

**YUKON SALMON COMMITTEE**  
**Minutes November 1-4, 2005**  
**Meeting #54**  
**Whitehorse, Yukon**

**MEETING DATES 2005-2006**

**Meetings to Date (2005-2006)**

Alsek River Working Group	January 28, 2005	Whitehorse
Porcupine River Working Group	February 17, 2005	Old Crow
YSC Meeting #50	February 22-24, 2005	Whitehorse
Yukon River Working Group	March 15, 2005	Whitehorse
YSC Aquaculture Workshop	March 16-17, 2005	Whitehorse
Old Crow Public Meeting	April 4, 2005	Old Crow
YSC Meeting #51	April 5-7, 2005	Dawson City
Dawson Public Meeting	April 6, 2005	Dawson City
YSC Meeting # 52	May 17-19, 2005	Whitehorse
Whitehorse Public Meeting	May 18, 2005	Whitehorse
YSC Meeting # 53	Sept. 20-22, 2005	Whitehorse

**Upcoming Meeting Dates (tentative)**

YSC Meeting # 54	November 1-4, 2005	Whitehorse
DFO Dialogue Session	November 15, 2005	Whitehorse
Yukon River Working Group	November 16, 2005	Whitehorse
JTC	Nov 21-23	Anchorage
Mining Reclamation	Nov 23	Whitehorse
Yukon River Panel (Vickie, Gerry, Lorelei, Carl)	Dec 5-9	Anchorage
Alsek River Working Group	December 13, 2005 (tentative)	TBA
Porcupine River Working Group	December 15, 2005 (tentative)	Old Crow
YSC Meeting # 55	February 21-23, 2006	Whitehorse
Yukon River Working Group	March 3, 2006	Whitehorse
Yukon River Panel	March 20 (week)	Whitehorse
Porcupine River Working Group & Old Crow Public Meeting	April 3, 2006 (tentative)	Old Crow
YSC Meeting # 56	April 4-6, 2006	Dawson
Dawson Public Meeting (evening)	April 4, 2006	Dawson
Haines Junction Public Meeting	TBA	
Whitehorse Public Meeting	TBA	

**MEETING SUMMARY**

- 1) **Announcements**
- 2) **Review Agenda (Adopted as is 9:15)**
- 3) **Review Action Items**
- 4) **Review Minutes from Meeting #53 (September 2005)**

- 5) **Yukon Salmon Committee – Nominations**
- 6) **Yukon River Panel Alternates**
- 7) **First Nation Harvest Data – Executive Secretary**
- 8) **Review Correspondence**
  - House Keeping - Ministerial Recommendations (Steve S.)
- 9) **Habitat Update – Bob Van Dijken**
- 10) **Briefing from YTG re: Mining Reclamation and Closure Policy (Kevin Brewer and Bill Dunn)**
- 11) **Review Correspondence(continued from Nov. 1)**
  - House Keeping - Ministerial Recommendations (Steve S.)
  - Federal Contaminated Sites Accelerated Action Plan - (Action Item#52-4) – Letter from Health Canada
- 12) **Youth Contest Proposal – M. Murphy**
- 13) **Straw dog for Salmon Plan – L. Smith**
- 14) **Creating a ‘Salmon Synopsis’ – L. Smith**
- 15) **Review 2005-2006 Budget – L. Naylor**
- 16) **Outstanding Business:**
  - Legal briefing (BNA and Alsek commercial licensing) – Hugh MacAulay
  - Bio-engineering
- 17) **Review Calendar**
- 18) **Members’ Updates:**
- 19) **Chapter 22 of UFA and employment of Yukon First Nation People**
- 20) **Community Updates**
- 21) **Welcome Past Members**
- 22) **DFOs perspective on Contaminated sites – Al von Finster**
- 23) **Electromagnetic Field in culverts (Al vonFinster)**
- 24) **Job Shadowing Update (Matthew McHugh)**
- 25) **Elections – YSC Chair and Vice Chair**
- 26) **Salmon Aquaculture and Genetics (IN CAMERA)**
- 27) **Other Business**

# MEETING MINUTES

**Tuesday**                      **November 1<sup>st</sup>, 2005 – 9:00 a.m.**  
**Location:**                      **Large Board Room, 419 Range Road**

## Opening Prayer

**Present:**        **Carl Sidney (Chair)**                      **Lorelei Smith**                      **Dan McDirmid**                      **Joe Johnson**  
                    **Essa Schafer**                                      **Vickie Josie**                                      **Craig McKinnon**                      **Ed Kormendy**  
                    **Gerry Couture**                                      **Chuck Hume**

**Observer (drop in):** **Jocelyn McDowell (Community Steward Program)**        **Lorie Graham(LRRC)**

## 1) Announcements

- Lorelei Smith (Yukon River Panel draft of movie done, YSC members requested to view it if there is time)
- Andrea had a Baby girl Nov 29<sup>th</sup> (card and gift, committee to chip in)
- Chum run discussion on the Yukon, general comment was it was a good run. None in Teslin yet.

## 2) Review Agenda (Adopted as is 9:15)

## 3) Review Action Items

- Request to have all abbreviations spelled out in Action Item then abbreviations may be used in that same action item.

**ACTION ITEM #49-5: YSC Performance Questionnaire should be distributed and responses requested by June 15. Secretariat to perform analysis of results for presentation at meeting ‘on the land’. Everyone who completes the questionnaire to be entered into a draw for either a round trip to Vancouver (if possible through Air North flight credits) or \$500.**

*YSC Admin staff have the ability to book flights online with existing credits, bookings are only limited to seats available and the balance available on account. Suggestion that the committee make-up a certificate for the round trip flight to be used by a preset date. Contacted “Consumer Affairs” regarding lotteries licences, if the person is required to pay to get entered into the draw then a lotteries license is required, in the case of a free draw then no license is required.*

*Performance Questionnaire has been distributed via letters to catch card holders and questionnaire has been posted on YSC website. Questionnaire was also e-mailed to the YSC’s distribution list.*

*Mtg. #50: Members of the YSC and immediate family members are excluded, and the option of \$500 is an alternate prize. One year’s deadline for travel.*

*Mtg. #51: Performance questionnaire to be brought to Whitehorse public meeting. Secretariat to send out reminder e-mail.*

*Mtg. #52: Deadline extended to August 31<sup>st</sup> 2005 and reminder sent out to YSC distribution list. Item added to agenda for November YSC meeting.*

**ACTION ITEM #49–13: Secretariat to obtain a copy of the resolution from the Yukon River Inter Tribal Watershed Council (YRITWC) re: coal bed methane. YSC will write a letter supporting this resolution, and forward to the YTG who has responsibility for Oil and Gas in the Yukon.**

*Faxed copy of the resolution was received from YRITWC November 25<sup>th</sup> and reviewed with YSC members at meeting #49. Letter must be drafted.*

*Mtg. #51: Carl, Bob and Andrea met with the Chair, Vice Chair and Executive Director of the Board April 15<sup>th</sup>. The Board indicated that they were not willing to support this resolution without a further briefing, which included*

industry's perspective. YSC Chair requested that this item be further discussed with the Committee prior to a letter being drafted.

*Mtg. #52: Secretariat to draft a letter for review. Draft letter to be forwarded to YSC members for review. Louise drafted letter and distributed to YSC for review Aug. 11<sup>th</sup>. BVD provided revised draft for review Aug. 22<sup>nd</sup>. Andrea sent revised letter to YSC for review Aug. 30<sup>th</sup> and requested clarification if letter is intended as a formal recommendation.*  
*Sept. 05: Consensus from YSC members was that CBM should be a formal recommendation, but that the item should first be discussed by the full committee at the September meeting and a formal resolution made. Item added to September agenda.*

*Mtg. #53: Formal recommendation was drafted by ES and Chair and sent September 23, 2005.*

**ACTION ITEM #49-21: Lorelei Smith to develop a 'straw dog' of a Watershed Management Plan for communities, for presentation at February meeting.**

*Mtg. #50: Lorelei to present at June meeting. Noted on November agenda.*

**ACTION ITEM #49-23: Hugh MacAulay to provide follow-up to the YSC on the questions of BNA and commercial licensing on the Alsek system.**

*Secretariat e-mailed November 28<sup>th</sup> to confirm that he would provide follow up on the two outstanding questions, either by conference call or by written submission.*

*After further discussions with Hugh, it was decided that he would present his follow up at the May or June YSC meeting.*

*Mtg. #50: Hugh provided some comments on the possibility of issuing commercial licences on the Alsek River, but suggested further internal discussion prior to making an update. He will present his BNA comments at the June YSC meeting.*

*Sept. 05: Due to cancellation of June meeting and scheduling problems, Hugh will present at the Nov. meeting.*

**ACTION ITEM #51-14: Bob VanDijken (BVD) to work in cooperation with the Secretariat to compile a history of the YSC's involvement in the Dawson Sewage issue for presentation at the next YSC meeting. Invite a representative from Yukon River Intertribal Watershed Council (YRITWC) and Yukon Fish Wildlife Management Board to the meeting and take steps to develop a strategy to address this issue.**

*Presentation to be held in conjunction with Environment Canada briefing (see 51-15) at June YSC meeting.*

*Sept. 05: BVD is conducting a review of his files. Louise sent summary of YSC involvement (excerpts from minutes, correspondence sent and received) to BVD Aug. 30<sup>th</sup>. Briefing will be organized for November meeting due to scheduling conflicts.*

**ACTION ITEM #51-25: Lorelei Smith to draft a background document on the costs and benefits of developing a salmon synopsis.**

*Lorelei will present during November meeting.*

**ACTION ITEM #52-4: Secretariat to contact Cher Lacoste, Federal Contaminated Sites Accelerated Action Plan representative for Health Canada, to request a briefing on how Health Canada will be addressing human health issues with regard to contaminated sites in the Yukon.**

*Deferred to November agenda.*

*Mtg#54 - Received a letter on Health Canada's role with respect to human health issues related to contaminated sites in the Yukon. Copy of letter in YSC packages.*

**ACTION ITEM #52-11: Carl Sidney to speak with Al Von Finster regarding available data on the Nisling River and about the possibility of accessing R&E funding to collect additional data.**

*Mtg#54 - Al von Finster, DFO has already run a number of R&E projects on the Nisling River, and has a good amount of information on the Nisling. There are other rivers in the Yukon that less information available on.*

**ACTION ITEM #53-1: Gerry Couture to contact Sebastian Jones to advise that he and Ed Kormendy will participate on the Steering Committee for Dawson's Celebration of Salmon.**

*Louise advised Sebastian via Email of this, and Gerry also advised Sebastian.*

**ACTION ITEM #53-4: Secretariat to post upcoming YSC meeting dates on website.**

*Meeting dates posted to the Website Oct 6.*

#### **4) Review Minutes from Meeting #53 (September 2005)**

- Amendments made and adopted

## 5) Yukon Salmon Committee – Nominations

- Yukon Salmon Committee Chair and vice chair
  - Chair
    - Carl nominated by Craig – accepted
    - Gerry nominated by Lorelei – accepted
  - Vice Chair
    - Vicky nominated by Craig – not accepted
    - Ed nominated by Chuck – not accepted
    - Dan nominated by Esau – not accepted
    - Craig nominated by Dan – accepted
    - Chuck nominated by Joe – accepted

## 6) Yukon River Panel Alternates

- Current 4 members Carl, Lorelei, Vicky, Gerry representing the Canadian side during the Yukon River Panel meetings.
- Yukon Salmon Committee proposed three Alternates.
  - Joe Johnson
  - Craig McKinnon
  - Dan McDiarmid
  - (Carl to follow up on the need for another alternate)

BREAK FOR LUNCH

RECONVIENED 1:30 (all members present)

## 7) First Nation Harvest Data – Executive Secretary

- Presented preliminary numbers First Nation harvest numbers, comments that the overall reported catch (Chinook) is lower than previous averages given that the run was significantly higher.
  - *DISCUSSION POINTS:*
    - Question on why the numbers are lower, because there were lots of fish?
    - Were the numbers low because of lack of effort or reporting?
    - The level of reporting is not acceptable at the current level, need to let others understand that this is a management tool that allows us to negotiate better with the Alaskans; more accurate or realistic numbers are more beneficial.
    - Suggestion that we even go a step further and also request the fish sizes.
    - Is there a way or forum to explain the relevance and importance of the data reporting to First Nations that are doing the Harvest Data reporting?
    - Yukon River Working Group could be that forum. Could First Nation's with a good process present to the rest? (i.e. CAFN or Old Crow)
    - One of the reasons for low numbers may be that First Nations don't necessarily use it all for domestic use; it may be used for dog food.
    - Educate the youth
    - Education needs to be continual because of continual change in First Nation Managers. Education could also be an ad on CHON-FM explaining the importance of why we need the

numbers; this may be a forum to pressure managers who are not on side into attending and supplying numbers.

- Jocelyn suggested that a CHON-FM education initiative could be a joint initiative with Yukon Fish Wildlife Management Board because they also have similar problems with wildlife.
- Chum numbers reported to date are early, are only from Dawson. Record run and chum have not yet reached the other communities.

**ACTION ITEM #54-1: First Nation Harvest Data - Carl to discuss with Mary Ellen Jarvis and Steve Smith the problems with reporting and low numbers and possible solutions, education with the Yukon River Working Group and educations on CHON-FM possible in conjunction with the Fish and Wildlife management board.**

## **8) Review Correspondence**

- House Keeping - Ministerial Recommendations (Steve S.)
  - A copy of a letter from 1996 was provided to the committee, the letter was addressed to the YSC from the DFO Minister delegating responsibility to the Pacific Region Director General if the YSC choose to do so.
  - The issue of who the committee should be making recommendations to is an issue that comes up regularly during the YSC meetings.
  - Steve presented a Draft Protocol to the Yukon Salmon Committee that is intended to help clarify the delegation process between DFO and the Yukon Salmon Committee. This protocol does not remove the YSC's authority to send correspondence directly to the Minister. The protocol puts the onus on DFO to better meet the timelines and requirements designated under the UFA, and ensures that any recommendations sent to DFO is deemed to have been sent to the minister, whether it is sent to the RDG, Area Manager or the Minister.
  - The committee discussed the administrative protocol agreement, concern rose that DFO's current system does not meet the timelines; this agreement is also intended to help DFO meet the timelines. Suggestion to include the UFA reference to timelines in agreement.

(continued discussion on November 2)

## **9) Habitat Update – Bob Van Dijken**

- Quartz Land Use Class changes that were Gazetted for a one month comment period.
  - Changes were made as part of DAP/YESSA process, the set of regulations that determine what and how things get accessed.
  - The gazetted changes were made without consultation
  - New Changes are now being proposed by Yukon Territory Government for Quartz and Placer regulations, justification being given is that their regulations now need to comply with the changes made to the Federal Legislation
  - Most recently they are incorporating some changes to the operating conditions, now available on Energy Mining & Resources website.

Bob Van Dijken presented three comparison documents on Operating Conditions: “Current Quartz Mining Land Use Regulation Operating Conditions”; “Proposed amendments to Quartz Exploration

Operating Conditions”; and “Prospectors and Developers Association of Canada Environmental Excellence in Exploration <http://www.e3mining.com/>”

- Best Practices Document by Prospectors and Developers Association of Canada “Environmental Excellence in Exploration”
  - *DISCUSSION POINTS:*
    - There is a parallel here in that the new Regime requires the development for a best practices manual for each water shed. If it is being developed in one sector of the mining why would we not utilize a model that is being developed? The Yukon Salmon Committee can recommend that the Best Practices be incorporated into the Yukon Regulation Regime. AND if not now, then in the long term YTG has pledged to review the legislation through “Legislative Renewal”.
- In reference to the regulation changes, the other element is moving activities from a class II to class I. Class II has definite ending period, program need to be finished in 12 months. Class I defined as all the activities that are done in a specified area within a 12 month period. Need to clarify if an individual can do this every year for a number of years. Need more information on this activity and clarity.
- The committee and Bob were contacted by George Bahm regarding some concerns with an application on the Tintina mines. The initial application stated that there were no fish in Sidney Creek, which was how the application was not picked up as a concern originally. There was some questions raised on the accuracy of the information in the application.

**ACTION ITEM #54-2: Best Practices - Bob Van Dijken to Draft a letter to Energy Mine and Resource with a General Recommendation that regulations accommodate the “Best Practices from Prospector and Developers Association of Canada” (cc: Yukon Conservation Society, Renewable Resource Councils, Fish and Wildlife Management Board, Council of Yukon First Nations, Klondike Placer Miners Association, Yukon Trappers Assoc, Yukon Chamber of Mines, Yukon Mineral Advisory Association)**

**ACTION ITEM #54-3: Class II to Class I - Bob Van Dijken to seek clarification on Class I to determine if there is actually no timeframe associated with the Classification, need more clarity and if there is notification required in the class I.**

**ACTION ITEM #54-4: Tintina Mines Application - Deadline for response on the Tintina Mines application is Nov 15. YSC Chair to work with Bob Van Dijken on developing a response to application. Some thought that a moratorium be placed on further activity until the information is correct (ie no fish).**

## **10) Briefing from YTG re: Mining Reclamation and Closure Policy (Kevin Brewer and Bill Dunn)**

- Working on the policy for approx. 1.25 years and consultation.
- Preparing for a third workshop on reclamation and closure policy. [0]
- Tabled some draft technical and security guidelines
  - Will be re-worked as a result of the new draft policy about to be issued.
- Workshop Nov 23 1-4 high country inn. Coordinated with Geosciences forum (but not required to be part of the forum). Draft policy will be circulated prior to the workshop.
- First Nations were notified about workshops and invited input from them.
- Coming out with a final draft.

- More comments can be submitted on the draft, which is also the reason behind the workshop.
- Looking for finalization by January.
- The old policy they found that they were getting into implementation and guideline issues.
- The new draft Policy was rewritten to more clearly separate the policy from Guidelines, so that the policy document is more specifically on Policy not guidelines.
- Developed an implementation principal section, which is more the key policy statements that the Yukon is try to make.
- More discussion and debate is required on the Guidelines.
- Concern rose about Policy and Guidelines being finalized at different times could result in gaps.
- Went through document by Yukon Salmon Committee to see how points were addressed.
  - **Risk Assessment**
    - Model by Gaulder, is now being presented as a possible model that may be followed but not the only possible model.
    - commitment to a risk assessment process, but process needs flexibility dependant on whether it is relevant or appropriate.
    - If risk assessment needs to be done, it should be done in an open forum that the public has access to (message to bring forward)
    - Will need consider having a separate Workshop on Risk Assessment
  - **Return of Security to Company**
    - Concerns about political ability to allow a company to leave the site without reclaiming. Bill and Kevin advocate that security be allocated to specifics within the reclamation and security returned based on specific reclamation being done.
    - Another element is that a closure plan would be required before the company begins work. Further reviewed by YESSA with those elements being incorporated into the licence, once the licence is approved.
    - Concern rose in giving back security, request by Yukon Salmon Committee that the process of giving security back will also have a process for input & consultation with the parties involved.
      - It has been noted that changes to the Regulatory and amendments to Quartz Act are required in order to facilitate the security aspects of the policy.
      - How security is returned will be done through guidelines (derived from the policy) and security must equal liability.
- Monitoring on site in relation to plans is critical in making the policy work
- Regulatory amendments will be required to enact the policy in order to give the policy more teeth and so that it will have a legal basis.
  - Policy is subject to any legislation (ie can not contravene Waters Act or UFA)
- Water Quality would have to be identified in the plan, water quality was not a part of a lot of the earlier licence plans. Times have changed where now a reclamation and closer plan is suppose to work, before the mine will be approved to open.
- Concern expressed over Production Licence and Security being derived from two different policies. Response is that regulations will have to be amended to accommodate this.
- View the policy as an interim step to regulation.
  - Once the policy is in place, looking at least 5 years before going into a regulation. (Question by Bob Van Dijken and concurrence by Kevin and Bill)
- Final Note: Further consultation to be had on the guidelines that get derived from the policy.

Adjourned @ 4:40 PM

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**Wednesday November 2<sup>nd</sup>, 2005 – 9:00 a.m.**

**Location: Large Board Room, 419 Range Road**

9:00 Meeting called to order (all present except Craig McKinnon)

**11) Review Correspondence(continued from Nov. 1)**

- House Keeping - Ministerial Recommendations (Steve S.)
  - Steve clarified for the committee that anytime there is legislation that refers to the minister, within DFO there is an interpretation act that defines what the meaning of minister is. The definition of minister could be any person within DFO who has the authority within their job descriptions to carry out a task on behalf of the minister. Such as a licencing officer has the ability to issue a commercial licence on behalf of the minister.
  - Another example is even though correspondence is address to the minister; the correspondence may be directed back to the Area office, to draft a response on behalf of the minister.
  - A protocol agreement has more to do with the administration of a main agreement, such as the UFA.
  - The purpose of this protocol agreement would be to minimize the administration associated with responding to recommendations and to reaffirm the responsibilities of DFO and the Yukon Salmon Committee.
  - Nothing in the agreement is intended to replace or change obligations already in place under the UFA.
  - The committee discussed the administrative protocol agreement, concern rose that DFO's current system does not meet the timelines; this agreement is also intended to help DFO meet the timelines. Suggestion to include the UFA reference to timelines in agreement.
  - The committee agreed to go ahead with the Protocol Agreement

**ACTION ITEM #54-5: Protocol agreement concept for Ministerial Recommendations agreed to by Yukon Salmon Committee. Steve to follow up with Fisheries and Oceans with input from Carl Sidney if required.**

- Federal Contaminated Sites Accelerated Action Plan - (Action Item#52-4) – Letter from Health Canada
  - Steve contacted Health Canada, Cher Lacoste is no longer in the position of the Federal Contaminated Sites, and the present person was not available to come to the YSC meeting. Health Canada sent a letter summarizing the purpose of the program from the Health Canada perspective to help give the committee some insight into Health Canada's role.
  - Other agencies take the lead on contaminated sites such as Environment Canada and/or DFO, while Health Canada takes more of a support role.
  - The Yukon Salmon Committee is still interested in having a presentation on how the Federal Contaminated Sites Accelerated Action Plan works from the lead agency. Presentation to be on the how human health issues are being addressed around contaminated sites in the action plan.

**ACTION ITEM #54-6: Federal Contaminated Sites - Seek clarification from lead agency (DIAND/Yukon Territory Government) as to how they are addressing human health issues on contaminated sites (Acceleration Action Plan)**

BREAK (15min), Reconvened 1030

**12) Youth Contest Proposal – M. Murphy**

- THEME: Artwork depicting stewardship of the salmon resource. Promoting stewardship, protecting salmon.
- Timeline
  - Suggest starting Jan 3 to avoid Christmas shuffle and prior to Yukon Sourdough Rendezvous Festival Feb 23rd to Feb 26th 2006.
  - Feb 14 Contest Close
  - Yukon Salmon Committee pick winner during the earlier part of Feb meeting
  - Prize awarded by end of February, prior to March break (Mar 6-10)
- Prizes
- School Prize: Book Set for their library
- Class Prize: T-shirt and Pizza Party
- Seek New Sponsors? Supported by Yukon Salmon Committee, suggested Yukon News
- Advertise in newsletters (Schools and First Nations)
- 3 age categories (6 & under, 7-10, 11-14)
- The 4 community Steward Positions could be utilized (Jocelyn)

**13) Straw dog for Salmon Plan – L. Smith**

- Provided presentation
  - Database
    - The Yukon Salmon Committee held a salmon gathering workshop, invited were FN, members from communities, stakeholders, scientists. Information that was given and exchanged during the workshop was local knowledge, traditional knowledge and scientific knowledge of where salmon have been seen in the past and present as well as sizes etc.
    - The database is broken down by drainages, and sub basins. The sub basin is where the more specific information is stored.
    - Database would also include escapements and indexes, re-building programs, stream codes, present and historical escapements, habitat status and problems, R&E projects etc.
    - Database would be part of the straw dog is sent out to the communities.
    - Database would help identify areas without information
  - YSC Management Plan
    - Similar headings to the database with drainages and sub basins
    - Suggested to also include:
      - The History of Yukon River Salmon Fishery can be gleaned from work by Jody Cox.
      - Impacts of monitoring of River traffic (Tourism)
      - Habitat: Sewage, old dump sites
    - Can be utilized as a help guide on R&E funding projects
  - *Well received by Yukon Salmon Committee*

#### 14) **Creating a ‘Salmon Synopsis’ – L. Smith**

- Presentation
  - The cost and benefits of the having a synopsis
    - Approx size of a handbook, estimate 20 pages, front and back in colour, stapled
    - Prices based on 2000 copies
    - Utilized by all user groups
    - Form of consultation on new recommendations and regulations. For educating the public on all fisheries, management plans and issues of concern.
    - Design approx. 2.9K
    - Printing approx. 4.7K
    - Suggest use advertising to offset cost of printing
    - Suggest include pictures of the various fisheries
    - Designed to be distributed with licenses
    - Concern raised with YTG and their reaction to a separate synopsis for salmon
  - *Well received by Yukon Salmon Committee. Suggested that they wait until after Fisheries and Oceans Canada Dialogue session where next steps on the Catch Card issue may be better understood.*

#### 15) **Review 2005-2006 Budget – L. Naylor**

- Annual Budget and Forecasts for 2005-2006
  - Funding in place.
    - Funds received to date 142K
    - Total expected 202.1K
  - Forecast
    - Actual expended funds identified to end of October
    - October to March estimated forecast
- Additional funding pressures identified to be incorporated into forecast to March 2006
  - 3.0K Lorelei, Management Plan
  - 2.0K Synopsis Design
  - \$200 for Calendar being developed for Panel, to include Yukon Salmon Committee logo
  - Youth Contest prizes
  - Promotional items: Jackets 13 (\$800), 100 engraved pins for mugs (\$1000)
- With additional items and estimates, No surplus identified to March 2006
- Request for more regular budget forecast update between meetings
- Request for further breakdown of funds on budget spreadsheet of funds in account for next meeting

BREAK for LUNCH 1158

#### 16) **Outstanding Business:**

- **Legal briefing (BNA and Alsek commercial licensing) – Hugh MacAulay**
  - Two outstanding questions from previous briefing
    - Could a new commercial fishery for salmon be started on the Alsek given Yukon Territorial Fishing Regulations only speaks to Yukon River?

- Yes, it is technically possible with the regulations as they are currently written. Some administrative regulation amendments would be advised (ie close times, etc) AND should consider the application of the Umbrella Final Agreement. THEREFORE technically but many steps and considerations are to be made including international agreements.
- Chuck indicates that CAFN had conducted commercial fishing via fish wheels activity, where fish were sold to miners, etc
- New fisheries under the international treaty on the Yukon River seems to indicate any new fisheries since the signing of the Canada/US agreement would be part of the domestic allocation designated for Canada. New fisheries is a area grey on the Alsek, would have to go before both parties.
- What is the interpretation of Basic Needs Allocation as laid out in the Umbrella Final Agreement and case law and is it a limit or not? Contemplating whether the Basic Needs Allocation is determined by negotiation or formula.
  - There is no case law that assists us in answering this question.
  - Food, Social and Ceremonial (as related to case law in the Aboriginal Rights context) has an inherent limit and will vary from First Nation to First Nation dependent on their circumstances.
  - Technically possible that they could negotiate a range or guideline. A number of factors need to be included. IE consider the needs of other First Nations, therefore infer a fixed limit. Allocation by definition suggests a fixed number.
  - Could negotiate a range provided factors are taken into account as outlined in the Umbrella Final Agreement.
  - The nature of the words “Basic Needs Allocation” would suggest a definitive number versus an open ended guideline or range.
  - Is Basic Needs Allocation a minimum or maximum? In relation to Food, Social and Ceremonial it would be a minimum number.
    - Food, Social and Ceremonial requirements could be over and above the Basic Needs Allocation.
    - Basic or by minimum, in terms of amounts for fish management priority. The amount that comes off the top and Basic Needs Allocation would have the same priority.
    - Comment: Cultural and Spiritual is something above Basic Needs Allocation.
    - Individual versus Communal: Basic Needs Allocation is to be determined on a First Nation by First Nation basis.
- **Bio-engineering:** An Email was sent to the committee regarding training in Bio-Engineering as an alternate Steve looked into the option of have presentation on Bio-Engineering by Environmental Dynamics Inc. (EDI) with real life project examples, what is it? And Techniques used? 2 hr max.

**ACTION ITEM #54-7: Bio-Engineering: Executive Secretary to Arrange with EDI to have Bio-engineering presentation for next YSC meeting.**

## 17) Review Calendar

- Workshop: Northern Oil and Gas & the Environment? - Nov 8-9, 2005, Whitehorse (G. Couture to attend, travel costs to be split)

- Speak for the Salmon? - Nov 7, Vancouver (not applicable for YSC)
- DFO Dialogue Session – Nov 15, Whitehorse (Carl, Gerry, Chuck, Lorelei)
- Yukon River Working Group - Nov 16, Whitehorse (Gerry, Carl, Dan, and Joe)
- Mining Reclamation Workshop Nov 23, 2005 High Country Inn, Whitehorse (Carl)
- JTC Meeting - Nov 21-23, Anchorage (Lorelei, Gerry and Chuck)
- Yukon Panel – December 5-8, Anchorage (Carl, Gerry, Lorelei and Vicky)
  - Any extra charter seats available beyond the Panel and JTC members?
- Porcupine River Working Group – Dec 13 (Carl, Vicky and Esau)
- Alsek River Working Group – Dec 15 (tentative)
- Yukon Salmon Committee Meeting – Feb 21-23, 2006
- Yukon River Working Group – Feb 24 (tentative)
- Yukon River Panel – March 6-9, 2006
- Porcupine Working Group/Old Crow Public Meeting – Apr 3, 2006
- Dawson Public Meeting – Apr 4, 2006 (evening)
- Yukon Salmon Committee Meeting – Apr 5-6, 2006 (Dawson)

**ACTION ITEM #54-8: Carl to check with Siegi/Della, to see if there are any extra seats available on the charter for the Panel trip.**

## **18) Members' Updates:**

- **RRC Annual General Meeting** – YSC members were able to attend
  - Update from Dan – nothing in regards to salmon
    - Sebastian Jones gave good presentation on fish plant co-op
      - Presentation was well received.
      - Gave history, slideshow presentation.
      - Landing station in Dawson, plant in Whitehorse.

## **19) Chapter 22 of UFA and employment of Yukon First Nation People**

- Discussion occurred on the chapter on Economic Development Measures and the objective to provide Yukon First Nations with opportunities to participate in the Yukon Economy; to develop economic self-reliance for Yukon First Nations; and to ensure that Yukon First Nation obtain economic benefits that flow directly from the Settlement agreement.
- Joe brought it up, because of his concern that this chapter is not being implemented by Fisheries and other Governments around us, they need to be made more aware of the requirements and responsibilities.
- Once First Nations gain capacity within their own government then over time will work within the Public Service by Yukon Indian People.
  - There are currently negotiations ongoing regarding a representative Public Service Plan. (Ed)
  - YSC Examples are: Bob Van Dijken's position and other attempts made to solicit First Nation people in other areas. (Carl)
  - R&E projects try and incorporate First Nations into the projects for capacity building. (Lorelei)
  - Vuntut Gwichin has worked with job shadowing training; example is through economic development venture with Air North, is training a pilot. (Esau)

## **20) Community Updates**

- Craig McKinnon presentation originally presented to the YF&WMB to assist them on how to incorporate Traditional Knowledge into wildlife management decisions (Champagne and Aishihik FN & Kluane FN with Parks Canada). Craig new possession at CAFN is project manager of “Healing broken connections”

Getting back to the land (in Kluane National Park)

- Included historical information on the Champagne FN and Aishihik FN traditional territory and Kluane National Park.
- In 1993 with the signing of the land claims agreement, clear harvesting and access rights to the land and resources were stated.
- When gathering technical info, suggestion that scientist meeting with the locals to accumulate knowledge first.
- When there is no traditional knowledge banks in the community areas, suggestion was that the RRC’s be contacted to take steps to accumulate that traditional knowledge.
- CAFN are trying to establish the First Nation into decisions making related to the Parks.

**Thursday**                      **November 3<sup>rd</sup>, 2005 – 9:00 a.m.**  
**Location:**                      **Large Board Room, 419 Range Road**

Present: YSC Members, Lori Graham, Jocelyn McDowell, Steve Smith

**21) Welcome Past Members**

- Stan Njootli acknowledged

MEETING Called to Order 9:05am

**22) DFOs perspective on Contaminated sites – Al von Finster**

Introductions were made of the OHEB staff Trix Tanner, Bruce Hanna and Jody McKenzie-Grieve

- Federal Contaminated Sites Action Plan
  - Focus is on Management of sites as oppose to fixing and walk away.
  - At least \$500 Million over 10 years
  - Two Departments:
    - Custodial Departments
      - Working on and cleaning up sites
    - Expert Departments
      - Health Canada
      - Environment Canada
      - Fisheries and Oceans Canada (DFO provides advice to custodial department so that there is no negative effects any other areas of responsibility, as well as advice sensitivities to habitat)
  - DFO assists in 4 Contaminated Sites in Yukon (4 of Canada’s top 10 con. Sites)
  - **Faro**
    - Identified significant habitat and fish values
    - Fisheries and Oceans Canada’s role is to maintain productive capacity of the habitat and monitoring fish utilization

- Fisheries and Oceans Canada is encouraging the Custodial Department to put the tailings back in the pits. Otherwise extensive monitoring over the next ~1000 years and no guarantee that will happen – the intention may be there today but can't guarantee the future.
- Dam on Reservoir threatened the downstream tailing and therefore downstream fish values.
- Rock Drain on van Gorda causeway could plug up over time result in a dam effect that could break and wash out the tailings.
- Fisheries and Oceans Canada is encouraging the Custodian Department to put the tailings back in the pit.
- Environment Canada as an expert department can provide more technical input as to the hydrology and toxicology aspects of putting tailing back into the pits.

**ACTION ITEM #54-9 – Request presentation by EC on the technical aspects of dealing with the Faro Mine site (tailing and the pit).**

- **United Keno Hills Mines**
  - Many small mines with one mill site
  - No known fish in upper part of Flat creek (no defined channel) and provides a buffer. Channel poorly defined.
  - Crystal Creek
    - Water treatment currently being done coming into Crystal Lake
    - Historical data in 1950, discharge was directly into creek
    - Previous water contamination eliminated Grayling and Northern Pike from Crystal Lake.
    - Presently sculpins are found in the lake
  - Current Plan is to gather and treat until metal contaminants are gone.
  - Yukon Salmon Committee can help by keeping an interest.
- **Clinton Creek**
  - 60 mil tons of waste rock on top of the mountain, that slid down and formed the lake behind the mountain.
  - There is the potential for the top portion of the lake to erode and break away releasing 2 feet off the lake, which will impact fish habitat below and human life.
  - no toxic substances to fish (therefore Environment Canada is not involved)
  - Clinton Creek is utilized by Juvenile Chinook salmon.
  - Concern is that the lake could drain
    - Used gabions to armour the creek
    - Gabions degrade as large rocks erode into smaller rocks which get thrown out.
    - Continual monitoring of the baskets is required
  - Eventually the channel, because of it entrenching into bed rock will be stable enough to handle the flows.
  - DISCUSSION about the long term solution of possibly dropping the lake level
- **Mt. Nansen**
  - Well above salmon habitat
  - Real issue is the Ore was dosed high with cyanide, then discharged to an unstable settling pond.
  - DFO is currently monitoring the salmon utilization of the Nisling River.

- Water is currently diverted around the tailings pond; these have limited effect on salmon habitat.
- Some physical stability issues with the dam, bottom part of dam has since been strengthened.
- Environment Canada could answer the toxicity issue and whether or not the dam could be removed.

**Action Item #54-10: Mt. Nansen - Ask Environment Canada to answer question on toxicity issues and whether or not the dam could be removed.**

- Have good idea of the salmon values in the area on the Nisling, and Klotassin
  - 500-1000 chinook salmon, but in a comparison by unit of river, productivity is low.
  - Currently there is a lot of sediment in the stream.

**23) Electromagnetic Field in culverts (Al vonFinster)**

- Question: Are these culverts turning fish back due to this effect? And how much study has been done?
  - Al has tried to research any studies on electromagnetic field, and only found minor reference to possible effect.
  - A culvert is more likely to have an electromagnetic field effect on the water, where the water in the creek is highly acid. The acid would form an electric chemical reaction with the zinc from the pipes.
  - Now what is happening is the culvert (Klukshu) has been replaced and the plunge pool has been removed.
  - *DISCUSSION*
    - Spawning beds near the lake are getting weeded in and the salmon aren't using it any more. Vibration of vehicles passing over the culvert appears to affect the fish passing through the culvert. (Chuck)
    - Fish are affected by electrical currents (ie electro fishers) but the strength of the current needed would end up being hazardous to people as well. (Al)
    - Joe, concerns with culverts in the Burwash area and effect on grayline.
    - Are culverts in general a problem for fish? (Gerry)
      - Culverts in the past have not been properly put in and have created plunge pools where fish have congregated. Newer culverts (where Fisheries and Oceans Canada has had input) have been made to benefit the use by fish (ie the fish move though faster) rather than the use of fish by people at culverts (plunge pools). Bottom line is that bridges are a better crossing but recent culverts put in by Yukon Territory Government have been good at oversizing and working with Fisheries and Oceans Canada to have a little as possible impact on fish. (Al)

**24) Job Shadowing Update (Matthew McHugh)**

- Position was developed as a result of obligations under the Umbrella Final Agreement to train or employ First Nations people.
- Came from Ontario and then took some schooling at Yukon College (Renewable Resource Program)
- Met with Bob Van Dijken on Fridays for 1-1.5 hours.
- Activities included:

- Reviewing files at Water Board
- Went to different departments/locations each week and reviewed documents of interest to Yukon Salmon Committee
- Brewery Creek Mine visit, met with officials there, talked about invertebrate monitoring
- Met with Chair and Executive Secretary to try and gain more interest from Students
  - Some students didn't understand the nature of the position and requirement, some got the impression that it was an invite to attend YSC meetings
  - Interest for First Nations – presenting to the class will generate a response whether First Nations or not.
  - There were no clear examples of benefits for the students, if this is continued the possibility and uses for the students may draw more of an interest. Maybe presenting more information on the program.
  - Found Weekly meetings were not clearly defined
  - Little interest as presentation to class was done at lunch and many students were gone, the students mind set wasn't there at that time. Suggestion to do a more formal presentation first thing in the morning during the class.
  - More clarity around payment process.
- Accreditation towards the Resource Course?
  - In talking with the coordinator the response was NO, but expects if the committee had more discussion with coordinator prior to program start may reveal more options.
  - Need to clarify if future job shadowing offers are to be specific to 1<sup>st</sup> year or 2<sup>nd</sup> year students or both (Matthew was a 2<sup>nd</sup> year student).
- Overall, great experience, tied in well with the Resource Course revealing more than just the technical aspects of the Resource Course (other than the field technical aspect), met some good contacts both in the governments and non-government departments.
- College Program: 32 Students first year, 25 students in second year, 5 are of First Nation.
- *DISCUSSION: Possible next steps*
  - Have job description formalized
    - Clarify other items such as broadening educating in the ways things are structured in the Yukon, such as Governments, companies, legislation, programs that are currently running etc..
  - Work with FWMB to gain accreditation
  - Change Name: Possibly call it internship as apposed to Job Shadowing.
  - Suggestion to offer it every year and to a different person
  - Environmental Officer Training Program (all First Nations) (spear headed by Environment Steering Committee) Julie Hawkins @ Yukon College. Geraldine Pope also sits on the committee. (New program possibly called Stewardship Training Program this year)
  - Some First Nations has an education department that knows what their individual students are doing, skills and interests – could use them as a point of contact.
  - Even if the position (Habitat contractor) was filled with a First Nation person the job shadow position should continue.
  - Suggestion that the Chair talks with Anne Marie Swan and suggest that they ask Yukon College to start incorporating Traditional Knowledge in the courses.

**ACTION ITEM #54-11: Job Shadowing – Need to develop and write up a clear work description, possibly get Youth Contest consultant to assist with this if workload is high.**

**ACTION ITEM #54-12: Executive Secretary and Dan to Work with FWMB and Yukon College to see what is required to get accredit for the Job shadowing experience or at minimum incorporate more info on the relevant Boards and Committees and their responsibility within the Yukon into the Resource Program.**

**ACTION ITEM #54-13: Job Shadowing – Executive Secretary to contact Environmental Steering Committee and First Nations to seek interest in taking part in the Habitat Job Shadowing.**

**ACTION ITEM #54-14: Chair to approach Anne Marie Swan and suggest that they start look into incorporating Traditional Knowledge in to the courses at Yukon College.**

WORKING LUNCH: Yukon River Panel video (draft\_)

**ACTION ITEM #54-15: Letter advising Environment Canada Minister and Fisheries and Oceans Canada Minister of their obligation to consult and seek a recommendation for Bering Cisco listing. Cc Fish and Wildlife Management Board, YRP, Yukon Territory Government Environment Minister. All Yukon First Nations.**

## **25) Elections – YSC Chair and Vice Chair**

Discussion occurred on the length of term, and changing the option to two years. Difference of opinion of term lengths, to be reviewed during February meeting.

- Chair
  - Gerry C. withdrawal of nomination
  - Carl S. elected chair by acclamation
- Vice Chair
  - Speeches from both candidates (Craig McKinnon and Chuck Hume)
    - Craig elected as new vice-chair
    - Chuck appreciated for his work as vice chair.

**Friday**                      **November 4<sup>th</sup>, 2005 – 9:00 a.m.**

**Location:**                **Large Board Room, 419 Range Road**

## **26) Salmon Aquaculture and Genetics (IN CAMERA)**

- The question that was posed to the public was “Should the Yukon Salmon Committee support or reject the continued transfer of Yukon genetic material for use in B.C. net cage farm fishing industry?”
- The YSC held a workshop with presentations from all sides, Scientific, First Nation from BC who are for and against, stakeholders, etc. Invited were Yukoners both First Nation and Non-First Nations, Resource Councils, Scientist, stakeholders etc..
- Clarification on the policy:
  - Is the Policy just going to be an internal document, it is not a document that we would expect others to adhere to;

- A recommendation will need to be made once the policy is agreed to;
- The policy is a document that will be attached to the operating procedures to identify how the committee will act when dealing with a certain issue;
- The Policy will be made up of a number of parts: Background info, consultation, research on the issue, results on how the committee will act if this issue comes up.

## DISCUSSION IN CAMERA

- RESULT: To draft a Yukon Salmon Committee policy on the issue followed by a press release and a recommendation to the Minister reflective of the policy.
- Policy to be developed through committee collaboration (Scheduled for Nov 4, 2005)
- Policy Developed and adopted.
  - Recommendation to be drafted for next meeting.
  - Press release drafted in meeting.

## YUKON PANEL ALTERNATES

No prioritization

## **ACTION ITEM #54-16: Secretariat Develop Recommendation Letter re: Yukon Salmon Committee Aquaculture Policy.**

### **27) Other Business**

- YSC Questionnaire – Winner of Questionnaire: Robert Mooney, Backup Brian Pope
- PAYMENT OF MATTHEW MCHUGH  
\$20.00/hr @ 20hrs  
Next time allocation a ceiling (like Bob Van Dijken contract).
- Agenda for next YSC Meeting
  - Impacts of Dawson Sewage (51-15) – Vic Enns (postponed to Feb)
  - YSC Performance Questionnaire results
  - Update: Youth Contest (Michelle Murphy)
  - Community Steward Update
  - Invite YRITWC & Yukon Fish Wildlife Management Board #51-14
  - Environment Canada Technical
  - Human Health Effects
  - Recreation Fishing Regulations – Tethering (Lorelei)
  - Website Discussion(Craig)
  - Post-season Review (Fisheries)
  - Yukon Queen II Update – Hugh Monahan/Ed/Gerry (depending of new info)
  - SARA: What is Fisheries and Oceans Canada Plan for dealing with Bering Cisco
  - Operation Procedures: Election Terms
  - Property Rights of Yukon Name
  - Recommendation to Minister on transfer of genetic material.

- Position of Committee on Fisheries and Oceans Canada/Yukon Salmon Committee relationship.
- Working group operations (chair, etc)

**ACTION ITEM #54-17: Road Salts request update presentation from Environment Canada.**

- **Yukon Placer Secretariat**
  - Carl discussed taking on the position of the First Nation Liaison for Yukon Placer Secretariat.  
**No one perceived a conflict.**

**Meeting Adjourned**