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TRAPPING CABIN

Land Application Policy

OBJECTIVE

To facilitate provision of land for trapline cabin purposes.

PURPOSE

This policy is intended to provide clear direction to the Land Application Review Committee (LARC) for review of applications for trapline cabin sites.

Trapping concession holders are required to apply for a lease under the policy if they are:

- ✓ Operating out of trapline cabins built on or after September 1, 1980;
- ✓ Acquiring an interest in an existing trapping cabin that doesn't have a lease.

For trapline cabins built prior to September 1, 1980 (that are not being reconstructed) the trapping concession holder may inform the Manager, Lands Client Services as to the location of their facilities for reference during land use and land disposition review processes. The responsibility for keeping this information current and on file falls to the trapper.

BACKGROUND

Prior to 1980, the remote nature of trapping and generally low value of the cabins meant that government did not require that trapline cabins be authorized under any form of tenure.

With increasing use of back country areas for public recreation and commercial wilderness activity, there is growing awareness of the need to specify conditions under which land uses, including trapping, may be authorized in order to facilitate integrated resource management and to avoid conflicts with other resource users. Further, many trapline cabins being built are of significant value.

Land tenure for trapline cabins is issued under the authority of the *Territorial Lands (Yukon) Act* and the *Lands Act*. Issuance of land tenure provided for trapping is conditional on trapping concessions having been provided through the *Wildlife Act* and *Trapping Regulations*.

DEFINITIONS**Trapping Concession**

Refers to a designated area on which a limited right to harvest furbearers is granted under the *Wildlife Act*. References to a “concession” or “trapline” shall be afforded the same meaning as a “trapping concession” pursuant to the *Wildlife Act*.

Base Camp

Refers to the main staging location for a trapline concession.

Line Cabin

Refers to a cabin that is ancillary to a base camp, and is used for temporary accommodation while carrying out trapping activity.

Lease

A contract that grants the lessee the right to possess, use and enjoy a site for a specified use and period. It is the common form of land tenure that authorizes use of land for resource commercial operations, i.e. trapping and big game outfitting where permanent facilities such as cabins are being constructed. For the purpose of this policy, a lease will constitute the primary form of land tenure.

Planning Scheme

Includes a regional plan, sub-regional plan, district plan, community plan, local area plan, or land use policies and regulations made under the *Area Development Act*, the *Highways Act*, the *Lands Act* or the *Territorial Lands (Yukon) Act*.

PRINCIPLES

Land tenures must comply with existing and proposed planning schemes.

Issuance of land tenure provided for trapping is conditional on trapping concessions having been provided through the *Wildlife Act* and *Trapping Regulations*.

Land tenures under this policy do not imply a title or ownership of the land under the lease.

Land tenures under this policy do not imply an interest or allocation of fish or wildlife resources.

Land tenures are only authorized in an amount reasonably necessary to satisfy the purpose for which the land is needed.

Land tenures approved under this policy are issued for trapping purposes only (i.e. as specified in the *Wildlife Act* and *Trapping Regulations*).

Land for activities based on use of natural resources for trapping and big game outfitting are normally only made available by lease or license.



Land required to facilitate public recreation and multiple use of land and natural resources will normally be retained for public use rather than alienated for private use.

POLICY PARAMETERS

A. Form of Tenure

1. Tenure will be provided under a lease:
 - ✓ The base camp and all line cabin sites will be included, by schedule, on one lease.
2. A lease will be granted for a term not exceeding five (5) years to coincide with the term of the concession.
3. Land will not be sold for trapline cabin purposes. However, Lands Clients Services may consider an application by the concession holder to acquire fee simple title to their base camp providing that:
 - ✓ The base camp has been used consistently over three terms (fifteen years) as the concession holder's principal residence, and
 - ✓ Trapping concession has been held in good standing by the concession holder on a consistent basis during that period.
- ✓ The intent of this provision is to facilitate ongoing residential use of a trapline base camp that has been used consistently for residential/trapping purposes. There is no requirement to sell or cancel a trapping concession in order to access this provision of the policy. Line cabins would continue to be leased as per this policy.
- ✓ Individuals are eligible for only one base camp conversion to residential use in their lifetime.
- ✓ Base camp conversion is limited to one per concession within a fifteen (15) year period even if a trapping concession is held by a partnership. Partners, meeting the criteria, would need to decide between themselves who could apply. The other partner would not be eligible to apply for another fifteen (15) years. A new partner joining a concession, would be required to accumulate fifteen (15) years of active trapping/residency on that concession before they would be eligible to apply

B. Cost of Land

- ✓ The annual lease fee will be a minimum of \$150.00 for all lands described in the lease.
- ✓ Cost of survey will be deducted from market value to establish purchase price.

C. Area of Tenure

- ✓ The area of tenure for base camps will not exceed 1 ha.
- ✓ The area of tenure for line cabins will not exceed 15 meters x 15 meters.

D. Site Criteria

1. Applications will be considered if they are:
 - ✓ Necessary to the operation of the trapping concession.
 - ✓ Suitable for their intended purpose utilizing where appropriate other established land management principles, i.e. *Territorial Lands (Yukon) Act*, *Subdivision Act* etc.
2. Historic use of trapping cabin sites will be considered in the application review process.
3. Leases are not normally issued to trappers for improvements outside of their trapping concession area unless unusual circumstances apply. The owner of any impacted adjacent registered trapping concession will be consulted.

E. Environmental Assessment Criteria

- ✓ Parcels will normally be set back a minimum of 30 metres from the ordinary high water mark (OHWM) of lakes and rivers and a minimum of 10 metres from creeks.
- ✓ The setback may be increased where a greater setback is required due to environmental, cultural or scenic values, or to facilitate other land uses or management considerations.

F. Resource Management Criteria

1. Unique or representative landscape features, environmentally sensitive areas; archaeological and historic sites are normally retained for public use rather than alienated for private use.
2. Sites needed to accommodate public access and use of land or water resources are normally retained for public use rather than alienated for private use.
3. Applications under this policy will comply with existing or proposed planning schemes and land use and resource management plans where applicable.
4. Applications are reviewed to ensure that the needs of public, commercial wilderness and other resource users are considered in an equitable manner.

5. In order to support wilderness recreation, integrated resource management objectives and to avoid land use conflicts, consideration will be given to the need for spatial and temporal separation between;
 - ✓ Trappers and public and commercial wilderness recreation users, and
 - ✓ Trappers and other resource use activities.
6. As a general rule road, lake or river frontage shall not be more than 25% of the overall parcel boundary.

ELIGIBILITY

1. Applicants must be:
 - ✓ Holder of a trapping concession in good standing.
 - ✓ Nineteen (19) years of age or older.
2. A lease will only be granted in the name(s) of the registered concession holder(s) of the trapping concession. In the case of a group/family trapping concession, all members must:
 - ✓ Sign the lease, or
 - ✓ Sign a witnessed/notarized letter authorizing another person (appointed leader) to sign on their behalf.
 - ✓ Indicate the percentage of individual interest, (i.e. particularly if unequal).
3. A lease will only be assignable to a new owner upon transfer of the trapping concession by the Department of Environment.
 - ✓ No interest in land will be granted to an assistant trapper.
 - ✓ If a trapping concession is held by more than one person, separate leases will not be granted to individual parties to the concession.

APPLICATION REVIEW PROCEDURES

Applications for trapline cabin purposes will be reviewed by the LARC. (See LARC Terms of Reference) or as required by the *Yukon Environmental and Socio-economic Assessment Act* and Regulations.



Authorities

Acts / Regulations
Yukon Lands Act / Regulations
Territorial Lands (Yukon) Act / Regulations
Subdivision Act / Regulations
Area Development Act / Regulations
Municipal Act / Regulations
Highways Act / Regulations
Building Standards Act / Regulations
Public Health and Safety Act
Public Health Regulations
Sewage Disposal System Regulation
Environment Act / Regulations
Yukon Environmental Assessment Act
Yukon Environmental and Socio-economic Assessment Act/Regulations
Wildlife Act / Regulations

Policy

Land Application Review Committee Terms of Reference
Land Value Appeal Policy