

Anna.Fonseca

From: Jo-Anne.van Randen
Sent: Wednesday, April 18, 2001 4:39 PM
To: Shirley.Abercrombie; Anna.Fonseca
Cc: Lois.Craig
Subject: RE: resource assessment and economic assessment for kusawa

Shirley my comment on this is that there is no point of doing a mineral assessment on a SMA where there is no opportunity to change the boundaries and/or designation using the information from the mineral assessment.

We have limited funds and manpower as it is for projects that are not already agreed in Cabinet and/or the boundaries are not already set.

Perhaps an inventory of the known resource values of an area would be more appropriate than a full fledged mineral assessment for the SMAs that have already been agreed to by cabinet but do not have resource assessments.

These include:

- Coal River Natural Environment Park
- Kusawa Natural Environment Park
- Frances Lake Core Area (the Study Area should receive a complete mineral assessment as boundaries are not finalized
but rather recommended by the Steering Committee)
- Tagish River National Wildlife Area

all of which have approved by cabinet up-front mineral withdrawal upon signing with the First Nations.

Since these SMAs are all confidential, we would have to make special arrangements to host an expert panel for each SMA in order to conduct a complete detailed mineral assessment. This is just a consideration, and is possible to do this - we have had experts sign confidentiality agreements before for assessments (Eagle Plains and City of Whitehorse detailed mineral assessments).

We need clarification from the Federal Government if they just require a mineral assessment be conducted before something can be Interim Protected or if they also require that the mineral assessment be considered in the boundaries (and/or designation) of the area being requested for Interim Protection. This makes a huge difference - if the mineral assessments are to be considered, than we should do them for all these proposed SMAs.

Other outstanding SMAs that are approved by cabinet are proposed as Habitat Protection Areas where any mineral withdrawal is dependent on recommendations from the Steering Committee and are therefore not necessarily going to need full withdrawal. Mineral assessments would be useful on these SMAs.

These include:

- Wellesley Lake Core & Study Area
- Pickhandle Lakes HPA
- Scottie Creek HPA

Also there is Snafu/Tarfu proposed Natural Environment Park SMA. Even though this proposed SMA is being designed as a NEP, there is no intended up-front mineral withdrawal so a mineral assessment of this SMA would be useful to advise the Steering Committee that will recommend any future withdrawals.

Also Shirley, if Laura Prentice is going to work on a list with the LCIS negotiators & RR on SMAs, I would also like to see that list to make sure we have all the correct information on the Land Status Map. I would also like to look at any list to make sure that SMAs that do not have Cabinet approval are not listed with those that do have approval.

Call me if you need more information on this.
 Thanks.

Jo-Anne vanRanden
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-----Original Message-----

From: Shirley.Abercrombie
Sent: Tuesday, April 10, 2001 10:47 AM
To: Jo-Anne.van Randen; Anna.Fonseca
Subject: FW: resource assessment and economic assessment for kusawa

For your information.

-----Original Message-----

From: Lois.Craig
Sent: Tuesday, April 03, 2001 12:53 PM
To: Karyn.Armour
Cc: Janet.Moodie; Shirley.Abercrombie; Laura.Prentice
Subject: RE: resource assessment and economic assessment for kusawa

super many thx. info will be helpful as we may have to set aside some \$\$ for contract work shortly for resource assessments should they be necessary.

-----Original Message-----

From: Karyn.Armour
Sent: Tuesday, April 03, 2001 12:51 PM
To: Lois.Craig
Cc: Janet.Moodie; Shirley.Abercrombie; Laura.Prentice
Subject: RE: resource assessment and economic assessment for kusawa

Thanks, Lois. As a result of our meeting this morning, Laura is going to work with negotiators, Ec. Dev. and Ren. Res. to put together a "check list" as to what it is we know about each of the new SMAs (Habitat Prot. Areas, and parks), and then do the same exercise with Canada, so that we can then see if there are any glaring gaps that we need to fill in.

It will help in our own internal assessment of adequacy of info., and with justifications for Canada when we request withdrawals.

Karyn Armour
ADM, Land Claims & Implementation Secretariat
ECO, Govt. of Yukon
867 - 667 - 8566

-----Original Message-----

From: Lois.Craig
Sent: Monday, April 02, 2001 5:55 PM
To: Karyn.Armour
Cc: Janet.Moodie; Shirley.Abercrombie
Subject: resource assessment and economic assessment for kusawa

karyn, i know that a resource assessment was not done for kusawa and dermot seemed to imply no need to as too late. you may raise this with canada in the morning as i understand that for any future SMA's to go forward they will require both resource assessment and economic assessment to have been completed.

my sense is that we should do one for kusawa in the next few months, even if after the fact as i am concerned that it may hold up the SMA from going forward. your thoughts??? i am away as of end of day tuesday so response to janet/

shirley would be fine. we would likely have to contract out this work but better late than major problems in getting the claim through down the road me thinks. thx

Anna.Fonseca

From: Jo-Anne.van Randen
Sent: Monday, April 23, 2001 5:43 PM
To: Laura.Prentice
Cc: Ron.Sumanik; Jesse.Duke; Shirley.Abercrombie; Anna.Fonseca
Subject: RE: SMA info charts

The table that lists SMA with outstanding agreements:

- Kluane FN's proposed Kluane National Park Reserve SMA is not listed
- Under Yukon Government Interest, what is meant by "Identified as a park for years"? Does this mean a map notation?
- Ecoregion representation is mentioned for Asi Keyi SMA when the ecoregion was already represented
- Keel/Itsi SMA listed with no Economic Development agreement of boundaries and /or designation and again what is meant by "Identified as a park for years"? No map notation in this area.
- Pickhandle Lakes should have mineral claims overlap as an issue
- Proposed Frances Lake SMA has other mineral claim overlaps

The table that lists SMA with agreements in place

- Withdrawal status for Ddhaw Ghro, Horseshoe Slough, & Lhutsaw SMAs all say no subsurface withdrawal when today all of these SMAs are currently Interim Protected until management plans
- Nisutlin River Delta SMA is currently withdrawn (subsurface) - needs updating
- Interim Protection of Nordenskiold SMA also has been extended past the 2 years of ED (currently withdrawn)
- Area of Kluane National Park in SMA for Champagne/Aishihik FN is not all of Kluane park (22 015 km²)
- CAFN Sha'Washe SMA --"Tatshenshini Nominated for a Heritage River" is not a chapter 10 SMA

If you require further details, please contact me.

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-----Original Message-----

From: Laura.Prentice
Sent: Monday, April 23, 2001 9:39 AM
To: Jo-Anne.van Randen
Cc: Ron.Sumanik
Subject: SMA info charts

Hi Jo-Anne,

I am forwarding the following charts to you, outlining information about existing SMAs and proposed SMAs, at Ron's request. I think you may have earlier drafts of these. These two are the latest versions. Let me know if you have any questions. Laura

<< File: SMA Chart-Final.doc >> << File: SMA Chart3.doc >>

Anna.Fonseca

From: Jo-Anne.van Randen
Sent: Monday, April 23, 2001 9:16 AM
To: Ron.Sumanik
Cc: Jesse.Duke; Anna.Fonseca
Subject: map request for Kluane SMA

Further to our meeting last Friday morning Ron, could you please forward a map of the proposed Special Management Area within Kluane National Park that you mentioned.

It would be useful if you could also attach the proposed Schedule for that SMA as well as the map.

This is the first time that I have been informed of this SMA, is it a Kluane FN SMA only or is it joint with WhiteRiver FN? This information has never been added to the Confidential Land Status Map or the tables and GIS analysis on SMAs per traditional territory that was checked by LCIS. When was this SMA negotiated? Could you please supply a full listing of the proposed SMAs for Kluane First Nation.

Finally, I was confused when you said that you were not aware of the mineral claims. The Don & Wolv mineral claim blocks appeared in 1996 Assessment of the Kluane Wildlife Sanctuary by Danièle Héon prior to any boundaries of the Asi Keyi SMA. These claims were pointed out by Economic Development prior to signing the maps with Kluane First Nation (well before a request for Interim Protection). Ron, you and I attended meetings last spring (May 23rd) to discuss possible options for avoiding the mineral claims prior to Interim Protection. Hopefully the First Nations were made aware of this overlap with the mineral claim blocks prior to the Interim Protection, and that the First Nations agreed that this overlap would be resolved at a later date.

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Anna.Fonseca

From: Ron.Sumanik
Sent: Monday, April 23, 2001 10:18 AM
To: Jo-Anne.van Randen
Cc: Ella.LeGresley; Carl.Rumscheidt; Anna.Fonseca; Jesse.Duke; Karyn.Armour
Subject: RE: map request for Kluane SMA

This is a Kluane SMA only. It has been negotiated since June, 1998. The SMA constitutes Kluane National Park Reserve. What the "Reserve " means is it is managed entirely like a national park under the federal Parks legislation except that land claims are not settled. Once land claims are settled the Reserve is dropped from its title. As you know minerals etc. have been withdrawn from this area since the 1970s. This same process occurred in the Champagne and Aishihik claim when that portion of the national park became an SMA. It should be on the land status map and it is in the December 22 version of the list of SMAs that we have at LCIS. I have asked Laura Prentice to forward it to you. The SMAs for Kluane are : Kluane National Park, Asi Keyi, and Pickhandle Lakes. The only one they don't share with White River is the National Park.

I stand corrected if the claims were a part of Daniele's assessment. I do not recall it in her document. Secondly, it was always assumed that our grandfathering of existing claims clauses in the schedules met the needs of claim holders. I will be the first to admit that this was a bad assumption based on the Tombstone experience. However, the clauses have been in the first SMA schedules in 1993 and it wasn't until Tombstone that we began to recognize that a better way must be examined. Last May they were still trying to determine what that better is.

As for the exclusion of the claims, I am confident that Kluane will agree to exclude them as stated in last weeks meeting. They have as much as said so. They just want some of the remaining pieces of their comprehensive claim to fall into place. As I indicated, Carl has also raised this issue with the White River FN and plans to speak in detail with them in the next 8 weeks, I believe.

I have had more time to think about the options Jesse put forward to exclude the claims in the park. I would prefer that we determine what needs to be excised from the existing boundary and replace it with alternative land in Cement Creek. If, as expressed you feel you would like to do additional mineral assessment work before suggesting an area to be included then we need to discuss this with LCIS, Ren. Res. and our dept. Thirdly, the option of possibly going back to the table and proposing part of the high mineral potential area that is enclosed within the proposed boundaries become a Habitat Protection Area instead of a Natural Environment Park is not an option I will support. It would likely require a new cabinet mandate, I think it has every possibility of putting the Kluane claim in the tank, and I'm not going to participate in snatching uncertainty from the jaws of certainty. It certainly is a huge step beyond the initial goal of removing the Wolverine and Don claims from the park.

In summary, we made a mistake. We can and will fix it without turning an entire SMA and claim on its head.

I'll forward the national park map and schedule later today.

-----Original Message-----

From: Jo-Anne.van Randen
Sent: Monday, April 23, 2001 9:16 AM
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Cc: Jesse.Duke; Anna.Fonseca
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