



HERITAGE, LANDS & RESOURCES DEPARTMENT

HLRD REPORT

WHAT DOES OUR DEPARTMENT DO?

In 2005, after becoming a self-governing First Nation, KDFN turned the old Land Claims Department into the new “Heritage, Lands and Resources Department” or “HLRD” for short.

HLRD’s work falls into two main categories:

1. implementing the land and natural resource sections of our land claim agreements; and
2. taking care of KDFN lands and heritage for the future.

Implementing land claims

Although KDFN does not have a department called Land Claims any more, work on our land claim agreements has really just begun!

One of HLRD’s main responsibilities is to make sure many parts of the land claims and self-government agreements are put into place.

For example, HLRD staff participate in:

- surveying settlement lands
- setting up Special Management Areas
- managing fish & wildlife
- land use planning
- forest management planning

These are just a few examples of how HLRD is making sure KDFN’s agreements are carried out.

Taking care of our lands and heritage

The other main responsibility of HLRD is to make sure that KDFN’s heritage, lands, wildlife and other natural resources are taken care of for future generations.

For example, we:

- provide input to the City of Whitehorse on subdivision plans and waterfront development plans
- review residential, business and agricultural projects proposed in our Traditional Territory for impacts on KDFN interests
- work with the Yukon government on new mining and forestry legislation for the Yukon
- work on new land policies and laws for KDFN lands.

In other words, our department helps KDFN take advantage



John Meikle

Dianne Smith and her grandchild at the Kusawa Park gathering in July 2008. HLRD works to protect and manage KDFN lands for current and future generations.

of the new powers and opportunities outlined in KDFN’s land claims and self-government agreements.

At the same time, our staff work hard to ensure our government and others protect our lands, heritage and natural resources for generations and generations to come.

This report describes many of HLRD’s recent and current activities. For more information, contact our department staff (see page 8).

CREATING A LAW FOR OUR LANDS

Now that KDFN has settled its land claims, many KDFN members are interested in how they can get some land to build a home, cabin or start a new business on our Settlement Lands.

One priority for HLRD is to create a law which will define the rules for how people can get permission to use KDFN lands. This new law will be called the *Lands Act*.

Right now, KDFN can't give out or assign land to anyone, even beneficiaries, for more than three years at a time. This was put in our constitution to ensure KDFN was careful about how its land was used now and in the future.

It is important to remember that an individual cannot own a piece

of KDFN Settlement Lands. The KDFN government owns these lands on behalf of its people. However, KDFN will be able to lease land to people once a new *Lands Act* is developed.

The first step in developing a new law is for KDFN beneficiaries to vote on a "Beneficiaries' Settlement Land Policy".

A draft policy was passed in a meeting last fall, but it still needs to be voted on by KDFN beneficiaries in a referendum.

HLRD staff is working on a plan for developing a new *Lands Act* in the coming year. KDFN citizens will be asked for their input before the *Lands Act* becomes law.

CEMETERY PLANNING



The existing cemetery at the bottom of Two Mile Hill is reaching capacity and elders have raised concerns about access to Grey Mountain Cemetery. They expressed interest in identifying new sites.

In the summer of 2007, elders visited six possible sites for future cemeteries on KDFN Settlement Lands. Two sites are now being looked at in more detail to make sure they are suitable for a cemetery. One site is at Marsh Lake and the other is on the Long Lake Road.

DEFINITIONS

A Beneficiary is someone enrolled under KDFN's Final Agreement. This is the agreement which deals with land rights. Not all KDFN citizens of KDFN are beneficiaries (many are beneficiaries of other Yukon First Nations).

Traditional Territory

is an area of the Yukon that the people of a First Nation have traditionally used. Each Yukon First Nation has identified its own Traditional Territory on a map which forms part of its Final Agreement. A First Nation does not own a Traditional Territory like it owns Settlement Lands; however, the First Nation and its beneficiaries have certain rights (like special hunting, harvesting and economic opportunities) within their Traditional Territory.

Settlement Land

is land identified in a Yukon First Nation Final Agreement as Settlement Land for that First Nation. KDFN Settlement Land is owned and managed by the KDFN government on behalf of its citizens. All of KDFN's Settlement Land is described in its Final Agreement in Appendix A – Settlement Land Descriptions, and in Appendix B – Maps.

PLANNING FOR KUSAWA PARK

As part of KDFN's land claims agreements a new park will be established in the Kusawa area.

As one of the first steps in creating the new park, a steering committee was set up to create a park management plan.

KDFN, Carcross/Tagish, Champagne & Aishihik First Nations all sit on this steering committee as the area falls within the Traditional Territories of all three. The Yukon government also sits on the steering committee.

The steering committee hosted a three-day gathering in July 2008 at Kusawa to talk about the First Nation vision for the park. HLRD staff and KDFN citizens were very involved in the gathering. The steering committee will host more gatherings in the future.

Although the weather was very cold, there were many warm stories about the history of the area. People shared new and old stories of hunting, fishing, gathering and trading.

They also talked about the future and what they would like to see happen in the park. There was strong agreement that First Nation values and culture should be a big part of how the park is run.

The Kusawa steering committee will use information from the gathering as it develops a management plan for the area within the next three years. The Yukon government is responsible for passing legislation to establish the park officially.

HLRD staff represent KDFN on the committee. This is another example of how the department is involved in implementing a part of our land claim agreements.



Debbie Trudeau



Angela Walkley



Angela Walkley

Participants at the Kusawa Park visioning meeting last July shared many stories and ideas for a future park in the area. There were stories of great hunts, embarrassing fish catches, a desperate jump off 'Ghahdhal' (Cry Mountain), a porcupine pulling a sled, day-to-day traditional life and modern day General Assemblies.

CLEANING UP THE LAND

Dave Sembsmoen



Dave Sembsmoen



Taking care of the land is an important part of the work of HLRD staff. In 2008, four sites are being cleaned up on and near KDFN Settlement Lands. The above photos show the successful clean up of abandoned cars and trucks on KDFN lands.

HERITAGE WORK

HLRD is working on a few different heritage related activities.

Since the discovery in 1997 of ancient artefacts in melting ice patches in the southern Yukon, research has advanced considerably. Around the world, ice patches are melting and revealing well-preserved hunting tools and other cultural items. The oldest known date of a Yukon artefact is over 8000 years old!

KDFN, Carcross/Tagish, Ta'an Kwach'an and Champagne & Aishihik First Nations are all involved in ice patch research and discoveries in the Southern Lakes area. KDFN staff and citizens have visited the sites, gathering information and collecting artefacts. We have also interviewed elders to collect traditional knowledge about the area.

In addition to the ice patch work, HLRD staff participate in the First Nation Heritage Working Group. This group shares information and ideas about heritage issues among all Yukon First Nations.

For example, they developed a framework for a Traditional Knowledge Policy. Each First Nation can then use this framework and add their own details. Rae Mombourquette was hired to talk with KDFN members this summer about a Traditional Knowledge Policy for KDFN.

BITS & PIECES

Surveying Settlement Lands

HLRD has been involved in the survey of KDFN Settlement Lands over the last few years. All of the site specific and community lands have been successfully surveyed. Only remote R-Blocks and land in the Fish Lake and IbeX area are left to survey.

Successor Resource Legislation

A couple of years ago, the federal government handed over responsibility to the Yukon government for mining, forestry, lands and waters. The Yukon government is working on new laws to deal with these new responsibilities. KDFN, the Kaska and Council for Yukon First Nations participate in a working group to develop these new laws. HLRD represents KDFN at the table. A new forest act is the first law they are working on.

Forest management plan

KDFN is working with the Yukon government, Ta'an Kwach'an and Carcross/Tagish First Nation to start developing a Forest Resource Management plan for most of our Traditional Territory.

FISH RESEARCH

HLRD has two fish research projects on the go. Both are funded by the Restoration and Enhancement Trust Fund.



The first project is researching the effects of water temperature on young chinook salmon.

When fish are raised in holding tanks in a hatchery, the temperature is warmer than when they are raised in creeks. Some think these warmer temperatures might affect the ratio of male to female salmon. The report on the findings should be available soon.

The second project is taking place on Michie Creek. This project is a long term study of the chinook salmon in this creek. Field workers capture, weigh and assess the health of the salmon.



These research projects provide important information for the long-term management of our fish.

FISH & WILDLIFE

The Southern Lakes area has a lot of homes, recreation, hunting, mining and other activities which impact wildlife in the area.

As part of KDFN's land claims agreement, a Southern Lakes Wildlife Coordinating Committee (SLWCC) has been set up. HLRD represents KDFN on this committee. The purpose of the committee is to help coordinate research and management for wildlife in the area.

KDFN, Carcross/Tagish First Nation, the Yukon and federal governments are voting members of the committee. The Taku River Tlingit also participate in the committee.

In the past year, the main focus for the committee has been to push for better management of the Southern Lakes Caribou. Moose will also be a focus of the committee in the coming year.

HLRD staff also participate in the Northern Mountain Caribou Steering Committee.

Under KDFN's land claims agreements, a committee to assess freshwater fish stocks and habitat has also been established.

Last year, elders were interviewed to learn about areas people used to fish, what they fished for and other important traditional knowledge. This information will help the committee develop management plans for freshwater fish in KDFN's Traditional Territory.



OVERLAP ISSUES

Every First Nation has a Traditional Territory (*see definitions, page 2*). In some areas, two or more First Nations have identified the same land as part of their Traditional Territory. These are called "overlap" areas.

Many First Nation hunting, fishing, trapping and other economic development rights can't be applied in areas where there is an overlap with another First Nation. For KDFN, it has overlap areas with five other First Nations.

Land claim agreements outline how First Nations can come to a decision about these overlaps and make the boundaries clearer. HLRD staff are working hard with other First Nations to resolve overlaps. However, these issues are very complicated and will take time to work out. HLRD is also looking at identifying temporary arrangements which would allow KDFN to exercise some rights in these overlap areas in the near future.

BUILDING OUR TEAM

This past year, HLRD staff reviewed the skills, abilities and resources they had within the department and discussed what they would need to do a good job in the future.

Assessing the work

As a first step, a contractor gathered information on all of the heritage, lands and resource responsibilities outlined in KDFN's land claim agreements.

KDFN also asked the City of Whitehorse and Government of Yukon about the projects they planned to be doing in KDFN's Traditional Territory in the coming year. This helped HLRD identify which activities it might need to be involved with in the near future.

Strategic planning

The second step was to develop a strategic plan. HLRD staff and councillors identified the department's vision, mission, goals and strategies.

Participants identified four key themes for the vision and work of HLRD:

1. self-reliance,
2. governance,
3. department capacity, and
4. development of policy and programs.

This planning process also helped the department identify its strengths as well as the challenges it needed to address.

Capacity development plan

The third step was to develop a plan for how to strengthen the department. This step involved surveys, interviews and workshops. KDFN staff, some councillors and external partners of KDFN were involved.

Three main themes that came out of the capacity development planning process were:

1. Staff had more work than they could handle
2. The fast pace of development in KDFN's Traditional Territory meant the department spent most of its time reacting to other government's plans instead of being proactive in meeting KDFN's objectives.
3. All of KDFN was developing as a self-governing First Nation. The whole government had to find ways of doing things effectively with limited human and financial resources.

The plan

The capacity development plan identified many goals, strategies and specific steps for

Words of Praise

Other governments have good things to say about HLRD :

"My experiences have been positive. I am always well received in the office and feel that we have a good working relationship. The staff is professional and work well given the work load that they are tasked with."

"Very positive, especially given the extent of the workload we realize all KDFN employees bear."

"Staff are very motivated, responsive to suggestions, cooperative, interested in opportunities and are very articulate in fairly representing the views of the First Nation on sensitive matters."

strengthening the department. These focus on supporting individual staff, developing HLRD as an effective team, improving how HLRD works with KDFN citizens, Council and other staff, and strengthening how it works with other governments.

The department is actively putting the plan into action. You can read the plan on our website at www.kwanlindun.com/hlr or get a copy from our department.



OTHERS INVOLVED IN HLRD



Les Wilson

Lands Committee (L to R): Charlie Burns, Joan Viksten, Sean Smith (Chair), Dianne Smith and Tammy Joe. In April 2007, council appointed a Lands Committee to assist the department with land-related policy.



Peter Long

Shirley Dawson is a KDFN council member. She holds the portfolio for Lands & Resources



Eileen Melnychuk

Edith Baker is a KDFN council member. She holds the portfolio for Heritage.

LAND USE PLANNING

There are many different ways KDFN lands could be used. Some people might want to build a cabin in one area that someone else wants to log. A company might want to develop a mine or quarry in an area that is an important area for caribou.

A land use plan helps a government and its citizens decide which uses are the best uses for an area. A land use plan can then be used to guide decisions in the future.

HLRD staff are starting work on developing land use plans for KDFN's lands. As a first step, staff are gathering information on KDFN lands. They are looking at the reasons the land was selected by KDFN during land claims negotiations. Staff are also collecting information on how the land is used now by people and wildlife. They will also look at things like the future potential for residential development, hunting, forestry or mining.

Local Area Planning

Under KDFN's self-government agreement, KDFN negotiated the ability to be involved in the development of local area plans. These plans are developed by the Yukon government for a particular area.

For example, KDFN will be involved in local area planning for the Marsh Lake area. Use of this area affects many KDFN's interests like fishing, hunting and economic opportunities so it is important KDFN has a say in the plan for the area.

Work on the Marsh Lake plan is just starting and HLRD staff will be at the table to protect KDFN's interests. KDFN citizens will also be involved in this planning process.

THE HLRD TEAM



Dave Sembsmoen
Fish & Wildlife Manager
633-7814
dsembsmoen@kdfn.yk.ca

Dave deals with many different fish and wildlife issues in KDFN's Traditional Territory. For example, he helps develop wildlife management plans, oversees fish research projects, and answers questions about hunting.



Tom Beaudoin
Director
633-7822, beaudoin@kdfn.yk.ca

Tom heads up HLRD, managing its staff and budgets. He also works closely with other First Nations and governments to make sure they are respecting KDFN's agreements.



Rosanna White
Lands Administration Manager
633-7836, rwhite@kdfn.yk.ca

Rosanna deals with many different land use issues. She reviews proposed projects like agriculture, forestry or subdivision activities to identify KDFN concerns. Rosanna will soon be developing KDFN's *Lands Act*.



John Meikle
Lands Policy & Planning Manager
633-7802, jmeikle@kdfn.yk.ca

John's main focus is developing land use plans for KDFN's lands, to help KDFN identify the best uses for our lands. He will also be involved with other land use planning going on in KDFN's Traditional Territory.



Les Wilson
GIS/Lands Specialist
633-7859, lwilson@kdfn.yk.ca

Les is the main contact person for the community on land matters. He has been very involved with the surveying of KDFN Settlement Lands. He has also been involved in projects to clean up Settlement Lands.



Milada Pardovicova
Land & Resource Analyst
633-7849
mpardovicova@kdfn.yk.ca

Milada works closely with Rosanna on land issues. She has been monitoring clean-up projects and reviewing project proposals. She helps HLRD by researching and collecting information on a number of land issues.