

A Discussion Paper

Towards a Forest Policy Framework for the Yukon

*A collaborative effort between
representatives of Government of Yukon,
Yukon First Nations and Resource
Councils*

July 2004

This publication is available in French
upon request

Version française sur demande.





This discussion paper was developed in participation with representatives of Renewable Resource Councils, First Nations and Yukon government.

Yukon government would like to thank all participants and respondents that took the time to be involved in this process.

While this discussion paper is the result of a highly consultative and inclusive process, the contents of this report should not be interpreted as the policies of the Yukon government, or any of the participating Renewable Resource Councils or First Nations.

Further discussions with Yukon First Nations, Renewable Resource Councils, the forest industry, key stakeholders and the public will take place over the next year as we move towards drafting Yukon's forest legislation.





Executive Summary

“A Discussion Paper Towards a Forest Policy Framework in the Yukon” reflects discussions and consultation on the matter of forest management in the Yukon. The process that led to this document was designed to generate discussion and improve understanding of forest management issues in the Yukon. By comparing past forest policy initiatives to the current day situation, the process sought to build on previous efforts undertaken in the Yukon.

Governments, resource councils, and other management agencies cooperated in series of workshops that developed this discussion paper. A formal public input opportunity also generated considerable suggestions and contributions. All participants recognize the need for new forest-based legislation in the Yukon. As such, the intended audience and future application of this document will be advisory to the processes, people and governments responsible to develop new forest stewardship legislation in the Yukon.

The overall vision presented in the discussion paper reads:

“Our vision is to work together so our forest ecosystems continue to provide for all living things, while providing environmental, economic, social and cultural benefits for present and future generations of Yukon people.”

The following is a summary of the main points from six distinct themes:

1. Relationships and Participation

- A respectful and co-operative relationship between governments, resource councils, stakeholders and the public is fundamental to ensuring sound forest management.
- Effective and timely participation in forest policy and planning processes are essential and carry obligations and responsibilities for all involved.

2. The Forest Economy

- Consider all forest-based economic values when developing a balanced, sustainable and stable Yukon economy.
- The forest-based economy of the Yukon includes commercial wood-based industries; commercial forest uses that do not consume wood but rely on the forest and non-commercial goods and services.
- Provide a variety of forest tenure opportunities in order to encourage long-term investment and responsible management.

3. The Forest Environment

- Forest management will be guided by the principle of sustainability and stewardship.
- Recognize Yukon forests as complex ecosystems where plants, animals and physical factors such as soil and water interact and are dependent on each other.



- Manage Yukon's forest ecosystems in such a way as to maintain the natural variety of biological species, the quality of the physical environment and genetic diversity.

4. Management and Planning

- Planning acts as an investment in the future of our forests and communities. While the cost of planning is expensive, there is even a higher cost for not planning.
- Forest management planning will be community-based and provide regional direction on the right balance of ecological, social and economic objectives.
- Follow an adaptive and integrated approach with clear objectives that supports timely decisions.

5. Education, Training and Capacity Building

- To achieve maximum benefits from forests use, and enable effective participation in forest management planning, Yukon requires knowledgeable and capable individuals and communities.

6. Research and Innovation

- We need to continually explore new ideas and techniques that allow a spirit of creativity to prevail as we seek solutions to our common challenge.

Expected Next Steps

The Devolution Transfer Agreement, Appendix B contains a commitment to a "Successor Resource Legislation Working Group" that has yet to be established. This group will be a partnership between Yukon and First Nation governments, and will have the responsibility for making recommendations on a variety of issues related to developing new resource legislation in the Yukon.

Continued discussions with focus groups, the forest industry and key stakeholders, after the release of this paper, will help ensure that policy principles and forest legislation enables sound forest management and sustainable use of Yukon forests.

As the process to develop new forest stewardship legislation for the Yukon unfolds, the current discussion paper will serve as a valuable starting point. The discussion paper will also serve as a "benchmark" to measure whether new legislation has covered the range and breadth of issues that are important to Yukoners.



Purpose

On February 5, 6 and 7 of 2003, representatives of Yukon government, First Nation governments, Resource Councils (RRCs) and the Federal Department of Indian Affairs and Northern Development came together in a workshop with the following purpose:

“To identify and reach agreement on the key themes and principles that should form the basis of a Yukon Forest Policy Framework to guide the future development of Yukon forestry legislation. “

A draft discussion paper resulting from the workshop was released for full and open public consultation between August 2003 and December 15, 2003. During this period Yukon government staff visited each Yukon community and held open houses or face-to-face meetings with all affected First Nations and RRCs.

After the public consultation period submissions were compiled, presented and taken to a workshop held February 18, 19 and 20, 2004. The workshop included representatives from the same groups that attended the 2003 workshop. At the workshop each submission was reviewed and changes were made to the draft discussion paper. While each and every submission and comment was considered and discussed at the workshop, not all comments were necessarily incorporated. The discussion paper represents the summation of this work.

Context

There have been five significant public consultations relevant to Yukon forest policy over the past seven years:

- Forest Summit (2001)
- Yukon Forest Strategy (1998)
- Canada Forest Accord and National Forest Strategy (1998) – *Currently in a public process of revision and a new draft will be tabled by September of 2003*
- Yukon First Nations Statement of Beliefs – Forest Management (Draft – 1998)
- Draft Yukon Forest Management Policy (1996)

At the 2003 workshop participants reviewed the principles for Yukon forest management and planning contained in the above documents and determined whether they were acceptable or not. Workshop participants also proposed revisions and identified new principles required to address identified gaps.

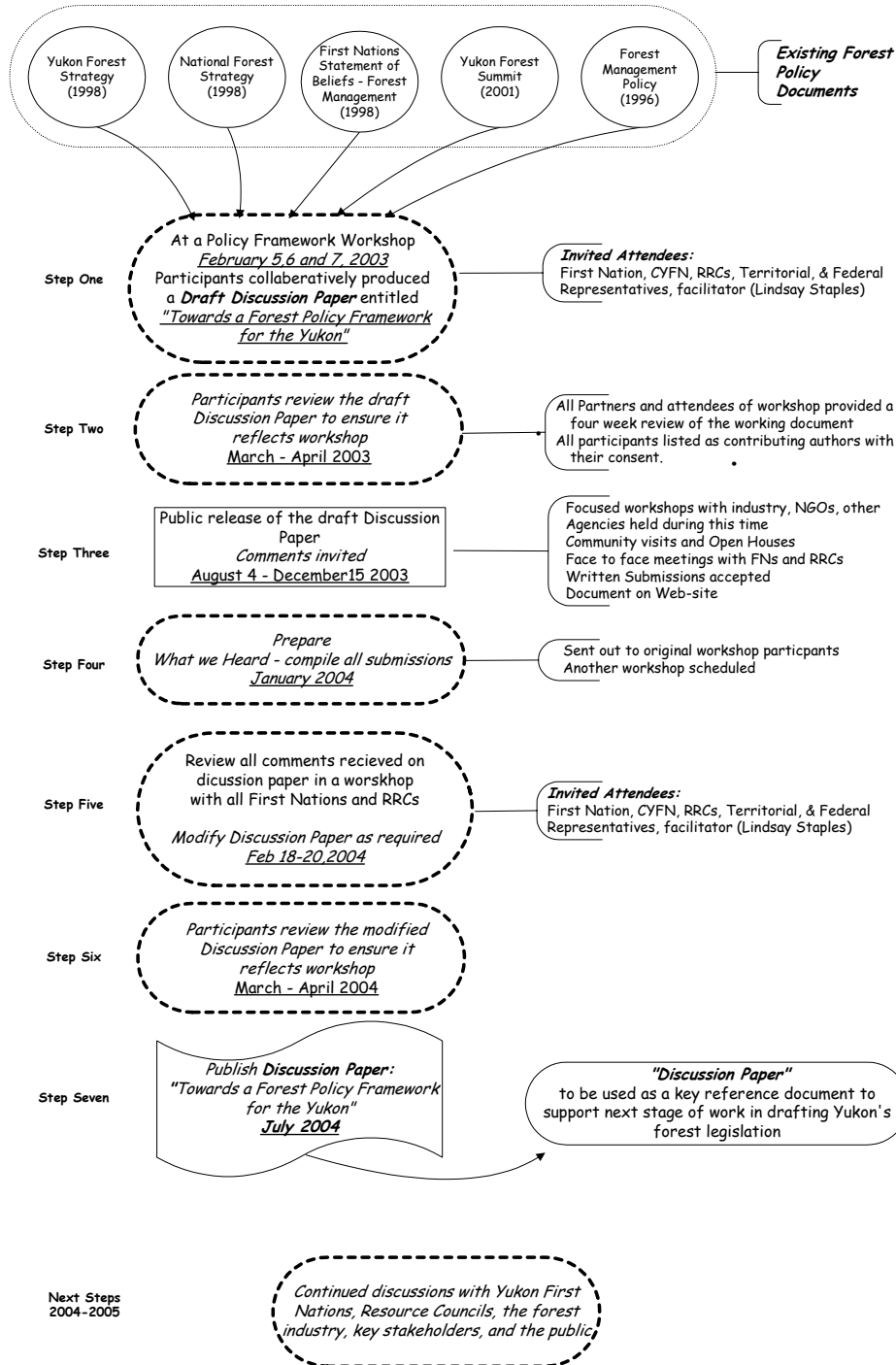
At the 2004 workshop participants reviewed comments received on the draft documents from written submissions, open houses, meetings and forums with the forest industry and non-timber organizations.



Process

Workshop participants agreed that following process should be followed:

Yukon Forest Policy Framework : An Evolving Process





Participants

It was understood by the workshop participants that proposals and recommendations were not binding on any of the participants, organizations or governments. The workshops were an opportunity to contribute to the authorship of a public discussion paper that would identify basic forest policy principles to guide future legislation development.

All governments and organizations represented at the workshops have had further opportunities to review the forest policy framework discussion paper during the formal consultation process from August to December 2003 and following the February 2004 workshop. Lists of participants from the Forest Policy workshops, related forums, and individuals and organizations that provided comments on the draft Forest Policy Framework discussion paper are recorded in the attached appendices.

Summary of Comments Received

During the public consultation period 20 written submissions were received, and 14 meetings/open houses and one “non-timber interests” workshop were held. Members of the timber industry held a workshop in March of 2003; their work was provided to the February 2004 workshop participants for their consideration.

A compendium of original submissions was provided to each workshop participant. For ease of review Yukon government staff produced a “What We Heard” summary that acted as a reference to main content of original submissions. This summary document is available to interested parties. If you would like a copy of the “What We Heard” document, contact Ed van Randen or go to: www.emr.gov.yk. Everyone who provided written comments during the consultation period will receive a “what we heard” along with a discussion paper.

Workshop participants would like to thank each and every respondent for taking the time and effort to participate in the process. We believe the discussion paper has been improved by your input. While all submissions were considered and discussed at the workshop, not all comments were incorporated into this document.

If you have any questions or would like to know more about the process or the outcome please contact:

Ed van Randen
Legislation and Policy Advisor
Energy, Mines and Resources
Box 2703, Whitehorse, Yukon, Y1A 2C6
(867) 667 5032
Fax: (867) 393 7421



Vision

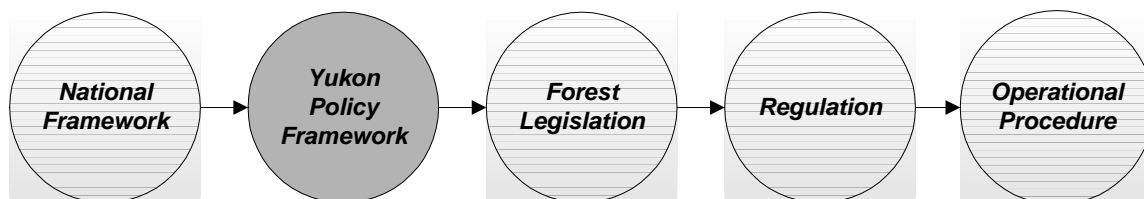
“Our vision is to work together so our forest ecosystems continue to provide for all living things, while providing environmental, economic, social and cultural benefits for present and future generations of Yukon people.”

Introduction

Yukon people realize that our economy and lifestyle must be in balance with our natural environment. The principles of social, economic, environmental and cultural sustainability must be applied to the Yukon’s forests. These themes have been expressed consistently during public consultations regarding forestry.

With devolution, Yukon people will now have more control of their forest resources, and have an opportunity to see their vision embodied into clear, modern forestry legislation. However, before we draft a “Yukon Forest Act”, we need to first understand the base principles that should guide these efforts. Additionally, as First Nations consider developing legislation or regulations that will apply to settlement lands, an understanding of common base principles will help develop consistent regimes for forest management across all Yukon jurisdictions.

The following diagram shows where a *Yukon Forest Policy Framework* fits into the Canadian process for developing forestry legislation:



The Yukon Forest Policy Framework discussion paper will provide guidance and direction to begin the future process of drafting modern forestry legislation.



The Yukon's Forest Resources

More than half of the Yukon — about 27 million hectares (57 percent) — is forested. While only 15 per cent of our forest is considered capable of growing trees of sufficient size and quantity to warrant “commercial” forest harvesting activities, our relationship to our forests extends well beyond commercial use.

The Yukon's forests contribute to the quality of our lives. They help to regulate water and nutrient cycling, moderate the effects of climate change and prevent soil erosion. They provide habitat for wildlife. Forests provide recreational opportunities, and are the source of many cultural and traditional values.

Forests are important to the Yukon's economy. Activities such as timber harvesting, wood products manufacturing, research, recreation, fishing, trapping, outfitting, wilderness tourism and hunting all provide economic benefits to the Yukon. Timber harvesters and processors make use of dead trees for fuel wood and lumber and use green trees for dimensioned lumber or other value added wood products.

The Yukon's forest resources presents some distinct challenges to forest managers. The forest land base is widely dispersed and varies in its productivity. Most of our forest lacks permanent access roads. The wilderness character of an undeveloped forest is considered by some to be our greatest asset, yet reasonable road access to harvesting areas is essential to a sustainable forest industry. These, and other challenges, must be considered in forest policy development.

Forest lands (excluding parks) in the Yukon are managed by governments: First Nations¹ (8-15 per cent), Yukon (85-90 per cent) and Canada (<1 per cent), and in areas with established land claims, renewable resource councils, resource councils² and other boards³ have a mandated advisory role to both First Nation and Yukon government in respect to forest policy and legislation development.

¹ First Nations governments include all Yukon First Nations, the Gwich'in Tribal Council and may include other transboundary first nations as outstanding land claims are settled.

² For example the Kaska Forest Resource Stewardship Council.

³ For example the Yukon Fish and Wildlife Management Board has a mandate to be “an interested party” in policy and legislation development that may affect wildlife habitat, as per Chapter 16 of the UFA.



Our Commitment

We are committed to including Yukon people in our process to develop new forest legislation. Yukon people are participate in the creation of a made-in-the-Yukon vision for forest management. The draft Yukon Forest Management Policy (1996), The Forest Strategy (1998) and the Forest Summit (2001) were important steps along this pathway. We are committed to building on these initiatives.

Some common messages that have emerged from these past processes include the following:

- Yukon forests are an important homeland to people, wildlife and habitats. Our natural and undeveloped forests are important to our identity, traditions, lifestyles and environmental and economic well-being. These resources and values must be treated with respect.
- Community participation, ethical conduct by those who manage our forests, respect for the land and forest resources, and transparency of decision making and government accountability must be cornerstones for forest management policies.
- Yukon forests also present significant opportunities for sustainable economic growth. Our forest resources can support increased opportunities for timber harvesting and the wood products manufacturing industry. As well, our non-timber forest resources can support economic opportunities for tourism, trapping, outfitting and hunting.
- Our forest resources must be managed and developed on a sustainable basis. This means that they must be managed in a way that balances economic, social and cultural needs with the need to protect long-term ecosystem health.
- We must respect traditional values and First Nation Agreements regarding forest planning, management and development processes in the Yukon.
- We must make it easy for those who work in the forest to “do the right thing” and difficult for them to “do the wrong thing”.
- We must ensure that forests contribute to the prosperity of all Yukon people.

To begin building towards this vision, workshop participants have proposed seven themes as the basic framework of our forest policy. The seven themes of this framework are:

- 1) Preamble – General - vision
- 2) Relationships and Participation
- 3) The Forest Environment
- 4) The Forest Economy
- 5) Management and Planning
- 6) Education, Training and Capacity Building
- 7) Research and Innovation



1. Preamble - General

Policy Vision

Work together so our forest ecosystems continue to provide for all living things, while providing environmental, economic, social and cultural benefits for present and future generations of Yukon people.

Policy Framework Statements:

- Forest management will be carried out in accordance with First Nation Agreements, consistent with the spirit, intent and legal requirements of the Umbrella Final Agreement, and Gwitch'in Comprehensive Land Claim Agreement, and will be harmonized with other relevant policies and legislation.
- Forest management planning will be community-based, use local, traditional and scientific knowledge and respect the obligations and principles in Chapter 17 of the UFA and other First Nation agreements. Resources Councils⁴ have a mandate to make recommendations to First Nation and Yukon governments and therefore need to play a central role in these planning processes.
- Continued resolution and implementation of land claim and aboriginal self-government agreements is fundamental to creating a stable environment for sustainable forest management.
- Governments should look for ways to harmonize forest management regimes across First Nations and public lands.
- The principle of sustainability⁵ will guide the management and use of forest resources.
- Forest Policy and legislation should build a foundation for integrated forest use that reflects local community needs, aspirations and values.
- The management of Yukon forest resources requires integrated, balanced and accountable decision-making.
- Ethical conduct on the part of all those who direct, practice or judge the performance of forest management is essential.
- Health, safety and job satisfaction are priorities for people who work in forest related industries.
- Training, research and education are an important part of our commitment to future generations.

⁴ Resource councils refer to Renewable Resources Councils established through final land claims agreements and local resource councils established by formal agreements between First Nations and the Yukon Government. Resource councils have a mandate to make recommendations to both First Nation and Yukon Government about forest management issues.

⁵ Sustainability: The ability of an ecosystem to maintain ecological processes and functions, biological diversity and productivity over time (Dunster, et al. 1996. Dictionary of Natural Resource Management. UBC Press.)



2. Relationships and Participation

Policy Vision

A respectful relationship between governments, resource councils, stakeholders and the public is fundamental to ensuring sound forest management.

Enable a spirit of co-operation and respect as we manage all Yukon forests.

Effective and timely participation in forest policy and planning processes are essential and carry obligations and responsibilities for all involved.

Policy Framework Statements:

a) First Nation Peoples and Government

- Yukon First Nation peoples and governments have an important and integral role in forest policy development, planning and management. Forest management in Yukon, therefore, must recognize and make provision for comprehensive land claims rights and responsibilities, and respect the values and traditions of First Nation's peoples who require the forests for their livelihood, community and cultural identity.
- Relationships between governments will be fair, equitable and respectful; recognizing the rights and obligations outlined in First Nation agreements.
- First Nations agreements state that governments and resource councils have specific obligations to consult one another on a variety of matters related to forest management, and adequate time must be allowed for review and comment on management initiatives and strategies.
- Where resource councils are established they are composed of local representatives and have a mandate to make recommendations about forest management, planning and policies.
- New legislation will make specific provisions for the First Nation and Yukon Indian People rights and the associated conditions identified in the Umbrella Final Agreement (UFA) and in the Gwitch'in Comprehensive Land Claim Agreement.
- Human and financial resources will be shared between governments, where practical to do so, to improve forest management.
- Governments, recognizing their area of jurisdictions, will endeavor to build cooperative and integrated frameworks for forest research, planning, use, and management, and should seek to integrate planning and management between settlement and non-settlement lands.
- Forest resources harvesting and management customs of Yukon Indian people should be respected.



- To address their legitimate needs and aspirations, First Nation communities require equitable opportunities to access forest resources, and increased capacity to benefit economically from the forests on their settlement lands and in their traditional territory.

b) International and National

- Cooperation among the world's nations is essential to enhance the capacity of countries to maintain, improve and rehabilitate the health of the planet's circumpolar boreal forests.
- The Yukon has a responsibility to assist and work cooperatively with other jurisdictions in the sustainable management of circumpolar boreal forests.
- Respect for international and national obligations is necessary for achieving sustainable circumpolar boreal forest management.
- Yukon has a responsibility to consider its role in moderating the impacts of global climate change in the development of forest policies and legislation.
- Yukon should consider the benefit of managing our forests' capacity to act as net carbon sinks.

c) Yukon Communities

- Communities depend on forests, either fully or partly, and have a vital stake in the continuing flow of economic, environmental and social benefits arising from management of Yukon's forest. Communities must be recognized as key stakeholders and participate fully in discussions about resource management issues that affect them.
- Yukon forests should be managed in a way that respects local values, lifestyles and objectives.
- Community-based forest management is strengthened by local resource councils who provide a voice for community values and goals.

d) Yukon Public

- The public will be provided with opportunities for input into the development of Yukon forest management policies, regulations, legislation and plans.
- Planning processes must encompass all stakeholders including: industry, community members and all land users.
- Information sharing and educational opportunities will be made available to the public and presented in clear and understandable format.



3. The Forest Environment

Policy Vision

Forest management will be guided by the principle of sustainability and stewardship.

Recognize Yukon forests as complex ecosystems where plants, animals and physical factors such as soil and water interact and are dependent on each other.

Manage Yukon's forest ecosystems in such a way as to maintain the natural variety of biological species, the quality of the physical environment (for example: air, soil, and water) and genetic diversity.

Policy Framework Statements:

a) Our approach to Ecosystem-based management⁶ includes the following:

- Ensuring forest ecosystem processes, structures and functions are sustained over time;
- Recognizing that change is a constant and we manage within a dynamic system that we do not fully understand and therefore we must manage in an adaptive manner;
- Developing and employing the best information possible from a wide variety of inventories and research;
- Applying the principles of forest ecosystem-based management to all scales from stands to landscapes
- Ensuring integrated forest use is carried out within the sustainable capability of the forest;
- Ensuring that use and management of forest ecosystems maintains essential ecological processes, biological diversity, species at risk, productivity, resilience and capacity for renewal;
- Recognizing that healthy forest ecosystems⁷ are important in maintaining the quality of life for Yukoners as well as contributing to the health of the earth's environment; and
- Developing a suite of best practices for Yukon that incorporates the principles of ecosystem based forest management including:
 - recognize the role of natural disturbances regimes and learn from them when designing best practices;
 - use integrated information that includes traditional, local and scientific knowledge;
 - provide direction on the forest management techniques that can be used to achieve a desired future state of the forest; and

⁶ The goal of forest ecosystem-based management in the Yukon is to pursue the balance of ecological, social and economic well being, recognizing that these values are dynamic and dependent upon one another.

⁷ Forest ecosystem health is a condition in which key structures, functions and components exist in a dynamic equilibrium in such a way that the entire ecosystem is resilient and restorative when experiencing environmental stress.



- are flexible enough to allow for regional variations and can incorporate new information in a timely manner.
- b) Incorporating natural disturbances⁸ requires a policy to provide direction by recognizing that:
- Natural disturbances will occur and contribute to healthy forest ecosystems and therefore must be incorporated in forest management (e.g. timber supply, harvest design, retention strategies, tenure, allocations, landscape planning, prescribed burning, practices, etc.).
 - Forest management tools have a limited ability to mimic natural disturbances.
 - It may not always be socially acceptable to mimic natural disturbances.
 - When ecological process such as fire, insect, disease, wind, and flooding occur, consider timely salvage opportunities⁹ by:
 - Detailing an expedient salvage response and rights issuances while recognizing that planning is still required to protect forest ecosystems; and
 - Salvage opportunities will represent significant proportion of Yukon's timber supply.
 - Fire and forest management planning initiatives must be coordinated to establish a clear relationship between values and goals, for example:
 - Integration of pre-suppression plans with forestry operations; and
 - Prioritizing the protection of humans, communities and property.
 - There is a human influence on natural disturbance regimes and that there is a need to:
 - Encourage more education to reduce human caused events; and
 - Where possible, regulate the negative impact of human activities (e.g. burning restrictions and restricted movement of bark beetle infested wood).
- c) Recognize the potential affects of Climate Change on Yukon forests by:
- Acknowledging that climate change will alter natural disturbance regimes. We can no longer rely exclusively on past disturbance regimes as a proxy for the future;
 - Increasing the resiliency of forest ecosystems to help moderate the impacts of climate change;
 - Including climate change in regional forest management planning; and
 - Promoting the ability of Yukon's forests, fens, peatlands and wetlands to sequester carbon dioxide and store carbon.

⁸ *Natural Disturbances are changes in ecosystem structure and/or composition through natural events such as fire, flood, wind, insect, disease or other natural processes (Dunster, et al. 1996. Dictionary of Natural Resource Management. UBC Press.*

⁹ *Salvage criteria, opportunities and priorities will need to accommodate regional ecological conditions and community aspirations.*



d) Environmental Safe Guards

- Recognize that some forests will require special management approaches and practices, or protection (for example: forests with high conservation values, representative ecosystems, wilderness characteristics, rare features, habitat for species at risk, heritage sites and sensitive ecological sites).
- Monitoring is an integral part of adaptive management and should be coordinated by an interagency and community-based network that establishes and tracks changes to forest ecosystem health using local indicators.
- Environmental assessments of forestry projects are required on all lands in the Yukon.
- Environmental assessments need to be synchronized with the hierarchical approach to forest management in a manner that recognizes decisions are made at each planning level in order to safe guard Yukon forest ecosystems.
- Chemical and biological control agents will only be considered as measures of last resort and must follow existing regulations and First Nation Final Agreements.
- The use of genetically modified forest organisms has not been studied in the Yukon. Prior to introduction there should be careful consideration and full and open public discussion.



4. The Forest-based Economy

Policy Vision

Consider all forest-based economic values when developing a balanced, sustainable and stable Yukon economy. The forest-based economy of the Yukon includes commercial wood-based industries (e.g. harvesting, value-added products); commercial forest uses that do not consume wood but rely on the forest (e.g. trapping, tourism, outfitting, carbon credits, mushroom picking); and non-commercial goods and services (e.g. hunting, fishing, berries, clean water).

Provide a variety of forest tenure opportunities for the various forest-based industries in order to encourage long-term investment and responsible management.

Encouraging those who work in the forest to be responsible, and making it difficult for them to act irresponsibly.

Policy Framework Statements:

a) An integrated approach to Yukon's forest-based economies.

- A diverse forest-based economy contributes significantly to the social, spiritual, and cultural well-being of Yukon society, and contributes to Yukon's capacity to conserve its forest ecosystems and maintain high environmental standards.
- Government agencies need to work together to maximize the utilization of wood from land clearings, (e.g. changes in land uses from mining, agriculture, right-of-way, etc.) and salvage opportunities from natural disturbances.
 - This should be a flexible approach keeping in mind the relationships between annual harvest rates, distance to markets, community capacity and the quality and quantity of the wood;
 - A review should be made of other regulations, policies and legislations that deal with the disposal of timber to ensure that there are no inconsistencies that how forests are managed (e.g. mining claims, agriculture leases); and
 - Consider a stumpage fee for wood removed from these areas.

b) Tenure:

- Forest-based economies require tenure that balance rights with responsibilities, encourage sound forest stewardship, meet a broad range of public objectives, sustain forest resources and provide opportunities for return on investments.
- Provide tenure opportunities at a variety of scales so that a diversity of forest-based businesses can be developed and supported.
- A range of tenure options should be developed, including volume based tenures, area based tenures, woodlots style tenures, community tenures, First Nation tenures, specialty product tenures, including burls, diamond willow, fuel management, Christmas trees, and roots, etc.
- Provide opportunities for communities to have easier access to small volumes of wood.



- Tenure arrangements should address local processing opportunities and be flexible enough to survive the cyclic nature of markets.
- It is the responsibility of wood processing companies to acquire an adequate supply of wood to meet their needs, either by tenure or contractual arrangement.
- We expect legislation to contain detail on:
 - How tenures are awarded including:
 - Support for local companies that have good track records, and
 - Participation of the affected First Nations, Renewable Resources Councils and the public
 - What tenure types will be available, including:
 - Both timber and non-timber tenures,
 - Single and multi-year, and
 - Area-based and volume-based.
 - Renewal of tenures based on good performance;
 - The responsibility for silviculture, fire, roads;
 - Transferability in a way that minimizes speculative enterprises;
 - Integration of overlapping land users and tenures holders (e.g. trappers and outfitters);and
 - Monitoring, compliance and enforcement.

c) Determining Timber Supply

- We will strive to complete land claims, land use plans, forest management plans, timber supply analyses (TSA) and establish annual allowable cuts (AAC) before allocating long term tenure. In the absence of completed plans, conservative “interim” harvest levels and areas should be identified with stakeholder, First Nation and community participation.
- Credible (i.e. technically sound) timber supply analyses need to be established after completing community-based forest management plans, at which point it is the responsibility of governments to establish an annual allowable cut.
- Timber supply analyses and determining annual allowable cuts must include consultation and cooperation with the affected First Nations, renewable resource councils, forest councils, stakeholders and the public; and
- Utilization levels should strive to match the local industry’s abilities and aspirations, while seeking to maximize the use of the full timber profile.

d) Sustainable multiple benefits:

- Provide for a wide range of economic, social, cultural and environmentally sustainable benefits from the use and management of the forest;
- Seek to enable the development of a prosperous and healthy forest economy that supports stable communities with meaningful employment and viable business and subsistence opportunities;



- Forest Management Planning should consider all aspects of the forest economy, such as, but not limited to: logging, research, subsistence use, fisheries, milling, trapping, tourism, outfitting, and wilderness guiding and seek to develop forests in a manner that minimize conflicts and maximizes benefits for all concerned; and
- The assessment of all socio-economic contributions of Yukon's forests requires an understanding of the interrelationship between residents of forest communities and their surrounding forest ecosystem.

e) Encouraging local processing:

- Create an atmosphere that encourages the development of local capacity within the sustainable limits of the forest resources;
- There should be incentives that will encourage:
 - improved utilization of harvested trees;
 - new and/or value-added products;
 - good practices;
 - re-investment by operators back into their community, research and education; and
 - reducing waste;
- No raw log exports except in well-defined or exceptional circumstances. For example:
 - movement for traditional purposes within a First Nation's traditional territory;
 - surpluses over and above local capacity;
 - areas that are not accessible to a Yukon community; or
 - where a First Nation Agreement specifically allows for the export of logs.
- Government should promote and assist Yukon forest businesses in a manner similar to the way tourism is promoted.

e) Stumpage and levies

- Stumpage and levies need to be incentive based, but also uphold the principle that the public needs a fair return from harvesting activities;
- Yukon should strive for a simple stumpage system that is dynamic enough to allow some flexibility based on certain conditions, such as:
 - cost of harvesting, planning and management;
 - expected end use (e.g. extra stumpage for raw log export);
 - the type of reforestation or silviculture systems (e.g. selection vs. clear cutting);
 - salvage (quality of wood); and
 - different rates for special forest products.
- Stumpage should be used to encourage industry to improve, or alternatively reduce or "rebate" stumpage as industry actually makes improvements that lead to increased local processing;
- Ensure stumpage and levies are not subsidies and are compliant with national and international agreements.
- Stumpage should be spent on what it was intended for i.e. forestry activities; and



- Yukon should consider flexible stumpage rates on public infrastructure development, e.g. right-of-ways for power lines.

f) Certification

- Government should develop practices and systems that favour forest and wood-product certification; and
- Ultimately it is the choice of a forest company to seek forest product certification.



5) Management and Planning

Policy Vision

Forest management planning will be community-based and provide regional direction on the right balance of ecological, social and economic objectives.

Planning acts as an investment in the future of our forests and communities. While the cost of planning is expensive, there is a higher cost for not planning.

Follow an adaptive approach to integrated forest legislation, planning and management. Decisions will be made in a timely manner after clear objectives are established. Monitoring will determine whether the goals are achieved. As experience is gained, approaches and policies will be reviewed and adjusted to be more effective.

Policy Framework Statements:

a) Information:

- In cooperation with First Nations, gather and maintain appropriate timber and non-timber inventories on key forest values, indicators and processes;
- Identify simple, inexpensive and practical criteria and indicators of sustainability that can be monitored over time by governments and communities to assess if planning objectives are being met;
- Management and planning decisions should be based on the best available scientific, local, and traditional knowledge as well as community aspirations and experience;
- The knowledge and experience of the Yukon First Nation (e.g. elders and land stewards) and non-First Nation people and the scientific communities will be used in all aspects of forest management, monitoring and use;
- Ensure the information used in management decisions is reliable and supports the ecosystem-based management approach;
- Develop an integrated and accountable decision making processes for the management of Yukon forest resources; and
- At all levels there is need for continued improvement in consultation and communication.

b) Forest Practices:

- Sustainable forest management requires an adaptive management approach, following exemplary forest practices that are grounded on the best available scientific, local, and traditional knowledge.
- Forestry practices must be based on a sound understanding of ecological principals and established management objectives.



c) Forest Ecosystem-Based Planning:

- Forests will be planned, managed and used at an appropriate scale through an integrated and balanced approach using ecological classifications on a watershed or landscape management¹⁰ basis.
- Forest ecosystem-based planning⁶ requires as much attention and effort to plan what remains as to plan what is taken.
- Basic tools of Forest Ecosystem-Based Planning include, but are not limited to:
 - adaptive management¹¹;
 - ecological and physical thresholds;
 - ecological connectivity, including retention design within and between harvest areas;
 - cumulative impact assessments that includes other land uses;
 - special management or protection of key areas (e.g. rare habitats, unique forest types);
 - using the best information available (traditional, local and scientific); and
 - access planning (i.e. routing, activation, deactivation).
- All levels of forest planning should be community-based and include all partners, who at minimum, are affected First Nations, resource councils, and Yukon government;
- All forest related values, aesthetics, interests and uses must be considered in planning, and we must seek to integrate resource uses and land values; and
- Establish priorities for forest management planning (as per First Nations Agreements) recognizing that plans are required for all forests in the Yukon.

d) Integration and Coordination

- A forest planning manual should be developed to act as a guide to a standardized and efficient planning process that demonstrates how to integrate the different scales of planning and environmental assessment processes.
- Forest management should seek to be integrated between settlement and non-settlement lands.
- Forest management planning should be coordinated with higher-level plans, for example land use plans or other regional resource plans where they exist.
- Adjacent or overlapping forest management planning areas will share information and will seek the integration of management objectives in overlapping or shared watershed areas.

¹⁰ Watershed or Landscape Management is a commitment to manage over broad scales by using vegetation, biophysical, or drainage patterns to organize activities in such a way as to have the best chance to avoid undesirable adverse results.

¹¹ Adaptive Management is commitment and structure that allows planning and operations to be continually monitored, re-evaluated and refined in pursuit of excellence.



e) Access

- Access planning should be an integral component of land-use and forest management plans. These plans should be done at a regional level and include all partners.
- Access planning should consider traditional methods of travel and transportation.
- There is a need to be able to designate multi-use roads from forestry roads so that forest operators can effectively participate in access management, including seasonal closures and full decommissioning.
- There must be recognition of commitments made in First Nation Agreements regarding access.
- Access planning must be coordinated with other agencies and other land users (e.g. wildlife, trapping, oil & gas, agriculture), and should include appropriate deactivation or reclamation plans.
- There should be enabling legislation to restrict access use where and when necessary.

e) Regional Variation in Planning

- Regional variations occur in the Yukon, and are a result of variations throughout the Yukon in ecosystems, traditional knowledge, economic opportunities (timber profile), priorities, industry profile, access to markets, access to resources, government (e.g. tribal, municipal), resource councils, and the status of Final Agreements; therefore planning should be done at a regional level;
- Legislation should recognize and accommodate regional variation; and
- There should be a range of tenure options that would accommodate regional variations.



6) Training and Capacity Building

Policy Vision

To achieve maximum benefits from forests use, and enable effective participation in forest management planning, Yukon requires knowledgeable and capable individuals and communities.

Policy Framework Statements:

- a) Commitments to training and capacity building
 - Sustainable forest management, knowledgeable communities and a competitive forest sector require a broad and continually evolving range of skills from diverse disciplines.
 - In order for individuals and communities to realize the maximum benefits from forests in their region they require the capacity to capitalize on new opportunities.
 - A well trained, knowledgeable and capable work force contributes to community stability. Developing and maintaining such a workforce requires an on-going commitment to funding.
 - Opportunities should be provided for community members, including youth, forest users and members of planning teams, to become informed about forest management issues, and in particular forest legislation, regulations, permitting, silviculture and forest practices.
 - Training for forest practioners and operators that span a variety of issues should be provided in order to improve and diversify their skills and abilities.

- b) Shared responsibilities
 - The resources for capacity building and training are the shared responsibility of employees, employers, governments, labour and educational institutions.
 - Governments (Federal, Yukon and First Nation) should seek to partner on the joint funding of capacity building and training initiatives.
 - Where possible, capacity building and training opportunities should be coordinated to maximize limited funding.
 - Information, knowledge and experience should be shared between governments as well as with communities, forest users and resource councils.
 - Standards, rules of ethical conduct and certified levels of skills for natural resource practioners should be developed and implemented.
 - A portion of stumpage fees should be reinvested in training and capacity building.
 - It is the responsibility of First Nations, communities and government to ensure that traditional, local and scientific knowledge is integrated and shared by all parties.



7) Research and Innovation

Policy Vision

We need to continually explore new ideas and techniques that allow a spirit of creativity to prevail as we seek solutions to our common challenges.

Policy Framework Statements:

- Research and innovation requires a concerted and continuing commitment to forest research including long-term, stable funding (including “in kind”) by all partners.
- Strong linkages between researchers and practitioners are essential in order to ensure the relevance and application of the results of forest research.
- A portion of stumpage fees should be reinvested in research and innovation.
- The results of forest research must be communicated, evaluated and applied effectively.
- Yukon’s progress in sustainable forest management requires integrated approaches and multidisciplinary research partnerships and networks, incorporating the natural and social sciences and traditional knowledge.
- Industry innovation should be encouraged through a combination of penalties, subsidies, incentives and allocations.
- “Outside” networking and partnerships are critical and Yukon must continue to be represented at international and national forums.
- Research is needed in the following areas:
 - market research (national & international) and forest economics research;
 - ecological and “impacts” research (linked with harvest planning);
 - climate change and carbon cycling;
 - insect and disease;
 - forest renewal practices;
 - new and developing waste/milling technologies;
 - post wildfire research (including salvage);
 - alternative road research;
 - road density research;
 - the “business-end” of wood products and processing;
 - collective/centralized wood and waste processing as a capacity option;
 - Yukon-specific certification and marketing;
 - non-timber forest product research and innovative marketing (e.g. birch beer); and
 - deriving forest units of uniform ecosystem function to enable the concept of ecosystem integrity to be applied.
- Consider establishing an independent forest research network.



Conclusion

This discussion paper stands as a record of the efforts of all workshop participants and a public review process. It attempts to summarize, consolidate and build on forest policy work undertaken over the past seven years in Yukon on forestry issues. However, this work is not binding on any of the participating organizations. This work is also not the “last word” on forest policy issues. It is the measured and thoughtful product of a diverse group of individuals from a variety of governments and mandated organizations.

The Devolution Transfer Agreement, Appendix B contains a commitment to a “Successor Resource Legislation Working Group” that has yet to be established. This group will be a partnership between Yukon and First Nation governments, and will have the responsibility for making recommendations on a variety of issues related to the development of new resource legislation in the Yukon.

Continued discussions with focus groups, the forest industry and key stakeholders, after the release of this paper, will help ensure that policy principles and forest legislation enables sound forest management and sustainable use of Yukon forests

When it is time to undertake the development of new forestry legislation for the Yukon, the current discussion paper will serve as a valuable starting point, and should speed the development of the initial drafts of the legislation. The discussion paper will also serve as a “benchmark” to measure whether new legislation has covered the range and breadth of issues that are important to Yukoners.



Appendix A: List of Workshop Participants and Respondents

Participants of the February 2003 Workshop

1. Gordon Allison - Champagne Aishihik FN	2. Graham Baird - Vuntut Gwitchin FN
3. Darrell Beattie - Carcross\Tagish FN	4. Paul Birckel - Champagne Aishihik FN
5. Mary Blair - White River FN	6. Peter Borotsik - Ta'an Kwach'an Council
7. Glen Bunbury - Ta'an Kwach'an Council	8. Carl Burgess – YG, Energy Mines and Resources
9. Boyd Campbell - Alsek RRC	10. Scott Cole – DIAND, Forest Resources
11. Greg Cowman – DIAND, Forest Resources	12. Dan Cresswell - Carcross\Tagish FN
13. John Devries - Kaska Forest Resources Stewardship Council	14. Dennis Dickson - Kluane FN
15. Lyle Dinn – DIAND Forest Resources	16. Jack Fraser - Dawson RRC
17. Brandy Greenwood - Teslin RRC	18. Adam Grindle - Teslin RRC
19. Terrance Hanlon - Carmacks RRC	20. Birch Howard - North Yukon RRC
21. Stephen Jakesta - Kaska Dena Council	22. Danny Joe - Selkirk RRC
23. David Johnny - Selkirk RRC	24. Jimmy Johnny - Mayo RRC
25. Mary Jane Johnson - Kluane FN	26. Luke Johnson - Kluane FN
27. Margaret Johnson - Southern Tutchone Tribal Council	28. Shelby Jordon -Dawson RRC
29. Vicky Josie - North Yukon RRC	30. William Josie - Vuntut Gwitchin FN
31. Ken Kiemele – YG, Environment	32. Rose Kushniruk - Alsek RRC
33. John Joe Kyikavickik- Vuntut Gwitchin FN	34. Anne Leckie -Nacho Nyak Dun FN
35. Dixon Lutz - Liard FN	36. Keith Maguire - Council of Yukon First Nations
37. Don Marino - Carmacks RRC	38. Norm MacLean - Kaska Forest Resources Stewardship Council
39. Allan Miller - Kaska Tribal Council	40. Gary Miltenberger - DIAND Forest Resources
41. Jolene Murphy - White River FN	42. John Pattimore - Ta'an Kwach'an Council
43. Albert Peter - Nacho Nayk Dun FN	44. Geraldine Pope - Ta'an Kwach'an Council
45. Dan Reams Kaska Forest Resources Stewardship Council	46. Rick Riemer - Dawson RRC
47. Bernice Shonewille - Teslin RRC	48. Richard Sidney - Dakh ka Council
49. Jack Smith - Mayo RRC	50. Lindsay Staples - Northwest Resource Consulting (facilitator)
51. Clifford McLeod - Ross River Dena Council	52. Jayne Suncomeau - Kaska Forest Resources Stewardship Council
53. Myles Thorp – DIAND, Forest Resources	54. Ed van Randen – YG, Energy Mines and Resources
55. Blanche Warrington - Teslin Tlingit Council	56. Michael White - YG, Environment
57. Frances Woolsey - Ta'an Kwach'an Council	58. Deb Wortley – DIAND, Forest Resources

Of note is that DIAND staff listed above are now Yukon government employees as a result of the devolution transfer agreement that took effect on April 1, 2003.



List of Participants from the February 2004 Workshop

Name	Organization
1. Dennis Dickson	KFN (elder)
2. Ann Marie Swan	CYFN FNFP
3. Gail Barnaby	CYFN
4. Rose Kushniruk	Alsek RRC
5. Frances Woolsey	Ta'an RRC
6. Geraldine Pope	TKC
7. Graham Baird	VGFN
8. John Joe Kay	VGFN
9. William Josie	VGFN
10. Vicky Josie	VGFN
11. George Shepherd	CTFN
12. Larry Barrett	CTFN and Dahk Ka
13. Jessie Barret	WRFN
14. Dan Reams	KFRSC
15. John DeVries	KFRSC
16. Frank Lutz	LFN
17. Raymond Morris	LFN
18. Boyd Campbell	Alsek RRC
19. Norman Sterriah	Kaska Nation
20. John Acklack	Ross River Dena Council
21. Robinson Dick	Ross River Dena Council
22. Marta Selassie	Tr'ondek Hwech'in
23. Mary Teya	Fort McPherson FN (GTC) elder
24. Dwayne Semple	GTC
25. Mike Gergel	Teslin RRC
26. Jerry Kruse	Selkirk RRC
27. George Klein	CRRC (Observer)
28. Don Marino	CRRC (Observer)
29. Gary Sam	CRRC (Observer)
30. Sue Davies	LSCFN (Observer – parts of day2 & 3)
31. Joe Bellmore	LSCFN (Observer – parts of day 2 & 3)
32. Roddy Blackjack	LSCFN (Observer – parts of days 2 & 3)
33. Johnny Sam	LSCFN (Observer – parts of day 2 & 3)
34. Ted Fairclough	CRRC (Observer)
35. Adam Grinde	Teslin RRC
36. Mary Jane Johnson	Kluane FN Land and Heritage
37. Blanche Warrington	Teslin Tlingit Council
38. Anne Leckie	NND
39. Jimmy Johnny	NND
40. Dan Klippert	Mayo RRC
41. Geraldine Pope	Ta'an First Nation (end of day 2)
42. Richard Behn	White River First Nation (day 3)
43. Kaz Kuba	White River First Nation (day 2 & 3)
44. Lindsay Staples	Facilitator



45. Gary Miltenberger	FMB
46. Ed van Randen	EMR – Corporate Services
47. Carl Burgess	FMB
48. Greg Komarami	EMR – Corporate Services
49. Al Beaver	Community Services – Fire
50. Greg Cowman	FMB
51. Susan Skaalid	FMB
52. Kent Jingfors	Environment – F&W
53. Mike Connor	Environment – Policy
54. Laurie Henderson	Justice
55. Mike Winstanley	Justice

List of Non-timber forum participants (held November 2003)

Name	Organization
1. Helmut Grunberg	Bird Club
2. Peter Sandiford	CPAWS
3. Sally Wright	YCS
4. Karen Baltgailis	YCS
5. Sue Kemmet	YCS
6. Ulla Rembe	PLUS
7. Eric Johnson	Trapper Association
8. Cathryn Paish	YG Tourism
9. Blaine Walden	Wilderness Tourism Association
10. Maxine Mathinson	Wilderness Tourism Association
11. Terry Wilkinson	Outfitters Association
12. Terry Kennedy	Outfitter Association
13. Myles Thorp	Forest Management Branch
14. Chris Gustafson	YG Environment – Conservation Officers
15. Manfred Hoefs	Fish and Game Association
16. Graham Van Tighem	Fish and Wildlife Management Board
17. Gary Miltenberger	YG - Forest Management Branch
18. Lindsay Staples	Facilitator
19. Deb Wortley	YG - Forest Management Branch
20. Carl Burgess	YG - Forest Management Branch
21. Ed van Randen	YG - EM&R Policy Section
22. Ken Kiemele	YG - Environment Department
23. Jerry Heal	YG - EM&R Climate Change
24. Len Mychsaiw	YG -Environment Department F& W



List of Timber forum participants (held March 2003)

Name	Affiliation
1. Gary Bull	Facilitator
2. Alex Sinclair	FERIC
3. Reg Wolfe	Sawmiller / Log Homes
4. Don Oulton	Sawmiller
5. Vlad Petrlak	Contractor
6. Brad Roberts	Sawmiller, Harvester, Valued-added
7. Dennis Klein	Log Homes
8. Ray Hurlbert	Firewood
9. Leonard Peterson	Sawmiller, Harvester
10. Bill Bowie	Sawmiller, Harvester, Fuelwood
11. Bernard Luken	Sawmiller, Harvester
12. Doug Burgis	Forestry/Fire Contractor
13. Terry Kennedy	Forestry Consultant
14. John Devries	
15. Joe Szulinsky	Firewood
16. Russ Melon	
17. Marty Aantjes	Sawmill
18. Roger Cornelson	Sawmill
19. Netta Derosiers	Sawmill

List of Respondents (written submissions)

Name	Affiliation
1. Manfred Hoefs	Yukon Fish and Game Association
2. Aynslie Ogden	Northern Climate Exchange
3. Roger Morin	
4. Sue Davis	Little Salmon Carmacks FN
5. Helmut Grunberg	Yukon Bird Club
6. Sue Kemmet	YCS
7. Peter Sandiford	CPAWS
8. Sue Kemmet	YCS
9. Amy McKinnon	Alsek RRC
10. Kerry Rees	
11. Ulla Rembe	PLUS
12. Jean Francois Nantel	
13. Sue Kemmet	Yukon FSC Steering Committee
14. Lorelei Smith	Yukon Salmon Committee
15. Benoit Godin	Environment Canada
16. Ralph Nordling	Yukon Council on the Economy and Environment
17. Ken Anderson	
18. Paul Goguen	Yukon Chamber of Commerce



19. Elizabeth Hofer	
20. Ed Kormendy	Fish and Wildlife Management Board

List of open houses and meetings

Name	Date
1. Mayo	November 25
2. Dawson	November 12
3. Pelly	November 24
4. Whitehorse	November 18
5. White River	November 19
6. Klaune	November 20
7. Carmacks	December 9
8. Haines Junction	November 27
9. Ft. McPherson	December 2
10. Old Crow	December 4
11. Carcross	December 4
12. Teslin	December 4
13. Watson Lake	November 6
14. Inuvik	January 13