

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

ANNEX B

BOARDS, COMMISSIONS AND COUNCILS

Application

This Annex applies to the:

Enrollment Commission
Surface Rights Board
Yukon Land Use Planning Council
Yukon Geographical Place Names Board
Yukon Heritage Resources Board
Yukon Water Board
Fish and Wildlife Management Board and its Salmon Sub-Committee
Dispute Resolution Board

herein called the "Boards".

The Surface Rights Board will be the subject of separate Legislation. This Annex therefore applies to the Surface Rights Board subject to such modifications as may be required to ensure consistency with that Legislation.

The Development Assessment Board and Designated Offices to be established pursuant to UFA Chapter 12 also will be the subject of separate Legislation. Those matters are excluded

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

from this Annex on the understanding that they will be addressed through Development Assessment Legislation, the implementation plan contemplated by UFA 12.19.1 and the workplan and activities described in Annex A of this Plan.

Contents

This Annex has five parts:

- Part 1 - General Provisions
- Part 2 - Board Training and Cross-Cultural Orientation and Education
- Part 3 - Arrangements for the Provision of Aboriginal Language Services to the Boards
- Part 4 - Board Mandates and Activities
- Part 5 - Board Budgets and Related Arrangements.

These parts are to be read together. Their provisions reflect the agreement of the Parties with respect to the establishment and operation of the Boards and the related arrangements and activities which the Parties expect to perform.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

PART 1

General Provisions

Initial Nominations and Appointments

Each Party has a right to nominate Board members as provided by UFA 2.12.2 and in respect of each Board.

The process of nomination and appointment will require each Party to identify, recruit and select nominees in an effective manner. The procedures and criteria to be used in that respect are within the discretion of the nominating Party.

To establish the initial complement of Board members, each Party should commence its procedures to identify prospective nominees upon ratification of the UFA by all Parties. The Minister will request nominations pursuant to UFA 2.12.2.2 as soon as practicable after the date of signing by all the Parties.

Nominations, including a statement of the initial term for which a particular nomination may be made (UFA 2.12.2.11), shall be forwarded to the Minister within the time provided by UFA 2.12.2.2. The Minister will appoint the nominees in sufficient time for the Boards to be in place as indicated in Part 4 of this Annex.

In order to facilitate these procedures, each Party should confirm with its proposed nominees their readiness to serve, prior to submitting its nomination to the Minister. If a nominee declines an appointment, the Minister and the nominating Party should take steps as soon as practicable to ensure that another nominee is identified and appointed.

Ongoing Process for Nominations and Appointments

1. Replacement of Board Members

Upon termination of the initial appointments, the Parties should follow the procedures outlined in UFA 2.12.2.2 to 2.12.2.4 and above in respect of the initial appointments to ensure that repeat or replacement nominations and appointments take effect in a timely manner. The Parties should use all best efforts to avoid vacancies arising on the Boards due to failures in the process of nomination and appointment.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

If a vacancy during term arises on a Board, the Parties should follow the same procedures to ensure that a replacement nominee is appointed at the earliest practicable date for a term consistent with the provisions of UFA 2.12.2.11.

2. Removal for Cause

The authority to remove a Board member lies with the appointing Minister. It is acknowledged that the Minister will choose whether to exercise that discretion on the basis of any relevant information which the Minister may receive. However, the Minister should act to remove a Board member only after consultation with the nominating Party, subject to requirements for confidentiality. A replacement for the member removed should be nominated and appointed as soon as practicable.

Where a Board chooses to specify grounds for removal of a member pursuant to UFA 2.12.2.7, that Board should communicate those grounds in writing to the nominating Parties and the Minister forthwith.

3. Resignation of a Member

A Board may wish to establish rules or procedures concerning the resignation of Board members. It is recommended that Board members who wish to resign during their term be required to communicate their resignation in writing to the Board and that the Board forthwith advise the Minister of the resignation. A replacement for the member who resigned should be nominated and appointed as soon as practicable in accordance with UFA 2.12.2.2 and UFA 2.12.2.3.

Organization of the Board

For the effective working of the Board, each Board, within the first 60 days after it is established by appointments, should convene at least one meeting. The initial meeting of the Board should be convened by the members with such organizational assistance from the appointing Minister or Minister's representative as may be required to complete necessary arrangements.

At its initial meeting or as soon as practicable thereafter, each Board should address:

- (a) the selection or nomination of a Chair and/or Vice-Chair, as the UFA may provide in respect of that Board;
- (b) any rules and procedures which it may require pursuant to UFA 2.12.2.7 and 2.12.2.10;

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

- (c) the Board budget and the completion of related financial arrangements;
- (d) any organizational and policy matters, and arrangements with respect to support services and facilities required, for the discharge of its mandate; and
- (e) any arrangements required with respect to the training and cross-cultural orientation and education of Board members.

Board Services and Facilities

It is expected that each Board will arrange for the support services and facilities it requires. Two or more Boards may co-operate in these arrangements, as they may find convenient. In determining their arrangements, the Boards should consider the training and economic opportunities which may be made available to Yukon First Nations and the specific provisions of Yukon First Nation Final Agreements.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

PART 2

Board Training and Cross-Cultural Orientation and Education

For the purposes of UFA 2.12.2.9, 28.3.5 and 28.3.7, Board training should include:

1. training in Board procedures and functions;
2. training directed to improving Board members' ability to carry out their responsibilities in the field or fields within the mandate of the Board;
3. familiarization with the provisions of the UFA; and
4. cross-cultural orientation and education.

Each aspect will involve different considerations.

1. Board procedures and functions

This training should reflect both internal Board needs and needs of the Board in relation to public process. It should enable a Board to develop the internal rules it may require and to develop its approach and organization for decision-making. This latter area may include matters of policy development, planning, prioritization, time management and financial management. The appropriate time for the different aspects of this training to occur may vary from Board to Board.

It is strongly recommended that each Board assess and take steps, including budget provisions, to address its training requirements in these areas as soon as practicable after the Board is established. These requirements should be reassessed and addressed accordingly within 90 days after the termination of the initial appointments, for the benefits of the replacement nominees. The initial Board's need for and success with training should be considered by subsequent members when assessing their needs and the means by which those needs may be addressed.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

Refresher training or specific needs for procedural advice during the term of a Board should be left for each Board to address as and when it so requires.

To ensure that appropriate training is available to the Boards, the Training Policy Committee, in consultation with the Boards, should develop the design and delivery of such training as the Boards may require or request. It is recommended that consideration be given to training in internal procedures and rules by way of a two or three day workshop to be held in Whitehorse. This workshop should be attended by the Chair and at least one other member of each policy Board. Attendance by members of adjudicative Boards should be optional.

Training in other topics may best occur in a small-group setting with each Board individually. Generally, the training program ought to be completed within the first three to six months after the effective date.

The Training Policy Committee should choose the facilitator or facilitators for the training program and develop the detailed curriculum in consultation with both the facilitator(s) and the Board Chairs. The suitability of training programs available through existing agencies, educational institutions or private contractors should be considered by the Committee in the discharge of its task.

2. Training related to Board Mandate

Each Board should assess and take the steps necessary, including budget provisions, to address the needs of its members for training which will enable them to improve their ability to carry out their responsibilities in the field or fields within the Board's mandate. It is recommended that this occur as soon as practicable in the first year of each Board's term and at least annually thereafter. The specific program or initiatives taken in this area should be left to each Board to decide and arrange as it may require.

3. Familiarization with the UFA

All Parties have an interest in ensuring that members of each Board understand the purposes of the Board under the UFA. All Parties also have an interest in ensuring that this understanding is achieved through appropriate, balanced procedures.

As provided in UFA 28.3.7, the Parties should jointly inform each Board about relevant provisions of the UFA, Yukon First Nation Final Agreements and implementation plans. This information program should be carried out in a co-operative, co-ordinated way. It

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

should be completed within the first 90 days after the effective date, and repeated as necessary during the term of a Board or upon the expiry of the initial Board appointments.

Each Party should designate representatives who will participate in this program. The designated participants should include persons who will facilitate the program generally, as well as persons who have actual knowledge of the negotiations and considerations which led to the provisions of the agreements in each area.

4. Cross-Cultural Orientation and Education

Ongoing cross-cultural awareness and sensitivity will be important for the effective working of the Boards.

It is strongly recommended that each Board consider and take the steps necessary, including budget provisions, to ensure that its members have the benefit of cross-cultural orientation and education. This should be considered and addressed as soon as practicable in the term of each Board, and thereafter as may be required.

It is expected that cross-cultural orientation and education will have reference to the mandate of each Board and address cultural values, attitudes, strengths and differences in ways that enable the members of each Board, as a cross-cultural group, to work well together for the purposes of their mandate.

The Training Policy Committee should ensure that a suitable program of cross-cultural orientation and education is available to the Boards as the Boards may require or request. In consultation with the Boards, the Training Policy Committee should establish the design and delivery of the program and determine the appropriate facilitators, format and timing. In doing so, the Committee also should consider the suitability of existing services available in Yukon. It is expected, however, that no generic or presently existing program will prove entirely suitable; the needs of the Boards are unique.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

PART 3

Aboriginal Language Services

The Boards should be able to conduct their proceedings in aboriginal languages when appropriate.

Aboriginal language services in Yukon are currently the subject of a multi-year agreement between Canada and Yukon. It is expected that aboriginal language services will be available to the Boards pursuant to such agreements as may be in place from time to time or through contracting with individuals or organizations for the services desired.

It is expected that all best efforts will be made to ensure that the language services the Boards may require will be available to them at the earliest practicable date.

PART 4

Board Mandates and Activities

The following provisions address the mandate and expected activities, and relevant specific arrangements, in respect of each of the Boards to which this Annex applies.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

THE ENROLLMENT COMMISSION

Mandate

The Enrollment Commission shall determine eligibility for enrollment under a Yukon First Nation Final Agreement, and hear and determine any appeal respecting enrollment and provide for the enforcement of any order or decision.

Organizational Structure

The Enrollment Commission was established by the parties to the UFA on July 1, 1989.

The members of the Enrollment Commission shall be nominated and appointed pursuant to UFA 3.6.3 and 3.6.4.

The first members to the Enrollment Commission were appointed by the Minister of Indian Affairs and Northern Development in the fall of 1989. The Minister appointed a new member, nominated by Government and re-appointed the current member, nominated by CYI in the winter of 1992/93.

The Parties should nominate alternates as soon as practicable after Settlement Legislation. The Chair should be in place by Settlement Legislation.

The Enrollment Commission shall continue to operate until dissolution pursuant to UFA 3.10.4.

The Enrollment Commission shall be an independent body operating at arm's length from the Parties to the Settlement Agreements.

The provisions of UFA 2.12-2 shall apply to the Enrollment Commission.

Operations

The Enrollment Commission budget shall provide for facilities and the administrative support required to carry out its activities. The Enrollment Commission may wish to investigate the sharing of common services with other Boards.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

The Enrollment Commission shall prepare an annual budget and submit the proposed annual budget to the Minister of Indian Affairs and Northern Development for approval (UFA 3.8.1). The budget approval process will respect the Enrollment Commission's discretion over the allocation of funds to be available to the Enrollment Commission under the Plan. The Enrollment Commission shall only spend funds allocated to it for the carrying out of its functions and responsibilities in accordance with its approved budget (UFA 3.6.5.2).

Canada shall provide funding through fiscal 1993-94 and, if necessary, thereafter to the effective date of Settlement Legislation to the Enrollment Commission to enable it to carry out its responsibilities.

Activities

The Enrollment Commission shall carry out the activities prescribed in the following UFA provisions:

3.6.5.1; 3.6.5.3; 3.6.5.4; 3.6.5.5; 3.6.5.6; 3.6.5.7; 3.6.5.8; 3.6.5.9; 3.6.5.10; 3.9.1.

As soon as practicable after Settlement Legislation, the Enrollment Commission shall establish and publish its procedures in respect of appeals from decisions of the Enrollment Committees.

The Enrollment Commission may, on its own motion, institute an appeal pursuant to UFA 3.6.5.9.

For the first four Yukon First Nations, the Enrollment Commission has prepared, certified, published and advertised the initial enrollment list.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

SURFACE RIGHTS BOARD

Mandate

The Surface Rights Board ("the Board") mandate is prescribed in UFA 8.2.0, 8.3.0 and 8.4.0.

Organizational Structure

The Board shall be established pursuant to the Surface Rights Board Legislation enacted no later than the effective date of Settlement Legislation.

The nominees of the parties to the UFA shall be appointed to the Board as of the effective date of Surface Rights Board Legislation.

The Board shall have ten members. Five persons shall be nominated by the Council for Yukon Indians (CYI), and five persons shall be nominated by Canada. Canada shall consult with Yukon prior to the selection of the five nominees not allocated to CYI. The Minister of Indian Affairs and Northern Development shall appoint the nominees pursuant to UFA 8.1.2.

The chairperson shall be appointed after the Board has convened in accordance with UFA 8.1.3.

The provisions of UFA 2.12.2 shall apply to the Board.

The Surface Rights Board Legislation shall set out the other matters respecting the organizational structure of the Board.

Operations

The Board's budget will provide for facilities and the administrative support required to carry out its activities. The Board may wish to investigate the sharing of common services with other Boards.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

The Board shall prepare an annual budget for review and approval by the Minister of Indian Affairs and Northern Development. The budget approval process will respect the Board's discretion over the allocation of funds to be available to the Board under the Plan. Canada shall pay the approved expenses of the Board.

Activities

The Board shall operate pursuant to the provisions of the Surface Rights Board Legislation (UFA 8.1.4) and the UFA. The Board shall hear and determine any matter referred to it pursuant to Surface Rights Board Legislation and any matter arising under the UFA or under a YFNFA, including:

UFA 5.15.5; 5.15.6; 5.15.9; 5.15.10; 6.3.3; 6.3.4; 6.3.6; 6.3.7; 6.4.5.2; 6.4.6; 6.5.1; 6.6.2; 7.5.2; 7.7.1; 7.8.4; 8.2.0; 8.3.0; 8.4.0; 14.7.5; 14.7.6; 17.10.2; 17.10.4; 17.10.5; 18.1.2; 18.1.3; 18.1.5; 18.2.6.4; 18.2.8; 18.2.9; 18.3.3; 18.3.4; 18.3.5; 18.3.6; 18.4.3; 18.4.4;

First Nation of Nacho Nyak Dun Final Agreement 13.8.7.3(b);

Champagne and Aishihik First Nations Final Agreement 13.8.7.3(b);

Teslin Tlingit Council Final Agreement 13.8.7.3(b);

Vuntut Gwitchin First Nation Final Agreement 13.8.7.3(b)

The Board may prescribe rules and procedures to govern any negotiations and may establish a mediation process which may be integrated with UFA 26.6.0.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

YUKON LAND USE PLANNING COUNCIL

Mandate

The Yukon Land Use Planning Council("the Council") shall make recommendations to Government and affected Yukon First Nations pursuant to UFA 11.3.3 and 11.9.2.

Organizational Structure

The Council shall be established at the effective date of Settlement Legislation.

The Council shall be made up of one nominee of the Council for Yukon Indians, one nominee of Yukon and one nominee of Canada. The Minister of Indian Affairs and Northern Development shall appoint the nominees (UFA 11.3.2).

The provisions of UFA 2.12.2 shall apply to the Council.

Operations

The Council shall maintain in Yukon, the facilities and administrative and planning support required to carry out its activities. The Council will establish a secretariat as soon as practicable after the establishment of the Council to assist the Council and the Regional Land Use Planning Commissions ("the Commissions") to carry out their functions under this chapter (UFA 11.3.4).

The role and activities of the Secretariat will be determined by the Council.

The Council shall propose a budget to the Minister of Indian Affairs and Northern Development for the development of regional land use plans and for its own administrative expenses. The budget approval process will respect the Council's discretion over the allocation of funds to be available to the Council under the Plan. Canada will pay the approved expenses of the Council. Canada will provide funding for Regional Land Use Planning Commissions as specified in Schedule 1 of the Plan and as described in Yukon First Nations Final Agreement Implementation Plans.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

Activities

The Council shall make recommendations to Government and to each affected Yukon First Nation on matters pursuant to UFA 11.3.3. The activities in UFA 11.3.3 shall be carried out in consultation with Yukon First Nations and Government.

These discussions should address the number of and the length of time to complete regional land use plans, and other matters identified in UFA Chapter 11.

The Council shall convene a meeting no later than 60 days after the establishment of the Council.

The Council shall convene an annual meeting with the chairpersons of all Commissions to discuss land use planning in the Yukon.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

YUKON HERITAGE RESOURCES BOARD

Mandate

A Yukon Heritage Resources Board ("the Board") shall be established as of the effective date of Settlement Legislation to make recommendations respecting the management of Moveable Heritage Resources and Heritage Sites to the Minister of Tourism (Yukon), the Minister of Environment (Canada) and Yukon First Nations (UFA 13.5.1). The Yukon Heritage Resources Board may also be asked to make determinations pursuant to Umbrella Final Agreement 13.3.2.1 and 13.3.6.

Organizational Structure

The Yukon Heritage Resources Board shall be comprised of ten members (UFA 13.5.1).

Yukon shall nominate five appointees, one of whom shall be selected in consultation and concurrence with Canada.

Council for Yukon Indians shall nominate five appointees.

The Yukon Minister of Tourism shall appoint the nominees to the Yukon Heritage Resources Board (Umbrella Final Agreement 2.12.2.3, 2.12.2.4).

The provisions of 2.12.2 of the Umbrella Final Agreement shall apply to the Yukon Heritage Resources Board.

Operations

Pursuant to UFA 2.12.2.8, the Yukon Heritage Resources Board shall prepare an annual budget for approval by the Yukon Minister of Tourism. The budget approval process will respect the Board's discretion over the allocation of funds to be available to the Board under the Plan.

The Yukon Heritage Resources Board and the Yukon Geographical Place Names Board will operate with shared secretarial/administrative support, for which each will contribute resources from its operating budget. The amounts contributed annually by

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

each Board will be commensurate with the amount of support each expects to require during that budget year.

Activities

The Yukon Heritage Resources Board shall undertake activities pursuant to its responsibilities as set out in chapter 13 of the Umbrella Final Agreement, in particular UFA 13.3.2.1, 13.3.6, 13.3.7, 13.5.3, 13.5.4, 13.7.1, 13.8.4, and the obligations in chapter 10, in particular UFA 10.3.4 and 10.5.5 and the obligations as set out in the specific provisions of individual Yukon First Nation Final Agreements.

Note

Further information concerning activities associated with the Yukon Heritage Resources Board can be found in Activity Plans located in Annex A of the Yukon First Nation Final Agreement Implementation Plans, for the following referenced provisions:

UFA 10.3.3, 10.5.2, 13.3.2, 13.5.3.6, 13.7.1, 13.8.4;

First Nation of Nacho Nyak Dun Final Agreement Chapter 13, Schedule A, 1.2; Chapter 13, Schedule A, 3.3; and

Vuntut Gwitchin First Nation Final Agreement Chapter 13, Schedule B, 3.1.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

YUKON GEOGRAPHICAL PLACE NAMES BOARD

Mandate

A Yukon Geographical Place Names Board shall be established as of the effective date of Settlement Legislation to consider and recommend the naming or renaming of places or features located within the Yukon (UFA 13.11.1 and 13.11.2).

Organizational Structure

The Yukon Geographical Place Names Board shall be comprised of six people.

Yukon shall nominate three appointees.

Council for Yukon Indians shall nominate three appointees.

The Yukon Minister of Tourism shall appoint the nominees to the Yukon Geographical Place Names Board.

The provisions of UFA 2.12.2 shall apply to the Yukon Geographical Place Names Board.

Operations

Pursuant to UFA 2.12.2.8, the Yukon Geographical Place Names Board shall prepare an annual budget for approval by the Minister of Tourism. The budget approval process will respect the Yukon Geographical Place Names Board's discretion over the allocation of funds to be available to the Yukon Geographical Place Names Board under the Plan.

The Yukon Geographical Place Names Board and the Yukon Heritage Resources Board will operate with shared secretarial/administrative support, for which each will contribute resources from its operating budget. The amounts contributed annually by each Board will be commensurate with the amount of support each expects to require during that budget year.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

Activities

The Yukon Geographical Place Names Board shall undertake activities pursuant to its responsibilities as set out in chapter 13 of the Umbrella Final Agreement, in particular UFA 13.11.1 to 13.11.4.

Note

Further information concerning activities associated with the Yukon Geographical Place Names Board can be found in Activity Plans located in Annex A of the Yukon First Nation Final Agreement Implementation Plans, for the following referenced provisions:

UFA 13.11.2 and 13.11.3.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

YUKON WATER BOARD

Mandate

The Yukon Water Board ("the Board") shall fulfil the mandate set out in the Laws of General Application and the Settlement Agreements.

Organizational Structure

The Board is currently the Yukon Territory Water Board established under the Northern Inland Waters Act, R.S.C. 1985, c. N -25.

The Council for Yukon Indians ("CYI") shall nominate one third of the members (three persons) to the Board. Canada and the Yukon shall each nominate one third of, the members (three persons) to the Board. The Minister of Indian Affairs and Northern Development (the "Minister") shall appoint the nominees.

After the date of federal cabinet approval of the Umbrella Final Agreement and before the effective date of Settlement Legislation, the Minister will, pursuant to UFA 14.4.1. endeavour to appoint the nominees of CYI to Board positions which are vacant and are the responsibility of Indian and Northern Affairs Canada to fill.

On or after the effective date of Settlement Legislation, the Minister may terminate the appointment of an Indian and Northern Affairs Canada nominee if the termination is required to allow nominees of CYI to occupy the full complement of three positions.

The Chairperson and the Vice Chairperson shall be appointed pursuant to UFA 14.4.2.

The provisions of UFA 2.12.2. shall apply to the Board.

Operations

The Board shall operate pursuant to the Laws of General Application and pursuant to the Settlement Agreements.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

The Board budget shall be the responsibility of Canada. The Board shall submit a budget to the Minister or the Minister's delegate for approval. The budget approval process will respect the Board's discretion over the funds made available to it to meet its incremental costs. Canada shall, in accordance with the approved budget, provide funding for the incremental costs of the Board.

Activities

In addition to the activities required under the Laws of General Application, the Board shall undertake activities described by UFA 14.7.4, 14.8.3, 14.9.1, 14.11 and 14.12.

The Board may convene a policy hearing at any time with respect to the activities described by the Umbrella Final Agreement.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

FISH AND WILDLIFE MANAGEMENT BOARD

Mandate

A Fish and Wildlife Management Board shall be established, as of the effective date of Settlement Legislation, as the primary instrument of Fish and Wildlife management in the Yukon (Umbrella Final Agreement 16.7.1).

The Fish and Wildlife Management Board, acting in the public interest and consistent with this chapter and taking into consideration all relevant factors including recommendations of the Councils, may make recommendations to the Minister, to Yukon First Nations and to the Councils, on all matters related to Fish and Wildlife management, Legislation, research, policies, and programs (Umbrella Final Agreement 16.7.11).

The Fish and Wildlife Management Board may make recommendations pursuant to Umbrella Final Agreement 16.7.12.

Organizational Structure

The Fish and Wildlife Management Board shall be comprised of twelve members.

Yukon shall nominate six members, one of whom shall be selected in consultation and concurrence with Canada (Umbrella Final Agreement 16.7.2).

Yukon First Nations shall nominate six members, by causing the Council for Yukon Indians to make the nominations on behalf of Yukon First Nations after consultation with Yukon First Nations (Umbrella Final Agreement 16.7.2).

The Yukon Minister of Renewable Resources shall appoint the nominees to the Fish and Wildlife Management Board (Umbrella Final Agreement 2.12.2.3, 2.12.2.4).

The majority of representatives of Government and the majority of representatives of Yukon First Nations shall be Yukon residents (Umbrella Final Agreement 16.7.4).

One third of the initial appointments to the Fish and Wildlife Management Board shall be made for three years, one third for four years, and one third for five years.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

Thereafter, appointments to the Fish and Wildlife Management Board shall be for five years (Umbrella Final Agreement 16.7.5).

All appointments to the Fish and Wildlife Management Board shall be during good behaviour (Umbrella Final Agreement 16.7.5).

The provisions of Umbrella Final Agreement UFA 2.12.2 shall apply to the Fish and Wildlife Management Board.

Operations

The Fish and Wildlife Management Board shall determine its own procedures for selecting its chairperson from its membership (Umbrella Final Agreement 16.7.3).

The Yukon Minister of Renewable Resources shall appoint the chairperson selected by the Fish and Wildlife Management Board (Umbrella Final Agreement 16.7.3).

In the event that the Fish and Wildlife Management Board fails to select a chairperson within 60 days of the position being vacant, the Yukon Minister of Renewable Resources shall appoint a chairperson from the membership of the Fish and Wildlife Management Board after consultation with the Fish and Wildlife Management Board (Umbrella Final Agreement 16-7.3.1).

The Fish and Wildlife Management Board may establish an executive secretariat to provide administrative support to the Fish and Wildlife Management Board (Umbrella Final Agreement 16.7.7).

The Fish and Wildlife Management Board shall be accountable to the Yukon Minister of Renewable Resources for its expenditures (Umbrella Final Agreement 16.7.8).

The Fish and Wildlife Management Board shall prepare an annual budget, subject to approval by the Yukon Minister of Renewable Resources. The budget approval process will respect the Board's discretion over the allocation of funds to be available to the Board under the Plan (Umbrella Final Agreement 16.7.9).

A first year budget and a multi-year financial forecast for the Fish and Wildlife Management Board, excluding the Salmon Sub-Committee, is attached.

Activities

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

The Fish and Wildlife Management Board shall establish the Salmon Sub-Committee pursuant to Umbrella Final Agreement 16.7.17 at its initial meeting or as soon as practicable thereafter.

The Fish and Wildlife Management Board shall undertake activities pursuant to its obligations as set out in chapter 16, in particular UFA 16.7.0 (16.7.1 to 16.7.20 inclusive), 16.3.13, 16.3.14.1, 16.5.1.4, 16.5.1.5, 16.5.1.8, 16.5.1.12, 16.5.1.15, 16.6.10.2, 16.6.10.4, 16.6.16, 16.8.0, 16.9.2, 16.9.4, 16.9.8, 16.9.16, 16.11.1 and its obligations in chapter 27, in particular UFA 27.3.1.

Note

Further information concerning activities associated with the Fish and Wildlife Management Board can be found in Activity Plans located in Annex A , for the following referenced provisions:

Umbrella Final Agreement Implementation Plan, Annex A:

- 16.7.7.2
- 16.7.16
- 16.7.18
- 16.7.19
- 16.8.4
- 16.8.12

First Nation of Nacho Nyak Dun Final Agreement Implementation Plan, Annex A - 16.3.14.1, 16.6.13, 16.7.8, 16.9.1.3(?), 16.9.16, 16.9.17

Vuntut Gwitchin First Nation Final Agreement Implementation Plan, Annex A - Chapter 10, Schedule A, 4.28, 16.3.14.1, 16.6.13, 16.7.8, 16.9.16, 16.9.17

Champagne and Aishihik First Nations Final Agreement Implementation Plan, Annex A - Chapter 10, Schedule A, 4.23, 16.3.14.1, 16.6.13, 16.7.8, 16.9.16, 16.9.17

Teslin Tlingit Council Final Agreement Implementation Plan - 16.3.14.1, 16.6.13, 16.7.8, 16.9.16, 16.9.17

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

SALMON SUB-COMMITTEE

Mandate

A Salmon Sub-Committee (the "Sub-Committee") shall be established as the main instrument of Salmon management in the Yukon (UFA 16.7.17).

Organizational Structure

The Sub-Committee shall be established by the Fish and Wildlife Management Board as soon as practicable.

The Fish and Wildlife Management Board shall assign from its membership one nominee of Yukon First Nations and one nominee of Government to the Sub-committee.

The Minister of Fisheries and Oceans (the "Minister") shall nominate two additional members to the Sub-Committee.

For the Yukon River drainage basin, the affected Yukon First Nation shall nominate two members to the Sub-Committee who shall sit on the Sub-Committee when it deals with matters affecting Salmon in only the Yukon River drainage basin.

For the Asek River drainage basin, the affected Yukon First Nation shall nominate two members to the Sub-Committee who shall sit on the Sub-Committee when it deals with matters affecting Salmon in only the Asek River drainage basin.

For the Porcupine River drainage basin, the affected Yukon First Nation shall nominate two members to the Sub-Committee who shall sit on the Sub-Committee when it deals with matters affecting Salmon in only the Porcupine River drainage basin.

When the Sub-Committee is dealing with matters affecting more than one of the drainage basins identified in UFA 16.7.17.3 to 16.7.17.5, the members appointed to represent those basins may sit on the Sub-Committee, provided that the total number of votes to be exercised by those members shall not exceed two.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

Appointments to the Sub-Committee by the Board shall be for the term held by that appointee on the Board.

The additional appointments to the Sub-Committee by the Minister and by Yukon First Nations shall be for five years. All appointments to the Sub-Committee shall be during good behaviour.

The Board shall appoint a chairperson, after Consultation with the Sub-Committee, from the membership of the Sub-Committee. In the event the Board fails to select a chairperson within 60 days of the position being vacant, the Minister shall appoint a chairperson from the membership of the Sub-Committee after Consultation with the Sub-Committee.

The provisions of UFA 2.12.2 shall apply to the Sub-Committee.

Operations

The Department of Fisheries and Oceans shall provide technical and administrative support to the Sub-Committee as required to determine appropriate plans for Salmon management. The senior official of the Department of Fisheries and Oceans in the Yukon shall serve the Sub-Committee as Executive Secretary.

The Sub-Committee shall prepare an annual budget and submit it to the Fish and Wildlife Management Board for approval by the Minister. The budget approval process will respect the Sub-Committee's discretion over the allocation of its funds to be available to the Sub-Committee under the Plan. Canada shall pay the approved expenses of the Sub-Committee. A first year budget and a multi-year financial forecast is attached.

Activities

The Sub-Committee shall undertake activities pursuant to its obligations as set out in UFA chapter 16, in particular UFA 16.7.17, 16.8.0, and 16.10.0.

Regular semi-annual meetings, in-season and basin meetings pertinent to the Yukon, Porcupine and Alsek Rivers will be held by the Sub-Committee.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

DISPUTE RESOLUTION BOARD

Mandate

The Dispute Resolution Board (the "Board") shall provide a comprehensive dispute resolution process to resolve disputes which arise out of the interpretation, administration or implementation of Settlement Agreements or Settlement Legislation and to facilitate the out-of-court resolution of disputes in a non-adversarial and informal atmosphere.

Organizational Structure

The Board shall be comprised of three persons appointed jointly by the Council for Yukon Indians (CYI) and Government (UFA 26.5.1).

Upon 30 days notice by a party to the UFA of its readiness to establish the Board, the parties to the Umbrella Final Agreement are to agree on the membership of the Board.

If the Parties do not jointly agree on the membership of the Board, the Parties shall follow the procedures set out in UFA 26.5.2.1 " 26.5.2.4.

The chairperson to the Board shall be selected in accordance with UFA 26.5.2,1 and/or 26.5.2.2.

The Board may create the Dispute Resolution Panel. The total number of persons on the Panel, including members of the Board, is not to exceed 15 (UFA 26.5.3).

The provisions of UFA 2.12.2 shall apply to the Board.

Operations

The Board shall maintain facilities and provide administrative support to fulfil its mandate. The Board may wish to investigate the sharing of common services with other Boards.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

The Board shall prepare an annual budget for the administrative costs of the Board and Panel and it shall submit the budget for review and approval by the Minister of Indian Affairs and Northern Development. The budget approval process will respect the Board's discretion over the allocation of funds to be available to the Board under the Plan.

Activities

The Board shall, as soon as practicable after the Board is established, notify the parties to the UFA of its intention to develop rules and procedures governing mediation and arbitration. The Board shall invite the Parties to participate in the process. The Board may send proposed rules and procedures to the Parties who will have a reasonable opportunity to present views.

The Board shall plan and develop a training program so that Panel members receive the necessary training in mediation and arbitration principles and techniques. The Board may consult with the Training Policy Committee on the training program. The Board shall develop the training program as soon as practicable.

The Board shall appoint persons, including its own members, to the Dispute Resolution Panel and shall maintain a roster of mediators and arbitrators from those persons who are appointed members of the Panel. The Parties should consider appointing persons to the Board with experience in the field of dispute resolution. The Board shall set from time to time the fees to be charged for Panel members' services. (UFA 26.5.3, 26.5.4, 26.6.2 and 26.7.2)

Upon the dissolution of the Enrollment Commission, the Board, in addition to its powers and duties under chapter 26, shall undertake the activities associated with UFA 3.10.4: 3.6.5.1; 3.6.5.9; 3.6.5.10: 3.6.5.11.

UMBRELLA FINAL AGREEMENT IMPLEMENTATION PLAN

PART 5

Budget Procedures and Financial Arrangements

1. Costing Guidelines for Board Budgets

Honouraria - Chair @ \$300 per day
Members @ 200 per day

except for Yukon Geographical Place Names Board Chair @ \$187.50 per day
and Members @ \$125 per day

Travel - \$400 per trip (average)

Per Diem - \$53 per day (food)

Accommodation - \$85 per day

Meeting Room - \$75 per day

2. If the Minister requests a Board to perform an activity that is not part of the Board's approved budget for a given year, the Board may request additional funding and the Minister shall consider the request.
3. Board budget submissions for the costs of mediation and regulatory and adjudicative hearings may reflect Board policy with respect to financial assistance through the Board for participation in its proceedings.