



Natural Resource Policy Recommendations for the Vuntut Gwitchin First Nation

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Jane Glassco Arctic Fellow

NATURAL RESOURCE POLICY RECOMMENDATIONS FOR THE VUNTUT GWITCHIN FIRST NATION

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Natural Resource Policy Recommendations for the Vuntut Gwitchin First Nation:

Lessons from an industry impacted First Nation in Northern B.C., including comment on the incorporation of traditional knowledge into resource management decision-making

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In April 2006, Christine Creyke graduated from the University of Northern British Columbia (UNBC) with a bachelor's degree in geography. After graduation she gained employment in her home community of Dease Lake, B.C., as the land stewardship co-ordinator where she learned about her Tahltan people, and their struggle with resource extraction.

Due to the abundance of exploration/mining activities on her people's traditional territories and the overwhelming hurt her people are feeling, Christine decided to continue her studies at the master's level in the Natural Resource and Environmental Studies (NRES) program. Christine's thesis titled, *The Tahltan Nation and our consultation process with mining industry; How a land use plan might improve the process*, was successfully defended in April 2011. She hopes that by educating herself, both in traditional and western ways, she will help her people stay strong and rooted in

their culture.

Community

Christine's father is Tahltan from Telegraph Creek, British Columbia and her mother is Vuntut Gwitchin from Old Crow, Yukon; she likes to think of herself as a Tahl'chin.

Fellowship Focus

One of Christine's career highlights includes the time when she was able to meet with Roberta Jamieson, a Mohawk woman from the Six Nations who is also the President and CEO of Canada's National Aboriginal Achievement Foundation (NAAF). Jamieson offered Christine advice prior to her interview for the Jane Glassco Arctic Fellowship. Roberta's advice helped Christine become one of the 12 Fellows selected from across Canada.

Christine's research is titled *Natural Resource Policy Recommendations for the Vuntut Gwitchin Government*. The report is a comparative analysis of natural resource management decision-making by governments in the traditional territories of a First Nation with final land claim and self-government agreements and that of a First Nation without, including comment on the incorporation of traditional knowledge into resource management decision-making. Christine's work with her mother's home community of Old Crow has deepened her understanding of the issues that Aboriginal people are faced with and has helped her develop policy ideas to address those pressing issues.

Table of Contents

<i>Introduction</i>	4
<i>Vuntut Gwitchin Traditional Territory</i>	6
<i>Literature Review</i>	8
Current Case Law Involving Government and Private Sector Consultation with First Nations	8
Literature Regarding the Vuntut Gwitchin First Nation	9
Literature Regarding the Tahltan First Nation	14
<i>Methodology</i>	17
<i>Recommendations</i>	18
Developing Policy for the North Yukon	18
Areas for Development in VGTT	18
Consultation	20
Benefit Agreements with Government and Industry	21
Timelines and Information Sharing	22
Approach to Incorporating Traditional Knowledge into Oil and Gas Development Policy	22
Balancing Subsistence and Resource Development	25
Social Effects	26
<i>Conclusion</i>	27
<i>References</i>	28
<i>Maps</i>	30
Map 1: Vuntut Gwitchin Traditional Territory	30
Map 2: Economic Development Potential and Interests	31
Map 3: Heritage Resources and Vuntut Gwitchin Land Use	32
<i>Appendix 1: Vuntut Gwitchin First Nation Researcher's Application Form</i>	33
<i>Appendix 2: VGFN Research Agreement</i>	35
<i>Appendix 3: Interview with VGFN members</i>	36
<i>Appendix 4: Interview Consent Form</i>	37
<i>Appendix 5: Examples of Borough Permit Standards (Red Dog Mine)</i>	39
<i>Appendix 6: Joe Linklater's Biography</i>	41
<i>Appendix 7: Hugh Monaghan's Biography</i>	42
<i>Appendix 8: Acronyms</i>	44

Introduction

First Nation participation in resource development projects is both highly variable and evolving. Some First Nations feel their involvement in both the review and active conduct of resource projects is improving the situation for First Nations and their communities, while others feel that First Nations still lack meaningful decision-making regarding the land and resources upon which we live and depend. I feel that land use planning is the best tool available for incorporating traditional knowledge (TK) and community perspectives into resource development decisions. My research is a comparative analysis of natural resource management decision-making involving two First Nations with which I am directly involved as a member: the Vuntut Gwitchin First Nation (VGFN) and the Tahltan First Nation. Throughout this report, I use the term “our” and “we” when referring to Vuntut Gwitchin and the Tahltan’s views, goals, and beliefs, as I am a member of both.

The objective for this report is to provide recommendations to the VGFN and our government based on my knowledge gained during this review of the situation in Vuntut Gwitchin Traditional Territory (VGTT), the experience in the Tahltan Traditional Territory, and from my academic training and work experience. As well as provide direction for the Tahltan with regards to future land claims and self-government negotiations, I will examine policy development initiatives. This report also considers how the incorporation of TK into resource management decision-making and policy development can improve and provide recommendations to maintain responsible resource stewardship.

Interest in Research Topic

The Jane Glassco Arctic Fellowship has given me the opportunity to continue my research on First Nation involvement in resource management and development decision-making. My interest in this topic began shortly after I graduated with an undergraduate degree and gained employment as a Land Stewardship Coordinator in one of my home communities, Dease Lake, B.C. During my tenure, I learned about the culture of my people, our struggle with resource extraction, and decided to continue my studies at the graduate level. I recently completed a Master’s degree in Natural Resource and Environmental Studies at the University of Northern British Columbia. My thesis research entitled *The Tahltan Nation and our consultation process with mining industry: How a land use plan might improve the process*, focuses on the numerous mining and exploration developments currently exploiting Tahltan land and resources.

The Jane Glassco Arctic Fellowship project has added to the knowledge I gained in the development of my thesis on the Tahltan natural resources situation, specifically the situation and experience in VGTT. The two First Nations – Tahltan and Gwitchin – have very different paradigms socially and politically, as well as the states of resource development. This research project will contribute to the depth of my thesis, as well as add to my personal and professional development as a First Nation citizen. The traditional methods used in negotiations and dispute resolutions can be adapted to address current events and restructured to deal with new challenges.

Research Objectives

The North is a place of sparse human population and immense natural resources, both renewable and non-renewable. The people who rely on this land and its resources are being pressured by global demands to develop and extract resources at alarming rates in some regions. The Vuntut Gwitchin need to ensure that oil and gas development within our traditional territory, and beyond (i.e. Arctic National Wildlife Refuge), that affect us, is conducted with our best interests in mind. We need to review, and where appropriate, modify and improve resource management policies and practices so that they better reflect our societal and cultural goals and values, both within our own systems and those of other orders of government. There are three objectives that I wish to achieve through this research project:

- To conduct a comparative review of the natural resource management regimes in both the Vuntut Gwitchin and Tahltan traditional territories;
- Determine how each may learn from the experiences of the other, and make recommendations to the Vuntut Gwitchin Leadership on oil and gas management policies and practices, both internally and inter-governmentally; and
- Assess mechanisms for incorporating TK into resource development/management decision-making in VGTT and make recommendations as appropriate.

Project Overview

To conduct this research project, I used the tools and knowledge gained while employed as the Land Stewardship Co-ordinator for the Tahltan (i.e. hands-on working experience with First Nation communities), the knowledge gained as a graduate student (i.e. research and writing skills), and my working experience with the Vuntut Gwitchin Government (VGG) Department of Natural Resources.

I believe traditional and Western knowledge systems must work together for the outcome of this research to be meaningful, useful, and accessible to all parties involved. The recommendations for oil and gas development policies and practices identified through this research will serve the VGG in developing a policy that ensures only sustainable resource development with appropriate benefits to citizens within our territory. Furthermore, through VGG intergovernmental arrangements the results of the recommendations of this project should influence public policy and resource management practices on adjoining Crown lands. This report uses the comparative Tahltan circumstances as a lens to consider resource development in the North Yukon. Accordingly, less description is provided here on the Tahltan situation than on the Gwitchin situation, the focus of this text. Using the Tahltan experience with resource development as a framework for understanding the Gwitchin situation where development is imminent will provide the Vuntut Gwitchin leadership with real lessons learned elsewhere with practical recommendations for the present and near-term in VGTT.

Vuntut Gwitchin Traditional Territory

The VGTT consists of 55,548 km² (12 per cent of the Yukon), see Map 1 for larger picture. The only permanent community within the VGTT is Old Crow, located 80 miles above the Arctic Circle on the banks of the Porcupine River. Old Crow, which is accessible only by aircraft year-round, and by riverboat in the summer, is home to 300 VGFN citizens and a small number of government support services personnel.



(Courtesy of CBC North)

The VGFN have both Final (land claim) and Self-Government Agreements (1995). VGFN settlement land, held in fee simple ownership amounts to 7,744 km², 14 per cent of VGTT, almost all of which is described as Category A land. Category A means VGFN owns both surface and sub-surface rights to be managed exclusively by VGG. Furthermore, a large portion of the VGTT has been set aside as Special Management Areas (SMA), which are essentially conservation areas such as national parks, territorial parks and VG Special Management Areas for which VGG either jointly or directly manages these areas with Canada and the Yukon Territorial Government (YTG). The net effect of this arrangement is VGG either jointly or directly manages approximately 60 per cent of our land and resources. The VGG have intergovernmental arrangements with the other orders of government, primarily YTG, to provide for VGG involvement in public policy and resource management decision-making for the remainder of our territory. Furthermore, the jointly approved North Yukon Regional Land Use Plan (NYRLUP) exists to provide for the integrated VGG and YTG Crown lands for the entirety of the VGTT, except the SMAs.

A complex interrelated group of VGFN legally constructed entities are involved in managing the day-to-day affairs and interests of Vuntut Gwitchin citizens and to protect our long-term interests in the resources provided with the settlement of our land claim agreement and ongoing activities. These include the VGG, Vuntut Gwitchin Trust, the Vuntut Gwitchin Business Trust and the related Vuntut Gwitchin Limited Partnership. Relatively little industrial activity is occurring in the North Yukon at this time. However, there is considerable oil and gas potential (see map 2) along with other investment and development activities, most of which are currently being managed by the Vuntut Development Corporation.

Tahltan Traditional Territory

Tahltan traditional territory is located in northwestern B.C., and encompasses roughly “93,500 km² and contains the Stikine River watershed in northern BC.”¹ Three Tahltan communities are located within the territory: Iskut, Dease Lake, and Telegraph Creek. Two Indian Bands² comprise the Tahltan First Nation: the

¹ Tahltan Central Council, *Northwest Transmission Line Socio-Cultural Impact Assessment (2010)*:6

² An Indian Band refers to a group of First Nations who are registered as Status Indians, an official list maintained by the federal government. Certain criteria determine who can be registered as a Status Indian. According to Wikipedia, only Status Indians are

Tahltan Band based in Telegraph Creek, and the Iskut First Nation centered in Iskut. The TCC is our current decision-making authority and governance system. The Tahltan First Nation, while not self-governing in the legal sense, does nevertheless exert its influence less formally for some governance matters in our traditional territory. There has been a considerable amount of industrial activity in our traditional territory for a long time. Unfortunately, this has occurred in the absence of a regional Tahltan land use plan (LUP).

recognized as Indians under the Indian Act and are entitled to certain rights and benefits under the law. Many First Nation bands started to replace the word “band” in their name with “First Nations” in the 1980s. It is a matter of preference by individual First Nations/bands. The term First Nations came into common usage in the 1970s to replace band or Indian, which some people found offensive.

Literature Review

Current Case Law Involving Government and Private Sector Consultation with First Nations

Consultation policies should constantly be reviewed and updated so that they reflect current case law. Urquhart's 2010 Master's thesis³ *Building Consultation from the Bottom Up: A Case Study of the North Yukon* discusses current consultation principles and procedures using Old Crow as an example. Urquhart discusses the broad definition of consultation and how First Nations need to define consultation in their own terms. Urquhart describes the tie VGFN have to our land and how this is usually overlooked in resource related consultation.⁴

Cases such as *Haida Nation v. British Columbia (Minister of Forests)*, 2004 SCC 73, [2004] 3 S.C.R. 511, otherwise known as *Haida* and the *Taku River Tlingit First Nation v. British Columbia (Project Assessment Director)*, 2004 SCC 74, [2004] 3 S.C.R. 550, otherwise known as *Taku*, confirm the fiduciary duty to consult cannot extend to third parties (i.e. industry) and that duty lies with the Crown.

Another pertinent case involving government and private sector consultation with a Yukon First Nation is the 2010 case of *Beckman v. Little Salmon/Carmacks First Nation [LSCFN]*, 2010 SCC 53, [2010] 3 S.C.R. 103. This case is the most relevant when discussing issues of consultation in the Yukon. Under s. 6.2 of the Final Agreement, all LSCFN members have the right of access to Crown land for subsistence harvesting in their traditional territory except where Crown land is subject to an agreement for sale, which would have been the case if the application by a non-Aboriginal for an agricultural land grant on Yukon Crown land was approved.⁵

This case determined that formal consultation processes are now a permanent feature of treaty law, the LSCFN Final Agreement being just one example of this. The case affirms "to give full effect to the provisions of a treaty such as the Final Agreement is to renounce a paternalistic approach to relations with Aboriginal peoples. It is a way to recognize that Aboriginal peoples have full legal capacity. To disregard the provisions of such a treaty can only encourage litigation, hinder future negotiations and threaten the ultimate objective of reconciliation."⁶

³ Urquhart, R., *Building Consultation from the Bottom Up: A Case Study of the North Yukon* (Master's thesis in Natural Resource and Environmental Studies). University of Northern British Columbia, Prince George, B.C. (2010)

⁴ *Ibid.*, 13

⁵ The land application was reviewed by the Agriculture Branch of the Yukon Department of Energy, Mines and Resources and by the Agriculture Land Application Review Committee. LSCFN was not notified of the initial review and had no opportunity to raise concerns. It was then reviewed by the Land Application Review Committee (LARC). Members of LARC include YTG, Federal and Municipal Government

⁶ *Beckman v. Little Salmon/Carmacks First Nation*, 2010 SCC 53, 3 S.C.R. 103. (2010): 9

Literature Regarding the Vuntut Gwitchin First Nation

This section provides overview of VGFN policy documents that affect resource management planning, policy and decision making in the VGTT, North Yukon, including:

- Vuntut Gwitchin-YTG Intergovernmental Relations Accord
- Vuntut Gwitchin Final and Self-Government Agreements
- Yukon Environmental and Socio-economic Assessment Act (YESAA)
- North Yukon Regional Land Use Plan (NYRLUP)
- Integrated Community Sustainability Plan (ICSP)
- Special Management Areas (SMAs) land designations and management plans
- Vuntut Gwitchin-Yukon Government Intergovernmental Relations Accord
- Yukon Government Cooperative Governance Act
- North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment⁷

Vuntut Gwitchin-Yukon Intergovernmental Relations Accord

Although I do not go into detail here, I find it important to mention the Vuntut Gwitchin-Yukon Intergovernmental Relations Accord. The purpose of this Accord is to provide a framework for the YTG and the VGG to jointly identify and resolve matters of shared interest and priority in the North Yukon (VGTT). The principals of the Accord are the leaders of both governments – the premier and chief respectively who meet at least annually to agree on their shared priorities and approve related work plans that lead to related decision. These arrangements have spanned YTG leadership by all three political parties, spanning nearly 15 years. The leaders are supported by senior officials for both governments and have dealt with annual priorities spanning all sectors, including natural resource matters and major capital projects. This administrative arrangement, along with both Canada and Yukon intergovernmental forums, closely supports the constitutional arrangements of the Final Agreements and other institutional arrangements.

Vuntut Gwitchin Final and Self-Government Agreements

The treaties in the Yukon are unique in Canada and have been going through ongoing implementation since 1995.⁸ The treaties consist of a Final and Self-Government Agreement and rest the authority and responsibility for the rights of the First Nation in the hands of community based First Nation governments.

⁷ Fekete Associates Inc. & Vector Research, *North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment*. Prepared for: North Yukon Oil and Gas Working Group (2005) Accessed October 20, 2010 from http://www.emr.gov.yk.ca/oilandgas/pdf/fekete_report_final.pdf

⁸ Ongoing challenges with implementation include federal policies and federal legislation. The Final Agreements are constitutionally protected (i.e. a part of the Canadian constitution) and therefore supersede federal legislation, where the two might conflict, and by extension, override federal public policy. However, Canada has yet to amend legislation or policy that may conflict with the full implementation of the Final Agreements, thereby causing considerable frustration for all concerned. Other administrative challenges include the fairly regular turnover of federal negotiators and operational staff, which results in the loss of time and considerable cost in the implementation of the agreements. Furthermore, the lack of knowledge in the federal system regarding the level of authority provided for Yukon Self-Governing First Nations can also be seen as problematic. Fortunately, most natural resources matters are held by YTG with devolution of those provincial-type responsibilities from Canada. With YTG's more practiced approach to Self-Government and operational focus, resource management decision-making in the Yukon suffers less from these federal shortcomings.

The VGFN Final Agreement between the Government of Canada, the VGFN, and the Yukon Government was completed in 1993 and states our rights and title under the Umbrella Final Agreement (UFA).

In 2003 the Yukon Environmental and Socio-economic Assessment Board (YESAB) developed YESAA; this Act sets out a process to assess the environmental and socio-economic effects of projects and other activities in the Yukon, or that might affect the Yukon. This is a requirement of Chapter 12 of the UFA and Yukon First Nation Final Agreements. The YESAB website states that it is “committed to building an assessment process that works well for all Yukoners and all stakeholders [i.e. First Nations]. YESABs goal is to ensure the new assessment process under YESAA is the best possible arrangement for all interests. Our commitment is to be an impartial, effective and efficient organization that provides assistance to all involved in the assessment process.”⁹

Yukon Environmental and Socio-economic Assessment Act (YESAA)

One of the pertinent sections of YESAA is in regards to reviewing of a resource project development plan; the board must take into consideration “the need to protect the rights of Yukon Indian persons under final agreements, [as well as] the special relationship between Yukon Indian persons and the wilderness environment of Yukon and the cultures, traditions, health and lifestyles of Yukon Indian persons and other residents of Yukon.”¹⁰ The purpose of the YESAA is:

(a) to provide a comprehensive, neutrally conducted assessment process applicable in the Yukon; (b) to require that before projects are undertaken their environmental and socio-economic effects be considered; (c) to protect and maintain environmental quality and heritage resources; (d) to protect and promote the well-being of Yukon Indian persons and their societies and Yukon residents generally, as well as the interests of other Canadians; (e) to ensure that projects are undertaken in accordance with principles that foster beneficial socio-economic change without undermining the ecological and social systems on which communities and their residents, and societies in general, depend upon (f) to recognize and, to the extent practicable, enhance the traditional economy of Yukon Indian persons and their special relationship with the environment; (g) to guarantee opportunities for the participation of Yukon Indian persons and to make use of their knowledge and experience in the assessment process; (h) to provide opportunities for public participation in the assessment process; (i) to ensure that the assessment process is conducted in a timely, efficient and effective manner that avoids duplication; and (j) to provide certainty to the extent practicable with respect to assessment procedures, including information requirements, time limits and costs to participants.¹¹

⁹ Government of Yukon, Yukon Environment and Socio-Economic Assessment Board. paragraph 4, (2011a) Accessed November 15, 2010 from <http://www.yesab.ca/>

¹⁰ Government of Yukon, *Yukon Environment and Socio-Economic Assessment Act S.C. (2003)*: 63, Retrieved from Yukon Environment and Socio-Economic Assessment Board website: <http://laws-lois.justice.gc.ca/PDF/Y-2.2.pdf>

¹¹ Government of Yukon, *Yukon Environment and Socio-Economic Assessment Act S.C., (2003)*: 10-11, Retrieved from Yukon Environment and Socio-Economic Assessment Board website: <http://laws-lois.justice.gc.ca/PDF/Y-2.2.pdf>

The implementation of YESAA in 2003 has resulted in a number of improvements and changes to the assessment process. The YESAB website, under key features of the Act, lists several of the improvements as a “broader consideration of socio-economic factors; guaranteed provisions for public participation; guaranteed opportunities for First Nation participation; traditional and local knowledge are listed as factors to be considered; as well as mandatory time lines for both assessment and decision-making stages; both positive and negative effects of development projects will be considered.”¹²

North Yukon Regional Land Use Plan (NYRLUP)

The NYRLUP was created and developed over a 10-year period by the North Yukon Planning Commission (NYPC), and approved in 2009 by the Yukon and Vuntut Gwitchin Governments. The NYRLUP is used as a guide to consider or assess any development or other intrusive form of land use within our traditional territory. This plan does not apply to SMAs (for which more detailed regimes have been developed), or the community of Old Crow.

Throughout Canada, mining tenure, being “free entry” via staking claims, is standard. However, in Vuntut Gwitchin Category A lands, there is no right of free entry, or for the oil and gas sector throughout VGTT, those prior decisions being made by VGG and YTG respectively, and in consultation with each other in the case of Crown lands. The various SMA regimes, discussed below, deal with subsurface interests in different ways and in all cases take precedence over the NYRLUP. The NYRLUP is a flexible management plan with activity impact levels identified with threshold limits, rather than being purely prescriptive toward particular land uses, which is the previous primary methodology of most regional LUPs. For example, the NYRLUP “does not recommend stringent terms and conditions for management of activities. Instead, it provides opportunities for a variety of land uses to occur.”¹³ The plan uses three tools to communicate and guide decision making, which includes “landscape management units, a land use designation system, and general management direction.”¹⁴

In short, the overall regime for land and resources management in VGTT is framed by the detailed management regimes, the plans for the many SMAs, and by the NYRLUP, which applies in an integrated manner for the remaining Crown and VGFN lands. Fortunately, these arrangements are in place in advance of significant resource development activities in the North Yukon.¹⁵

Integrated Community Sustainability Plan (ICSP)

The VGG, along with Inukshuk Planning and Development Ltd., a Yukon-based environmental planning and landscape architecture firm, created the ICSP in 2009, which took a holistic planning approach for our values, current priorities, and goals for our community. The ICSP is an “expression of where VGFN sees Old Crow going in the future. As a vision for the community, it includes all aspects of the community – the

¹² Government of Yukon, Yukon Environment and Socio-Economic Assessment Board, (2011a) Accessed November 15, 2010 from <http://www.yesab.ca/>

¹³ North Yukon Planning Commission, *Final Recommended North Yukon Land Use Plan. Nichih Gwanal'in: Looking Forward* (2009): 3-

1

¹⁴ Ibid

¹⁵ The only industrial activity on the immediate horizon is oil and gas exploration (drilling) in the Eagle Plains area proximate to the Dempster Highway, beginning in the summer of 2012.

economy, culture, environment, health, and government.”¹⁶ The ICSP addresses issues such as the cost of living, quality and durability of housing, community values, long-term goals, sustainability principles, the winter road, economic development, education, service agreements, etc. Based on this same information, the Vuntut Gwitchin also created a 10-year capital plan. Addressing each of these topics has and will continue to assist the VGG in planning for the future of our community and our residents.

If and when large-scale oil and gas development occurs within our traditional territory, the community of Old Crow, and our citizens, will be greatly impacted. The ICSP is a tool that will help manage the impacts resource development will have on our community. We need to prepare for impacts such as an influx of non-Vuntut Gwitchin people, increases in disposable income, new economic opportunities, an increase in transportation, increased goods and services demand, and a possible decrease in subsistence activities.

With increased resource development there will be a greater need for an all-season road into Old Crow. Currently, the possibility of a winter road is on a “when needed” basis. The NYRLUP states that an all-season road is *not* on the agenda in the near future. Our biggest concern with an all-season road is the potential detrimental effects on the Porcupine Caribou and the social effects of open access to the community by non-residents. These are only a few of the possible impacts of future development. Many of these impacts will have a negative and possibly lasting effect on our community. However, if our people are prepared to address the new challenges, we may be more likely to mitigate those challenges and create a positive outcome.

Special Management Areas (SMA), Land Designations, and Management Plans

The different SMAs, land designations and management plans that the VGG have worked on, or in conjunction with other parties, adds to the extensive knowledge base of our traditional territory. Some of those land designation and management plans include:

- Rampart House Historic Site, LaPierre House Historic Site Management Plan (1999)
- Porcupine Caribou Herd Management Plan (2010)
- *Ni’iinlii Njik* (Fishing Branch) Wilderness Preserve, Ecological Reserve and Settlement Land R-5A and S-3A1 Management Plan (2004)
- *Ni’iinlii Njik* (Fishing Branch) Wilderness Preserve and Habitat Protection Area (2004)
- Vuntut National Park of Canada Management Plan (2004)
- Old Crow Flats Special Management Area Management Plan (2006)
- North Yukon Tourism Strategy (2006)
- Dempster Highway Economic Development Agreement (2006)
- Old Crow Physical Development Plan/Capital Plan (2003/2008)
- North Yukon Fish and Wildlife Management Plan (draft)
- Peel Watershed LUP (draft)
- Management Plan for Dall Sheep in the Northern Richardson Mountains (draft)
- Whitefish Wetlands and Summit Lake-Bell River Corridor Management Plan
- Yukon Solid Waste Action Plan

¹⁶ Inukshuk Planning and Development, *Vuntut Gwitchin Integrated Community Sustainability Plan*, (2009): 1

- Climate Change Action Plan
- Yukon Energy Strategy
- Forest Management Plan

The Fishing Branch *Ni'iinlii Njik* Territorial Park was the only protected area successfully completed under the Yukon Protected Area Strategy. Each of these SMAs, land designations, and management plans has, and will continue, to protect parts of the traditional territory. Through my thesis research I found that many Tahltans had concerns with federally and provincially protected lands, as well as how those protected areas were created (i.e. little to no Tahltan input). New land designations, management areas, conservancies, nature reserves, or other legislated protected areas in Vuntut Gwitchin territory must be pursued through co-management agreements that ensure that rules and regulations for those areas align with VGFN interests and values.

*North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment
(Fekete Report)*

The *North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment*, otherwise known as the Fekete Report, is an analysis of oil and gas potential in the North Yukon. In 2005, the North Yukon Oil and Gas Working Group (representatives from the YTG, VGFN, Trondek Hwech' First Nation and the Na-cho Nyak Dun First Nation) recommended that a strategic overview of oil and gas prospects and potential oil and gas development scenarios in the North Yukon be completed. The objective of the Fekete Report was “to enable the Yukon Government and First Nations to collectively plan for future oil and gas development in North Yukon through examining the supply/demand scenario, development objectives, opportunities for community participation, short-term and longer-term benefits as well as constraints to development.”¹⁷

According to the Fekete Report oil and gas development in the North Yukon is unlikely to proceed independently, but will depend upon being able to build a connecting pipeline to either the Mackenzie Valley Pipeline (MVP) or the Alaska Highway Pipeline Project. Recently, in January 2011, the MVP received the green light from the federal cabinet on the \$16-billion pipeline. A private consortium of corporations and Aboriginal groups, headed by Imperial Oil, is proposing the 1,200 km pipeline from the Beaufort Sea to northern Alberta.

The Fekete Report also states that the startup of the MVP is scheduled for 2014, and production of the North Yukon's oil and gas by 2017. The VGFN need to make our standards clear and ensure operators “understand the regulations, in advance, for everything from seismic to drilling to pipelining to production in order to plan the details of their work plans.”¹⁸ More recently, the feasibility of a standalone liquefaction of natural gas projects in the North Yukon is linked to the drilling exploration activity mentioned above.

¹⁷ Fekete Associates Inc. & Vector Research, *North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment*, Prepared for: North Yukon Oil and Gas Working Group (2005):1 Accessed October 20, 2010 from http://www.emr.gov.yk.ca/oilandgas/pdf/fekete_report_final.pdf

¹⁸ Fekete Associates Inc. & Vector Research, *North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment*, Prepared for: North Yukon Oil and Gas Working Group (2005):45 Accessed October 20, 2010 from http://www.emr.gov.yk.ca/oilandgas/pdf/fekete_report_final.pdf

Literature Regarding the Tahltan First Nation

Due to the fact that I am using the Tahltan situation as a lens to make suggestions to the VGG Leadership, I find it necessary to give the reader some background information on the Tahltan. This section explores Tahltan documents regarding our traditional territory, which includes current case law involving government and private sector consultation with First Nations; Tahltan land and resource management planning documents; Northwest Transmission Line socio-cultural impact assessment (NTL SCIA) report; and Tahltan impact benefit agreement (IBA) highlights.

Tahltan Land and Resource Management Planning

As stated earlier, my Masters thesis research involved the Tahltan and our need for a LUP. At one point from 2006 to 2008, the Tahltan began the development of a LUP, which was known as the Tahltan Land Stewardship Plan (TLSP). Due to dissension between various Tahltan groups, the TLSP process achieved little Tahltan participation, and thus brought the plan to a standstill. The Tahltan have participated in several provincial planning processes including the Cassiar-Iskut Stikine Land and Resource Management Plan implemented in 2001, as well as the Klappan Sustainable Resource Management Plan, a management plan that is not complete at the time of writing this report.

The Tahltan, in regards to land and resource planning, have also developed the 1910 Tahltan Declaration, 1987 Resource Development Policy, and the 2003 Tahltan Mining Symposium Report: Out of Respect. The Tahltan are experiencing an increasing amount of resource development and exploration in our traditional territory, however, there is a lack of planning prior to many of these projects. As a Tahltan member, and from the experience I have of living in our territory, I recognize communication between our leadership and our membership needs to be drastically improved. We need to work with one another on planning for resource development. The Tahltan must work on being pro-active rather than reactive when it comes to resource development.

Northwest Transmission Line Socio-Cultural Impact Assessment Report (NTL SCIA)

The NTL, a 287kV transmission line, was ratified by the Tahltan First Nation in April of 2011. Eighty per cent of the Tahltan members who participated voted “yes” for the project. I believe the NTL will increase the pace and scale of development within our traditional territory. The impacts and change this project will bring to our people and way of life is not presently known. This report provides identified impacts from the Tahltan peoples’ perspective. Some of the concerns addressed in this report, identified by Tahltans, include: “land ownership, cultural connectivity, socio-economic equality, community wellness, transportation safety, Tahltan capacity and heritage resources.”¹⁹ The NTL SCIA bridges gaps between our people and the interests of BC Hydro, government and industry.

The purpose of the NTL SCIA is to “hear the voice and passion of the Tahltan people; Elders, leadership, women, men, youth, children, community frontline workers and community members from all walks of life for the impacts of this proposal will directly impact each and every one.”²⁰ One of the major concerns of the Tahltan people is that “without proper planning and community support, the development of several major

¹⁹ Tahltan Central Council, *Northwest Transmission Line Socio-Cultural Impact Assessment (2010):5*

²⁰ Tahltan Central Council, *Northwest Transmission Line Socio-Cultural Impact Assessment (2010):3*

projects will quickly exceed the community's capacity to support these developments including the influx of workers required to support these projects."²¹

Tahltan Impact Benefit Agreement Highlights

Author C.R. Fidler states that "IBAs are confidential bilateral agreements, negotiated between mining corporations and Aboriginal communities to address a multitude of socio-economic and biophysical impacts and opportunities that can arise from mining development. Although not compulsory in most cases, they are increasingly becoming part of a standard package of agreements."²² IBAs operate in the realm of private contract law, and the Tahltan have recently negotiated several IBAs with different companies; due to the length of this report I will focus on the Galore Creek/Nova Gold IBA that came into effect in January of 2006.

The Galore Creek/Nova Gold IBA "addresses each party's mutual interests and concerns through commitments to advance a joint partnership and Tahltan input throughout the life of the mine."²³ The IBA initiated the Tahltan Heritage Trust Fund; the money is to be managed and invested in accordance with the Trust Agreement. This ensures transparency, accountability and reporting to all Tahltan members. The Nation also decides how and where these funds are to be allocated. The IBA outlines the regulatory approval, financing and development of the proposed mine. One of the biggest components of the IBA is the economic opportunities and social benefits it addresses and includes measures and commitments to minimize negative social and environmental impacts. The IBA was voted on by the Nation, which gave regulatory approval by advancing both industry and the Tahltan peoples' interests.²⁴

Some of the issues the IBA addresses are: amendments to the B.C. Environmental Assessment, non-compliance events such as environmental monitoring, heritage resources, TK, timeline goals, ongoing review of the closure plan, and final closure. The IBA also includes funding for employment training, scholarships, and business opportunities.²⁵ Due to the fact that IBAs are voluntary and confidential, they are therefore difficult to evaluate and compare. It would be ideal if the Vuntut Gwitchin could review a successful IBA or use one as a template to determine how we would like future IBA negotiations to be carried out within the Vuntut Gwitchin context.

Another option for the Gwitchin, or any First Nation, would be to utilize the IBA toolkit completed by Gibson and O'Faircheallaigh, commissioned by the Walter and Duncan Gordon Foundation. Due to the 2010 completion of this toolkit, which provides general information on negotiation of an IBA, First Nations can construct and develop an IBA with up-to-date information, experience, and perspectives. The toolkit has four sections, including the introduction, analyzing the project and the wider environment, preparing for

²¹ Tahltan Central Council, *Northwest Transmission Line Socio-Cultural Impact Assessment (2010)*:9

²² Fidler, C. R., *Aboriginal Participation in Mineral Development: Environmental Assessment and Impact and Benefit Agreements* (Master's thesis in Applied Science, Mining Engineering). University of Northern British Columbia, Prince George, B.C., (2008)

²³ Fidler, C. R., *Aboriginal Participation in Mineral Development: Environmental Assessment and Impact and Benefit Agreements* (Master's thesis in Applied Science, Mining Engineering). University of Northern British Columbia, Prince George, B.C., (2008):48

²⁴ Fidler, C. R., *Aboriginal Participation in Mineral Development: Environmental Assessment and Impact and Benefit Agreements* (Master's thesis in Applied Science, Mining Engineering). University of Northern British Columbia, Prince George, B.C., (2008)

²⁵ Ibid

negotiations, and conducting negotiations and reaching agreements. The toolkit can be accessed online at [www.ibacommunitytoolkit.ca/pdf/IBA toolkit March 2010 low resolution.pdf](http://www.ibacommunitytoolkit.ca/pdf/IBA_toolkit_March_2010_low_resolution.pdf).

Methodology

Permission (VGFN Researcher's Form)

The VGG Heritage Department requires and reviews all research licenses within the VGTT with not only a technical eye, but one that also encompasses community consultation regarding social and cultural interests of VGFN and its citizens. If the research is to be carried out in an area considered sensitive to the VGFN, then the researcher must complete the VGFN researcher's application form (Appendix 1). I completed the application form on November 18, 2010. The VGG Heritage Committee reviewed the application, determined that it supported this research project, and provided me with several conditions outlined on Appendix 2: VGFN Research Agreement.

Interviewing

Semi-structured interviews (Appendix 3) were conducted with VGFN citizens who are steeped in, and/or concerned with, economic development prospects. The interviewees included Dougie Charlie, Greg Charlie, Peter Frost, and Jeffrey Peter. Obtaining the opinions of people who have worked in this field was a priority for my research. The ideas and concerns brought up in the interviews helped shape this report and the recommendations provided. Prior to interviewing, I had each participant sign a consent form (Appendix 4). The interviewees were chosen by suggestions made from my mentor Joe Linklater, and confirmed with the Natural Resource (NR) Director Lance Nagwan.

Each interviewee permitted recording of the interview using Audacity computer software. Each interview transcription was given back to the participant for verification, as well as to check if they had anything else to add. All recordings, transcripts and reports will be given to the VGG Heritage Department upon completion of this report.

Community (Old Crow) Verification

Due to the fact that my mentor for this project is Joe Linklater, VGFN Chief and long-time community member, I felt I had sufficient inside guidance from VGFN. Once the first draft of this report was completed, I gave the VGG Natural Resources Department the opportunity to add and/or change anything within the report, however, no suggestions were made. Once the report is finalized, the VGG Natural Resources Department can share it with the community or use at their disposal.

Recommendations

Developing Policy for the North Yukon

One can argue that most policies that effects the North are created by politicians who do not live there, which includes oil and gas policies. VGFN oil and gas policies are a principle of action for government and industry; third parties need to take the necessary steps to understand VGFN society by becoming informed not only about our rights from a legal perspective, as expressed in many of the documents outlined above, but also by establishing engagement processes that reflect a respect for VGFN members and our traditional territory. I believe industry, government, as well as NGOs should take cross-cultural training to ensure that the proponent has the capacity to build the needed relationships with the VGFN and commit to collaborative problem-solving approaches with the VGG and our citizens.

Areas for Development in VGTT

The NYLUP has designated areas suitable for development (i.e. Integrated Management Areas or IMA). Zone I is designated for the lowest development level, to zone IV, which is designated for the most intensive. The Vuntut Gwitchin must ensure that the different zoning areas (i.e IMA) are followed to the strictest degree due to the fact that these zones have been previously classified and agreed upon.

The cumulative effect of more than one proposed project occurring at once in Tahltan territory has not had proper attention from the government agencies who issue permits to individual proponents, nor has the cumulative effects been measured from past projects. The NYRLUP addresses cumulative effects and proposes two indicators that can be used to track potential land use disturbances. Those indicators are direct surface disturbances, which is “the amount of area physically disturbed by human activities” and linear density, which is “the total length of all human-created linear features (roads, seismic lines, access trails, etc.) in a given area.”²⁶

The NYRLUP cumulative effect diagram places a certain threshold on resource development projects. Greg Charlie states, “Northern Cross has done their own compellation to make sure that they are well below that threshold that was put in place. So they have been using the NYRLUP, plus they are in the area of using the land that was considered for development in the approved plan.”²⁷

Recommendation

The VGG should require industry and/or government, as part of any agreement, to recognize the cumulative effects to an environment and/or species, and be prepared to jointly agree to cumulative effects studies, information collection, and analysis for the complete life cycle of the project.

²⁶ North Yukon Planning Commission, *Final Recommended North Yukon Land Use Plan. Nichih Gwanal'in: Looking Forward (2009)*

²⁷ Personal interview, Aug. 18, 2011

This includes reassessing the cumulative effects as new oil and gas projects are developed over the complete life cycle of a project by VGG and YTG, along with the Yukon Land Use Planning Council pursuant to the UFA and the VGFN Final Agreement.

The Eagle Plans area has had rapid development activity recently with further plans for summer 2012. However, due to the absence of past resource development in the area, I would suggest that industry proponents complete projected cumulative effects models with mitigative measures prior to development, and in the best-case scenario, prior to exploration. One of the biggest concerns brought up by the interviewees was the need for trained VGFN citizens to monitor and supervise activities within the development footprint and all other affected areas. Oil and gas policy should ensure meaningful roles for VGFN members in the monitoring, management and regulation of all projects.

Recommendation

Oil and gas training and/or orientation for potential employees (i.e. there is an oil and gas training program [five days] for northerners should be offered through the Pembina Institute out of Calgary, AB).

Land disturbances within close proximity to one another can quickly accumulate. Pro-active management needs to be a priority when planning for resource development. The Tahltan have faced challenges with some proponents who indicate that their project has not had too much of an impact on the land, and due to the fact that we did not have baseline studies²⁸ of certain areas prior to project exploration/development, nor aggregate data to oppose industries argument.

Recommendation

The VGG Natural Resources Department should begin baseline studies of all IMA areas or collect and compile the completed studies. Where there is insufficient data regarding potential impacts, exploration activities should not be initiated until the Vuntut Gwitchin are satisfied that there is adequate data or commitment to ascertain the nature and severity of the impact because VGG and YTG have the necessary tools to insure this.

VGG should require that industry not only commit to implementing the [Oil and Gas Best Management Practices](#) advanced by the Yukon Energy, Mines, and Resources, but agree to go over and above those best management practices and commit to the highest level of environmental protection.

From personal conversations, I have found that VGFN citizens feel that these practices point industry in the right direction but do not necessarily meet VGFN standards. On top of those practices, companies should also adhere to the VGG Natural Resources Department policy that will be developed and/or updated after

²⁸ Baseline study is one that looks at study characteristics at a particular time or under a particular set of conditions to establish a "baseline." Subsequent studies of the same or similar workplaces at different times or under different circumstances will be conducted to see if there are changes as compared to that "base line." Then the researcher will attempt to determine whether the changes were related to any of the differing circumstances ("Baseline Study", 2011).

the completion of this report. Currently, it is not clear who will monitor to make sure these conditions are met by industry, which reiterates many of the interviewees concerns on proper monitoring and enforcement.

Consultation

Consultation is required to help manage the important ongoing relationship between government and First Nation communities, in a way that upholds the honour of the Crown and promotes the objective of reconciliation with Canada's First Nations. The "obligation to consult" is set out in the Yukon First Nations UFA, but I feel the VGG Natural Resources Department needs to clearly define appropriate and acceptable consultation procedures for oil and gas exploration/development, which could be done via the VGG-YTG Intergovernmental Relations Accord.

Recommendation

The oil and gas policy should determine what types of consultation are deemed appropriate (i.e. telephone contact, casual, or unplanned meetings, etc.), as well as call for early and full involvement of VGFN citizens and the VGG in proposed developments. Oil and gas proposals that are not given sufficient time should not receive expedited review.

The courts have never given a clear definition of "consultation" and have said that the definition depends on the community being consulted, the size or type of project, timing and other factors that change from project to project (VGG Natural Resources Department Operations Manual). Even when consultation is required, it does not necessarily mean that all citizens must be consulted. It is the Chief and Council who represent the VGFN citizens and make decisions on whether to involve our membership in consultation, as well as identify the level of involvement for those members. However, VGG has moved a long ways beyond developing case law of consultation by going beyond our Final Agreement and Self-Governing Agreement to our VGG-YTG Intergovernmental Relations Accord and related administrative practices.

Consultation and accommodation principles with the Vuntut Gwitchin need to be based on current case law.

Recommendation

The Vuntut Gwitchin should require a consultation commitment throughout the full life-cycle of an oil and gas project (i.e. pre-application documentation, application documentation, mitigation/compensation plans, permitting, and reclamation/closure plans).

The Vuntut Gwitchin should also be given the opportunity to review development plans prior to their release to the government. Standards should be applied to the VGG from the direction of the VGFN people by allowing sufficient time to review and/or ask questions.

Benefit Agreements with Government and Industry

The Vuntut Gwitchin require that an IBA with oil and gas proponents must be negotiated prior to commencement of any project. Greg Charlie, a VGFN member who works in the oil and gas field, stated that the term IBA is no longer used, “it’s benefit agreement [BA] only, the word impact is taken out because there is a negative tone to it. BA focuses on the positive side of the agreement.”²⁹ BAs may include, but are not limited to, the following: revenue sharing and/or profit sharing; job creation and contract opportunities, including employment of VGFN monitors; equity sharing in project and/or company; commitment to use VGFN businesses whenever possible; and the right of first refusal of qualified contract services.

Recommendation

BAs should identify the creation of viable economic opportunities along with the VGG and/or VDC and assist in the improvement of socio-economic conditions of the Vuntut Gwitchin through economic diversification. BAs should provide scholarships for VGFN members seeking qualification at trades, technical and post-secondary institutions; provide training of VGFN members for natural resource development, environmental monitoring, and enforcement; and commit to employ qualified VGFN members who have a trades, technical, and/or post-secondary background.

BAs should address direct employment resulting from oil and gas activities, past BAs have addressed this and should continue to meet or beat existing BA requirements. The Fekete Report identified future oil and gas sectors, including: pipeline, feasibility phase, planning phase, pipeline construction phase, pipeline operation phase, drilling rigs, seismic well servicing, road construction, pipelining and operating companies.³⁰ The construction of the pipeline may require 2,250 workers each season, which will provide jobs for Yukoners, with the remaining positions filled by southerners.³¹

BAs provide many opportunities for First Nations engaging with resource developers. However, if the First Nation does not have the capacity to fulfill the above outlined job opportunities, how do we benefit from the requirements laid out in the BA? Currently, VDC and its affiliated corporate entities meet the requirements for this opportunity. The Vuntut Gwitchin must agree to create joint ventures that provide services and goods during the full life cycle of resource development projects and participate in mentoring for the jobs required for exploration to reclamation/closure.

²⁹ Personal interview, Aug. 18, 2011

³⁰ Fekete Associates Inc. & Vector Research, *North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment*. Prepared for: North Yukon Oil and Gas Working Group. Retrieved October 20, 2010 from http://www.emr.gov.yk.ca/oilandgas/pdf/fekete_report_final.pdf (2005): 51-52

³¹ Fekete Associates Inc. & Vector Research, *North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment*. Prepared for: North Yukon Oil and Gas Working Group. Retrieved October 20, 2010 from http://www.emr.gov.yk.ca/oilandgas/pdf/fekete_report_final.pdf (2005)

Timelines and Information Sharing

When it comes to consultation, I would suggest that one of the biggest concerns is the timelines given to First Nation communities. First Nations often lack the capacity and knowledge to adequately respond to both government and industry. Urquhart's Master's thesis³² *Building Consultation from the Bottom Up: A Case Study of the North Yukon*, based on the community of Old Crow, not only recognizes the lack of time given but also suggests that timelines should be "community-friendly".³³ First Nation community-friendly timelines need to take into consideration traditional activities, time of year, especially spring and fall, and the time needed to translate the issues at hand.³⁴

Through my thesis research, I found that government and industry made no effort in providing adequate timelines, they also make little to no effort to assist the public in terms of understanding information.

Recommendation

Government and industry alike should commit to provide information on their activities at all stages of exploration and development to ensure that First Nations people are able to determine possible detrimental effects to our rights and interests, and prepare applicable mitigative measures.

At the same time, providing ongoing information will allow for a forum to seek information, provide recommendations, and discuss economic opportunities through all stages of oil and gas exploration/development.

From my research with the Tahltan, I found that much of the information provided and/or presented to the Tahltan by third parties, was done so in a way that was incomprehensible for many of the people receiving that information. The Yukon Government needs to increase the educational outreach to First Nation communities in order for there to be wider involvement and more comprehensive input. Governments and industry need to recognize who their audience is and make all information comprehensible to the average First Nation citizen who may or may not be educated in a so-called traditional Western sense.

Approach to Incorporating Traditional Knowledge into Oil and Gas Development Policy

VGFN and the VGG have vast amounts of both documented and undocumented TK for our entire territory. We need to ensure that our TK is used to the fullest extent in all resource management and development decision-making. Ellis states, "proponents of traditional knowledge maintain that it can offer contributions

³² Urquhart, R., *Building Consultation from the Bottom Up: A Case Study of the North Yukon* (Master's thesis in Natural Resource and Environmental Studies). University of Northern British Columbia, Prince George, B.C. (2010)

³³ Urquhart, R., *Building Consultation from the Bottom Up: A Case Study of the North Yukon* (Master's thesis in Natural Resource and Environmental Studies). University of Northern British Columbia, Prince George, B.C. (2010): 121

³⁴ Urquhart, R., *Building Consultation from the Bottom Up: A Case Study of the North Yukon* (Master's thesis in Natural Resource and Environmental Studies). University of Northern British Columbia, Prince George, B.C. (2010)

to environmental decision making from a broader scope of environmental values, practices, and knowledge.”³⁵

Recommendation

Meaningful incorporation of TK into oil and gas policy must take a holistic approach and include all aspects of VGFN culture and traditions.

TK is a cumulative, collective body of knowledge, experience, and values drawn from a broad range and typically communicated in a oral fashion:

*Environmental knowledge, cultural values, history, politics, and the broad concerns and aspirations of their people may often inform the speech of an elder or other land user participating in an environmental hearing or technical session. Such speakers rarely limit themselves to a specific topic, but rather provide holistic analyses and broad statements.*³⁶

The Alaska Native Science Commission characterizes TK as “Holistic- [it] cannot be compartmentalized and cannot be separated from the people who hold it. Rooted in spiritual health, culture and language. [it’s] a way of life.”³⁷ Thus, the use of TK in environmental decision-making needs to take into account a number of factors, some of which I discuss below.

The application of TK needs to be required throughout the full life cycle, including planning, exploration, and development decisions in a manner consistent with VGG policies and acceptable to the VGFN members. Once a protocol has been agreed, all parties must agree that the VGFN has protection, ownership and custody of our TK. The TK protocol will protect intellectual property rights, allow for information sharing, and set out how that information will be shared. The VGG Heritage Department requires that all industry adhere to our TK policy (draft), which strengthens the protection and preservation of our TK. The challenge of incorporating meaningful TK into environmental decision-making will be hampered by the dialogue differences between science and TK, due to the “fundamental differences in concept and language.”³⁸

Other heritage recommendations for oil and gas policy are generic and VGG already include many of these in our current permitting processes. For example, the VGG Heritage Department must be involved in all archaeological survey of any areas that may be affected by oil and gas exploration/development activities. We must make certain that in the event that a burial or archeological site is identified, companies must

³⁵ Ellis, S. C. Meaningful Consideration? A Review of Traditional Knowledge in Environmental Decision Making. *Arctic*, 58 (1), (2005): 67

³⁶ Ellis, S. C. Meaningful Consideration? A Review of Traditional Knowledge in Environmental Decision Making. *Arctic*, 58 (1), (2005): 71

³⁷ Fenge, T. & Funston, B.W., Arctic Governance: Traditional Knowledge of Arctic Indigenous Peoples from an International Policy Perspective (2009): 6

³⁸ Ellis, S. C. Meaningful Consideration? A Review of Traditional Knowledge in Environmental Decision Making. *Arctic*, 58 (1), (2005): 71

suspend operations and contact the VGG Heritage Department to determine what action is required. These operational procedures are presently in place, but must be reiterated in the oil and gas policy once complete.

One of the biggest concerns VGFN members have is the impacts resource development will have on the Porcupine Caribou Herd. The migration route of the herd is extensive and crosses into the IMA zones where the highest development is acceptable. The North Yukon Renewable Resource Council and the Porcupine Caribou Management Board will need to have extensive involvement with the development of oil and gas policy. The “Examples of Borough Permit Standards - Red Dog Mine” (see Appendix 5) shows a few examples of incorporating TK regarding the migration of caribou into resource development standards. Those standards take into consideration elements such as the time of year, herd size, as well as priority for subsistence activities.

One of the methods the Tahltan use for incorporating TK into resource decision-making stems from the Tahltan Traditional Use Sites (TUS), which were compiled from two different studies. Recently these studies were entered into a geographical information system (GIS). The TUS within a project footprint is clipped, buffered, and used to mitigate development on or near that site. I suggest the Vuntut Gwitchin utilize GIS technology and enter all documented TUS, which will allow us to look at maps and gather not only spatial information like a typical paper map, such as Map 3: Heritage Resources and Vuntut Gwitchin Land Use, but also information about the things we are looking at. Using GIS we can easily map and store data such as plant distribution, plant species, when to harvest plants, determine medicinal use, as well as exploration sites, company names, contact information, and drill holes within a given area.

One of the ways the Tahltan have incorporated TK into the B.C. environmental assessment process was through the creation of the Tahltan Heritage Resource Environmental Assessment Team (THREAT). THREAT was created in 2005 “to act as a technical advisor to the Tahltan Nation and Tahltan Leadership on aspects of resource development including permitting and exploration.”³⁹ THREAT works with the B.C. provincial government and industry proponents to ensure that development activities occur in a manner which meets Tahltan environmental standards. THREAT consists of 20-plus Tahltan members working in the following groups: water quality, wildlife, mine planning, heritage, social/cultural, legal, economic, cumulative impacts, metallurgical engineering, archeology, and road and maintenance.

Recommendation

VGG should create a group similar to THREAT, which will allow for further protection of our land and resources by making sure our voices and values are not only heard, but also incorporated into decision-making processes.

Oil and gas development will have both negative and positive impacts on our way of life. VGFN citizens will have to determine whether the positive benefits outweigh the negative impacts, and decide if the project is worth the risk. Oil and gas may have adverse effects, such as loss of subsistence harvesting, but at the same time there might be an increase of monies into the VGG Natural Resources Department to complete

³⁹ Tahltan Central Council, *Tahltan Heritage Resource Environmental Assessment Team Newsletter* 1 (2) (2008)

land and wildlife studies. We need to ensure that TK is integrated where appropriate and viewed not only as a supportive role, but as a valid bases for decision-making. Ellis argues, “Current practice essentially changes traditional knowledge into science. At the same time, the values and practices associated with traditional knowledge are commonly discarded or ignored because they are incompatible with science and dominant Euro-Canadian values...Aboriginal people and their knowledge are often empowered only to the degree to which they conform to these [Euro-Canadian] structures and values.”⁴⁰ TK has to be understood as far more than just data. Some people within the science and policy communities treat TK as “one of many potential data sources [which] immediately takes it out of context and undermines its role in each indigenous society as: as value system, as participation, as methodology, as consensus building, as adaptation, as monitoring; and as intergenerational decision-making framework.”⁴¹

Balancing Subsistence and Resource Development

Old Crow is reliant on hunting and gathering natural resources from the land. The connection the Vuntut Gwitchin have with our surrounding environment stems from the dependence on wildlife such as caribou, moose, muskrat, birds, wolves, foxes, salmon, white fish, trout, as well as different plants, including blue berries, salmon berries, greens, labrador tea, leaves, and roots. A wage-based economy co-exists with the traditional subsistence harvesting, and includes resource development, school government services, VGG contracting services, local arts and crafts, tourism and visitor services (John Tizya Center) and transfer payments/low income assistance. In 2008, the region had “one of the lowest levels of wage-based economic activity in Yukon.”⁴² We need to work with developers for responsible resource development that respects subsistence and residents way of life.

The importance of TK and cultural values are core components of our governance and management systems. Outside development needs to be aware of the traditional lifestyle of the Vuntut Gwitchin; we need to conserve the natural ecosystem for the various plants and animals that we depend on for subsistence, and to promote access to those resources for subsistence purposes.

Recommendation

The VGG should ensure that third parties agree that traditional activities must be a priority in planning exploration/development activities.

Oil and gas use should not be allowed unless the VGG Natural Resources Department (i.e. Lands Manager, along with Chief and Council support) determines through substantial evidence that such uses will not interfere or conflict with subsistence.

⁴⁰ Ellis, S. C. Meaningful Consideration? A Review of Traditional Knowledge in Environmental Decision Making. *Arctic*, 58 (1), (2005): 74

⁴¹ Fenge, T. & Funston, B.W., Arctic Governance: Traditional Knowledge of Arctic Indigenous Peoples from an International Policy Perspective (2009): 9

⁴² North Yukon Planning Commission, *Final Recommended North Yukon Land Use Plan. Nichih Gwanal'in: Looking Forward* (2009): 2-3

I feel that the VGTT can accommodate oil and gas exploration and development and resource extraction on a limited scale. With saying that, we must also ensure the protection of our core values, which will contribute to cultural integrity, environmental health, biological diversity and ecological processes. Third parties need to be aware and respect these limitations on oil and gas exploration/development activities.

Social Effects

One of the biggest concerns brought up by Jeffrey Peter, a young university educated VGFN member, was the importance of addressing social effects. As a young person, Jeffrey sees the detrimental effects that drugs and alcohol have on our people. Social effects might include “health (mental and physical), cultural well-being, lifestyles, demographics, land use, community, and social organization.”⁴³ These effects might be positive or negative in nature; “positive effects are usually described as benefits (e.g., jobs) while negative effects are often described as impacts (e.g. changes in family structure). Whether positive or negative, the scale of the effect is also important.”⁴⁴

Some of the social issues raised in the Fekete Report include:

- boom-bust effects during construction activity, likely including housing shortages, traffic congestion, wage and cost of living inflation and crime and other social problems;
- negative social, economic, cultural and biophysical effects during operations, as the industry’s activities and culture undermine traditional industries and local lifestyles, as the scale of industry activity fluctuates in response to price cycles and through chronic and occasional accidental releases of pollution;
- The eventual cessation of activity will leave a negative social, economic, cultural and biophysical legacy.⁴⁵

Again, many of the socio-cultural impacts of oil and gas development will have to be addressed through the ICSP that is already in place. However, the difficulty of implementing that plan, along with other plans, will be measuring those impacts and mitigating them in appropriate ways.

⁴³ Fekete Associates Inc. & Vector Research, *North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment*. Prepared for: North Yukon Oil and Gas Working Group. Retrieved October 20, 2010 from http://www.emr.gov.yk.ca/oilandgas/pdf/fekete_report_final.pdf (2005):65

⁴⁴ Ibid

⁴⁵ Fekete Associates Inc. & Vector Research, *North Yukon Conceptual Oil and Gas Development Scenario and Local Benefits Assessment*. Prepared for: North Yukon Oil and Gas Working Group. Retrieved October 20, 2010 from http://www.emr.gov.yk.ca/oilandgas/pdf/fekete_report_final.pdf (2005):71

Conclusion

In conclusion, I recommend that the VGG and our citizens commit to working with oil and gas developers through the full life cycle of a project (pre-application documentation, application documentation, mitigation/compensation plans, permitting, and reclamation/closure plans). Each of these stages should be based on fundamental principles consistent through all Vuntut Gwitchin public policies as it relates to resource development. One could argue that oil and gas companies “want to get an approval from the citizens but they also want to create opportunities for individual citizens that want to work in the industry...the critical part of oil and gas industry is gaining and maintaining good individual people who have knowledge of the oil and gas industry.”⁴⁶ I feel that all VGFN members must educate ourselves to the fullest extent and prepare for resource development within our backyard; I am not opposed to resource development but I do feel that we must maintain responsible, sustainable development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

⁴⁶ Personal interview with Greg Charlie on Aug. 18, 2011

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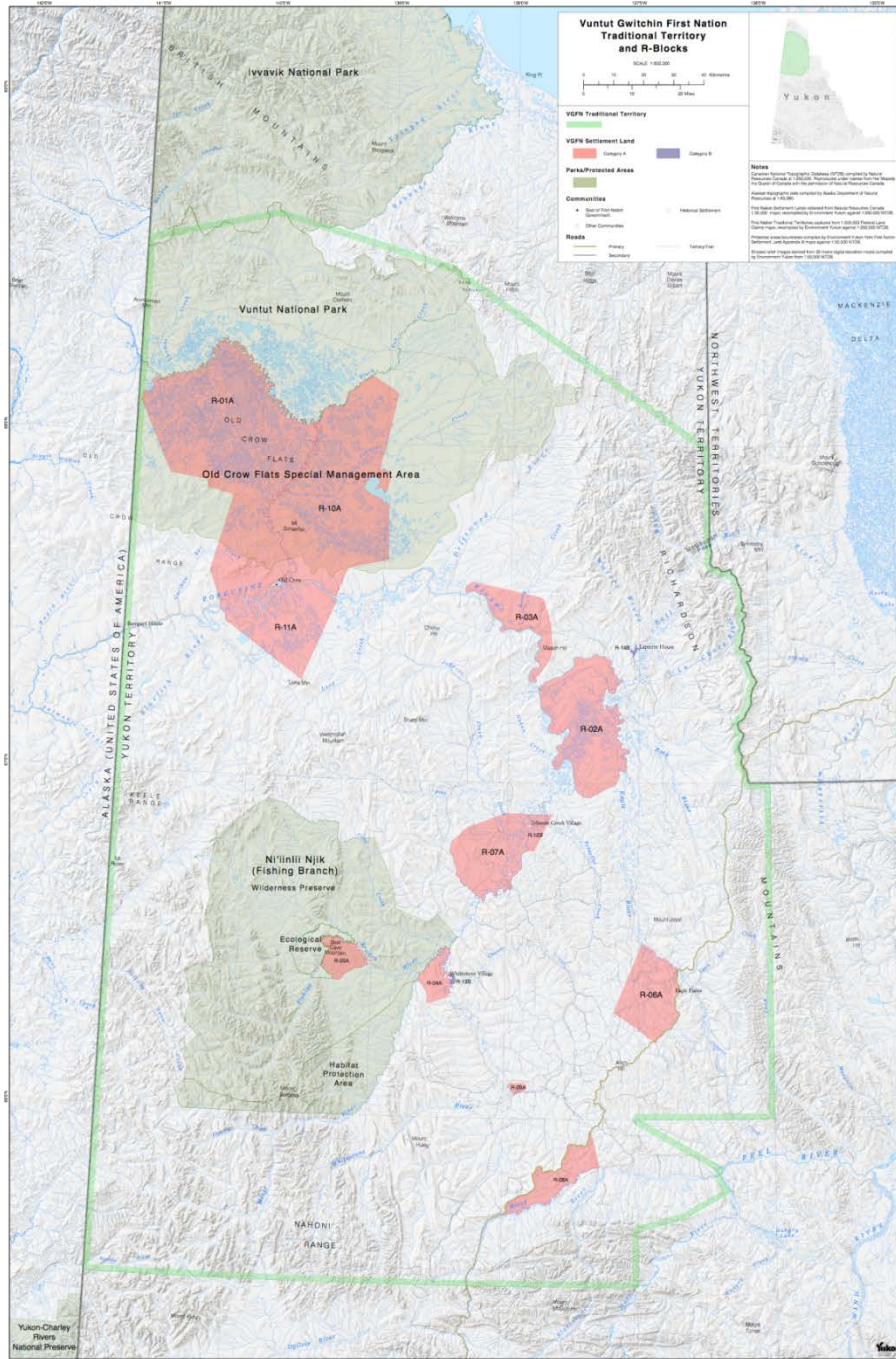
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Maps

Map 1: Vuntut Gwitchin Traditional Territory

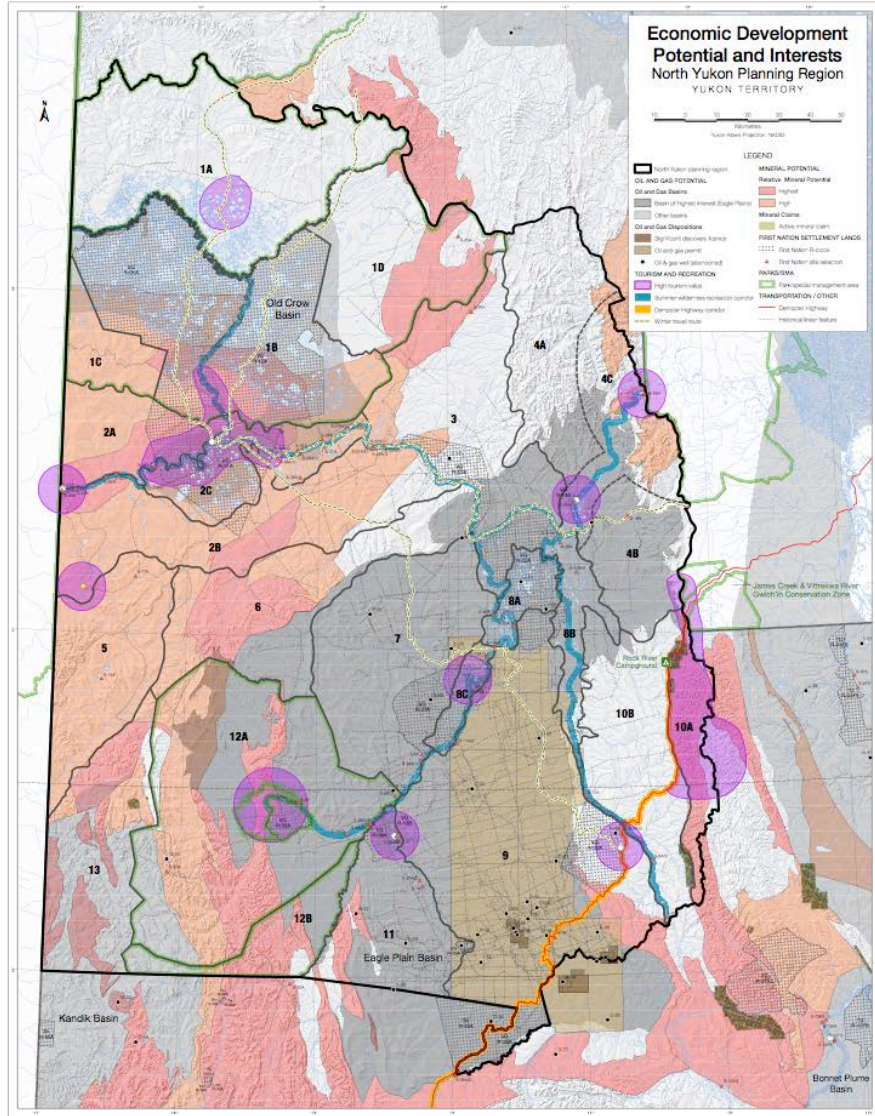


(Government of Yukon, 2011b)

[Click to download larger version](#)

Map 2: Economic Development Potential and Interests

Final Recommended North Yukon Land Use Plan: Map 4



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Data sources:
Base data: 1:250,000 National Topographic Database, 1:50,000 historical linear features (NRCAN); seasonal roads (Yukon Energy, Mines & Resources), 1:250,000 topography, 80m shaded relief (Yukon Environment)
Thematic data: 1:250,000 planning regions (NYP); oil and gas potential, oil and gas dispositions, oil and gas wells (Yukon Energy, Mines and Resources); mineral potential, mineral claims (Yukon Geological Survey); area of tourism interest, summer wilderness recreation corridor, Dempster highway tourism corridor, winter travel route (Yukon Tourism); 1:250,000 First Nations site selections, provincial boundaries, parks/special management area, 1:1,000,000 parks/protected areas (Yukon Environment), First Nations settlement lands (4-blocks) obtained from NRCAN 1:30,000 maps and recompiled against 1:250,000 NTDB (Yukon Environment)

Data disclaimer:
This map is a graphical representation, which depicts the approximate size, configuration and spatial relationship of known geographic features. While great care has been taken to ensure the best possible quality, this document is not intended for legal descriptions and/or to calculate precise areas, dimensions or distances. We do not accept any responsibility for errors, omissions or inaccuracies in this data.
Note: Oil & gas and mineral potential is not displayed for Vuntut National Park at the request of Parks Canada.
Digital copies of this map may be obtained from the North Yukon Planning Commission website at:
www.nypc.pln.yukon.ca

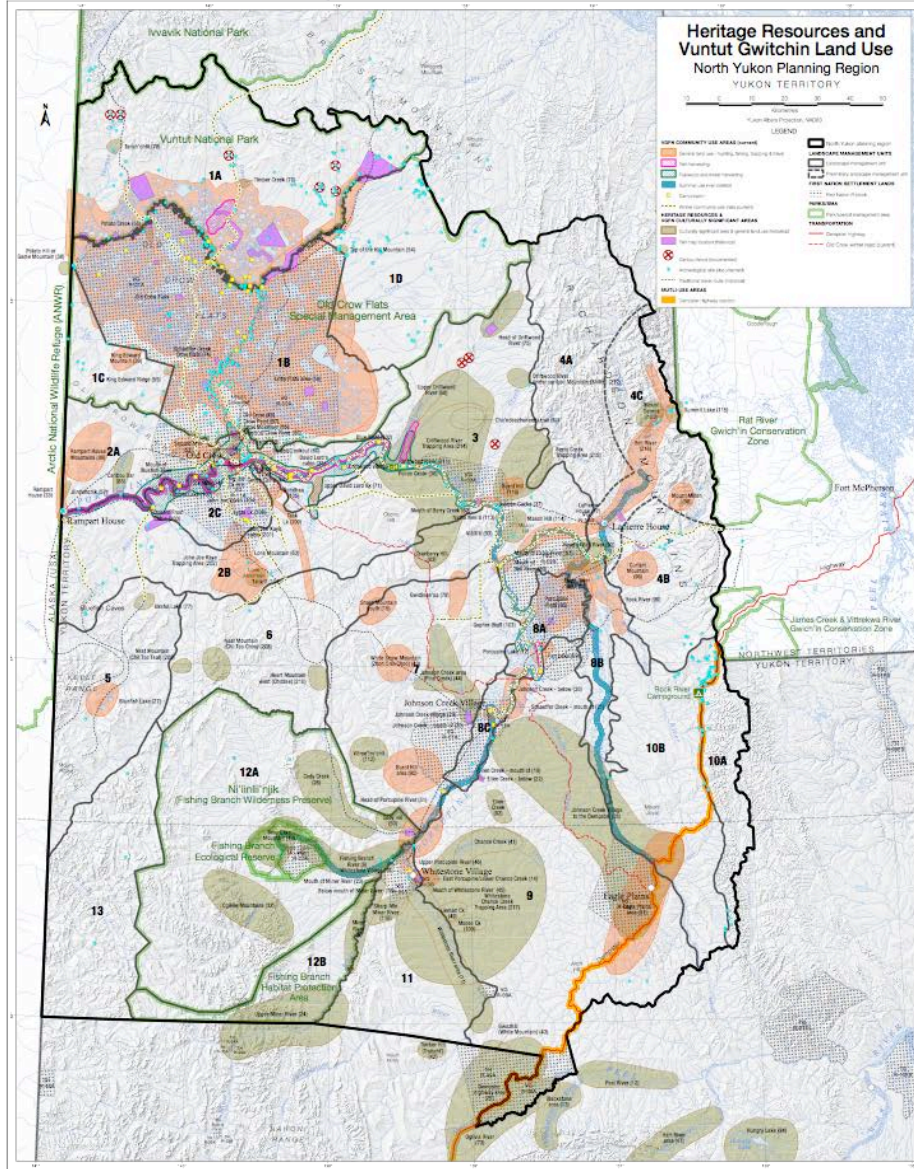
North Yukon Planning Region - Final Recommended Land Use Plan January 2009

(Yukon Land Use Planning Council, N.D.a).

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Map 3: Heritage Resources and Vuntut Gwitchin Land Use

Final Recommended North Yukon Land Use Plan: Map 3



© North Yukon Planning Commission, January 2009

Data sources:

Base data: 1:250,000 National Topographic Database (NRCAN); seasonal roads (EMR); 1:250,000 topography, 90m shaded relief (Yukon Environment)
 Thematic data: 1:250,000 Recommended land use designation, Dempster Highway corridor; 1:250,000 planning regions (NYPC); 1:250,000 archeological sites (YTG archeological sites database); VGFN land use, fish harvesting, fuelwood & forest harvesting, camps/cabins, historical fish trap locations, traditional travel routes, caribou fences (VGFN); 1:50,000 Old Crow winter road & community-use trails obtained from NRCAN and updated by Geomatics Yukon, NYPC and Yukon Oil & Gas, EMR; 1:250,000 provincial boundaries; 1:250,000 & 1M parks/protected areas (Yukon Environment); First Nations settlement lands (R-blocks) obtained from NRCAN 1:30,000 maps and recomplied against 1:250,000 NTDB (Yukon Environment)

Data disclaimer:

This map is a graphical representation, which depicts the approximate size, configuration and spatial relationship of known geographic features. While great care has been taken to ensure the best possible quality, this document is not intended for legal descriptions and/or to calculate precise areas, dimensions or distances. We do not accept any responsibility for errors, omissions or inaccuracies in this data. Please note that Inuvialuit, Tetit Gwich'in, Kachon Kiyak Dun and T'ondok heritage and land use information has not been included in this map, but has been fully considered in the land use plan.

Digital copies of this map may be obtained from the North Yukon Planning Commission website at:
www.nypc.planyukon.ca

North Yukon Planning Region - Final Recommended Land Use Plan

January 2009

(Yukon Land Use Planning Council, N.D.b).

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Appendix 1: Vuntut Gwitchin First Nation Researcher's Application Form

Christine Creyke
Box 107
Old Crow, YT
Y0B 1N0
christinecreyke@yahoo.ca
867-966-3171

Incorporating Traditional Knowledge (TK) into Resource Development Policy in Vuntut Gwitchin Territory

1) What are the purpose and objectives of the project? Please include a thesis statement.

- The North is a place of sparse human population and immense natural resources (both renewable and non-renewable). The people who rely on this land and its resources are being pressured by global demands to develop and extract resources at alarming rates.
- The VGFN need to ensure that development within our territory and beyond (i.e. Arctic National Wildlife Refuge) is being conducted with our best interest in mind. We need to modify and improve policy and management regulations so that they better reflect our goals and values.
- The objective of the research is to incorporate Vuntut Gwitchin TK (traditional knowledge) into resource development proposals within our traditional territory.

2) Describe the research plan and methodology

- Establish relationships with Elders, community members, youth and those active in resource management within the community. Once the support of the community is in place, the way(s) in which the research will proceed can be determined.
- Identify TK holders for information gathering and development of recommendations. Work with the people to develop a schedule that works with, and is sensitive to, Gwitchin traditions and lifestyle.
- Develop a relationship with someone (possibly multiple people) who knows the language; work with this person to promote and advance Vuntut Gwitchin language into resource management policy and practices.
- Research the history of First Nation involvement in resource management and resource development within the area and learn from past experiences. Incorporate the work and lessons learned from my graduate thesis (*The Tahltan Nation and Our Consultation process with Mining Industry; how a Land Use Plan might improve the process and policies*) into the research conducted in Old Crow.
- To complete this research, I will use the tools I gained while employed as a land use planner for the Tahltan First Nation (hands-on working with First Nation communities), as well as the knowledge gained as a graduate student (research and writing skills). I believe the traditional and Western

knowledge systems must work together for the outcome of this research to be useful, meaningful, and accessible to all parties involved.

- The amendments and recommendations to resource management that will be identified through this research will serve First Nations in our fight against overwhelming resource extraction on traditional lands.

3) What is unique or significant about this project? (How will this project advance the field of knowledge?)

- I am a member of VGFN.
- Once the research is completed it will provide VGFN with a report to develop resource development policy.
- Define resource development from a community or grassroots perspective.
- Not only is this topic important to me, but also for the VGFN, indigenous peoples everywhere, and anyone who lives and/or works in an area of resource extraction/development where indigenous peoples live in Canada and beyond.

4) What is the schedule for the project? (ie. planning, deadlines, expected date of completion, expected date of report completion)

- November 2010- Move to Old Crow. Get to know the community and community members. Introduce the research proposal and make necessary changes to accommodate community needs.
- December 2010- Start collecting information, gathering key documents, network with key people across the North.
- January-February 2011- Research the history of Northern resource development, research IBAs for other First Nations. Start interviewing community members and gathering local knowledge.
- February 2011-Second Meeting with Jane Glassco Fellowship recipients (Ottawa, ON), determine if research is on track with other fellowship recipients research. Get VGFN community input on research validity and content, add community concerns, suggestions and other input.
- March 2011-May 2011- continue to write report and get community verification prior to completing report.
- June 2011- complete report submit to VGFN.

5) Please list funding agencies and other partners.

- Walter and Duncan Gordon Foundation: Jane Glassco Arctic Fellowship.
Nancy Karetak-Lindell
Director, Jane Glassco Arctic Fellowships
PHONE: 613-293-5763
nancy@gordonfn.org

Appendix 2: VGFN Research Agreement

Christine Creyke
Box 107
Old Crow, YT
Y0B 1N0

January 17, 2011

Conditions:

1. This agreement is for a report on Incorporating Traditional Knowledge (TK) into Resource Development Policy in Vuntut Gwitchin Territory.
2. Material collected under this agreement will not be used for any purpose other than what is outlined in the Vuntut Gwitchin Government (VGG) Research Application.
3. This project will take place between November 2010 and June 2011.
4. Interview data collection will be conducted in direct consultation with the Vuntut Gwitchin Government Heritage Branch.
5. Where additional human resources are required to facilitate or participate in projects, Vuntut Gwitchin guides, assistants, translators, community co-ordinator, facilitator and/or relevant other local experts are employed at the researchers expense through a funding agreement with the VGG (applicable administration charges of 15 per cent apply) or through the funding agency/researcher.
6. VGG approved consent forms must be used for interviews and/or photographs used in the project. The researcher is responsible for ensuring the interviewee/subject understands and signs the consent form.
7. Metadata will be submitted to the central data repository – the Polar Data Catalogue (www.polardata.ca). Interview materials will be submitted to VGG and administered under the VGG Access Policy.
8. Copies of publications pertaining to this project will be provided to VGG.
9. The researcher is responsible for ensuring that partners and students are aware of these restrictions.
10. The researcher is responsible for complying with relevant legislation and guidelines pertaining to their project.

Thank you for your interest in the Vuntut Gwitchin Traditional Territory.

Signed by Vuntut Gwitchin Government:

Vuntut Gwitchin Government

Date

Christine Creyke

Date

Appendix 3: Interview with VGFN members

Interview Questions:

1. Do you support oil and gas development within VGFN settlement area?
 - a. If yes, why?
 - b. If no, why not?
2. Do you support keeping some areas of VGFN settlement area undeveloped and in their natural state for traditional uses, wildlife conservation, or other reasons?
 - a. If yes, where and why?
 - b. If no, why not?
3. What do you think is the best way for oil and gas companies to consult with VGFN members and stakeholders about important issues in VGFN settlement area?
4. Do you expect oil and gas companies to protect the environment according to North Yukon Land Use Plan?
 - a. If no, why not?
5. How can decision-makers and local communities achieve balance between local interests and the interests of the territorial government regarding economic development?
6. How do you want future consultations with the oil and gas industry to proceed?
7. Do you think an IBA (impact benefit agreement) should be developed with oil and gas industries by assessing and identifying successful IBAs? What practical considerations should an IBAs address? (i.e. financial benefits, employment and training opportunities, environmental management, dispute resolution)
8. Do you have any issues, topics, and/or concerns that an “oil and gas development policy” should address?
9. From the experiences you have had, can you think of anything else that has not been touched on here about oil and gas development?
10. What do you think is the best way to incorporate Traditional Knowledge into oil and gas development policy?

Appendix 4: Interview Consent Form

Purpose

The Vuntut Gwitchin need to ensure that resource development within our traditional territory and beyond (i.e. Arctic National Wildlife Refuge, or ANWR), are conducted with our best interest in mind. We need to review and where appropriate modify and improve resource management policies and management practices so that they better reflect our goals and values, both within our own systems and those of other orders of government. There are a number of objectives that may be achieved through this research project, such as:

1. To conduct a comparative review of the natural resource management regimes in both the Vuntut Gwitchin and Tahltan Traditional Territories.
2. Determine how each may learn from the experiences of one another, and to make recommendations to the Vuntut Gwitchin leadership on changes to oil and gas management policies and practices, both internally and inter-governmentally.
3. Assess mechanisms for incorporating TK into oil and gas management decision-making in Vuntut Gwitchin Traditional Territory and make recommendations as appropriate.

How Respondents Were Chosen

I will conduct semi-structured interviews with VGFN members who are pro-development, as well as members who have worked in various fields of resource development.

Anonymity and Confidentiality

All information shared in this interview will be held within strict confidence. The names of participants will not be used in any reporting, nor will any information which may identify individuals, unless the informant specifically indicates that he or she wishes to be identified. The information will be kept until the final report of the project is complete. After this time, I will give all recordings, transcripts and other data to the VGG Heritage Department.

Voluntary Participation

Your participation in the research project is entirely voluntary and, as such, you may choose not to participate. If you participate, you may choose to not answer any question that makes you uncomfortable, and you have the right to terminate the interview at any time and have all the information you provided withdrawn from the study.

Research Results

In case of any questions that may arise from this research, please feel free to contact myself at christinecreyke@yahoo.ca or by phone at 250-649-9355.

I have read the above description of the study and I understand the conditions of my participation. My signature indicates that I agree to participate in this study.

(Name -please print)

(Signature)

(Date)

Appendix 5: Examples of Borough Permit Standards (Red Dog Mine)

- Teck or any project contractors shall not, during the migration of caribou, locate any operation and/or equipment so as to block or cause diversion of the migration of caribou.
- Teck or any operators shall operate in accordance with existing protocols and operating procedures for caribou migration. Moreover, Teck or any project contractors shall cease any activity that may interfere with the seasonal fall caribou migration and/or caribou summer movements, such as ground and airborne transports, ground and airborne surveys or movement of equipment, until such time as the migration or summer movements have cleared $\frac{3}{4}$ of a mile from the area where the activity had occurred.
- Concern for human safety will be given special consideration when applying this policy.
- As a general guideline, caribou migration means an area where 500 or more caribou are traveling or congregating.
- However, during the seasonal fall period of mid-August through mid-November, Teck shall take extra precautions to avoid deflecting even small numbers (e.g. group sizes of 5-10) of the first caribou moving through the area as these groups/bands set trails as “lead caribou” that subsequent caribou later follow during the migration.
- The intent of these guidelines are to ensure free passage of caribou through the area between the Red Dog Mine, DMT Road and Port Site to avoid impacting caribou and the communities that historically and currently depend upon it as well as preserving existing and important adjacent land uses.
- These guidelines may be revised based upon updated information and research (including local traditional knowledge), which is approved by the borough planning commission. Summer (late June through late July) caribou movements are common as the herd moves eastward through the DeLong Mountains area.
- All project activities shall utilize measures to avoid or minimize disrupting wildlife and bird migration, or subsistence activities including fishing, trapping, waterfowl hunting, egg gathering and hunting.
- The permittee will ensure reasonable access to subsistence users to subsistence resources, excluding the areas within the (a) DeLong Mountain Regional Transportation System (DMTS) Port Facility operating boundary (as defined in the Clean Air Act Title V permit) and (b) Red Dog Mine

Facility Operating Boundary which are both zoned Resource Development Districts and designated industrial areas that are closed to public use.

Appendix 6: Joe Linklater's Biography

Joe Linklater is a seasoned political leader and program manager with considerable experience in building and implementing public policy and First Nation self-governance. He has contributed to successful intergovernmental relations at the federal, provincial and inter-provincial levels, as well as worked successfully in a number of international initiatives representing his people and northern environmental and resource management matters; and, is well known for his very considerable expertise in establishing and overseeing economic development initiatives and trust structures.

Mr. Linklater was Chief of the Vuntut Gwitchin First Nation from 1998 until 2011 when he chose not to run in the next election. During this period Mr. Linklater was the Chair of the Yukon Chiefs Committee on Education, the Self Government Chiefs Committee (Yukon) and the Chiefs Committee on Corrections (Yukon). He continues to volunteer as the Chair for the Gwich'in Council International and several other national and international boards. In the March 2012 council election, Joe was again elected as Chief.

Previously, Mr. Linklater was a councillor on the Vuntut Gwitchin First Nation Leadership (1997-98), earlier having served as its Director of Natural Resources and Implementation (1996-97).

Mr. Linklater is unwavering in his long-standing commitment to advancing the interests his community and Vuntut Gwitchin citizens, including multi-year capital infrastructure planning and implementation, establishing a number of community volunteer groups, and continues to be an effective advocate of the ongoing political evolution and advancement of self-governance of First Nation, often in partnership with other self-governing First Nations and other orders of government.

He holds a Diploma in First Nations Management.

Appendix 7: Hugh Monaghan's Biography

Born 1945 and still going strong with a valid pilot's license and the most recent horse "broke" (not a term that I like) last year!

Education

Elementary and high school – Bredenbury and Canora Saskatchewan, 1951-1962 (skipped Grade 6, or took both grades 5 and 6 in one year).

Bachelor of Science (zoology/genetics major, sociology minor) University of Alberta 1966.

Master's of Natural Resource Management, Natural Resource Institute, University of Manitoba 1977-79. Practicum subject being a proposal for natural resource management regime in the Northwest Territories in consideration of the devolution of those responsibilities from the federal government and settlement of aboriginal land claim agreements.

Work Experience

1962-1963: Worked on a ranch in southern Alberta; and then, Ashdown (wholesale) Hardware, Edmonton – filled orders and then with the contract department.

1964: Summer work while attending university, with Yellowknife Transport, Hay River, NWT transportation (tugs and barges) company that supplied the Mackenzie River, Delta and Western Arctic.

1965: Further summer work, University of Alberta, Botany Department, involving field botany taxonomic collections from Canada-USA border north to Fairbanks, AK.

1966-1968: Government of Canada, Dept. Indian & Northern Affairs, Game Branch, Game Management Officer, Fort Smith, NWT. Essentially a headquarters conservation officer training position (June-October), with travel throughout western NWT.

1966-1968: Game Management Officer, Fort Simpson, NWT. Patrol and administrative area of 46,250 sq. miles, including six communities involving foot/snowshoe, dog team, boat and bombardier travel in association with trappers, wildlife surveys, and wildlife legislative enforcement.

1968-1969: Regional Superintendent, Fish & Wildlife, Government of the Northwest Territories. (The GNWT was established that year, which my colleagues and I were happy to join). In this position I was responsible for approximately one-third of the departmental staff at the time, and for wildlife management programs in the south western region of the NWT.

1968-1975: Supervisor, Big Game Management, GNWT for the Northwest Territories, which at that time also included what is now Nunavut Territory. In addition to developing and supervising big game management programs, I was also responsible for negotiation of wildlife management matters involved in

aboriginal land claims, beginning with James Bay Cree negotiation in the early 1970s through to completion of the Inuvialuit (Western Arctic) Final Agreement in the late 1970s, and both doing and overseeing natural resources developmental work in the communities and regions throughout Canada north of 60.

1975-1977: Coordinator, Environmental Management, GNWT responsible for fish & wildlife input to the review of applications for land and water use, including oil and gas exploration and development on land and offshore.

Summers of 1977 and 1978 while on Master's education leave – completed the negotiation of the wildlife aspects of the Inuvialuit Final Agreement and involved in other policy matters.

1979-1981: Supervisor, Technical Services, GNWT Wildlife Service, providing leadership to the environmental, habitat, and fish and wildlife management sections, reporting to the Director of Fish & Wildlife Management (while completing my masters practicum), and being the Acting Director for most of 1979-1980.

1981-1983: Director of Fish & Wildlife Management, GNWT including related federal provincial arrangements. Among other administrative responsibilities, defended the departmental budget in the Legislative Assembly (as with subsequent GNWT positions).

1983-1985: Assistant Deputy Minister, Renewable Resources, GNWT, responsible for 121 of the 135 departmental staff and 95 per cent of the departmental budget, and acting deputy minister as required. As with my previous position, I was involved in a departmental which led aboriginal land claim negotiations and federal provincial intergovernmental affairs in renewable resources management matters.

1985-1996: Director of Fish and Wildlife, Government of Yukon. During this period led the fish and wildlife programs, negotiated the transfer of freshwater fisheries responsibilities to YG, the fish and wildlife provisions of Yukon First Nations Umbrella Final Agreement, various other interdepartmental programs and projects, including led YG negotiation of the devolution of forest resources programs from Canada to Yukon, including YG Cabinet briefings.

1996-Present: private contractor. In addition to various contracted projects for Yukon First Nations, the Council for Yukon First Nations, Government of Yukon, Government of Canada, the Nature Conservancy of Canada and other non-government organizations; have more generally managed Canada-USA Yukon River (salmon) Panel administration (1997 to 2007); and to present, Coordinator, Intergovernmental Affairs, Vuntut Gwitchin Government (VGG) – the latter involving lead contact between the VGG Leadership and YG Premier's office and Deputy Ministers' Committee; and, facilitated strategic planning and natural resources advisor for VGG.

Appendix 8: Acronyms

BA- Benefit Agreement
BC- British Columbia
GIS- Geographical Information System
IBA- Impact Benefit Agreement
ICSP- Integrated Community Sustainability Plan
IMA- Integrated Management Area
LARC- Land Application Review Committee
LSCFN- Little Salmon/Carmacks First Nation
LUP- Land Use Plan
MVP- Mackenzie Valley Pipeline
NR- Natural Resources
NTL- Northwest Transmission Line
NYPC- North Yukon Planning Commission
NYRLUP- North Yukon Regional Land Use Plan
SCIA- Socio-Cultural Impact Assessment
SMA- Special Management Areas
THREAT- Tahltan Heritage Resource Environmental Assessment Team
TCC- Tahltan Central Council
TK- Traditional Knowledge
TLSP- Tahltan Land Stewardship Plan
TUS-Traditional Use Site
UFA- Umbrella Final Agreement
VDC- Vuntut Development Corporation
VGFN- Vuntut Gwitchin First Nation
VGTT- Vuntut Gwitchin Traditional Territory
VGG- Vuntut Gwitchin Government
YESAA- Yukon Environmental and Socio-economic Assessment Act
YESAB- Yukon Environmental and Socio-economic Assessment Board
YTG- Yukon Territorial Government



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