

YUKON FISH AND WILDLIFE MANAGEMENT BOARD MEETING
February 17 & 18, 2021
MINUTES
Zoom Video Conference

DAY 1: Wednesday, February 17, 2021 – Regular Meeting

PRESENT: Carl Sidney (Chair), Randy Taylor (Vice-Chair), Cheyenne Bradley, John Burdek, Danny Cresswell, Sebastian Jones, Dawn Kisoun, Franklin Patterson Jr., Ken Taylor, Blanche Warrington,

REGRETS: Dennis Dickson

STAFF: Graham Van Tighem, Diane Sheldon, Steve Hossack

SUPPORT: Colleen Henry (Minute Taker- From Recording)

IN ATTENDANCE: Marc Cattet (Director, Fish and Wildlife, Environment), Janice Sibbeston (YFWET, Manager), Aaron Florian (Yukon Stone Outfitters),

OPENING PRAYER, WELCOME AND INTRODUCTIONS

Carl Sidney welcomed everyone. Graham Van Tighem said the opening prayer.

ADMIN AND FINANCES (TAB 01)

A. AGENDA REVIEW— C. Sidney

Carl Sidney reviewed the agenda.

Motion – 2021-01: That the Board accept the February 17 & 18, 2021 agenda as amended.

Moved by: Danny Cresswell

Seconded by: Dawn Kisoun

Passed by: Consensus

Graham Van Tighem provided clarification about the April and June 2021 Board meeting strategy agenda item. The discussion will cover Zoom meetings versus in-person meetings and the vaccine rollout timelines.

B. EXECUTIVE REPORT (TAB 02) — G. Van Tighem

Graham Van Tighem reviewed the Executive report provided in meeting kits.

Comments/Questions:

- Q: Why has Kwanlin Dün never created an RRC? A: Graham mentioned that the RRC was not enacted by the Southern Lakes Wildlife Committee was created instead. He provided a presentation to Kwanlin Dün Chief and Council and their Lands and Resources Director on the benefits and challenges of the RRC and the language in the Final Agreement. Graham provided a brief historical overview to the Board as well. Kwanlin Dün created the Southern Lakes Wildlife Coordinating Committee which was a surrogate to the RRC. They developed a document with recommendations but when the committee disbanded there was no implementation of those recommendations. The Carcross Tagish RRC facilitated the outcome of that work. Since then, there have been Southern Lakes gatherings which the First Nation attends. The challenge is that without an RRC, they don't have a body in place to make provisions for public involvement in the decision-making in the traditional territory. The Board is attempting to facilitate this partnership. Graham provided an overview of the overlap agreement with LLRRC. He also discussed the differences between the Kwanlin Dün First Nation final agreement and the UFA. The agreement states the name would be the Ibex RRC. The provision in the agreement is already in place. **Graham suggested the Board meet with the Kwanlin Dün to discuss the implementation of the RRC.**
 - Working with the RRCs is part of the mandate of the Board to assist the RRCs and help them wherever they need help. This is one of the recommendations from Stratos.
 - Graham provided an update on the Fish and Fish Habitat Working Group which was accidentally excluded in the Executive Report document.
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FINANCIAL UPDATE (TAB 03) – D. Sheldon

Diane Sheldon reviewed the financial report to January 30, 2021, provided in the meeting kits.

Motion – 2021-02: That the Board accept the financial report to January 30, 2021 as presented.

Moved by: Ken Taylor

Seconded by: Cheyenne Bradley

Passed by: Consensus

Comments/Discussion:

- The Board will be well within the 15 percent surplus, or \$90,000.
 - Yukon government provided the payment schedule for the next year. There was a proposal for the Board to have 12 deliverables instead of four. That won't happen this year but the Board wrote a letter to Aboriginal Affairs expressing our discomfort with that proposed change.
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CORRESPONDENCE REVIEW (TAB 04) – G. Van Tighem

Graham Van Tighem reviewed the correspondence to and from the YFWMB provided in the meeting kits.

Comments/Discussion:

- Regarding the letter from Minister Frost regarding the management approach for thornhorn sheep in Game Management Zone 7 east, dated January 8, 2021, a copy of the study by Troy Hegel on sheep and sheep management units will be sent to the Board.
 - The outfitter quota guidelines are an issue between the businesses and the government. The Board needs to exercise caution before becoming involved and should have a discussion prior to becoming involved.
 - Regarding the adaptive moose management proposal two which Minister Frost will vary, what does vary mean? Are there any concerns? The Minister mis quoted the Board. This will be further discussed in the afternoon.
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DECEMBER MINUTES (TAB 05) – D. Sheldon

Diane Sheldon reviewed the June minutes provided in the meeting kits.

The following changes were identified:

- Page 9, Yukon Forum Fish and Wildlife Working Group Update — Are Board members participants in the working group or do they have observer status only? Graham confirmed that Board members are participants and not observers.
- Page 9, Yukon Forum Fish and Wildlife Working Group Update, second paragraph, change “CO chairs” to “co-chairs”.
- Page 2, Correspondence Review, second bullet, change “statics” to “statistics”.

Motion – 2021-03: That the Board accept the December 2020 minutes as amended.

Moved by: Ken Taylor

Seconded by: Randy Taylor

Passed by: Consensus

YFWMB WORKING GROUPS FINALIZED (TAB 06) – G. Van Tighem

Graham Van Tighem reviewed the finalized Working Group Membership 2021 document provided in meeting kits.

Comments/Questions:

- Graham provided an overview of his discussion with the First Nation Wildland Fire group about wildlife habitat management and their interest in prescribed burns. Heather Clark gave a presentation on the cost-benefit analysis of prescribed burns four years ago which he shared with Chad Thomas. He can also share the presentation with the Board.
- Graham will add Danny to the Fish and Wildlife Enhancement Trust Working Group.
- Janice discussed the YFWET Working Group. Her understanding is that the Working Group includes people who were interested in the technical review which is limited to four. She also believes the Executive is different and not necessarily the same people who are sitting on the technical review. Blanche and Ken confirmed.

The Board approved the working group membership list as presented. There was no opposition. Carl Sidney reminded everyone could join the working groups at any time.

INTRODUCTION NEW DIRECTOR OF FISH AND WILDLIFE (TAB 07) – M. Cattet

Marc Cattet introduced himself and provided an update. He discussed the relationship between the Fish and Wildlife Branch and the Board.

Marc identified communications as a key component. He will be the conduit of communications between the branch and the Board to focus communications. He also discussed the UFA and the framework agreement to fish and wildlife management in the territory. The UFA identifies his responsibilities to the Board to (1) make sure government personnel are available to the Board; and (2) to serve as an advisor to the Board. His intent for the time being is to listen and to learn. He encouraged Board members to send him questions they may have, he will respond.

Aaron Florian introduced himself and provided a brief background. He has operated outfitting concession 15 under Yukon Stone Outfitters for the last 10 years.

Carl Sidney provided comments on communication, RRCs, recommendations from the Yukon Forum review, working with First Nation governments, COVID, hunting and fishing pressures, and the need to work closely together.

REGULATION CHANGE 2020-2021 OUTCOMES (TAB 08) – G. Van Tighem

Graham Van Tighem provided an overview of the Yukon *Wildlife Act* regulation change process. He discussed the history of the regulation change process, consultation with First Nations and RRCs, public meetings, public review, survey tools, recommendations to the minister, timelines, confidentiality requirements of the UFA, and advancement of the recommendations to RRCs. A visual depiction of the timeline and process is available and can be provided to Board members.

Graham reviewed proposals 4 through 14 of the *2019-2020 Proposal 1 – 14 summary* document provided in meeting kits.

Graham provided a detailed review of proposals 1 through 3 which had the highest degree of public opposition and required an extension. The proposals went through the original review in November. The following were identified as the primary challenges:

- lack of understanding of the proposals;
- lack of understanding or trust in adaptive management; and
- lack of appreciation for the examples of adaptive management provided by government.

He provided an overview of the moose management toolbox created by the Board in 2002. Proposal 1 was set aside. The Board recommended that proposal 2 be set aside, but the minister set aside that recommendation. The Board recommended proposal 3 be accepted and the minister accepted that proposal.

Aaron Florian expressed his appreciation to the Board for its due diligence in reviewing the proposals and making recommendations to the minister and discussed his disappointment in the minister for setting recommendations aside. He discussed the impact of the permit hunt to wildlife. He would like to see population objectives, measures, and tools in place to achieve the objectives.

The 2019-2020 Regulation Changes Proposal Summary and letters to and from Minister Frost regarding Board recommendations were included in Board meeting kits.

Comments/Discussion:

- Proposal 9 – Change Burbot Limits in Yukon – The recommendation is for small lakes only.
- Proposal 10 — Remove Slot Size for Northern Pike on Teslin Lake — This recommendation was set aside. The YG regional biologists will have further discussions with the Teslin RRC. It will then be discussed within the Angling Working Group in the near future. The proposal was set aside because the proposal itself didn't fit the existing fisheries management regime within the regulation summary. This is a traditional knowledge initiative. If there is a lack of data, then the Board should facilitate getting that data so the proposal has a good chance for success.
- Proposal 2 — Sustainable Harvest Management of Moose in South Canol MMU —
 - Graham provided an overview. The Board made three recommendations to the minister: (1) that the proposal be set aside and deferred to the next regulation cycle; (2) that the department conduct a new survey in the area; and (3) that the department reconfigure the moose management unit. Most of the game management subzones and zones are delineated based on sheep management zones and not on moose management units. Some game management subzones have been redefined to support harvest and to protect wildlife species. Moose managed within Moose Management Units however are more effectively measured and harvest is better managed.
 - Aaron Florian provided an overview of the reconfiguration scheme he had proposed. He also discussed habitat, predator, and access management, and stakeholder education. The Yukon is missing a program that would allow the government to manage wildlife instead of managing one slice of the people who harvest. It's about meeting harvest demand with wildlife populations in the form of abundance, rather than suppressing wildlife harvest by moving people around the territory, which would benefit everybody. There needs to be an overall wildlife management plan which identifies the priority species and population objectives for those species. Right now, species plans sit in a silo and don't ask the right questions to get at the overall wildlife management plan. Permit hunts are used in one area after another.
 - Moose surveys — The Board met with Teslin Tlingit Council (TTC), it was indicated that there was a lack of moose population surveys. TTC spent \$80,000 to do their own surveys in their traditional territory whereas Yukon government refused to do moose surveys. That was one issue that arose from the South Canol Road proposal.

- Proposal 1 — Adaptive Management of Moose in Yukon — With respect to the scope of changes that were proposed, there was a timeline constraint which hasn't been directly addressed. People had a difficult time understanding why and how so much change could happen based on so little information in a short period of time. After reviewing hundreds of comments, that was one of the most significant concerns Yukoners expressed with all three proposals.

2020-2021 REGULATION CHANGE PROCESS (TAB 09) — S. Hossack/G. Van Tighem

Graham Van Tighem provided an overview of the process. April 30 is the deadline to submit any regulation changes. In the Yukon Forum review, one of the recommendations was to re-evaluate the Board's role in the substantive Yukon *Wildlife Act* regulation change process. It is an amazing amount of work for the Board when there are broader issues with respect to holistic, inclusive, or total management. Will the Board be doing any regulation changes this year? The Board is being reviewed by the Yukon Forum and will have a workshop in April or May on roles and responsibilities, including conversations about the Board's role in the Wildlife Act regulation change process. During the extended public review, the Board had a lot of meetings set up, but had to cancel meetings due to COVID. It was impractical. The RRCs require face-to-face meetings.

Comments/Discussion:

- There was a suggestion to approach the Yukon government about picking up the two-year cycle after a one year break. The Board can consider how to streamline the process and to re-evaluate its efficiency.
- Can the Board do its due diligence without having face-to-face community meetings? The Board has experienced frustrations with Zoom. Board members need to consider whether the work can be done virtually.
- The Board needs to consult with YG and RRCs. It is conceivable that the Board can do it a different way. The Board needs to review its involvement to see where to make improvements. The break would allow the Board to do that. The Board also has to keep an eye on its mandate.
- Marc Cattet will discuss this with the policy department to determine if there is a fixed schedule. If there is uncertainty, the Board can send a letter. Another strong point is that an election may be called by November.

ACTION ITEM: The Board will recommend to Yukon government to skip a year for the regulation change process due to possible election, and challenges with previous year processes. We will revisit the process and re-evaluate our approach in the coming year and ensure that whatever changes take place a mechanism exists for making provisions for public involvement in fish and wildlife management decisions.

MEMBERS TIME — IN CAMERA

No minutes were recorded.

DAY 2: Thursday, February 18, 2021 – Regular Meeting

PRESENT: Carl Sidney (Chair), Randy Taylor (Vice-Chair), Cheyenne Bradley, John Burdek, Danny Cresswell, Sebastian Jones, Dawn Kisoun, Franklin Patterson Jr., Ken Taylor, Blanche Warrington,

REGRETS: Dennis Dickson, Michelle Dawson-Beattie

STAFF: Graham Van Tighem, Diane Sheldon, Steve Hossack

SUPPORT: Colleen Henry (Minute Taker – From Recording)

IN ATTENDANCE: Marc Cattet (Acting Director, Fish and Wildlife, Environment), Janice Sibbeston (YFWET, Manager), Aaron Florian (Yukon Stone Outfitters), Dennis Zimmermann, Ken Reeder (Carcross Tagish RRC), Karlie Knight (Tr'ondëk Hwëch'in First Nation, Fish and Wildlife Manager), Don Toews (CTRRC), Joel Wilkinson (Ceasar Lake Outfitters), Shawn Wassel (Yukon Outfitters Association), Cassandra Wheeler (Aisek RRC), Shawn Raymond (Yukon Big Game Outfitters),

STRATEGIC PLANNING UPDATE (TAB 10) – D. Zimmermann

Dennis Zimmermann provided a strategic planning update. The *YFWMB Strategic Planning Update PowerPoint* presentation was included in meeting kits. The presentation topics included: what a strategic plan is; recommendations from the Stratos Report (2019); scope of work; what the strategic plan does not cover; the process; preliminary information gathered from interviews; and steps and timeline.

The session was not recorded.

YFWMB MEETING DATES/ON-THE-LAND 2021-2022 (TAB 11) – G. Van Tighem

Graham Van Tighem reviewed the proposed meeting dates for 2021-2022. Interim meeting dates will be set fluidly.

Meeting dates:

- April 20 to 22
- June 8 to 10
- October 19 to 21
- December 7 to 9
- February 15 to 17

On-the-land meeting location:

Graham reviewed the on-the-land meeting history document. The 2021 prospective sites were Annie Lake, Silver City, Brooks Brook, and Mount Logan Lodge. Dog Island was added to the list. Graham will review the prospective sites and amenities and provide the information to the Board for decision. The decision will be made at the April meeting.

Comments/Discussion:

- Steve confirmed that the prospective sites are lodges that aren't in the community.
- Dawn Kisoun provided information about travel to Dawson. People are currently traveling to Dawson. There will be opportunities for people to bring their boats. Dawn provided an overview of amenities at Dog Island.

OFF ROAD VEHICLE LEGISLATION UPDATE/DISCUSSION (TAB 12) – K. Taylor, G. Van Tighem

Graham Van Tighem reviewed the briefing note on the ORV legislation provided in meeting kits. A copy of the ORV Management Area Regulation Order-In-Council 2021/11 dated January 28, 2021 was also provided in meeting kits.

Ken Taylor provided information on the protection above 1,400 metres; the prohibition of new trail development; opportunities to propose ORV management areas; the *Highways Act* review, registration, and licensing; and election concerns and party support.

The Board could write a letter of support for this legislation highlighting the specific points raised by members. We could do this in partnership with a few members of the Board who are keenly interested. It was recommended that the Board get more information from RRCs before sending out a letter.

Board members have numerous questions. It was recommended the Board approach the deputy ministers of Environment and Energy, Mines and Resources who would both have to sign-off on the answers to the Board's questions. Board members should forward their questions and concerns to Graham and Steve.

Comments/Discussion:

- 1,400 metre limitation — Q: What's the purpose if grandfathered trails above 1,400 metres are okay. Wouldn't it suffice to say no new trails? A: We would have preferred a strictly designated trail determination. There are probably 10,000 ATVs in the territory. We don't want to shut everything down and this was a compromise. The government is planning to do trail mapping. We need to push for wetlands protection.
- Q: The Tourism Association and others believe the trail cataloguing and mapping was already done. How can we catalogue every single trail? Who is responsible? A: The short answer is we don't know. We've been told it is not a daunting task for COs to provide information about the main trails. There is no commitment by government to provide trail maps.
- Ken Reeder of CTRRC suggested of a map of trails where ATVs are allowed be developed. The maps are gazetted so that they become legal and so that the public has full access to them. He congratulated everyone who worked on this. It is a great start.

- There was a discussion about the age limit for ATV users. Graham directed everyone to page two which specifies photo ID requirements. Without trail plans, Board members are not sure if that applies.
- Tr'ondëk Hwëch'in also has concerns. Karlie Knight suggested that a conversation between Tr'ondëk Hwëch'in and the Board should take place to build off one another's resources and expertise. This could be followed by a not-so-public meeting for a more in-depth discussion.

YFWMB WEBSITE UPDATE (TAB 13) — S. Hossack

Steve Hossack reviewed the website update provided in meeting kits. The website will go live in March. A backend version will be available for the next working group meeting for review. Steve thanked all Board members and working group members for their work.

Steve provided a brief overview of the changes. The new website will help define the Board's image.

The Board agreed to allow Steve to use personal photos. He can work out a licensing agreement that says the Board can use the photos in perpetuity. He is also putting together a library of assets. Ken Taylor cautioned that there could be potential for problems. Steve said that through his discussions with professional photographers he can't foresee any issues.

Comments/Discussion:

- Q: Regarding regulation change tracking model, is there anywhere to highlight the voluntary First Nation hunting and fishing closures? A: It would filter in there quite well and showcase work governments. We could have a section dedicated to inform the public of voluntary closures.
- Ken Taylor cautioned that there could be potential for problems. Steve said that through his discussions with professional photographers he can't foresee any issues and the Board has allocated \$8,000 to public photography which bodes well for the Board. He isn't certain that the Board is mandated to use public photography at all times.
- Steve will further discuss the use of professional photographs from the calendar on the website. He will see if it's possible to get written permission or a licensing waiver to upload them to the website. The calendar is a free document.

APRIL AND JUNE 2021 BOARD MEETINGS ... A STRATEGY (TAB 14) – G. Van Tighem, C. Sidney

Graham Van Tighem introduced the topic. He will send out the Board meeting dates for the upcoming year. He wanted to check in with Board members about Zoom meetings, distribution of information, and Board meeting materials. Graham asked Board members to provide feedback on interim check-in meetings. The next one will be March 11 from 1:00 to 3:00.

Steve Hossack provided an overview of the difficulties using SharePoint introduced the concept of switching from SharePoint to Google Suite. Once the website is wrapped up, Steve will work on the Google Suite and will hopefully switch by the June meeting. He asked for input and feedback from members.

Comments/Discussion:

- The shorter meetings (10:00 to 12:00 and 1:00 to 3:00) are a welcome change.
 - SharePoint materials can be emailed when there is difficulty uploading. Graham suggested Board members close the SharePoint and reopen to refresh.
 - Meeting in person is preferred, but we do what we must. SharePoint is hit and miss. The simpler technology is to use, the more it will get used. Consider an in-person training session. Steve agreed and can also provide a “cheat sheet”. Google should be more efficient and he is confident the Board will be happier with the Google platform.
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YUKON MINERAL DEVELOPMENT STRATEGY (TAB 15) – C. Sidney, S. Jones, S. Hossack

Steve Hossack reviewed the Board submission regarding the Yukon Mineral Development Strategy. The draft strategy was included in meeting kits. Final comments are due on Monday, February 20, 2021. This is the second round for comments. Steve asked Board members to provide final comments by Friday, February 19 for submission.

Steve highlighted priority 5, on page 33 of the draft strategy, for Board review. This section acknowledges and addresses the community-level tension that follows from creating resource access roads under the cover of the free entry system by amending Yukon’s hunting regulations to restrict hunting via new roads. This calls for collaboration with Yukon First Nation governments to establish parallel restrictions for First Nation hunters. This might be infringing on harvest rights under the UFA.

Comments/Discussion:

- Priority 5 on page 33 is an infringement on hunting rights. It has major implications and the Board should discuss it. Putting a no-hunting restriction in a mineral act could go unnoticed.
 - How this will mesh with other policies and provisions is unknown.
 - The only way to collaborate with First Nation governments would be voluntarily. Using the term “parallel restrictions” seems overbearing and may be a mishap.
 - They can’t infringe on First Nation hunting rights in the final agreement. They will definitely have to collaborate, negotiate with the affected First Nation.
 - The paragraph under “The Umbrella Final Agreement” needs to be reworked.
 - Regarding the section which addresses First Nations and access on roads, add a section on constitutionally protected First Nation final agreements and 16.4.2 harvesting rights, which trump a mineral development strategy.
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EXECUTIVE DIRECTOR COMMENTS

Graham Van Tighem confirmed that Marc Cattet will provide a branch update at the next meeting. Regarding Zone 7 east, the Board requested a report by Troy Hegel. Marc provided a copy which Graham will upload to SharePoint.

YUKON FISH AND WILDLIFE ENHANCEMENT TRUST (TAB 16) — K. Taylor, J. Sibbeston

Motion – 2021-04: That the Board move into the meeting of the Fish and Wildlife Enhancement Trust meeting.

Moved by: Michelle Dawson-Beattie

Seconded by: Blanche Warrington

Passed by: Consensus

Refer to Enhancement Trust minutes.

CLOSING PRAYER —

DRAFT