

**YUKON FISH AND WILDLIFE MANAGEMENT BOARD MEETING**  
**February 14 to 16, 2023**  
**MINUTES**  
**Alpine Bakery**

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**DAY 1: Tuesday, February 14, 2023 – Regular Meeting**

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**PRESENT:** Michelle Dawson-Beattie (Chair), Sebastian Jones (Vice Chair), Cheyenne Bradley, Pearl Callaghan, Ron Chambers, Dawn Kisoun, Randy Taylor

**ZOOM:** John Burdek, Franklyn Patterson, Ken Taylor, Blanche Warrington

**REGRETS:**

**STAFF:** Graham Van Tighem, Diane Sheldon, Steve Hossack

**SUPPORT:** Sharon Kerr (CAH Services) – Minutes From Recording

**IN ATTENDANCE:** Janice Sibbeston (Trust Manager, YFWET)

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**WELCOME AND OPENING PRAYER**

Dawn Kisoun said the opening prayer. Michelle Dawson-Beattie welcomed everyone to the meeting and introduced Pearl Callaghan the newest member to the YFWMB. There was a roundtable of introductions.

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**ADMIN AND FINANCES (TAB 01)**

**A. AGENDA REVIEW— M. Dawson-Beattie**

Michelle Dawson-Beattie reviewed the agenda.

**Motion – 2023-01:** That the Board accept the October 18 to 20, 2022 agenda as amended.

**Moved by:** Ron Chambers

**Seconded by:** Dawn Kisoun

**Passed by:** Consensus

- It was recommended that members discuss accessing the meeting kits and training for the new system during Members' Time.
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**B. FINANCIAL UPDATE (TAB 02) – D. Sheldon**

Diane Sheldon reviewed the financial statements to January 31, 2023, provided in the meeting kit.

**Motion – 2023-02:** That the Board accept the financial report to January 31, 2023.

**Moved by:** Randy Taylor

**Seconded by:** Sebastian Jones

**Passed by:** Consensus

- Cost-of-living increase for 2023-2024 — This amount was provided by YG the morning of the meeting and the final budget for the next year can now be completed. The Financial Working Group will meet on Friday.
- Q) Will the draft budget be presented at the April meeting for the Board's approval? A) Graham Van Tighem confirmed the draft budget will be approved by the Executive because it is due by the end of February 2023. There are concerns with the timing of the budget. It took time to change the deadline for the annual report from September 30 to October 31 so that the board could review the audit and the annual report before it was submitted to YG. This is the same issue with the budget which is due at the end of February with the next Board meeting in April. It's always too late for the Board to review. They would like to adjust the timing.
- There were concerns regarding Board members who have the fiduciary responsibility for the expenditure of the funds but don't have the opportunity to question the budget. A draft budget should be presented at the February meeting before it is sent to YG.
- Graham Van Tighem clarified that the draft budget is due at the December meeting and the final budget is presented at the February meeting. The concern is that the budget is based on the funding that will be allotted for the coming year. In order for the Board to prepare a budget, they need to know the amount they will be working with is not always provided by YG in a timely fashion.
- Diane Sheldon added that she must project where any surplus will go and add that to what YG provides to prepare the budget. If we start a working group to look at the budget, we have to begin the work at the end of December.

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### **C. BOARD WEBSITE AND MEETING KIT UPDATE – S. HOSSACK**

Steve Hossack provided a brief update on the website changes and the access to the meeting kits. The file sharing platform is Google Workspace. He needs to set up some time with groups to provide the training which should take one to 1.5 hours. They can provide some hard copy materials however some of the presentations are 150 pages in color. We can look at printing on a case-by-case basis.

- Ken Taylor put forward a motion and seeks a seconder to have Steve teach them how to use the website and platform at the April meeting.
- Michelle Dawson-Beattie said this should be done prior to the meeting so the motion should be changed to be sometime between now and a week before our next board meeting.
- Steve Hossack said that he would be available for training anytime. Members could provide their availability and he can work them into his schedule.

## **D. DECEMBER BOARD MINUTES (TAB 02) – D. SHELDON**

Minutes for December will be reviewed and approved at the April 2023 meeting as the minute taker is ill and not able to complete them for the current meeting.

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## **EXECUTIVE REPORT (TAB 02) – M. Dawson-Beattie, S. Jones, G. Van Tighem**

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

### **Comments/Discussion:**

- *Calendars* – Graham would like to take new members' photos in June 2023 at the on-the-land meeting for the 2024 calendar.
  - *Yukon Share* – There was a suggestion to get some history on when First Nation people started to grind game meat into hamburger. Historically, we don't know when they introduced hamburger to the Yukon. It is part of a historical reference that we should refer to because we need to know our history as to how our values were developed.
    - A concern was raised about the meat sharing program and the potential for people to say: "Oh, well, I can go and kill three or four animals and just give it away". Then they keep going out and hunting and killing more animals.
    - Michelle Dawson-Beattie said that they were not necessarily involved with the program and that they are not committing to anything.
    - If the Executive is involved in the meeting and this concern is reflected in the minutes, then the Board is involved.
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## **CORRESPONDENCE REVIEW (TAB 05) — G. Van Tighem**

Graham Van Tighem reviewed correspondence letters provided in the meeting kit.

### **Comments/Questions:**

- Letter #6 — YESAB
  - Sebastian Jones raised the concern that when YESAB is reviewing a proposal within an area that has a completed regional land use plan, such as North Yukon Land Use Plan or the Peel Watershed, they ask for a conformity check which is an educated opinion as to whether or not this project conforms with the provisions of that land use plan. The final agreements stipulate that that conformity check needs to be done by the Planning Commission. The problem is that the Planning Commissions have been dissolved once the land use plans have been approved. So, there is nobody who has the legal authority to give that opinion. In the meantime, the Yukon Land Use Planning Council has been filling that role, but they are not legally allowed to do so. And this is in the YESAA which is federal legislation, and it's very difficult to change. This needs to be addressed in one of two ways — either keep the commissions in place or change the legislation.
  - Graham said that, in the UFA, the Board has timelines to make responses and recommendations to the minister which require the minister to respond within a certain amount of time. We need meaningful dialogue which we've seen a few times in legal reviews. The Land Use Planning Council doesn't have that. They can make

recommendations which can fall on deaf ears. This is a challenge for the Land Use Planning Council, which makes it really difficult for them to do their job.

- Letter #8 – 2023 YESAA Forum on Cumulative Effects
    - The Yahey decision in BC is a fascinating decision to read if anyone wants to understand cumulative effects. That decision has little effect on Yukon. At the end, it says that application of Yahey principles to indigenous rights remains to be tested in the Yukon. The concern is the wording “remains to be tested” implies that we somehow aren't going to get out in front of it. We're going to wait for a mess to happen, and then take it to court and see if we can win a case. That is the absolute worst possible way to think about fish and wildlife, never mind the cultural considerations. Given that we represent fish and wildlife, should we encourage the government to look at the case and get out in front of it? It seems that the government waits until indigenous rights are trampled upon, and then they let the First Nations go to the Supreme Court to fix the problem.
    - There are two court cases that could include the Yahey decision. One is the case with NND regarding the Beaver River watershed and the other is the judicial review that the Kaska Dene are requesting to approve the Kudz Ze Kayah mine.
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#### **YFWMB MEETING PROCEDURES REVIEW (TAB 06) – M. DAWSON-BEATTIE**

Michelle Dawson-Beattie reviewed the YFWMB meeting procedures.

**Motion – 2023 -03:** The Board accept the YFWMB meeting procedures.

**Moved by:** Ken Taylor

**Seconded by:** Dawn Kisoun

**Passed by:** Consensus

- One suggestion was to make a poster of the YFWMB meeting procedures to put up at the meetings.
  - Reviewing the agenda line by line is not necessary as it should be read beforehand.
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#### **YUKON ENERGY CORPORATION – MICHAEL MULLER, LISA WIKLUND**

Michael Muller provided an update on the Whitehorse Water Use Relicensing Project. The goal of the project is to renew the existing Water Use Licence which will expire on May 31, 2025. The PowerPoint presentation was provided under Tab 7 of the meeting kit.

#### **Comments/Questions:**

- Q) Have the designers looked at how this spillway will affect the fish? This is a very tough route for the fish coming from the ocean. Coming up the Yukon River and through the Five Finger Rapids and this crossing is very tough on the fish. A) The consultants are looking at the fish ladder. They found that the fish were not having trouble getting up the ladder, but they were waiting longer than you would expect to get into it in the first place. They are recommending changes to the flow and the downstream gate of the fish ladder to encourage fish to enter the ladder quicker. Once they were inside, there did not appear to be a barrier to them going up the ladder.

- Q) The study that took place last year identified this potential problem with the salmon having a hard time finding the ladder. Is this the first time the effectiveness of the ladder been studied since it was initially built? A) They have done some work in the past. Also it was found that there was a valve at the entrance of a ladder that was never open. When opened, it allowed the flow to go through the bottom of the ladder. It was a big eddy, and a lot of the salmon were just hanging out there facing downstream because they didn't know which way to go. Then one smart fish would be like, "Hey, this way." And then everybody would go out. At least that's what the report was suggesting. They played with the flow rate at the bottom of the ladder and once they turned up the flow, all the fish went up the ladder. One recommendation is to do trials on what flow condition is the best for salmon to move as quickly as possible.
- Q) With the salmon being here for such a short time, what is the methodology to test that? A) The consultant is working on the methodology right now. They've established what they want to see downstream. We don't want a big back eddy that doesn't provide any attractive flow into the ladder. It's a matter of adjusting the gate depending on the river flow rate and level to get what they want to see downstream of the ladder. We know we need to create certain conditions. Let's develop a manual for whoever's operating this thing so that they know, depending on the flow rate, what position the gate should be in. They are measuring how many cubic metres per second are coming through the spillway. How open that gate will be depends on how much water is going through the spill.
- Q) Who will be operating the valve system? Will it be the summer students. A) They are not sure but it will likely be an employee of Yukon Energy.
- Q) Is it possible for fish to be sucked back into the dam? A) Yes, it is possible. They come up on the extreme right and into the spillway. They are looking for recommendations on how to manage that better.
- Q) As part of the improvement process, what are some thoughts or proposals to improve the design? A) A metal gate is dropped into place and it affects the amount of water that is immediately in front of the entrance to the fish ladder. How does that affect the position of that eddy? If we change that, does it affect the ability for the fish to target the fish ladder and go through? There are some recommendations from the consultant to make the actual raising and lowering of the gate easier by rebuilding the jack that is used to lift it. They weren't sure about whether it will be automated.
- Q) What is the dam life expectancy? When are you guys going to repair the infrastructure like the concrete? A) They have an asset maintenance management and maintenance program. They continually assess, fix, and update their infrastructure, whether it's Whitehorse rapids, Aishihik, Mayo, the thermal units, or thermal generators. They don't have any pending plans to replace the dam, but we have ongoing plans to do dam assessment and maintenance.
- Q) When you're doing the maintenance on the dams, is that written into the water licence already? Or do you have to renew your water licence as you're doing maintenance or upgrades? A) Not for the maintenance. The turbines are scheduled based on the specifications of those pieces of machinery.
- Q) What about the concrete work that affects the water? A) That is based on the rate at which the concrete is being worn down or cracked. For example, they're planning to do some work in Mayo over the next couple of years because they are seeing concrete wear and tear and cracking that needs to be fixed.

- Q) The redesign — is it a redesign or a rebuild? Will the creosote and the wood be removed from the river when the redesign happens? Or is it just modifications to the existing infrastructure? A) Right now, they are trying to understand how it can work better. There are no commitments about a rebuild or redesign.
- C) First Nations were concerned about the creosote in the ladder. They asked for water quality testing to be done. Because the water is in the ladder for such a short period during that time, the creosote levels were well below any limits. They are asking for that to continue.
- Q) One comment was that the fish hatchery is there to mitigate for the salmon that go through the power plant turbos as they obviously don't survive. Are you looking at how to prevent them from going through? A) They are conducting a study in June to send some juvenile robot salmon through the turbines to see how many of them experienced either contact or pressure changes that would hurt or kill them. They have looked at some options to help fish avoid the turbos. It's not easy, but they will continue to do that. The model of turbines at the Whitehorse rapids are some of the most fish friendly models made.
- C) Traditional ecological knowledge must be added as a standalone item. The technical working group, especially the First Nation representatives, is to collect traditional ecological knowledge for all of the value components and bring them in and put them in parity with Western science through the whole assessment and permitting process. It's not standalone; it's interconnected. It is also looking at the interconnectedness of all the value components and how they interact.
- Michelle Dawson-Beattie said that they can look at other topics for the advisory committee during Members Time.

#### **Environment Yukon Update (TAB 08) – M. Cattet**

- **Harvest Allocation Policy Update**
- **Outfitter Guidelines and Quota Allocation**
- **Wildlife Data Management and Access**
- **Amendments to the Yukon *Wildlife Act***
- **Joint Senior Fish and Wildlife Committee**

Marc Cattet reviewed his update on current activities which was included in meeting kits.

#### **Comments/Questions:**

- *Outfitter Guidelines and Quota Allocation* – Q) Why have the Outfitter Court of Appeal Committee not heard any of the eight appeals? A) He doesn't know. The department is party to the hearing. In the case of the Outfitter Appeal Committee, these hearings are coordinated by the Secretariat. Then there's the committee itself. There's a breakdown somewhere. He doesn't know where.
- *Wildlife Data Management and Access* – Q) The dashboards are very useful. It will be displays of data, including graphs and maps. Will there be summaries of the stuff that has been digitized? Or will the actual source documents be available, such as the reports on a caribou herd from the 1970s? A) They I don't know if that would be obtained by request. These dashboards will be the raw data. People will be able to construct their own maps. You can enter the parameters of interest and it will generate a map.

- *Amendments to the Yukon Wildlife Act* – Q) Is there a role for the Board with the Yukon Forum Working Group to address issues around the conformity with the *Wildlife Act* and First Nation agreements? A) Marc thinks there is. They just received the notes or minutes from the November 2022 meeting. Minister Clarke noted that Yukon government must engage and consult with all affected parties on any proposed legislative amendments, including mandated boards and councils, First Nations, and trans boundary indigenous governments. He doesn't know what that role will be.
- Q) Is there funding available for someone to work on this project on a priority basis? A) Marc agreed that this cannot be done from the corner of somebody's desk. They have had discussions on efficiencies to reduce the amount of funding and the time required. These efficiencies include all the work that's been done up to 2014. All the amendments that needed to be made are compiled. There is discussion with the joint senior fish and wildlife coordinating working group about bringing back the legal counsel who were involved in the previous work. It sounds like there's more intent now than in previous years.
- *Joint Senior Fish and Wildlife Committee* - Q) From the memo that was reviewed in the meeting kit, it appears that the coordinating committee comes from the status review. Given that the Board is the primary instrument under Chapter 16, how can the Board be excluded from this committee? A) The committee did not come out of the review. The review did lay out a number of recommendations. Some were specific to the Board. Other recommendations pertain to all parties involved in fish and wildlife management. A year and a half ago, there was a steering committee which included several members of the Board. We tried to set up a series of workshops to bring all parties together to figure out overlap, identify priorities, solutions, and to determine how we could work together and develop good relationships. That effort faltered for several reasons, and just lost steam. This coordinating committee was put together with the intent of, not trying to bring everybody together at once, but to start with the government coordinating committee to bring some efficiency to the table, and then go from there.
- Marc was asked to send some information to Graham and Steve for the Board to provide information on the working groups and their activities.

### **WETLAND POLICY – Tyler Kuhn**

Tyler Kuhn reviewed his presentations *A Policy for the Stewardship of Yukon's Wetlands*, provided in meeting kits. Topics included: creating a wetlands policy; benefits of wetlands sustained; wetlands engagement; and the policy for the wetlands. The presentation and discussion were continued on Day 2.

### **Comments/Questions:**

- Q) What is meant by the phrase “minimizing unavoidable impacts”? How is “unavoidable” determined? A) The policy provides a definition for what “avoidance” means, but it doesn't provide a limit on the impact that is deemed unavoidable. The idea is to set a territory-wide objective that we need to think about avoiding impacts. We can't jump straight to reclamation. It doesn't get into specifics to leave room for the other layers of policy and planning direction to get into those details on a regional basis. For example,

the Dawson land use plan and the Indian River area answer the question of how much avoidance is required.

- First Nation consultation responses — There was criticism of the policy not providing enough protection to wetlands. There were also initial responses that were supportive of the policy as written. They may have been supportive of a stronger policy but didn't request it. There is time for more conversations.
- Q) What if Ta'an decides they want to designate Shallow Bay wetlands as a wetland of special importance? What if Ta'an has been identifying this as an area that they've been trying to look after forever? When could they start a process to designate those wetlands for a special purpose? Do you have any sense of how it will take? A) They don't have a firm timeline right now. We could look at the Board's roll in *Wildlife Act* regulation changes, as an example of timeline, the timeframe to do a regulation change is 18 months to year. One of the better options that we're considering is a tool under the *Environment Act*. Wilderness management areas were identified in the *Environment Act*, but it was never flushed out. We will need to make the regulations that describe what that is and how that can apply here, and then roll it out. The timeframe is a year to two years to go through those processes.
- Q) When we were developing our policy comments, we heard from a number of our partners that map locations have already been cataloged and that they existed online on the previous Yukon website. Has any work been done to consider that already? Is there a database of existing interest in those designations? A) there was a suite of about 50 wetlands identified as important wetlands in Yukon back in 2010 to 2013. That dataset was principally identified for value to migratory birds. Its focus is not as broad as one might want it to be. Some of those wetlands are already within protected areas via parks or HPAs. About 10 of those are already in a protected area and there's a tool in place already. There are several important wetlands that were captured in migratory bird wildlife areas. They're not afforded protection through that, but they're considered in assessment because that wildlife key area has triggered a conversation about the wildlife values in that area. Other wetlands were part of that list which Tyler can share.
- Nomination and designation of Wetlands of Special Importance — An individual, a non-profit, or NGO do not have the ability to propose a wetland of special importance on their own. The nomination needs to go through an established board or council, such as the Fish and Wildlife Management Board, RRCs, First Nation governments, or Yukon government. The Land Use Planning Council could also put forward a nomination. There is a very big role for Yukoners in bringing forward areas that may not be on the radar for governments. It's about the benefits of that wetland and channeling that to get support from a board, council, or government in the area to champion that and put it forward. There's a role for people to bring forward these areas. Then we try to look at the underlying values that support that area getting a level of protection.



## DAY 2: Wednesday, February 15, 2023 – Regular Meeting

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<b>PRESENT:</b>	Michelle Dawson-Beattie (Chair), Sebastian Jones (Vice Chair), Cheyenne Bradley, Pearl Callaghan, Ron Chambers, Dawn Kisoun, Randy Taylor
<b>ZOOM:</b>	John Burdek, Franklyn Patterson, Ken Taylor, Blanche Warrington
<b>REGRETS:</b>	
<b>STAFF:</b>	Graham Van Tighem, Diane Sheldon, Steve Hossack
<b>SUPPORT:</b>	Colleen (CAH Services) – Minutes from Recording
<b>IN ATTENDANCE:</b>	Janice Sibbeston (Trust Manager, YFWET)

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### WELCOME — M. Dawson-Beattie

Michelle Dawson-Beattie reviewed the agenda. She read the Board’s guidelines and rules of procedure.

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### UNGULATE WORKING GROUP UPDATE (TAB 10) — M. Dawson-Beattie, G. Van Tighem

Graham Van Tighem provided a high-level overview of the working group. Graham reviewed the Ungulate Working Group Conceptual Framework and soundbite statements provided in meeting kits. The following were the main highlights of his presentation.

- With the conceptual framework, the sound bites, and the communication strategy, the working group will develop a plan to engage with the communities.
- This is a three-part initiative. The first part is to engage and connect, liaise, research, and listen to the community through the First Nations and the renewable resources councils to identify their priorities and concerns around ungulates and ungulate management.
- There is a difference between moose harvest management and moose management, or any kind of management. It needs to be holistic in nature. The idea is to engage with communities to try to get ideas around that holistic approach to managing ungulates.
- Going to the communities and asking them about their concerns and priorities is stage 1. We need to collect all that information and develop a “What we heard” document. There may be some workshopping and they may need to go back to the communities with the proposed solutions. There may be more than one engagement and the work will take longer than originally thought.
- The last meeting, Yukon government representatives Marc Cattet, Matt Clark, and Robert Perry attended. They talked about the willingness to get the carnivore biologists, to the working group meetings and to help the working group with research. This was a great step forward and is an indication of Marc’s desire to work with the working group.

Steve has had success connecting with RRCs. He confirmed the following meetings: Laberge, Teslin, Dän Keyi, and Dawson have confirmed. Carcross/Tagish RRC and Kwanlin Dün First Nation

had to cancel their meeting. Neither has rescheduled yet. Mayo District RRC and Alsek RRC are interested and will confirm their dates. A presentation is scheduled for the RRC AGM. Steve will send out a schedule. Board members will be invited to attend meetings being held in their areas. It is a good opportunity to listen. The priority is to engage with the locals to determine their interest in management, priorities, concerns, successes, and challenges.

Engaging with First Nations in March is a challenge due to year end. The engagement will not be a formal government consultation, but they will engage with First Nations to hear about their concerns, issues, potential solutions, initiatives, and ideas for the working group.

### **Comments/Questions:**

- Q) Has the working group considered meeting with or updating managers of First Nations when they get together with the directors of the RRCs? They meet four or five times a year. A) They are doing outreach with each of them, but the idea is a good one. Graham will follow up with CYFN to see if it is possible.
- Kwanlin Dün is working to establish a fish and wildlife committee with beneficiaries. It will function like an RRC.
- Information comes from different perspectives in the country. Elk were reintroduced in Yellowstone National Park in the United States. The population got high, so they reintroduced some wolves. After a few years, they realized that the elk population was dropping. They discovered the bear population was getting bigger and they never had a big bear population before. Some of the people said that the trout in Yellowstone River used to spawn by the 1000s. The bears would feed on the trout in the spring, but the trout weren't there anymore. The bears started feeding on young elk. The comparison is young moose and caribou for us. But why was the fish population down? Someone introduced lake trout into that system, and they were eating the indigenous trout. They created a fish problem. They had to put the puzzle together. Yellowstone National Park encouraged people to set nets and to catch all the trout they could. They had to change their whole mindset. As managers in the Yukon, are we considering the fish problem? One outfitter said there were more grizzly bears in the Dempster area than ever before. The salmon in Fishing Branch are down and the bears that used to feed there are now going over the mountains to the Dempster. Many times, we are too regionalized in our thinking. We need to broaden our scope.
- There was a study in Alaska which showed one brown bear took down over 40 calves.
- A few years ago, there was a really heavy snowfall in Alaska. Moose on the railway couldn't get off and were hit by the train. Dozens were killed. What couldn't be given away was dropped off in the bush for scavengers. That year calf mortality plummeted as grizzlies suddenly had moose carcasses to eat and they didn't have to chase calves.

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### **BOARD MEETING DATES FOR 2023-2024 (TAB 11) — M. Dawson-Beattie**

Michelle Dawson-Beattie discussed future dates and the on-the-land meeting. The following dates were provided:

- April 25 to 27, 2023;
- June 6 to 8, 2023;

- October 17 to 19, 2023 (tentative);
- December 5 to 7, 2023;
- February 20 to 22, 2024; and
- April 23 to 25, 2024.

The meeting list will be sent out to members.

**Comments/Questions:**

- RRCs Chairs meeting — The Board usually holds the Chairs meeting in April. However, the RRC AGM will be in April. Graham proposed two options: to hold the RRC Chairs meeting as usual or to have the Chairs meeting during the October Board meeting. The Fireside Room in the Yukon Inn has been booked for the April meeting and can accommodate the Chairs if required.
- On-the-land meeting or community meeting
  - The advantage of the on-the-land meeting is that if there is a major issue the Board needs to address, it can be done in a bubble on the land where they can focus on that one thing. In the absence of an issue we need to focus on, the idea of community meetings is very beneficial.
  - Some people are restricted from going on the land.
  - A lot of First Nations have tents, and we could have a meeting there instead of in a building. It's often difficult to get meeting rooms now.
  - Locations — The past locations between 2022 and 2012, including Mayo, Silver City, Tagish Lake Resort, Little Salmon Village, Cultus Bay, Ethel Lake, Kluk Shu, Takhini Hot Springs, and Brooks Brook. Members decided to hold the June meeting in Dawson. That is the same weekend as the Commissioner's Ball. It was recommended that rooms be booked for members as soon as possible.
- Calendars — The calendars won't be prepared for the December 5 to 7 meeting.

**AISHIHIK BISON MANAGEMENT PLAN REVIEW (TAB 12) — G. Van Tighem**

Graham Van Tighem provided an update. Graham discussed the following:

- The Board needs to exercise its mandate of making provisions for public involvement to advance the final version of the Aishihik bison plan to the minister for approval.
- The Aishihik bison plan was created through facilitated conversation with Alastair Bath over several meetings.
- This is a partnership with every affected First Nation and RRCs. The public review will include community meetings in Burwash or Destruction Bay, Haines Junction, Carmacks, and Whitehorse. They will take all the community input and present what they heard to the Board.
- If there are any issues or modifications, they will make recommendations to the minister.
- The plan will be shared and reviewed with the public through an online survey which Steve Hossack is developing. The survey will be distributed to members of the Executive and John Burdek before it is released.

- Graham will distribute the plan, including a cover letter from the Board providing an overview of the review period and engagement. Information will be provided on the Board's website.
- Board members will be invited to the community meetings that are taking place in their areas. The dates for the meetings have been set but locations are yet to be determined.
- Government-to-government consultation will take place following the public review. The Board is not involved but will hear the outcome.

The draft plan was included in meeting kits.

**Comments/Questions:**

- This plan is looking at management as the population grows which is a big change from the last couple plans.
- The hunters who come and invade trappers land causes conflict which is difficult to manage. The issues haven't been addressed. There was discussion about moving seasons or limiting permits to reduce the number of people out on the land. This will be a major discussion point.

**YFWET UPDATE AND PRESENTATION BY SCOTT GUITARD (TAB 13)**

See the Enhancement Trust minutes.

**YUKON WILDLIFE ACT REGULATION CHANGE PROCESS REVIEW (TAB 14) — G. Van Tighem**

Graham Van Tighem provided an overview of Goal 3 from the strategic plan which is to conduct a review with all parties and stakeholders, including internally with the Board, to understand the opportunities and challenges with current and past processes, and proactively meet with government to discuss timing, process, and define expectations around the review and improvements. The end goal is to develop a comprehensive communication strategy. Graham also provided a recap of his October presentation and reviewed the Regulation Change Process proposal by Paul McCarney provided in meeting kits. Paul will do a lot of the work in the proposal, and he will potentially be involved in facilitation.

It was recommended that policy regulation and legislation working group be engaged. The working group will need to meet to discuss the workplan and the budget in the coming weeks.

The Board will reach out to Marc to discuss the regulation change process.

**Comments/Questions:**

- YG is undertaking a review on their end. There was uncertainty about whether they would do regulation changes until after their review is completed.
- The last regulation change process was pre-COVID. In a regular year, there could be 15 to 20 proposals. Five years is a gap.
- RRCs have contacted the Board to ask when regulation change process will happen. RRCs will have more questions for the AGW.

- It may be a valuable exercise to do a regulation change process under the old process to identify areas for improvement.
  - The proposal is for a multi-year review. We can't afford to go three more years without a regulation change process.
  - There may be elements of the Board's public process that could be used to bring the *Wildlife Act* into conformity with the final agreement. One example is discharging a firearm for the purpose of hunting or trapping within 1,000 metres of a residence.
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## **MEMBERS TIME**

Members time was in camera. No meeting minutes were recorded.

### DAY 3: Thursday, February 16, 2023 – Regular Meeting

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**PRESENT:** Michelle Dawson-Beattie (Chair), Sebastian Jones (Vice Chair), Cheyenne Bradley, Pearl Callaghan, Ron Chambers, Dawn Kisoun, Franklyn Patterson, Randy Taylor

**ZOOM:** John Burdek, Ken Taylor, Blanche Warrington

**REGRETS:**

**STAFF:** Graham Van Tighem, Diane Sheldon, Steve Hossack

**SUPPORT:** Colleen (CAH Services) – Minutes from Recording

**IN ATTENDANCE:** Janice Sibbeston (Trust Manager, YFWET), Todd Powell (Director, EMR, YG), Shena Shaw (VP, Environmental & Regulatory Affairs, Casino Mining Corp.), Chandni Kher (Director, Environmental & Regulatory Affairs, Casino Mining Corp.), Rick Palmer (CEO, Fisheries Biologist, Palmer), Robin McKillop (VP, Geomorphologist, Palmer), Jenna Bell (Consultant),

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#### **YUKON SALMON SUBCOMMITTEE UPDATE (TAB 15) — M. Krieger**

Monica Krieger provided a summary of meetings and activities since December 14, 2022, and upcoming activities. A copy of her update document was provided in meeting kits.

#### **Comments/Questions:**

- Possible meeting or workshop in Dawson — Dawn Kisoun recommended that the YSSC connect with the Gold Show and have their meeting on Tuesday. YSSC could have their own Gold Show table. Monica said they would like to connect with Tr’ondëk Hwëch’in to find a time to meet. She agreed that it was a good opportunity to get their information out and connect with people. She will also try to schedule the YSSC meetings for the rest of the year.
- Potential funding sources for summer students — Michelle Dawson-Beattie provided information on the wage subsidy program through Yukon government called Staffing UP. Tannis Preete is the contact person. In Michelle’s experience, the wage subsidy program covers 85 percent of student wages.
- Focused communications campaign slogan — One suggestion was “Together Today for Our Salmon Tomorrow”. It’s probably not an incorporated name. It would be brought by First Nations at the time and a big percentage of what we’re talking about is a First Nation problem. First Nations are the losers since the salmon isn’t there. We can think of it that way and use this exposure as a focal point.
- Educational Exchange
  - Q) How do you sign up for the trip to Fairbanks? A) In past years, Elizabeth MacDonald sent out a notice to all First Nations and RRCs. People submitted their names, information about why they were interested in attending, their connection to Yukon River salmon, and how they planned to bring the information back to their communities. It’s open to anyone who is interested. Applications

would be reviewed, and people would be selected by Monica and two members of the subcommittee. After the funding is approved at the Panel meeting the first week of April, Monica will begin advertising.

- Q) When are the approximate dates? A) The workplan suggests the first half of July as an ideal time to visit communities along the river. The trip would be 10 to 12 days including orientation, pre-trip preparation, travel to Fairbanks, travel along the Yukon River, and return to Whitehorse.
- Advertisement video — Steve Hossack has video footage from a previous trip and, time permitting, offered to cut a 30-second to one-minute advertisement video. Monica is hoping to get the advertising out through several avenues to get a wide array of people to attend.
- It was extremely beneficial for the people who attended in the past to experience the salmon run. If you can be in communities when there are salmon moving through, that is a huge win. People get to see the community coming together to harvest and prepare the salmon. It is a unique experience.
- Ron Chambers discussed his past experience including community visits, the politics of salmon, the cultural component, and the differences in perspectives.

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## **MINING REGULATION POLICIES AND REGULATIONS (TAB 16) — T. Powell**

Todd Powell provided an overview of his background and transition from Environment to Director of Energy, Mines, and Resources. He reviewed his PowerPoint presentation on Mineral Resources Branch provided in meeting kits. Topics included: mineral development assessment; decision documents; quartz exploration; placer mining; major mines licensing; permitting; major mines licensing; mineral tenure; reporting; Yukon University training and scholarships; and updates to mining legislation.

The new mining process is coming out for public engagement starting the week of February 20. The first public engagement meeting will be held in Whitehorse at Yukonstruct starting at 7:00 p.m. The Board, RRCs, and anyone can provide comments. The key policy issues is how to acquire and keep mining tenure or claims. That was set in stone since 1906. Will we do that better? If we change it, how will we change it? Those are the conversations that will be had during this engagement. We need to ensure that what we do fits into a modern circumstance, particularly around obligations to First Nations. Following engagement, they will go into writing new laws.

Todd will connect the organizer with Graham and Michelle to share the information about the engagement meetings. Anyone who is interested should attend because this is meant to be as open and engaging as possible.

### **Comments/Questions:**

- Notifications to affected parties — Todd Powell will provide information to the Board about the notification process.
- Class 1 notifications — Q) Is it purely a notification? If somebody goes in stakes 200 claims in a wildlife key area and they notify the First Nation or they go through that notification process, is it just for information? Or does anything actually happen because of that? A) Claims can be staked wherever the ground is open for staking. There is less than 50

percent where people are allowed to stake claims. Once it is done correctly, they are granted the mineral tenure and it's up to them how long they want to keep it through their actions. But they need an action, such as a class 1 notification. The notification is a permit that must be approved to proceed. When Todd's team receives a notification, they say it's okay or not okay depending on their consultation with the affected First Nations. The content of the application must be for mining purposes. It can't be to build a camp to keep. They do put financial security on things such as class 1 where there is a perceived risk.

- Power shortage for mines — Q) There a lot of big mines coming into play. There is a shortage of power for the mines. The only way to move forward is diesel generators and more dams to power the mines. How do you see the Yukon in the future? A) The three mines currently in place are on the grid. The next mine, Kudz Ze Kayah, won't be on the grid. They have diesel power generation process. The next application is Coffee Gold mine which will be a diesel-generated system. The third is Casino which is on the grid. It is all natural gas and will need twice the power that we currently have on the grid. That's a big power issue and fossil fuel carbon issue. They are currently working on mining intensity targets to reduce carbon. He doesn't anticipate any new dams. Minister Streicker tweeted that we are now pursuing grid connect with British Columbia.
- Wildlife interference such as feeding wild animals — Q) Everybody see the people on Gold Rush feeding animals. Do you send them an MOU telling them to leave wildlife alone? A) There is meant to be an operating plan that includes a wildlife protection plan. We have more paperwork that miners must adhere to. Government has compliance monitoring and inspections. Historically, they used educational approaches. That has changed and they are focused on ensuring compliance with all available tools including taking companies to court. A further indication of change is the mining company willing to work with government.
- Sitka newspaper, August 28, 1897, article — Ron Chambers read an article from the Sitka newspaper which captures the mindset of the day.

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## **CHISANA CARIBOU MANAGEMENT PLAN UPDATE (TAB 17) — G. Van Tighem, M. Dawson-Beattie**

Graham Van Tighem provided an update on the Chisana Caribou Management Plan. Graham provided a summary of the review meeting in Tok, Alaska and reviewed an email from Amy Law with next steps, decisions, and actions, provided in meeting kits.

### **Comments/Questions:**

- Harvest matrix — One of the main questions was: Why would we want to support harvesting one percent of a caribou herd which is decreasing? Within the matrix, the cow-calf ratio is high, and the bull-cow ratio is high. Statistically speaking, the odds the population will be decreasing is extremely rare. If the survey is eight years apart and you have indices and don't have another survey and you're operating under the perception that the population is decreasing, it ties their hands. It allows managers to exercise their discretion which is what harvesters wanted — transparency, surety, and discretion. If the population is in serious decline, the harvest is shut down.



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## **FISH BASELINE DATA – CASINO MINING CORPORATION AND PALMER (TAB 18)**

Shena Shaw provided brief opening comments and introduced Rick Palmer. Rick Palmer provided an overview of his work with Casino and his background. He reviewed his PowerPoint presentation on Fish and Aquatic Resources Baseline Update. Topics included: purpose; objectives; study area; monitoring locations for 2021-2022; methods; and results.

Rick also reviewed his presentation on Fish Habitat Offsetting. Topics included: outline; guiding principles; three main categories of offsetting measures; determining impacts to fish; summary of historic work; fish habitat loss; meetings and site visits (2014); fish offsetting options; locations; Chinook project contribution; complementary measures; and next steps.

Shena Shaw offered to return in the future to provide updates. They will share the draft baseline once Palmer has completed the final edits. EDI is working on the wildlife component.

### **Comments/Questions:**

- C) Sebastian Jones provided information about the fish habitat management system for placer mining which uses the reference-condition approach. It was able to make predictions for watersheds based on aspect, size, slope, et cetera. The CABIN protocol sampling was used to compare what was there with what was supposed to be there. There were issues with the map-based data. Palmer will look into this.
- Q) There is DNA sampling for Chinook in Casino Creek. Why isn't there sampling for chum salmon? Chum is an important species that has declined. They are an important fish to the environment and people. A) Chinook was identified as an important species. Rick will talk to the team about adding chum salmon to the sampling. Sampling is low cost, however getting to the site to do sampling is expensive.
- Q) Slide 23 indicated there is a lack of Traditional Knowledge for the LSCFN and KFN communities. Why? A) They have project specific traditional land use studies (TLUS) with Selkirk First Nation, TH, and White River. They don't have a TLUS with LSCFN or KFN. The LSCFN would not necessarily cover Casino Creek, Britannia Creek, and Dip Creek. All of that area is outside of LSCFN's traditional territory. KFN would include the Donjek and Klotassin. It's not that there is no traditional knowledge, it's that Casino doesn't have an agreement with them to create a TLUS yet. Shena is actively working on getting an agreement.
- Ron Chambers shared information about Tutshi region. No one lives in the village anymore but, back in the day, there would have been dog teams and fishing would have supplied a big part of the food source. There would have been a big harvest when people were living there. There are Chinook salmon in a small stream out of Hutshi Lake. Because there is no fishing in that region anymore, predator fish prey on those chinook salmon. People who lived in the area at the time would have noticed and harvested them. People and dynamics have changed. Traditional stories help to paint the picture. We may not be able to do something about it, but it still adds to the information.
- If they don't collect Traditional Knowledge from First Nations, which they should, they can always consult with RRCs and local people. First Nations always have capacity issues.

All consideration should be given to consult at the best times for local people (i.e. not during harvest season or Christmas break).

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### **MEMBERS TIME (TAB 19)**

- YFWMB Annual Plan 2023-2024

Graham Van Tighem provided an overview of the annual plan for 2023-2024 and the budget. The annual plan was included in meeting kits.

**Motion – 2023 -03:** That the Board approves the 2023-2024 Annual Plan and Budget as presented.

**Moved by:** Sebastian Jones

**Seconded by:** Randy Taylor

**Passed by:** Consensus

The remaining Members Time was in camera and no further minutes were recorded.