

Kwanlin Dun Newsletter

February, 2000

Land Claims Special

Kwanlin Dun takes stance on Riverdale waterfront

Monitoring land selections within Kwanlin Dun First Nation Traditional Territory can at times be very challenging. Especially given the three party negotiations and that there are so many interests in the area.

As an example, in recent weeks, Chief Rick O'Brien felt the urgency to issue a letter to Government Leader Piers McDonald and Mayor Kathy Watson reminding them of Kwanlin Dun's long-standing interest in the area known as the Riverdale waterfront. The area is being considered for the future site of the Millennium Trail.

"I am writing to remind both of you and your governments that a much more fundamental issue underlies any development of this area - land ownership," said Chief O'Brien. "The Riverdale waterfront area, in question, is subject to a long-standing settlement land selection by Kwanlin Dun First Nation."

The Kwanlin Dun leadership and land claims negotiators have been cautiously monitoring the discussions regarding a proposal for waterfront improvements, in the

Riverdale area, since August of last year. Those discussions were taken one step further, in November, when a public meeting was held to review a proposal calling for a paved, four-kilometer loop – up and down both sides of the Yukon River. The City of Whitehorse, Yukon Energy Corporation and the Yukon Council on Disability hosted the meeting.

"Kwanlin Dun First Nation is of the view that no development of the Riverdale waterfront area of the Yukon River should occur without the consent of the Kwanlin Dun First Nation or resolution of Kwanlin Dun First Nation's long-standing interests in this land at the land claims negotiating tables."

*Chief Rick O'Brien
Kwanlin Dun First Nation*

On Monday, February 7th, a recommendation was put forth to the City Council, recommending approval to a memorandum of understanding, which formalizes the trail partnership between the city, Yukon Energy and the

Council on Disability.

While Kwanlin Dun is not against development, there has been no formal or structured consultation process with Kwanlin Dun First Nation even though Kwanlin Dun has continuously expressed interest in the Yukon River corridor and waterfront areas in downtown Whitehorse.

"Chief O'Brien's letter went on to say, "Kwanlin Dun First Nation is of the view that no development of the Riverdale waterfront area of the Yukon River should occur without the consent of the Kwanlin Dun First Nation or resolution of Kwanlin Dun First Nation's long-standing interests in this land at the land claims negotiating table"

Since receiving the letter, Mayor Kathy Watson and her staff have been working diligently to improve communications with the First Nation and there is some discussion of holding a formal meeting between both groups promoting a better understanding of land claims and self government issues and concerns.

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Whitehorse, Yukon Y1A 5A5

COMMUNITY UPDATE

Kwanlin Dun Client Survey '99

"A three phase survey of all Kwanlin Dun household"

In December 1999 and January 2000, survey teams went door-to-door in the McIntyre Subdivision and on lands-set-aside (LSAs) for Kwanlin Dun First Nation (KDFN). The survey asked questions which would provide a snapshot of who we are, where we live and what ties we have by family, membership, citizenship and beneficiary status to Kwanlin Dun and other first nations. The survey also asked what KDFN services KDFN households use and how frequently the services were used.

There were four survey teams. Each of these team was made up of one Kwanlin Dun person and one person from the Bureau of Statistics.

Phase I of the client survey is now complete. It focussed on those people living in the McIntyre Subdivision and on LSAs. Phase II of the survey is currently underway and will talk to those Kwanlin Dun members and beneficiaries not interviewed in phase I.

Phase I saw 242 households visited. Results so far show that there were a total of 565 people or 35% of the total membership living in the surveyed households. In addition, 330 or 58% were KDFN and 235 or 42% were non-KDFN. There were 35 houses in which the household membership were all non-KDFN members. Further results will be available in future newsletters.

KDFN Land Claims Overlap Committee struck *"Overlap issues being reviewed"*

On January 11, 2000, a Land Claims Caucus Meeting was held to discuss progress on and concerns with Kwanlin Dun First Nation land claims and self-government negotiations.

During the meeting, one of the main topics of discussion were overlap issues with the Carcross/Tagish First Nation. To assist negotiators, the Caucus struck an overlap committee to review overlaps, consult with affected beneficiaries and provide direction.

The members of the committee are: Annie Burns, Albert Webber, Pat Joe, Ann Smith and Dianne Smith.

Community receives funds for a Land Use Planner

"Responding to planning exercises within KDFN Traditional Territory"

Over the next several weeks, Kwanlin Dun First Nation will be recruiting a Land Use Planner for its Land Claims Department.

The planner will assist negotiations by monitoring, identifying and representing Kwanlin Dun First Nation's interests in existing and future land planning initiatives.

As part of negotiations, Kwanlin Dun is faced with responding to a multitude of local area and municipal planning exercises within its Traditional Territory. Some of the proposed development sites are located in areas where Kwanlin Dun has tabled land selections. Therefore, early intervention is a key element if the community is going to effectively protect its selections and ensure that any planned development is compatible with Kwanlin Dun's intended use for the land.

In the past, many first nations have chosen not to participate in planning processes while they are negotiating their land claim agreement, with the understanding that these planning processes are on a "without prejudice" basis. Generally, such an approach and such commitments have proven unworkable, unrealistic and ineffective.

Given Kwanlin Dun's municipal and geographical location, the first nation must participate in current planning processes to ensure that the first nation interests are respected and protected and that its land claim and self-government negotiations are not compromised.



Land Claims receive additional resources

As Kwanlin Dun First Nation moves towards completion of its land claim and self-government negotiations, additional resources have never been more crucial.

Kwanlin Dun is in a very unique situation. It is the largest first nation in the Yukon. It is located in an urban center and it has a very diverse population. All of these factors support the need for increased resources.

During the past year, the land claims department has been successful in receiving or being given approval for approximately \$1.9 million in grants. These funds are not repayable and separate from the loan dollars used for negotiations.

The approved resources deal with various aspects of negotiations, community planning, communication and data collection, environmental issues, etc.

The following is a brief summary of the above mentioned projects:

Waterfront Landscaping/Plan: For conceptual planning of a First Nation Cultural Centre and jobs in relation to landscaping along the shores of the Yukon River, in downtown Whitehorse.

Land Use Planner: To hire a planner to assist Kwanlin Dun negotiators in monitoring and protecting the community's interest in various land planning initiatives within the Kwanlin Dun First Nation Traditional Territory.

Communications: To provide communication services for the land claims department. As a result, a series of community newsletters have been distributed, a community workshop was held and various other notices have been developed.

Census Project: For an information gathering process which will assist program managers, leadership and the negotiating team in determining whether Kwanlin Dun has adequate resources to provide and maintain the programs and services needed in the community.

Devolution: To assist Kwanlin Dun First Nation for costs related to and participation in the devolution process. Devolution is the transfer of provincial-like jurisdiction over land and resources from the federal government to

the Yukon Territorial Government.

GIS/GPS Project: To provide instruction to Kwanlin Dun Lands personnel in state of the art surveying and mapping techniques.

Environmental Projects: For the environmental assessment and clean-up of Lot 226 (Old Village).

Inherent Right: To assist Kwanlin Dun for costs related to the Inherent Right discussions.

Band Resource Officer: For an individual to participate, review and provide input into existing land review processes.

Cultural Centre: To assist with the construction of a cultural centre. The location and actual costs are yet to be determined. (See other related information below)

Working group selected

Ann Smith has been selected as the chair of the newly established Cultural Centre Working Group for Kwanlin Dun First Nation.

Smith, who is a renowned artist locally, nationally and internationally, brings a wealth of knowledge and expertise to the table. She is also actively involved with the Society of Yukon Artists of Native Ancestry and MacBride Museum.

As reported in the December, 1999, edition of the Kwanlin Dun Newsletter, the first nation is pursuing its own vision for the Whitehorse Waterfront which includes a First Nation Cultural Centre.

While a preliminary drawing has been completed, other factors such as design, location and development have not yet been determined. Smith and her working group will assist the first nation in ironing out these details.

Other members of the Cultural Centre Working Group will be Colleen Williams, Dianne Smith, Judy Tyerman, Ukjese van Kampen and Jacquelin Shorty-Henyu.

What is a Special Management Area?

Special Management Areas (SMAs) are dealt with under Chapter 10 of the Umbrella Final Agreement (UFA) and are lands that will be managed and protected by a first nation. These are lands located within the traditional territory of Kwanlin Dun First Nation (KDFN) and are not settlement lands but are just as important. They contain important archaeological, historical and cultural value for the first nation community.

On February 3, 2000, the KDFN Land Claims Caucus and negotiators met with the federal and territorial governments to discuss several of these areas and to hear government's response. These areas include Kusawa, Marsh Lake and the Yukon and Teslin Rivers.

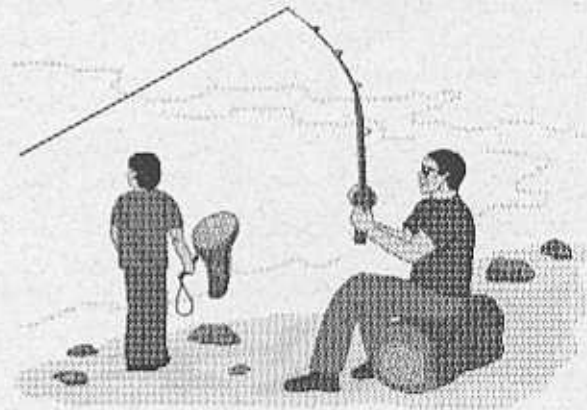
For the Land Claims Caucus, it was an important and emotional session. They were there to protect the interest of KDFN and they wanted a say in the management of the land and resources.

Not only the federal and territorial governments have interests in these areas; there are three other neighboring first nation governments who also have

the same interests.

Further negotiations will take place with governments — federal, territorial and first nation — to discuss overlapping issues like harvesting fish and wildlife, forestry and economic opportunities flowing from SMAs.

If you would like more information on Special Management Areas, contact our office at (867) 633-7812.



What is the mystery?



There is no mystery to KDFN land selections. . .

If you would like to review the maps, need more information or have any concerns. . .

Contact:

Bruce Gilroy
Kwanlin Dun Lands Specialist
(867) 633-7811

Communication material available!

The Kwanlin Dun First Nation Land Claims Department currently has a variety of communication materials available for those members/beneficiaries requiring more information on the negotiations process, etc.

- July, October, December 1999 Newsletter
- Umbrella Final Agreement (UFA)
- Understanding the UFA
- 1999/2000 Hunting Regulations

If you would like to receive one or more of the above documents, please drop by our office or call:

(867) 633-7812