

Yukon wetland stewardship policy public review

What We Heard report

March 1, 2022




Yukon

Acknowledgements

This report summarizes findings from the Government of Yukon wetlands stewardship policy public review process. During this review process, the Government of Yukon held a virtual roundtable for policy partners and conducted a public survey. Kiri Staples Consulting and Emily Martin Consulting were hired to facilitate the roundtable and the Yukon Bureau of Statistics conducted the public survey. Data from the survey was analyzed by Resilient North Consulting. Additional analysis and writing for this report were provided by Kiri Staples Consulting and Resilient North Consulting.



Executive summary

For the past five years, the Government of Yukon has been developing a wetlands stewardship policy. This policy process recently completed a public review. During this phase, feedback from the public and policy partners was sought in three different ways. This included a roundtable discussion with 72 participants representing Yukon First Nations and Indigenous governments¹; municipal, territorial, and federal governments; industry organizations; environmental organizations; and boards and councils. Engagement also included a public survey, which received 115 responses. Finally, individuals, governments, boards and councils, and organizations submitted direct feedback to the Government of Yukon.

This report summarizes high-level themes from the wetlands stewardship policy public review. Feedback on the draft policy reflected polarized perspectives between those who expressed a desire for a policy that provides greater protection to wetlands and those who thought the policy should provide greater support for responsible development. This was most clearly demonstrated in the public survey. When survey respondents were asked whether the draft policy provides adequate protection of wetland benefits, responses were evenly split between those who agreed and those who disagreed, although many were unsure or neutral.

Significant concerns were raised about the draft policy's lack of attention to Indigenous jurisdictions, authorities, rights, and title. Feedback suggested that the draft policy should better reflect Indigenous ways of knowing and being, as well as commitments to and relationships with Yukon First Nation and Indigenous governments. This feedback applied to the policy as a whole and was also reiterated throughout specific sections of the policy. Many of these comments were tied to the need for greater protections to wetlands.

¹ Government of Yukon refers to Yukon First Nations and Indigenous governments, where Yukon First Nations includes Carcross/Tagish First Nation; Champagne and Aishihik First Nations; Kluane First Nation; Kwanlin Dün First Nation; Liard First Nation; Little Salmon/Carmacks First Nation; First Nation of Na-Cho Nyäk Dun; Ross River Dena Council; Selkirk First Nation; Ta'an Kwäch'än Council; Teslin Tlingit Council; Tr'ondëk Hwëch'in; Vuntut Gwitchin First Nation; and White River First Nation. Under this definition, Indigenous governments include those Indigenous groups or governments that assert Indigenous and/or Treaty rights in Yukon (Acho Dene Koe First Nation; Gwich'in Tribal Council; Inuvialuit Regional Corporation; Kaska Nation, including Dease River First Nation, Kwadacha Nation, Liard First Nation, and Ross River First Nation; Tahltan Central Government; Tetlit Gwich'in Council).

Additional feedback suggested the draft policy should pay greater attention to climate change and the concept of “no net loss”. It was noted that there were multiple opportunities throughout the policy to better reflect the relationship between wetlands and climate change and align the policy with climate change commitments. It was also suggested that the draft policy should make an explicit commitment to no net loss to wetlands and wetland benefits.

Many of the comments received during the public review identified areas of uncertainty that need to be clarified, especially related to key concepts and decision-making processes. Other areas of feedback on the draft policy identified additional concepts or ideas that could or should be captured within the policy, expressed expectations for what different components of the policy should deliver, and raised issues related to implementation. Some comments also identified areas of support for different aspects of the draft policy.



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Introduction

Over the past five years, the Government of Yukon has been engaging with municipal and federal governments, Yukon First Nation and Indigenous governments, industry and environmental organizations, councils and boards, and the public with the purpose of collaboratively developing a Yukon-wide wetlands stewardship policy. From 2018-2019, four multi-party roundtable meetings² with policy partners were held to discuss and contribute to the joint development of the draft policy. In 2020, the process shifted to a bilateral approach, led by the Government of Yukon. In 2021, a draft policy was made available for public review. Public review occurred in three different ways, including a roundtable discussion with policy partners, submissions written directly to the Government of Yukon, and a public survey. The next stage of the policy process is for the Government of Yukon to consider the feedback received through public review, as well as a subsequent consultation process with Yukon First Nation and Indigenous governments, before a wetlands stewardship policy is finalized and approved (see Figure 1).



Figure 1 - Process for developing a Yukon wetland stewardship policy

² Summaries from these four meetings can be found online at <https://yukon.ca/en/engagements/yukon-wetlands>.

The purpose of this report is to share high-level themes and findings from the public review of the draft wetland stewardship policy. The feedback the Government of Yukon received was extensive. Many participants³ in the engagement process spoke about their connection to wetlands and understanding of why they are important, which covered a broad range of perspectives. This report does not capture the complete depth of knowledge, experience, or understanding that was shared with the Government of Yukon. Rather, it is intended to communicate general understandings of what was heard about the draft policy content.

The report first describes the three avenues for engagement (virtual roundtable, public survey, and direct submissions). It then describes high-level themes related to areas of support, gaps, and proposed changes that emerged from the comments that were received during the engagement process. The report also provides a summary of public survey data.

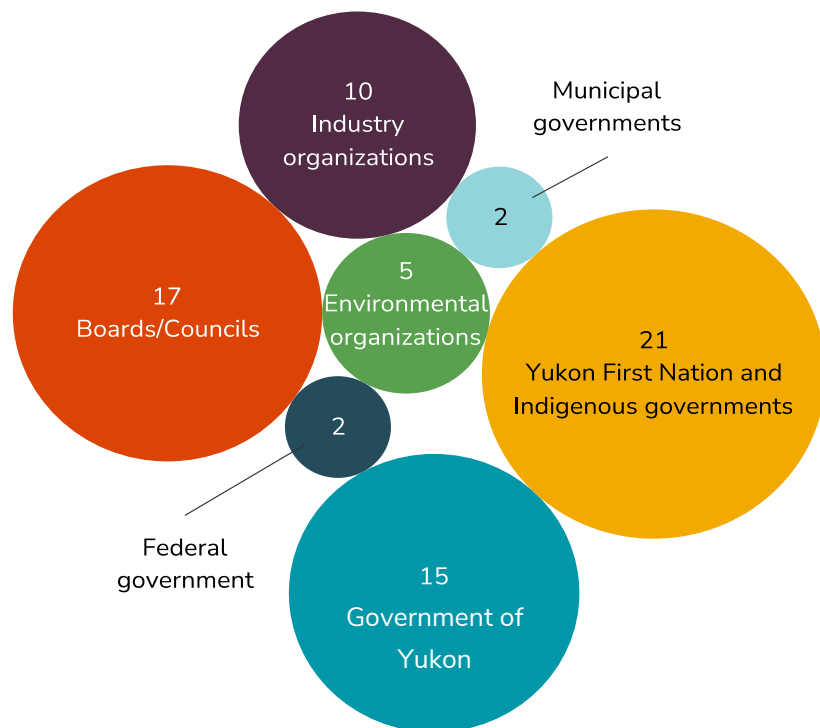
Overview of the public review

1. Virtual roundtable

The Government of Yukon hosted a virtual roundtable for the wetlands stewardship policy on November 16-17, 2021. The purpose of the roundtable was to update partners on the draft policy, provide clarity where required, and solicit feedback and advice on the draft policy.

There were 72 individuals that participated in the roundtable, representing Yukon First

Roundtable participants, by affiliation



³ The term “participants” is used throughout this report to refer to participants in the public review process generally.

Nation and Indigenous governments; municipal, territorial, and federal governments; industry organizations; environmental organizations; and boards and councils (see Appendix A). The roundtable agenda featured a series of brief presentations about the draft policy, followed by breakout group and plenary discussions. There were also opportunities for participants to ask questions about the draft policy and for the Government of Yukon to provide preliminary answers.

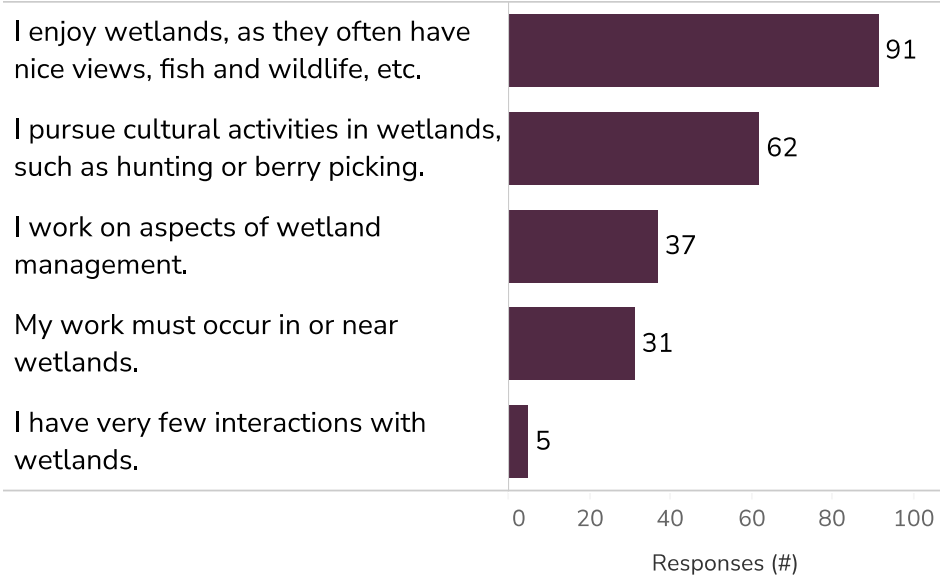
2. Public survey

The Government of Yukon held an online survey from October 3 to December 3, 2021 to gather public feedback on the draft policy. The survey asked a range of questions to assess the extent to which people agreed or disagreed with different aspects of the draft policy and provided opportunity for people to provide comments, identify areas for further clarification, and express concerns.

There were 115 respondents that completed the survey. Two-thirds of respondents lived in Whitehorse (54%) or Dawson (17%). Sixteen people (14%) responded “Other” or did not identify a home community. The remaining respondents lived in Marsh Lake, Haines Junction, Burwash Landing, Destruction Bay, Carcross, Ibex Valley, and Carmacks.

In terms of age, the largest group were aged 60 or older (35%), followed by respondents between 40-59 years (30%) and those 18-39 years (28%). Nine respondents preferred not to indicate their age.

Only five respondents said that they have few interactions with wetlands. Most indicated that they pursue recreational or cultural activities in wetland

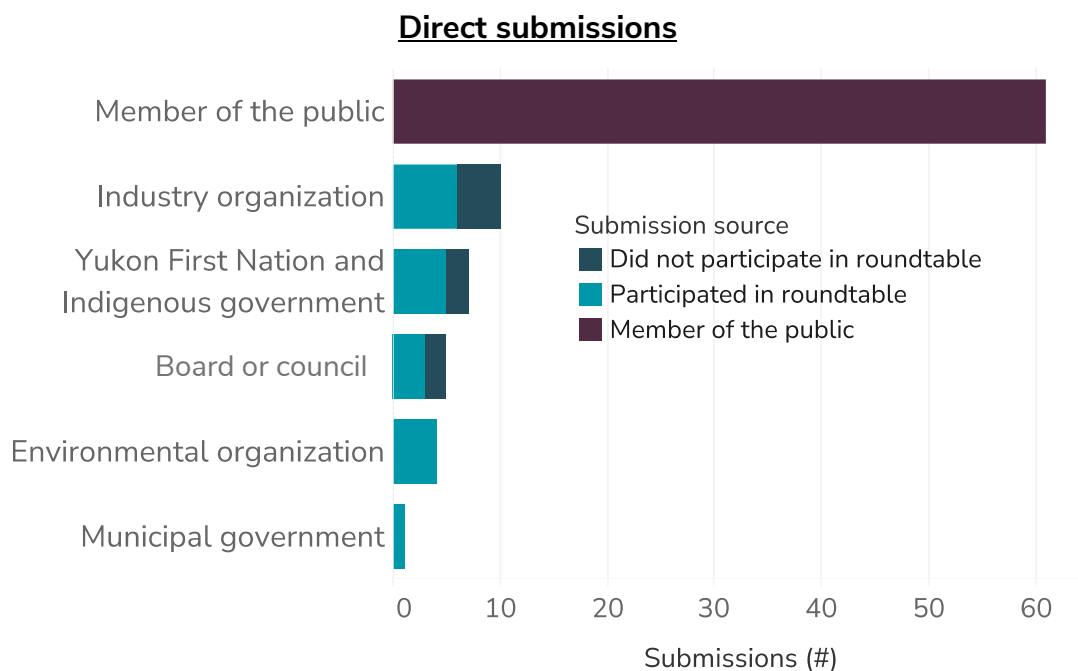


areas, and many indicated that they work in wetland areas or in wetland management. Nineteen respondents also identified “other” types of interactions with wetlands.



3. Direct submissions

A number of municipal governments, Yukon First Nation and Indigenous governments, boards, organizations, and members of the public provided direct feedback on the draft policy to the Government of Yukon. In total, 88 submissions were received (27 from governments, boards and councils, and organizations; 61 from members of the public). Of the submissions that were not from members of the public, 19 represented parties that also participated in the recent virtual roundtable and 8 represented parties that had not participated in the recent roundtable (see Appendix B).



Sixty-one submissions were received from members of the public. In addition to 12 unique submissions received from individuals, two e-mail campaigns provided members of the public with the opportunity to send a standardized e-mail to the Government of Yukon. These two campaigns resulted in 49 submissions (20 and 29 respectively).

What we heard

Reviewing and summarizing the feedback received through these three streams of engagement revealed a wide range of distinct comments and perspectives, each highlighting

particular issues, questions, opinions, or concerns. Some of these comments are unique and speak to the specific perspectives of individual participants in the engagement process. In many cases, however, it is possible to identify broader issues and common themes across the feedback that was received. While all of the comments received will be considered by the Government of Yukon, this report focuses on describing those larger themes and shared perspectives that emerged from public review.

Given the volume of feedback received during the engagement process, it is important to note that the themes included here are broadly descriptive. While multiple approaches to understanding and organizing the feedback that was received undoubtedly exist, the authors of this report have done their best to ensure these themes adequately and comprehensively represent the various views and ideas that were shared. Some illustrative examples are provided, but these should not be considered comprehensive lists. This report does not address or analyze the significance or implications of the feedback that was received during public review; this responsibility lies with the Government of Yukon.

The summary of feedback presented below is organized into six sections. Section 1 describes the main overarching themes summarizing what we heard about the draft policy as a whole. These themes received the most substantial attention within the engagement process and were often reiterated in reference to specific sections of the policy. Sections 2-6 then describe feedback on specific components of the draft policy, including policy goals, principles, and scope; building knowledge; Wetlands of Special Importance; managing human impacts; and policy implementation. For each of these components of the draft policy, we provide:

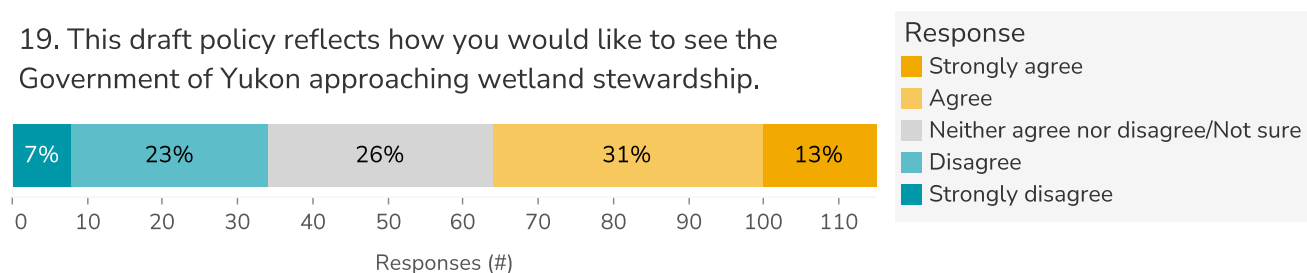
- A high-level overview of key themes⁴, which illustrates the volume of comments related to each theme;
- A narrative description of general areas of support, gaps, and suggestions identified through the roundtable discussion and direct submissions; and
- A review of survey data and survey respondents' perspectives.

⁴ Data visuals highlighting key themes draw on distinct comments from all roundtable engagements, direct submissions, and responses to survey question #23 ("Is there anything else that you would like the Government of Yukon to consider about this draft wetland policy?").

1. Overarching feedback on the draft policy

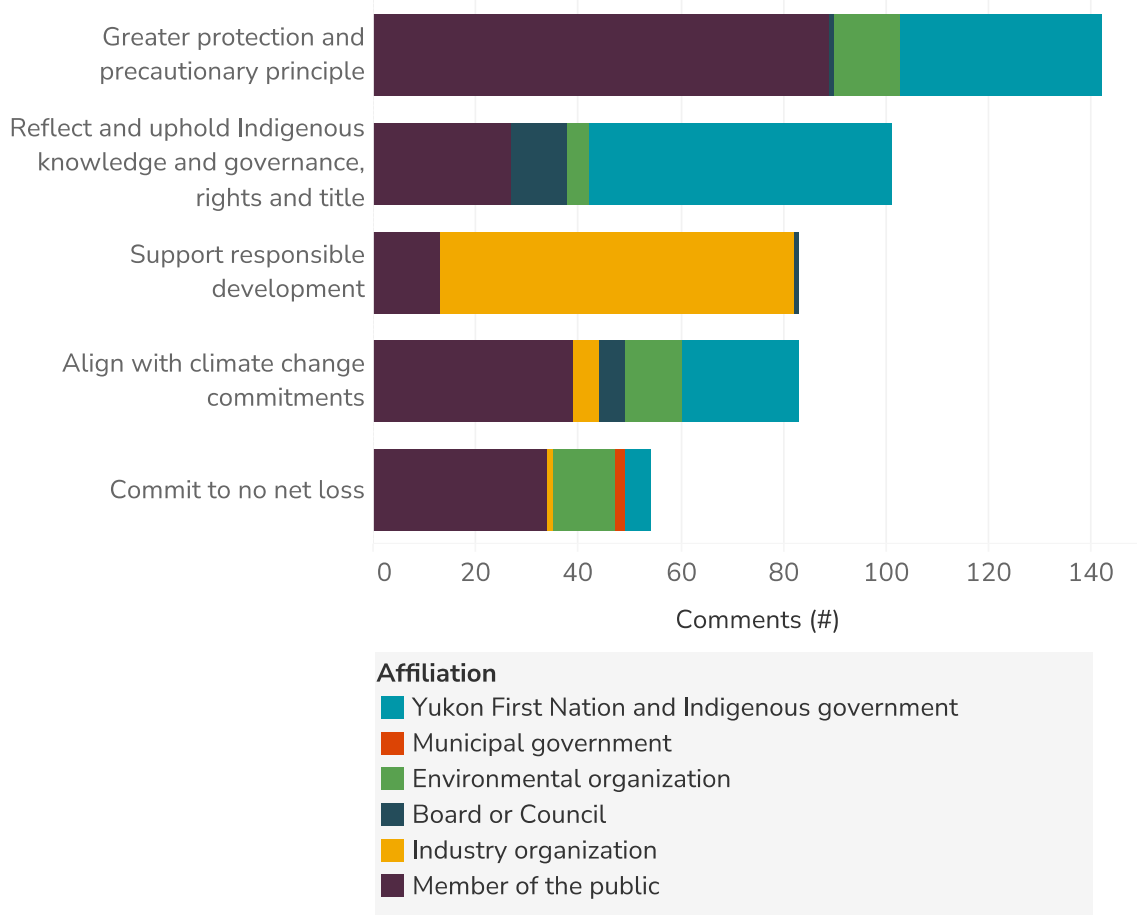
Some of the feedback received during the public review reflected the need for a wetland stewardship policy in general or commented on the overall approach of the current draft policy. In the direct submissions from governments, boards and councils, and organizations, many agreed that it is important to develop a policy for wetlands stewardship. The public survey specifically asked about the extent to which the draft policy meets this need. Fifty-one respondents (44%) agreed or strongly agreed the draft policy reflected how they would like to see the Government of Yukon approaching wetland stewardship. Forty-one (26%) neither agreed nor disagreed or were not sure and 34 (30%) disagreed or strongly disagreed.

19. This draft policy reflects how you would like to see the Government of Yukon approaching wetland stewardship.



Five main cross-cutting themes about the draft policy emerged from the public review. The graphic below provides a visual breakdown of these comments, grouped by theme, to demonstrate the volume of comments related to each theme and the affiliation of commenters tied to the respective themes (Yukon First Nations and Indigenous governments, member of the public, industry organization, etc.).

Overarching feedback on draft policy
(# of comments by theme)



a) The draft policy should provide greater protection to wetlands and apply the precautionary approach

One of the main themes expressed during the public review was that the draft policy does not provide sufficient protection to wetlands. It was generally noted that focussing on protecting only specific wetlands (Wetlands of Special Importance) was not a sufficient approach. Rather, comments suggested that all wetlands should be protected until there is an adequate knowledge base and management framework in place (e.g., a wetland inventory, sufficient knowledge of wetland reclamation and wetland resilience, sufficient

“We request a protection-first approach, whereby all wetlands are considered important.” – Direct submission to the Government of Yukon

knowledge of important habitat areas in wetlands, regional land use plans, ecological or management thresholds).

From this perspective, an important part of providing greater protection to wetlands is the application of the precautionary principle. Participants in the public review noted that this approach would better align the draft policy with the identified Indigenous guiding principles of a holistic approach, respect, and reciprocity. It was noted by some that a precautionary approach is especially important in the face of climate change.

“[A] precautionary approach should be implemented until such time as adequate baseline data gathered and monitoring regime exists to establish the ecological thresholds that must be respected to ensure sustainable use of wetlands.”

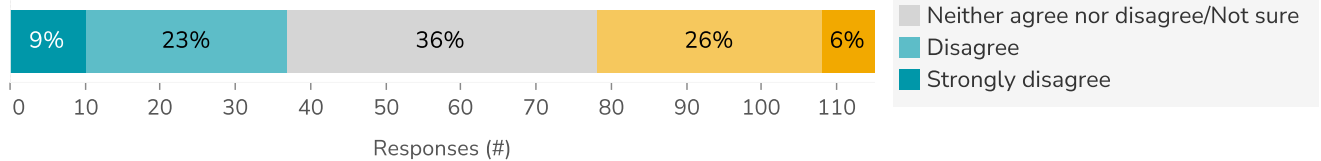
– Survey respondent

The implications of providing greater protections to wetlands and applying the precautionary principle were noted throughout the policy. For example, feedback identified that a shift towards a more protection-oriented policy could require changes to the draft policy goal, provide

guidance to the draft policy’s approach to Building Knowledge, and influence how the mitigation hierarchy is applied and understood.

However, all three forms of engagement found polarizing perspectives on a draft policy that either provides greater protection to wetlands or incentivizes responsible development. This divide was most clearly demonstrated by the survey. When survey respondents were asked whether the draft policy provides adequate protection of wetland benefits, responses were evenly split between those who agreed and those who disagreed. Thirty-seven respondents (32%) agreed or strongly agreed and 37 (32%) disagreed or strongly disagreed. Forty-one respondents (36%) neither agreed nor disagreed or were not sure – the largest group of respondents.

20. This draft policy provides adequate protection of wetland benefits.



The draft policy should provide greater support and incentivization for responsible development

Another main theme identified through public review was that the draft policy should better protect and incentivize responsible development.

From this perspective, there are clear gaps within various sections of the draft policy that, if not addressed, could have significant economic impacts for key industries and the territory. For example, some noted that the draft

“All contemplated decisions and regulations and policy should consider the implications on Yukon family-owned placer operations that continue to operate responsibly and have been conducting proper reclamation in watersheds, some for generations.” – Direct submission to the Government of Yukon

policy should guarantee that industry voices are heard within the decision-making process for designating Wetlands of Special Importance to ensure that economic benefits and impacts are adequately considered. Others voiced concern that the draft policy’s approach to wetland restoration may limit options available for responsible development. A main area of focus was to ensure that the draft policy avoids stopping development altogether (e.g., through a moratorium) and instead incentivizes responsible development. Examples of such incentives included:

- Guidelines for wetland restoration and reclamation,
- Incentives for progressive restoration measures,
- Clear expectations for proponents whose work overlaps with wetlands,
- A prioritized approach and adequate resources to complete the wetland inventory in a timely manner,



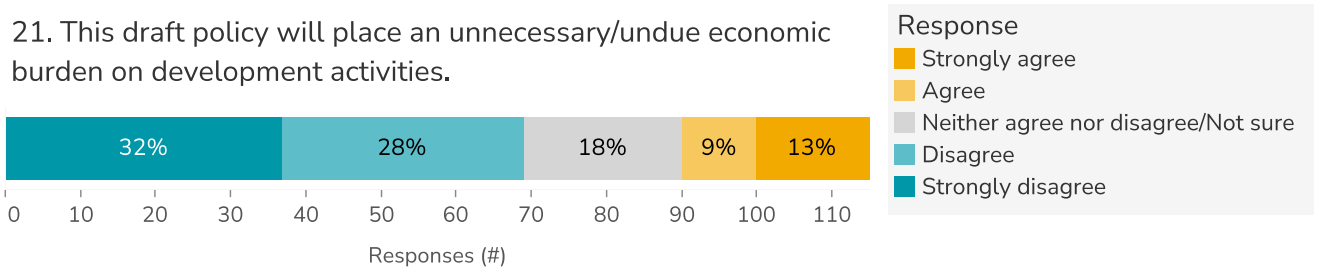
- Guidance for proponents in areas where a wetland inventory has not been completed, etc.

“There will have to be a balance to allow industry [to] move forward with project[s] not just put a moratorium on all projects until this has all been taken care of.” – Survey respondent

Some of the comments made during the roundtable discussion and direct submissions generally warned against a draft policy that places undue burdens on development activities. Survey respondents were asked this

question directly. A majority of survey respondents, 69 (60%), disagreed or strongly disagreed the draft policy will place an unnecessary/undue economic burden on development activities. Twenty-five (22%) agreed or strongly agreed and 21 (18%) neither agreed nor disagreed or were not sure.

21. This draft policy will place an unnecessary/undue economic burden on development activities.



Ensure the draft policy meaningfully reflects and protects Indigenous governance, rights, title, and interests, and the ways of knowing and being to which they are tied, as well as commitments to and relationship with Yukon First Nation and Indigenous governments



A dominant theme within the engagement process was that the draft policy does not adequately reflect the roles, authorities, institutions, and laws of Yukon First Nation and Indigenous governance. One area of focus was the insufficient references to how Indigenous decision-makers and laws will be engaged throughout the draft policy (e.g., within the nomination process

for Wetlands of Special Importance, within the application of the mitigation hierarchy, within the policy review process). This engagement was described as an important part of reconciliation and the co-governance relationship between Yukon First Nation and Indigenous governments and the territorial government.

“In order to meaningfully consider our knowledge, YG cannot simply extract meaning from the knowledge we provided and then later describe how the information impacted decisions after they have been made. Our knowledge arises from diverse and living value systems and are sui generis, and can only be properly applied from within our unique knowledge systems and with an understanding of the underpinning Indigenous laws.” – Direct submission to the Government of Yukon

Another area of focus was the concern that the policy’s approach to being “informed” by Indigenous rights, title, and knowledge will not translate to ensuring those rights, title, and knowledge will be protected or meaningfully considered in decision-making. From this understanding, the draft policy should be more explicit about how Traditional Knowledge will be upheld and respected as a knowledge system that is embedded within Indigenous laws and ways of life. For example, this could include identifying how Traditional Knowledge holders will be appropriately engaged in wetland research and how Traditional Knowledge can be used to guide decision-making.

Feedback also suggested that the draft policy should make a stronger commitment to upholding the rights and title of Indigenous Peoples, as well as the ways of knowing and being they are tied to, for current and future generations. In this context, Indigenous rights and title encompass Aboriginal and treaty rights, rights identified within the United Nations Declaration on the Rights of Indigenous Peoples (“the Declaration”), and Aboriginal title. For example, the policy could make stronger connections to Final and Self-Government



“A policy that fails to provide guidance on how to avoid infringement of [our] rights and title, and that fails to include [our] decision-making, laws, and institutions in meaningful co-governance, will only guide your department to continued and unjustified infringements.” – Direct submission to the Government of Yukon

Agreements, clearer commitments to protecting Aboriginal rights and title, and specific references to rights outlined in the Declaration. The draft policy should also provide explicit guidance on how commitments can be achieved (e.g., how to analyze impacts to rights and title). It was frequently noted that only protecting specific

wetlands (i.e., Wetlands of Special Importance) was not a sufficient approach to protecting the rights, title, and way of life tied to wetlands.

This feedback was reiterated throughout specific sections of the policy, as will be described below.

The draft policy should better reflect the climate change emergency and align with climate change commitments

Many of the comments on the draft policy noted that it should reflect a stronger connection to the climate context and the various commitments made to addressing climate change. From this perspective, the draft policy should do more to reflect the role wetlands play in climate change resilience, the

impacts climate change has on wetlands, and the inherent uncertainty that climate change creates. It should also make explicit connections to the climate change state of emergency and commitments made in the *Our Clean Future* strategy and the forthcoming Climate Resiliency Assessment.

“Climate change appears only once in the policy, as does carbon storage. This policy does not reflect the urgency of the climate emergency.” – Survey respondent

This theme was reiterated throughout the draft policy. For example, feedback suggested that the policy goal could commit to maintaining wetlands' carbon storage capacity and

[We recommend] that the Policy requires the climate impact of any proposed impact to wetlands be calculated and considered regarding its effects upon the Yukon's emissions target prior to the issuance of any permit. – Direct submission to the Government of Yukon

identify carbon storage as a wetland benefit. This would ensure that a wetlands' capacity for carbon storage is considered as a criterion for designating Wetlands of Special Importance. Another example suggested that the mitigation hierarchy could ensure no disturbance to peatlands

specifically and limit emissions caused by impacts to wetlands relative to the Yukon's emissions targets.

The draft policy should commit to no net loss

Another overarching theme that emerged from the public review was the suggestion that the concept of “no net loss” be included throughout the draft policy. Some proposed that no net loss be identified as a

policy principle or goal to provide a concrete means of evaluating the effectiveness of the policy and create greater accountability. Others suggested that it could be included as a goal of the

“We believe that the concept of reciprocity can best be implemented through the adoption of a no-net-loss of wetland benefits approach.” – Direct submission to the Government of Yukon

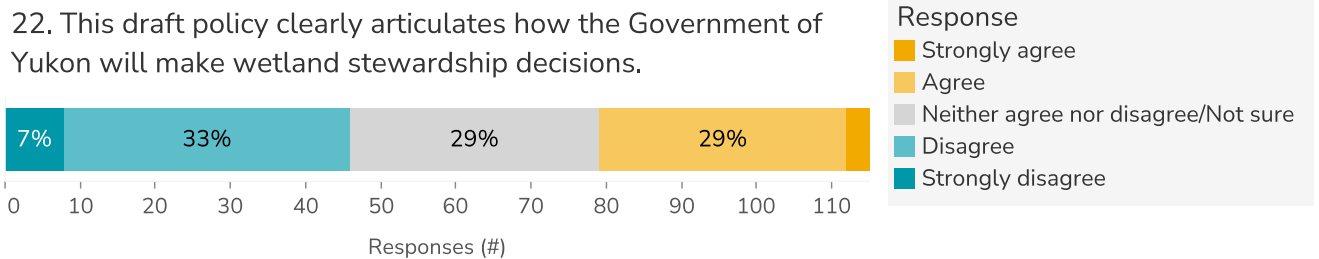
mitigation hierarchy to provide clearer guidance on the adequacy of mitigation measures. From this perspective, no net loss is an example of implementing the principle of reciprocity and could help align the draft policy with the *Our Clean Future* strategy. Some suggested that it may be helpful to look at lessons learned from other regions that have applied a no net loss approach to wetlands.

Additional feedback

In addition to the five broad themes described above, much of the feedback received during the public review identified areas of uncertainty that need to be clarified (e.g., where the policy applies, how the policy will relate to other governance processes, how thresholds will be established). One area of focus was the need for clarity on the decision-



making processes outlined in the draft policy. Survey respondents were explicitly asked about this topic. Forty-six respondents (40%) disagreed or strongly disagreed the draft policy clearly articulates how the Government of Yukon will make wetland stewardship decisions. Thirty-six (31%) agreed or strongly agreed, and 33 (29%) neither agreed nor disagreed or were not sure.



Other areas of feedback on the draft policy identified:

- additional concepts or ideas that could or should be captured within the policy (e.g., additional research themes, attention to unanticipated impacts, attention to cumulative effects),
- expectations for what different components of the policy should deliver (e.g., specific data needs, clearer guidance for the mitigation hierarchy, guidance for proponents, more inclusive processes for decision-making),
- and issues related to implementation (e.g., when and how policy review will occur, timelines for implementation activities).

Some comments also identified areas of support for ideas or approaches currently outlined in the draft policy, especially in the context of the draft policy’s “building knowledge” section.

2. Policy goals, principles, and scope of application

Over 80 comments expressed concerns, questions, or other feedback related to the goals, principles, or scope of the draft policy (sections 2-5 of the draft policy). The graphic below provides a visual breakdown of these comments, grouped by theme.

Areas of support, gaps, and suggested changes

This section provides a snapshot of the type of feedback raised through the roundtable and direct submissions with respect to the draft policy’s goals, principles, and scope. This snapshot is not comprehensive, but aims to provide more detailed insight into the comments received.

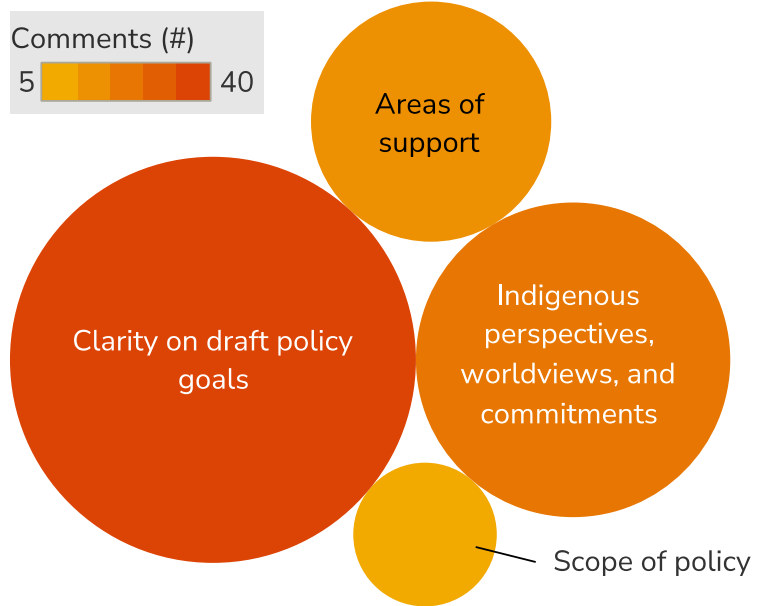
a) Provide further clarity on the draft policy goal

Some participants noted that the draft policy’s goal is not clear enough; many pointed out that the term “sustain” is overly vague, which creates uncertainty. For example, the extent to which wetland benefits should be sustained is

“Clarification is needed: What do you mean by sustained?” – Roundtable participant

unclear. Similar comments and questions about unclear terms within the policy goal were raised in the public survey (see below). Different perspectives were expressed regarding how the draft policy goal should be revised, especially regarding the terms “sustain” and “wetland benefits”. For example, some suggested “sustain” should be replaced with “optimize”, while others suggested it should be revised to “maintain”. Some feedback expressed the desire to include socio-economic considerations within the definition of wetland benefits, while others were explicitly opposed to such a suggestion. This polarization of opinion regarding the policy goal was similarly reflected in the public survey, as described below. A consistent theme was that more clarity and certainty are required for all users.

Feedback on policy goals, principles, and scope (# of comments by theme)



The draft policy goals and principles should better reflect Indigenous perspectives, land uses, and worldviews, as well as agreements with and commitments to Indigenous Peoples

Feedback identified the need for draft policy goal and principles that more explicitly reflect the commitments being made to Indigenous Peoples and governments and attention to how such commitments will be enacted throughout the draft policy. Examples of these commitments related to

Aboriginal and treaty rights, Aboriginal title, reconciliation, the United Nations Declaration on the Rights of Indigenous Peoples, and Final and Self-Government Agreements. For example, this section of the draft policy could:

“We request the policy’s goal and subsequent objectives and mechanisms be brought into alignment with an Indigenous understanding of the word ‘Stewardship’.” – Direct submission to the Government of Yukon

- Make clear references to Aboriginal title,
- Identify specific actions from the Truth and Reconciliation Commission Final Report that the draft policy supports,
- Identify meeting treaty obligations as a draft policy goal, and
- Commit to consistency with the spirit and intent of the *Umbrella Final Agreement (UFA)*.

There were also comments that noted the draft policy’s goals and principles do not adequately reflect Indigenous perspectives, land uses, and worldviews in important places. For example, definitions provided for key concepts, such as reciprocity and stewardship, are not sufficiently representative of Indigenous understandings, creating confusion for what these concepts will look like on the ground.

Provide greater certainty and clarity on scope of the draft policy’s application

Several commenters requested further clarification and certainty on the scope of the draft policy’s application, in particular, how it interfaces with existing private properties.

Areas of support

Some comments on the draft policy's goals and principles noted this section of the draft policy is "pretty close". Participants provided positive feedback on specific areas of support, such as:

- The draft policy identifies an important connection to the Truth and Reconciliation Commission Final Report.
- Efforts to include local and Traditional knowledge, as well as an adaptive approach, are important.
- The scope of the draft policy allows for flexibility and lends itself to application within related planning and assessment processes.

Key terms and definitions⁵

Many participants in the engagement process provided feedback on key terms and definitions identified in the draft policy. Some identified where additional terms should be defined, others where existing definitions should be expanded or revised completely. For example, a broad range of perspectives were shared on the definition of "wetland benefits".

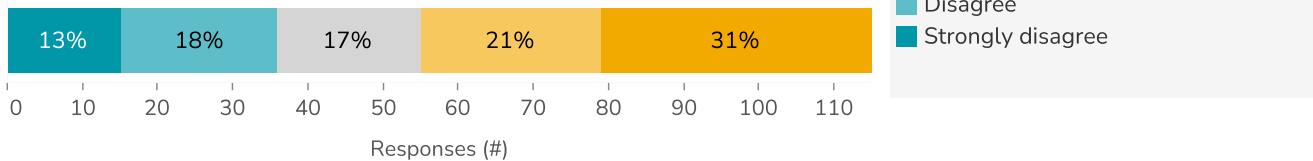
Survey feedback on draft policy direction

a) Agreement with policy goal

Sixty survey respondents, the majority (52%), said that they agreed or strongly agreed with the overarching draft policy goal: to "ensure the benefits of Yukon wetlands are sustained for all." Thirty-six (31%) disagreed or strongly disagreed. Nineteen (17%) neither agreed nor disagreed or were 'not sure'.

⁵ Given the extremely broad range of opinions and perspectives shared about key terms and definitions, no consistent themes were apparent in the feedback that was received (i.e., there was no consistent feedback on how specific terms should be defined). While we have included the broad theme here for the sake of transparency, it is not included in the data visualizations above.

4. To what extent do you disagree or agree with the Government of Yukon’s overarching policy goal to “ensure the benefits of Yukon’s wetlands are sustained for all”?



When asked to explain their answer, many respondents expressed questions or concerns about how the language of this draft policy goal might be interpreted and applied. Specifically, many wanted clarity around the term “benefits”; some expressed opposition to including economic and other benefits from exploration and development, while others wanted these benefits included. Respondents also had questions or concerns about the term “sustained for all”; some expressed support for ensuring it encompassed the interests of wildlife and natural ecosystems, while others said this term should be inclusive of those who work in or benefit from exploration and development.

Among respondents who agreed or strongly agreed, several expressed general support for wetland preservation and/or emphasized the importance of wetlands. Others specifically cited the value of wetlands for natural ecosystems and for people (e.g., ecosystem services like flood mitigation). The importance of a balanced approach and opposition to or support for responsible development were also noted, among other reasons.

Among respondents who disagreed or strongly disagreed, the largest group of comments were also centered around support for wetland preservation. Others cited skepticism about the draft policy’s ability to achieve a balance between conservation and development, and some expressed support for a less restrictive approach to exploration and development activities.

Respondents who said they neither agreed nor disagreed or were not sure provided a diverse range of reasons for their response, though many – over a third – made statements in support of wetland preservation.



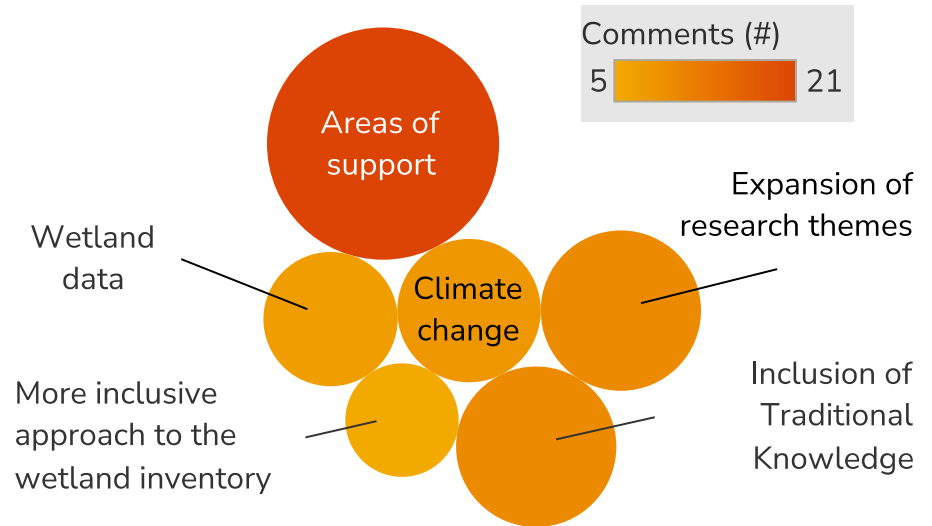
3. Building knowledge

Over 60 comments expressed feedback related to building knowledge and awareness about Yukon wetlands (section 6 of the draft policy). The graphic below provides a visual breakdown of these comments, grouped by theme.

Areas of support, gaps, and suggested changes

This section provides a snapshot of the type of feedback raised through the roundtable and direct submissions with respect to building knowledge and awareness about the Yukon wetlands. This snapshot is not comprehensive, but aims to provide more detailed insight into the comments received.

Feedback on building wetland knowledge and awareness
(# of comments by theme)



a) Areas of support

Feedback on this section of the draft policy received the highest proportion of positive comments relative to other sections. The survey similarly reflected a high proportion of support (see below). These comments generally agreed that building knowledge is an important part of an effective policy that supports decision-making and provides greater clarity and predictability for all. It was also noted that public awareness and education will contribute to policy implementation and the achievement of policy goals. Specific areas of support were also identified, such as:

- inclusion of Traditional and local knowledge, attention to climate change, and identification of knowledge gaps;
- attention to research on effective strategies for wetland reclamation, which is critical from an industry perspective; and

- attention to the multiple scales at which inventory work can be conducted, including at broad, finer, and project scales.

Provide further detail on how Traditional Knowledge will be incorporated and applied in the wetland inventory, wetland classification, and future research

Comments identified that although Traditional Knowledge is referenced in the draft policy, it is hard to see how it will be meaningfully incorporated. From this perspective, more detail on how Traditional Knowledge is included in the wetland inventory is required. Several examples for what this could look like were provided. It was suggested that the process of

“We recommend a commitment of resources to support the participation of First Nation governments and transboundary Indigenous groups in this work.” – Direct submission to the Government of Yukon

collecting data for the inventory should not just include academics, but Elders, community members, etc. and should be supported by the appropriate resources. Another example noted that Indigenous Peoples may have knowledge that can support how wetlands are classified, pointing to similar types

of collaborative work being done elsewhere in the North (e.g., work on land classifications in the Inuvialuit Settlement Region). In addition, feedback noted that references to promoting northern wetland research should speak to partnerships with First Nations and Indigenous governments, the resources required to support those partnerships, and a more collaborative approach to research generally. This feedback reflected the understanding that it is the Government of Yukon’s responsibility to bring together western science and Traditional Knowledge.

Provide further details on and concrete connections to climate change

Some participants noted that this section of the draft policy should provide further detail on the relationship between

wetlands and climate change, as well as the research and data needed to understand that relationship. Examples of areas for further attention included, but

“We request an elaboration on the specific vulnerabilities anticipated for wetlands in the face of climate change in our region.” - Direct submission to the Government of Yukon



were not limited to, how wetlands are expected to change with climate change and the implications of that change, inventory work assessing existing carbon stocks, and the role wetlands play in climate change mitigation. There were also suggestions to include a tangible link to the *Our Clean Future* report in this section of the draft policy.

Expand the list of research themes identified in the draft policy

While the draft policy identifies some areas for future research, feedback suggested that this list could be expanded. Examples of research priorities included, but were not limited to:

- Clarifying impacts to Indigenous traditional pursuits related to wetlands,
- Understanding past impacts to wetlands and wetland functions,
- Understanding landscape-level effects and ecological processes related to wetlands,
- Understanding the relationship between wetlands and the carbon cycle, and
- Understanding and monitoring the effectiveness of impact mitigations in wetlands.

The wetland inventory should pay attention to specific data needs

Some participants noted that in the creation of a broad scale wetland inventory, specific types of data will be critical. For example:

- Collecting project- and local-level classification and mapping data will be critical to ensure accurate data that is useful on a project-by-project basis. There were diverging perspectives on how this project-specific data should be collected (e.g., specifically identifying data collection as a responsibility for proponents versus ensuring proponents have sufficient incentive to collect data).
- Mapping wetland disturbances (e.g., from wildfire, development activities) will be helpful for understanding current conditions of wetlands.

The process for gathering knowledge to inform the wetland inventory should be more inclusive

Some feedback identified that work to support a wetland inventory should include land users, landowners, municipalities, non-government organizations, and affected stakeholders. Such groups may have easy access to required information or valuable local knowledge. Similarly, some survey respondents noted the importance of ensuring that diverse perspectives are included in education efforts related to wetlands (see below).

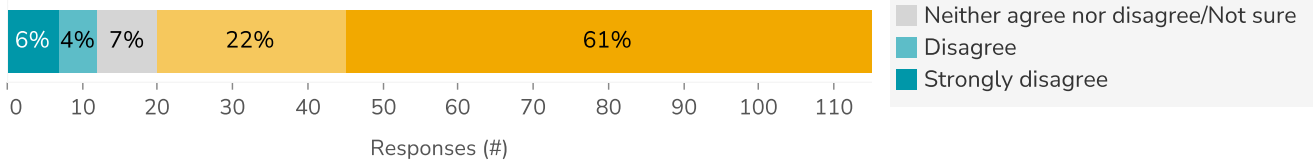


Survey feedback on knowledge-building actions

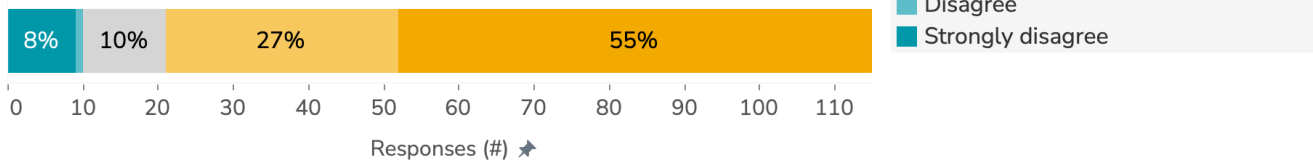
a) Creating a wetland inventory

Ninety-five respondents (83%) agreed or strongly agreed with the creation of a wetland inventory within five years of the draft policy's approval, and 94 (82%) agreed that detailed inventories should be created where they are needed.

5.a) Creating a broad-scale territory-wide wetland inventory within five years of the policy's approval.



5.b) Supporting detailed inventories where they are needed (for example, these detailed inventories have been created for the Indian River area)



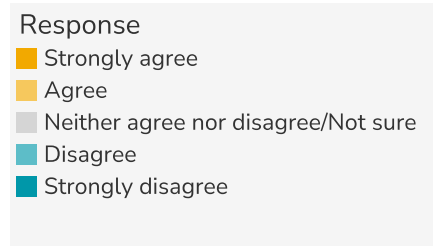
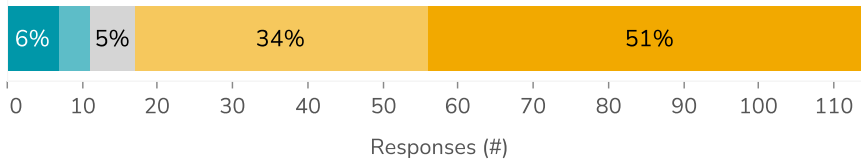
When asked what else should be considered regarding wetland knowledge, several respondents raised concerns about the inventory's scope. Respondents were particularly interested in whether or how the inventory would capture wildlife and biodiversity, previous human disturbance, reclaimed wetlands, and cumulative effects. Respondents also raised a range of concerns about the inventory's implementation with respect to the proposed five-year timeline and the cost and complexity of implementation. Some also expressed support for interim protection for wetlands between the time the draft policy is finalized and the date that the inventory is completed.

Supporting research and education partnerships

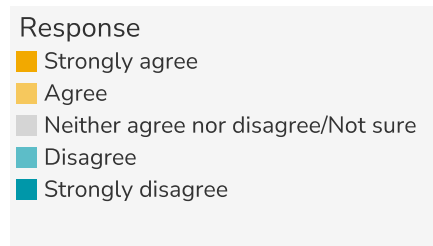
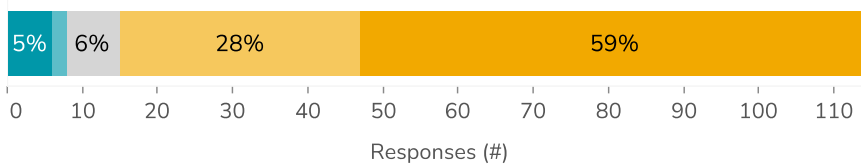
Ninety-eight respondents (85%) agreed or strongly agreed with the idea of supporting local, national, and international partnerships and fostering community-led research to

promote research about northern wetlands. One hundred respondents (87%) agreed or strongly agreed with the idea of working with partners on wetland education that promotes public awareness, understanding, and stewardship of Yukon wetlands.

5.c) Promoting research about northern wetlands by supporting local, national, and international partnerships and fostering community-led research



5.d) Promoting public awareness, understanding, and stewardship of Yukon’s wetlands by working with partners on wetland education



Among those who commented, several respondents expressed an interest in greater public education about the ecological services provided by wetlands – particularly their importance for flood mitigation and climate change (e.g., carbon storage). Several also noted the importance of ensuring that diverse perspectives are included in education efforts – notably, Traditional Knowledge and local knowledge, including perspectives from those who work in the mining and exploration industry. Some respondents expressed a preference for local over international partnerships, particularly partnerships involving or led by Yukon First Nation and Indigenous governments.

4. Wetlands of Special Importance

Almost 160 comments expressed concerns, questions, or other feedback related to the designation of Wetlands of Special Importance (WSI) (section 7 of the draft policy). The graphic below provides a visual breakdown of these comments, grouped by theme.



Areas of support, gaps, and suggested changes

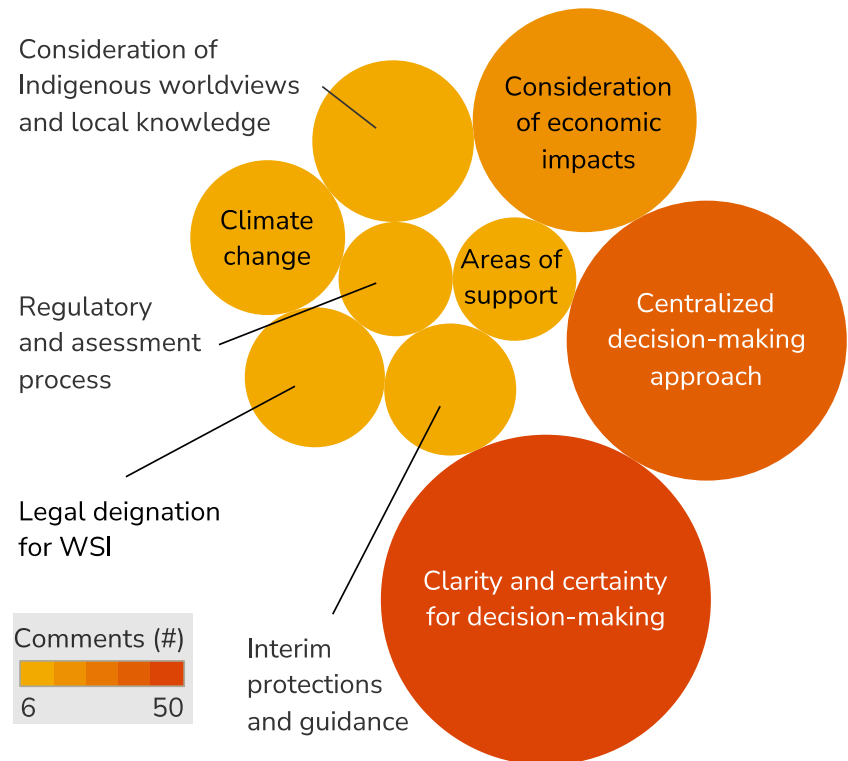
This section provides a snapshot of the type of feedback raised through the roundtable and direct submissions with respect to the designation of Wetlands of Special Importance. This snapshot is not comprehensive, but aims to provide more detailed insight into the comments received.

a) The nomination and decision-making processes for Wetlands of Special Importance lack clarity and certainty

A broad range of participants noted that the processes and criteria for evaluating wetland benefits (section 7.4 of the draft policy), guiding the Government of Yukon decision-making on listing WSI (section 7.5 of the draft policy), and determining mitigation requirements within WSI (section 7.6 of the draft policy) do not provide sufficient guidance or certainty for interested parties, including project proponents and those wanting further protections for wetlands. Some participants provided specific suggestions for additional criteria to be considered, while others provided broader feedback outlining key gaps or concerns within the processes.

Where the draft policy outlines criteria for evaluating WSI nominations, participants suggested clarifying key terms within the criteria (e.g., key habitat, rare wetland, threatened wetland, social or cultural importance) and addressing issues of geographic significance within the nomination process (e.g., whether a wetland is special or important in a territorial versus a regional or local context, inclusion of wetlands in the Yukon that are

Feedback on designating Wetlands of Special Importance (# of comments by theme)



important for transboundary regions). Similar to survey respondents, suggestions were also made for additional criteria that could be added to the existing list.

Where the draft policy outlines criteria to guide the Government of Yukon’s decision-making for designating a WSI, participants requested greater clarity on key aspects of the designation process. For example, it was suggested that there should be further detail on the process through which a wetland would lose its designation and the criteria that would guide such a decision. Feedback also noted that the draft policy should provide greater certainty that decisions made during the designation process (e.g., if a wetland is not accepted as a WSI) will have clear justification and will be made public to ensure transparency. Concerns about fairness and transparency were similarly raised by survey respondents (see below).

Comments on both the evaluation and designation of WSIs suggested that the draft policy should clarify how the various criteria that have been identified will be weighed against one another. For example, a consistent area of attention was the assessment of economic

“We recommend more detail be provided on what economic impacts will be considered, what legal risks will be identified, and how Government of Yukon weights these factors against the ecological criteria listed in Section 7.4.” -Direct submission to the Government of Yukon

impacts and the extent to which it would be weighted relative to other criteria guiding the Government of Yukon’s decision-making on listing a WSI. Another area of attention was clarification for how Aboriginal and treaty rights and Aboriginal title will be considered within these processes.

Where the draft policy outlines mitigation requirements for human activities that overlap with Wetlands of Special Importance, feedback suggested that further detail is required to describe circumstances under which an activity could be deemed necessary for Yukon society as a justification for allowing impacts to WSI. Further detail on the process through which such a decision would be made was also suggested.

The Wetlands of Special Importance designation fails to consider Indigenous worldviews and local knowledge regarding the importance of wetlands and relationships to them



Feedback noted that the approach of identifying specific wetlands of importance fails to reflect the perspective held by many Yukon First Nation and Indigenous Peoples that all wetlands are important.

Relatedly, it was noted that this section of the draft policy does not adequately consider Traditional Knowledge and relationships to wetlands, as

“The idea of nominating certain wetlands is challenging given the perspective that all wetlands are important...The process is problematic. The decision lies entirely with Yukon government. It will fail to consider First Nation views.” – Roundtable participant

well as community knowledge and relationships to wetlands. Examples for addressing this gap included, but are not limited to:

- The draft policy could reference the reciprocal relationship Yukon First Nation and Indigenous Peoples have with wetlands, rather than wetland benefits alone.
- The draft policy could reference the significance of wetlands for local trappers and other community members.

Related to this concern was the lack of joint decision-making involving Yukon First Nation and Indigenous governments within the designation process (see below).

The nomination and decision-making process for designating Wetlands of Special Importance is too centralized

Participants voiced concerns that the nomination and decision-making processes associated with a WSI designation is not sufficiently participatory and lacks attention to key authorities and stakeholders. This was described in several ways. Some comments highlighted that key points of decision-making (e.g., the decision to list/delist a WSI) lies entirely with the Government of Yukon and fails to consider the role of Yukon First Nation and Indigenous governments (for example, see quote above). Other comments noted a lack of consultation with affected communities, stakeholders, land users (including trappers, private land holders, and other tenure holders), and industry within the nomination



process. Some comments noted that consultation with commercial land users and industry

“Nominations of Wetlands of Special Importance should include all stakeholders invested in the area to ensure that all potential benefits and impacts are considered.” – Direct submission to the Government of Yukon

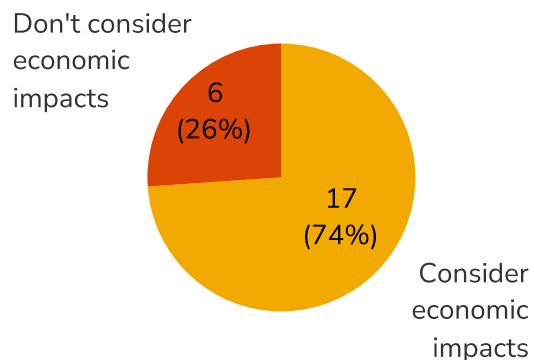
is especially important to avoid economic impacts and ensure potential socio-economic benefits are considered in decision-making. Others identified that broader public involvement is especially important for a transparent process. Similar

comments were reflected in the public survey, which noted a need for a more inclusive approach generally, a stronger role for Yukon First Nation and Indigenous governments specifically, and a voice for industry (see below).

Clarify the role of economic impacts within WSI decision-making

Although multiple comments were shared regarding the role of economic impacts vis-à-vis WSI designations, these comments reflected different positions. From one perspective, the consideration of economic benefits and impacts within the Government of Yukon’s decision-making for designating a WSI is critical. The draft policy should consider how potential economic impacts could be mitigated (e.g., compensation to permit holders, license holders, and rights holders). The draft policy should ensure project proponents are not investing resources in projects that are unlikely to be approved. From another perspective, economic impacts should not be considered within WSI decision-making, and the draft policy should instead focus on the integrity of wetlands and wetland benefits that are not economic in nature.

Support / opposition for considering economic impacts in WSI decision-making
(# and % of comments)



Provide further consideration of climate change in Wetlands of Special Importance

Participants noted that it is presently unclear how the impacts of climate change on a Wetland of Special Importance will be considered and addressed. Some suggested that the criteria for evaluating WSI nominations should include consideration of wetlands that help meet climate change goals (e.g., wetlands with significant capacity for carbon storage, wetlands that help communities adapt to climate change).

Provide direction for regulatory and assessment processes when a nomination process is initiated

Some concerns raised issue with the draft policy's lack of guidance to other assessment, regulatory, and decision-making bodies regarding WSI designations. Several examples included:

- The Yukon Environmental and Socio-economic Assessment Board (YESAB) and the Water Board do not have mechanisms to consider a WSI designation in their respective processes if a project proposal has already been submitted.
- There is a lack of clarity on how the Government of Yukon will identify mitigative measures in WSIs during the regulatory review process.
- There is a lack of clarity on who will evaluate new/renewed authorizations within WSIs.

Wetlands of Special Importance should be provided with a legal designation

Some participants raised concern with the fact that a WSI designation is not tied to specific legislation or regulations, potentially leading to enforcement challenges. From this perspective, a legal designation would provide greater certainty and alignment with the precautionary principle. It was suggested that this could be achieved through existing legislation or could provide justification for new legislation.

Provide interim protections and/or guidance during the nomination process

Participants identified that the granting of interests or authorizations in Wetlands of Special Importance before the nomination process can be completed raises potential issues. From this perspective, there is a need to avoid overlapping land dispositions and degradation to wetlands prior to receiving a WSI designation. Suggestions for how this could be addressed included interim protections, clear steps for implementation, and



guidance to ensure authorizations are not granted while the nomination process is ongoing.

Areas of support

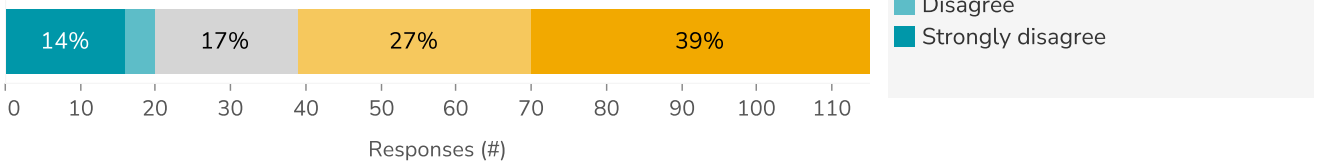
Some commenters expressed the perspective that the protection of Wetlands of Special Importance is an important part of an effective draft policy. This was similarly reflected by over half (66%) of survey respondents (see below). The fact that this section of the draft policy identifies general purposes and mechanisms for implementation, and acknowledges the need to provide direction to development assessment processes, also received positive feedback.

Survey feedback on Wetlands of Special Importance

a) Creating Wetlands of Special Importance

Seventy-six respondents (66%) agreed or strongly agreed that the draft policy should create a category of wetlands called Wetlands of Special Importance. Twenty (17%) disagreed or strongly disagreed, and 19 (17%) neither agreed nor disagreed or were not sure.

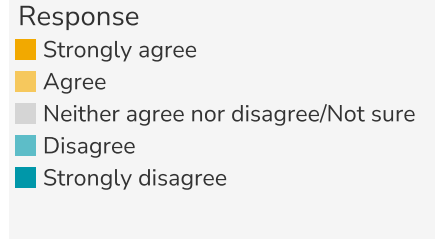
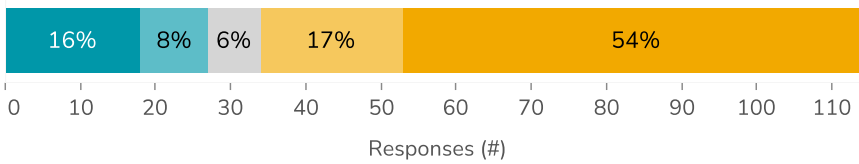
8. To what extent do you disagree or agree the policy should create a category of wetlands called Wetlands of Special Importance?



Wetland loss and mitigation

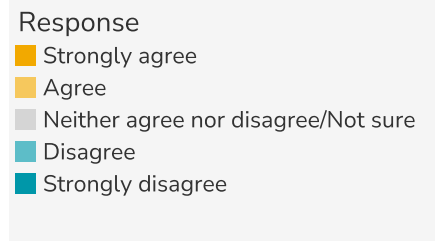
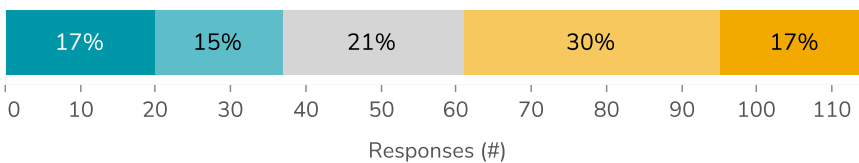
Eighty-one respondents (71%) agreed or strongly agreed there should be no loss of wetland benefits in listed Wetlands of Special Importance. Twenty-seven (24%) disagreed or strongly disagreed, and 7 (6%) neither agreed nor disagreed or were not sure.

9. To what extent do you disagree or agree that there should be no loss of wetland benefits in listed Wetlands of Special Importance?



Fifty-four respondents (47%) agreed or strongly agreed that mitigation requirements are sufficient to achieve no loss of wetland benefits. Thirty-seven (32%) disagreed or strongly disagreed, and 24 (21%) neither agreed nor disagreed or were not sure.

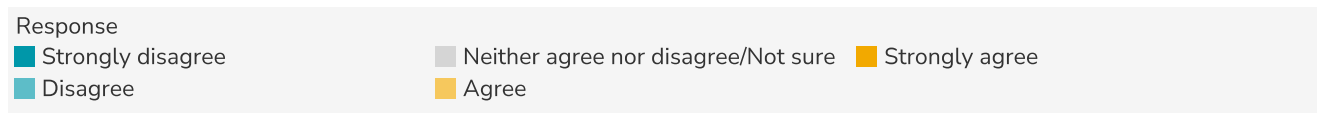
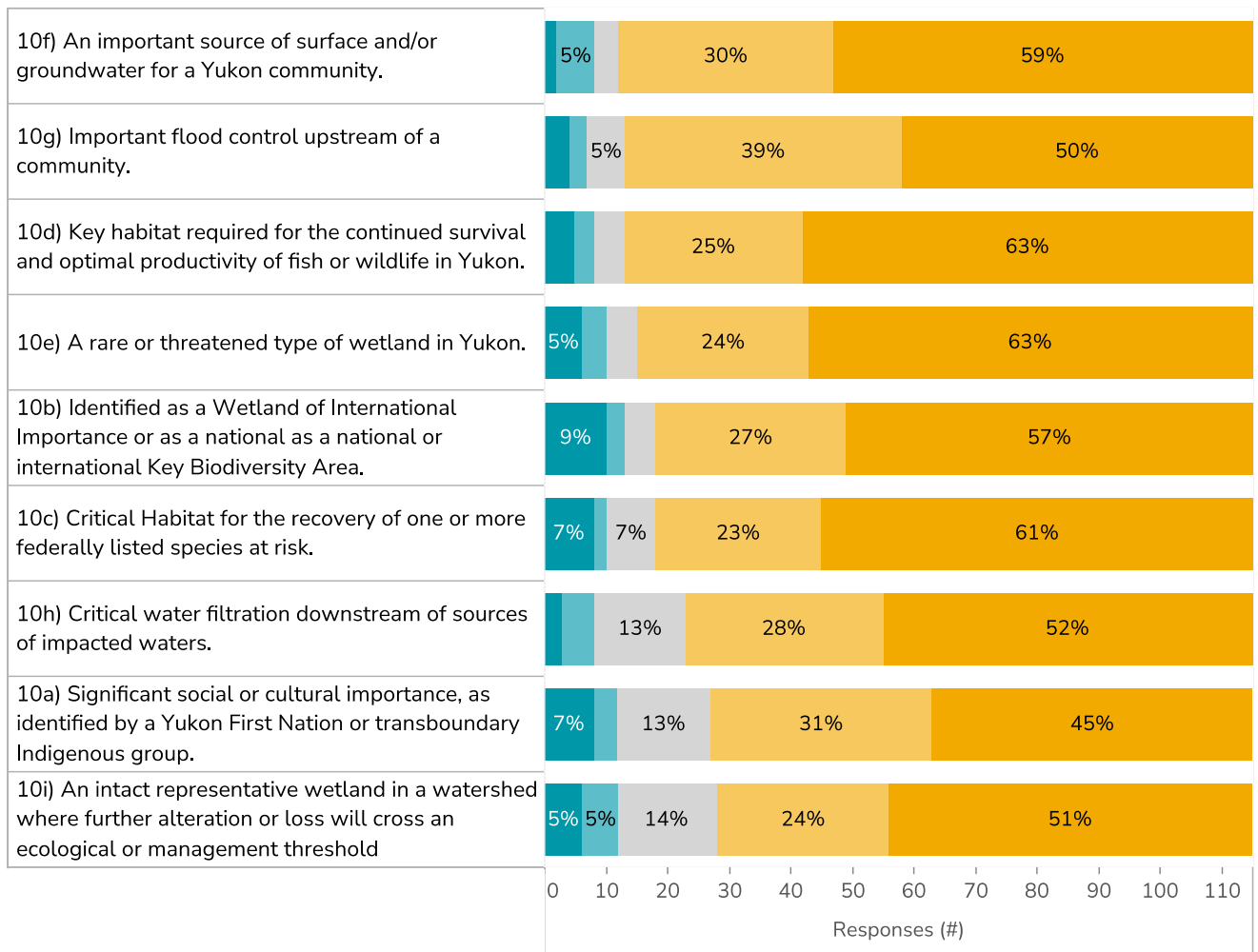
10. To what extent do you disagree or agree that mitigation requirements are sufficient to achieve no loss of wetland benefits?



Criteria for Wetlands of Special Importance

Survey respondents were largely in agreement or strong agreement with criteria for selecting Wetlands of Special Importance presented in the survey. The chart below ranks these criteria. From top to bottom, based on the extent of respondents' level of agreement:





The four highest ranked criteria were supported by over 85% of respondents. This support appears to reflect respondents' interest in ensuring that wetlands that provide ecological services to Yukoners (e.g., drinking water, flood mitigation), are protected. It also shows that most respondents want to preserve wetlands that provide key habitat for fish and wildlife or wetlands that are rare or threatened – the two criteria that received the greatest 'strongly agree' response (63%, for both). For all four criteria, 6-8% disagreed or strongly disagreed and 4-5% neither agreed nor disagreed or were unsure.



Most respondents (84%) also agreed or strongly agreed that wetlands identified as ‘Wetlands of International Importance’⁶ or ‘Key Biodiversity Areas’⁷ should be protected. A somewhat smaller majority (77%) also agreed or strongly agreed that wetlands with significant social or cultural importance for Yukon First Nation or transboundary Indigenous groups also merited special recognition. The number of respondents who disagreed or strongly disagreed (10-12%) with these criteria were also slightly higher than most others.

The three lowest ranked criteria – ‘Critical water filtration downstream of sources of impacted waters’; ‘Significant social or cultural importance, as identified by a Yukon First Nation or transboundary Indigenous group’; and ‘An intact representative wetland in a watershed where further alteration or loss will cross an ecological or management threshold’ – had almost twice as many ‘neither agree nor disagree’ or ‘not sure’ responses than the other criteria.

From this list, about half of respondents (49%) said there were criteria that should be added, changed or removed. Perspectives on these criteria, detailed in written comments, largely focused on a few distinct themes:

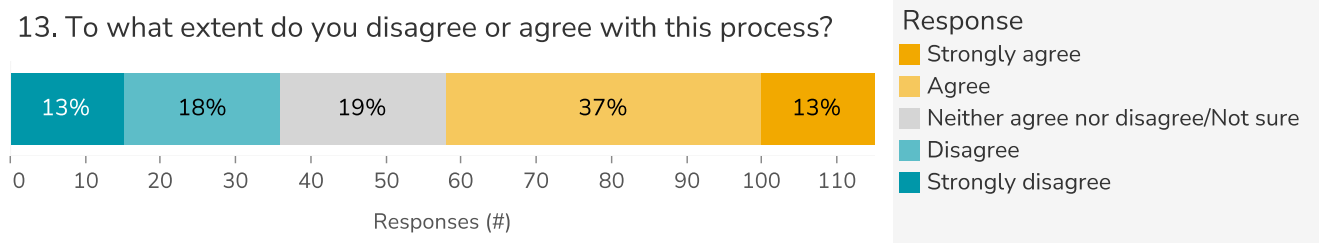
- All/no wetlands are special. Some respondents expressed an interest in a more inclusive approach that would provide similar, rigorous protections for most or all wetlands. Conversely, others also indicated that Yukon wetlands, due to abundance or general characteristics, did not merit special protections.
- Additional criteria. Respondents suggested a range of additional criteria, notably: carbon storage, economic value, biodiversity, or mineral potential. Others also noted that the area surrounding wetlands, and the connectivity between them, should also be considered.
- Designation process. Some respondents indicated that Wetlands of Special Importance should be identified through land use planning, or informed by other related processes. Others noted that parties with a unique interest in the land on which a proposed Wetland of Special Interest is located (e.g. private property, traditional territory) should have a distinct say in its designation.

⁶ According to the International Convention on Wetlands

⁷ As defined by the International Union for the Conservation of Nature.

Agreement with the designation process

Fifty-seven respondents (50%) agreed with the proposed process for designating Wetlands of Special Importance. Thirty-six (31%) disagreed or strongly disagreed, and 22 (19%) neither agreed nor disagreed or were not sure.



When asked to provide comments or recommended changes, respondents comments can generally be categorized around authority (who designates WSIs), input (who influences which wetlands are designated), and implementation (the designation process).

Comments from those who agreed or strongly agreed noted the importance of related processes (e.g., YESAA reviews or land use planning) and input from community groups and Yukon First Nation and Indigenous governments. Some expressed a preference for a stronger role for First Nations and Indigenous governments in the designation process. General comments supporting a more inclusive approach to Wetlands of Special Importance designation were also registered by several respondents.

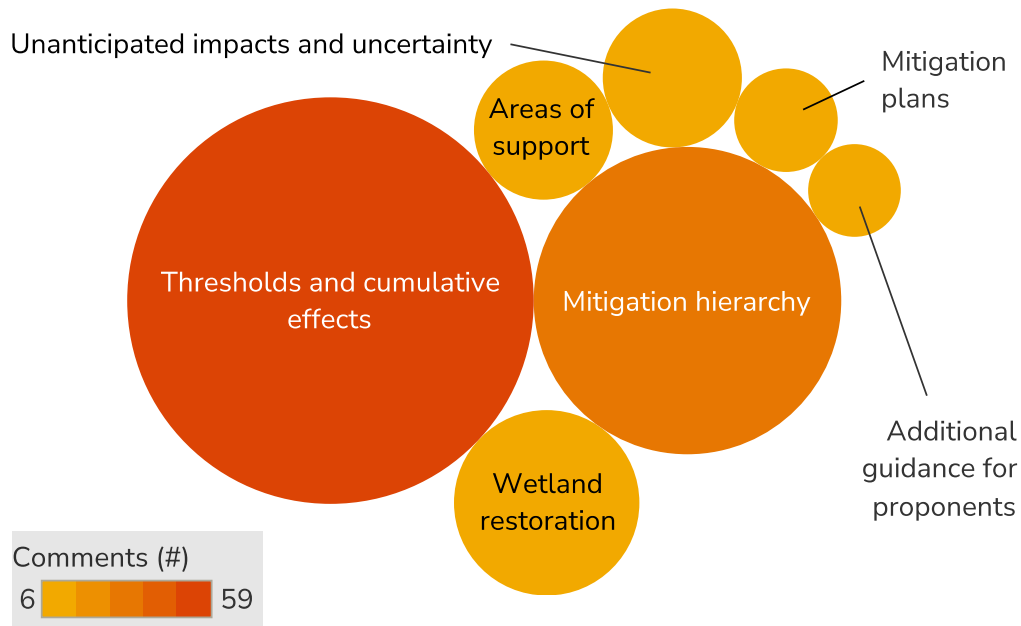
Respondents who disagreed or strongly disagreed primarily expressed concerns related to implementation, noting concerns with fairness, transparency, and politicization of the designation process. Others expressed questions or concerns related to the duration, cost or complexity of the process, and preferences for more and less centralized decision-making were both registered. With respect to input, several expressed an interest in giving industry or mineral rights holders a voice in the process.

Among respondents who neither agreed nor disagreed, or were not sure, concerns regarding fairness, transparency and politicization of the process were a notable theme. Concerns were also shared regarding the influence of private landowners.

5. Managing human impacts

Over 160 comments expressed concerns, questions, or other feedback related to the management of human impacts on Yukon wetlands (section 8 of the draft policy). The graphic below provides a visual breakdown of these comments, grouped by theme.

Feedback on managing human impacts on wetlands
(# of comments by theme)



Areas of support, gaps, and suggested changes

This section provides a snapshot of the type of feedback raised through the roundtable and direct submissions with respect to the management of human impacts on Yukon wetlands. This snapshot is not comprehensive, but aims to provide more detailed insight into the comments received.

a) The draft policy lacks clarity about thresholds, how they will be implemented, and their ability to address cumulative effects to wetlands

A significant area of attention for participants in the context of managing human impacts was the concept of ecological and management thresholds, their implementation, and their

“We would like more information to be provided in the policy on who determines what “management thresholds” are in the absence of land use planning.” – Direct submission to the Government of Yukon

ability to address cumulative effects to wetlands. Survey responses also reflected uncertainty about these issues (see below). Participants often noted, because the draft policy references the use of management and ecological

thresholds—in the context of both managing human impacts and Wetlands of Special Importance—there should be some level of detail on acceptable thresholds. Specific examples of such details that might be expected included:

- a means of establishing thresholds and metrics,
- identification of who determines thresholds in the absence of a land use plan,
- clear guidance for how and when thresholds should be implemented and enforced,
- specific monitoring and reporting guidelines, and
- how baseline conditions are defined.

It was also understood that timelines for identifying thresholds are a challenge. For example, the identification of thresholds likely requires mapping work, which can be time-consuming, and waiting for land-use planning to identify thresholds may take too long. However, the option of identifying a blanket, cross-territory threshold for wetlands in the interim, prior to processes such as land-use planning, was generally seen as problematic. One exception that was proposed was a territory-wide, ecological threshold related to greenhouse gas emission targets and climate change.

The identification of thresholds (or similar targets, such as no net loss) was seen as critical to implementing and assessing the effectiveness of the mitigation hierarchy. It was also noted that without established thresholds, the mitigation hierarchy does not address cumulative wetland loss, especially in places where thresholds may have already been surpassed. Some participants proposed that one option for addressing cumulative effects to wetlands, especially in the absence of thresholds, could be a commitment to no net loss.



Others noted that committing to no net loss in the context of the mitigation hierarchy first requires clear guidance for proponents (e.g., expectations for reclamation).

Provide clearer guidance and expectations for the mitigation hierarchy and impact mitigation plans

Another significant area of attention for feedback was the need for clear definitions, guidance, and goalposts for each step in the mitigation hierarchy. In general, aspects of the hierarchy that require further detail included better understandings of:

- what is acceptable and who decides if it is acceptable at each stage,
- when and where each step of the hierarchy applies,
- what determines an “unavoidable” impact,
- the priority sequence of each step,
- to what standards impacts must be reclaimed,
- available options for offsetting, etc.

Impact mitigation plans were also noted as an area requiring further clarity, such as:

- how impact mitigations plans are evaluated,
- when impact mitigation plans should be submitted,
- whether or not proponents will be required to provide a rationale for why a higher level of the hierarchy is not achievable within an impact mitigation plan,
- what the role of Yukon First Nation and Indigenous governments is in reviewing mitigation plans, etc.

The above guidance was noted as critical for proponents, assessors, and others, as it is difficult to know how to follow the hierarchy if there are no specific requirements.

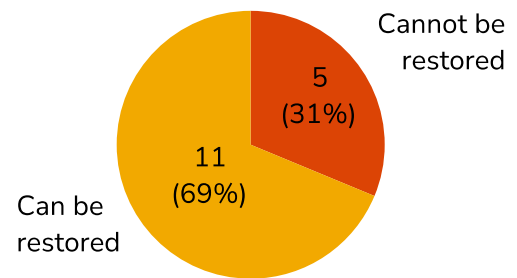
Possibilities for wetland restoration: Diverse perspectives on what can and cannot be achieved

One theme that emerged from feedback related to the mitigation hierarchy focussed on wetland restoration or reclamation. In particular, two differing perspectives were expressed on the extent to which wetlands and wetland functions could be restored or reclaimed⁸. From one perspective, the idea that wetland reclamation/restoration can sufficiently

⁸ Participants used both terms.

recreate wetland functions and benefits is misleading. One example provided was peatlands, where carbon storage value cannot be meaningfully reclaimed. From another perspective, the idea that wetland reclamation/restoration cannot effectively restore wetland functions and benefits is misleading. One example provided was research related to wetlands and carbon sequestration, permafrost formation, and hydrological connectivity, which demonstrates the possibilities for wetland restoration. A similar split in perspectives was reflected within survey data (see below).

**Possibilities for wetland restoration:
can be restored / cannot be restored**
(# and % of comments)



Unanticipated impacts and outcomes and means of addressing uncertainty are not adequately addressed

One theme that emerged from feedback on this section of the draft policy focused on the need for greater attention to how the mitigation hierarchy will address issues of uncertainty. An area of focus within this theme was uncertain impacts and outcomes. Participants noted that while the draft policy suggests there will be circumstances where projects may proceed if a project minimizes impacts, some impacts and outcomes are impossible to anticipate at the project proposal and assessment phase (e.g., if impacts interact in unanticipated ways, if mitigations are not as effective as anticipated). The draft policy should clarify how such unanticipated impacts or outcomes will be monitored and addressed, the specific tools or mechanisms through which they will be addressed, and who will be responsible for addressing them.

Another area of focus within this theme was adaptive management, which was identified as a potentially useful approach to addressing unanticipated impacts and uncertainty. However, it was also noted that adaptive management needs to be implemented in a way that is useful, with clearly defined roles and appropriate mechanisms for implementation. It was suggested that lessons learned from existing approaches to adaptive management in the Yukon may be useful.



Impact mitigation plans: Create uniform requirements versus avoid placing additional burdens on project proponents

Participants provided multiple perspectives on section 8.2 of the draft policy, which notes that impact mitigation plans may be submitted during an environmental and socio-economic assessment process. From one perspective, making this language more prescriptive would create uniform requirements for proponents. Proponents need to have a clear idea of what their mitigations will be to ensure assessors have access to the best available knowledge and to ensure the assessment process is not delayed. From another perspective, the flexibility of the current wording in the draft policy is an appropriate approach to ensuring undue burdens are not placed on small operators. If there are situations where a plan is required, it should be requested and additional supports provided, as required (e.g., if proponents are required to collect additional data).

Identify additional opportunities to provide guidance for proponents

Some participants noted that the draft policy should consider where there are additional opportunities to provide guidance for proponents. Examples of such opportunities could include:

- Mapping that is publicly available;
- An inventory of degraded wetlands, which could be helpful in guiding proponents towards areas that could be offset;
- Industry-specific guidelines to help clarify work that can be undertaken in wetlands.

A significant area of focus for feedback regarding guidance for proponents related to reclamation guidelines. Because these guidelines are addressed in Appendix A of the draft policy, which relates to policy implementation, further detail on these guidelines is addressed below, under feedback related to policy implementation.

Areas of support

Feedback reflected the perception that managing human impacts is an important part of an effective wetlands policy. Many survey respondents (63%) agreed (see below). Specific examples of positive feedback on this section of the draft policy included:

- The mitigation hierarchy makes sense on a project-by-project basis.



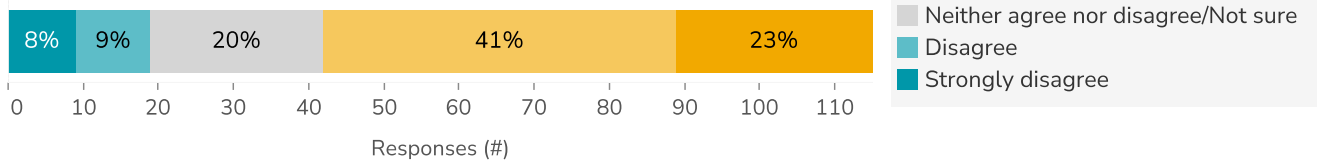
- The hierarchy provides good guidance on how to approach minimizing impacts.
- Ensuring there is room for unique local concerns to be considered is important.

Survey feedback on managing human impacts

a) Mitigation hierarchy and mitigation plan requirements

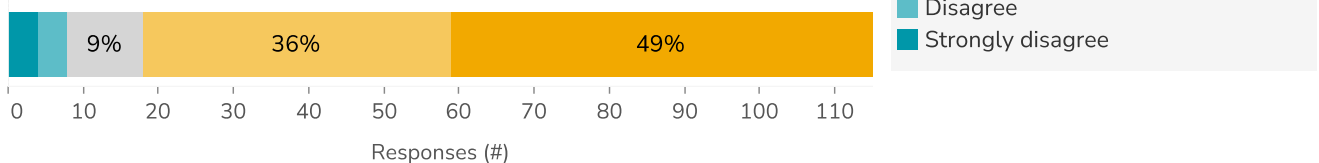
Seventy-three respondents (63%) agreed or strongly agreed with the proposed mitigation hierarchy. Twenty-three (20%) neither agreed nor disagreed or were not sure, and 19 (17%) disagreed or strongly disagreed.

15. To what extent do you disagree or agree with the mitigation hierarchy for managing human impacts on wetlands?



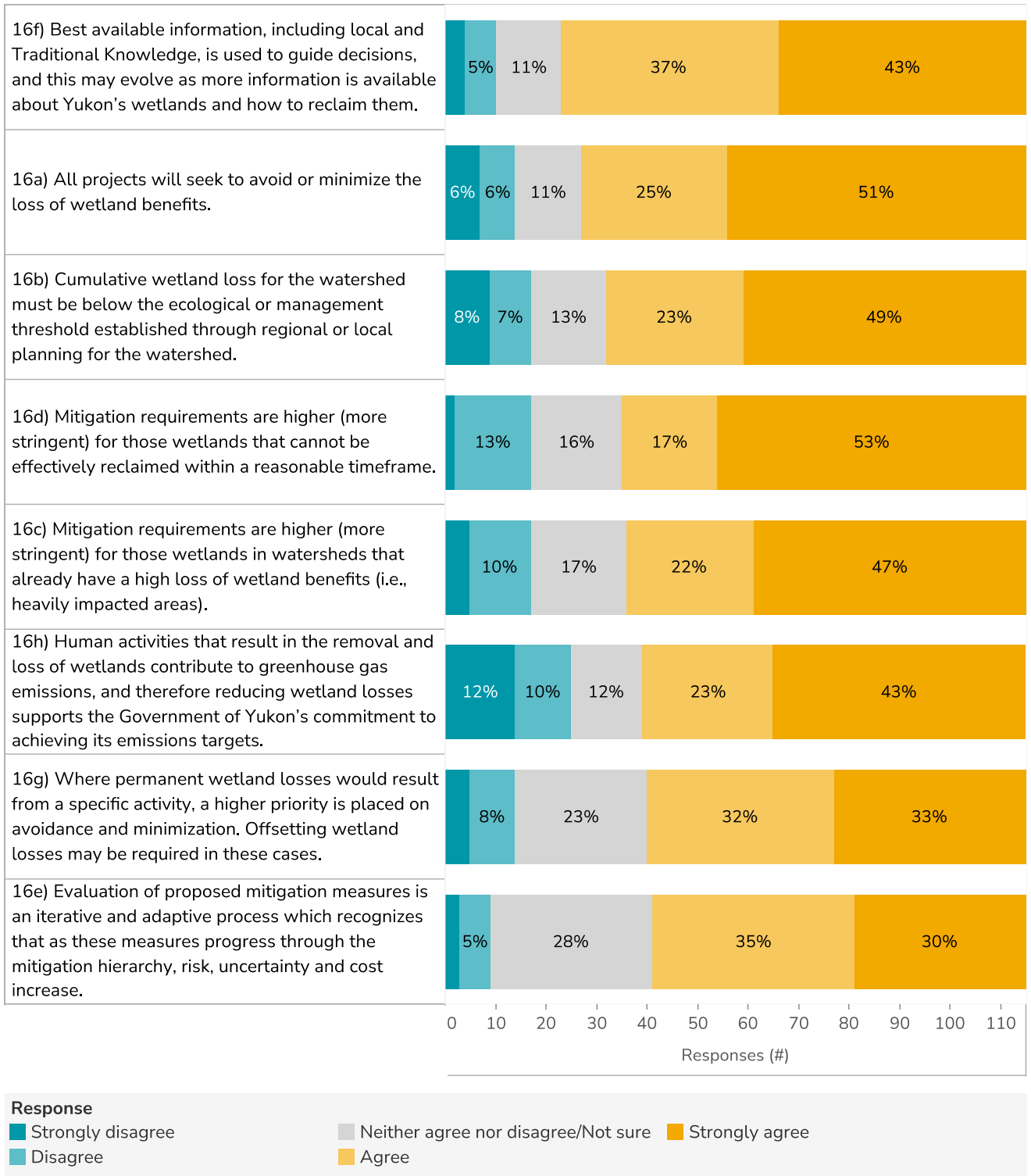
Ninety-seven (84%) agreed or strongly agreed that those proposing to do work in or around a wetland must provide a plan that outlines how they will minimize their impact on wetlands. Ten (20%) neither agreed nor disagreed or were not sure and eight (9%) disagreed or strongly disagreed.

16. To what extent do you disagree or agree that someone proposing to do work in or around a wetland must provide a plan that outlines how they will minimize their impact on wetlands?



Principles and guidelines for managing impacts on wetlands

A majority of survey respondents (between 64% and 80%) agreed or strongly agreed with each of the principles proposed for managing the impacts of human activities on wetlands. From top to bottom, based on the extent of respondents' level of agreement:



Respondents split relatively evenly (53% ‘No’ and 47% ‘Yes’) when asked whether there were principles that should be added, changed or removed. Among those who answered in the affirmative and provided additional comments, there were several distinct themes:

- *Support for wetland protection.* Comments included general expressions of support for wetland preservation, as well as specific suggestions regarding the precautionary principle and ‘no net loss’.
- *Support for responsible exploration and development.* Comments included general expressions of support for exploration and development activities, and specific comments about the burden imposed on proponents of these activities.
- *Reclamation and restoration.* Comments from respondents about reclamation and restoration were relatively split between skepticism and optimism about whether impacts from human activity can be addressed through reclamation or offsetting.
- *Clarity and scope of application.* Several comments indicated that respondents were not clear on how the principles should be interpreted, or how they would be applied – notably: cumulative wetland loss, offsetting wetland loss, and ecological or management thresholds.

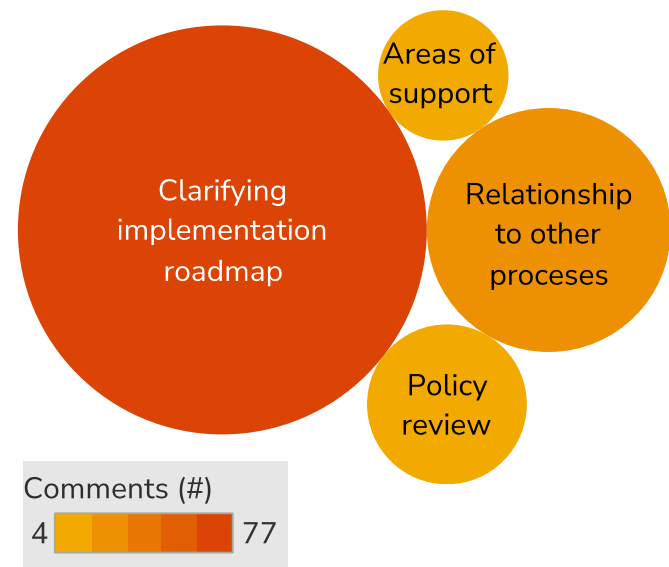
6. Policy implementation

Over 90 comments expressed concerns, questions, or other feedback related to implementation of the draft policy (section 9 and appendix A of the draft policy). The graphic provides a visual breakdown of these comments, grouped by theme.

Areas of support, gaps, and suggested changes

This section provides a snapshot of the type of feedback raised through the roundtable and direct submissions with respect to policy implementation. This snapshot is not comprehensive, but aims to

Feedback on policy implementation
 (# of comments by theme)



provide more detailed insight into the comments received.

a) Provide a clear road map for implementation

Much of the feedback related to policy implementation focused on the need for a clearer road map laying out policy implementation. This was noted as critical to ensuring the effectiveness of the draft policy and its application. Areas identified as requiring further clarity within the implementation process included more concrete timelines, a stepwise process for implementation, explicit

“The policy will need some guidance and resources for implementation. It will be important to clarify for the public and developers when and where the policy takes effect.” – Survey respondent

attention to the resources and capacities required for implementation, and the identification of priorities for implementation (e.g., priority research themes, priority areas for the wetland inventory). The need for supporting documents – especially guidelines for reclamation/restoration – and mechanisms (e.g., means of enforcing thresholds, means of monitoring disturbance and reclamation) was also a common theme. Clearer expectations regarding responsibilities and requirements (e.g., for project proponents whose work overlaps with wetlands, for assessors) was also identified. Finally, clarity on interim approaches to address gaps or time lags within implementation was an area of focus for feedback. Examples included interim approaches to guide:

- how evidenced-based decisions should be made prior to the completion of the wetland inventory,
- expectations during the time between the nomination and listing of a WSI, and
- regulatory processes related to wetlands while supporting policy documents are being finalized.

Providing clarity on implementation, especially at the project-level, was described as essential for ensuring proponents are aware of requirements and expectations (e.g., expectations for data collection, reclamation standards, mitigation plans), allowing for responsible development, and avoiding economic impacts.



Relationship to related planning, assessment, and management processes is unclear

Some comments raised concern that the relationship with and interactions between the implementation of the draft policy and related processes - such as regional land use planning, assessment, monitoring, and regulatory processes - is currently unclear. It was noted that consistency between processes where there are areas of overlap (e.g., definitions of thresholds, understandings of best practices) is especially important.

The process for reviewing draft policy implementation and performance is currently inadequate

The draft policy currently proposes a review of its implementation and performance in ten years. Some participants voiced that this review should take place sooner (e.g., 5 or 7 years), especially in light of the intensity of change caused by climate change. Others noted that a shorter timeline may also align the policy review with other review processes (e.g., regional land use plan reviews). Additional feedback pointed to the need for clear metrics by which policy success can be gauged.

Areas of support

Positive feedback on sections of the draft policy related to implementation identified that outlining future and interim actions was useful in providing greater clarity. The identification of a concrete timeline for the wetland inventory was considered especially helpful.

Survey feedback on policy implementation

There were no specific survey questions related to policy implementation.



Appendix A: Roundtable participant list

Yukon First Nation and Indigenous governments
*Tr'ondëk Hwëch'in
*Kluane First Nation
White River First Nation
Selkirk First Nation
*First Nation of Na-Cho Nyäk Dun
Gwich'in Tribal Council
Taku River Tlingit
*Acho Dene Koe First Nation
Teslin Tlingit Council
Inuvialuit Regional Corporation
*Vuntut Gwitchin Government
Municipal and federal governments
*City of Whitehorse
Fisheries and Oceans Canada
Canadian Wildlife Services
Industry organizations
*Yukon Energy Corporation
*Yukon Woods Products Association
*Yukon Prospectors Association



*Yukon Chamber of Mines
*Klondike Placer Miners Association
Canadian Association of Petroleum Producers
*Yukon Agricultural Association
Environmental organizations
*Wildlife Conservation Society
*Canadian Parks and Wilderness Society
*Ducks Unlimited
*Yukon Conservation Society
Boards and Councils
Carcross/Tagish RRC
Dan Keyi RRC
Selkirk RRC
Dawson District RRC
Laberge RRC
Carmacks RRC
Council of Yukon First Nations
*Yukon Environmental and Socio-economic Assessment Board
*Yukon Water Board
Yukon Land Use Planning Council
*Yukon Fish and Wildlife Management Board (received after this report was prepared; comments not reflected in this report)



*Wildlife Management Advisory Council (North Slope)
Government of Yukon
Department of Environment
Department of Highways and Public Works
Department of Energy, Mines and Resources
Executive Council Office

*Indicates roundtable participants that also provided a direct submission



Appendix B: Direct submissions from governments, boards and councils, and organizations

Yukon First Nation and Indigenous governments
Ross River Dena Council
Liard First Nation
*Tr'ondëk Hwëch'in
*Kluane First Nation
*First Nation of Na-Cho Nyäk Dun
*Acho Dene Koe First Nation
*Vuntut Gwitchin Government
Municipal and federal governments
*City of Whitehorse
Industry organizations
ATAC Resources Ltd.
Group Ten Metals Inc.
Metallic Group of Companies
TruePoint Exploration
*Yukon Energy Corporation
*Yukon Wood Products Association
*Yukon Prospectors Association
*Yukon Chamber of Mines



*Klondike Placer Miners Association
*Yukon Agricultural Association
Environmental organizations
*Wildlife Conservation Society
*Canadian Parks and Wilderness Society
*Ducks Unlimited
*Yukon Conservation Society
Boards and Councils
Dawson Regional Planning Commission
Yukon Salmon Sub-Committee
*Yukon Environmental and Socio-economic Assessment Board
*Yukon Water Board
*Wildlife Management Advisory Council (North Slope) and Inuvialuit Game Council (joint submission)

*Indicates direct submission from parties that also participated in the recent roundtable

