

Kusawa Park Management Planning Steering Committee Terms of Reference

1. Definitions

“Area” means the area shown as Kusawa Park on the attached map including Crown Land, Settlement Land and privately titled land.

"Carcross/Tagish First Nation" means the Carcross/Tagish First Nation once its self-government agreement is brought into effect pursuant to the *Yukon First Nations Self-Government Act*, S.C. 1993, c. 35 and prior to that time means the Carcross/Tagish First Nations Band.

"Champagne and Aishihik First Nations" means the Champagne and Aishihik First Nations once its self-government agreement is brought into effect pursuant to the *Yukon First Nations Self-Government Act*, S.C. 1993, c. 35 and prior to that time means the Champagne and Aishihik First Nations Band.

"Final Agreement" means with respect to:

- a. the Carcross/Tagish First Nation, the Carcross/Tagish First Nation Final Agreement among Canada, the Yukon and the Carcross/Tagish First Nation brought into effect pursuant to Settlement Legislation;
- b. the Kwanlin Dun First Nation, the Kwanlin Dun First Nation Final Agreement among Canada, the Yukon and the Kwanlin Dun First Nation brought into effect pursuant to Settlement Legislation; and
- c. the Champagne and Aishihik First Nations, the Champagne and Aishihik First Nations Final Agreement among Canada, the Yukon and the Champagne and Aishihik First Nations brought into effect pursuant to Settlement Legislation.

"Kwanlin Dun First Nation" means the Kwanlin Dun First Nation once its self-government agreement is brought into effect pursuant to the *Yukon First Nations Self-Government Act*, S.C. 1993, c. 35 and prior to that time means the Kwanlin Dun First Nation Band.

"Park" means Kusawa Park established by the Yukon pursuant to the *Parks and Land Certainty Act*, R.S.Y. 2002, c. 165, in respect of a portion of the Area, in accordance with this schedule.

“Steering Committee” means the Kusawa Park Management Planning Steering Committee

“Three First Nations” means the Carcross/Tagish First Nation, the Kwanlin Dun First Nation and the Champagne and Aishihik First Nations.

2. Objectives:

2.1 The objectives of the Final Agreement schedule are:

- a) to establish a natural environment park to be known as Kusawa Park under the *Parks and Land Certainty Act*, R.S.Y. 2002, c. 165;
- b) to provide a process to develop a management plan for the Park;
- c) to protect for all time a natural area of territorial significance and of important cultural significance to the Three First Nations, which includes portions of the Yukon-Stikine Highlands, Ruby Ranges and Yukon Southern Lakes eco-regions, which contain important physical and biological features, as well as sites of archaeological, historical and cultural value;
- d) to recognize and protect the traditional use and sharing of the Area by Carcross/Tagish People, Kwanlin Dun and Champagne and Aishihik People;
- e) to recognize the current use of the Area by Carcross/Tagish People, Kwanlin Dun, Champagne and Aishihik People and other Yukon residents;
- f) to recognize and honour the history, heritage and culture of the Three First Nations in the Area through the establishment and operation of the Park;
- g) to encourage public awareness, use, appreciation and enjoyment of the natural, historical and cultural resources of the Park in a manner that will ensure it is protected for the benefit of future generations;
- h) to recognize the current recreational uses of the Area as well as its potential for other uses, including ecotourism and First Nation cultural tourism; and
- i) to provide economic opportunities to Carcross/Tagish People, Kwanlin Dun and Champagne and Aishihik People to participate in the development, operation and management of the Park in the manner set out in this schedule.

2.2 The objectives of the Steering Committee are:

- a) to propose a management plan to the Yukon and to each of the Three First Nations within 24 months of the establishment of the Steering Committee; and
- b) to develop the management plan consistent with the objectives set out in 2.1.3 to 2.1.9 of Schedule A of the Kwanlin Dun First Nation and the Carcross/Tagish First Nation Final Agreements and with the Parks and Land Certainty Act, R.S.Y. 2002.

2.3 These terms of reference are without prejudice to the resolution of overlapping claims or the management, administration and exercise of rights of the Three First Nations or other agreements.

3. Composition of the Steering Committee

- a) The Steering Committee is comprised of six members of whom one member has been designated by each of the Three First Nations and three members have been designated by the Government of Yukon, according to the provisions of Schedule A of the Kwanlin Dun First Nation and the Carcross/Tagish First Nation Final Agreements.
- b) Members of the Steering Committee are delegates of the body which designated the member.

4. Work of the Committee

- a) The Steering Committee shall develop a management plan for Kusawa Park that honours the objectives for the park as established in Schedule A of the Kwanlin Dun First Nation and the Carcross/Tagish First Nation final agreements. The general nature of the plan contents will include:
 - a statement of the purpose and objectives for management
 - a vision statement for the park
 - strategies for managing ecological integrity
 - strategies for managing visitor use and appreciation
 - statements with respect to existing third party rights and interests
 - an environmental impact assessment of the plan; and
 - an implementation strategy for the plan
- b) Where the Steering Committee identifies additional or further studies that may assist in the completion of the management plan, the Steering Committee may, by mutual consent, undertake such additional or further studies.
- c) The Steering Committee will be supported by a Technical Working Group for which the Steering Committee will develop a terms of reference.
- d) The Steering Committee may provide advice to and seek input from any of a wide array of organizations and/or processes that are currently ongoing in the region [or may be initiated during the tenure of the Steering Committee] that might benefit from or provide useful information to the planning process. Examples include: Renewable Resources Councils within the Southern Lakes Area, the Fish and Wildlife Management Board, any Regional Land Use Planning Commission in the Southern Lakes Area, and other appropriate boards and government agencies on land use planning, land use activities and land management practices throughout the Southern Lakes Area.
- e) In carrying out its work, the Steering Committee shall provide for public input, which may include public meetings to receive input and to report on the progress in the management plan development.

5. Funding

- a) The Yukon Government shall provide funding within approved annual budgets to support the operations of the Steering Committee.
- b) The payment of honoraria, travel, and other related expenses to their respective nominees is left to the discretion of the First Nations.
- c) The Steering Committee will receive technical support including the provision of relevant traditional and technical expertise from the Parties in the development of the park management plan.

- d) Costs incurred with respect to the provision of technical information will be the responsibility of each Party.
- e) In the case of Champagne Aishihik First Nation, the Yukon Government and the Champagne Aishihik First Nation will determine reasonable funding for effective participation of the First Nation in the Technical Working Group.

6. Term of the Committee

- a) The Committee is formally established with the approval by the members of the terms of reference, operating procedures and a two-year work plan.
- b) The mandate of the Steering Committee shall expire after two years from the establishment of the Steering Committee unless otherwise agreed by the Yukon and Three First Nation governments.

7. Coordination with other planning processes:

- a) The Steering Committee will coordinate to the extent possible with other planning processes during the term of the committee.

Kusawa Park Management Planning Steering Committee Operating Procedures

1. Meeting Procedures

- a) Meeting agendas will be set one meeting in advance;
- b) Meeting summaries of key decisions and points of discussion will be completed and circulated after each Steering Committee meeting;
- c) Meeting dates and location will be identified at least one meeting in advance;
- d) Meetings may be convened by teleconference; and
- e) The Committee will strive to reach decisions by consensus.

2. Quorum

- a) A quorum will be 4 members of the committee.
- b) The 4 members must be one member from each of the parties [Yukon, Carcross/Tagish First Nation, Kwanlin Dun First Nation and Champagne and Aishihik First Nations].
- c) Members may participate in person or by teleconference.

3. Facilitator

- a) A contracted facilitator will facilitate fair, open and effective Committee processes.
- b) The tasks of the Facilitator are to:
 - facilitate meetings of the Committee;
 - ensure the Committee operates in a manner consistent with its terms of reference;
 - communicate with members of the Committee as required to facilitate their participation in the work of the Committee;
 - other arrangements as agreed to by the Committee

4. Committee Members

- a) The responsibility of an individual committee member is to work with other members to contribute to the fulfillment of the Committee's mandate.
- b) To accomplish this the Committee members will:
 - effectively represent the interests of their respective governments;
 - keep informed about the broad scope of park management issues of relevance to the work of the Committee and the views of their respective governments on these matters;
 - ensure their alternate to the Committee is completely informed and capable of appropriate participation in the Committee in their absence; and,
 - facilitate effective communication between Committee and their respective governments.

5. Alternates

- a) At the discretion of each participating government, alternate members may be designated by them to assist in the work of the Committee when regular members are not in attendance.
- b) The responsibilities of the members apply to the alternates.
- c) Only one alternate will be named.

6. Secretariat Support

- a) Secretariat support for the Steering Committee will be provided by the Yukon Government Park Planner. Responsibilities, carried out under the direction of the Steering Committee will include:
 - scheduling and arranging meetings;
 - preparing materials to assist the Steering Committee to carry out their work;
 - producing and distributing meeting summaries;
 - follow-up with Committee members on action items as required;
 - responding to information requests, and developing and managing public communications and correspondence for review and approval by the Steering Committee; and,
 - drafting documents, developing work plans and supporting the completion of the park management plan.

7. Non-member Participation

- a) The Steering Committee may request persons with specialized information about the park area or the planning process to attend meetings in an advisory capacity.
- b) Approval by a quorum the Steering Committee will be required in advance of the attendance of such advisors.

8. Work plan

- a) The Steering Committee will develop an annual work plan identifying tasks, timelines and responsibilities.

9. Media/ Public Information

- a) A public communications and consultation strategy will be developed and reflected in the Steering Committee's annual work plan.

10. Information Sharing

- a) Committee members will contribute information from their respective governments that will assist the Committee in achieving the objectives of its mandate.
- b) Traditional knowledge will be shared and respected in a manner consistent with the policies of the respective First Nations governments.