

YUKON SALMON COMMITTEE
Meeting #47
May 11-13, 2004
Whitehorse, YT

MEETING DATES 2004-2005

Meetings to Date (2004-2005)

Yukon River Working Group	February 4, 2004	Carmacks
YSC Meeting #46	February 24-26, 2004	Whitehorse
Yukon River Panel	March 8-11, 2004	Whitehorse
Yukon River Working Group	March 12, 2004	Whitehorse
Dawson Public Meeting	March 24, 2004	Dawson City
Yukon Placer Committee	March 30, 2004	Whitehorse
Porcupine Working Group & Old Crow Public Meeting	April 21-22, 2004	Old Crow
Alsek Working Group and Haines Junction Public Meeting	April 26, 2004	Haines Junction
YSC Meeting #47	May 11-13, 2004	Whitehorse
Whitehorse Public Meeting	May 12, 2004	Whitehorse

Upcoming Meeting Dates (tentative)

YSC Meeting #48	August 25-26, 2004	Klukshu
YSC Meeting #49	November 23-25, 2004	Whitehorse
YSC Meeting #50	February 22-24, 2005	Whitehorse

MEETING SUMMARY

1. **Announcements**
2. **Review Agenda**
3. **Review Action Items**
4. **Review Minutes from February 2004 Meeting**
5. **Update from Executive Secretary**
6. **Members' Updates:**
 - Alsek Gaffing Workshop (Chuck Hume)
 - Yukon Queen II Working Group (Gerry Couture)

- Porcupine River Working Group/Public Meeting (Vicki Josie/Lorelei Smith)
 - Alsek Working Group/Public Meeting (Chuck Hume/Hardy Ruf/Lorelei Smith)
 - Yukon Placer Committee (Gerry Couture)
7. **Review Materials for Public Meeting**
 8. **Off-road Vehicle Use**
 9. **YSC Newsletter**
 10. **2004-2005 Budget Review – Louise Naylor**
 11. **Report from DFO Area Director – Gordon Zealand**
 - Placer Workshop
 - YSC Funding
 - Staffing
 12. **Review Calendar**
 13. **Elections (Chair, Vice-Chair)**
 14. **Creative Salmon (correspondence)**
 15. **Outstanding planning issues: operational audit and strategic plan**
 - Roles and Responsibilities – Accountability
 16. **Integrated Fisheries Management Plan (IFMP)**
 - Recommendations:
 - Yukon River Fishery
 - Alsek River
 - Porcupine River
 17. **Outstanding planning issues: operational audit and strategic plan (continued)**
 - 2nd Draft Strategic Plan
 - Finalize Goals and Priorities work plan
 18. **Outstanding planning issues: operational audit and strategic plan**
 - Roles and Responsibilities – Accountability (continued from May 12, 2004)
 - Strategic Plan and Operation Audit (continued from May 12, 2004)
 19. **Public Service Announcements**
 20. **Creative Salmon (Spencer Evans) 10:00am**
 21. **Yukon Land Use Planning Council (YLUPC)**
 22. **Habitat Issues Briefing – Bob Van Dijken**
 - Viceroy Minerals Corporation:
 - Mt. Nansen and United Keno Hill Mines
 - Faro:

- Dawson Sewage:
- International Joint Commission - Mission Statement
- Dawson Bridge
- Other items

23. Oil and Gas – Riona Freeman, Ron Sumanik and Kirstie Simpson

24. Other Business

- Youth Contest prize distribution
- Community Updates
- Agenda for next YSC meeting
- Eight Commercial licences
- PSA's:

MEETING MINUTES

Tuesday **May 11, 2004 – 9:00 a.m.**
Location: **Water Board Board Room**

Absent:
 Steve Taylor (until May 12)

Present:
 Stan Njootli Joe Johnson Carl Sidney
 Craig McKinnon Lorelei Smith Vicky Josie
 Chuck Hume Gerry Couture Hardy Ruf

DFO Staff:
 Andrea Wilson

Meeting was called to order at 9:10

Joe Johnson said an opening prayer.

1. Announcements

- Greeting from Michelle Murphy
- Staffing – Samantha's 3-month term expired April 30th and DFO did not approve its renewal. Gord Zealand will be briefing the YSC on DFO's staffing situation on Wednesday.
- Elections - The Board did not discuss the election issue at their last meeting, but have forwarded a request for additional details and background on the listed candidates. This will be discussed during the YSC meeting when all members are present. Next YF&WMB meeting is June in Old Crow.

2. Review Agenda

- Item 9 – “Public meeting documents” was moved to Tuesday.
- Creative Salmon – has requested a letter in response to their Application, ASAP due to administrative timelines.
- The 8 commercial licences coordinated by CYFN to be discussed under ‘Other Business’ - YSC and DFO have already done the legwork to ensure that there is room in the commercial fishery for the 8 new licences.
- Moved elections to Wednesday, so that all members can be present. Clarification requested on who can vote based on the guidelines of the UFA.
- Craig McKinnon moved to accept the agenda. Chuck Hume seconded.

3. Review Action Items

The following items were discussed at the meeting, but do not require any further follow-up. All action items that are ongoing are included under the “Summary of Action Items”.

ACTION ITEM 37-22: BVD to draft backgrounder on hazards associated with Clinton Creek for posting on YSC web site.

Mtg. #39: DIAND received funding to do some interim stabilization work, letter was put on hold. Once stabilization work is done this item will be completed to reflect current conditions.

Mtg. #40: Backgrounder will be completed to reflect presentation to be made on 2002 stabilization work.

Mtg. #43: There are digital pictures now available and update for website should be available by next YSC meeting.

Mtg. #46: Work on Viceroy water licence amendment and production licence amendment took precedence over action item #37-22.

This item to be removed. Post what is available on website and treat as an ongoing project.

ACTION ITEM #40-17: BVD to send a request for organization charts and responsibilities on environmental assessments regarding who is responsible for what under devolution.

Mtg. #43: Request has been made but no response to date. BVD to follow up.

Mtg. #46: Work on Viceroy water licence amendment and production licence amendment took precedence over action item #40-17.

Mtg. #47: suggested that we focus on DAP process, which is long-term. Better to gain a clear understanding of the permanent process.

ACTION ITEM #43-4: United Keno Hill – BVD to draft a letter to the Minister of DIAND, with cc: YTG, affected FN’s, and Auditor General regarding the liability for this site and the chance to discharge a portion of this liability. Issue under discussion was Nevada Pacific not wanting to take on the full liability responsibility.

Letter submitted for review Feb. 23rd. Letter sent March 19th, 2004.

ACTION ITEM #43-5: Letter to be drafted to the Fish and Wildlife Management Board requesting that they take the lead on the Ketzla file, due to the implications for fresh water fish and wildlife.

Contacted BVD, to see if there is any newer information on this file, waiting on response.

Mtg. #46: Andrea met with Kelly Hayes, who indicated that the Board would take on the issue. Formal request sent by Executive Secretary April 2nd, 2004.

ACTION ITEM #44-23: Secretariat to follow up with Angela Walkley re: a second presentation and those issues that were not addressed at the first briefing.

Angela provided a list of the YSC's outstanding questions for follow up. YSC members to come up with any additional questions they may have prior to the next meeting. No additional questions were provided.

Angela is away on leave until March 1.

Mtg. #46: Angela will be leaving her position but will coordinate a presentation with her replacement and other staff within Oil and Gas for the YSC May meeting.

ACTION ITEM #45-8: Chuck to contact Linaya Workman to discuss best approach for gaffing training. (Hardy alternate)

Mtg. #46: Chuck has not contacted Linaya to date.

Chuck provided an update at the May meeting.

ACTION ITEM #45-12: YSC to designate one day each year for review of past year's activities, re-prioritization, evaluation of Strategic Planning etc. as well as refresher on UFA and other Final Agreements and related policy.

Include in Planning Calendar, need to determine from YSC period that review would to take place annually.

Mtg. #46: Annual review to take place during February YSC meeting. Noted in YSC Planning Calendar.

ACTION ITEM #45-13: Secretariat to work with Chair to begin drafting the YSC's Strategic Plan.

Strategic Plan drafted for YSC review and one day allocated for planning during February meeting.

Mtg. #46: Secretariat to complete second draft of YSC Strategic Plan and update 2004-2005 budget accordingly for YSC review during May meeting. Draft prepared for review.

ACTION ITEM #45-14: BVD to draft letter to YTG expressing concerns with the lack of an open process and policy when dealing with the Viceroy mine site. It appears that this is a closed process that is exclusive rather than inclusive.

Letter submitted for review Feb. 23rd, 2004. Letter sent March 19th, 2004.

ACTION ITEM #45-18: BVD to draft a letter to YTG asking who the government is accountable to with regard to the water licence they hold for the Keno mine site. For the government to use this method on an ongoing basis for managing an abandoned mine site does not allow for a transparent process, to which the public can have input.

Letter submitted for review Feb. 23rd, 2004. Letter sent March 19th, 2004.

ACTION ITEM #45-22: Secretariat to contact the Yukon Land Use Planning Council to determine which First Nation meetings they have attended, and which have been most useful. Report back to YSC at next meeting.

Email sent to Ron Cruikshank requesting input, no response to date. Second e-mail sent April 2nd, 2004. Gerald Isaac, First Nation Planning/Policy Advisor for Yukon Land Use Planning Council replied advising that they attended most Yukon FN's annual assemblies including the annual CYFN assemblies and have benefited from the information provided at their Display Booths and individual information sessions to scheduled Chief/Council meetings in the various communities. They think that all meetings attended are valuable exercises. They communicate with UFA Boards and Committees, RRCs, Interest groups, Public Sectors, etc. In their YLUPC Strategic Plans, they budget for specific workshops to help expedite their mandates and agendas for land use planning in general and the implementation of Chapter 11 of the Umbrella Final Agreement.

ACTION ITEM #45-23: Secretariat to gather information on the May Gathering in Minto, and explore the possibility of the YSC attending.

Decided during the YRWG that it wasn't appropriate for The YSC to attend, it's only meant for FN and they don't want to lose the meaning of the gathering. No dates had been set as of April 30.

ACTION ITEM #46-1: Secretariat to obtain a copy of the City of Whitehorse's Fish Management Plan.

Obtained on CD, available for distribution.

Mtg. #47: Provide Executive Summary of plan to YSC members. Provided at Meeting #47.

ACTION ITEM #46-2: Secretariat to explore the possibility of Sue Farlinger providing an update on Placer to the YSC at their next meeting.

Sue Farlinger was contacted. The Placer Working Group has indicated that their preferred forum for placer discussions is to hold a workshop for YSC and Board members. A one-day workshop to be held in Whitehorse the week of June 14th. YSC to discuss attendance and budget at May meeting. See Action Item #47-7.

ACTION ITEM #46-3: Secretariat to organize a de-briefing of the Yukon River Working Group

Meeting was held following the Yukon River Panel meeting in Whitehorse, March 12th, 2004.

ACTION ITEM #46-4: Secretariat to confirm participation of YSC members at White River Salmon Planning Workshop March 18 and 19.

Workshop was postponed, tentative new date is May 27-28th.

ACTION ITEM #46-5: Secretariat to contact Kluane First Nation and arrange meeting March 17th, if possible.

Meeting arranged but later cancelled by Kluane First Nation. Will be re-scheduled with White River Salmon Planning Workshop.

ACTION ITEM #46-6: Secretariat to coordinate payment of travel costs for two elders from Old Crow to attend Yukon Panel meeting in March. Letter of offer to be sent to Chief and Council, c.c. RRC and Lands and Resources Director.

VGFN contact us to see if travel expenses could be covered for elders to attend the Panel meeting, prior to an official letter being sent, and because of limited time to coordinate the travel for the panel meeting arrangements were made before any letter was drafted. Two elders attend from VGFN Irwin Linklater and John Joe Kaye.

ACTION ITEM #46-7: Lorelei to discuss with Area Director of DFO the possibility of the YSC putting info into DFO's GIS system for a YSC watershed info database, and find out what information is already available through DFO.

DFO has suggested that a coordinated approach be taken, through DFO Pacific Region.

ACTION ITEM #46-7a: If DFO is willing to input GIS data for the YSC, the Porcupine River Working Group is to begin compiling info for the Porcupine watershed.

Not possible with existing watershed map.

ACTION ITEM #46-11: Secretariat to contact Yukon College for list of available training courses.

Please see attached training schedules. Please note, training classes end in May and commence again in September.

Mtg. #47: YSC members to review available courses and, if they are interested in attending, request pre-approval from the Chair and Vice Chair.

ACTION ITEM #46-12: Work with Board, RRCs etc. to ensure that the Parties meet their obligation to provide cross-cultural training as per UFA 16.13.3

This will be discussed at the RRC AGM in the fall.

ACTION ITEM #46-13: Secretariat to hire contractor to conduct a literature review of the benefits and impacts of salmon net cage farming.

Contractor hired and draft report available for May meeting.

ACTION ITEM #46-14: Secretariat to request Organizational Chart from DFO Yukon/Transboundary Rivers Area.

Charts requested from Rona McLennan. Charts re-requested April 2nd. Charts to be forwarded by Alison Farr-Furlong prior to next YSC meeting. Reminder sent May 3rd. DFO Organizational Charts to the Chief level are available in the Read File.

ACTION ITEM #46-15 : Secretariat to discuss with DFO the possibility of YSC doing a presentation to DFO staff on their role and mandate.

Requested April 2nd. Advised that the next DFO staff meeting will likely occur the 3rd week of May (subject to change). YSC to discuss possible presentation at their next meeting.

Mtg. #47: YSC to make presentation at the next DFO staff meeting.

ACTION ITEM #46-16a: Steve Smith to develop for the YSC a mock variation order that would show how the wording would restrict the fisheries, and develop two mock licenses (one that is site specific and one that moves the boundaries).

Done

ACTION ITEM #46-18: Secretariat to arrange for someone from Government to provide a briefing to the YSC on Land Use Planning as a follow up to the March 16-17 Workshop by the Land Use Planning Council.

Andrea spoke with a number of people at the Land Use Planning Workshop and it was agreed that Ron Cruikshank of the YLUPC would be the best person to approach. Spoke with him March 16th and he will coordinate. E-mail sent April 2nd to confirm. Gerald Isaac, First Nation Planning/Policy Advisor for Yukon Land Use Planning Council replied advising that they would make a presentation at the YSC May meeting. Additional resource material is available their website at www.planyukon.ca

ACTION ITEM #46-27: Secretariat to forward nominees for YSC Chair and Vice Chair to the Board for decision, as per UFA.

Letter sent April 5th, 2004. Response included on agenda for discussion

ACTION ITEM #46-28: Carl to draft brief article for 'Members' Corner' of YSC newsletter. Article must be submitted to Samantha by March 31st.

Article submitted for inclusion in newsletter.

Mtg. #47: Hardy Ruf to provide an article for the next YSC newsletter.

4. Review Minutes from February 2004 Meeting

Carl moved to accept the minutes with changes, Chuck seconded.

One revision: Page 17 – For escapement Stan suggested the US and Canada should each put 10K Chum on the spawning grounds.

5. Update from Executive Secretary

- Possibility of the Secretariat doing a briefing each meeting to update the YSC on activities that have been undertaken and give an overview of specific items that may not come up during agenda items.
- YSC agreed that future agendas should include a section for updates from the Executive Secretary.

6. Members' Updates:

Alsek Gaffing Workshop (Chuck Hume)

- Linaya Workman and Chuck Hume met at CAFN office, discussed salmon gaffing.
 - Chuck brought up values of the old area and the fishing responsibilities that are not taking place now, another elder was present who stated that salmon are not being respected the way they should be.
 - It was also mentioned that fish trapping has been down over the last 10-12 years due to no control on the salmon gaffing.
 - Majority of CAFN have been trained in gaffing, problem is with the newcomers, recommendation is going to be made at next elders meeting that prior to the gaffing permit being issued that they are required take a gaffing course.
 - Need to get elders approval prior to this being implemented, also discussion needs to take place within the Crow clan.
 - CAFN has taken on the elders' role; Chuck felt that the elders should be teaching the youth on the makings and uses of the gaff, this is currently lacking in the CAFN area for gaffing and fish trapping.
 - Discussed costs and who should be paying for the courses, elders will need to make this decision.
 - Chuck explained to Linaya the traditional aspect of salmon gaffing that should be incorporated into the course.
- Q: Were any target dates discussed? Not until the dollar aspect of discussion takes place with the elders, \$10K was the estimate, 3-5 day course.
- Committee discussed the issue of funding support for the Gaffing workshop; Alsek RRC had previously offered administrative support.
 - Committee is initially willing to provide some support; amount would have to be determined once a course outline has been developed.

ACTION ITEM #47-2: Letter to CAFN requesting a course outline for the proposed gaffing workshop with cost breakdown. Advise that the YSC are willing to contribute some funding to support the workshop.

Meeting was adjourned for lunch at 12:05.

Meeting re-convened at 1:40.

Yukon Queen II Working Group (Gerry Couture)

- During the last meeting there was an attempt to bring the two sides closure together.
- One side feels that the damage done has not yet be shown to be significant enough for the boat to be removed from the river before capital amortization.
- The other side feels that the damage is significant and they are looking for and earlier date accompanied by a mitigation plan for the remainder of the time that the boat is on the river.
- All parties have agreed to go ahead with the project, which is partially funded by R&E, to develop a mitigation plan, this is subject to Holland America (HA) putting up funds to also support this project. Have not yet heard, officially, from Holland America.
- YTG has indicated that they will match funds of approx 17K.
- It is expected that HA will also match funds
- Working Group asked Gerry Couture to develop a technical outline. Gerry worked with Al Von Finster on this
- For the \$51k that is potentially available, the plan would only address issue of stranding of fry, and would require a high level of expertise in its design and its carrying out.
- Working Group have tentatively set May 19 for a meeting to scope the project, at which time the working group hope to have full confirmation of funding.
- A negotiation of timeline for getting the boat off the river still is to be set, but the working group are willing to go with a mitigation plan.
- DDRRC no longer feels that they can continue to financially support the Working Group; they have put over \$30k towards this process so far
- With current funding arrangements, cannot fund it, but are still willing to take part in the process.
- DDRRC have asked for a progress report from the Working Group, which is now in a draft form. RRC will likely forward this to the YSC.
- YQII WG is now looking for another funding agency to get the Working Group through the summer so the project can be carried out
- Next meeting will be done free; all members decided to participate free of charge for the next meeting as a donation to the continuation.
- During round table, Steve Taylor raised the point that a mitigation plan needed to meet the test of the Fisheries Act. Also indicated that he would need to talk with YSC to get their input.
- If a mitigation plan is developed, need to determine which tests it will need to meet
- Section 32 of the Fisheries Act says that no one shall kill fish, except as authorized by the Minister. The Yukon Queen II has never had such an Authorization.
- DFO has supported the development of a community-based process to develop a solution to this problem.
- International Treaty of Washington (1904) allows the boats to navigate in other country's waters, provided that they meet their own countries safety and environmental requirements

- International Treaties supersedes individual domestic legislation
- Environmental requirements, however, did not address the issue of boat wakes, this work may set the criteria for other boats.
- There is still fundamental disagreement about whether or not the boat is causing harm
- Over the past two years DDRRC has contributed about \$30k, R&E fund about \$40-50k, in total about \$80k
- Members of the working group and other users such as the FN and commercial fishers have also donated honoraria, mapping services, and other in-kind contributions
- May 19th meeting will be to set out the scope of the project and the qualifications of the people who must carry out the project
- Project would identify the areas that are effected and what the boat would need to do to mitigate these the effects it is having.
- HA still don't believe that enough damage is being done to fish to justify taking action.
- If the working group come up with a mitigation plan that forms the basis for an application for an Authorization, an environmental assessment (EA) will need to take place. This is generally paid for by the proponent, in this case Holland America, and this is a very expensive undertaking
- Proposed Study would be an independent study, it would identify areas where fish are being stranded, at different water levels
- The study will look at high, mid and low water levels and identify sensitive areas; it will then propose measures to reduce stranding
- Concern of the Company is that the cost of an EA to gain an authorization could be so high, that the boat would abandon this operation and take tourism dollars away from Dawson City
- Working Group has requested that YSC indicate which conditions the boat must meet
- Technical study will only deal with stranding; it will not deal with entrainment (jet engine sucking river water through the jet and the impacts of this on juvenile salmon)
- There is a separate study through the R&E fund that is looking into this question, to try to determine migration patterns of fry
- There is currently very little information available on the behaviour of fry

ACTION ITEM 47-3: YSC to draft a letter to the Yukon Queen II Working Group indicating that the YSC feels that any mitigation plan for the boat must meet the test of the Fisheries Act, Section 32. c.c. to DDRRC.

- Difference between YQII issue and placer is that Placer mining has an Authorization
- HA is willing to upgrade the boat in the future, but is unwilling to retire the current boat until a later date in its life
- HA put a lot of work into the development of this boat, but things did not work out as well as they thought it would

Porcupine River Working Group/Public Meeting (Vicki Josie/Lorelei Smith)

- Meeting took place in Old Crow on April 21, 2004
- Lorelei gave overview of the YSC and the Yukon River Panel
- Pat gave overview of last season salmon fisher and run outlook for 2004; what the Yukon River Panel recommendation were for the escapement goals were for the Porcupine.
- Discussed what a rebuilding program was it would mean to the people of Old Crow.
- Sue Antpoebler gave an overview of enforcement of the Old Crow fishery
- One of the action items that came out of the meeting was that William Josie was to discuss the issue of enforcement and conservation and bring it to the attention of the Gwitchin Gathering in Beaver Alaska, it was felt that this issue should be done in partnership with Vuntut Gwich'in, people need to know how much fish they are able to take and allowing more fish through.
- Also William gave an overview of the salmon enhancement projects that were happening on the porcupine drainage.
- Comments from the floor that Old Crow has already done its part in conservation
- Suggested a house-to-house consultation on the substitution fishery, find out who should be getting the fish and if they agree with the substitution fishery.
- Lorelei also gave an overview of the aquaculture issue.

On April 22 had Porcupine River Working Group meeting

- Reviewed comments from Public Meeting
- Need to prepare options for the community consultation or survey.
 - Need to determine how the substitution fishery would work
 - If DFO closes the fishery for conservation, are people not eligible for substitution
 - If voluntary closure, eligible for substitution
- Test fishery is available for food fish for elders
- It was requested that Mary Ellen go to Old Crow to assist with the house to house consultation on the substitution fishery. This has been arranged, and Mary Ellen will be travelling to Old Crow May 17th a draft document has been made up that explains the substitution fishery, the house to house survey with be done with the assistance of a Vuntut Gwich'in FN. A public meeting is also being arranged for May 21st that will summarize the results of the house to house survey and what the outcome will be.
- Pat Milligan was to review run timing data, to determine how many fish needed to get to Fishing Branch weir to ensure that there are enough fish.
- YSC were tentatively asked to attend the Gwitchin Gathering in Beaver Alaska. Gwitchin Gathering is June 26th.
- People from Fort Yukon will be attending Gwitchin Gathering, so this would be a good opportunity to discuss salmon conservation
- If YSC invited, will send a representative; would be useful to have maps for that meeting

- Need to follow up with William to see if the YSC can get on the agenda for the Gwitchin Gathering.

Alsek Working Group/Public Meeting (Chuck Hume/Hardy Ruf/Lorelei Smith)

- Public Meeting was poorly attended
- There were no issues raised
- Lorelei gave an overview of the fisheries and issues at the public meeting.
- CAFN were very pleased that the YSC planned to have a meeting at Klukshu
- Working Group focused on gaffing workshop etc, and enforcement issues.

Yukon Placer Committee (Gerry Couture)

- Essentially done all of the discussion on the placer authorization will be attending a workshop in June on the new placer regime.
- Latest amendments to the minister for authorizations under the placer authorization were developed; Authorizations in the Selkirk FN (SFN) area have not been finalized, due to some communication problems.
- Carl has been involved with trying to get the consultation with SFN off the ground. Carl is now working for SFN on other issues
- There are some discrepancies with the 11th amendment (specifically to discharge levels for Forty Mile)
- Britannia, Selwyn and Excelsior, SFN will compile information and bring it to DFO this summer.

Meeting adjourned at 2:54.

Meeting re-convened at 3:10

7. Review Materials for Public Meeting

- Need to have aquaculture document available at the Public Meeting
 - Deadline for comments is September 30th, 2004
 - Also provide letter and a comment sheet for aquaculture
 - Post Aquaculture document etc. on webpage
 - C&P to present an overview of enforcement focusing on the sport fishery, YSC to present proposed regulation changes on the basic principals of separating commercial and domestic fishery
 - YSC issues to be presented at public are: 1) aquaculture; 2) regulation changes.
- Q: Is Icy Waters an issue for the YSC? Suggested that BVD look into this.
- Items for distribution: Catch card posters and brochures, new fishing regulations, Panel info, JTC and information sheet on new salmon information line.

ACTION ITEM #47-4: Committee has been invited to attend the Laberge RRC meeting, Lorelei and Carl to attend the Laberge RRC meeting May 11th and make a presentation on the YSC roles and activities.

8. Off-road Vehicle Use

The Board is conducting a public consultation on the use of off-road vehicles. There is an online survey available on their website. There will also be a public meeting in Whitehorse on May 18th.

9. YSC Newsletter

- There are a few content errors in the Newsletter
- It can be re-printed at a cost of about \$200
- Need also to include info on aquaculture
- Need to include towns of youth contest winners
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ACTION ITEM #47-5: Secretariat to make requested corrections and changes to the newsletter and re-print.

Meeting was adjourned at 3:30 p.m.

Wednesday May 12, 2004 – 9:00 a.m.
Location: Water Board Board Room

Meeting was called to order at 9:05 a.m.

All present with the exception of Stanley Njootli, who arrived at 9:50 a.m.

10. 2004-2005 Budget Review – Louise Naylor

- Summary of expenditures for 2003/2004, Yukon Salmon Committee balance on was approx \$50.
- Reviewed the expenditures and Forecasts 2004/2005 the following items were discussed:
 - Funding amount estimated, funding not yet received
 - Remove Whitehorse Public meeting
 - Inclusion of gaffing workshop? (not clear if this will be part of this years funds or next years funds)
 - Boards and Committees training (\$2000)
 - RRC AGM
 - Add an additional \$2500 for Public Service Announcements (PSAs)
 - Job shadowing \$4000
 - White River and Kluane FN meetings in conjunction with the Salmon Management Planning workshop
 - Amount of aquaculture contract to be amended to \$1000
 - \$5000 for Special Projects
 - Suggested setting a budget and guidelines for attendance at additional meetings and workshops, difficult to anticipate in advance what meetings will be coming up, recommend putting remainder of funds not already allocated to Additional Meetings and Workshops.

ACTION ITEM #47-5: 2003-2004 YSC budget summary to be posted on website.

11. Report from DFO Area Director – Gordon Zealand

Placer Workshop

Q - Who is supposed to coordinate the Placer workshop? This workshop is supposed to happen with the YSC and the Fish and Wildlife board, YTG has been coordinating the workshop to date.

- Discussed availability of YSC members for workshop, June 15th was the date where the majority of members would be able to attend.
- YSC would like an outline in advance so that they can be prepared
- Parties need to commit to spending enough time to cover the information in detail.
- six YSC members would like to attend plus the two YSC members from the Board (total 8 YSC members).
- The Fish and Wildlife board were contacted, on availability and funding requirements to attend. 5K was put forward to the board, but YSC were missed in the initial contacting regarding attendance and cost to attend.

YSC Funding

- Gord received a call in April indicating that DFO could not carry on with the current funding process
- Indicated that, because of Implementation Working Group (IWG), all Boards and Committees are to come under the same funding structure, recommended date was this fall.
- Until then, DFO needed to find a funding arrangement; DFO was to arrange a Contribution Agreement (CA) that would allow for carry forward
- A review of the draft CA did not include a carry forward clause
- DFO wants to set up a new type of agreement, still trying to work out the details of agreement so that an agreement can be put in place that works for the committee.

Q – If the IWG is working on putting a funding structure in place that is similar for all boards and committees within a year, is it worth putting the energy on changing what currently in place? Ottawa does not agree with the current funding structure, DFO region working to put something different in place for the interim until the new UFA funding structure comes in.

- Once an Agreement is in place between DFO and the YSC, DFO no longer handles the finances and YSC would have to hire a book keeper
- At a minimum, DFO will try to keep things as they are and wait for the new funding arrangement for Boards and Committees
- Anything new would likely be similar in structure to what all UFA Boards and Committees will be funded in under the new regime.
- Talked to Allan B. re: recommendations of Implementation Review Group (IRG) re: funding of Boards and Committees. Still no final recommendations, actual date when recommendations will be final is not clear.
- Does the YSC need to budget for a bookkeeper for this fiscal year? We really don't know.
- Is it possible that the Board could manage the YSC's finances in the interim? Not sure – this has been done in the past for other groups

Staffing

- Goal is to have the Executive Secretary staffed in the next few months
- Position would be Executive Secretary /Regional Negotiator.
- In terms of DFO's support to the YSC, DFO was to provide support during consultation meetings as well as administrative help during these meetings.
- DFO has worked cooperatively with the YSC in the past, but we do not have the staff to accomplish this at this level.

Q - With the new funding arrangement, is it possible to separate the Executive Secretary and Regional Negotiator positions? No

- The hope is that the IRG will possibly provide additional funding so that YSC can work more independently
- It is the YSCs feeling that the two positions do not go well together, as they are two very different positions with different skill requirements.
- There are certain tasks that are outside the responsibilities of the Executive Secretary, but that DFO would support if they are mutually beneficial i.e. a consultation on an issue that is of joint interest to DFO and the YSC
- The UFA does not lay out the responsibilities of the Executive Secretary, simply that DFO must provide a senior official
- DFO has been providing additional support, as the YSC has been administrated completely in-house; additional funding would need to be supplied if this arrangement was changed
- 16.7.17.10 of the UFA indicates that DFO "shall provide technical and administrative support to the Sub-Committee as required to determine appropriate plans for Salmon management, and a senior official of the department in the Yukon shall serve the Sub-Committee as Executive Secretary."
- YSC and DFO will need to work cooperatively to ensure that the Committee can continue to function efficiently.
- YSC will always have access to support from DFO as the UFA requires this; it is hoped in future DFO staff will work cooperatively with independent YSC staff.
- Both DFO and YSC have made the point with the Implementation Review Group that YSC needs additional funding for staff.
- For Implementation of the Yukon Land Claims, DFO received funding for 2.5 positions (one biologist, one administrator, and half position for Executive Secretary).

Q – Is there a hiring freeze within DFO? Not a hiring freeze, but there is not enough salary dollars to cover all the staff in the department within other areas, due to the ending of a number of sunset programs where staff that were hired for the programs were hired on indeterminately basis when they should not have been. For the last year and a half DFO has had difficulty hiring new staff within the areas where they are needed, such as the Regional Negotiator, until it was determined what positions are solid base programs and what are extra.

- In the immediate future, Andrea will have to make some judgement calls on what support she can provide to the YSC, as she has other work obligations to DFO

Q - When the Regional Negotiator is hired will there be enough staff for the YSC to be able to do the things they want to do, or should the committee be looking to hire someone to assist with the extra projects such as the Youth contest and Aquaculture survey? A new person may help but also a new person may increase the workload for existing staff. Right now DFO in the Yukon is short of staff so the workload on existing staff is already high.

- Recommended that instead of job shadowing or hiring additional staff the committee will have to look into the possibility that someone from the Committee could take on some of the work or pay someone else to take on the responsibilities.

ACTION ITEM #47-6: Andrea and YSC Chair to meet to review current projects to determine what projects the Secretariat can undertake and identify gaps that the YSC will have to source out.

12. Review Calendar

- Placer Regime Workshop (week of June 14-18, 1-day) – set for June 15: all members to attend except Hardy, Stan and Vicky.

ACTION ITEM #47-7: All YSC members except Hardy, Stan and Vicky to attend the June 15th Placer Regime Workshop in Whitehorse. Bob Van Dijken to also attend.

- Upper Yukon Chinook (Kwanlin Dun), Whitehorse, May 17 @1:30 – DFO to provide a briefing on this. Carl will attempt to stop in.
- Ross River (introduction meeting) – May 18 – Carl and Lorelei to attend.
- Old Crow (community meeting) – May 20; Vicky or Stanley will attend, if available but not mandatory.
- Re-scheduling of the White River salmon planning workshop (May 27, 1:00pm to May 28, Noon) – Lorelei, Carl and Joe

ACTION ITEM #47-8: Joe Johnson, Lorelei Smith and Carl Sidney to attend White River FN Salmon Planning Workshop. Secretariat to confirm attendance. Lorelei Smith to arrange presentations.

- Kluane FN and White River FN (introductory mtg.) – yes. Lorelei, Joe, Carl, Hardy (tentative); tentative afternoon of the 28th or morning of the 27th need to confirm with FN.

ACTION ITEM #47-9: Secretariat to arrange a meeting with the Kluane First Nation, preferably on the afternoon of May 28th, morning of the 27th, or afternoon of the 26th. (Lorelei not available May 26th)

- Elders Meetings – Chair; need to send them details or topics of meeting.
- Yukon River Education Exchange Program (June 20-27); Panel members had received cards advising that they were nominated to attend.

- Faro Workshop, Whitehorse - June 23-24 (Carl and Stan to attend. Bob to attend if available)

ACTION ITEM #47-10: Carl Sidney, Bob Van Dijken and Stan Njootli to attend the June 23-24 Faro Workshop in Whitehorse.

- Faro TAC Meeting – July 7 (Carl Sidney and Stan Njootli)

ACTION ITEM #47-11: Carl and Stan to attend the July 7th Faro TAC meeting and tour.

- UNBC "FN Planning: The Confluence of Traditional Indigenous and Western Scientific Land Management Approaches", was May 17-19 has been postponed until early November 2004. – not attending.
- Yukon College 'Decisions in Resource Management' Course (July 11-17); for courses that are not considered essential training if course is not too expensive (over \$500), committee would cover tuition but other expenses such as travel, honorarium etc. would not be covered by committee funds.

ACTION ITEM #47-13: Carl Sidney to explore costs of Yukon College 'Decisions in Resource Management' course (July 11-17, 2004)

- Viceroy Water Board Hearing – August?

ACTION ITEM #47-14: Bob Van Dijken and Gerry Couture to attend the Viceroy Water Board hearing in August.

- Aquaculture workshop
- DFO staff meeting – June 9th 2004, 9:30am, Lorelei to make the presentation to DFO staff.
- RRC AGM (theme is Trapping) – November (Whitehorse) – Possibility of YSC changing their October meeting to coordinate with the RRC AGM.

ACTION ITEM #47-12: Yukon Salmon Committee October meeting to be switched to November 23-25.

- Yukon River Panel meeting is week of December 6.
- One YSC member to attend fall JTC meeting (fall, Whitehorse) (reflect this in budget)

Meeting was adjourned for lunch at 12:00

Meeting re-convened at 1:35

13. Elections (Chair, Vice-Chair)

- Requested interpretation of how YSC is to vote.
- Board response to YSC request was to ask for additional information on the nominees.
- Both Chuck Hume and Craig McKinnon asked that their names be withdrawn from the election
- Steve Taylor and Lorelei Smith confirmed that they are both still standing for the Chair position.

- 3 Options for election of the YSC chair:
 - 1) re-vote
 - 2) forward information on nominees to the Board for decision as they requested
 - 3) vote as per the instructions of the UFA
- Hardy indicated that if we re-vote, he is of the firm position that we must abide by the UFA as outlines under sections 16.1.1.4 and 16.7.17.6.
 - 16.1.1.4 – to ensure the equal participation of Yukon Indian people and other Yukon residents in Fish and Wildlife management processes and decisions.
 - 16.7.17.6 – when the Sub-Committee is dealing with matters affecting more than one of the drainage basins... the members appointed to represent those basins may sit on the Sub-Committee, provided that the total number of votes exercised by those members shall not exceed two. Interpretation is that there should only be six votes.
- There was disagreement about the intent of clause 16.7.17.6, should this clause be strictly for salmon management issues or does elections of chair and vice chair be considered a salmon management issues also.
- The Fish and Wildlife Board may select from the YSC's nominations – they may actually appoint anyone of the existing YSC members that they choose.
- As a courtesy, the Board's practice to date has been to appoint the Chair of the YSC's choice. In this most recent round of elections, the YSC was unable to make a choice.
- Joe Johnson asserted that he felt that the YSC should solve this problem by themselves; it should not be for the Board to have to resolve
- Carl Sidney suggested that Lorelei and Steve either Co-Chair or split the term in half.
- Also indicated that the YSC operating Procedures need to be amended to ensure this doesn't happen again
- Hardy Ruf suggested that if we are able to select a Chair, the term of the chair should be extended for a minimum of 1.5years, as it is not worthwhile to have someone in the position for six months, because of the learning curve.
- Vicky Josie suggested that if we vote and it is still a tie that we flip a coin and winner becomes Chair, loser Vice Chair.
- Craig McKinnon also noted that availability of the candidates during their term as chair is critical, as the Chair and vice chair need to attend many additional meetings.
- At next election, it was suggested that nominations occur on the first day; at the end of the three day meeting the members make a brief statement about why they would be good in this position. Vote would follow.
- Noted that within the Operating Procedures, under consensus there is a clause that could be used for breaking a tie; if the original chair lets his/her name still stand; "where decisions made by the committee shall be reconsidered or reversed with a consensus or majority support of the committee". Meaning if we don't have majority to vote out the position then the old position still would apply.

- Flipping a coin is a very random solution to the problem, and a mockery of the position.
- Steve Taylor suggested that we just continue with the process, we had handed the decision over to the Board after the original vote produced a tie, we have begun a process. The Board has requested more info we should give them more info and allow the Board to select the Chair; we should just comply with their request.
- A number of the YSC members felt that they should solve the problem of a tie situation it should be solved internally; it shouldn't be thrown in the lap of Board for them to solve.
- The following are 4 options that were presented to the committee to considered and their votes (Lorelei and Steve abstained from voting):
 1. re-vote (2 votes)
 2. flip coin (1 vote)
 3. 50/50 split between Steve and Lorelei (5 votes)
 4. return decision to Board (none)

ACTION ITEM #47-15: YSC decided that, in order to break the election tie, they would split the term between the two candidates. Lorelei Smith has already served six months as Chair, Steve Taylor will be Chair for the remaining six months and Lorelei Smith will be Vice Chair. Secretariat to advise the Board of their decision.

ACTION ITEM #47-16: Operating Procedures to be amended to reflect that nominations for Chair and Vice Chair should occur on the first day of the October/November meeting, with elections taking place on the last day of that meeting.

**Meeting adjourned at 2:35.
Meeting re-convened at 2:45**

14. Creative Salmon (correspondence)

- Carl Sidney does not support the status quo
- It is probable that regardless of the YSC's recommendation this year, the request for a permit to transfer milt from the Yukon will be authorized.
- The public consultation is not completed; the process of consultation is, in fact, just starting. It is not wise to provide a response without knowing public opinion.
- Letter should state that we are in the process of developing a position on aquaculture and are in the public consultation phase; based on our information thus far, we are reticent to make a recommendation in support of this permit.
- Until the YSC has completed their public consultations, they cannot make a recommendation on the Creative Salmon permit request.
- YSC members all have their personal opinions on this issue, but need to complete public consultations.

ACTION ITEM #47-17: Regarding the Creative Salmon permit application, Secretariat to draft a letter to DFO indicating that the YSC is currently in the process of developing a policy on salmon net cage farming and are in the consultative phase. Until public consultations are completed, the YSC cannot make a recommendation on this issue.

**15. Outstanding planning issues: operational audit and strategic plan
Roles and Responsibilities – Accountability**

- A code of conduct and description was developed for what the YSC and the staff members are responsible, but there are currently no repercussions if people do not comply with what is indicated. Does not lay out who is responsible to enforce them. Is it the Chairs responsibility?
- Suggested that when members are frequently breaking the code of conduct, and affecting the productivity of the committee, should it result in a letter to the members nominating party, this needs to be discussed.
- Should the committee put something in writing clearly stating what the repercussions are? What do the committee consider barriers to productive meetings? Need suggestion on enforcing the code of conduct and what should the consequences be?
- Lateness and missing meetings are chronic problems for the YSC.
- Chapter 2 of the UFA, indicates that Boards may include in their operating procedures additional sanctions
- Public should be aware of what the guidelines are.

ACTION ITEM #47-18: Continued disregard for the YSC Code of Conduct by any member will be discussed by the Committee as a whole and may result in sanctions including a possible recommendation for removal from the Committee.

(continued May 13)

16. Integrated Fisheries Management Plan (IFMP)

Recommendations:

- Suggested that the YSC develop a written form for what the committee would do with their preseason forecasts, and in-season forecast (not in a graph form). Meaning the YSC would develop a policy or guideline for fisheries management, which outlines how they make decisions. Public have indicated that they do not like all the graphs.
- Suggested three example guidelines:
 - 1) **Preseason forecast indicates that there are not enough salmon to meet escapement goals and needs of test fishery** – All fisheries will begin season as closed.
 - 2) **Preseason forecast indicates that there are enough salmon to meet escapement goals and needs of test fishery, but not enough for FN basic needs** – Commercial, domestic and recreational fisheries begin the season closed; and FNs would be notified that at the beginning of the season restricted FN fisheries will be recommended.

3) Preseason forecast indicates that there are enough salmon to meet escapement goals and needs of FN basic needs and test fishery – All fisheries with the exception of the commercial and domestic begin open.

In the event of #3, fisheries management would be as follows:

- Domestic – closed until numbers indicated that an opening can occur.
 - Recreational – open with catch limits and possession limits increasing as available.
 - Commercial – will be closed until numbers indicated that an opening can occur, possible limits increasing as available.
 - FN - open with possible catch increasing as available
 - Escapement – increasing to upper end of goal, as available.
- Suggest that we use this as the YSC's policy or guideline approach and would recommend that the IFMP that has been developed through the system as the way we manage the fisheries.

Yukon River Fishery

- There has been a change from last year in the Bering Sea that should have affected the salmon. If the change comes into play then forecasts for Chinook and Chum should be similar to last year.
 - DFO is not clear on how heavily the fish will be fished this year, from the US there have been under a lot of criticism because the US fishermen let a large number fish return when it was felt they should have been fishing.
 - It is also anticipated that the US will fish more aggressively this year, as they missed the opportunity to harvest last year, due to cautiousness
 - Preseason forecast for Chinook is 107k; 28k escapement, 8k FN fishery, 1k test fishery.
 - Expect to be in the green zone, which is above 37K
 - The agreed upon number by the YR Panel is that if the run comes in stronger, escapement will be increased to 38k. There is a similar arrangement for Chum.
 - There will be a 3-cycle rebuilding of chum (65k)
 - Chum are also expected to be in the green zone
- Q - For practical purposes when we go into a new salmon season, are all fisheries closed, until they are open? Yes, with the exception of the aboriginal fishery, which may be restricted, First nation fishery is open, until conservation requires restriction.
- At the end of the commercial fishery, they post a notice that says the fishery is 'closed until further notice'
 - All fisheries have an administrative closed time (usually Dec. 31)
 - This needs to be in place in order to vary the closed time, as per the regulations.
 - Commercial and domestic fishery – river is currently closed until further notice
 - Sport fishery – depends on the river, i.e. at present McIntyre Creek is closed
 - Variation order can also limit retention.

- Based on discussions there is confusion on what and when fisheries are open, need the legal definition to clear up the confusion.
- **In laymen's terms: All fisheries have an administrative closed time, which usually occurs Dec-January when no fish are here, the legislation gives us the ability to vary the closed time. There is currently a variation order in place that closes the rivers to commercial and domestic fisheries until they are opened. In general the Aboriginal and sport fishery are open until closed (with the exception of a few rivers that are currently close).**

Alsek River

N/A at this time, presentation available tonight.

Porcupine River

- Last year the substitution fishery put an additional 5k chum on the spawning grounds, the run was a bit better than anticipated
- This year the brood year is low, it is anticipated that FN will go to a voluntary closure and utilize the substitution fishery.
- Total run is suppose to be 18k, agreed escapement is 13k
- VGFN can begin the season open; they will then have the option of a voluntary closure, which will make them eligible to access the R&E fund for the substitution fishery.
- Takes about 15 days for fish to get from Old Crow to Fishing Branch weir; this allows us to gauge run size.
- First step needs to be consultation with the FN government on their subsistence right.
- YSC should be making recommendations to the FN government
- FN could enter the season open, with a recommendation from the YSC that they implement a voluntary closure. Current forecast indicates that we should recommend that VGFN enter the season with a restricted fishery.
- Most FNs do not have appropriate regulations in place to regulate salmon harvest by their citizens
- Preamble to YSC recommendations must recognize that FNs have management authority.
- If closure is lifted earlier, in September instead of late October then VGFN could fish for Coho. Last year the closure was lifted late in the season and individuals were still catching Chum with the Coho.

17. Outstanding planning issues: operational audit and strategic plan (continued)

2nd Draft Strategic Plan

Finalize Goals and Priorities work plan

- Management Planning: take the lead in housing and gathering current data relevant to Yukon salmon and their habitat, ensure it is incorporated into management plans.

Q – The timeline to seek funding is a shorter timeline, would we not do that in a shorter term. We have a 5K budget, would we seek funding from the YRP next

year? Once the YRP completes their database of the Restoration and Enhancement projects, and then when it has been correlated with the GIS data to they should be able to see what information is lacking. If information is still lacking, then we maybe able to access some funding through submitting proposal.

ACTION ITEM #47-19: Lorelei to report to the YSC in August about the progress of the Communications Committee of the YRP on their R&E database, committee will then determine if a proposal should be submitted to seek additional funding.

- Improved Partnerships: Strengthen partnerships with FNs and other stakeholders, and build trust and confidence in the YSC. While clarifying the arms length relationship between the YSC and DFO.
 - Reviewed specific actions, no changes with the exception of *Consultation Process* date change to 2005.
 - Series of ads on the role and mandate of the YSC to be completed during May-June, 2004 - \$2.5k, Vicky, Lorelei and Andrea responsible.
- Training: To improve the knowledge and performance of YSC members. To the pursuit and development of training opportunities.
 - Reviewed specific action items (no changes)
 - Discussed various costs of a one day training session, YSC to put an additional \$12k towards training.
 - Add on a one-day training session to YSC meeting, for 2004 should incorporate a legal briefing on the UFA and also put funds towards Boards and Committees training in partnership with the Board.
 - 1 day added on to November meeting for training.

ACTION ITEM #47-20: 1 day to be added on to YSC November meeting for a training session on the UFA. Steve Taylor to follow up.

- Yukon Queen II: Resolve the YQII issue to the satisfaction of all parties, keeping within the YSC mandate to conserve and protect Yukon salmon and their habitat.
 - Reviewed specific action items.
 - Timeline for report from DDRRC and working group is September.
- Aquaculture: To develop a defensible position regarding the use of Yukon Chinook milt in aquaculture operations.
 - Budgeted 10k workshop, 2.5k literature review
 - Reviewed specific action items
 - re-word final action
 - Suggested that mail out include a cover letter, executive summary plus a survey form that can be returned.
 - 2 different mail-outs include cover letter, plus survey and reports as follows:
 - FN, RRCs, NGOs, Commercial Fishers Association get full report.
 - 1-page executive summary to individual commercial fishers, recreational and domestic fishers.

- put out public service announcement on radio and newspaper advertisement, “if anyone is interested in commenting on a policy on netcage salmon farming as it applies to the Yukon, could contact use or visit our website for further information ”,
 - Update YSC website to include aquaculture consultations.
 - YSC committee reviewed draft cover letter, committee agreed to the draft letter being distributed at the public meeting with the executive summary attached with a signup sheet if they are interested in receiving a copy of the full report.
- Administration: To improve the administrative operations of the YSC to make the committee more efficient, effective and publicly accountable
 - Reviewed specific action items and process
 - Should the YSC seek public input on their progress? Committee has agreed to an annual review; suggest that a questionnaire be posted on the website.
 - Should strategic plan be distributed? (continued on May 13)

Meeting adjourned at 4:45 p.m.

Thursday May 13, 2004 – 9:00 a.m.
Location: Water Board Board Room

Meeting was called to order at 9:05.
All members present.

**18. Outstanding planning issues: operational audit and strategic plan
Roles and Responsibilities – Accountability (continued from May 12, 2004)**

- Roles and Responsibilities should act as a guideline for the Chair to enforce accountability for lateness and missing meetings.
- Group should be self-enforcing
- When do things get brought in front of the Committee?
- Common sense should be applied, if any committee member feels that there is a problem, should bring it to the Chair who will initiate process

Strategic Plan and Operation Audit (continued from May 12, 2004)

- Discussed whether the strategic plan should be distributed by mail or should it just be posted on the webpage?

ACTION ITEM #47-21: YSC Strategic Plan to be posted on the YSC website.

- Annual review of Strategic Plan occurs in February
- Operational Audit – Point of audit is to identify any problems or issues that you have so that you know what needs to be fixed or how well you operating.
 - Should we conduct this? Is it worthy of the resources? No, contracting out for operational audit.

- Could this be conducted in-house?
- Should we during our Annual review implementation reporting requirement, conduct a real thorough review of strategic plan, but also our processes.
- Suggest that the committee do a call out to the public for comments and have an area on the webpage for this? After posting of strategic plan have a area for comments on how the committee is doing.
- There is a responsibility of the nominating parties to provide training to the nominees.
- Pre-appointment training and education should be provided by the Parties, training should be provided before people who are nominated.
- Most of the YSC appointments are expiring in May 2005 – we should be proactive in talking to the Parties about this responsibility.
- Should contact nominating parties and give them a heads up about all the YSC appointments expiring, advise them of process for appointment, ask them to start getting their nominations in order
- YSC terms are laid out in the UFA and would require agreement by the Parties to change the term lengths.

ACTION ITEM #47-22: Secretariat to draft a letter to the Minister outlining the problems with the process for nominations to the Yukon Salmon Committee, and requesting that the Minister's office provide detailed information to all nominating bodies.

- The new training package or brochure to members that is under development should include: term lengths, continuity, and pre-training for new members, education, time commitment, timelines of nominations etc.

ACTION ITEM #47-23: Secretariat to provide copy of Annual Implementation review for YSC at August meeting, so that committee members can determine how much more detail to include.

ACTION ITEM #47-24: YSC to develop a questionnaire/report card to distribute to stakeholders and working groups, which asks for input into how the YSC is doing. Gerry, Craig and Carl to develop a draft for the August meeting.

19. Public Service Announcements

- Committee reviewed a number of example PSA's, and discussed the pro and con's of the messages that they would like to present to the public.
- Carl indicated that he did not support live release fishing
- Hardy pointed out that live release fishing is a legal practice and the point of these ads is to educate the public on proper handling of fish.
- It does not matter if we support live release or not it is going to happen, we need to ensure that when it is done that it is done properly.
- The Board has done extensive research on this issue and have lots of literature that shows there is very low mortality with this practice
- The Board does not encourage live release as a recreation, but encourages proper leave release only as a management tool.
- Part of recreational fishing is not just the fishing but the experience;

- One of the practical applications is that the regulations will not allow you to retain sockeye until August 15th; in July there is a chinook fishery, some people in July will catch sockeye and have to release them because of the regulations, this is catch and release being practised as a management tool not as a recreation.
- Joe expressed that the bottom line is that fishing brings in a lot of money each year, the government will continue to keep the practice of fishing going as long as there are the stocks to support it.
- Scientific knowledge and traditional knowledge don't always go together. (discussion to be continued after Creative Salmon)

20. Creative Salmon (Spencer Evans) 10:00am

- Spencer Evans (General Manager) and Tim Rundell (Senior Biologist and Operations Manager) updated the committee on their activities
- Creative Salmon is a salmon farming company that operates on Vancouver Island.
- Canadian Company with Japanese partners
- Produce only chinook salmon (about 1500 metric tons per year or 3m pounds)
- Have formed an association called the Pacific Organic Seafood Association, and are one of the founding members. Association has reviewed existing organic standards around the world and compiled their own standards for the production of organic Chinook.
- Fourth draft of these standards is currently with the Certified Organics Association of British Columbia, Creative Salmon are hoping to be organically certified through this association.
- Main organic standards that Creative Salmon are following are using indigenous species, no antibiotics or hormones, natural feed (fish meal and fish oil), low density rearing, heavy environmental monitoring etc.
- Creative Salmon entire production now is south coast Big Qualicum Chinook.
- Creative Salmon have been coming to the Yukon for 14 years
- Two sides to Yukon program:
 - 1) Domestic program: Yukon chinook milt and eggs from wild stock– it is strictly a brood stock program, at this point as there is low survival of the domestic Chinook. Are in the third generation. This generation is doing quite well.
 - 2) Milt collection - The last 5-6 years Creative Salmon have come to the Yukon to collect milt, which is stored in a gene bank. Two reasons for this – if stock starts to do well can maintain genetic diversity by using milt; can also use this milt to keep the traits that make Yukon chinook so unique
 - Process is that CS takes fish from Whitehorse hatchery, once they have been sampled by the hatchery. CS does all the disease sampling and provides info back to DFO. Also have offered the use of the milt back to the Yukon, in case there was ever a problem with the runs here.

Q – Are the Yukon brood stock that Creative Salmon producing still mixed sex?
 Yes, at present they are still mixed but if the stock does well in future would

switch to all-female production to get rid of the early maturing Jacks, but would still keep mixed brood stock.

- Although milt is collected each year, it hasn't been used since first generation, it is just being stored. To use the milt down south, the milt would have to go through a lot of disease screening and the fish would require quarantine facilities.

Q – When you go into production, there would be a different dynamic. Do you plan that your fish produced for sale are genetically entire or would you modify them? Tend to go to all-female production through use of hormones, pressure, and temperature.

Q -How many Yukon fish are currently held? Presently there are about 20k fish put in each year, of which only about 600 survive to be used as brood stock. The 20k Yukon fish are generally split between 3 cages

Q – How were the eggs transported originally? They were fertilized at the hatchery in the Yukon and once they eyed up, they were sent by air to BC. You can send green eggs, but only over very short distances

Q – Why does Creative Salmon continue to try to develop a Yukon chinook? Creative Salmon would like to produce a Yukon chinook for introduction into the Japanese market. The Japanese prize these fish as they are not readily available and have very good color and fat content. The supply of wild Yukon fish does not meet the demand in the Japanese market, this is why they want to domesticate.

- Part of organic standards requirement is that Creative Salmon to do continuous environmental monitoring; as soon as there are significant impacts on ocean bottom, they let a site lie fallow and rotate to a new site.
- Creative Salmon has 6 sites within Clayquot Sound, there is a continuous rotation of sites; on average there are about 3.5 sites in use at any one time.
- Each site has 8 100x100 net cages, of which 7 are in use, in order to keep the nets clean
- There are about 225k fish per site or 32k fish per pen, to keep to organic standards density is low, compared to industry standards
- Q - What is the average health of these fish? Generally very good, about 90% survival, have not used antibiotics for 2.5 years. CS is taking part in a juvenile study with other fish farms to determine if they are having affects on juveniles fish.
- Sea lice on chinook farms is less of an issue. It is predominantly an issue for Atlantic salmon.
- DFO did a study in Archipelago on 20k fish and 3 of 4 fish were free of lice and those fish with lice had a low number of lice were quite healthy. The lice on the fish were different from the lice found on farmed fish. The DFO study found no correlation between the farms and the sea lice levels. DFO is continuing to monitor.

Q - How about ichthyophonous? This hasn't been a problem thus far with any of their stocks.

- Biggest problems of mortality have been with predation and algae blooms.
- Feed is manufactured by a Canadian company, they source out the fish meal from the local herring roe fishery in BC; because of the fluctuations in this

fishery, it is not available all the time; when not available locally, they get fish from Chile and Peru and US fisheries that have been deemed sustainable over the last 15-20 years.

- Aquaculture only accounts for a % of fish meal fisheries; the rest is used for poultry, swine etc.
- For every 2kg that go into the water, CS harvests about 1kg
- Farmed salmon are more efficient than wild fish, as they don't need to swim large distances and avoid predation
- majority of the fish meal that goes into poultry and swine is poorly converted, in terms of biomass; fish are much more efficient
- CS averages about 1.6 kg of fish meal to produce 1kg of fish, production in BC is about 85k tons salmon; Atlantic salmon convert better than chinook
- YSC is now seeking public input on this issue, Creative Salmon would be very willing to participate in a workshop that the Yukon Salmon committee host.
- Unfortunately, there is a lot of inaccurate information about aquaculture; much of this information comes from Alaska and is funded by American fishers.
- Aquaculture production in BC is a mere drop in the bucket in terms of world production.

Q – What do you do with the waste produced from the net cages? The pollution can also be referred to as nutrient load; much of the waste is uneaten feed; CS works very hard to make sure that there is very little food wasted, through careful monitoring and use of underwater cameras

- Fish excrement is another story but CS monitors very carefully and also meets all government standards; when there are impacts, CS moves the site and lets the other one lie fallow; generally the bottom is completely renewed within 1-3 years.

Q – What about escapes? It has been 3-4 years since CS has had a reported an escape; there have been perhaps 4 fish in the last few years.

Q – Re: flesh colour, is the practice of dyeing the flesh used? No. the dye that you are referring to is a synthetic which wild fish get naturally from eating shrimp etc. It is a very healthy product and CS has some literature on it. There is a way to color the fish using marigolds or yeast. Will be starting a trial in June with a new product; until there is a workable natural product, need to stick with the synthetic

Q – Re: algae blooms, in terms of net cage farming what effect do farms have?

CS operates in a fairly small inlet and check for plankton daily; monitor the inlet very closely as algae blooms can kill the fish

- Blooms can be seen quite far away. It is not thought that there is a link between algae blooms and CS operations
- Creative Salmon website is www.creativesalmon.com
- Contact information is also available on the website.

Meeting adjourned at 10:55 a.m.

Meeting re-convened at 11:05

21. Yukon Land Use Planning Council (YLUPC)

- Presentation/update on subject of Regional Land Use Planning in the Yukon – (Shawn Francis, Land Use Resource Planner)
- Much of the YLUPC's work at present is in support of the 2 existing planning commissions (Teslin and North Yukon Planning commission) through financial administration, planning support, information management and GIS mapping support.
- working with a number of parties on a variety of important topics (Plan Contents, plan approval, budgets, implementation)
- Teslin will be the first Planning Commission really in operation.
- YLUPC is also supporting the Peel watershed Planning Region for establishment of a Commission, which is expected to become active this year.
- Other areas such as the Northern Tutchone it is not clear yet when they will become active.
- Key issue is that through the 9-year review of the Land Claims it has become apparent that there was never really any direct money put into Chapter 11 for implementation of land use plans. There needs to be joint implementation between First Nations, Yukon Governments. Regional Land Use Plans are only useful if they are well implemented
- Other key initiatives of the YLUPC:
 - Regional Land Use Designation System or zoning (protected and other):
 - Need standardization among planning regions
 - Set plans to integrate Resource (Landscape) Management
 - support of Yukon Biophysical Mapping Framework – this is becoming a priority for YTG; every time a new project starts, an environmental assessment needs to take place. At present there is very little standardization of this process, different descriptions etc. are used, need to be more standardized.
 - On-line planning atlas – there is a lot of digital mapping information available, but at present if you don't have all the software, you can't use the information. YLUPC has collected the majority of the data sets, which are now online and you don't need any specialized tools to use it and manipulate it. This is very helpful for outside groups such as RRC, particularly in the communities.
 - Most intensive land use is in the communities, increasing land use needs more land use planning; away from the communities land use decreases by degrees as you move towards protected areas.
 - Optional areas for Collaboration: day to day constantly collecting data; priority watersheds, where are the important places within those water sheds in regards to fisheries values; data repositories (standardization) ways of sharing information like using the online planning atlas; synthesis/interpretation of fisheries information
 - At present there isn't but there needs to be some caretakers of specific, specialized data.
 - The fisheries information that has been collected needs to be synthesized and interpreted.

- data sharing is critical
- The commissions are recent and are in Stage 1: start up phase for Planning Commissions has made progress slow; generally takes 6 months to a year.
- Stage 2: is issues and information gathering; solicit comments on what the major issues are that the plan should be addressing; supporting information base needs to be established; Planning commission members are nominated for a 3-year period, goal is to have the plan produced by the end of this time. With the Peel watershed, the YLUPC are now starting to think about what the information needs are for this plan, so that once the Commission has its feet on the ground, they can begin immediately with the planning.
- Stage 3 Planning Region Assessment: Plan production and evaluate plan options or plan scenarios.
- Example North Yukon Planning Commission is aiming for 12 core data sets with three major themes:
 - Theme 1: Ecological setting/Values – ecosystems, wildlife, fisheries
 - Theme 2: Human use
 - Theme 3: economic Interests/potential
- YLUPC office is on Jarvis street and is shared office space with North Yukon Planning Commission.

Q – Joe - We have been involved in this process for ten years – why are there no land use plans? Currently it is envisioned that there are 8 planning regions in the Yukon, some are shared areas between FNs. Do we have enough money to do all these regions and Implement the plans? Probably not. Do we have enough money to do all the plans? Yes, likely but not the implementation of them as well.

- Land Use planning doesn't generate a lot of new information; rather it integrates available information that has already been collect.

Q - If Kluane region wants to go ahead because it is already done but needs more information to get it passed, to update it how hard is it to get money from land use planning? In general the YLUPC can not operate in an area that do not have a settle land claim, if in the Kluane Region the two settled First Nations wanted to move forward with land use planning and set up a commission, the assumption would be that it would be a go.

Q: We as the YSC has access to considerable data information, can this information be inputted into the Planning the commission, should this information be kept in the commission depository? Data related to fisheries should most likely be kept with the fisheries data, so that the information can be accessed. A spatial data format is the best way to keep data, and then it can be easily integrated into the maps.

- Still missing in the Yukon is the watershed model, and the stream network built. These discussions have been ongoing for the past 4 year and the information is being plugged away at.

Q: We as the YSC have been developing a watershed plan for the Yukon River basin plan, how can this information be inputted into the Land Use plan? There are a number of large regional plans and individual plans that have been developed; the regional plans need to be completed first before the any

individual information can be inputted. The information that the committee has regarding the salmon stocks should be fairly easy to input into the regional plans.

- Land Use Planning commission does not make recommendations on areas that have already been designated ecological reserves or have management plans in place. Affected First Nation and YTG have the final approval on plans.

Q – What length of time will it take to get the Yukon land use plan in place? If all the players that need to be involved in the planning are ready to participate, then 10-13 years. The method used when these plans are produced has an impact on the cost of the plans and the length of time it will take.

- There is a lot of data information from the Kluane area, but the information still needs to be land based put into the spatial format.
- Reiterated that the method and process used in product of the plans has a huge impact on the length of time it will take.

YSC Other Business Issue: Craig has asked the committee to fund a return flight from Vancouver – Tofino, so that he can take a tour of the Creative Salmon site and give the committee a briefing or presentation at the next meeting.

Committee approved funding for Craig's flight and travel expenses.

Meeting adjourned at 12:00 for lunch.

Meeting re-convened at 1:30

22. Habitat Issues Briefing – Bob Van Dijken

Viceroy Minerals Corporation:

Amendment to water licence: Viceroy had applied for an amendment to its water licence to increase the concentration of selenium it is allowed to discharge. The Water Board held a hearing in November to consider this request. I prepared an intervention and attended that hearing on behalf of the Salmon Committee. In April, the Board approved an amendment to the water licence, allowing for an increase in the selenium discharge but requiring that discharge volumes be matched to the water flow of Laura Creek.

Notice of intent to discharge: Following the conditions of its amended water licence, Viceroy notified the Water Board on April 14th that it intended to begin a direct discharge of treated effluent directly into Laura Creek on or about April 30th and continue this discharge until 100,000 m³ of effluent is released in 2004. As of April 14th, the Company stated that there was approximately 55,000 m³ of effluent in the process ponds.

Until the latest amendment was approved, Viceroy was discharging its effluent through a land application system. During the hearings last year, the Company stated that it would continue to use the land treatment system if possible. In its

letter, the Company states that “the current land application system does not have the attenuation capacity to handle a further 100,000 m³ this year.” The Company does not discuss how much the land application system can handle this year.

Amendment to production licence: At the end of November, Viceroy submitted a request for amendment of its quartz mining production licence. There was a public information session held on this request in Dawson in February. In April, the Territorial government issued an amendment to the production licence. The amended production licence is 13-pages long and a “recommendation analysis” has been completed along with the amendment. The licence sets water quality standards for the protection of aquatic life based on the Canadian Environmental Quality Guidelines and allows the Chief of Mining Land Use to take action if he determines that acid rock drainage has occurred on site and water quality standards may be exceeded.

Water board hearing: At the same time as they requested amendments to their production licence, Viceroy submitted a further water licence amendment request. This request will be considered at a water Board hearing to be held August 1st in Dawson. A draft intervention will be prepared for this hearing. The amendment request contains requests that:

- The Companies reclamation plan be incorporated in the water licence
- The security amount held under this licence be decreased
- The term of licence be extended to 2021
- The monitoring program be modified

The Company has completed most of the elements of the reclamation plan. Some elements were completed before the environmental assessment of the plan had been completed last August. The plan will be essentially completed before the Water Board has a hearing to consider whether to incorporate the plan into the water licence. There is a fundamental flaw in the system if Companies can complete reclamation plans before they have been reviewed and incorporated into the appropriate legislative instruments.

Monitoring: In the past, the company would record both temperature and precipitation on a daily basis on site and include monthly summaries of weather conditions as part of their monthly reports to the Water Board. Over the winter, the company reduced its reports to only temperature. The lack of precipitation data is of concern. In the late 1990’s, the company modified some of its water balance assumptions based on site data. This was done after a period of low precipitation and lowered the expected peak water storage requirements. The amended production licence requires an annually updated heap water balance analysis. This analysis cannot be done without on site precipitation measurement.

ACTION ITEM #47-25: Viceroy - BVD to draft letter to Environment Canada re: signage in areas where release of toxins into the environment is a health concern.

ACTION ITEM #47-26: Viceroy - BVD to draft letter to the Board for signage in areas where consumption of fish and wildlife is a concern due to toxins from abandoned mines.

ACTION ITEM #47-27: BVD to provide the YSC with a list of streams where there is risk to salmon from toxins from abandoned mines. This issue to be discussed as a potential Panel project at the August meeting.

ACTION ITEM #47-28: Viceroy - BVD to draft letter to YTG regarding the amendments to the productions license, pointing out that it may be problematic for the company to now meet the conditions of the production license without the necessary data being collected. Need to monitor more often and on a more complete basis.

Mt. Nansen and United Keno Hill Mines

Last month, action was taken in court to formally set up receivership for the Mt. Nansen and United Keno Hill Mines. This action resolves some of the ownership questions surrounding these sites. Further to the receivership, last week the federal government (DIAND) announced that they would be spending about a half million dollars to develop marketing plans for the Mt. Nansen and United Keno Hill Type II mine sites. The job goes to PricewaterhouseCoopers, one of the world's biggest financial consulting firms. Ottawa will pay \$150,000 for a BYG marketing plan and \$300,000 for the United Keno Hill plan. Those plans are due by the end of June. The marketing plans may recommend marketing only parts of these properties.

The mines, abandoned by the late 1990's, may still have millions of dollars of silver and gold. But they will also cost millions to shut down. Federal estimates for BYG are \$6.3 million to properly abandon the site, and \$40 million for the Keno Hill mine.

The federal government seems to be quite pro-active in trying to get rid of the responsibility for reclamation but re-active in terms of reclamation, preferring to spend money on care and maintenance rather than reclamation.

This decision raises a number of questions?

- In February, the Type II mines office indicated that they were going to move forward on reclamation of the Mt. Nansen site as prospects for a successful mining operation on the site weren't good. There were indications that reclamation could be completed in a couple of years. Has this affected the timeframe for reclamation?
- Where has the money to pay for the marketing plans come from? Has it been taken from funding identified to clean up abandoned mine sites?
- If the marketing effort is successful, where would the money raised go?
- If only portions of the sites are marketed, how do you determine past and future environmental liability for non-point source environmental damage?

- What measures would be put into place to ensure that a sale wouldn't increase future environmental liability to the taxpayer?
- Will this exercise delay final reclamation?
- Will there be consultation before any marketing effort takes place or the properties are divided up for marketing purposes?

ACTION ITEMS 47-29: Mount Nansen and Keno Hill - BVD to draft a letter to DIAND and cc: a letter to Treasury Board on the governments decision to market Mount Nansen, requesting some answers to questions that have been raised from this decision.

Public meeting in Carmacks: There will be a public meeting in Carmacks on May 13th, 7pm to discuss the Type II mines office plans for the Mt. Nansen mine site.

Faro:

In April, the Water Board signed a new water licence for the Faro property. It combines the two licences that expired on Dec. 30, 2003 and essentially is a five-year care and maintenance licence for the site. The receiver is required to submit a reclamation plan by the end of 2006.

Q – Is 2006 a realistic date? We should have a better idea by the end of June, after the workshop on development of plans.

Faro reclamation workshop: I was notified on May 12th that the Type II mines office and the receiver for the Faro site (Deloitte and Touche) will be holding a workshop on reclamation options for the Faro site in Whitehorse on June 23rd and 24th. Details and official notification will be circulated as soon as a venue for the workshop has been confirmed. Reclamation options have not yet been eliminated; discussion will focus on reclamation priorities.

Dawson Sewage:

- Lorelei read a response to a letter sent to our Premier, from Glen Hart Minister of Community Services on behalf of Premier Dennis Fentie, regarding the Capital Funding agreement reach by YTG.
 - In 1999, committed the government to provide 4.8 million to the city sewage treatment project, the full amount has been provide to the city who has incurred expenditures of approx. 3.6 million to date.
 - Work to date confirmed that the capital construction would exceed 19m, and the operating costs would be up to 754k per year, if the current design was selected.
 - This design is not sustainable by the city of Dawson, who is now working with YTG and the government of Canada to resolve this and come up with an acceptable alternative.

Minister Glen Hart was quoted in the media last week stating that a water licence amendment request for the Dawson City licence would be given to the Water Board within a couple of weeks. It appears that the Territorial government is

considering installing finer screens for Dawson's effluent, using a ultra-violet disinfectant system on the effluent and working with businesses and hotels to change the type of laundry soap being used. It appears that the secondary treatment system is off the table. The concern about soap and surfactants goes back to work done by a consultant hired by the City of Dawson in 1998 and 1999. This was presented at the 1999 Water Board hearings as a reason not to build a treatment system. Work done since that hearing by the City's next consultant cast doubt on this work, identifying nitrogen and ammonia as causes of fish toxicity in standard tests. The announced plans don't address concerns about nitrogen and ammonia.

Even if the amendment request is made soon, it doesn't seem possible that the licence could be amended by the end of September. This means that Dawson will be out of compliance with its water licence. This idea also doesn't address the requirement of a Court order to build a secondary sewage treatment system issued to the City of Dawson. YTG has stated that they will join the City of Dawson in fighting this court requirement.

We will have the situation of YTG essentially running the day-to-day affairs of the City of Dawson, one Department of YTG applying for a water licence amendment, another Department doing the environmental assessment of the application and a third Department being responsible for enforcement of the licence. Add to this the recommendation from Andre Carrel, the former financial administrator appointed by YTG that YTG pay for a new sewage treatment system and the situation becomes extremely complicated.

Yukon River Intertribal Watershed Council:

The Intertribal Watershed Council recently sent a letter to Premier Dennis Fentie requesting that YTG ensure that a secondary sewage treatment system for Dawson is in place and operating by September 30th, 2004. The letter went on to say that the Council might request an International Joint Commission (IJC) investigation of the issue if the system isn't put into place. The International Joint Commission is a joint Canadian US commission that examines transboundary water quality issues. They are most active in the Great Lakes area but have also looked at transboundary water issues in the BC -Washington area.

International Joint Commission - Mission Statement

The International Joint Commission prevents and resolves disputes between the United States of America and Canada under the 1909 Boundary Waters Treaty and pursues the common good of both countries as an independent and objective advisor to the two governments.

In particular, the Commission rules upon applications for approval of projects affecting boundary or transboundary waters and may regulate the operation of these projects; it assists the two countries in the protection of the transboundary environment, including the implementation of the Great Lakes Water Quality

Agreement and the improvement of transboundary air quality; and it alerts the governments to emerging issues along the boundary that may give rise to bilateral disputes.

More information on the IJC can be found on their website:

http://www.ijc.org/en/home/main_accueil.htm

Dawson Bridge

The Yukon Territorial government have recently released the Environmental Assessment Report on a Yukon River bridge at Dawson City. I am currently reviewing this document.

Other items

- Clinton Creek - Bob distributed pictures of work that has been done at Clinton Creek to date.
- Faro Workshop (June 23-24) – Bob will be attending
- Placer Review Workshop (June 15) – It was recommended that Bob attend the meeting with the committee members, all in agreement. Bob will confirm.
- Job Sharing: Bob had a talk with one of the representative at Yukon College who thought the idea was a good one. Recommended that if the YSC are interested in it, to start at the beginning of the School year. If students are interested or to work it into their curriculum, where they would get credits for working with an organization.

ACTION ITEM #47-30: Bob to develop a one page outline on job sharing and integration into the school curriculum by the August meeting.

- Icy Waters:

Q – Should the committee have any concerns with Icy Waters? The Water Board just conducted a hearing on the issues of Icy Waters, concerns are escaping fish into Pump House pond and water quality. Decision is pending.

23. Oil and Gas – Riona Freeman, Ron Sumanik and Kirstie Simpson

- Riona Freeman introduced other attending staff who are also part of Oil and Gas, the YSC went round the table and introduction were also made.
- The YSC had previously provided questions to Riona following last their last briefing. Questions and answers as follow and copy of presentation available in YSC read file. See Read file for detailed answers.

Q1: Will oil and gas production in the Yukon be mainly for export? Yes for the short term, until we have a distribution system that accesses the communities.

Q2: Was there Agent Orange used around Dezadeash for the pipeline and is it still there? Yes. Additional question – What are the implications of agent orange? what does it do to a National Park and YTG’s involvement in the clean-up? The traces are there in the park, but not sure on what has been worked out with the Parties.

Q3: How is the problem of First Nation employment vs. unions being addressed i.e. Foothills pipeline? Unions have been consulting with CYFN and individual FNs to ensure a close working relationship.

Q4: why don't we make opportunities for Yukoners to take advantage of oil and gas resources? Employment, training and business opportunities there are programs available for Yukoners to take part in. Every oil and gas program that proposes to spend more than \$1 million in 12 months must negotiate a benefits agreement between YTG, affected FNs and proponent. Proponents often hold open houses in communities and advise Yukoners of opportunities.

Q5: How prepared are people for oil and gas in the Yukon? YTG took over responsibility for oil and gas in 1998. FN have been participating in a working group with YTG since 1997 to establish legislation/regulations; there have been 3 public reviews re: the disposition process;

Additional question – How much water is used for the extraction of oil and gas? (Example of Alberta where there are concerns for declining water levels)

Alberta's water licensing process is quite outdated and more biased towards commercial uses. In Alberta they are now bringing in water not fit for human consumption for use in oil and gas extraction.

Q6: What is the Call for Bids process? These are the steps taken to issue oil and gas rights to industry. Step 1 – call for nominations and identify areas for consultation; Step 2 – When a nomination is received the public are consulted and then the companies are call for bids;

How can YSC and FN participate in the disposition process? They can and provide YTG with information on ecological and cultural values which should be considered. Oil and gas will include the YSC in their distribution list.

Q7: What are the latest changes to the disposition process and why does it seem to change with changes to government? Disposition process last changed in 2002, which allowed opportunities for land claim bodies and other stakeholders to participate prior to companies identifying where they are interested in rights.

Q8: How can oil and gas development go ahead without a land use plan in place? Is this legal? Aren't there provisions in the UFA which address this? Yes, this it is legal for oil and gas development to take place prior to having a land use plan in place.

Q9: What has happened to the Oil and Gas regulations that were drafted but not passed? The Geoscience Exploration Regulations, the Drilling and Production Regulations and the Licensing Regulations have been approved by Memorandum of Agreement Oil and Gas working group and are on their way to Cabinet for approval; The Royalty regulations are currently being drafted, these determine what the split is for the government.

Q10: What is the footprint of oil and gas exploration? This can vary. Early reconnaissance leaves little trace, later during the seismic surveys etc. there is more impact, final stage is drilling of a well.

Q11: What are the impacts of oil and gas development and what is done for salmon protection? In all cases all impacts are carefully assessed and addressed. There are guidelines and policies, as well as experts to make sure appropriate measures are used to protect the environment.

Q12: What is in place to protect salmon habitat? All oil and gas activities that are conducted in the Yukon require a licence; they must also go through an environmental assessment. Licence terms and conditions are used.

Q13: What is done for remediation? This is considered during the environmental assessment and licensing process. Its purpose is to reduce or minimize impacts, minimize duration of impacts, return the area to as close to original condition as possible.

Q14: Is there money set aside to deal with impacts? Government may require a security deposit to be posted for higher risk activities; It is preferred that the proponent would correct any impacts, in special cases the government may step in and restore a site and get compensation from the proponent.

- Further discussion occurred on orphaned or abandoned wells, and the abandon well fund.
- Additional information is available on orphaned wells. Orphaned wells only become a problem when they begin to leak
- Kevin MacDonald is very knowledgeable on abandoned wells

Q15: What are the potential social, economic and environmental effects and how are they being addressed? The current legislation to address them is (YEAA) it will be replaced in November 2004 by Yukon Environmental and Socio-economic Assessment Act (YESAA).

Additional question - Is there any \$ set aside for socio-economic impacts on communities? Not as yet, i.e. for the Alaska Highway pipeline, no money has been set aside to date, but that doesn't mean that there won't be any. MacKenzie Valley pipeline in NWT has already received more than \$15 million for socio-economic impacts.

Q16: Why don't companies pay for wildlife studies? Companies may need to conduct their own wildlife studies, to provide enough info in the licence application so that government can identify potential impacts and look at proposed mitigation.

Q17: Do companies clean up after they leave? Yes, they are suppose to.

Q18: Why don't companies support the costs of boards and committees working on providing information, being as boards and committees must dedicate time to oil and gas issues? The government receives royalties from oil and gas production on Crown lands; boards and committees receive funding from the Yukon government; don't want to have the perception that Boards and Committees are on the payroll of industry.

- It was suggested that Boards and Committees don't have the capacity within their current funding, and with their many other obligations to take part in a meaningful way in oil and gas issues.

Q19: Are we giving our oil and gas away? No. Government doesn't have the \$\$ to develop oil and gas on their own; the Yukon will always get royalties on any production.

Q20: What is happening with coalbed methane (CBM) and where is it in the Yukon? No, CBM rights or exploration activity licences have been acquired in the Yukon to date; government is ensuring that there are appropriate regulations in place.

Oil and gas potential

- Riona presented a map that outlines the different areas in the Yukon and how much exploration there has been, and their potential for Natural gas.
- Major areas are Eagle Plain, Peel Plain, Peel Plateau and Liard Plateau.

Best Management Practices (BMP) for Oil and Gas exploration and development in the Yukon (Kirstie Simpson)

- One example of the effects of oil and gas, are the result of stream crossing activity.
- To prevent the large number of regulatory delays that were happening between DFO and BC Hydro, best management practices (BMP) were developed. DFO came up with best practices guidelines for stream crossings, and if BC Hydro consistently applied these best practices in the way they work.
- BMP are usually applied as a system of practices rather than a single practice.
- Some of the more recent recommendations are:
 - Developing best practices for the Eagle Plan - Peel area for oil and gas activities in the winter range of the Porcupine Caribou herd.
 - Develop measures to protect the relevant woodland caribou herd.
 - Development of management guidelines and best practises for seismic activity in key wetlands.
 - Development of best practises including buffers or setbacks for oil and gas operations and areas with key terms or values

Q – When you say best practises, are you requesting that the companies integrate the best practise in their work or is it a requirement as part of their permit? It can be both, depending on the work that is done and explaining to the company what the request for best practises is trying to achieve, and the company usually will come back with an alternative that would achieve the same results as best practises.

- From the perspective of the Government of the Yukon and Industry, development of best practices is done to support ongoing development of the resource, they are looking to:
 - Providing clarification and substantiation for conditions like “early in/early out”.
 - Providing recognition that not all exploration programs, producing wells and pipelines require the same conditions (e.g. Type of access and length of access)
- There are a number of different best management practices, at present the development of best practices is focusing on Environmental management systems.
- There are three distinct areas in the Yukon: South East, Whitehorse Trop, and the North.
- Will start in the North by developing a set of best practises that are particular to the North Yukon, there will be between 50%-75% overlap of best practices with the rest of the Yukon, but there are some things that are specific to the North.

- Best Practises will be developed for unique site specific conditions that reflect natural background conditions, as well as for political, social economic and technical feasibility.
- The hope is that these will allow for the integration in each area of:
 - Geographic sensitivity
 - Biological sensitivity
 - Cultural sensitivity
 - Traditional use sensitivity
 - Competitive economic interest
- Wildlife impacts and habitat concerns are not limited to specific industries or locations but happen where the wildlife and aquatic habitats occur.
- In regards to funding for Board and committees to take part in issues as they are raised on oil and gas, will look into a collaborative industry process to assist with developing funding and getting research.
- Looking to fill some of the information gap on land classification, by collaboratively developing a funding proposal with North Yukon Land Use Plan Commission, Environment (YTG), Energy Mines and Resources (YTG), Land Use Planning Council and Canadian Wildlife Service.

24. **Other Business**

- Youth Contest prize distribution
 - Gerry will present Dawson prize
 - Lorelei will present Whitehorse prizes
 - Carcross will be contacted to find out best distribution.
- Community Updates
 - Steve indicated that THFN will be replying to request for consultation outline.
- Agenda for next YSC meeting
 - Report from the Executive Secretary
 - 2 half day cultural sessions (1 Kluksu Community, 1 with Hardy)
 - Yukon River Panel Projects
 - Habitat Review
- Eight Commercial licences
 - Joe – comment made that no one seems to know anything about it. It is still in the process. If eight of the licenses become active will the committee be doing anything about them? When the eight licences were issues to CYFN to distribution, the commercial fishing licence numbers were reduced. Also the commercial fishery has a quota that they are not supposed to exceed, and they are restricted to fish in certain areas and for specified periods.
 - A letter was sent to CYFN regarding the licences, still no response.

- PSA's:
 - YSC will write their own ads as there is disagreement about Live Release.
 - Hardy indicated that he does not think that gaffing is a good way of fishing, but he understands that it has cultural significance and so lends his support to it. The net result of live release fishing is a benefit to the fish.
 - Live release is a legal practice, which people engage in. The YSC should be working to ensure that this practice is carried out as safely as possible.
 - It is important to recognize that consensus decision making does not mean that everyone agrees: just that everyone agrees to consent to the decision and not obstruct it. (More information on consensus decision making can be provided as request, see Andrea)
 - Members of the committee need to remember that they are representing everyone in the Yukon not just their personal beliefs, and we need to educate everyone.
 - There are probably two regions where Catch and Release is not an issue: Dawson and Old Crow; these two places people mostly fish just for food
 - YSC is supposed to represent the whole Yukon, not just one group or interest.

Meeting was adjourned at 4:50