Prime Minister issued mandate letters to the Minister of every federal department and agency, noting no relationship is more important to the Prime Minister and to Canada than the one with Indigenous peoples. The goal of the federal government is to seek a renewed, nation-to-nation relationship based on recognition of rights, respect, cooperation and partnership.

Statement of Principles on the Federal Approach to Modern Treaty Implementation:
www.rcaanc-cirnac.gc.ca/eng/1436288286602/1436288386227

The Government of Canada takes action to establish an effective whole-government approach to modern treaty implementation:
www.canada.ca/en/news/archive/2015/07/government-canada-takes-action-establish-effective-whole-government-approach-modern-treaty-implementation.html?undefined&wbdisable=true

Cabinet Directive on the Federal Approach to Modern Treaty Implementation:
www.rcaanc-cirnac.gc.ca/eng/1436450503766/1436450578774

Indigenous and Northern Affairs Canada

300 Main Street, Room 415C, Whitehorse, Yukon, Y1A 2B5

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WEB www.canada.ca/en/crown-indigenous-relations-northern-affairs.html

INDIGENOUS   

NORTH   

With a renewed focus on reconciliation, partnership, and collaboration in the past five years of implementation, Indigenous and Northern Affairs Canada assumed an increased coordination role to support effective and efficient federal government modern treaty implementation, including leading the establishment of the following new structures to support this coordination and senior-level oversight:

- ▶ The Deputy Ministers' Oversight Committee, mandated to provide program and policy direction on modern treaty responsibilities, decision-making and coordination on cross-cutting obligations, and to provide an oversight role of monitoring and reporting on modern treaty implementation; and
- ▶ The Modern Treaty Implementation Office provides ongoing interdepartmental oversight and accountability through the development of a performance measurement framework, monitoring and reporting tools, and the development of an annual report provided to the Minister of Indigenous and Northern Affairs Canada. The office also serves a liaison function between implementation committees, regional and federal officials-level interdepartmental caucuses, the Federal Steering Committee and the Deputy Ministers' Oversight Committee, coordinates broader issues management across departments, and tracks performance management of implementation through enhanced database systems.

Administration of Justice Negotiations Advance

The governments of Canada, Yukon and Teslin Tlingit Council continue to negotiate the implementation funding of the enforcement and corrections components of their Administration of Justice Agreement, as per section 13 of the Yukon First Nations Self-Government Agreements.

From 2012–17, Canada and Yukon signed Administration of Justice Framework Agreements with Kwanlin Dün First Nation, Vuntut Gwitchin First Nation, Champagne and Aishihik First Nations, and Kluane First Nation. Substantive tripartite negotiations have proceeded with Kwanlin Dün First Nation, and in 2016, the Kwanlin Dün First Nation negotiation table was formally recognized as a Recognition of Indigenous Rights and Self-Determination Table. The goal of these tables is to bring greater flexibility to negotiations based on the recognition of rights, respect, cooperation and partnership. They provide a forum for Canada and Indigenous groups to explore

new ideas and ways to reach agreements that will recognize the rights of Indigenous groups and advance their vision of self-determination for the benefit of their communities and all Canadians. Administration of Justice Agreement negotiations with other self-governing Yukon First Nations are at varying preliminary stages.

Umbrella Final Agreement Implementation Plan Renewal

There was successful negotiation for the ten year renewal of the Umbrella Final Agreement Implementation Plan and each individual First Nation Final Agreement Implementation Plan. This negotiation involved Canada, Government of Yukon, Council of Yukon First Nation and each individual self-governing Yukon First Nation. It renewed implementation funding in order to continue to meet Canada's objective of ongoing implementation of the Final and Self-Government Agreements.

Making Strides in Programs and Service Transfers

In Yukon, Programs and Services Transfer Agreements are negotiated in accordance with a process established by Yukon First Nation Self-Government Agreements (section 17). These agreements enable a self-governing Yukon First Nation to assume responsibility for federal or territorial programs falling within its jurisdiction.

During the reporting period many successful Programs and Services Transfer Agreements were negotiated, either as a group or individually, depending on the program or community interest. Post-Secondary Education was taken on by Selkirk First Nation, which brought the total number of program transfers for this particular program to nine of eleven self-governing Yukon First Nations. The Aboriginal Language Initiative from Canadian Heritage was renewed twice during the reporting period with all self-governing Yukon First Nations.

In the last year of the reporting period, a successful negotiation was completed for the transfer of the National Aboriginal Youth Suicide Prevention Strategy, Maternal Child Health and Aboriginal Diabetes Initiative programs to all self-governing Yukon First Nations for the ongoing assumption of responsibility for these programs to their respective communities.

Self-Government Financial Transfer Agreements

The Financial Transfer Agreement with Carcross/Tagish First Nation was renewed on April 1, 2014 with a term ending in 2020, along with Ta'an Kwäch'än Council, Kluane First Nation and Kwanlin Dün First Nation.

Champagne and Aishihik First Nations, First Nation of Nacho Nyäk Dun, Teslin Tlingit Council, Vuntut Gwitchin First Nation, Little Salmon/Carmacks First Nation, Selkirk First Nation and Tr'ondëk Hwëch'in are actively engaged in Financial Transfer Agreement renewal negotiations. Their agreements, which came into effect April 1, 2010, had a five year tenure. This was extended by two years and subsequently extended until March 31, 2018.

In May 2016, representatives from the Government of Canada and self-governing Indigenous governments from across Canada met to initiate a collaborative process aimed at renewing the fiscal relationship. The process had an initial six-month timeline until December 2016. Following positive and constructive dialogue in 2016, Canada and the self-governing Indigenous governments agreed to continue the Collaborative Fiscal Policy Development Process (the "Collaborative Process") in 2017. This is a unique approach in developing a new federal fiscal policy for consideration by the Government of Canada. Ten of the eleven self-governing Yukon First Nations are active participants in the Collaborative Process.

Senior Financial Arrangements Committee

During the reporting period, the Senior Financial Arrangements Committee, comprised of representatives from Canada and each self-governing Yukon First Nation, worked to improve and streamline financial reporting for the Financial Transfer Agreements. Collaborative efforts were made to align financial reporting methods for all self-governing Yukon First Nations, and to correct any errors that may have occurred due to past inconsistent reporting methods. The Committee also worked to develop best practices, such as internal checks, in order to achieve better clarity and consistency moving forward.

Update on Modern Treaty Implementation

During the reporting period, officials from Indigenous and Northern Affairs Canada on behalf of the Government of Canada, participated in, and act as co-chairs of, the Implementation Working Group, a forum comprised of implementation representatives from the governments of all self-governing Yukon First Nations, Canada, Yukon and the Council of Yukon First Nations. The forum met regularly via teleconference and in-person to discuss and advance implementation matters common to all the Parties.

The Implementation Working Group also worked collaboratively to develop Terms of Reference to formalize the working group, and a draft was completed in March 2017.

In 2016, a land exchange amendment to the Tr'ondëk Hwëch'in Final Agreement was completed and signed by Canada, Yukon and Tr'ondëk Hwëch'in. This comes after many years of collaborative tripartite discussions. The completion of the land exchange and Final Agreement amendment demonstrates the ability of all Parties to work together in the spirit and intent of the treaties to resolve implementation issues.

Chapter 22 of the Yukon First Nation Final Agreements on Economic Development Measures requires a full and complete review of the effectiveness of the provisions of the chapter to be carried out in 2010 by Canada, Yukon and each self-governing Yukon First Nation.

In a memorandum of agreement dated December 10, 2010, these parties agreed it was not possible to carry out the review within the prescribed timeframe, and mutually agreed the review would move ahead in 2015. Since this time, a Terms of Reference has been developed outlining methodology, governance and key information to be used in undertaking the review, which is still ongoing.

In February 2016, the Prime Minister announced the Government of Canada would move to more open, transparent and merit-based selection processes for selecting Governor in Council appointments to ensure the integrity of public institutions. Since the announcement, Indigenous and Northern Affairs Canada Yukon Region revised its process for Ministerial appointments, including those to boards, councils and committees created under the Umbrella Final Agreement, to align with these transparent and merit-based criteria, while striving to complete appointment processes in a timely manner.

Intergovernmental Affairs

Governance and capacity conferences were hosted by Indigenous and Northern Affairs Canada, the Government of Yukon and the Council of Yukon First Nations in February 2012, February 2013 and February 2014. The conferences focused on governance, capacity building, economic development and education.

The Intergovernmental Forum, which was established in 2002, provides an opportunity for the governments of Canada, Yukon and self-governing Yukon First nations to address matters related to the implementation of land claim and self-government agreements, discuss areas of mutual interest and advance intergovernmental relationships. During the reporting period the Intergovernmental Forum took place in April 2016 and March 2017.

Launch of the Mapping the Way video in Whitehorse, Yukon on May 29, 2013 to mark the 20th anniversary of the signing of the Umbrella Final Agreement.



Photo: Rick Massie/
Indigenous and Northern Affairs Canada

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Mapping the Way



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SELF-GOVERNMENT**
mappingtheway.ca

The need for ongoing joint public education about the Yukon Final and Self-Government Agreements was identified in the 2007 Yukon First Nation Final and Self-Government Implementation Review. As a result, the Implementation Working Group Communications Sub-Group was created in 2009. Its membership consists mainly of communications professionals from a number of the self-governing Yukon First Nations, as well as the Council of Yukon First Nations, and the governments of Canada and Yukon.

Since its inception, the Communications Sub-Group has conducted a household survey to gauge baseline understanding of the agreements, created a website, podcasts, videos, exhibits, advertising, and other promotional items to raise the public's awareness and understanding of the Yukon Final and Self-Government Agreements. This public education campaign carried out by the Implementation Working Group Communications Sub-Group is known as Mapping the Way.

Highlights of the Mapping the Way campaign from 2012 to 2017 include:

- ▶ Commemoration of the 40th anniversary of *Together Today for Our Children Tomorrow* and the 20th anniversary of the Umbrella Final Agreement, including the launch of a Mapping the Way video and permanent Mapping the Way signage on Air North, Yukon's Airline, planes.
- ▶ Creating an in-person and online exhibit detailing the history of land claims and self-government in Yukon for display at venues across Yukon and in the National Capital Region during the Winterlude festival in 2015.
- ▶ The creation of an infographic timeline of land claims and self-government in Yukon to better target youth.
- ▶ Launching a re-designed www.mappingtheway.ca to serve as a hub for information on Yukon First Nation land claims and self-government.

The Mapping the Way exhibit on display at Yukon College in Fall 2014.

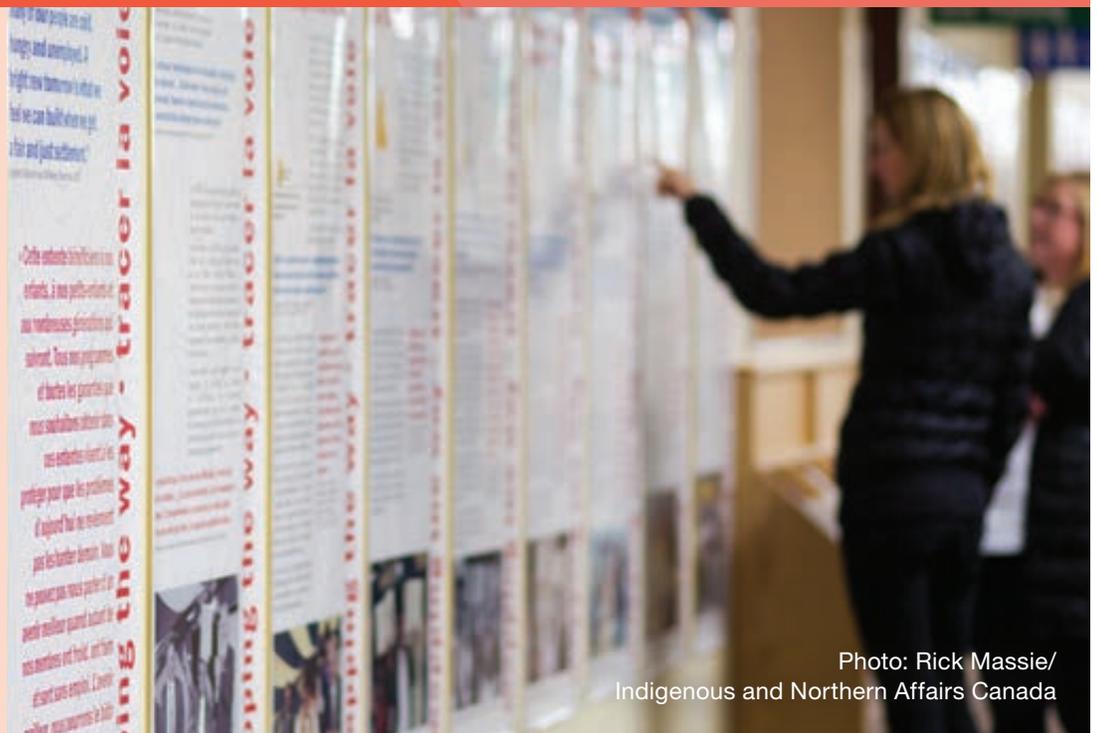


Photo: Rick Massie/
Indigenous and Northern Affairs Canada



Mapping the Way creates and distributes public education materials including videos, podcasts, posters and promotional items at community events and in Yukon schools.

An evaluation of the work of the Communications Sub-Group conducted in 2015–16 revealed that the Sub-Group has established a high degree of trust, creativity and collaboration contributing to positive intergovernmental relations and establishing an intergovernmental communications community. The evaluation identified youth and public servants within all governments as the primary audiences to focus on in the coming years, along with the need to establish a social media presence, and for ongoing measurement to track progress of the campaign.

In 2016–17, a new five-year communications strategy was developed with a view to addressing the outcomes of the evaluation, including targeting youth audiences and the launch of a Mapping the Way Facebook page: www.facebook.com/MappingtheWayYT/

Photo: Canada



Agriculture and Agri-Food Canada

300 Main Street, Room 320, Whitehorse, Yukon, Y1A 2B5

PHONE 867-667-5272

FAX 867-393-6222

WEB www.agr.gc.ca

Agriculture and Agri-Food Canada works with farmers and food producers to support the growth and development of the agriculture and agri-food sector. The department's policies, programs, research and technology help them succeed in Canadian and global markets.

Canada School of Public Service

300 Main Street, Room 320, Whitehorse, Yukon, Y1A 2B5

PHONE 867-667-6713

FAX 867-668-5033

WEB www.csps-efpc.gc.ca

The Canada School of Public Service provides enterprise-wide learning across the core public service that responds to learning needs and supports government priorities. The school provides a centralized, common approach to managing and delivering learning services, supporting federal public service employees throughout their careers, and addressing learning needs common to all federal organizations, regardless of mandate or location.

Activities 2012 to 2017

Between 2012 and 2014, Yukon First Nation government employees participated in a variety of learning opportunities provided by Canada School of Public Service in Whitehorse. These included Supervisory Skills, Managing Performance Issues, Facilitation Skills, Project Management, Workplace Stress Strategies, and Developing Performance Agreements. The school also invited self-governing Yukon First Nation employees to various local “Lunch and Learn” and Armchair Discussion activities.

In 2016–17, as part of the external engagement strategy for the school's Indigenous Learning Series, Canada School of Public Service met with representatives from self-governing Yukon First Nations to gain their input to inform the development of the series.

The school's local Learning Advisor continued to represent the Government of Canada on the Training Policy Committee and Yukon Indian People Training Trust Fund.

Successes

The Training Policy Committee continues to work toward fulfilling the Canada School of Public Service's mandate to ensure that Yukon First Nations have the capacity to fully implement their self-governing agreements.

The Indigenous Learning Series was developed to ensure that federal public servants achieve the following goals:

- ▶ they understand their duties and obligations;
- ▶ they understand Indigenous peoples' histories, their contemporary experiences and their legal rights; and
- ▶ they foster the creation of respectful relationships and work effectively with Indigenous peoples in delivering relevant policies, programs and services.

Resources

The Indigenous Learning Series:
www.csps-efpc.gc.ca/ils-eng.aspx

Training Policy Committee:
www.tpcyukon.ca

Canada Border Services Agency

300 Main Street, Room 110, Whitehorse, Yukon, Y1A 2B5

PHONE 867-667-3963

FAX 867-668-2869

WEB www.cbsa-asfc.gc.ca

Since December 2003, the Canada Border Services Agency has been an integral part of the Public Safety Portfolio, which was created to protect Canadians and maintain a peaceful and safe society. The agency is responsible for providing integrated border services that support national security and public safety priorities and facilitate the free flow of persons and goods, including animals and plants, that meet all requirements per the program legislation.

Canada Border Services Agency is one of the Government of Canada agencies operating in the Yukon Territory, providing integrated border services along the border with the United States, at international airports and marine ports.

Activities 2012 to 2017

Canada Border Services Agency has a somewhat limited role in relation to the implementation of Yukon Land Claims and Self-Government Agreements due to the nature of its mandate. However, the agency has carried out the following activities:

- ▶ During the reporting period, Canada Border Services Agency worked with its procurement division to ensure that it utilizes First Nation companies listed on the Public Services and Procurement Canada standing offer list where possible; and
- ▶ The agency has held discussions with various First Nations to address border-related issues and to identify solutions to community needs.

Canadian Northern Economic Development Agency

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The objective of the Canadian Northern Economic Development Agency is to help provide the foundation for a prosperous economic future for those who live, work and support their families in the North. The Agency does this in several ways:

- ▶ through delivery of a suite of economic development programs;
- ▶ by developing policy and conducting research; and
- ▶ by aligning the efforts of partners and stakeholders, particularly among federal organizations.

The Northern Projects Management Office of the Canadian Northern Economic Development Agency was established to improve the environmental review process for proposed major resource development and infrastructure projects in Canada's north. The office also acts as a coordinator for federal Crown consultations with Indigenous communities related to these projects.

Activities 2012 to 2017

The agency completed a Regional Economic Development Plan with Tr'ondëk Hwëch'in in August 2015, and funded several activities that were outlined in the plan in the subsequent fiscal year.

Resources

Regional Economic Development Plan for the Tr'ondëk Hwëch'in
Traditional Territory Background Reading List:
www.trondek.ca/downloads/REDPreadinglist.pdf

Department of Canadian Heritage

300 Main Street, Room 205, Whitehorse, Yukon, Y1A 2B5

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WEB www.canada.ca/en/canadian-heritage.html

The Department of Canadian Heritage portfolio includes our major national cultural institutions, which function with different operational guidelines and reporting structures. These include departmental agencies, corporations and independent organizations and boards, working together to promote culture, the arts, heritage, official languages, citizenship and participation as well as Indigenous, youth and sport initiatives.

Activities 2012 to 2017

The department's implementation activities continue to address the obligations of Chapter 13 of the individual Yukon First Nation Final Agreements and implementation plans, and remain part of a government-wide approach to responding to treaty implementation obligations in the Yukon. The Department of Canadian Heritage continues to meet its obligations relative to Yukon First Nations' culture and heritage through various program elements available to all Yukon First Nations. Funding decisions are based on proposals that are assessed as promoting heritage and cultural development in Canada.

In the spirit of reconciliation, the department is committed to engaging in and continuing to build new partnerships and strengthening existing ones.

Aboriginal Peoples' Program

The Aboriginal Peoples' Program provides investments that help support the efforts of Aboriginal communities to celebrate and preserve their languages, cultures, histories and contributions as an integral part of Canadian diversity. The program is made up of two main components: The Aboriginal Languages Initiative, which supports the preservation and revitalization of Indigenous languages through community-based projects and activities; and, the Northern Aboriginal Broadcasting component, which supports the production and distribution of Indigenous audio and video content.

The objectives of the Aboriginal Peoples' Program are:

- ▶ to promote, revitalize and preserve Indigenous languages and cultures;
- ▶ to strengthen Indigenous cultural identity; and
- ▶ to increase Indigenous participation in Canadian society.

The self-governing First Nations of the Yukon receive language funding through Programs and Services Transfer Agreements through Indigenous and Northern Affairs Canada and access to programming by organizations funded by Northern Aboriginal Broadcasting.

Aboriginal Peoples' Television Network

The Aboriginal Peoples' Television Network provides a general interest television service that airs programming predominantly produced by Indigenous peoples in French, English and Indigenous languages. Its programming aims to reflect Indigenous peoples' concerns and the diversity within their cultures. The network receives funding from Canadian Heritage via the Celebrate Canada program, which funds celebrations for national holidays and annual funding for National Indigenous Peoples' Day. The Aboriginal Program of the Canadian Media Fund has an agreement with Canadian Heritage to fund Indigenous programming; the Aboriginal Peoples' Television Network receives this funding annually. Through various programs and events, Yukon First Nations have the opportunity to participate in, benefit from and be represented by the Aboriginal Peoples' Television Network.

Museums Assistance Program

The Museums Assistance Program supports heritage institutions and workers in the preservation and presentation of heritage collections in Canada. The program provides financial assistance to Canadian museums and related institutions for activities that achieve the following:

- ▶ To facilitate Canadians' access to their heritage;
- ▶ To foster the preservation of Canada's cultural heritage, including the preservation of representative collections of Aboriginal cultural heritage; and
- ▶ To foster professional knowledge, skills and practices related to key museum functions.

The following Yukon First Nations undertook projects under the Museum Assistance Program during the reporting period:

2012–13

Vuntut Gwitchin First Nation

The Van Tat Gwich'in Navigation Systems Project - Crow Flats involved researching and documenting

the Van Tat Gwich'in historical and contemporary land, water and seasonal travel routes. Vuntut Gwitchin First Nation acquired original research and furthered knowledge of Gwich'in lands, history, and archaeology, and provided educational experiences for the community participants.

2013–14

Tr'ondëk Hwëch'in

Tr'ondëk Hwëch'in operates the Dänojà Zho Cultural Centre for Hän and Tr'ondëk Hwëch'in culture and history in Dawson City, Yukon. During the Northern Yukon Beading Practice project the centre completed research and created an exhibition on contemporary and historic beadwork practices, exploring the complex articulation of northern Yukon First Nation culture, history and knowledge.

Champagne and Aishihik First Nations

Under the Collections Management and Preservation project Champagne and Aishihik First Nations developed a collections policy and also purchased and implemented a collections management database for the Da Kù Cultural Centre. The policy and database contributed to the centre's goal of meeting the requirements of a Class A heritage facility.

Vuntut Gwitchin First Nation

For the Van Tat Gwich'in Navigation Systems Project - Rampart House the Vuntut Gwitchin First Nation researched and documented historical and contemporary land, water and seasonal travel routes. The project furthered the knowledge of Gwich'in lands, history and archaeology, and provided educational experiences for community participants.

Kwanlin Dün Cultural Society

For the Becoming our Histories: First Nation Elders and Storytellers Legacy project, the Kwanlin Dün Cultural Society developed cultural programming and performances for the Kwanlin Dün Cultural Centre. Activities included pairing elders and storytellers with traditional carvers to develop a series of masks to be used in programming; this will provide engaging and memorable visitor experiences at the centre.

2014–15

Vuntut Gwitchin First Nation

For the Van Tat Gwich'in Navigation Systems Project - The Southwest, Vuntut Gwitchin First Nation researched and documented the Van Tat Gwich'in historical and contemporary land, water and travel routes along the Fishing Branch River area. The project furthered the knowledge of Gwich'in lands, history and archaeology and provided educational experiences for community participants.

Kwanlin Dün Cultural Society

Kwanlin Dün Cultural Society developed the Michie/ M'Clintock Settlement exhibit for temporary display at the Kwanlin Dün Cultural Centre. The project consisted of the development and fabrication of an exhibit about settlements on traditional land.

2015–16

Vuntut Gwitchin First Nation

For the Van Tat Gwich'in Historical Lifeways Project, Vuntut Gwitchin First Nation utilized the recorded and living history of the Van Tat Gwich'in to develop exhibits and programming at the John Tizya Centre. The project included the creation of a virtual exhibit for the website, youth and elder training, and a heritage mentorship program.

Canada Cultural Spaces Fund

The Canada Cultural Spaces Fund supports the improvement of physical conditions for artistic creativity and innovation. It is also designed to increase access for Canadians to performing arts, visual arts and media arts, and to museum collections and heritage displays. The fund supports the improvement, renovation and construction of arts and heritage facilities, the acquisition of specialized equipment, and feasibility studies.

The following Yukon First Nation projects were funded by the Canada Cultural Spaces Fund during the reporting period:

Tr'ondëk Hwëch'in

Tr'ondëk Hwëch'in renovated the Dänojà Zho Cultural Centre by structurally reinforcing areas of the internal and external building envelope. The project enabled the First Nation to fulfill its year-round mandate to house community heritage collections, present public programming, provide a performance venue to local and touring arts partners, and protect arts and heritage spaces.

Champagne and Aishihik First Nations

Champagne and Aishihik First Nations purchased and installed mobile shelving systems in the Collections and Archives Rooms of the Da Kų Cultural Centre. The project facilitated the safe, long-term storage and preservation of fragile artifacts and archival records and ensured access to the collections for current and future generations.

Canada Arts Presentation Fund

The Canada Arts Presentation Fund supports access for Canadians to a variety of professional artistic experiences in their communities. The fund provides financial assistance to organizations that professionally present arts festivals or performing arts series, and to their support organizations. The long-term results of the fund's support will allow Canadians to experience and value professional artistic experiences.

The following projects were funded through the Canada Arts Presentation Fund during the reporting period:

2012 to 2017

Skookum Jim Friendship Centre

From 2012 to 2017, the Skookum Jim Folklore Show highlighted emerging and established Indigenous artists in Yukon and across Canada, showcasing traditional and contemporary art practices as well as performances blending the two. The show plays an important role in the community, bringing together youth, elders and families to celebrate and highlight Indigenous cultures.

2015–16

Blue Feather Music Society

The Blue Feather Musical Festival showcased rock and blues music artists with a specific focus on culturally diverse and Indigenous artists from across the North, Canada and abroad. This fall festival has a mission to mentor youth, giving them opportunities to experience key roles and responsibilities in producing the event.

Building Communities through Arts and Heritage

This program supports local arts and heritage festivals, commemorations and legacy projects that encourage community engagement through the active involvement of volunteers, community partners, local artists, artisans, heritage specialists or performers and local people. Its objective is to engage citizens in their communities through performing and visual arts, and through the expression, celebration and preservation of local historical heritage.

The following Yukon First Nations undertook projects under the Building Communities through Arts and Heritage program during the reporting period:

2012–2013

Tr'ondëk Hwëch'in

Tr'ondëk Hwëch'in presented the eleventh Moosehide Gathering near Dawson City in July 2012. This biennial event showcases music and dance performances and features local artists celebrating Indigenous cultures.

2014–2015

Teslin Tlingit Council

The Teslin Tlingit Council presented the fourth Ha Kus Teyea (Haa Kusteeyi) Celebration in Teslin. The seven-day celebration included cultural demonstrations, workshops, walking tours and musical performances and showcased local artists and heritage performers.

Library and Archives Canada - Documentary Heritage Communities Program

This program ensures that Canada's continuing memory is documented and accessible to current and future generations by adopting a more collaborative approach with local documentary heritage communities.

The program provides contributions that support the development of Canada's local archival and library communities by increasing their capacity to preserve, provide access to and promote local documentary heritage.

The following Yukon First Nations undertook projects under the Documentary Heritage Communities Program during the reporting period:

2015–2016

Teslin Tlingit Council

The Box of Daylight (Knowledge) project helped the Teslin Tlingit Council preserve existing data and gather new data on Teslin Tlingit history and traditional ecological knowledge. More than 1,100 electronic files related to history, culture, land use and wildlife were created and many publications were scanned and transcribed. All resources will be catalogued, preserved and translated.

Canadian Conservation Institute

The Canadian Conservation Institute, a Special Operating Agency within the Department of Canadian Heritage, advances and promotes the conservation of Canada's heritage collections through its expertise in conservation science, treatment and preventive conservation. The Canadian Conservation Institute works with heritage institutions and professionals to ensure that these heritage collections are preserved and accessible to Canadians now and in the future.

The following projects were undertaken with assistance from the Canadian Conservation Institute during the reporting period:

Yukon Department of Tourism and Culture, Museums Unit

This project assessed the capacity of the John Tizya Centre in Old Crow to provide adequate preservation conditions for its collection and incoming loan items, and to provide recommendations for possible improvements that are aligned with the centre's policy to provide the best possible storage that it can to ensure the long-term care and access for all media in its holdings.

Tr'ondëk Hwëch'in

Canadian Heritage provided technical advice to the First Nation for optimizing storage space at the Dänojà Zho Cultural Centre.

Resources

Adäka Cultural Festival:
www.adakafestival.ca

Yukon First Nations Culture & Tourism Association:
www.yfnct.ca/can150

Haa K̄usteeyí Celebration 2017:
teslintlingitheritage.com

Moosehide Gathering:
dawsoncity.ca/event/moosehide-gathering/

Skookum Jim Friendship Centre:
skookumjim.com/events/2017-skookum-jim-folklore-show

Photos courtesy of
Adäka Cultural
Festival.



Photo:
Heather Jones

Adäka Cultural Festival

Funded through the Canada Arts Presentation Fund, the Adäka Cultural Society is a multi-disciplinary Indigenous presenter in Whitehorse. The Adäka Cultural Festival has grown exponentially over the past five years and has developed into a cornerstone event for the summer months in Whitehorse. The festival is the only arts and cultural event of its kind in the territory and one of the largest platforms for Indigenous arts in Canada's North. It highlights traditional and contemporary Indigenous artists from all 14 Yukon First Nations as well as national and international Indigenous performers and visual artists.

A focal point of the festival is its commitment to outreach activities that engage audiences, including visual art workshops, artist demonstrations and community drumming circles. Activities take place in and around the Kwanlin Dün Cultural Centre on the waterfront in downtown Whitehorse. Each year, a specific theme is chosen to honour an art form or collective of artists which makes this event relevant and adaptable to both traditional and contemporary artistic expressions.



Photo:
Fritz Mueller
Visuals



Photo:
Fritz Mueller Visuals

SPOTLIGHT

on Implementation

Department of National Defence

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The Department of National Defence and the Canadian Armed Forces make up the largest federal government department, with more than 125,000 employees that include both military and civilian members. The overarching goal of the Department of National Defence is to ensure that the Canadian Armed Forces are equipped and prepared to protect Canadian sovereignty, defend North America, and contribute to international peace and security.

Activities related to the Yukon Final and Self Government Agreements are mainly undertaken by Joint Task Force (North). The task force is headquartered in Yellowknife, Northwest Territories, with detachments in Whitehorse, Yukon and Iqaluit, Nunavut. Joint Task Force (North), in collaboration with its Arctic partners, enables safety, security and defence operations while demonstrating sovereignty in support of broader government priorities in Canada's North.

In each of the five years of the reporting period, pursuant to Section 6.5.3 of the respective Yukon First Nation Final Agreements, Joint Task Force (North) sent its Annual Activity Notification Letter to all of the Yukon First Nations and the Council of Yukon First Nations. The letter provides notification of planned Canadian Armed Forces activities taking place in the Yukon during the fiscal year.

Activities 2012–2013

Joint Task Force (North), in conjunction with the Government of Yukon, conducted the main and final planning conferences for Operation NANOOK 2013 in Whitehorse, which was held in the Kwanlin Dün Cultural Centre in January and June. Both the Kwanlin Dün First Nation and the Council of Yukon First Nations were engaged during the planning of the planned operation in order to ensure their support.

Activities 2013–2014

Operation NANOOK 2013 was held in the vicinity of Whitehorse in August 2013.

Activities 2014–2015

Joint Task Force (North) extended an invitation to Ta'an Kwäch'än Council, Kwanlin Dün First Nation and Champagne and Aishihik First Nations to attend the planning meetings for Operation NANOOK 2015. The Commander of Joint Task Force (North) also met with the leadership of both Kwanlin Dün First Nation and Champagne and Aishihik First Nations during this time to further support the planning of the operation. Unfortunately, Ta'an Kwäch'än Council were not able to attend these meetings.

Activities 2015–2016

No major operations took place in the Yukon in fiscal year 2015–16.

Activities 2016–2017

The Canadian Armed Forces conducted Operation NANOOK 2016 in the vicinity of Whitehorse, Yukon, in late August and early September 2016. The aim of this operation was to exercise Canada's arctic sovereignty and visibly demonstrate the Canadian Armed Forces' capability to support our municipal, territorial, and federal partners in executing a whole-of-government response to safety situations in the North.

Challenges

Lessons learned for Operation NANOOK 2016 included the need for dedicated and directed consultation and engagement with First Nations during the planning phase of the operation in addition to having First Nations communities represented at planning meetings.

Maximizing economic impact for Indigenous communities and governments has proved challenging due to a lack of capacity. For example, Operation NANOOK sought to award northern and Indigenous contracts for a variety of services, but was unable to do so because of the lack of capacity.

An additional challenge related to the availability of all impacted First Nations to meet with planners and senior leadership in the lead-up to the operation.

Employment and Social Development Canada

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The mission of Employment and Social Development Canada is to build a stronger and more inclusive Canada, to support Canadians in helping them live productive and rewarding lives and improving Canadians' quality of life. It achieves this by delivering a range of programs and services that affect Canadians throughout their lives.

Activities 2012 to 2017

Under Section 17 of the Yukon First Nation Self-Government Agreements, Canada is required to negotiate the assumption of responsibility by the First Nations for the management, administration and delivery of labour market development programs. The self-governing Yukon First Nations currently receive funding for Employment and Social Development Canada's Aboriginal Skills and Employment Training Strategy through the Council of Yukon First Nations and the Aboriginal Labour Force Alliance.

The department and the self-governing Yukon First Nations have been in discussion for more than a decade on how best to meet the Section 17 obligation and advance a nation-to-nation relationship. More recently, as part of Employment and Social Development Canada's engagement with Indigenous stakeholders toward developing a successor to the Aboriginal Skills and Employment Training Strategy, officials met with self-governing Yukon First Nations in 2016 to discuss potential funding arrangements that would provide greater autonomy over the use of program funds. The self-governing Yukon First Nations outlined their preferred funding approach in a proposal, which requested that the Consolidated Revenue Fund portion of Aboriginal Skills and Employment Training Strategy flow directly to them through the Financial Transfer Agreements that they have with Indigenous and Northern Affairs Canada. Given statutory requirements, the Employment Insurance Part II funding portion of Aboriginal Skills and Employment Training Strategy would continue to be provided by Employment and Social Development Canada as contribution funding. The self-governing Yukon First Nations' proposal aligns with the funding approach that Employment and Social Development Canada plans to pursue with other modern treaty holders and self-government agreement holders over the coming years.

Employment and Social Development Canada and the self-governing Yukon First Nations continue to work towards the implementation of this funding approach.

Environment and Climate Change Canada

Environmental Protection Operations Directorate

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Canadian Wildlife Service, Northern Region

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Environment and Climate Change Canada's implementation activities in the Yukon primarily address obligations under the Yukon First Nation Final Agreements. The department's activities are specifically linked to: Chapter 10 – Special Management Areas; Chapter 11 – Land Use Planning; Chapter 12 – Development Assessment; Chapter 14 – Water Management; Chapter 16 – Fish and Wildlife; and Chapter 18 – Non-Renewable Resources.

Activities 2012 to 2017

Environmental Protection Operations Directorate

Environment and Climate Change Canada's Environmental Protection Operations Directorate worked with Yukon First Nations and representative boards and councils created under the Umbrella Final Agreement on initiatives in the areas of environmental assessment and contaminated sites. Specifically, the directorate worked with the Yukon Environmental and Socio-economic Assessment Board and Yukon First Nations to implement the *Yukon Environmental and Socio-economic Assessment Act*, and participated in various multi-lateral discussions and analysis of topics and issues related to the *Yukon Environmental and Socio-economic Assessment Act*.

During the reporting period, the directorate also participated in several environmental assessments led by the Yukon Environmental and Socio-economic Assessment Board and provided technical and expert advice on numerous project proposals spanning various sectors. The directorate, along with other federal departments, participated in Indigenous consultation activities led by the Northern Project Management Office of Canadian Northern Economic Development Agency for projects under environmental assessment review.

Canadian Wildlife Service

Environment and Climate Change Canada's Canadian Wildlife Service is responsible for the management and conservation of migratory birds (as defined under the federal *Migratory Birds Convention Act*) and for implementation of the federal *Species at Risk Act* with regard to listed non-aquatic species not found on federal lands within a national park, national historic site or other protected heritage area. Canadian Wildlife Service also implements the *Canada Wildlife Act*, which governs the management of the Nisutlin River Delta National Wildlife Area in the Yukon.

The service participates in environmental assessments conducted under the *Yukon Environmental and Socio-economic Assessment Act* and the *Canadian Environmental Assessment Act* within the Yukon; regional land-use and resource management planning processes; and protected area management and planning processes.

During the reporting period, Canadian Wildlife Service worked collaboratively with Parks Canada, Gwich'in Tribal Council, First Nation of Nacho Nyäk Dun, Vuntut Gwitchin First Nation, Tr'ondëk Hwëch'in, Inuvialuit Game Council, the Governments of Northwest Territories and Yukon, and the Porcupine Caribou Management Board to cooperatively manage the Porcupine Caribou Herd. The service also provided support and leadership to the Arctic Borderlands Ecological Knowledge Cooperative which, along with First Nations, federal, territorial and state governments, monitors environmental change within the range of the Porcupine Caribou Herd and adjacent nearshore areas.

Canadian Wildlife Service worked with the Champagne and Aishihik First Nations, Kluane First Nation, Tr'ondëk Hwëch'in, Kwanlin Dün First Nation and Ta'an Kwäch'än Council on various species-at-risk field projects aimed at critical habitat description and mapping, and at completing inventories of a number of at-risk species in the southern and central Yukon. In partnership with the Government of Yukon, the service supported a conservation data centre focused on species at risk.

Until the process was suspended in 2014, the service participated in the Dawson Regional Land Use Planning process established under the Tr'ondëk Hwëch'in Final Agreement.

Atmospheric Monitoring Service – Whitehorse

The activities of Environment and Climate Change Canada's Atmospheric Monitoring Service – Whitehorse primarily address obligations under agreements with the World Meteorological Organization, other governments, such as the Government of Yukon, and other parties such as Nav Canada. The Atmospheric Monitoring Service provides weather data, forecasts and warnings that are publicly available on the weather website and assists in providing broadcast weather data at several locations in the territory.

The Atmospheric Monitoring Service maintains an upper-air program and a network of 30 climatological observing stations throughout the territory. These stations collect and record climate information. The Atmospheric Monitoring Service supports the collection of accurate weather information at nine airport weather stations in the Yukon. Accurate weather information is a critical function for supporting the Air Ambulance Service, and for the transportation of basic goods and services into remote communities.

The service maintains a network of nine lightning detection sensors, which help to pinpoint lightning strikes in support of the prevention and control of wildfires across the territory. This data can also play a critical role in maintaining the electrical infrastructure for all Yukon communities.

The service assists in the maintenance of a weather radio transmission network, ensuring a reliable broadcast of weather data, forecasts, and warnings to isolated users across the Yukon.

Enforcement Branch

Environment and Climate Change Canada's Enforcement Branch is responsible for enforcing federal environmental and wildlife acts and regulations. These include the *Canada Wildlife Act*, *Migratory Birds Convention Act*, *Species at Risk Act*, the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*, *Canadian Environmental Protection Act, 1999* and the pollution prevention provisions of the *Fisheries Act*. The branch works collaboratively with federal and territorial partners to consistently enforce its legislation and regulations within the Yukon.

Successes

The Canadian Wildlife Service co-manages the Nisutlin River Delta National Wildlife Area with the Teslin Renewable Resources Council. In 2014, following successful consultation with the Teslin Renewable Resources Council and Teslin Tlingit Council on the modernization of the Wildlife Area Regulations, a revised Management Plan for the area was completed.

Resources

Nisutlin River Delta National Wildlife Area Management Plan:
publications.gc.ca/site/eng/9.697341/publication.html

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The Yukon First Nation Final Agreements provide the framework for coordinated management of salmon fisheries through the Yukon Salmon Sub-Committee of the Yukon Fish and Wildlife Management Board. Through this public advisory body, Fisheries and Oceans Canada works with Yukon First Nations on salmon stock assessment and fishery management projects, which help build their capacity for community salmon management. The department's treaty implementation activities primarily address obligations under the Yukon First Nation Final Agreements in Chapter 16 (Fish and Wildlife). Fisheries and Oceans Canada continues to focus on communicating and partnering with Yukon First Nation governments to support Yukon First Nations' management measures to achieve their conservation objectives for Yukon River salmon.

Activities 2012 to 2017

Fisheries and Oceans Canada carried out a range of activities related to implementation:

- ▶ collaborated with First Nations on stock assessment projects, such as the Porcupine River sonar chum and chinook salmon enumeration near Old Crow (see photos next page);
- ▶ annual or biannual salmon management meetings with First Nation government representatives to discuss coordinated salmon management approaches and initiatives;
- ▶ participated in Yukon Salmon Sub Committee meetings and supported its activities, in particular those involving coordinated salmon management actions by First Nation governments;
- ▶ collaborated with the Yukon Salmon Sub Committee in engaging with individual First Nations, providing updates on salmon and information to support local management by First Nations;
- ▶ supporting planning processes for local salmon management by First Nations (e.g., Vuntut Gwitchin Government's community-based management planning process);
- ▶ maintained partnerships and communication with transboundary First Nations through co-management bodies established under the Pacific Salmon Treaty; and
- ▶ facilitated enhanced reporting and engagement of First Nation governments in Pacific Salmon Treaty – Yukon River Panel international salmon management processes.

Capturing chinook salmon on the Porcupine River near Old Crow



Photo:
Fisheries and
Oceans Canada

Scientific Collaboration

Chinook and chum salmon have been a fundamental food source for the Vuntut Gwitchin for thousands of years. Today, most of the Vuntut Gwitchin live in the Yukon community of Old Crow, located 300 km north of the Arctic Circle and accessible only by air or water. Traditional foods, in particular salmon, are both culturally and economically essential to the health and survival of the Vuntut Gwitchin. Sustainable management of this resource requires ongoing and reliable information, based on both traditional and western scientific knowledge, in order to make sound decisions. This partnership project — between Fisheries and Oceans Canada and the Vuntut Gwitchin Government — specifically addresses some of the key information needed for long-term management of this resource. The project counts chinook and chum salmon returning to the Porcupine River using modern enumeration (sonar) technology near the community of Old Crow.

Information from this project is being used to support the development of a cooperative community-based management plan for salmon. The collaboration allows the department to further its mandate of contributing towards the long-term sustainability of fisheries resources and the prosperity of a remote subarctic Canadian community in a manner that aligns with Indigenous cultural values. The project includes development of community capacity through employment and educational opportunities.

Looking down on the Porcupine River Salmon Assessment project location near Old Crow, Yukon

Photo:
Fisheries and
Oceans Canada



SPOTLIGHT
on Implementation

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The mandate of the First Nations and Inuit Health Branch is to ensure the availability of, or access to, health services for First Nations and Inuit communities; to assist First Nations and Inuit communities in addressing health barriers and disease, and attain health levels comparable to other Canadians living in similar locations; and, to build strong partnerships with First Nations and Inuit to improve the health system.

Activities 2012 to 2017

The First Nations and Inuit Health Branch maintained strong relationships with all self-governing Yukon First Nations and the Council of Yukon First Nations. Effective in the 2016–17 fiscal year, following the renewal of federal community-based health programs on an ongoing basis, the responsibility and associated funding for several First Nations and Inuit Health Branch programs were permanently transferred to the self-governing Yukon First Nations. These included Aboriginal Diabetes, Maternal Child Health and National Aboriginal Youth Suicide Prevention.

Successes

Through the Yukon First Nation Health and Social Development Commission, the First Nations and Inuit Health Branch has increased collaboration with First Nations in identifying high-priority areas for federal investment. This includes determining how new federal resources should be allocated, and which organizations should receive them. This collaborative approach, which also includes First Nations without self-government agreements, is consistent with the principles associated with the inherent right to self-government and with the Government of Canada's commitment to renewing the relationship with Indigenous peoples.

Justice Canada

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The Department of Justice has the mandate to support the dual roles of the Minister of Justice and the Attorney General of Canada. The Minister of Justice is responsible for matters connected with the administration of justice that fall within federal jurisdiction. The department specifically supports the minister in meeting lead and shared statutory responsibilities, and other areas of federal law, by ensuring a bilingual and bijural national legal framework, principally within the following domains: criminal justice; family justice; access to justice; Aboriginal justice; public law; and private international law. The Attorney General is the chief law officer of the Crown and is responsible for protecting the interests of the Crown. The department supports the Attorney General by litigating on behalf of the Crown, by providing legal advice to the government and its departments and agencies, and by drafting legislation and regulations. Ultimately, the Attorney General represents the Crown and not individual departments or agencies, and seeks to protect interests for the whole of government when providing legal advice and conducting litigation.

Activities 2012 to 2017

Between 2012 and 2017 the Department of Justice provided extensive legal services to the government and its departments and agencies, with the objective of aiding in the implementation of the Yukon Final and Self-Government Agreements.

Natural Resources Canada, Surveyor General Branch

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Natural Resources Canada is responsible for the legal surveying of Yukon First Nation Settlement Land. Annual survey programs are based on recommendations made by First Nation Settlement Land Committees.

Activities 2012 to 2017

Work has been ongoing to complete the surveys of settlement land. All of the field work and surveys on the ground have now been completed. The next step is for the parties to the agreements — Canada, Yukon and each implicated Yukon First Nation — to sign the survey plans before they can be recorded in the Canada Lands Survey Records. The outstanding survey plans require the parties to develop a Memorandum of Agreement to address Site Specific Selections.

Successes

In March 2016, Tr'ondëk Hwëch'in successfully finalized their Memorandum of Agreement to address Site Specific Selections. Natural Resources Canada continues to work with five other Yukon First Nations to complete the Memorandum of Agreement process.

Parks Canada Agency

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As the Crown's largest land manager, Parks Canada Agency administers over 90 percent of federally owned lands. Indigenous peoples have strong ties to virtually all of these areas, ranging from broad traditional and contemporary use to specific negotiated agreements.

Parks Canada Agency and the Yukon Field Unit have prioritized building collaborative relationships with Indigenous partners in the protection and presentation of parks and sites within traditional territories in the Yukon.

Self-Government and Final Agreements

Protected area	Land mass (km ²)	Traditional Territories
Kluane National Park and Reserve	21,980	Champagne Aishihik First Nations, Kluane First Nation, White River First Nation
Vuntut National Park	4,345	Vuntut Gwitch'in First Nation
Chilkoot Trail National Historic Site (B.C.)	135	Carcross/Tagish First Nation, Taku River Tlingit First Nation (B.C.)
Klondike National Historic Sites (Dawson)	<1	Tr'ondëk Hwëch'in
S.S. Klondike National Historic Site (Whitehorse)	<1	Ta'an Kwäch'än Council, Kwanlin Dün First Nation

A number of key principles guide Parks Canada's approach to working with Indigenous peoples. The core of Parks Canada Agency's mandate to "...protect and present nationally significant examples of Canada's natural and cultural heritage..." establishes the foundation for these relationships and guides the development of key tools such as site-specific management plans.

Furthermore, in working with Indigenous individuals and groups, the agency seeks to achieve the following:

- ▶ achieve and maintain mutually beneficial, positive and productive relationships based on openness, trust and respect;
- ▶ strengthen awareness, understanding and respect for Indigenous history, traditional knowledge and contemporary ties to Parks Canada Agency places;
- ▶ seek opportunities to collaborate on the protection of cultural and natural resources;
- ▶ incorporate traditional Indigenous place names, traditional languages, and content into interpretative materials and programming;
- ▶ collaborate to create socio-economic benefits by increasing training, employment and business opportunities for Indigenous individuals and groups; and
- ▶ implement key objectives and obligations of Final Agreements.

Activities 2012 to 2017

Kluane National Park and Reserve

Cooperative management

Schedule A — Chapter 10 of the Champagne and Aishihik First Nations Final Agreement established the Kluane National Park Management Board. The Board consists of six voting members: two are nominated by Champagne and Aishihik First Nations, two are nominated by Kluane First Nation and two are nominated by the Government of Canada. All are appointed by the Minister responsible for Parks Canada. The park superintendent sits on the Board as a non-voting member. The Board meets regularly on a variety of issues, including Final Agreement implementation and park management planning. As an advisory body, the Kluane National Park Management Board makes recommendation to the Minister.

Harvest rights and education

Both Kluane First Nation and Champagne and Aishihik First Nations beneficiaries continue to exercise their rights to harvest in Kluane National Park and Reserve. A harvest strategy and public educational materials have been collaboratively developed for the south end of the park reserve.

Employment and development

Kluane National Park and Reserve continues to make gains in targeted employment of Champagne and Aishihik First Nations and Kluane First Nation citizens that is reflective of the Indigenous population of the Kluane region. Training and skill development initiatives for Champagne and Aishihik First Nations and Kluane First Nation Citizens remain a management priority.

Da Kų Cultural Centre

In 2012, Da Kų (Our House) Cultural Centre, owned by Champagne and Aishihik First Nations, officially opened to the public. It is a place of gathering and teaching about the First Nation's history and culture for visitors and citizens alike. Da Kų is home to the new Kluane National Park and Reserve Visitor Centre and to a Government of Yukon Visitor Information Centre. Parks Canada co-funded the facility development and construction through a 40-year prepaid anchor tenant lease. With a combined project value of \$5 million, it is the biggest financial asset-related project the agency has undertaken with Indigenous partners in Yukon.

Duke River Moose Survey

Parks Canada continues to engage Kluane First Nation in conservation efforts informed by traditional knowledge and science. The agency contracted with the First Nation to complete a series of wildlife surveys in the park. Additionally, Parks Canada worked closely with Kluane First Nation to develop a moose population management plan for the Duke River region. The First Nation continues to lead the Moose Steering Committee for Kluane National Park and Reserve.

Ecotourism project, development, assessment

Since 2014, the Yukon Field Unit has worked with Kluane First Nation through its Kluane Community Development Corporation to develop a new, Indigenous-led tourism opportunity in the northern part of Kluane National Park and Reserve.

To date, Parks Canada has invested approximately \$225,000 in tourism planning, assessments and community engagement, including contributions and contracts with Kluane First Nation and the Kluane Community Development Corporation. Chapters 10 and 22 of the Kluane First Nation Final Agreement provide the foundation for this collaboration.

Other economic opportunities

These include a \$250,000 contract to Kluane First Nation through the Kluane Community Development Corporation for road repairs and upgrades at the Tachäl Dhäl (Sheep Mountain) Visitor Centre, and a \$340,000 contract to Champagne and Aishihik First Nations for road repairs and upgrades at Kathleen Lake campground and day-use area.

Culture camps

Parks Canada continues to support Kluane First Nation directly and indirectly to hold culture camps in their traditional territory within Kluane National Park and Reserve and in the broader Kluane region. These ongoing community gatherings and land-based youth camps provide an opportunity for the First Nation's citizens to strengthen their ties to the land.

Use of Southern Tutchone on highway signs

In 2017, Kluane National Park and Reserve completed the installation of guide signs along the Alaska Highway and Haines Highway featuring Southern Tutchone place names and messages. This initiative was made possible through the extensive involvement of Champagne and Aishihik First Nations and Kluane First Nation elders and language experts.

Vuntut National Park

Cooperative management

Vuntut National Park is cooperatively managed by the Vuntut Gwitchin Government, Parks Canada and the North Yukon Renewable Resources Council, who meet regularly. Parks Canada participates in the Porcupine Caribou Management Board and contributes \$30,000 annually to Board operations. Parks Canada is also a member of the Porcupine Caribou Technical Committee and was a key participant in International Polar Year legacy research in the Old Crow Flats wetlands. The agency contributed directly and indirectly to the Van Tat Gwich'in Historic Lifeways Project, led by the Vuntut Gwitchin Government, which focused on Gwich'in knowledge of past and present use of the land, travel routes and modes of transportation.

Cultural Resource Values Statement

In 2014, after several years of collaboration, Parks Canada, Vuntut Gwitchin Government and the North Yukon Renewable Resources Council approved a Cultural Resource Values Statement for Vuntut National Park. A significant Management Plan objective, this document seeks to define the park's heritage values and to aid in identifying the cultural resources that relate to these values. It is designed to guide strategic decisions about identifying cultural resources and set priorities for their management.

Employment and development

Section 9.3, Schedule A – Chapter 10 of the Vuntut Gwitchin First Nation Final Agreement establishes that at least 50 percent of the public service employment positions in the park be filled by qualified Vuntut Gwitchin beneficiaries. Parks Canada has been successful in maintaining this target ratio throughout the reporting period.

John Tizya Centre and Arctic Research Facility

Parks Canada is an anchor tenant in Old Crow, contributing to long-term prepaid anchor tenant agreements, which facilitated the construction of the John Tizya Centre and Arctic Research Facility. The John Tizya Centre houses Park Canada's administrative offices for Vuntut National Park as well as the Vuntut Gwitchin First Nation Heritage Department offices and extensive interpretive exhibits. The agency contributes an additional \$33,000 annually to the First Nation for a shared heritage interpreter position at the centre.

Old Crow airport exhibit

In 2015, Parks Canada completed the installation of a large-scale exhibit in the Old Crow airport. Developed in consultation with the Vuntut Gwitchin Government and North Yukon Renewable Resources Council, this exhibit promotes Vuntut National Park, celebrates Vuntut Gwitchin culture and showcases artwork made by local craftspeople.

Chilkoot Trail National Historic Site

Annual Elders' gathering

Parks Canada continues a 20-year tradition of organizing an annual elders gathering at Bennett, B.C., the northernmost point of Chilkoot Trail National Historic Site and part of Carcross/Tagish First Nation Traditional Territory. Delivered in collaboration with the First Nation's Heritage, Lands and Natural Resources Department, this special gathering strengthens community connections to a culturally significant site.

Indigenous tourism

Since 2014, the Yukon Field Unit has worked with the Carcross/Tagish Management Corporation to develop a new Indigenous-led tourism opportunity at Chilkoot Trail National Historic Site. Parks Canada has invested \$875,000 in tourism planning, assessments and infrastructure development, including contracts with Carcross/Tagish First Nation and Carcross/Tagish Management Corporation. The agency works with the First Nation on shared goals for the Chilkoot Trail National Historic Site in anticipation of a future Final Agreement in B.C.

Employment and development

As a key site management plan objective, Parks Canada continues to advance discussions with Carcross/Tagish First Nation on employment opportunities in the Chilkoot Trail National Historic Site. In 2015, Parks Canada staffed a citizen of the First Nation in a permanent seasonal heritage interpreter position for the site. In 2016, the agency launched a pilot visitor centre project at the Skookum Jim House in Carcross, hiring three additional Carcross/Tagish First Nation citizens as seasonal Parks Canada interpreters. Building on that success, the agency planned to continue the pilot project in 2017 and explored avenues to maintain a presence in Carcross in the future.

Klondike National Historic Sites

First Nation engagement

A new, recently approved management plan for Klondike National Historic Sites was developed in consultation with Tr'ondëk Hwëch'in. The First Nation's Heritage Department was engaged in the development of a five-year interpretive plan, strengthening its contribution to site management. As a result, new interpretive programming — developed by Parks Canada in collaboration with Tr'ondëk Hwëch'in — has added an important Indigenous perspective to the agency's storytelling.

World Heritage nomination and joint programming

Parks Canada is a strong supporter of the process, led by Tr'ondëk Hwëch'in, for the Tr'ondëk-Klondike World Heritage Sites nomination. The Klondike National Historic Sites has also developed a partnership with the Dänojà Zho Cultural Centre, including joint marketing and promotion efforts.

Economic opportunities

Klondike National Historic Sites contracts Chief Isaac Group of Companies, the business arm of Tr'ondëk Hwëch'in, for security and event management services at sites throughout Dawson City. Discussions between the Klondike National Historic Sites and Tr'ondëk Hwëch'in on employment opportunities for citizens are ongoing.

S.S. Klondike National Historic Site

First Nations engagement

S.S. *Klondike* National Historic Site in Whitehorse is within the traditional territories of Ta'an Kwäch'än Council and Kwanlin Dün First Nation. Parks Canada has worked to increase Indigenous engagement, particularly in the development of new interpretive products. Yukon First Nations whose traditional territories lay along river transportation routes will be consulted as part of a major exhibit renewal that is planned for the site.

Challenges

Parks Canada strives to meet Final Agreement implementation obligations. Despite strong commitment, certain specific and systemic challenges exist.

Key examples include:

- ▶ Long term funding for new programming that reflects collaborative efforts with First Nations and that interprets the full history of national parks and historic sites in Yukon.
- ▶ Staff turnover (including retirements and departures, etc.) that impact organizational land claim knowledge and corporate memory and challenge long term, trust-based, relationships between Parks Canada and Yukon First Nations.
- ▶ Increasingly competitive job market and the agency's ability to recruit and retain qualified citizens for federal positions.

Parks Canada employee Jared Lutchman (far left) shares local First Nations history with visitors at Bennett Lake, Chilkoot Trail National Historic Site.

Photo:
Paul Gowdie/
Parks Canada



Indigenous Recruitment and Retention

Parks Canada has successfully improved Indigenous recruitment and retention in the Yukon Field Unit through targeted hiring processes, on-the-job training, development opportunities, and mentoring by Parks Canada team members. Job opportunities exist in a number of different areas, including management, finance, human resources, marketing and promotions, visitor services, community outreach, ecological and cultural resource management, and safety and law enforcement.

In the 2012–17 reporting period, Indigenous employment in the Yukon Field Unit has increased from 32 percent to 37 percent (46 of 125 total positions), for both entry level and management/superintendent positions.

Preferential hiring practices are in place for a number of First Nation citizens whose traditional territories include Kluane National Park and Reserve, Vuntut National Park, and in Carcross, are associated with Chilkoot Trail National Historic Site.

In the Kluane National Park and Reserve, 12 positions are encumbered by Champagne and Aishihik First Nations and Kluane First Nation beneficiaries. In Vuntut National Park Vuntut Gwitchin First Nation beneficiaries comprise over 50 percent of the positions in Old Crow. At the Skookum Jim House Visitor Centre in Carcross, four Carcross/Tagish First Nation heritage interpreters work for Parks Canada in their home community to enhance the visitor experience by sharing their personal, culturally enriched stories with visitors from around the world.

In the Kluane National Park and Reserve, three developmental positions in resource conservation have been filled by citizens of Champagne Aishihik First Nations and Kluane First Nation. They were awarded indeterminate positions after they completed their developmental plans.

Photo:
Carmen Wong/
Parks Canada



Parks Canada employees Sarah Chisholm (left) and Karrie Brown (right) conducting Lake trout gillnet surveys on Bates Lake in Kluane National Park and Reserve.

Photo:
Ian McDonald/
Parks Canada



Parks Canada employee Jeffrey Peter preparing a periphyton sampler for algae sampling in Vuntut National Park.

In Klondike National Historic Sites, the agency's asset/maintenance function has worked with Tr'ondëk Hwëch'in's Human Resources, Education and Training Department to create a carpentry apprenticeship with an employment bridging component.

Preferential hiring strategies are used to recruit Yukon First Nation students for Parks Canada positions in a range of functions. Other recruitment and retention strategies include training and development planning, as well as bridging opportunities into indeterminate positions.

In the Kluane National Park and Reserve and Vuntut National Park, opportunities are provided to First Nation students to engage in ecological monitoring, including fieldwork and mentoring by ecologists. Mentorship provides these students with valuable field experience and exposure to protected area management. Working in and around their traditional territories, Indigenous students are encouraged to bring their traditional knowledge and perspectives into the workplace.

Although Parks Canada has made significant advancements in improving Indigenous recruitment and retention, challenges remain: a high turnover rate due to the seasonal nature of positions; the small Yukon labour market; increased competition for employees from territorial and First Nation governments; and the fixed number of promotion opportunities.

Public Safety Canada

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Public Safety Canada exercises national leadership to ensure the safety and security of Canada and Canadians. The department's mandate is to build a safe and resilient Canada through the development and implementation of innovative policies and programs and the effective engagement of domestic and international partners.

Implementation activities associated with the Public Safety Canada portfolio (including the Correctional Service of Canada and the Royal Canadian Mounted Police) are linked to Section 13.6.2 of the Yukon First Nation Self-Government Agreements and the obligation to negotiate Administration of Justice Agreements and Framework Agreements on subject matters such as law enforcement and corrections.

Public Services and Procurement Canada

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WEB www.tpsgc-pwgsc.gc.ca

Public Services and Procurement Canada provides assistance, guidance and training to First Nations in the Yukon and northern British Columbia in the areas of contracting, procurement, acquisitions, and capital planning and infrastructure development.

Public Services and Procurement Canada also provides guidance and advice to all federal departments conducting procurement and contracting initiatives related to Yukon Final and Self-Government Agreements in the Yukon.

Activities 2012 to 2017

The Pacific Region of the Acquisitions Branch conducted a significant quantity and value of procurements that were set aside for competition by Indigenous businesses under the Procurement Strategy for Aboriginal Business, including in the Yukon Territory. The branch also notified self-governing Yukon First Nations of the procurement opportunities that are intended for delivery in their areas.

The Office of Small and Medium Enterprises Pacific conducted outreach activities to help businesses in the Yukon, including Indigenous businesses, to understand the opportunities to participate in federal procurement. Other activities included seminars and presentations, participation in trade shows as well as individual meetings with interested suppliers. The following activities took place in the Yukon between 2012–13 and 2016–17 (in Whitehorse unless otherwise indicated):

- ▶ July 2012: Tr'ondëk Hwëch'in Community Partnership Forum in Dawson City
- ▶ May 2013 and 2014: Lake Laberge Lions Yukon Trade Show.
- ▶ October 2013: Conference Board of Canada's North Summit
- ▶ February 2014 and March 2015: Cold Climate Innovation Workshop
- ▶ October 2014: Participated in Start-Up Yukon
- ▶ February 2015: Government of Yukon's Construction Industry Day
- ▶ May 2015: BYTE for youth start-ups
- ▶ October 2015: Opportunities North
- ▶ October 2016: Council for the Advancement of Native Development Officers (CANDO) conference
- ▶ November 2016: Government of Yukon's Reverse Trade Show plus individual meetings with interested companies
- ▶ February 2017: Arctic Indigenous Investment Conference

Outreach activities reflect a general strategy away from lower-intensity tradeshows with less value to potential suppliers towards more targeted meetings, seminars, etc

Resources

Lake Laberge Lion's Club Yukon Trade Show:
www.lakelabergelions.com/lionstradeshows.htm

Council for the Advancement of Native Development Officers (CANDO) website:
www.edo.ca

Yukon College Cold Climate Innovation:
www.yukoncollege.yk.ca/innovation/cold-climate-innovation

The Conference Board of Canada, Canada's North Summit:
www.conferenceboard.ca/conf/north/default.aspx?AspxAutoDetectCookieSupport=1

Opportunities North Website:
www.opportunitiesnorth.com

Arctic Indigenous Investment Conference:
yfncc.ca/aiic2017/

Royal Canadian Mounted Police, “M” Division

4100 Fourth Avenue, Whitehorse, Yukon, Y1A 1H5

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FAX 867-393-6792

WEB www.rcmp-grc.gc.ca

The Royal Canadian Mounted Police have a long and proud history in the Yukon, dating back to 1895. Today, the RCMP’s establishment in the territory is approximately 210 employees, including regular members, civilian members and public service employees. A number of volunteer auxiliary members support the activities of the RCMP. There are 13 detachments, one in each major community; the three largest are in Whitehorse, Dawson City and Watson Lake. All detachments have road access, with the exception of Old Crow, which is a fly-in community. The RCMP also provides enhanced seasonal policing services to Burwash Landing/Destruction Bay during the summer months.

The RCMP provides law enforcement and community safety services at the national, territorial and municipal levels. Nationally, the RCMP is responsible for enforcing all federal statutes. Under the 20-year Territorial Policing Services Agreement signed in 2012 by the Government of Yukon and Public Safety Canada, the RCMP enforces the *Criminal Code* and the laws in force in the Yukon Territory, responding to policing priorities and objectives set by the Yukon Minister of Justice. The RCMP have traditionally taken a leadership role in community safety and, with the Government of Yukon and other stakeholders, co-authored the Sharing Common Ground report, which provides a framework for building relationships between partners, stakeholders, service providers and citizens, in support of community safety.

The RCMP also identifies national strategic priorities that protect the interests of all Canadians. These priorities address issues that cross all provincial/territorial borders, and generally complement and contribute to law enforcement priorities at the territorial and local levels.

RCMP services also include search and rescue, forensic identification, major crimes investigations, 911-services, operational communications centre, police dog services, emergency response team, and federal investigations. The RCMP operates its own aircraft and provides assistance to other government agencies. Any requirements for specialized policing or operational services not contained within the Yukon are met through arrangements with other RCMP Divisions, predominantly “E” Division in British Columbia.

The RCMP maintains a continuous dialogue with First Nations leadership and is an active participant with First Nations, Government of Yukon and Public Safety Canada with respect to the administration of justice within the territory and part of northern British Columbia. The RCMP actively recruits First Nations applicants, and engages First Nations governments in community-level policing priorities through the Annual Performance Plan process. The RCMP also has a Commanding Officer’s Yukon First Nation Advisory Council that has leadership representing all First Nations in the territory. The Council meets twice a year for discussions, updates, advice and guidance on policing services and support and interaction with Yukon First Nations.

