



Annual Review

1996-1997

Yukon Land Claims Agreement



Canada

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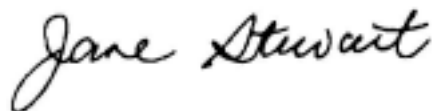
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MINISTER'S FOREWORD

The Council of Yukon Indians Umbrella Final Agreement and final comprehensive land claim and self-government agreements for four of 14 Yukon First Nations came into effect on February 14, 1995. This event marked a new approach in relations between the governments of Canada and the Yukon and Yukon First Nations.

Close cooperation between the Teslin Tlingit Council, the Champagne and Aishihik First Nations, the First Nation of Nacho Nyak Dun, the Vuntut Gwitchin First Nation, the Council of Yukon First Nations and the governments of Yukon and Canada has continued. Among other achievements, the result has been of significant progress in such key areas as public service employment, economic measures and wildlife management planning, in the surveying of settlement lands and in beginning the process of preparing development assessment legislation for the Yukon.

I am pleased that the spirit of good will and cooperation has continued into the second year of implementation and I look forward to continued progress in the future.



The Honourable Jane Stewart, P.C., M.P.
Minister of Indian Affairs and Northern Development

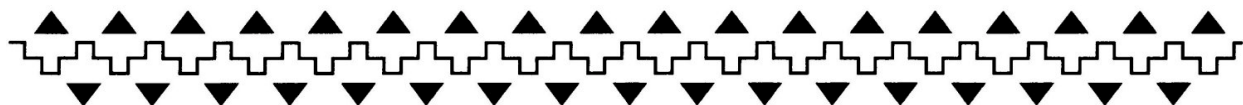
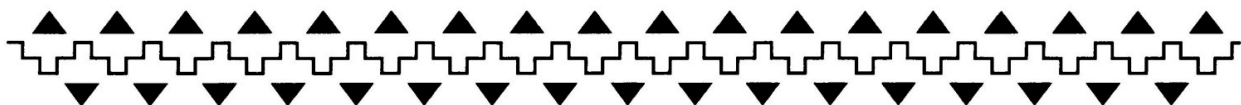


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INTRODUCTION

The Yukon Territory is home to 14 individual First Nations representing approximately 8,000 Yukon Indian People (see Appendix 1). In 1973, these First Nations formed an umbrella organization known as the Council For Yukon Indians (CYI) in order to pursue a comprehensive land claim with the federal government. In 1995, the CYI changed its name to the Council of Yukon First Nations (CYFN).

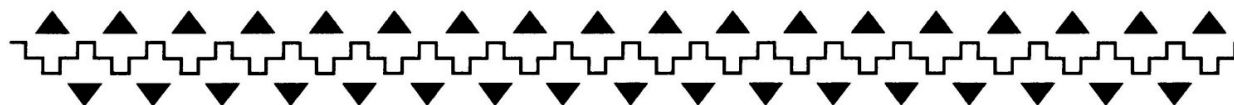
In 1990, Canada, Yukon and the CYI reached an agreement-in-principle which became the basis for the Council for Yukon Indians Umbrella Final Agreement (UFA). Shortly after the conclusion of the agreement-in-principle, the parties also agreed that, rather than a single territory-wide agreement, individual final agreements embodying the provisions of the UFA would be concluded with each of the 14 First Nations.

On May 29, 1993, representatives of Canada, Yukon and the CYI signed the UFA. Final agreements incorporating the UFA were signed between Canada, Yukon and the Teslin Tlingit Council (TTC), the Champagne and Aishihik First Nations (CAFN), the Vuntut Gwitchin First Nation (VGFN) and the First Nation of Nacho Nyak Dun (NND) on the same date.

At the same time, self-government agreements were concluded with the first four First Nations. These agreements are based on a "model" agreement, signed by the First Nations and the federal and territorial governments in 1991, that provides a basic structure for each First Nation's individual self-government.

Enabling legislation in the form of the *Yukon First Nations Claims Settlement Act* (Bill C-33) and the *Yukon First Nations Self-Government Act* (Bill C-34) was assented to on July 7, 1994. The *Yukon Surface Rights Act* (Bill C-55), an essential companion piece of legislation, was assented to on December 15, 1994. February 14, 1995 was established by the Governor in Council as the effective date of the *Yukon Surface Rights Act*, the land claim and self-government settlement legislation, and of the first four First Nation final agreements and the UFA.

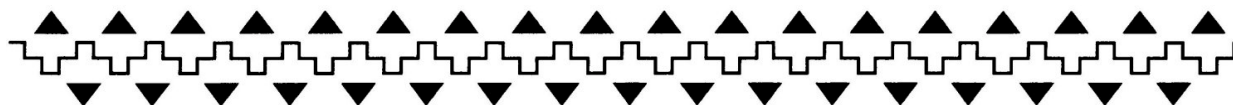
Negotiations to conclude final agreements with the remaining 10 First Nations continued. It is expected that several more final agreements will be concluded shortly. The focus of this review, however, is the second year of implementation of the first four land claim settlement final agreements.





IMPLEMENTATION HIGHLIGHTS

- Completion of draft public service employment plans required under Chapter 22 of the Yukon First Nation Final Agreements by the federal and territorial governments.
- Completion of a draft Champagne and Aishihik economic opportunities plan under Chapter 22 of the Champagne and Aishihik Final Agreement.
- Completion of a draft wildlife management plan for the Mayo area in the NND traditional territory and a draft moose management plan for Game Management Zone 7 in the CAFN traditional territory.
- Significant progress in the surveying of settlement lands of the first four First Nations.
- Completion of an impacts and benefits plan for Vuntut National Park with the VGFN.
- Conclusion of a Canada/Yukon agreement to provide a process for compensating Yukon outfitters pursuant to Section 16.12.9 of the UFA.
- Completion by the Enrolment Commission of its procedures in respect of appeals to the decisions of the Enrolment Committees.
- Appointment of the members of the Dispute Resolution Board.
- Initial drafts of the Yukon Development Assessment Bill were prepared by members of the tripartite Core Group.



SUMMARY OF IMPLEMENTATION ACTIVITIES

IMPLEMENTATION WORKING GROUP

The UFA Implementation Plan and the First Nations implementation plans require each party to name a representative to act on its behalf in resolving implementation issues. While there are no requirements in the Yukon agreements for a formal committee, the parties agreed to establish an informal implementation working group to monitor the implementation of the agreements and to address implementation issues. The working group consists of representatives of Canada, Yukon, the CYFN and the four First Nations with completed final agreements.

During the review period, the working group met once in Whitehorse to discuss the issues and to update each other on the various initiatives under way and the follow up done on issues raised at previous meetings. The group also used this meeting as an opportunity to confirm approval of reports on first year obligations and activities under the First Nation and Umbrella Final Agreements that had been prepared at the end of the previous fiscal year.

BOARDS, COUNCILS, COMMITTEES AND COMMISSIONS

Enrolment Commission

The Enrolment Commission was established under the provisions of the Umbrella Final Agreement on July 1, 1989. Settlement Legislation gives the Enrolment Commission the powers to determine eligibility for enrolment, to hear and determine any appeal respecting enrolment, and to provide for the enforcement of any order or decision. This Commission is an

independent body operating at arm's length from the parties to the Settlement Agreements.

The membership is comprised of three Commissioners, one nominated by CYFN, one jointly by Canada and the Yukon, and a third person chosen by the two nominees. Appointments are made by the Minister of Indian Affairs and Northern Development.

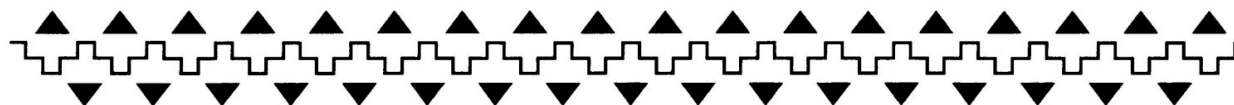
The Yukon Enrolment Commission has established working relationships with all Yukon First Nations, various other First Nations and government agencies. Reports are received on births, deaths, marriages and name changes from the Yukon Government. Family and Children's Services of the Yukon Government and the Commission work together to enrol Yukon First Nations descendants who have been adopted. Birth ties to a First Nation are researched, then an affidavit is signed by a representative of Family and Children's Services of the Yukon Government and the Commission.

With the inception of this Commission, advertising for enrolment to the Yukon Land Claim appeared in major newspapers across Canada and major First Nations newspapers. Enrolment information packages have been distributed to various Friendship Centres across Canada and adoption agencies within Canada and Alaska. Enrolment applications were provided to the Whitehorse General Hospital maternity ward.

During the July 1996 Gathering of 100 Friendship Centres held in Whitehorse, Yukon, ISO enrolment information packages were distributed.

During this reporting period 346 applications were reviewed and, to date, 7,866 people have been enrolled with the Yukon Land Claim.

The CAFN, NND, VGFN and the TTC administer their own enrolment as of February 14, 1997. There are 10 First Nation Enrolment



Committees who still enrol through the Enrolment Commission.

The Enrolment Commission's Appeal Rules were finalized on September 20, 1996, with copies provided to all parties to the Umbrella Final Agreement.

Yukon Geographical Place Names Board

The Yukon Geographical Place Names Board (YGPNB) established under the UFA, has as its fundamental responsibility the consideration and recommendation on the naming or renaming of places or features located within Yukon. There are six members on the board, three each nominated by the Yukon Government and the Council of Yukon First Nations. The Yukon Minister of Tourism appoints the members.

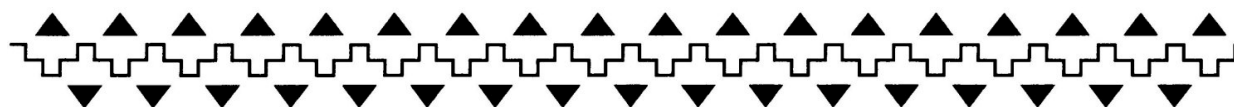
During 1996/97, the Board held three board meetings to review and process applications, to refine the application process, and to develop policies to encourage the compilation of full supporting background information. The Board reviewed approximately 60 place name applications. Each application was reviewed for completeness, accuracy and significance of the proposed place name to the history and/or culture of the Yukon. Forty-three of the applications approved by the Board were for place names proposed for the Old Crow Area in northern Yukon.

The Board participated in meetings of the Canadian Permanent Committee on Geographic Names, including the 1997 annual meeting in Whitehorse, as well as a land-use planning workshop and training sessions about computer-aided mapping. The Board also held a joint meeting with the Yukon Heritage Resources Board (YHRB) to discuss common interests, objectives and activities.

Yukon Heritage Resources Board

The YHRB, established in March 1995 in accordance with the UFA, makes recommendations and provides advice to federal, Yukon and First Nation governments concerning the management of Yukon's heritage resources. The Board also considers ways to use and preserve Aboriginal languages and traditional knowledge. The Board has 10 members, five nominated by the CYFN and five by Yukon, appointed by the Yukon's Minister of Tourism. The Board meets regularly and is actively involved in Yukon heritage issues.

During 1996/97, the Board held six meetings to review and develop policies on heritage issues and to approve internal operating and policy procedures. They participated in various heritage-related events in Yukon, and commissioned two reports which were distributed to the public: *Commentary on Amendments to the Yukon Historic Resources Act and a Strategy for Rehabilitation and Re-Use of Heritage Buildings*.



Yukon Land Use Planning Council

The Yukon Land Use Planning Council (LUPC) was established on February 14, 1995. It has 3 members, one each nominated by CYFN, Canada and Yukon and appointed by the Minister of Indian Affairs and Northern Development.

The LUPC makes recommendations to Government and each affected First Nation on land use planning, the identification of planning regions, the priorities for land use plans and terms of reference for land use planning in the Yukon.

During this review period, the LUPC:

- Coordinated an information workshop on plans for the year, how the mandate will be implemented and relationships with other groups.
- Developed an 8-minute video and a brochure on the land use planning process and the Council's role in land use determination. These information packages have been distributed to First Nations and governments.
- Developed public service announcements on land use planning and community involvement in the decision-making process, including contact numbers for additional information.
- Determined internal operating procedures and requirements for organizational design and for conducting institutional relationships with various organizations and stakeholders.
- Described options on funding allocations for planning regions and defined general terms of reference.
- Was involved in planning for board and committee training sessions to be held in the fall of 1997, an Open House hosted by the Council for Boards and Committees, First Nations, and federal and territorial governments, and in the selection of contractors to assist the LUPC.

The LUPC will continue with community visits, actively seeking First Nation involvement in the development and achievement of future priorities and recommendations in land-use planning, policy development, and communication strategies, including an educational component on land use planning.

Yukon Surface Rights Board

The Yukon Surface Rights Board (SRB) was established on June 2, 1995, with a primary mandate to manage the disputes regarding surface rights that fall within its jurisdiction. The SRB is to consist of no more than 10 members, appointed by the Minister of Indian Affairs and Northern Development, one half of which are to be nominated by the CYFN.

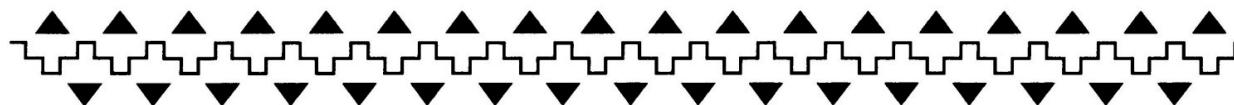
The SRB held two meetings April 26 and December 18, 1996, to establish its rules of practice and procedure, panel hearing procedures, infrastructure, process, and to discuss routine Board business.

Five applications were made to the Board during the review period, three of which were accepted by the Chair.

No hearings were held during this review period.

Yukon Water Board

The Yukon Water Board which has responsibility for regulating the use of water in the Yukon Territory was a pre-existing board at the time of the Yukon land claims settlement. The UFA provides for the CYFN to nominate one third of the members of the Board and sets out a number of specific provisions with respect to water management in Yukon. Appointments to the Board are made by the Minister of Indian Affairs and Northern Development.



Fish and Wildlife Management Board

The Fish and Wildlife Management Board (FWMB) was established as the primary agent for fish and wildlife issues in the Yukon. The FWMB consists of six nominees of Yukon First Nations and six nominees of Government, all of whom are appointed by the Yukon Minister of Renewable Resources. The Board is mandated to make recommendations on all questions related to fish and wildlife management legislation, research, policies and programs.

During this review period, the Board held a major workshop on roles and responsibilities to determine its understanding of its mandate. In addition the following accomplishments were reported:

A comprehensive Annual Report was published.

- Recommendations were made on amendments to the *Wildlife Act*, as well as interventions on the *Yukon Mining Act*, the *Endangered Species Act* and policy development discussions on Forestry Policy, Land Use Planning and the Development Assessment Process.
- The Board made recommendations on new regulations for fish and wildlife harvesting and held discussions with local groups on fish and wildlife issues to ensure coordination and the inclusion of territory-wide concerns in local plans.
- Informal contacts have been made with the Alaska Board of Game to guarantee the continuation of recovery efforts for the Forty Mile Caribou herd.
- Regular business meetings were held and issue working groups met to discuss specific concerns.

Dispute Resolution Board

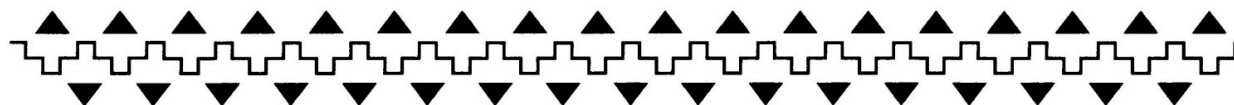
The Dispute Resolution Board was established to provide a comprehensive dispute resolution process for disputes arising from the interpretation, administration or implementation of settlement agreements or settlement legislation and to facilitate the out-of-court resolution of disputes in a non-adversarial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

The members of the Board were appointed in April 1996. During the year, the Board prepared an initial draft of its rules and procedures for conducting mediation and arbitration and circulated these to the parties to the agreement for comment.

Yukon Salmon Sub-Committee

A Salmon Sub-Committee (SSC) is established under the UFA as the primary instrument of salmon management in Yukon. The SSC consists of two members assigned from the membership of the FWMB and two nominated by the Minister of Fisheries and Oceans. In addition, the affected First Nation for each of the Yukon River, Alsek River and Porcupine River drainage basins nominates two members who sit on the SSC For matters affecting the respective drainage basins. The Minister of Fisheries and Oceans appoints the members.

Six meetings were held in the outlying communities and Whitehorse during the year. The Yukon River Fishing plan was produced and fisheries were managed accordingly. There were a number of reports produced on recommendations for changes to the domestic, commercial and sport fisheries. These reports received public input and were consolidated into a summary report of proposed recommendations which will receive further public review and action in the next year.



Renewable Resources Council

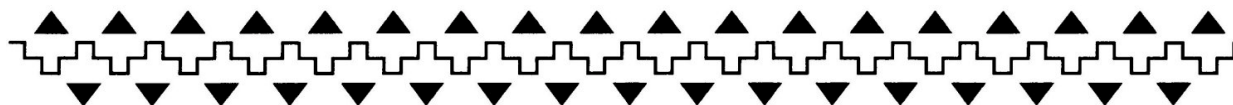
The Renewable Resources Councils (RRC), provided for under the UFA to be established in each First Nations traditional territory, are the fundamental instrument for local renewable resource management. Subject to Transboundary Agreements and Yukon First Nation Final Agreements, each Council shall be comprised of three nominees of the Yukon First Nation and three nominees of the Yukon Minister of Renewable Resources, who also appoints a Chairperson selected by the Council.

For the review period, the Alsek Renewable Resources Council in the CAFN Traditional Territory held a series of public meetings with area residents to discuss big game management, land use issues,

and fisheries concerns. The Council participated in the draft management plan for Game Management Zone 7 in the CAFN Traditional Territory. They also completed a review and revision of internal policies and procedures.

Settlement Land Committees

Pursuant to the UFA, each First Nation final agreement establishes a settlement land committee to make recommendations on the surveying of settlement lands, including site-specific selections, survey priorities and surveying special management areas boundaries. The committees each consist of two members appointed by government and two appointed by the First Nation. The Surveyor General appoints a representative to chair the committee.



FIRST NATIONS

Champagne and Aishihik First Nations

The CAFN are primarily located east of the village of Haines Junction, the first major community northwest of Whitehorse on the Alaska Highway. In December 1993, the population of Haines Junction was 805, of which CAFN members make up approximately 25 percent. Haines Junction is the site of Parks Canada's administration headquarters for Kluane National Park, a world heritage site.

First Nation of Nacho Nyak Dun

The NND inhabits land in and around the village of Mayo, located 407 kilometres north of Whitehorse on the northern bank of the Stewart River. Historically a fur trade centre, currently there are approximately 78 traplines in the area.

Vuntut Gwitchin First Nation

The VGFN is located in Northern Yukon inside the Arctic Circle. Its main population centre is the community of Old Crow on the banks of the Porcupine River. It is accessible only by air, or by boat in summer from Fort Yukon, Alaska.

Teslin Tlingit Council

The TTC, has its main headquarters in the community of Teslin, located 160 kilometres south of Whitehorse on the Alaska Highway.

Council of Yukon First Nations

(no report submitted for this review period)

The CYFN is the successor organization to the Council for Yukon Indians (CYI). It has a number implementation obligations pursuant to the UFA and the UFA Implementation plan.

YUKON GOVERNMENT

The Yukon Government's implementation obligations and activities under the UFA and Yukon First Nation Final and Self-Government Agreements are specified in each Agreement's Implementation Plan.

The following are the highlights of the implementation activities undertaken by the Yukon Government during the 1996-97 reporting period. Further information is available through the Yukon Government Land Claims Secretariat.

Executive Council Office, Land Claims Secretariat

The Implementation Unit, within the Land Claims Secretariat has the responsibility for negotiating implementation plans and coordinating the Yukon Government's implementation activities. Secretariat officials represent the Yukon Government at implementation working group meetings where Yukon First Nations with Agreements, the CYFN, and the Government of Canada are represented. This working group addresses matters of concern in the implementation process.

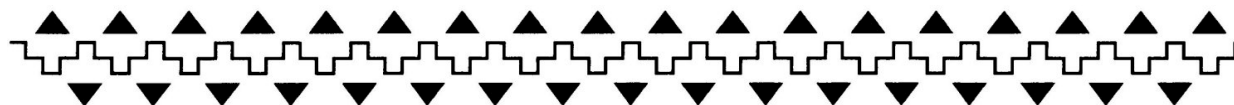
Outfitter compensation provisions were established through an agreement between Canada and the Yukon Government.

Secretariat officials continued to work with Canada and the CYFN on the development of Development Assessment Process (DAP) legislation.

The Land Claims Secretariat continues to monitor the implementation of the first four final agreements by coordinating the activities across the Yukon Government.

Department of Renewable Resources

The Department of Renewable Resources is responsible for the Yukon Government's obligations for fish and wildlife under the UFA,



the Final Agreements and relevant implementation plans. The Minister of Renewable Resources appoints the members of the Fish and Wildlife Board and the Renewable Resources Councils.

During the reporting period, the department carried out research to determine whether amendments to the *Wildlife Act* are necessary as a result of the agreements.

Trapline concession maps were digitized, using GIS technology, enabling the department to work with traditional territory maps and concession maps to address trapline related issues.

An information pamphlet on First Nation harvesting rights has been drafted and is currently being reviewed by First Nations.

Wildlife reference manuals were prepared, which incorporated a traditional knowledge component.

A draft wildlife plan was produced for the Mayo area in NND Traditional Territory and a draft moose management plan was produced for Game Management Zone 7 in CAFN Traditional Territory.

Department of Tourism, Heritage Branch

The Department of Tourism, Heritage Branch is responsible for implementing Yukon Government activities respecting the non-documentary heritage provisions of the Final Agreements and implementation plans. The obligations include planning and/or management of designated heritage sites, inventory and research related to moveable heritage resources and the allocation of program assets. The Branch also provides support to the YHRB and the YGPNB.

During the 1996-97 reporting period the Heritage Branch provided copies of its inventories of heritage sites to First Nations with final agreements. The branch also updated the database of the Yukon Geographical Place Names program, began work with First Nations on heritage resources future management plans for Rampart House,

Lapierre House and Sha'washe, and undertook various activities to increase stakeholder and public awareness of heritage provisions in the Final Agreements.

Department of Economic Development

The economic opportunities plans, required under chapter 22 of the final agreements, are a joint exercise between Canada, Yukon and each First Nation to identify economic opportunities generated by the land claims agreements.

The CAFN Plan has been completed and accepted by the First Nations leadership. Preliminary discussions have taken place with the other three First Nations with final agreements.

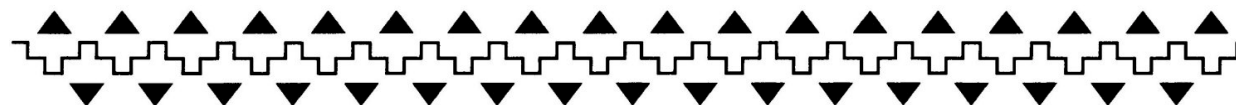
An examination of the viability of a Yukon First Nation controlled financial institution, called for in the agreements, is under way. This is being done in collaboration with the CYFN and the Economic Development section of the Department of Indian Affairs and Northern Development.

The department is also involved in the design of the Development Assessment Process with other Yukon Government departments, the Department of Indian Affairs and Northern Development and the Council of Yukon First Nations.

Public Service Commission

The Public Service Commission (PSC) is responsible for the development and implementation of a plan to attain a representative public service throughout the Yukon and in the First Nation Traditional Territories. Also, the PSC is responsible for providing land claims orientation and training to Yukon Government employees.

A joint Committee was established with representation for the First Nations with final agreements, CYFN, Training Policy Committee and the Yukon Government to develop a territory-wide Representative Public Service Plan.





A draft territory wide Representative Public Service Plan was developed and approved for informal consultation.

A number of other initiatives were developed to implement the final agreements that include measures designed to address labour force development, cultural accommodation, increased communication and understanding between First Nation and Yukon Government human resources personnel, and career planning.

Department of Community and Transportation Services

The Community Services division of the department actively participated in the Settlement Land Committee and updated property tax assessment rolls as required under the final agreements. Consultations were held with First Nations with much of the activity focused on land-related issues in and near communities.

The Transportation division of the department reviewed its obligations as specified in the first

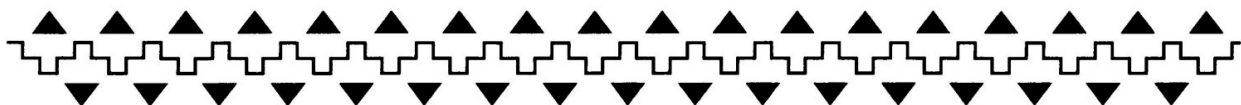
four final agreements. Requirements were completed within established time frames and consultations with First Nations were undertaken as required with most activity pertaining to public roads and quarries on or adjacent to Settlement Land.

Department of Finance

During the 1996-97 reporting period the Department of Finance provided advice on investment policy and procedures at the request of two First Nations with final agreements. In addition a job training opportunity was created to provide financial training to a member of the VGFN. The department also provided support to the economic opportunities planning process under Chapter 22 of the final agreements.

Department of Government Services

The Department of Government Services continued to fulfil its responsibilities under the contracting provisions of the final agreements.



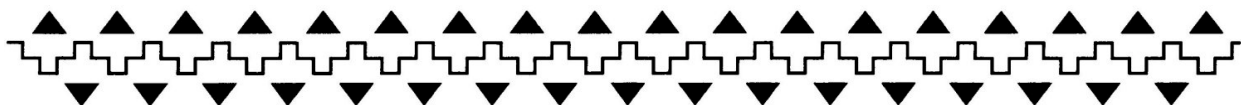
GOVERNMENT OF CANADA

Department of Indian Affairs and Northern Development

Department of Indian Affairs and Northern Development (DIAND) has the lead role in the negotiation and implementation of First Nation final agreements and the administration of First Nation self-government and implementation funding through Financial Transfer Agreements. Government of Canada obligations pursuant to the UFA and Final Agreements and the implementation plans continue with reference to land, water, mines and minerals, forestry, development assessment, surface rights and economic development. Most of these obligations are the responsibility of the regional office located in Whitehorse.

During the 1996-97 annual review period the following activities were carried out by the department:

- Participated as a federal member on the Settlement Land Committee, setting survey priorities and reviewing survey plans for accuracy and conflicts.
- Maintained the Withdrawal and Prohibition Orders for the Fishing Branch Ecological Preserve and Horseshoe Slough Habitat Protection Area.
- Proceeded with transfer of the surface for Rampart House Historical Site and the Orders of Prohibition, Withdrawal and for Oil and Gas.
- Proceeded with title transfers for NND.
- Proceeded with the order in council for withdrawal of the Special Management Areas and Heritage Sites for Little Salmon/Carmacks and Selkirk First Nations.
- Continued administration of encumbering rights on the first four First Nations land base.
- Prepared Final Disclosure for Little Salmon/Carmacks and Selkirk First Nations.
- Prepared order in council request for the Extension of the Withdrawal and Prohibition of Entry for Carcross/Tagish, Little Salmon/Carmacks, Kluane and White River, Liard, Ross River, Selkirk, and Ta'an Kwach'an First Nations.
- Continued consultation with RRCs and First Nations on forest management policy and legislation, specifically the protocol to be followed regarding consultation. The Alsek RRC protocol agreement was negotiated to ensure effective communication between the department and the RRC to facilitate sound management of forest resources in CYFN Traditional Territory to meet the standard for consultation as defined in the Final Agreement.
- Entered into contracts with 10 Yukon First Nations to provide a variety of fire suppression services.
- Continued consultation and liaison through the Band Resource Officer Program by Land Resources as a means of increasing Yukon First Nations involvement in decisions on disposition of land and on granting of licenses, permits and other rights issued by the department.
- Continued consultation between First Nations and Mineral Resources Liaison Officer on mining education issues.
- Coordinated the review of relevant Level II projects being assessed, as part of the Tripartite Project Management Team established as a DAP Interim Measures pilot project in April 1996.
- Continued liaison with the SRB, the Dispute Resolution Board, and Land Use Planning Council on budget planning, assistance with nominations, and advice on Land Use Planning.
- Consulted with TTC and NND on the preparation of an Economic Opportunities Plan.



- Completed a draft Economic Opportunities Plan with the CAFN (final plan completed July 1997).
- Prepared initial drafts of the Yukon Development Assessment Process legislation (YDAP).
- Discussions were held with the Canadian Environmental Assessment Agency (CEAA) to harmonize YDAP with CEAA.

Environment Canada - Canadian Wildlife Service

Specific responsibilities of the Canadian Wildlife Service include requirements pertaining to the *Game Export Act*, *Endangered Species Protection Act* and the *Migratory Game Birds Act*. It also has a role in the development of management plans for special wildlife management areas.

Environment Canada's contribution to the Yukon Land Claims Implementation for 1996-97 include the following:

- Involvement in the preparation of a draft Yukon Human Resource Plan, focusing on strategies for a representative Public Service, with Yukon First Nations (Section 22.4.1 of the UFA). The plan is presently under review by the joint federal/First Nation working group tasked with guiding the plan.
- Development in partnership with the Yukon Government, a renewed Accord on Environmental Cooperation which will include First Nations with final agreements as signatories. Representatives from three First Nations attended a May 2, 1997 meeting to discuss the scope and process for developing a renewed Accord.
- Participation in the Yukon Land Use Planning initiative.
- Canadian Wildlife Service, in cooperation with Teslin RRC, prepared a Nisutlin National Wildlife Area Management Plan, presently awaiting Ministerial approval.

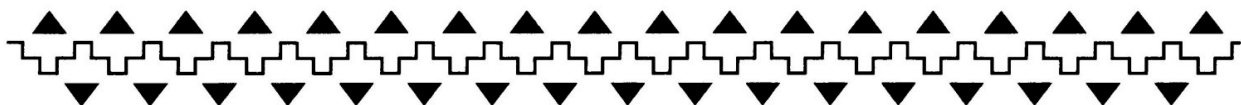
- Canadian Wildlife Service also cooperated in the development of endangered species legislation through public meetings and two debriefing sessions with the Fish and Wildlife Management Board (FWMB). After tabling the legislation, sub-committee hearings were held in Vancouver, in February 1997, where the Grand Chief of CYFN and the Chair of the FWMB presented briefs.
- Field surveys in Old Crow Flats Special Management Area were completed by Canadian Wildlife Service and provided information and specialized training for members of Vuntut Gwitchin First Nation.

Environmental Protection Branch (EPB), as a member of the federal DAP caucus, reviewed position papers prepared by DIAND, recommended conditions the DAP process should meet to accommodate Environment Canada requirements and meet the needs of CEAA, advised DIAND on departmental requirements and capacities, reviewed and commented on proposed DAP legislation, and ensured other areas of the department were kept informed and their input was solicited.

EPB in cooperation with DIAND provided environmental emergency response training for most of the Yukon First Nations. As a result of the Self-government agreements which provide First Nations with environmental management responsibilities, EPB has invited all Yukon First Nations to participate in the Letter of Understanding Concerning Government Response to Spills in the Yukon.

Fisheries and Oceans Canada

Fisheries and Oceans, under the obligations of the UFA and the Final Agreements, is responsible for the provision of technical and administrative support to the Yukon Salmon Sub-Committee. The Minister is responsible for approval and action of the Committee's recommendations. A senior official of the department serves as Executive Secretary to the SSC which is the principal instrument for salmon management.



Highlights for this review period include:

- Yukon Harvest Study: The contractor has completed one full season and has concluded the final report. All First Nations are working well with the study and contractor is well prepared for the 1997 season.
- Commercial Licenses: The issuance of the eight commercial licenses remains an outstanding issue until such time as a sharing accord is signed off between the First Nations.

Department of Canadian Heritage

The Department of Canadian Heritage's obligations under the UFA and the VGFN and CAFN Final Agreements are primarily focused on the national parks and historical sites program. The UFA also obliges the department to work towards equity in program delivery between the culture and heritage of Yukon First Nations people and the Yukon at large.

During this review period:

- Kluane National Park: A scoping document for review of the Kluane National Park Management Plan developed with the Kluane National Park Management Board was approved. Communications on wildlife harvest and management was initiated with the Management Board and the CAFN.
- Vuntut National Park: An Impacts and Benefit Plan was completed with the VGFN. Two park warden trainees were hired and training is under way.
- Parks Canada continues to strive to improve representation of Aboriginal sites in the National Historic Site system in the Yukon. Kwanlin Dun First Nation received Parks Canada funding for research of the human history of their traditional lands.
- Human resource planning continues to ensure increased opportunities for Yukon First Nations people employed by Parks Canada and the Department.

Department of National Defence

As required in the UFA, the Department of National Defence/Canadian Forces provides the affected First Nations with a yearly training plan and a notice of military training exercise. Local communities are also advised at that time of forthcoming activities in their areas.

Military activities have consisted mostly of Canadian Ranger Patrols in the North involving 1250 Rangers. Of the 52 patrols undertaken most were active in the Yukon.

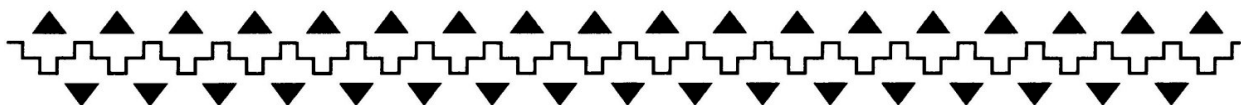
The junior Ranger Program, announced in May 1996, will soon be fully active and will lead to three exercises per year in the North. There are 23 Cadet Units with 551 cadets in the North, some in the Yukon.

Natural Resources Canada - Legal Surveys Division

The Legal Surveys Division of Natural Resources Canada is responsible for surveying First Nations settlement land selections and establishes annual survey priorities based on recommendations made by settlement land committees.

During 1996-97, Legal Surveys Division:

- Carried out 13 survey contracts; four for VGFN, and three for each of the other three First Nations with Final Agreements.
- Carried out one contract for aerial photography of natural boundaries.
- Improved communication between contractors, Legal Surveys Division and First Nations to significantly improve the quality of land claim surveys.
- Discussed with First Nations concerns regarding movement of Site Specific parcels. Legal representative for First Nations met with federal negotiators with resolution appearing possible when implementation methodologies are resolved.



- Received the first signed plans of contracted surveys from NND. Other First Nations are dealing with beneficiary concerns and administrative formalities of plan signing.
- Implemented a national standardized contracting process with Public Works and Government Services Canada (PWGSC).
- Prepared and submitted a Human Resource Plan to the PSC and Treasury Board in response to the obligation of employing a representative work force (CYFN Comprehensive Land Claim Agreement s.22.4) which includes hiring and retention of Yukon First Nations people within the Legal Surveys Division Yukon office.

Public Works and Government Services Canada

PWGSC's Centre for Client and Supplier Promotion has developed a complete seminar program designed specifically for Aboriginal businesses. In conjunction with the Department of Indian Affairs and Northern Development, and through joint sponsorship with the Yukon Chamber of Commerce, PWGSC's Pacific Region participated in the delivery of a Supplier Awareness Seminar at the "Buyers Exposition" in Whitehorse on November 21, 1996. More than 60 Yukon businesses attended the seminar.

PWGSC continues to notify Yukon First Nations of procurement opportunities in their settlement areas and advertises them on the Open Bidding Service. PWGSC provides Yukon First Nations with information kits on how to do business with the federal government in bidding and contracting procedures.

During 1996-97, PWGSC refined its Supply Manual to better reflect procedures incorporated by the Department to meet its obligations under the Yukon First Nations' Comprehensive Land Claims Agreements.

Federal Implementation Coordination

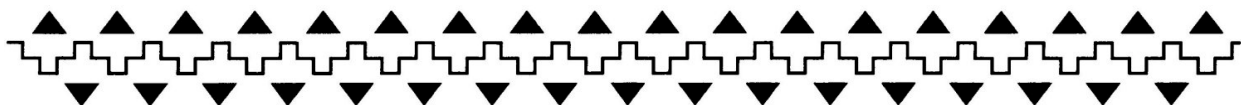
The Claims Implementation Branch of DIAND, located at DIAND headquarters in Ottawa, is responsible for the overall coordination and monitoring of federal government obligations under the First Nation final agreements. The Branch represents Canada on the implementation working group and is also responsible for funding arrangements with the Yukon Government, the CYFN and the SRB, the LUPC, the Enrolment Commission and the Dispute Resolution Board, and for making financial compensation payments to First Nations. It coordinates the appointment of members to the implementing bodies and is responsible for preparing the annual review of Yukon land claim agreements implementation.

During this review period, the Branch:

- Attended the meeting of the Implementation Working Group held during the year and followed up on a variety of issues which arose from these discussions.
- Continued monitoring of federal obligations through periodic meetings and telephone contacts with other federal departments.
- Completed the draft of the first annual review.
- Concluded an agreement with the Yukon Government to provide a compensation process for Yukon Outfitters.
- Delivered all compensation and other payments due during the year in a timely manner.

Royal Canadian Mounted Police

In order to keep abreast of changes in relation to upcoming implementation and negotiations by respecting self-government issues, the Yukon Government Justice/Land Claims Secretariat recently completed a one day workshop for some Yukon RCMP detachment managers. The workshop concentrated on the agreement's legal requirements and the impact the agreements will have on the provision of a First Nations policing service.



Funding was provided during the reporting period as follows:

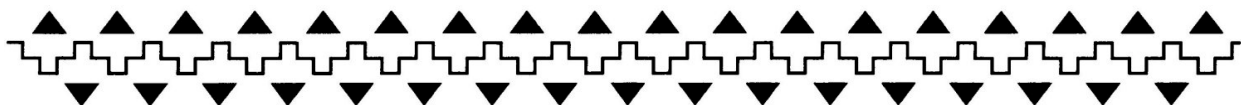
Financial Compensation Payments

Champagne and Aishihik First Nations	\$2,725,308
First nations of Nacho Nyak Dun	\$1,442,408
Teslin Tlingit Council	\$1,865,059
Vuntut Gwitchin First Nation	\$1,924,388

Implementation Funding

Council of Yukon First Nations	\$238,535
Dispute Resolution Board	\$20,554
Salmon Sub-Committee	\$183,200
Surface Rights Board	\$98,236
Yukon Enrolment Commission	\$85,947
Yukon Fish and Wildlife Enhancement Trust	\$288,851
Yukon Government*	\$957,692
Yukon Land Use Planning Council	\$302,000

* Canada provides funds to support fish and Wildlife Management Board, Yukon Heritage Resources Board, Yukon Geographical Place Names Board, and the Renewable Resource Councils of each First Nation





APPENDIX 1:

FIRST NATIONS

Carcross/Tagish First Nation

Champagne and Aishihik First Nations

Dawson First Nation

First Nation of Nacho Nyak Dun

Kluane First Nation

Kwanlin Dun First Nation

Liard First Nation

Little Salmon/Carmacks First Nation

Ross River Dena Council

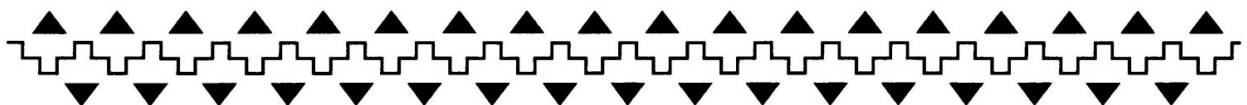
Selkirk First Nation

Ta'an Kwach'an Council

Teslin Tlingit Council

Vuntut Gwitchin First Nation

White River First Nation



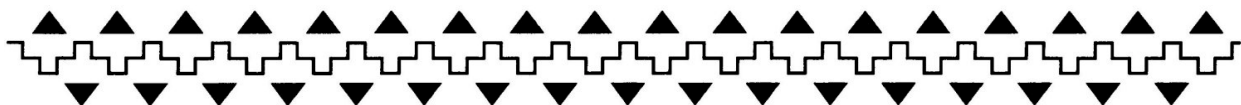
APPENDIX 2:

FEATURES OF THE UMBRELLA FINAL AGREEMENT

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

Some key provisions are:

- Title to 41,439 square kilometres (16,000 square miles) of land including Category A land with surface and sub-surface rights and Category B land with surface rights only, but including rights to materials such as sand and gravel.
- A total of \$246.6 million in financial compensation payments (1989 dollars). Individual First Nation shares are paid over 15 years, beginning when each final agreement is reached;
- \$6.5 million Yukon Indian People Training Trust (1988 dollars).
- A \$3 million Fish and Wildlife Management Trust.
- Up to \$ 1.5 million for a Yukon River Drainage Basin for a Salmon Harvest Study.
- \$4 million (1990 dollars) as initial capital for the establishment of the Yukon First Nation Implementation Fund.
- \$26.57 million to be paid in exchange for the *Indian Act*, section 87, tax rights beginning on the third anniversary of the effective date of the UFA.
- Rental revenues from surface leases and royalties from the development of non-renewable resources.
- Rights to harvest wildlife for subsistence purposes throughout traditional territory.
- Preferential harvesting of some species: exclusive harvesting on Category A settlement land.
- Approximately 70 percent of the traplines allocated in each traditional territory.
- Guaranteed one-third First Nation membership on the Yukon Water Board, the Dispute Resolution Board and the Yukon Land Use Planning Council and up to two-thirds representation on Regional Land Use Planning Councils.
- 50 percent representation on the Development Assessment Board, Surface Rights Board, Fish and Wildlife Management Board and the traditional territory Renewable Resources Councils.
- Provisions for promoting and preserving the culture and heritage of Yukon Indians; and
- Provisions for the ownership and management of heritage resources and designated heritage sites.



APPENDIX 3:

FEATURES OF THE FIRST NATION FINAL AGREEMENTS

Common Specific Provisions

- Participation in government employment, contracting and development projects in the traditional territory.
- Options to acquire up to 25 percent of projects managed by the Yukon Government or its agencies or corporations in future non-renewable resource and hydroelectric developments in the traditional territory.
- Economic developments and employment planning processes to increase economic development and government employment.

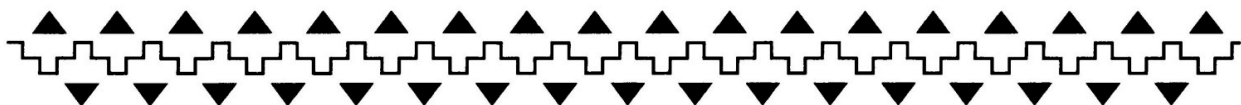
Champagne and Aishihik First Nations

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

- Guaranteed participation in commercial freshwater, salmon fishery and sports fishing, adventure travel, forestry, outfitting and campsite operations in the traditional territory.
- Representation on the Kluane National Park Management Board.
- Proportional representation in public service positions in Kluane Park.
- Exclusive opportunity or right of first refusal for commercial operations in Kluane Park.
- Exclusive harvesting rights in Kluane National Park within the Champagne and Aishihik traditional territory.
- Establishments of a special management area to guide the development and/or management of Kluane National Park and Sha'washe and surrounding area, and joint management of the Tatshenshini River.
- Provisions to nominate the Tatshenshini River as a Canadian heritage river.

First Nation of Nacho Nyak Dun

- 2,408.69 square kilometres (930 square miles) of land surface and sub-surface title; 2,330.99 square kilometres (900 square miles) of land surface title only, but including rights to material such as sand and gravel; and 9.27 square kilometres (3.58 square miles) of land set aside as reserve.
- \$16,888,734 in financial compensation payments over 15 years.
- Specific commercial wilderness rights in commercial freshwater fishing, adventure travel and commercial freshwater sports fishing.



- A comprehensive economic plan which may include preferential employment and business initiatives for the First Nation of Nacho Nyak Dun.
- Subsistence harvesting rights of moose, woodland caribou, fish, birds, etc.
- Agreement to enter into negotiations with government and the Selkirk First Nation to establish the McArthur Wildlife Sanctuary as a special management area.
- Representation on the Peel River Advisory Committee.
- Establishment of a wetland habitat protection area at Horseshoe Slough.
- Participation in management of the Peel River Watershed.
- Designation and management of a trading post on Nacho Nyak Dun settlement land at Lansing as an historic site.
- Provisions to nominate the Bonnet Plume River as a Canadian heritage river.

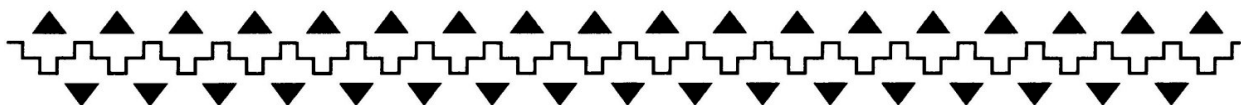
Teslin Tlingit Council

- 1,230.24 square kilometres (475 square miles) of land with surface and sub-surface title; 1,165.49 square kilometres (450 square miles) of land with title in surface only, but including rights to material such as sand and gravel; and 33.36 square kilometres (12.88 square miles) of land set aside as reserve.
- \$21,646,715 in financial compensation payments over 15 years.
- Guaranteed participation in commercial freshwater and sports fishing, outfitting and commercial wilderness adventure travel; certain employment opportunities for work related to heritage sites, forestry and surveying.
- Specific moose harvest for subsistence needs.
- Primary consideration in allocation of freshwater fish resources in traditional territory.
- Approval needed on any proposed game farming or ranching activities in their traditional

- territory when Teslin Tlingit harvesting rights may be affected.
- Establishment of the Nisutlin River Delta National Wildlife Area and preparation of a joint management plan which considers traditional and current use by Teslin Tlingit of the area.
- Rights to harvest wildlife and forest resources in Nisutlin River Delta National Wildlife Area.
- Provisions recognizing and protecting the heritage and cultural significance of several specific routes and sites and the Nisutlin River Valley.

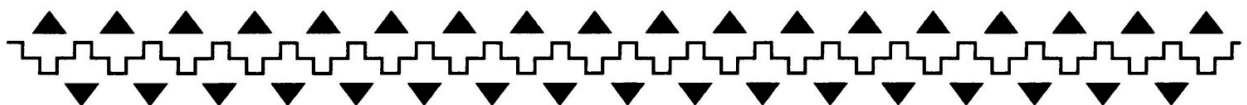
Vuntut Gwitchin First Nation

- 7,744.06 square kilometres (2990 square miles) of land with surface and sub-surface, title; 7.16 square kilometres (2.74 square miles) of land set aside as reserve.
- \$22,234,780 in financial compensation payments over 15 years.
- Exclusive rights to all new big game outfitting concessions within Vuntut Gwitchin traditional territory.
- All commercial salmon fishing licences and all commercial salmon sport licences in the Porcupine River drainage basin for 15 years; preferential rights afterward to any allocation of commercial and sport fishing salmon licences.
- Right of first refusal for commercial wilderness travel and commercial freshwater sport fishing in the Vuntut Gwitchin settlement territory.
- At least 50 percent of public service positions with the Vuntut National Park to employ Vuntut Gwitchin First Nation members.
- First option on business licences within the Vuntut National Park.
- Specific moose harvest for subsistence needs.
- Basic needs allocation of salmon in the Porcupine River drainage basin.
- Rights to subsistence level and harvesting in the Vuntut Gwitchin First Nation traditional territory.





- Three special management areas to be established: The Vuntut National Park, Fishing Branch Ecological Reserve and the Old Crow Flats Special Management Area.
- Provisions concerning the preparations of a land use plan before an all-weather road is constructed into the community of Old Crow.
- Provisions for the protection, ownership and management of heritage resources and designated historic sites.
- Joint ownership and management of Rampart House and Lapierre House historic sites.



APPENDIX 4: MEMBERSHIP - IMPLEMENTING BODIES

FISH AND WILDLIFE MANAGEMENT BOARD

Chair

Mike Smith

Members

Gerald Couture (Vice Chair)

Roger Alfred

Bruce Charlie

James Close

David Dickson

Shirley Ford

Elizabeth Hofer

Art Johns

Charles R. Stricker

Georgina Sydney

Douglas Urquhart

TESLIN RENEWABLE RESOURCES COUNCIL

Chair

Danny Denison

Members

Robert Lee Jackson (Vice Chair)

Carolyn Allen

Evelyn Hassard

Harry Morris

Doug Smarch Sr.

Sandy Smarch

Watson Smarch

Orville Smith

Frank Thomas

MAYO DISTRICT RENEWABLE RESOURCES COUNCIL

Co-Chairs

Dan McDiarmid

Frank Patterson

Members

Billy Germaine

Ralph Mease

J.D. Randolph

Jack Smith

Alternates

Joseph Kaye (First Nations)

Bernard Menelon (Government)

YUKON HERITAGE RESOURCES BOARD

Chair

John Ferbey

Members

Pat Van Bibber (Vice Chair)

Helen Couch

Denise Fras

Joe Johnson

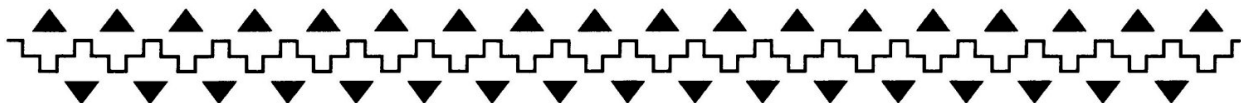
Paul Lackowicz

Harry Morris

Roy Moses

Peter Stone

Flo Whyard



ALSEK RENEWABLE RESOURCES COUNCIL

Chair

Mike Crawshay

Members

Mickey Beattie

Daryl Drift

Thomas Eckervogt

Harry Smith

Alex Van Bibber

Alternates

Rose Mazur (First Nation)

Vacant (Government)

YUKON TERRITORY WATER BOARD

Chair

Ron W. Johnson

Members

Dale Eftoda (Vice Chair)

John Bailey

Norma Kassi

Jean Gordon

Stephen Mills

Bruce Sova

Dietmar Tramm

YUKON SURFACE RIGHTS BOARD

Chair

Stephen Mills

Members

Gerald Isaac

Emile D. Stehelin

F. Bruce Underhill

YUKON LAND USE PLANNING COUNCIL

Chair

Gerry Thick

Patrick James

Mike Phillips

YUKON GEOGRAPHICAL PLACE NAMES BOARD

Chair

Diane Chisholm

Members

Percy Henry

Gordon McIntyre

John Bitter

Daniel Tlen

Margaret Workman

VUNTUT GWITCHIN RENEWABLE RESOURCES COUNCIL

Chair

Roy Moses

Members

Vicki Josie (Vice Chair)

Harvey Kassi

Alice Frost

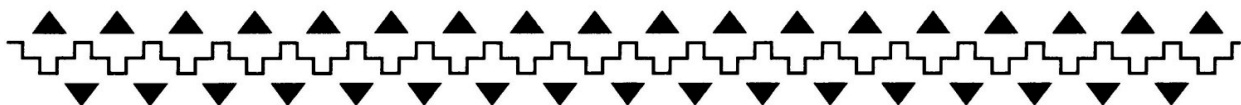
Peter Abel

Stanley Njootli

Alternates

Joseph Kaye Jr. (Government)

Robert Netro (First Nations)





ENROLLMENT COMMISSION

Commissioner
Mary Jane Jim
Duncan Sinclair
Irene Adamson

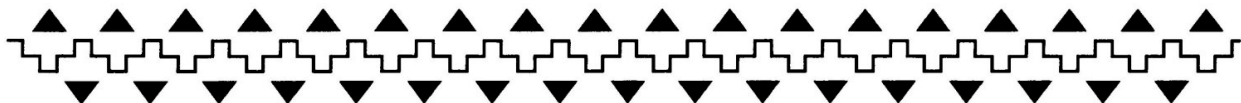
Alternates
Dan Van Bibber
Irene Adamson

TRAINING POLICY COMMITTEE

Nancy Hager (Chair)
Shirley Frost
Andy Nieman
Adeline Webber
Gordon McDevitt

DISPUTE RESOLUTION BOARD

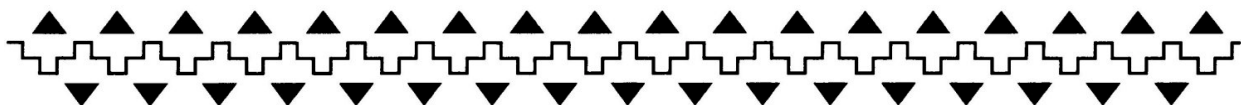
Victor Mitander (CYFN)
Ione Christenson (Chair, Canada)
Tim McTiernan (Yukon)



APPENDIX 5:

LIST OF ACRONYMS

CAFN	Champagne and Aishihik First Nations	PWGSC	Public Works and Government Services Canada
CEAA	Canadian Environmental Assessment Process	RRC	Renewable Resources Council
CYFN	Council of Yukon First Nations	SRB	Surface Rights Board
CYI	Council for Yukon Indians	SSC	Salmon Sub-Committee
DAP	Development Assessment Process	TTC	Tlingit Teslin Council
DIAND	Department of Indian Affairs and Northern Development	UFA	Umbrella Final Agreement
EPB	Environmental Protection Branch	VGFN	Vuntut Gwitchin First Nation
FWMB	Fish and Wildlife Management Board	YDAP	Yukon Development Assessment Process
LUPC	Land Use Planning Council	YGPNB	Yukon Geographical Place Names Board
NND	First Nation of Nacho Nyak Dun	YHRB	Yukon Heritage Resources Board
PSC	Public Service Commission		



APPENDIX 6: MAP OF TRADITIONAL TERRITORIES

