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April 8, 2021

Diane Gunter
Department of Environment, Policy and Planning Branch
Government of Yukon
10 Burns Rd – V-2
Whitehorse, Yukon Y1A 4Y9

Re: Transfer Payment Funding Agreement (TPFA) for the Yukon Fish and Wildlife Management Board

Dear Diane Gunter,

We would like to recognize the Department's time and attention to the Board's 2021-2022 Budget and Work Plan.

The Board's Executive Committee has reviewed your questions and requests, and we have incorporated some of the changes to our 2021-2022 Work Plan that we deem necessary – particularly those addressing errors in timelines for deliverables dealing with the Stratos review.

Some of these requested changes are unnecessary, unfair, in some cases, unrealistic. We would like to remind you that the Yukon Fish and Wildlife Management Board is an independent advisory Board that functions at arm's length from Yukon's Government. Further, we are independent of the parties in the Agreement. This is stated clearly in section 2.12.2.12 of the Umbrella Final Agreement, "members of Boards shall not be delegates of the parties who nominate or appoint them."

We understand that Yukon's government is required to review and approve our work plan and budget, as stated in the current Transfer Payment Funding Agreement. What we don't understand is why YG now feels the need to micromanage the Board's Budget and Workplan. What you are requesting is unprecedented, as the Board has always been accountable and fiscally responsible with its budget while fulfilling its mandate as per Chapter 16 of the Umbrella Final Agreement.

Clause C of the current Transfer Payment Funding Agreement states, “The UFAIP and the FNFAIP requires that Canada provide funding to Yukon which approves and provides funding to the Board for its operations, and **the Board is then responsible for the administration and management of that funding**”. The requested revisions, submitted in your March 30th email correspondence, seem to contradict this clause.

Please identify [specifically] which section(s) in the funding agreement you believe the Board is not adhering to – as clauses 5, 6, and 7 clearly outline the provisions, financial accountability, and reporting requirements for the Board.

Additionally, some of the requested revisions, such as asking the Board what promotional materials it plans to purchase or what deliverables will come out of our Strategic Planning exercise (which hasn’t taken place yet due to COVID-19 restrictions), are either unnecessary or unrealistic.

With regard to budgeting for our upcoming, proposed, or predicted meetings:

- The Aishihik Bison Plan review is still ongoing and is not yet complete. A draft was presented to the Bison Tech Team on March 19th, 2021. More meetings will be scheduled for 2021 and 2022.
- Issues around 40-Mile Caribou are far from resolved.
- Elk Conflict Harvest will occur over the next two years (2020-2021 and the 2021-2022 season – therefore, this issue is not yet finalized, and we do not schedule these meetings.
- Incorporating Traditional Knowledge was a recommendation of the Stratos review document and is something the Board continually strives to achieve. This concept is not something that can be adequately captured on a line item of a budget.

We would also like to bring to your attention Clause D of the TPFA, “The Parties recognize the need for a framework of accountability that maintains confidence in the use of public funds.”

In the past, the Boards and Councils admin person and one additional staff member from Aboriginal Relations provided edits to our Work Plan and Budget in good faith. This exercise highlighted any budgetary discrepancies or typos, with the aim of supporting our budgeting and work planning process. We perceived these edits as a clear understanding that the Board would maintain its mandate as per Chapter 16 and fulfilling the framework of accountability within the TPFA. Comments provided were supportive of the Board’s independent nature. However, your recent email and requests appear to deviate significantly from this past framework. There is no indication of any change to this framework in the Agreement. If there is, we feel this should be explicitly identified.

In summary, the Board feels strongly that we have upheld our end of the TPFA in good faith. These requests indicate to us that YG feels the Board has or is deviating from the Agreement. If this is the case, please identify specific aspects of the “Yukon Fish and Wildlife Management Board – Yukon Transfer Payment Funding Agreement April 1st, 2021 - March 31st, 2022” that you feel we are not adhering to so we can address that with you and consult legal counsel.

Please see our final budget and Work Plan, and if you have any more questions, we will try and answer them in the spirit of the Umbrella Final Agreement and in good faith.

Sincerely,

A handwritten signature in blue ink, appearing to be 'CS', with a small horizontal line at the end.

Carl Sidney, Chair

CC: John Bailey, Dennis Berry, Christine Cleghorn, Marc Cattet, Catherine Ford-Lammers, Kathleen Zimmer, Tamara Fast