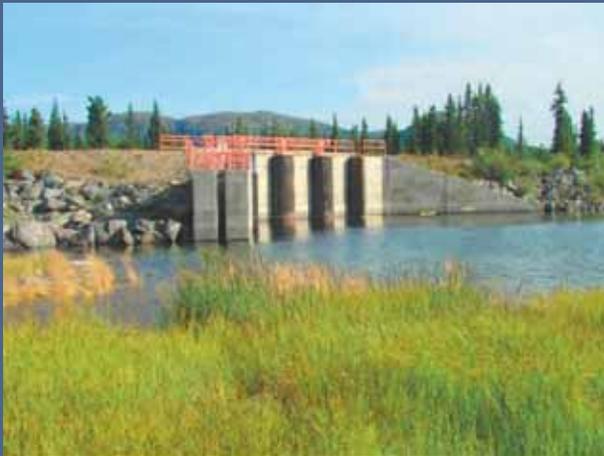




# AISHIHIK RELICENSING NEWSLETTER

July 2017



## In this issue:

- Äshèyi Family Culture Camp (August 3-8)
- Lake water levels
- Winter icing on Aishihik River
- Relicensing update – next steps
- Water Rights
- And more

For more information, please contact:

Roger Brown, Manager of Environment  
and Natural Resources, CAFN  
867-456-6883  
[rbrown@cafn.ca](mailto:rbrown@cafn.ca)



CHAMPAGNE AND AISHIHIK FIRST NATIONS



Community Advisory Committee members; From left to right: Ed Workman (non-member/guest), Margaret Workman (Elder rep.), Marie Martin (Chairperson); Luke Williams, Lorraine Stick, Roger Brown (non-member CAFN staff), John Fingland (non-member CAFN staff), Lorraine Allen. Missing members include Harry Smith, Stephanie Brown, and Graham MacDonald. Photo Credit: *Sujata Manandhar*.

## Community Advisory Committee: Key Role

- |                            |   |                                                                             |
|----------------------------|---|-----------------------------------------------------------------------------|
| Shape the new relationship | ➤ | Help to identify better ways to work together<br>Promote CAFN participation |
| Advise Aishihik Committee  | ➤ | Help to identify key values and impacts<br>Advise on the field studies      |
| Share knowledge            | ➤ | Share knowledge and help to ensure CAFN knowledge is considered             |
| Provide a voice for CAFN   | ➤ | Ensure CAFN values, needs and interests are considered in decision-making   |



Answer to photo quiz on pg. 15: A) Aishihik Village; B) East Aishihik River at bridge on road to power house; C) Cabin at Chimi Village site; D) Carnation (Coronation) point.

## Message from the Chair (Community Advisory Committee)

It has been a busy and informative year for the Community Advisory Committee. We were appointed by Chief and Council in April of last year following the application process, and since then, we have had 10 meetings. We have helped by making a range of recommendations, including: how and when community engagement should occur, provided advice for the CAFN Traditional Knowledge study, and how technical studies can be done more respectfully of CAFN values. Some of our members have been actively participating in meetings between CAFN officials and YEC and others are taking on roles to do their own research or assist with communications.

There have been a few community engagement sessions in both Whitehorse and in Haines Junction (March 2016, October 2016, and March of 2017). The first meetings were geared towards understanding the Protocol Agreement with YEC and the Terms of Reference for the Community Advisory Committee. Later in the year, CAFN hosted a community dinner and discussion with YEC and other officials, followed by a full day workshop to consult with CAFN citizens. Another set of community engagement sessions occurred in March of this year. These sessions involved the CAFN and YEC jointly presenting information, asking about values and issues, and discussions on how we all plan to work together for the betterment of land, animals and ways of life for the citizens.

This process has been a big learning curve, as we are working in collaboration with internal and external experts, while emphasizing the importance of the people's cultural living lifestyle to the Aishihik area, and areas downstream on the Aishihik River and Dezadeash River. Understanding how these experts are viewing, researching and collecting information and how it interconnects with our culture is critical, so it is important to have citizen and community input. Please note, community members are very welcome to attend the meetings if they wish to participate, and at the same time keeping in mind that some of the materials discussed is confidential to CAFN and its citizens.

I would like to welcome you, as citizens, to become informed and involved. Time is limited and we still have a long way to go. There are multiple ways to get involved, such as attending the committee meetings, contacting the department to read materials and minutes, and attend upcoming community meetings. Please feel free to contact me at any time to have a discussion.

Kwanisichis!

Marie Martin  
Chair  
Community Advisory Committee

## Message from CAFN Aishihik Relicensing Project Manager – Roger Brown

It has been an incredibly busy period since the beginning of the new agreement between CAFN and Yukon Energy in our attempts to improve relationships and decision-making processes. Who said co-management was an easy job?

For the past year we have been working with Yukon Energy and the consulting firm Morrison Hershfield who have been hired to carry out a variety of baseline and impact assessment studies. Several of the field studies have been assisted by the participation of CAFN field assistants, and partly guided by the advice of the CAFN Community Advisory Committee. These studies are nearing completion with the last studies wrapping up this Fall.



Photo Credit (S. Greer, June 2017): Heritage/Archaeological survey work at north end of Aishihik Lake (left) and at collapsed brush house along west Aishihik River near power house (right). Marlene Smith-Tutin, Dion Billy and Steve Allen as field assistants/ technicians, working with James Mooney, Ecofor Consulting and Sheila Greer, CAFN Heritage Manager.

CAFN is taking the lead in carrying out the Traditional Knowledge study which will form part of the proposal submitted. The proposal first has to be reviewed by the *Yukon Environmental and Socioeconomic Assessment Board (YESAB)*, and they have a legal duty and Treaty obligation to consider both scientific knowledge and traditional knowledge (*see page 12 and 13 for more details on the studies*). One of the Objectives of our agreement with Yukon Energy is to try and reach consensus on what is proposed for the future operating conditions of the lake and downstream environments. The decisions will be based on a variety of information, including: technical baseline and impact studies, the CAFN traditional knowledge study, community engagement and consultation, recommendations from the Aishihik Advisory Committee and the CAFN Community Advisory Committee, and bilateral negotiations between CAFN and Yukon Energy and/or the Yukon Government. CAFN will then have another opportunity to provide input through the YESAA process in 2018, as well as the Yukon Water Board process in 2019. For more information on the process, who is involved within CAFN, and what to expect next, flip to pages 6 and 7.

We are excited to be promoting this year's Äshèyi Family Culture Camp, at the Shakat Kù near Aishihik Village on August 3 to 8<sup>th</sup>. More information is provided on pages 8 and 9. This year the focus will be on Łu (fish) and fish culture. We are inviting some new faces to our country that play a key role in the relicensing process so they can experience first-hand, why Aishihik is so important to CAFN people. Our visitors will be with us for the first two days. We encourage you to attend this year's camp to spend time with your family, to take part in the many activities, and to also learn and share your views, ideas and concerns about the YEC license renewal. Hope to see you there!!

# Facts about Aishihik Dam Relicensing

- ❖ The Yukon Energy Corporation (YEC) operates the Aishihik under a **Type-A Water Use License**, issued by the Yukon Water Board. The current license was issued for 17 years. This kind of water license may be for as long as 25 years.
- ❖ The Dam also operates under something called a **Fisheries Act Authorization** under the Federal Fisheries Act which is issued by the Department of Fisheries and Oceans.
- ❖ The current Yukon Water License and the Federal Fisheries Act Authorization are set to expire on **December 31, 2019**.
- ❖ YEC is now preparing for its application to renew its Water Use License and the Fisheries Act Authorization.
- ❖ The renewal of the license will also be subject to a review under the *Yukon Environmental and Socioeconomic Assessment Act* before it is reviewed by the Water Board.

<b>Milestones and some next steps</b>	<b>Timeline</b>
YEC and CAFN sign a Co-Management Protocol Agreement	January 28, 2016
Formation of the <b>Steering Committee</b> and <b>Aishihik Advisory Committee</b>	January 2016
Formation of the <b>CAFN Community Advisory Committee</b>	April 2016
Studies to prepare for relicensing including CAFN Traditional Knowledge – traditional Land Use studies	May 2016- Oct..2017
CAFN Traditional Knowledge Coordinator hired and research begins ( 1 year full time position)	August-Sept. 2016
CAFN Community meetings	March 2016, Oct. 2016 March 2017
Āshèyi Family Culture Camp	August 3-8, 2017
Project Public Consultation – exact dates to be determined CAFN Community meetings	November-Dec. 2017
YESAB Project Assessment – Opportunity for public input	Approximately June – Dec. 2018
Yukon Water Board Review and Hearings – opportunity for public input	2019
Issuance of Type A Water License and Fisheries Act Authorization	January 1, 2020.

# Who is on the CAFN team?

There are many people involved in the Aishihik relicensing project helping represent CAFN interests. Below is a list of team members. Say hello and ask anyone questions or share your ideas and concerns:

## CAFN STAFF

Lawrence Joe – Steering Committee member (CAFN-YEC Protocol Agreement)  
Roger Brown – CAFN Aishihik Relicensing Project Manager  
Nadia Joe – Researcher, Assistant Project Manager  
Sheila Greer – Heritage Manager  
John Fingland – Traditional Knowledge Coordinator  
Micheal Jim – CAFN Parks, Trapping and Harvest Manager  
Dixie Smeeton – CAFN Renewable Resources Manager  
Harry Smith – Fish and Wildlife Monitor  
Amy McKinnon - Communications  
    Darlene Jim, - TK Research Assistant/ transcriber  
    Marianne Joe, - TK Research Assistant/ transcriber  
    Chelsea Eitenne, - TK Research Assistant/ transcriber  
    Beth Dawson, - TK Research Assistant/ transcriber  
    Jacqueline Dawson - TK Research Assistant/ transcriber

## CAFN CONSULTANTS/ CONTRACTORS

James Allen – Traditional Knowledge Advisor/ Researcher  
Dave Joe – Legal advisor  
Nick de Graff – Fish / Environmental Biologist (lake fish impacts)  
Al von Finster – Fish/ Fish habitat expert (downstream impacts)  
Bill Slater – Environmental Consultant  
Mike Miles – Fluvial geomorphologist/ hydrologist  
Dave Anders – Ice hydrologist  
Gilles Wendeling – Groundwater hydrologist  
Kari Johnston – Transcription services  
Terry Tobias – Traditional Land Use and Occupancy Research Advisor  
Cyrielle Laurent – GIS mapping supervisor  
Cody Bateman – GIS mapping technician

## RESEARCH PARTNERSHIPS (CAFN Water Strategy has focus on Aishihik relicensing)

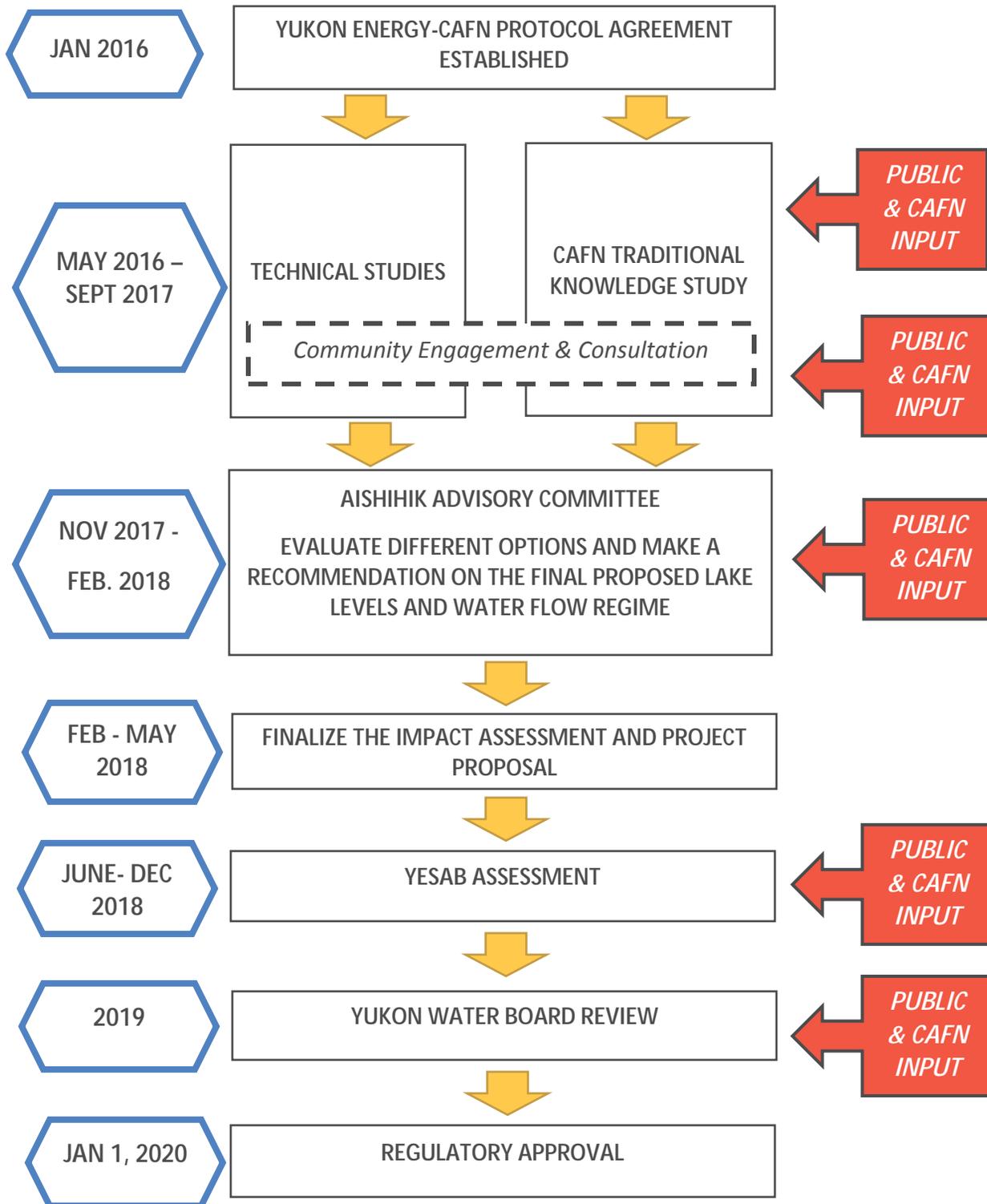
Dr. Doug Clark – Water Strategy team member/ Research advisor (University of Saskatchewan),  
Sujata Manandhar – Post-doctoral research fellow/ TK integration (Yukon Research Centre),  
Bronwyn Benkert – Water Strategy Project Manager (Yukon Research Centre),  
Linaya Workman – Water Strategy team member (Parks Canada)  
Jocelyn Joe Strack – Water Strategy team member (Subarctic Research)  
Ellen Bielawski – Water Strategy team member (University of Alberta)

## C/A COMMUNITY ADVISORY COMMITTEE

Marie Martin (Chair),	Margaret Workman (Elder)
Lorraine Stick,	Lorraine Allen,
Luke Williams,	Harry Smith,
Stephanie Brown,	Graham MacDonald (Youth)

# Where are we at in the process?

The following chart provides a general picture of the key steps, their timing, and stages of public and CAFN community input.



# ÄSHÈYI

## FAMILY CULTURE CAMP

**August 3 – 8, 2017**

**at Äshèyi Shakât Ku**



CAFN Language & Culture in partnership with Heritage, Lands and Resources are hosting this year's Camp. We will provide families the opportunity to do Hands-on Cultural activities with daily ST lessons so we may immerse ourselves in dän k'e throughout the camp.

This year we are hosting several outside guests who will share and learn about our fish culture. Environment Yukon is conducting a survey of Aishihik's fish populations by measuring, aging and sexing netted fish. The fish not returned to the lake will be given to CAFN and together with our guests, Elders, Youth, and community members we will share our dän k'e teachings of cutting, drying and honouring Łu.

### Traditional Activities planned:

**Harvesting Gopher & Rabbit, Fish harvesting and drying, Traditional Medicines, Berry Picking, Sharing and Learning Traditional Stories, Ceremony & Songs.**  
*Activities will be immersed in the Southern Tutchone Language*

### *\* Registration is Required \**

Registration Packages are available at both CAFN Offices and at the Da ky Cultural Center. Please indicate on your Registration if you and your family will require transportation into Äshèyi, this form is for adequate planning of meals & transportation, please submit your Registration forms to:

Millie Joe  
Language Coordinator  
(867) 634-5243  
[mjoe@cafn.ca](mailto:mjoe@cafn.ca)

OR

Jocelyn Joe-Strack  
Subarctic Research & Strategy  
(867) 335-7122  
[jocelyn@subarctic.ca](mailto:jocelyn@subarctic.ca)



# Äshèyi Language & Culture Family Camp Schedule August 3 – 8, 2017

Thursday August 3	Friday August 4	Saturday August 5	Sunday August 6	Monday August 7	Tuesday August 8
<b>Travel Day</b>	8:00 am <b>Breakfast</b>	8:00 am <b>Breakfast</b>	8:00 am <b>Breakfast</b>	8:00 am <b>Breakfast</b>	8:00 am <b>Breakfast</b>
	9:00 am Language	9:00 am Language	9:00 am Language	9:00 am Language	9:00 am Language Wrap up
11:00 AM Meet and leave From Da Kų HJCT	*Set Gopher traps/snare *Hunting	*Yukon Environment SPIN presentation @ Village dock *Start cut/dry fish	*Guests Depart *Carnation Point Day Camp	*Day Camp @ Sekulmun Lake	<b>Camp and Hall Clean-up</b>
<i>Drive to Äshèyi Set up Camp</i>	<b>Lunch</b>	<b>Picnic Lunch</b>	<b>Carnation Point Picnic Lunch</b>	<b>Sekulmun Lake Picnic Lunch</b>	<b>Packed Lunches</b>
<i>Camp Orientation</i>	*Language Games or stories *Check Gopher Traps *Gopher Skinning *Guests arrive	*Cut/Dry Fish from SPIN fish survey	*gather pitch for medicine making * Survival Game	Group Activities *ST Scavenger Hunt	Travel Howé Shāw Ntshāw! Nāwukhí'shi ☺
<b>Supper</b> <b>(Camp Meeting)</b>	<b>Supper</b>	<b>Supper</b>	<b>Supper</b>	<b>Community Feast (Kids Talents)</b>	
Stories Sewing Games	*Welcome Guests, *Aishhik Relicensing Presentation	<i>Campfire Circle with Guests</i>	*Medicine Making *Language Bingo *Sewing <i>Campfire Talk</i>	*Language Games *kids skits or song <i>Campfire Talk</i>	

## Why is there so much ice in the Aishihik Valley?



Sections of the Aishihik River valley have had considerable ice build-up during some winters including this recent winter, with water flowing over the banks and into the adjacent valley bottom resulting in hundreds of hectares of ice build-up. The picture above and to the left was taken in January 2017 near 9 mile (note ice level into adjacent forest). The picture above and on the right was taken in late April 2017 near km 4, showing the break up and shore ice over 2 meters (7 feet) thick.



After the ice eventually melts out, the meadows still retain a lot of water. Trees trunks show ice scouring where bark has been removed. Note the backpack on the picture on the left for scale. River silt deposited far from the river into the adjacent meadows, silts assumed to have come from the river.

There are still many unanswered questions about how this is happening. The Aishihik Generating station results in winter flow volumes that are considerably larger than would happen naturally. Furthermore, YEC often operates the generating station in a way that varies the flow on a daily basis to meet the power demands for immediate use. Daily flow from the plant may be anywhere from 0 to 23 cubic meters of water per second (or close to 10 times the average winter flow). This rapid change may be a significant factor contributing to the way in which the ice forms in the river and the resulting overflow we see during some years. The pattern was very strong this year. We did not see this type of icing in the previous two years, but it was relatively strong in 2013.

## What is happening with Aishihik Lake Water Levels?

This spring, several citizens noted that the water levels appeared to be low in Aishihik Lake. This is a regular pattern in the way in which Yukon Energy controls and uses the water. The Aishihik generating station is mainly used to create power during the winter months when energy demand is at its highest and the power supply in Whitehorse and in Mayo is low. The lake is used as a storage reservoir with the highest water observed in the Fall, and then it is drawn throughout the winter. This means water is

usually at its lowest in the month of May, every year. The low point varies from year to year depending on things like power demand, as well as the prevailing climate conditions (e.g., wet years VS. dry years).

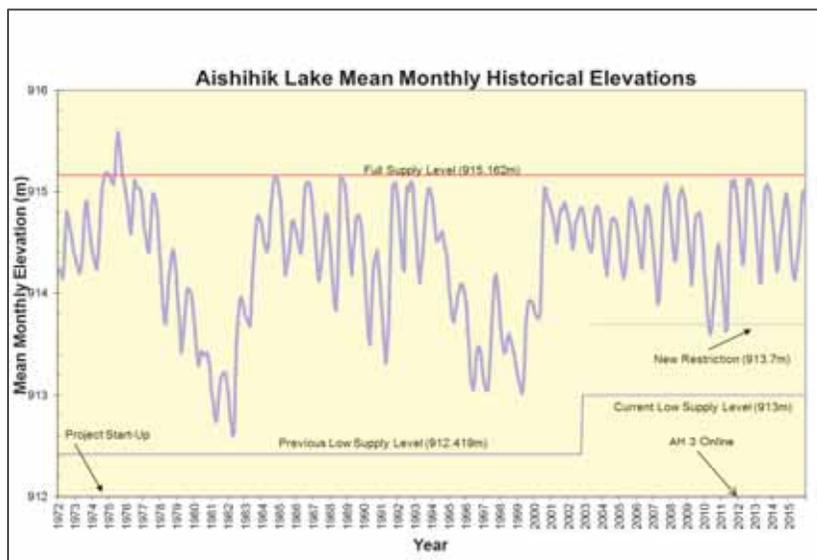
The water use license is a relatively simple tool. The terms of the license are based on regulating the maximum and minimum water elevations in the lake. The current license does not allow the lake to go below 913.0 meters above sea level. The picture here (on right) is looking toward the old Village from the new Village on May 23 of this year. You can see the bay is drying out. Water Survey of Canada data reported the lake elevation on this day was at 913.93 meters above sea level. In other words it was 3 feet above the allowed minimum level and met the legal requirements.



PHOTO CREDIT: Harry Smith. May 23, 2017

How the lake levels are managed in the future is a central question for this current relicensing project. The existing minimum levels are based on past studies that looked at the requirements for the successful spawning of Lake Whitefish and the needs of other species like waterfowl and muskrat. The maximum lake levels were based on studies that looked at the potential for shoreline erosion, flooding and permafrost degradation. Many of the studies being done now are repeating some of the work done in the past to see whether there have been further impacts and if the existing lake levels are meeting the objectives.

The chart below illustrates 44 years of lake levels. The highest lake levels occurred just after the dam was built. The high water that year triggered considerable erosion and permafrost degradation that has continued today. The earlier studies also showed that the lowest water levels (1981, 1982, 1996, 1997, 2000) resulted in serious impacts to spawning whitefish, including the failure of entire years of new fish. This resulted in a change to the current rules that have been in place since 2002. We are now looking at these lake levels to determine if there are still negative impacts that need to be managed for.



# What is a SPIN survey and what has it got to do with Aishihik Lake?

SPIN survey, or “Summer Profundal Index Netting”, is a survey method of fish designed to provide a reliable, robust and efficient means to monitor fish populations. The Yukon Government Department of Environment is using this technique to assess the population health of the major adult fish populations in large lakes throughout the Yukon. It was originally designed to target Lake Trout but is known to also be effective for studying Lake Whitefish.

The current Fisheries Act Authorization issued by the Department of Fisheries and Oceans (*under the Fisheries Act, Government of Canada*) and the Water Use License (*under the Yukon Waters Act*) stipulates that spring lake levels in Aishihik Lake cannot go below 913.0 m, and they must ensure that a 10-year rolling average cannot go below 913.7m, in order to protect spawning Lake Whitefish. The current authorizations also require an Index netting survey be done approximately every ten years. The survey this year is meant to sample enough Lake Whitefish so that they can be accurately aged (requires killing the fish) to compare the abundance of each year-class of Lake Whitefish to the known spring water elevations. This should tell us whether the water management is sustainable for maintaining whitefish populations.

Between July 31 and August 5<sup>th</sup>, staff from Yukon Environment, Environmental Dynamics and field assistants from CAFN, will conduct a SPIN survey on Aishihik Lake. All Whitefish caught will be assessed for a wide range of biological indicators of health (parasites, contaminants) and quality, in addition to aging, weighing, etc. All fish caught and killed will be preserved in shaved ice, packed in coolers, and refrigerated to share among the CAFN community. Fish caught at the north end of the lake will be used at the Äshèyi Family Culture Camp.



Lake Whitefish



Index netting (Photo courtesy, EDI)

We learned that water elevations below 913.0 meter is fatal for young developing Lake Whitefish. There are many other concerns people have in the community with low water levels, such as increased numbers of Jackfish, hotter temperatures, and decline in water quality.

A general assessment of habitat suitability, aquatic plants abundance and diversity will be assessed this season. The CAFN traditional knowledge study will likely be a strong source of knowledge where the technical studies fall short of providing answers. The annual monitoring to determine the amount of juvenile fish and younger age classes demonstrates there has been a moderate number of whitefish every year. To learn more about this work, consider attending the upcoming culture camp in Aishihik. Biologists will be on hand to explain the purpose and methods of this survey.

# The CAFN Traditional Knowledge Project

## Who is on the CAFN TK Team?

John Fingland started work as the Traditional Knowledge Coordinator on the Aishihik Relicensing Project in November 2016. He plays a central coordinating role for CAFN to coordinate this project with citizens. He is also one of the main researchers - interviewers.

Sheila Greer provides oversight and advice as the CAFN heritage Manager.

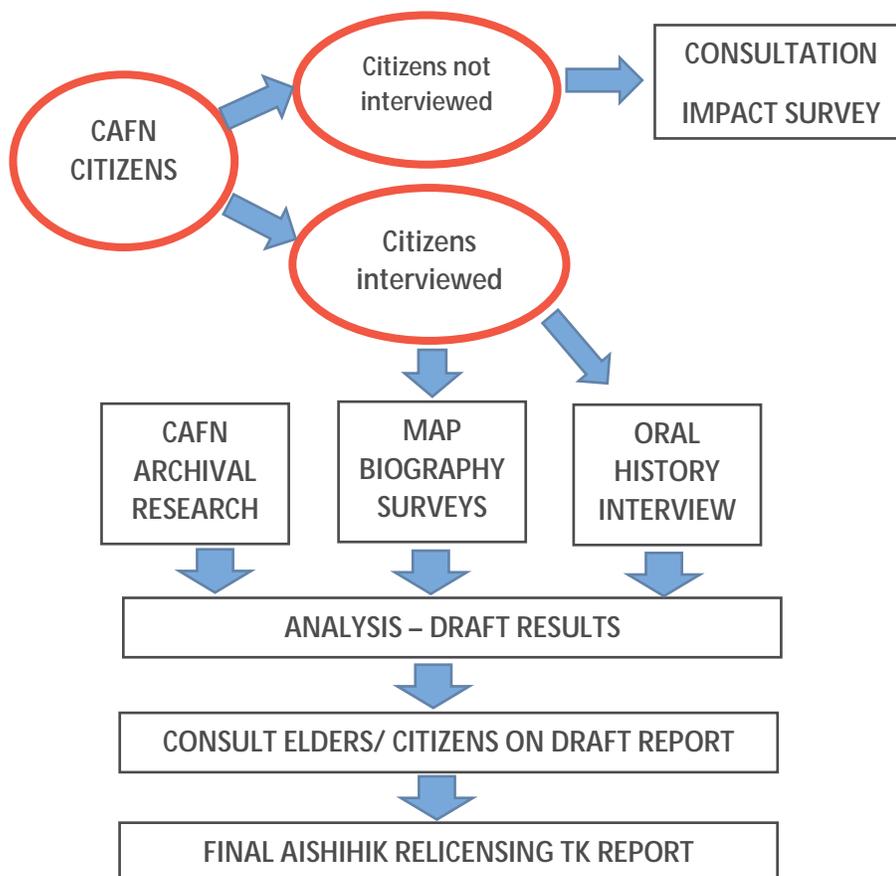
James Allen provides advice based on his extensive past experience, and his connection to Aishihik, his knowledge of CAFN culture and Southern Tutchone, and by being a respected Elder and effective liaison. James is also one of the main researcher – interviewers.

Nadia Joe is a key researcher and project advisor and assistant interviewer for the project.

Sujata Manandhar (Yukon Research Centre), Dr. Doug Clark (University of Saskatchewan), Terry Tobias (Land Use and Occupancy Mapping expert), and Bill Slater (Environmental Consultant) provide critical advice on development of methods that are rigorous and work within the impact assessment processes. Several other term staff are working as assistants to carefully transcribe all of the recordings collected.

## The Project

The project is broken down into two main phases: 1) information gathering phase (data collection) and 2) data analysis, interpretation and conclusions. The analysis will require that we validate the assumptions and conclusions from this work with the citizens we worked with. We have to answer the questions; “Do you think we got it right? Is this the story you want to tell? Are these the impacts you have seen? Below is a simplified diagram to help illustrate this large and complex project. Feel free to contact John at 634-3303 or [jfingland@cafn.ca](mailto:jfingland@cafn.ca) to find out more if you have any questions.



## Do you know your Final Agreement Rights?

The Heritage, Lands and Resources Department plays an important role in monitoring projects and activities in the CAFN traditional territory with the view to protecting and promoting CAFN citizens' Final Agreement rights and interests. The operation of the Aishihik Generating Station raises questions about these rights. Did you know?...

- *“Subject to the laws of General Application, a Yukon Indian Person shall have the right to use water for a Traditional Use in the Yukon” (CAFN Final Agreement 14.5.1)*

*““Traditional Use” means the Use of Water...by a Yukon Indian Person for trapping and non-commercial Harvesting, including transportation relating to such trapping and Harvesting or for traditional heritage, cultural and spiritual purposes” (CAFN Final Agreement 14.2.0)*

The CAFN Traditional Knowledge project, and the *Chu äyi ätl’et* project (CAFN Water Strategy), are both aiming to get a much better understanding of the CAFN cultural and spiritual beliefs about the “traditional use” of water so that they can be better represented in the decisions of the Yukon Water Board, including the Aishihik relicensing project. Only then will we be able to fairly represent and protect this Final Agreement Right.

There many other Final Agreement Rights and Interests we are focusing on through this relicensing process such as rights to subsistence harvest, trapping, heritage, Settlement Land, the development assessment process and economic measures. The Protocol Agreement between CAFN and Yukon Energy recognizes the need to *“identify CAFN Final Agreement obligations and opportunities, and further facilitate the Honour of the Crown principle as it may apply to Yukon Energy’s water license renewal or such other opportunities”*.

Part of the work we are undertaking includes a legal analysis of Final Agreement Rights and Interests, the Common Law, and other related agreements or obligations. CAFN is also moving forward on research related to our self-Government Agreement and the ability to establish CAFN law related to water use on, or flowing through, Settlement land. Stay tuned for further development.



# Excerpts from the January 2016 Protocol Agreement

## 1. PURPOSE:

- 1.1 The purpose of this Agreement is to establish a formal co-management relationship to enable the Parties to work together to pursue common objectives for the Aishihik Water License renewal, and to strengthen relations between the Parties.

## 2. OBJECTIVES

- 2.1 Establish a Steering Committee;
- 2.2 Establish a Aishihik Advisory Committee and shared workplan;
- 2.3 Share and exchange information that is relevant to discussions as outlined in this Agreement;
- 2.4 Commit to principles of mutual respect and understanding;
- 2.5 Ensure meaningful engagement of the CAFN community;
- 2.6 Ensure Traditional Knowledge is fully integrated in the Project definition and field studies;
- 2.7 Identify economic opportunities and potential training and meaningful employment opportunities;
- 2.8 Identify other CAFN Final Agreement obligations and opportunities, and further facilitate the "honour of the Crown" principle as it may apply to YEC's Aishihik Water License Renewal or such other opportunities, and;
- 2.9 Schedule regular meetings to ensure ongoing meaningful dialogue and reporting on progress.

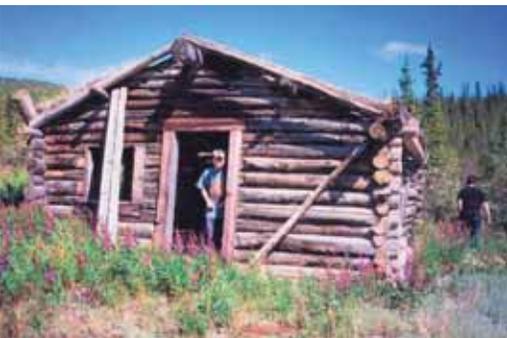
Can you guess where? *Answers on page 2.*



A)



B)



C)



D)

Heritage, Lands and Resources Department  
Champagne and Aishihik First Nations

[www.cafn.ca](http://www.cafn.ca)

867-456-6888 or

867-634-4200



**CHAMPAGNE AND AISHIHIK FIRST NATIONS**