

**YUKON FISH AND WILDLIFE
MANAGEMENT BOARD**



Box 31104, Whitehorse, Yukon, Y1A 5P7
Phone: (867) 667-3754 Fax: (867) 393-6947 officemanager@yfwmb.ca

January 11, 2020
Kathleen Zimmer, Implementation Fiscal Advisor
Implementation and Reconciliation
Executive Council Office; Aboriginal Relations
Whitehorse, YT

Dear Ms. Zimmer

**Re: Yukon Fish and Wildlife Management Board Transfer Payment Funding Agreement
April 1, 2020 - March 31, 2021**

Thank you for meeting with the Board's Executive on Monday, February 10th, to discuss the proposed changes to our Transfer Payment Funding Agreement (TPFA) for the upcoming fiscal year. As we conveyed to you in-person, we were quite taken aback with the number, and extent, of changes outlined within the proposed TPFA. For this reason, we have elected to respond formally in writing.

It was clear to us during the discussion that the changes proposed within the TPFA were not prompted – nor supported – by two-thirds of the parties to the Umbrella Final Agreement. These changes are prompted by your Department and couched as an outstanding item which you elected to address this year, based on the arbitrary assignment of a financial threshold that the Board exceeded many years ago (\$500,000.00).

It should come as no surprise to you, or anyone in your Department, that the Board is very skeptical of this approach and the timing of this action, given the Yukon Forum's recent decision to review the Board. Indeed, it has been a year of many proposed changes; however, the Board would like to be clear about one thing: we still have a job to do.

We shall continue to honor our mandate under the Umbrella Final Agreement, maintaining an arm's length approach, while still performing our key function as the "primary instrument of fish and wildlife management" in Yukon (UFA 16.7.1).

Concerning the financial aspects of our business, we have a few critical statements we need to make at this time. They are as follows:

1. At no time has the Board *ever* had any challenges in the management or balancing of our budgets.
2. Additionally, we have *never* diverted resources (financial or otherwise) towards any activities that were contrary to the Umbrella Final Agreement, or that diverged from our prescribed mandate within the UFA.
3. Finally, at no time has the Board *ever* required the Government of Yukon to support the Board in the management of our funds. From a financial perspective, we have successfully done our job for over 25 years.

The extent of proposed changes to the TPFA, and the substantial additions to reporting requirements which your Department is suggesting, are in stark contrast to the spirit and intent of the Umbrella Final Agreement – particularly the proposed changes within the TPFA clauses 7.2, 9.2.1, and especially 10.1.4. These proposed changes are unprecedented and appear to come without due cause.

To be clear, this Board will not support a change in our TPFA that enables the Yukon government to identify any Board activities as “outside our mandate,” as is outlined in the Final Agreement. To do so would contradict the Board’s assignment within the UFA as the primary instrument of fish and wildlife management.

In addition to these concerns, specific to appendices A through E appear to add what the Board perceives to be an unfair and overly cumbersome level of detailed reporting to our already adequate workload and financial reporting. As you know, we already have five reporting requirements per year – which has increased consistently over the past 25 years. The Board already provides the Yukon government an Annual Report of our activities that includes an annual financial audit. Every year, a management letter is transmitted to the Board once the Audit is complete. If there are any financial management measures presented by the auditor, the Board implements them immediately, as we have done since our creation in 1993.

Our perception following this meeting is that the Department of Aboriginal Relations and, by extension – the Government of Yukon – clearly wishes to manage the Board’s finances. Surrendering control of our financial autonomy is contrary to the spirit of reconciliation under the UFA. As such, it would be a glaring contradiction to the Board’s responsibility in maintaining an arms-length approach from government.

With regards to the proposed changes to the Board’s financial reporting, it is our stance that such substantial changes would effectively and unnecessarily remove the Board’s ability to manage its finances. Furthermore, this approach contradicts 16.7.9 of the

Umbrella Final Agreement, which states explicitly that the Board shall prepare an Annual Budget. Granted, this Annual Budget is then subject to review and approval by the Government of Yukon. It is very clear to our Board, as it should be to your Department, that the UFA states the Board shall only provide an Annual Budget, and not a monthly budget. Therefore, we believe what your Department is proposing is in contradiction to the UFA.

The roles and responsibilities of the Board are as diverse as the territory which we proudly serve. Yet our role in providing an equal standing for *both* First Nations and non-First Nations parties within the discussion and management of fish and wildlife conservation is singular, concrete, and non-negotiable. This equal-standing arrangement has served as a fundamental precept of the UFA since its negotiation and inception.

To conclude, the proposed micro-managing of the Board's budget, as outlined in your draft TPFA, is limiting to the Board's autonomy and effectively undermines a central tenet of the UFA.

If you have any questions, please do not hesitate to contact our Executive Director, Graham Van Tighem, at (867)-667-5835.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Burdek', written in a cursive style.

John Burdek, Chair

cc:

Catherine Ford-Lammers, Implementation Administrator, Department of Environment
Jodi-Lyn Newnham, Director of Implementation and Reconciliation, Aboriginal Relations
David MacKinnon, Director of Policy and Consultation, Aboriginal Relations
Honourable Pauline Frost, Minister of Environment
Grand Chief, Peter Johnston, Council of Yukon First Nations