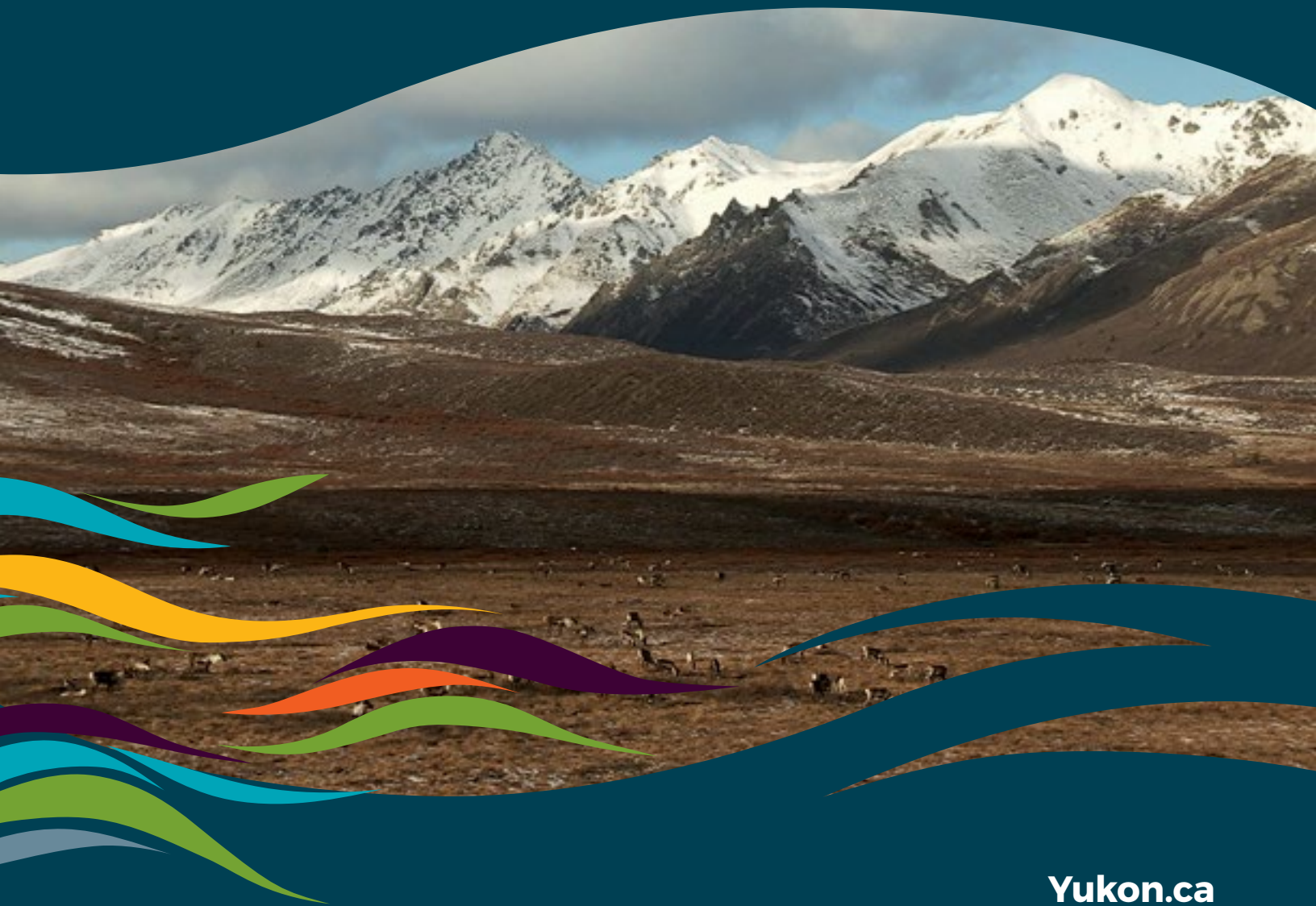




Renewable Resources Council manual



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Disclaimer

The content of this manual aims to answer questions brought forward by RRC members and staff. The manual is not intended to interpret the Yukon First Nations Final Agreements. It provides guidance and advice to RRC members and staff on how to carry out the work of the RRC. Where appropriate, please refer to the applicable Final Agreement or the Umbrella Final Agreement for precise wording.

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Welcome

Congratulations on your appointment as a member of a Renewable Resources Council (RRC).

As an RRC member, you are part of an advisory body that can make recommendations about renewable resources management and the conservation of fish and wildlife to:

- the Minister of Environment or other department minister;
- the Yukon Fish and Wildlife Management Board (YFWMB);
- the Salmon Sub-Committee (SSC); and
- the affected Yukon First Nation.

This manual is your guide to the duties and processes that are a part of being an RRC member, and to support you in having an active and productive role in your RRC.

Acronyms in this manual

RRC

Renewable Resources Council

SGA

Self-Government Agreement

SSC

Salmon Sub-committee

TPFA

Transfer Payment Funding Agreement

TT

Traditional Territory

YFWMB

Yukon Fish and Wildlife Management Board

FAs*

Yukon First Nations Final Agreements


UFA

Umbrella Final Agreement



* All chapter references in this publication relate to the specified FA, unless otherwise noted.

RRC mandate

Renewable Resources Councils (RRCs) are “a primary instrument for local renewable resources management...as set out in a Settlement Agreement.” (UFA 16.6.1)

The RRC mandate is outlined in Chapter 16 of Yukon First Nation Final Agreements and the roles and responsibilities of the RRCs are described in Chapters 10, 16, and 17 (see below).

Conservation

...management of Fish and Wildlife populations and habitats and the regulation of users to ensure the quality, diversity and Long Term Optimum Productivity of Fish and Wildlife populations, with the primary goal of ensuring a sustainable harvest and its proper utilization.

Wildlife

...a vertebrate animal of any species or subspecies that is wild in the Yukon, but does not include Fish, and does not include Exotic Species or Transplanted Population, unless otherwise agreed by the parties to a Yukon First Nation Final Agreement.

UFA Definitions (Ch. 1)



Chapter 10

Special Management Areas

- Review and/or make recommendations on management plans for Special Management Areas.

When a Final Agreement references a specific Special Management Area, the role of the RRC is outlined in the Specific Provisions of the Final Agreement. The Final Agreements allow for the possibility of other (non-specified) Special Management Areas. In these cases, the general provisions (10.3.3 and (10.5.5) apply.

Except for the species cited in 16.7.12.2 (national and international species), RRCs have the power to make recommendations on whether or not a species management plan is needed. If the plan is needed, the RRC also has the power to make recommendations on when the plan will come into effect and what should go into it, and provides feedback on the plan once it is drafted.

Annual RRC meetings

RRCs organize and attend one Annual Working Group meeting per year. Each RRC takes a turn organizing, facilitating and hosting the Annual Working Group; however, the costs are shared between all RRC budgets. The host RRC works with others to compile the agenda and invite relevant speakers, if required. The objective of this annual meeting is to provide the opportunity for all RRCs and the Yukon Fish and Wildlife Management Board (YFWMB) to gather and share ideas, concerns and issues regarding RRC business. The Annual Working Group provides the opportunity to meet new people, exchange ideas and express mutual support.

YFWMB hosts an RRC Chair meeting once per year. This meeting is provided for under the Umbrella Final Agreement in order to promote and enable working relationships between the YFWMB and RRCs.

RRC mandate in overlapping Traditional Territories

The provisions in the Final Agreements that establish the RRCs (16.6.0) do not apply in areas where the Traditional Territory of one First Nation overlaps with the Traditional Territory of one or more other First Nations. This means that the powers and responsibilities of the RRCs under the Final Agreements in Chapter 10, 16 and 17 do not apply in the areas where Traditional Territories overlap. An agreement among the parties to the Final Agreements as well as a subsequent amendment to those Final Agreements would be required to bring the suspended provisions into effect.

16.6.1 Renewable Resources Councils

In each Yukon First Nation's Traditional Territory, a Renewable Resources Council shall be established as a primary instrument for local renewable resources management in the Traditional Territory as set out in a Settlement Agreement.

16.7.15

The Board shall meet not less than annually with the chairpersons of the Councils.

Chapter 16

Fish and wildlife

- Harvesting requirements;
- content and timing of freshwater fish, wildlife and salmon management plans;
- management of furbearers;
- commercial and other uses of salmon; and
- allocation and conditions for commercial uses of fish and wildlife. (For example – commercial use and allocation of traplines.)

Chapter 17

Forest resources

- Forest resources management on Settlement Land and non-Settlement Land within that Yukon First Nation's Traditional Territory.

How RRCs work with other bodies



RRCs have relationships with two other bodies established under Chapter 16: the Yukon Fish and Wildlife Management Board (YFWMB) and the Salmon Sub-Committee (SSC).

The YFWMB relies on its partners and the public for:

- technical information;
- advice; and
- local or traditional knowledge.

RRCs play an important advisory role to the YFWMB by raising awareness of specific issues.

RRCs work locally at the community level within each Traditional Territory. The YFWMB's mandate includes Yukon, national, and international fish and wildlife matters. As most fish and wildlife management issues address local and territorial interests, the RRCs and the YFWMB often work closely together to manage their complementary roles.

When developing recommendations, the YFWMB may consult with the affected RRC and consider its recommendations. For example, the YFWMB may review and make additional recommendations on management plans recommended by the RRCs. The YFWMB may also communicate any YFWMB recommendations and decisions approved in accordance with 16.8.0 to the RRC within a reasonable time. The YFWMB and the RRC chairs meet no less than once a year, and the YFWMB participates in the RRC Annual Working Group.

Regulation review process with the YFWMB and the RRCs

Changes to fish and wildlife regulations are considered through a joint process between the Government of Yukon and the YFWMB pursuant to Chapter 16 of the UFA. In some cases, management actions require regulatory changes. These are advanced through “the regulation review process” managed by the YFWMB. When making regulation recommendations to governments, the YFWMB must make provisions for public input to meet obligations outlined in Chapter 16 of the Umbrella Final Agreement.

RRCs often participate in the YFWMB's regulation review process. RRCs, groups and individuals can submit proposals to the YFWMB. These proposals are reviewed through a public engagement process. During the public engagement period, RRCs can:

- invite the YFWMB and the proponents of the proposals to present during an open RRC meeting; or
- host a public meeting.

After hearing all of the comments from RRCs, Yukon First Nations, other governments, groups, organizations and individuals, the YFWMB makes recommendations to the Minister of Environment that may result in changes to how fish and wildlife are managed in Yukon. The Minister may support, set aside or vary a recommendation. Most recommendations that are “supported” by the Minister are those that require changes to law and are made by amending the regulations to the *Yukon Wildlife Act* or the *Yukon Territory Fishery Regulations*.

Cabinet ultimately has the authority to approve or reject regulation changes. Regulation changes take a minimum of two years to implement.

Salmon Sub-Committee

RRCs may make recommendations to the Yukon Salmon Sub-Committee (SSC).

The SSC is a federal committee appointed by the federal Minister of Fisheries and Oceans. It is a sub-committee of the YFWMB, and has representatives from the Department of Fisheries and Oceans (Canada), Yukon First Nations, and the YFWMB. The SSC has the power to make recommendations to federal ministers, Yukon’s Minister of Environment and to Yukon First Nations on any matter related to salmon management and their habitats in Yukon.

The SSC consults with RRCs when addressing issues specific to the RRC’s region. The SSC and the RRC may choose to work in partnership on an issue. The SSC ensures that RRCs are kept informed of SSC activities. In addition to requesting input on issues specific to an RRC, the SSC may also request input on broad ranging policies, programs and legislation.

The most common interactions between RRCs and the SSC are:

- To review and/or comment on any proposed project or initiative.
- To provide or request information.
- RRCs may make recommendations to the SSC.
- RRCs may provide input on specific aspects of salmon management plans.

“Fish” includes:



- a. portions of fish;
- b. shellfish, crustaceans, marine animals, marine plants and portions thereof;
- c. the eggs, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine animals; and
- d. such fish products and by-products as are prescribed pursuant to section 34 of the federal *Fisheries Act*.

UFA Definitions (Ch. 1)



Working with various governments in Yukon

First Nations governments

Under a Self-Government Agreement, a First Nation has the power to make laws that apply to their citizens and their Settlement Land. Ideally, RRCs should be in touch with their corresponding First Nation government on a regular basis. The First Nation lands and resources

departments are typically the first point of contact in First Nations governments. Often the main contact is the Director of Lands and Resources; however, this may vary within each First Nation government office. Official RRC recommendations to First Nation governments should be addressed to Chief and Council.

Examples of RRCs and First Nations governments collaboration:

- to engage in collaborative community fish and wildlife management planning;
- to discuss local concerns and information (traditional and local knowledge) relative to environmental assessments;
- to discuss planning issues such as habitat protection areas and management planning;
- to discuss trapline issues and make recommendations on trapline allocation;
- to get access to and share technical support (e.g., GIS projects);
- to gather information on community opinions on a variety of issues; and
- to discuss harvest management/harvest information interests.

Government of Yukon

The Government of Yukon's Department of Environment is responsible for the public management of fish and wildlife and their habitats. RRCs, as advisory structures, have input into the conservation and use of Yukon's fish, wildlife and habitat; however, they are not to duplicate the work of the responsible agency.

One of the duties of RRCs is to create an **annual workplan and budget** that will outline what it will achieve and how it will spend its funds.

Strategic planning is an RRC group activity that is used to set priorities, focus resources and strengthen operations to ensure that members and other partners are working toward common goals.

Strategic planning can help to structure agreement around intended outcomes. RRCs sometimes hire a professional facilitator to help with strategic planning. The foundation of an RRC strategic plan should be the Final Agreement and the RRC's mandate.

RRCs work closely with Department of Environment and Executive Council staff

Government of Yukon regional biologists attend RRC meetings, as government representatives, to:

- discuss local priorities for work and budget planning;
- provide technical information on fish and wildlife topics;
- discuss projects;
- report on completed projects – the Fish and Wildlife Branch publishes project reports and summaries; and
- provide RRCs the opportunity to consider the Government of Yukon's approaches on various fish and wildlife topics.

to discuss their budget and workplan priorities. The Fish and Wildlife Branch of the Department of Environment works closely with RRCs to support mutual fish, wildlife, and habitat management goals. When the Fish and Wildlife Branch Management Team plans programs for the year, they benefit from hearing from RRCs on priorities.

16.3.15



...it is intended that there not be any duplication in the public management of Fish and Wildlife.

The Fish and Wildlife Branch must work within its own yearly budget. The budget process works as follows:

October

Fish and Wildlife Branch

Assembles a package describing its projects and plans for the year.

September to February

Government of Yukon (Department of Finance)

Often identifies financial targets for departmental budgets. Each department and branch is allocated a budget to work with, which is divided between projects.

The Fish and Wildlife Branch prioritizes its projects as a team and assigns a budget to each project. It must consider government priorities, conservation interests, and branch mandate and responsibilities to legislation, Final Agreements and national and international obligations.

Composition of an RRC

16.6.4



Unless otherwise provided in a Yukon First Nation Final Agreement, Council members shall be resident within that Traditional Territory.

Chapter 2 and Chapter 16 provide guidelines and rules for nominating and appointing RRC members and for operating and managing a RRC. Some important points outlined in these two chapters are:

- An RRC shall be established within the Traditional Territory of the First Nation once a Final Agreement is in place.
- In order to be a RRC member, you must live within the Traditional Territory of the First Nation (Final Agreement 16.6.4) unless the Yukon First Nation has provided otherwise in its Final Agreement.
- The First Nation nominates 50 per cent of the membership and the Government of Yukon nominates the other 50 per cent.
- The Yukon Minister of Environment appoints all RRC and YFWMB members, whether nominated by First Nations, the Government of Yukon or the Council of Yukon First Nations. (2.12.2.4 and 2.12.2.3)
- Out of its members, the RRC selects its own chairperson, who is then appointed as chair by the Yukon Minister of Environment. (16.6.3)

Umbrella Final Agreement Chapter 2 – Boards

2.12.2

Unless otherwise provided in a Settlement Agreement, the following provisions shall apply to a Board:

2.12.2.1

a majority of the members nominated by Yukon First Nations or the Council for Yukon Indians, as the case may be, and a majority of the members nominated by Government shall be residents of the Yukon;

2.12.2.2

the Council for Yukon Indians or Yukon First Nations, as the case may be, and Government, shall put forward their nominees within 60 days of a request by the Minister;

2.12.2.3

appointments of Government nominees shall be made by the Minister as soon as practicable;

2.12.2.4

the Minister shall appoint as soon as practicable those persons nominated by Yukon First Nations or the Council for Yukon Indians, as the case may be;

2.12.2.5

in the event of a vacancy, the Board may discharge its duties with such members as have been nominated and appointed;

2.12.2.6

a member shall not be deemed to be in a position of conflict of interest solely by virtue of being a Yukon Indian Person;

Member nominations and appointments

The nomination and appointment process for RRC members is described in the Final Agreements. The appointment process includes many steps; therefore, recruitment for new members begins months prior to an expiry date

In some Final Agreements the Minister of Environment and the First Nation Chief must attempt to reach consensus regarding First Nation and Government of Yukon nominations. Consensus provisions are provided in some Final Agreements under Specific Provisions chapter 16.6.4.

Most RRCs have eight members:

- 3 First Nation-nominated full members + 1 First Nation-nominated alternate member
- 3 Government of Yukon-nominated full members + 1 Government of Yukon-nominated alternate member

The exception to this is the Teslin RRC, which has 10 members:

- 5 First Nation-nominated full members (no alternates)
- 5 Government of Yukon-nominated full members (no alternates)

and the YFWMB which has 12 members:

- 6 First Nation-nominated full members (no alternates)
- 6 Government of Yukon-nominated full members (no alternates)



2.12.2.7

members may only be removed for cause, provided however that, in addition to the grounds for removal for cause recognized generally in Law, a Board, may specify additional grounds in its procedures;

2.12.2.8

each Board shall prepare an annual budget for review and approval by Government and the approved expenses of the Board shall be a charge on Government;

2.12.2.9

each Board shall consider including in its annual budget funding to allow the Board to provide its members with cross cultural orientation and education, and other training directed to improving its members' ability to carry out their responsibilities, as well as funding for facilities to allow board members to carry out their responsibilities in their traditional languages;

2.12.2.10

each Board may adopt bylaws for its internal management and may make rules governing its procedures consistent with the Umbrella Final Agreement and with any Legislation establishing the Board;

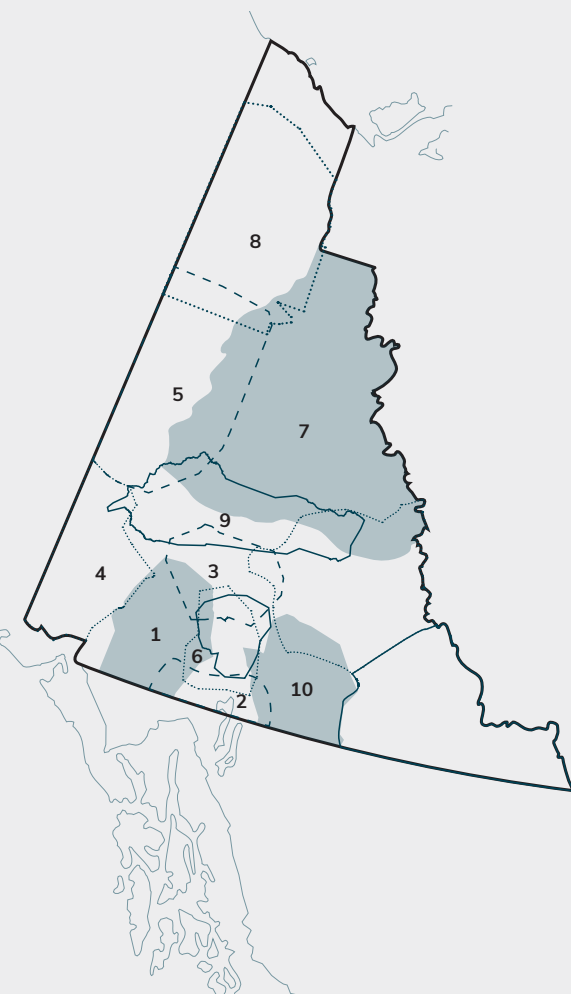
2.12.2.11

appointments to a Board shall be for a three year term except that the term of initial appointments to a Board may, in the discretion of the nominating party, be less than but not exceed three years and any appointment replacing a member whose term has not expired shall only be for the unexpired portion of that term; and

2.12.2.12

members of Boards shall not be delegates of the parties who nominate or appoint them.

Currently established RRCs and Traditional Territories



RRC	First Nation Traditional Territory	Location of RRC office
1 Alek	Champagne and Aishihik First Nations	Haines Junction
2 Carcross/Tagish	Carcross/Tagish First Nation	Tagish
3 Carmacks	Little Salmon/Carmacks First Nation	Carmacks
4 Dan Keyi	Kluane First Nation	Burwash Landing
5 Dawson District	Tr'ondëk Hwëch'in	Dawson City
6 Laberge	Ta'an Kwäch'än Council	Whitehorse
7 Mayo District	First Nation of Na-Cho Nyäk Dun	Mayo
8 North Yukon	Vuntut Gwitchin First Nation	Old Crow
9 Selkirk	Selkirk First Nation	Pelly Crossing
10 Teslin	Teslin Tlingit Council	Teslin

Umbrella Final Agreement Chapter 16 - Composition of councils



16.6.2

Subject to Trans-boundary Agree-ments and Yukon First Nation Final Agreements, each Council shall be comprised of six members consisting of three nom-inees of the Yukon First Nation and three nominees of the Minister.

16.6.3

Each Council shall determine its own procedures for selecting its chairperson from its membership. The Minister shall appoint the chair-person selected by the Council.

16.6.3.1

In the event that a Council fails to select a chairperson within 30 days of the position being vacant, the Minis-ter shall appoint a chairperson from the membership of the Council after Consultation with the Council.

16.6.4

Unless otherwise provided in a Yukon First Nation Final Agreement, Council members shall be resident within that Traditional Territory.

16.6.5

Unless otherwise provided in a Yukon First Nation Final Agreement, appointments to a Council shall be for a five year term, except for the initial appointments. One third of the initial appointments shall be made for three years, one third for

four years, and one third for five years. Thereafter, the appointments shall be for five years. All appointments to the Council shall be dur-ing good behaviour.

RRC members – duties and obligations

RRCs have a responsibility to provide opportunities for local and public involvement in their decision-making and in the drafting of recommendations. Recommendations and advice typically relate to changes to fish, wildlife and land management. Therefore, input from local residents, scientists and other affected parties is part of the RRC mandate as per 16.6.6 of the respective Final Agreements.

Public involvement in the development of RRC decisions and recommendations

An important role of the RRC is to consider views and suggestions from community members within the Traditional Territory it represents.

To date, there are many ways that RRCs have worked within their communities to encourage public involvement in RRC activities. Many RRCs hold community open houses to increase their profile and enhance community knowledge and understanding of renewable resources issues. The open house is a positive way for an RRC to extend appreciation to the community for their input.

RRCs also work on promotional materials to encourage public engagement and education. Some materials RRCs have produced are a harvest handbook, an RRC newsletter and various calendars. The RRCs also sponsor and /or participate in many community events that encourage public involvement; for example, Outdoor Pursuits Fair and Caribou Days in Old Crow, the Dawson Fur Show, and Mayo's community habitat clean-up.

16.6.3



Each Council shall determine its own procedures for selecting its chairperson from its membership. The Minister shall appoint the chairperson selected by the Council.

16.6.6

Each Council shall make provisions for public involvement in the development of its decisions and its recommendations.

16.6.9

Each Council, **acting in the public interest** and consistent with this chapter, may make recommendations to the Minister, the affected Yukon First Nation, the Board and the Sub-Committee on any matter related to Conservation of Fish and Wildlife.

16.6.11

Each Council shall be granted status as an interested party to participate in public proceedings of any agency, board or commission on matters that affect the management and Conservation of Fish and Wildlife and their habitats within the relevant Traditional Territory for which that Council was established.



2.12.2.10



each Board may adopt bylaws for its internal management and may make rules governing its procedures consistent with the Umbrella Final Agreement and with any Legislation establishing the Board;

RRC operating policies and procedures

To date, all RRCs have written their own *Operating Policies and Procedures* that outline their internal workings. RRCs submit their operating procedures to the Government of Yukon when they are created, updated or changed in any way. The Government of Yukon has a template to assist in developing operating procedures.

An annual review of bylaws and operating procedures is also recommended.

What is “fair play in action”?

There are three key principles of fairness or justice that must guide decisions:

1. People have a right to be heard: they must have a fair opportunity to present their case whenever their interests might be adversely affected by a decision.
2. Decisions must be made by those free of bias.
3. The decision must be based on evidence, not on speculation or suspicion, and the decision must be communicated in a way that makes clear what evidence was used in making the decision.

RRC members’ responsibilities



Attend meetings.

Follow “conflict of interest” and “code of conduct” rules and guidelines.

Become familiar with the operating procedures of your RRC.

Maintain confidentiality.

Understand the importance of being an independent board.

Do homework and come prepared for meetings, review the agenda, read background documentation provided and gather other information that may help the RRC.

Contribute to RRC meetings by presenting your views; and where possible base these on relevant materials and public input.

Work constructively with RRC staff and members.

Represent the public honestly and fairly.

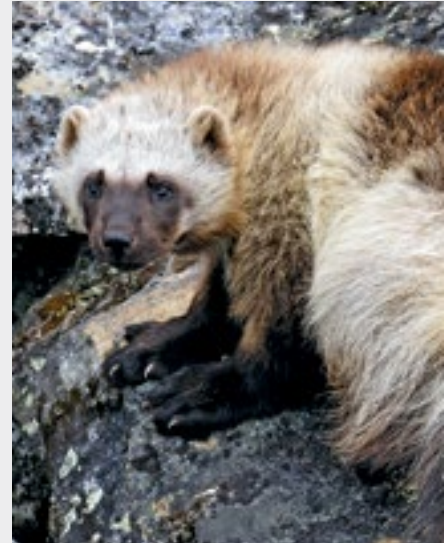
Recognize that an RRC member has no individual legal authority and that decisions and/or recommendations made within the RRC’s scope can only be made by a majority vote at an RRC meeting.

Do not take private action that might compromise the RRC or secretariat.

Encourage and respect the free expression of opinion and equal participation by all RRC members and others who are presenting.

Have some familiarity with Robert’s Rules of Order if they are to be used during RRC meetings.

Be a good listener and ask questions.





Council chairs

The chair (or co-chairs) is the leader and main spokesperson for the RRC. The chair sets the agenda, leads council meetings and facilitates discussion on all matters before the RRC.

Duties include:

- acting as the council's spokesperson;
- ensuring effective council performance; and
- managing conflict.

As the main point of contact between the RRC and the Minister responsible for the entity, the chair should work to build a constructive relationship with the Minister.

The process for appointing an RRC chair is explained in the Final Agreements chapter 16.6.3. Currently the chair or co-chair positions are for a one year term; however, they can be for longer periods of time if the RRC agrees. The term for a chair cannot exceed the member's term. Therefore, the expiry date of a member's term should be reviewed when electing a chairperson.

Executive Secretariats

It is the responsibility of RRCs to hire an Executive Secretariat to help with the financial and operational administration of RRC business.

- The Executive Secretariat is an employee of the RRC.
- They get paid an annual salary.
- The Secretariats are not RRC members and cannot vote on RRC business.

An RRC may choose to hire an independent bookkeeper. In that case, the Executive Secretariat would coordinate the financial information sent to an independent bookkeeper.

This employer-employee relationship should not be looked at simply in economic terms. It is a significant relationship of mutual cooperation that has a great effect on all RRC members, and the organizations and public that they work with. Both the employer and the employee have moral obligations of mutual respect and should be willing to cooperate and support each other in their roles.

Usually, the RRC chair or co-chairs directly supervise the RRC secretariat. The chair or co-chairs should discuss the employee/employer supervisory and communication practices of the RRC with council members.

To be an effective Executive Secretariat, the incumbent should have a variety of financial, administrative and project management skills:

- **Financial** – Prepare budgets, financial statements and reports, coordinate yearly audit, administer accounts payable and receivable, reconcile bank statements, track honoraria and travel expenses, prepare payroll, Workers' Compensation Board coverage, GST rebates and/or coordinate with an independent bookkeeper.
- **Research and background** – Research and provide background materials for members.
- **Meetings** – Coordinate meeting dates and logistics, prepare and circulate packages for meetings, take meeting minutes.
- **General administration** – Filing, chair/council support, travel arrangements, draft correspondence regarding recommendations, field public queries.
- **Project management** – Take initiative, demonstrate time management and ability to accomplish the RRC goals, create work plans where appropriate.
- **Public relations and consultation** – Act as a liaison to communities where required and share general information about RRCs.



Specific provisions **16.6.2.1**

The Champagne and Aishihik First Nations and the Minister may each nominate one additional member as an alternate member to the Council.

16.6.2.2

Subject to 16.6.2.3, an alternate member may participate in the work of the Council.

16.6.2.3

An alternate member shall only receive remuneration and travel expenses and may only vote in the absence of a member nominated by the party which nominated the alternate.

Alternate members

The appointment of an alternate member is described in the Specific Provisions of each Final Agreement under 16.6.2. For an example, see the Champagne and Aishihik First Nations Final Agreement Section 16.6.2 specific provisions quoted on the left.

Alternate members are free to attend all meetings and participate in the work of the RRC; however, they cannot receive honoraria and/or travel expenses, nor can they vote unless they are attending on behalf of a full member. The alternate must replace a member nominated by the same party as themselves. Alternate members do not have financial signing authority nor can they be appointed as a chair or co-chair.



Financial roles and responsibilities

Financial responsibilities

RRC members are responsible for how the RRC's money is managed, spent and recorded. The more council members learn about the financial management of their RRC, the more confident they will be in making financial decisions.

Financial Management is defined as: planning, directing, monitoring and controlling the monetary resources of an organization.

There are many documents and tools that the RRC can use to ensure good financial management.

Documents that every RRC member should review

- Transfer Payment Funding Agreement;
- work plan and budget;
- audited financial statements and annual report;
- monthly reports;
- in-house financial statements; and
- financial policies and procedures.

The funding agreement

- Under the Umbrella Final Agreement Implementation Plan, the Government of Yukon has the responsibility for passing core funding from Canada to the RRCs using a funding agreement called the Transfer Payment Funding Agreement (TPFA).
- The purpose of the TPFA is to provide funds to the council so that the council is able to fulfil its mandate and carry out its responsibilities under the First Nation Final Agreement.
- The RRC and Government of Yukon sign a TPFA every fiscal year.
- The fiscal year for the RRC starts April 1 and ends March 31.
- The TPFA sets out the terms and conditions of the funding and has the work plan, budget and schedule of deliverables attached as appendices.
- Two very important clauses in the TPFA are summarized below:
 - The RRC can only keep a total of up to 15 per cent of yearly core (TPFA) funding in unexpended funds for use in future years on a rolling basis.
 - The RRC should keep TPFA funding and TPFA expenses separate from other funding.

The financial records of the RRCs and the financial statements are to be prepared and maintained in accordance with generally accepted accounting principles as defined within the *Public Sector Accounting and Auditing Handbook* or *The Chartered Professional Accountants of Canada (CPA Canada) Handbook*.

2.12.2.8



“each Board shall prepare an annual budget for review and approval by Government and the approved expenses of the Board shall be a charge on Government”. Greater detail is provided in Chapter 16.6.7 to 16.6.8 of the UFA.



Work plan and budget

- The work plan highlights the RRC's priorities and describes the activities that the RRC intends to carry out in the fiscal year.
- The budget reflects how much it will cost to run the RRC (office rental, staff wages) and complete the activities listed in the work plan. It is subject to the review and approval of the Government of Yukon.
- The work plan and budget are created together, driven by the RRC mandate, available funds, and the identified priorities or strategic plan.

Audited financial statements and annual report

- An audit is performed by a qualified auditor.
- An audit is a review of the financial transactions and records of the RRC within a fiscal year for the purposes of verification.
- An annual report is a document that reports on the activities of the RRC in a fiscal year
- An annual report evaluates how well the RRC achieved the goals and did the activities described in its work plan.
- Together, the audit and annual report explain the successes and challenges of the budget and work plan.

Monthly reports

- The RRC creates monthly financial and activity reports for internal use. These are usually reviewed at monthly meetings.
- The RRC's accounting software usually produces monthly financial reports.
- Monthly financial reports are a financial tracking tool that compares what was actually spent to what was budgeted and confirms that the RRC is meeting its financial obligations such as rent and payroll.
- Monthly activity reports (verbal or written) are also used to track an RRC's activities and work plan progress.

In-house financial statements

- The RRC's accounting software also produces in-house financial statements. These include a balance sheet and income statement. In-house financial statements are similar to audited financial statements in appearance, but an auditor has not reviewed them.
- The RRC submits in-house financial statements to the Government of Yukon twice a year.
- The in-house financial statements provide a current picture of how much money the council currently has left, how much has been spent, and a comparison to the annual budget to make sure spending is on track.

Financial policies and procedures

- A written "policies and procedures" document is a clear guide for both new and experienced members.
- RRCs draft their own financial policies and procedures, and submit any updates or changes to the Government of Yukon as required in the TPFA.
- It answers questions on how to use the RRC's finances and provides a list of controls to ensure that the RRC uses the money for its intended purpose. For example:
 - **Signing authorities** – Who signs cheques? How many signatures are required?
 - **Purchasing** – When is a purchase order needed?
 - **Assets** – How to safeguard assets, and who can authorize purchase?
 - **Payment** – Is it legitimate, appropriate, or reasonable for RRC purposes only and in accordance with council policy?
 - **Petty cash** – Who has access to it, what is it used for, and how much is it?





Conflict of interest and confidentiality



Conflict of interest references:

1. Final Agreements – Chapter 2.12.2.6
2. Transfer Payment Funding Agreements between the Government of Yukon and the RRCs – Section 17.0
3. Individual RRC “Operating Procedures – Conflict of Interest Guidelines”

RRC conflict of interest guiding principles

- RRC members may not receive personal gain, financial or otherwise, by virtue of their RRC membership position. This does not include honoraria, per diems etc. paid to active members.
- An RRC member may not use their RRC position to give benefits or special favours to others.
- An RRC member may not place themselves in a position where they could be under obligation to anyone who might seek to benefit from their position.
- The RRC member’s role is not to represent the party that has nominated them.

2.12.2.12



...members of Boards shall not be delegates of the parties who nominate or appoint them.

RRC's duty of fairness

Conflict of interest

A conflict of interest is a situation when there is an actual or perceived incompatibility between an RRC member's duties and their personal or professional interests.

Each RRC is responsible for fair decision-making. At times, the RRC chair must make decisions that affect individuals, such as trappers or hunters. A central part of the responsibility to be fair in decision-making is to avoid having a pre-conceived or rigid view about a decision before making it. RRC members should approach decision-making with an open mind and an unbiased attitude, and avoid any conflict of interest. In general, it is the responsibility of each RRC member and the collective responsibility of the RRC to identify a conflict of interest when it occurs.

If a conflict arises, the member(s) involved should disclose it to their RRC and Executive Secretariat and remove themselves from the decision-making process. Once a conflict is declared, it must be recorded in the meeting minutes. Some conflicts are temporary; they have an obvious beginning and end, do not occur on an ongoing basis, and can be remedied.

There are situations where a conflict of interest may prevent an individual from being appointed to an RRC or to continue to act as an RRC member. If a member is in a position of an ongoing conflict of interest that would require them to remove themselves repeatedly from RRC business, then the effectiveness of their membership would be seriously diminished.

There are various jobs within the Yukon and First Nation governments that would make it difficult for those employed to serve as RRC members. For example:

- elected First Nation or Government of Yukon officials;
- government employees responsible for portfolios that overlap with the RRC mandate;
- government employees who are financially accountable for programs affecting the RRC mandate; and
- an RRC member that has a part in forwarding a recommendation which they will subsequently receive and administer in their capacity as a government employee.

Consequences of bias

Recommendations made by RRCs have the potential to directly impact the lives and livelihoods of others. For example, recommendations to allocate vacant traplines may be a regular occurrence. RRCs may have to publicly defend the process and criteria used to recommend one applicant over another. If the RRC cannot articulate sound and fair selection criteria based on the merit of applicants, the RRC could face public discredit and the tarnishing of individual council members' reputations.

Respecting the confidentiality of board discussions

Confidential information includes proprietary, technical, business, financial, legal, personal or any other information that the board treats as confidential. Members should not, either during their term or after their term as members has ended, disclose such information unless authorized to do so. Members should never disclose or use confidential information gained by virtue of their association with the board for personal gain or to benefit their family members, friends or business associates.

In camera

Matters discussed “in camera” (portions of meetings that are closed to the public) are usually deemed to be confidential unless and until the council authorizes the release of information. The RRC should consider carefully when and if it will meet in camera. The right of the public to know what decisions are taken or to make presentations during board meetings needs to be weighed against sound arguments for restricting this type of access.

Council members should decide which matters are in the “public domain.” Together, council members should ask and then decide on the confidentiality of the different types of issues or information, rather than deal with each issue when it arises.

One approach for the RRC could be to hold meetings that are open to the public and interest groups, unless the council is dealing with matters it has deemed to be confidential, or that are confidential under the enabling legislation or under the *Access to Information and Protection of Privacy Act*.

Confidential topics could include personal information about staff, members or non-members; programs such as workers’ compensation; financial statements; and salary negotiations.



RRC powers and responsibilities

Making recommendations

By making recommendations, RRCs provide substantial input into fish, wildlife and habitat planning and management by territorial, federal and First Nations governments.

Some recommendations require a formal response from the Minister of Environment and some do not. RRCs have:

- **General authorities:** These provide for recommendations to be made to a Minister, the YFWMB, the affected First Nation or the SSC on “any matter related to the conservation of Fish and Wildlife.”
- **Specific authorities:** These include recommendations that must follow the process stated in the Final Agreement section 16.8.0. This section explains when the Minister must respond to specific recommendations.

Important things to remember when making recommendations:

- Track all recommendations as records.
- Before submitting a recommendation, RRCs should contact the Government of Yukon to determine whether a same or similar recommendation has been made before.
- The Government of Yukon has a recommendation inventory.
- Identify the authority under which the RRC is making the recommendation by citing the appropriate Final Agreement and relevant section. This will help to determine if it requires a formal response from the Minister and/or if it is subject to the timelines of 16.8.0. See the recommendations table on pages 32 to 41.
- A letter to the Minister should explain the recommendation, and include rationale supporting it.
- Recommendations sent to the Minister in the form of a letter need to be concise and complete. See the suggested template on the next page.
- A recommendation to the Minister is confidential and should not be copied to anyone else.
- Use appropriate letterhead and ensure the letter is signed by the chair or co-chairs of the RRC.



Suggested letter of recommendation template

____ [Date] _____

[RRC logo and letterhead address]

Honourable _____
 Minister of Environment
 Government of Yukon
 Box 2703
 Whitehorse, YT Y1A 2C6

Dear Minister _____,

Re: _____ RRC Recommendation on _____

The _____ RRC is established under the _____ First Nation Final Agreement and is considered a formal public body under that agreement.

Under authorities set out in the agreement, RRCs have the ability to make recommendations to relevant management authorities regarding the local conservation of fish and wildlife. This paragraph should outline your understanding of your authority to be making this recommendation.

Background paragraph: Briefly describe the background to the issue and the rationale for your recommendation. This should be as short and to-the-point as possible.

- Describe the issue in one or two sentences.
- Describe any relevant scientific, traditional or local knowledge related to the issue.
- Describe any actions, consultations or activities that have been carried out to inform your opinion on this issue (e.g. public meetings, discussions with regional biologist, field work).

Therefore, under our authority described in the _____ FA chapter 16 _____, [This should specifically name the authority (or authorities) that you are making this recommendation under. BE SPECIFIC. If it is related to one of your authorities listed under 16.6.10, it will require the 16.8.0 process to be followed.] the _____ RRC formally recommends the following:

Recommendation: Make sure it is clear that this is your recommendation and that the recommendation makes sense. (For example: That the Department of Environment work with the ____ First Nation and the RRC over the next two years to develop a ____ management plan for the _____ area.) This kind of recommendation would be under the RRC's authority outlined in 16.6.10.1.

This recommendation is/is not [It is important to indicate whether or not you see this recommendation following the 16.8.0 process and is directly linked to the authority that you are making the recommendation under] subject to the process outlined in 16.8.0.

Thank you for considering our recommendation. We look forward to your response. If you have any questions, please contact, _____ (Name) _____, our Executive Secretariat at _____ (Phone number) _____ or _____ (e-mail address) _____.

Sincerely,

_____ (Signature, name and position — chair or co-chair) _____

Confidentiality and recommendations

When making recommendations be aware of the confidentiality clause in Final Agreement 16.8.3:

Unless the Minister directs otherwise, all recommendations and decisions of the Board shall be kept confidential until the process in 16.8.4 to 16.8.6 has been completed or the time for the process has expired.

This Section must be read with 16.8.1.1 in mind:

In 16.8.2 to 16.8.7 Board means the Board, Councils and Sub-Committee

Confidentiality concerning recommendations and decisions refers to recommendations made by RRCs and the YFWMB. Recommendations and decisions of RRCs are to be kept confidential until the Minister has made a formal decision via signed correspondence to the affected RRC or the YFWMB. Although the RRCs often gather input from their communities, once a recommendation is sent, it should not be discussed outside of the RRC. The contents of the recommendation letter and any decisions surrounding it should not be communicated outside of the RRC.

Documents, such as applications, licences and registrations, constitute important information that RRCs keep in their files in order to make recommendations and decisions regarding the use and allocation of traplines. These files contain personal information that should remain confidential. Guidance on records management is available through the Government of Yukon.

Ministerial response to recommendations

The Minister's response to specific recommendations from an RRC follows the process outlined in 16.8.0 of the Final Agreements.

These following terms are used in response to recommendations:

- **Accept** – In the Final Agreements, “accept” means to approve. Where a recommendation is accepted, the government is obliged to implement it as soon as practical. In some instances, such as a change in legislation, the Minister is unable to accept a recommendation. Where the Minister agrees to advance a recommendation to consideration by Cabinet, the Minister will communicate “**support**”.
- **Vary** – The Minister may make changes to portions of the recommendation or decision, such as accepting a part of the recommendation and varying a part of the recommendation.
- **Set Aside** – The recommendation will be rejected, as opposed to the idea that it will be held for future consideration.
- **Replace** – To substitute a different option from the original recommendation or decision.

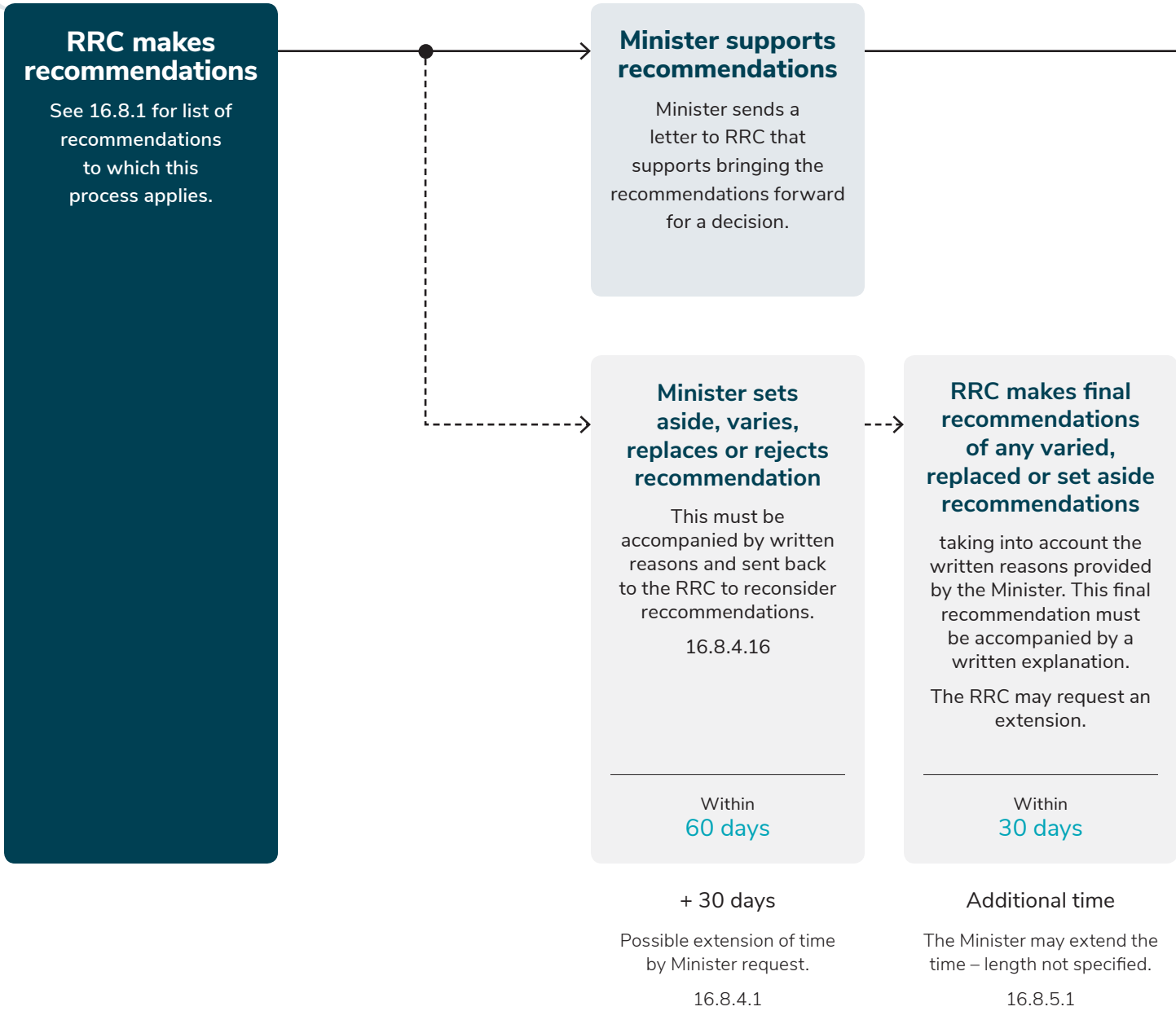


16.11.10.5



Yukon and the Council shall maintain a register of Category 1 and Category 2 Traplines, and the Yukon First Nation shall also maintain a register of Category 1 Traplines...

Timelines for recommendations





Recommendations table

UFA clause	Subject	RRCs: Powers/responsibilities		
		From	To	FRR*
16.6.9	Each Council, acting in the public interest and consistent with this chapter, may make recommendations to the Minister, the affected Yukon First Nation, the Board and the Sub-Committee on any matter related to Conservation of Fish and Wildlife.	RRC	Minister, Affected First Nation, YFWMB, SSC	✗
16.6.10	Subject to Yukon First Nation Final Agreements and without restricting 16.6.9, each Council:			
16.6.10.1	May make recommendations to the Minister on the need for and the content and timing of Freshwater Fish and Wildlife management plans, including Harvesting plans, Total Allowable Harvests and the allocation of the remaining Total Allowable Harvest, for species other than the species referred to in 16.7.12.2;	RRC	Minister	✓
16.6.10.2	Local management concerns for species referenced in 16.7.12.2	RRC	YFWMB	✓
16.6.10.3	Allocation of commercial and other uses of Salmon	RRC	SSC	✓
16.6.10.4	Harvest requirements, including those within the adjusted Basic Needs level in guidelines established in First Nation Final Agreements.	RRC	YFWMB	✓
16.6.10.5	Need for and the content and timing of salmon management plans	RRC	SSC	✓
16.6.10.6	Establishment of bylaws under the <i>Wildlife Act</i> for the management of Furbearers Amendments to the <i>Wildlife Act</i> are required to enable RRC bylaws.	RRC	Minister	✓
16.6.10.7	Management of Furbearers	RRC	Minister, Affected First Nation	✓
16.6.10.8	Traplines and reassignment of all new, vacant and under-utilized traplines	RRC	Minister, Affected First Nation	✓
16.6.10.9	Priorities and policies related to Enforcement of Legislation and alternatives to penal sanctions with respect to Fish and Wildlife	RRC	Minister	✓
16.6.10.10	Commercial uses of Wildlife and Fish other than Salmon	RRC	Minister	✓
16.6.10.11	Applications for research permits	RRC	Minister	✓
16.6.10.12	Yukon First Nation management of Fish and Wildlife on its Settlement Land	RRC	Affected First Nation	✗

RRCs: Powers/responsibilities				
UFA clause	Subject	From	To	FRR*
16.6.13	Minister recommends to the Yukon Legislative Assembly an amendment to the Wildlife Act to enable the RRCs to establish bylaws	Minister	Yukon Legislative Assembly	✗
16.6.14	Minister proposes to implement a Total Allowable Harvest which would require the implementation of Basic Needs Level provisions for a species or population in a Traditional Territory in accordance with this chapter, the affected Council may make recommendations to the Minister on alternative measure that could be considered in the place of implementing the Basic Needs Level provisions.	RRC	Minister	✓



*FRR: Formal response required under 16.8.0

RRCs and the YFWMB					
UFA clause	Subject	From	To	FRR*	Cross reference
16.7.11	The Board, acting in the public interest and consistent with Chapter 16 and taking into consideration all relevant factors including recommendations of the Councils, may make recommendations to the Minister, to Yukon First Nations and to the Councils, on all matters related to Fish and Wildlife management, Legislation, research, policies, and programs.	YFWMB	Minister, First Nations, RRCs	✗	
16.7.12.3	The Board may review and make recommendations to the Minister and to Yukon First Nations on management plans recommended by the Councils, specifically the population goals and the management options contained within those plans;	YFWMB	Minister, First Nation	✓	
16.7.12.7	After Consultation with the affected Councils, may recommend to the Minister restrictions on methods and practices of harvest for reasons of Conservation, public health, public safety and, in exceptional circumstances, for protection of the renewable resources economy associated with the Use of Fish or Wildlife resources;	YFWMB	Minister	✓	16.3.3 16.4.11.1
16.7.12.8	At the request of the RRC may assist the council in the performance of its duties.	Does not refer to a recommendation			
16.7.12.9	May subject to approval of the Minister and the RRC, delegate the performance of its responsibilities to a RRC.	Does not refer to a recommendation			
16.7.12.10	May, in Consultation with the Councils and subject to Yukon First Nation Final Agreements, identify new opportunities and recommend to the Minister management measures for commercial Uses of Fish and Wildlife.	YFWMB	Minister	✓	
16.7.14	The Board shall communicate to the Councils its recommendations and decisions approved in accordance with 16.8.0 within a reasonable time.	YFWMB	RRCs	✓	
16.7.15	YFWMB annual meeting with RRC chairs	Does not refer to a recommendation			

*FRR: Formal response required under 16.8.0

RRCs and the Salmon Sub-Committee				
UFA clause	Subject	From	To	FRR*
16.7.11	The Sub-Committee, acting in the public interest and consistent with Chapter 16 and taking into account all relevant factors including recommendations of the Councils, may make recommendations to the Minister and to Yukon First Nations on all matters related to Salmon, their habitats and management, including Legislation, research, policies and programs.	SSC	Minister, First Nations	✘
16.7.17.12(d)	SSC may seek, from an RRC or the public, input on specific aspects of a Salmon Management Plan.	Does not refer to a recommendation.		



*FRR: Formal response required under 16.8.0

RRC roles: Special Management Areas			
UFA clause	Subject	FRR*	Cross reference
10.3.3	Except as provided in a Yukon First Nation Final Agreement, where Government proposes to establish a Special Management Area, Government shall refer the proposal to the affected Renewable Resources Council for its review and recommendations.	✗	
10.3.4	Government may refer proposals to establish historic territorial parks, national historic sites administered by the Canadian Parks Service or to designate Heritage Sites as Designated Heritage Sites to the Heritage Resources Board established pursuant to 13.5.0 instead of the affected Renewable Resources Council for its review and recommendations.	✗	13.5.0 (Heritage Resources Board)
10.5.5	The management plan and any proposed amendments thereto shall be referred before approval to the relevant Renewable Resources Council or to the Yukon Heritage Resources Board, as the case may be, for its review and Recommendations.	✓	
10.7.1	Fish and Wildlife within Special Management Areas shall be managed in accordance with Chapter 16 - Fish and Wildlife.	N/A	Chapter 16

RRC roles: Fish and wildlife harvests			
UFA clause	Subject	FRR	Cross reference
16.9.2	The Board, pursuant to 16.7.12.4, and the Council, pursuant to 16.6.10.1, may establish, modify or remove Total Allowable Harvests for Freshwater Fish or Wildlife populations from time to time in the Yukon but shall only do so if:	✓	16.6.10.1 16.7.12.4
16.9.2.1	required for Conservation, public health or public safety;	N/A	16.6.10.1 16.7.12.4
16.9.2.2	required due to the inability of various Fish and Wildlife species and populations to meet sustainable yield requirements as determined by scientific research and surveys and the special knowledge of Yukon Indian People;	N/A	
16.9.2.3	required to achieve the goals and objectives identified by species and population management plans; and only to the extent reasonably necessary to achieve those ends.	N/A	
16.9.4	The Board, pursuant to 16.7.12.4, or the Council, pursuant to 16.6.10.1, shall recommend to the Minister the allocation of that portion of the Total Allowable Harvest which is not allocated to a Yukon First Nation to satisfy its Basic Needs Level or adjusted Basic Needs Level.	✓	16.6.10.1 16.7.12.4

*FRR: Formal response required under 16.8.0

RRC roles: Adjusted basic needs levels			
UFA clause	Subject	FRR*	Cross reference
16.9.8	Once a Basic Needs Level has been set pursuant to a Yukon First Nation Final Agreement, the Board may, upon the recommendation of a Council or a Yukon First Nation, review and recommend to the Minister the adjustment of the Basic Needs Level. In reaching its decision about adjusting the Basic Needs Level, the Board shall, in addition to the factors listed in 16.9.6, take into consideration the following factors:	✓	16.9.6
16.9.8.1	human population change within the Traditional Territory;	N/A	
16.9.8.2	changing patterns of consumption;	N/A	
16.9.8.3	the cultural and nutritional importance of Fish and Wildlife to Yukon Indian People;	N/A	
16.9.8.4	the use and Harvesting of Fish and Wildlife for personal use by Yukon residents; and	✓	
16.9.8.5	the commercial consumptive and Non-Consumptive Use of Fish and Wildlife.	N/A	
16.9.16	In the event that the Total Allowable Harvest is less than a Basic Needs Level or an adjusted Basic Needs Level, Government, the Yukon First Nation, the Board and the affected Council shall endeavor to rehabilitate the population.	N/A	

RRC roles: Trapline management and use			
UFA clause	Subject	FRR*	Cross reference
16.11.1	Yukon First Nation Final Agreements shall set out the manner in which Government, Councils, the Board and Yukon First Nations participate in the regulation, management and Use of Furbearers, including the manner in which local bylaws approved by the Council will be implemented.	N/A	

RRC roles: General guidelines for the councils			
UFA clause	Subject	FRR*	Cross reference
16.11.2	In establishing local criteria for the management and Use of Furbearers in accordance with and 16.6.10.6 and 16.6.10.7, the Councils shall provide for:	✗	16.6.10.6 16.6.10.7
16.11.2.1	the maintenance and enhancement of the Yukon's wild fur industry and the Conservation of the fur resource; and	✗	
16.11.2.2	the maintenance of the integrity of the management including individual traplines within group trapping areas.	✗	

*FRR: Formal response required under 16.8.0

RRC roles: Trapline allocation formula			
UFA clause	Subject	FRR*	Cross reference
16.11.3.4	The Renewable Resources Council established for the Traditional Territory of a Yukon First Nation described in 16.11.3 shall establish additional criteria for the process by which the transition to the target set out in 16.11.3 is to be achieved, including transfers of traplines other than those pursuant to 16.11.3.3, which also may be permitted notwithstanding 16.11.3.1.	✘	16.11.3

RRC roles: Trapline allocation process			
UFA clause	Subject	FRR*	Cross reference
16.11.10	The Council shall regularly review the use of traplines and make recommendations to the Minister and Yukon First Nations on the assignment and reassignment of all new, vacant and under-utilized traplines pursuant to criteria that it establishes in accordance with 16.6.10.6 and 16.6.10.7, as follows:	✔	16.6.10.6 16.6.10.7
16.11.10.1	new and vacant traplines shall be assigned with regard to criteria established by the Council and, to the extent possible, in accordance with 16.11.3;	✔	16.11.3
16.11.10.4	upon mutual agreement between the trappers concerned, and with the approval of the Council, the Yukon First Nation and the Minister, a trade may be arranged between Category 1 and Category 2 Traplines, with consequent re-designation of the status of the traplines;	✔	
16.11.10.5	the Yukon and the Council shall maintain a register of Category 1 and Category 2 Traplines, and the Yukon First Nation shall also maintain a register of Category 1 Traplines;	✔	



*FRR: Formal response required under 16.8.0

RRC roles: Access for wildlife harvesting on Settlement Land			
UFA clause	Subject	FRR*	Cross reference
16.12.1	Any trapper whose trapline is wholly or partially on Settlement Land shall continue to exercise all rights as a trapper to his or her trapline without fee in accordance with Settlement Agreements and Laws of General Application and bylaws established by the RRC.	N/A	16.6.10.6 16.6.10.7



*FRR: Formal response required under 16.8.0

RRC roles: Forest resources			
UFA clause	Subject	FRR*	Cross reference
	The Government of Yukon's Department of Energy, Mines and Resources (EMR) involves the RRCs in the development of Forest Resources Management Plans. EMR involves the RRCs in the planning process through the provision of a representative on the planning committee and/or they provide funding for the RRC to facilitate planning meetings.		
17.2.2	The Minister of the Department of Energy, Mines and Resources, shall Consult with the affected Renewable Resources Councils:	N/A	Forest Resources Act: 8(4)(c); 9(5)(b)
17.2.2.1	prior to establishing a new policy likely to significantly affect Forest Resources Management, allocation or forestry practices; and	N/A	
17.2.2.2	prior to recommending to Parliament or the Legislative Assembly, as the case may be, Legislation concerning Forest Resources in Yukon.	N/A	
17.4.1	A Renewable Resources Council may make recommendations to the Minister and the affected Yukon First Nation with respect to Forest Resources Management on Settlement Land and Non-Settlement Land within that Yukon First Nation's Traditional Territory, including:	N/A	
17.4.1.1	the coordination of Forest Resources Management throughout the Yukon and in the relevant Traditional Territory;	✗	
17.4.1.2	the need for, and the content and timing of, Forest Resources inventories and management plans;	✓	
17.4.1.3	the policies, programs and Legislation which affect Forest Resources;	✓	
17.4.1.4	proposals for Forest Resources research;	✗	
17.4.1.5	forest fire suppression plans, including the human, technical and financial re- sources required, the definition and establishment of priority zones for firefighting and procedures for the monitoring, periodic review and amendment of the plans;	✓	
17.4.1.6	the allocation and use of Forest Resources for commercial purposes, including the terms and conditions of tenure, standards of operation, rates of harvest and means of access to Forest Resources;	✓	
17.4.1.7	employment opportunities and training requirements in Forest Resources Management and commercial Forest Resources harvesting;	✗	
17.4.1.8	measures for the control of forest pests and diseases; and	✗	

*FRR: Formal response required under 16.8.0

RRC roles: Forest resources			
UFA clause	Subject	FRR*	Cross reference
17.4.1.9	other matters relating to the protection and management of Forest Resources.	✘	
17.4.2	Upon request by a Renewable Resources Council, the Minister and a Yukon First Nation may make available to the Council information in their possession with respect to the following:	N/A	
17.4.2.1	Forest Resources inventories;	N/A	
17.4.2.2	Forest Resources Management plans;	N/A	
17.4.2.3	Proposals for Forest Resources research; or	N/A	
17.4.2.4	Information on policies and programs related to Forest Resources.	N/A	
17.4.3	Renewable Resources Councils shall cooperate with each other and with Yukon First Nations in matters of common concern and shall explore means of coordinating their activities.	N/A	
17.4.4	Yukon First Nations shall cooperate with each other and with Renewable Resources Councils in matters of common concern and shall explore means of coordinating their activities.	N/A	
17.4.5	A Renewable Resources Council may submit a budget for costs of carrying out its responsibilities under this chapter as a part of the budget submitted under 16.6.7.	N/A	16.6.7



*FRR: Formal response required under 16.8.0

Land claims agreements



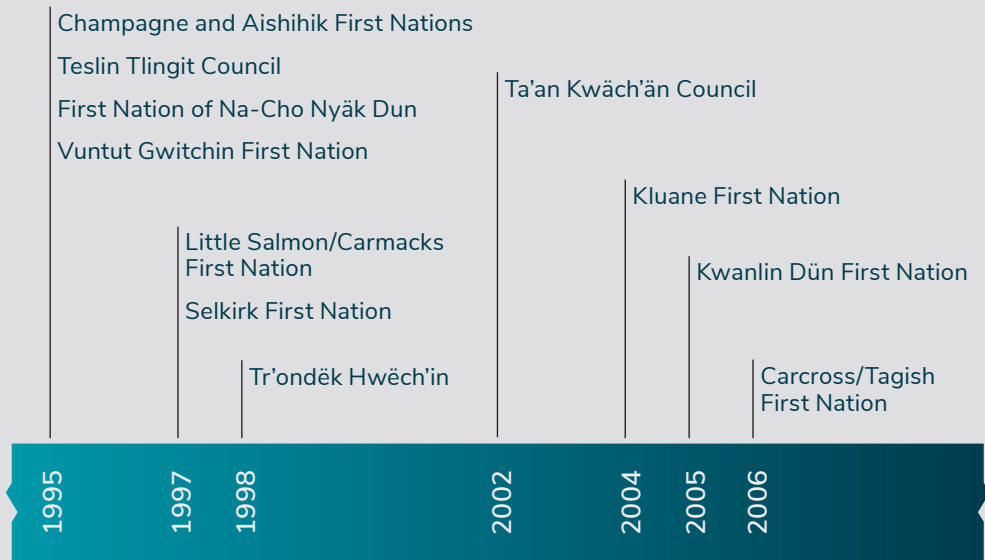
Background

Yukon’s land claims commenced when the Yukon Native Brotherhood presented a document called *Together Today for Our Children Tomorrow: A Statement of Grievances and an Approach to Settlement by the Yukon Indian People*, to Prime Minister of Canada, Pierre Trudeau, in January 1973. Since then, the Council of Yukon First Nations signed the Umbrella Final Agreement and 11 of Yukon’s 14 First Nations have signed Final Agreements.

Umbrella Final Agreement

The Umbrella Final Agreement (UFA) is an agreement between the Government of Canada, Government of Yukon and Yukon First Nations. The UFA represents a “political” agreement made between these three parties. The UFA laid the foundation for the negotiation of land claims and self-government for Yukon First Nations. By itself, the UFA is not a legally enforceable treaty; however, all of the UFA terms are contained in each First Nation Final Agreement, which is where they hold the power of law.

Yukon First Nations with established Final and Self-Government Agreements, and the year they came into effect:



Liard First Nation, Ross River Dena Council and White River First Nation have not settled land claims and remain Indian Bands under the federal *Indian Act*.

Final Agreements

A Final Agreement is signed by the Government of Canada, Government of Yukon and the affected Yukon First Nation. The Final Agreements contain all of the text of the Umbrella Final Agreement with the addition of specific provisions that apply to the individual First Nation.

The Final Agreements designate Settlement Lands and deal with matters of finance, wildlife, land and resource management, and other matters such as heritage. Final Agreements are constitutionally protected under Section 35 of the Constitution Act of 1982.

Self-Government Agreements

The Self-Government Agreement emerges from Chapter 24 of the Final Agreements and explains the powers, authorities, and responsibilities of the individual First Nation government. Under the Self-Government Agreement, the First Nation has the power to make and enact laws in respect of their lands and citizens, to tax, to provide for municipal planning, and to manage or co-manage lands and resources.

Implementation Plans

An Implementation Plan identifies the activities, timeframes and responsibilities for fulfilling the agreements. It identifies what must be done to put the agreement into effect, who will be responsible for which implementation activity, as well as when and how these activities will be done.

How to read and work with Final Agreements

Readers of a First Nation Final Agreement should be aware of several important things:

- Each Final Agreement is a legal document. Read it carefully.
- Any individual clause must be read in the context of its section and chapter, and must be read in conjunction with any “subject to” or other referenced or related clauses.
- Capitalized words are defined terms, with definitions found in Chapter 1 or the chapter where the word is used and applies. For example, “Subsistence” is a defined term in Chapter 16, Fish and Wildlife.
- Each First Nation Final Agreement includes two types of text:
 - The first is “template” language from the Umbrella Final Agreement, which is the bulk of every Yukon First Nation Final Agreement.
 - The second – bordered by a double-lined box – is specific to the individual First Nation’s Final Agreement and may not be included in other Final Agreements. These are called “Specific Provisions”.

Section 35 of the Constitution Act, 1982 “recognizes and affirms” the “existing” Aboriginal and treaty rights in Canada. These Aboriginal rights protect the activities, practice, or traditions that are integral to the distinctive culture of the Aboriginal peoples.

Further resources



Relevant federal and territorial acts and regulations

- Access to Information and Protection of Privacy (ATIPP) Act
- Interpretation Act
- Yukon Act
- Animal Health Act
- Wildlife Act and Regulations
- Environment Act and Regulations
- Parks and Land Certainty Act
- Waters Act
- Forest Protection Act
- Forest Resources Act
- Federal Species at Risk Act (SARA)
- Federal Fisheries Act and Yukon Territory Fishery Regulations
- Yukon First Nations Self-Government Act

Forms

- Boards and Committees Application Form

National and international commitments and agreements

- National Accord for Protection of Species at Risk
- Convention on International Trade in Endangered Species (CITES)
- Ramsar Convention on Wetlands
- Porcupine Caribou Management Agreement
- International Agreement on Polar Bear Conservation and Management
- Agreement on International Humane Trapping Standards (AIHTS)

National and international strategies and accords

- Canadian Biodiversity Strategy
- Yukon-BC Accord
- Yukon-Alaska Intergovernmental Relations Accord
- North American Waterfowl Management Plan

Training and education

- Government of Yukon trapper training
- yfwmb.ca

RRC operations

Available through online search or Yukon.ca.

- Robert's Rules of Order
- Concession and Compensation Review Board Terms of Reference
- Fish and Wildlife Branch scientific reports
- Forest Management Branch
- Mining Map Viewer – EMR

Yukon and Transboundary First Nations

- Council of Yukon First Nations
- *Together Today for our Children Tomorrow*
- Umbrella Final Agreement
- *Understanding the Umbrella Final Agreement*
- First Nation Final Agreements
- First Nation Self-Government Agreements
- *Inuvialuit Final Agreement*
- Gwich'in Comprehensive Land Claim Agreement

**Yukon**