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**January 7, 2022**

Manon Moreau  
Deputy Minister of Environment  
Government of Yukon  
Box 2703  
Whitehorse, Yukon  
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Ms. Moreau,

***Re: Sustainable Harvest of Yukon's Wildlife Resources***

Thank you for your letter from December 1<sup>st</sup>, 2021. The Board received this letter just before our December Board meeting, but was unable to give it the time and attention it deserved to generate a comprehensive response to its important messages.

We appreciate the significance of this letter as it signifies some important milestones that the Board itself have been striving to achieve during the past several decades.

The Board agrees that sustainable harvest management is a complex issue, however it is clear that protection of First Nation Harvest rights under 16.4.2 of First Nations Final Agreements are of paramount importance. This should be one of the foundational pillars for consideration when addressing all matters that deal with Yukon fish and wildlife conservation. This is a key component of the Umbrella Final Agreement and the respective First Nation Final Agreements. The Board agrees, we need a new approach to wildlife harvest allocations to guide sustainable harvest of Yukon's wildlife, however this approach should not ignore the need to align current legislation with First Nation Final Agreements.

In addition, transparency in wildlife management has always been a priority for the Board. We agree that the Government of Yukon should proceed towards more clarity, consistency and transparency with respect to licensed harvest. However, we wish to state that harvest is harvest, and First Nations should also strive to promote

transparency within their own harvest practices where possible. This transparency will be necessary if we are to truly achieve conservation.

With respect to First Nations being consulted regarding wildlife management decisions, including in relation to licensed harvest allocations the Board was under the impression that every decision made respecting licensed harvest was followed by Government-to-Government Consultations. Therefore, we are surprised by this statement and feel opinion, the issue is not whether First Nations should be Consulted, but when. It seems that consulting after a regulation change has been publicly vetted is not an effective or respectful manner to achieve the goals and objectives of the Final Agreements. Perhaps instead, the approach could be to consult with First Nation governments at the outset, prior to any public engagements.

Finally, the Board has always aimed and attempted the facilitation of including all relevant knowledge including scientific, local, and Traditional Knowledge. This has always been a challenge, however if the considerations of the paragraph above and exercised, perhaps this could be better achieved.

To be clear, the Board is in agreement with the movement to re-consider harvest allocation and decision-making processes. However, this cannot be achieved in a “race to the last moose”. We need to look at a comprehensive approach to this, which does not simply limit licensed hunters via the Permit Hunt Allocation process.

The Board’s position on this matter has been expressed on multiple occasions. If the approach to better managing Yukon’s fish and wildlife harvest can be achieved if we prioritise this in relation to the First Nation Final Agreements. First off, determining priority species and hunting locations for First Nation harvest could be categorized and some limitations on access or harvest could be considered. Second, a review of the tools we plan to utilize to achieve the first step could be achieved by reviewing the Yukon’s Moose Harvest Management Strategy or “tool box”. This review could achieve a modernization of acceptable tools to that can be used to ensure that our approaches have the support of all Yukoners prior to implementation.

Finally, we could review the Yukon Government’s Adaptive Management Regulation Change that was presented in 2019-2020. If we had priority areas for First Nations, a set of acceptable modernized management tools and a legal mechanism to make the changes required in a timely manner we can achieve the desired outcome.

With respect to the proposal to review and modernize the Guidelines to Establish Outfitter Quotas. The Board wishes to express our position on this matter. As we have heard, the interpretation and implementation of these “Guidelines” has been fraught with un-necessary complication and inconsistency over the years. The Guidelines were recommended to the Minister in 1993 with the positive intent of facilitating a fair sharing formula that prioritized First Nation Harvest, licensed resident harvest, and non-

resident harvest. Unfortunately, several aspects of the guidelines have not been implemented and confusion to their validity along with inconsistent application have raised a serious need to review these documents.

Outfitters run multi million-dollar businesses within the guidelines of a 25-year-old document that has inconsistent application, dated language and does not even mention First Nation Final Agreements, or 16.4.2 harvest rights for First Nations. We agree that the document in question should be brought into conformity with the Yukon *Wildlife Act*, however we feel the need to point out that the Yukon *Wildlife Act* should be brought into conformity with First Nation Final Agreements as well.

It is the Boards position that the Guidelines to Establish Outfitter Quotas should be reviewed. However, this should be done in partnership with the Board with the priority being Conservation as our first goal. All aspects of this review including 16.4.2 harvesting rights should flow from Conservation. The guidelines need to recognize all harvested species including Moose, Caribou, Sheep, and Grizzly Bears within this review

If you have any questions, please contact our Executive Director, Graham Van Tighem, at (867)-667-5835.

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A handwritten signature in black ink, appearing to be the name 'Carl Sidney', written in a cursive style.

Carl Sidney, Chair

Cc: Brian MacDonald, Assistant Deputy Minister, Aboriginal Affairs  
Marc Catett, Director, Fish and Wildlife