



Dazhän nän kay t'ù ghàákwinjì
"We live and survive by this land"
Aishihik Dam Relicensing Update

July 2018

CAFN – Yukon Energy Protocol Agreement

CAFN and Yukon Energy entered into a co-management protocol agreement for the relicensing of the Aishihik generating station which currently expires December 31st, 2019. The purpose of the co-management is to promote and enhance a respectful relationship based on shared decision-making and balanced interests. We want to ensure our citizens feel heard and we want to make sure our people can voice their concerns.

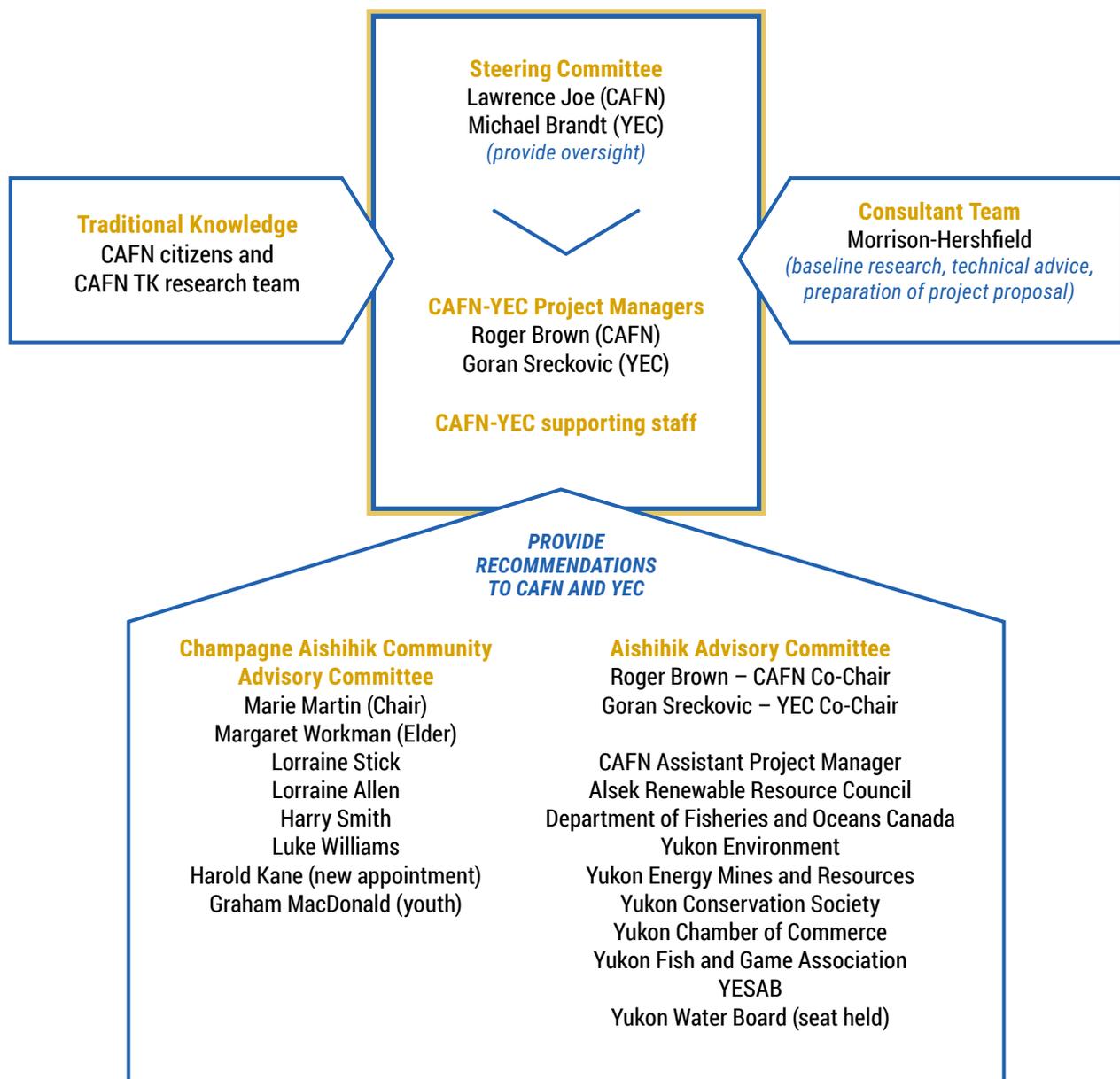


The Aishihik Relicensing Team

Council appoints new member to the Community Advisory Committee

Council recently appointed Harold Kane to fill a vacancy on the Community Advisory Committee. The committee's role is to participate and make recommendations to CAFN and Yukon Energy for a wide range of matters tied to the relicensing process. The Committee is on a fixed term and will have completed its work when the project proposal is complete and is moved into the *Yukon Environmental and Socio-Economic Assessment Act* and regulatory review processes.

Who is involved, and how do they contribute?



Observations and Impacts

What is happening on the Aishihik River below the generating station?

When the Aishihik generating station was built and began operations in 1975, it changed the way water flows. For over 40 years, there has been a substantial increase in the total amount of water that flows in the river during the winter. The average winter flow measured on the Dezadeash River at Haines Junction has doubled in this time period. Summer peak flows have consequently been reduced.

In addition to the changes to these seasonal flows, we are seeing changes in how much the flow varies throughout the day and night. The generating station usually operates in a way to use more water when power is needed and then drop water use when demand for power is lower, following the daily cycles of the power Yukoners use. The average flow before the dam was constructed was around 4 to 5 cubic meters per second at Canyon Creek. In recent years the rate of flow during the wintertime below the dam can range between 0 to 23 cubic meters per second.

The variation in flow is considered one of the driving factors in the way in which ice forms in the river. The Aishihik River is often blocked with ice causing water to flood out of the main river channel and into the surrounding forest and upland areas. In some places,

the ice is 7 feet thick. The overflowing ice in the valley bottoms often extends from valley wall to valley wall affecting hundreds of hectares of land.

CAFN Settlement Land is directly affected by this, including substantial icing and sediment deposition at Canyon Creek and Seven Mile on the Aishihik Road.

Our team has heard and recorded CAFN citizens' concerns for the fish and wildlife, plants, traditional hunting and gathering areas, water quality, terrain stability, other ecological effects, safety, loss of access, and other concerns related to the impacts brought about by the generating station on the Aishihik and Dezadeash River valleys.

This issue is one of the top priorities of the CAFN government that needs to be addressed through the relicensing. Our joint CAFN and YEC team is investigating options and further research must seek to reduce or eliminate any identified significant adverse effects in the downstream areas.

The pictures below include river sediment deposits, erosion and loss of mature upland forest at Canyon Creek.



River sediment at Canyon Creek on CAFN Settlement Land. April 2018.



Edge of forest visibly collapsing at Canyon Creek on CAFN Settlement Land. The ice is approximately 5 feet thick. April 2018.



CAFN Consultant Mike Miles standing next to edge of overflow ice adjacent to Aishihik River channel near 9 Mile – approximately 7 feet thick. Note layers of sediment in ice. April 2018.

What impacts have changing water levels had on the lake?

The Aishihik Lake generating station relies on the ability to store (hold back) water throughout the late spring, summer and fall so that the Lake is full of water at the beginning of winter. During the winter, Yukon Energy draws down the lake when energy demand is at its highest and there are few other sources of renewable energy available. By springtime, the lake is typically at its lowest. The water level in the lake depends upon not only the amount nature provides, but also the amount of water used for energy.

Many of the impacts we see in Aishihik have to do with how low the water goes in the springtime before and just after the ice is off the lake and surrounding wetlands. CAFN citizens know that the water in the bay at Aishihik Village never dried out before the dam was built. During our recent workshop with citizens and the Community Advisory Committee, a recommendation was made for the team to look at an option that does not allow the bay to dry out. We are currently working with Yukon Energy and the consultant

team to identify what the minimum water elevation should be to ensure the bay does not dry out. This may develop into another project alternative that the team investigates.

The water license currently allows the spring low elevation to drop 1.25 metres below the historic low. We know from this year, the lake level went down to approximately half a meter below the historic low level (in early May – see picture below). This is still allowable within the current license. CAFN HLR department set up 4 remote cameras this winter to take daily pictures so we could compare the lake conditions to the measured lake water levels. In March, we also tested the area by drilling holes in the ice and determined that much of the bay was frozen to ground with no water below the ice. Yukon Energy, CAFN and the consulting team are investigating this matter to define either a new planning scenario or develop a planning objective with the goal of keeping water in the bay.

**Aishihik Village bay. Water level at approximately 0.5 metre below the natural low level.
May 19th 2018.**



Recent Happenings

Confirming CAFN Objectives Workshops - May 22 and 24

CAFN Heritage, Lands and Resources held 2 meetings; one on May 22nd, in Haines Junction and another on May 24th, in Whitehorse. These meetings were held to confirm the objectives around how CAFN citizens want the Aishihik water license renewal to look like. We had strong turnout for both meetings with just over 100 CAFN citizens participating. Citizens were in support of the recommendations made by the CAFN Community Advisory Committee and had an opportunity to share additional perspectives.



Confirming CAFN Objectives Workshop in Whitehorse on May 24th was well-attended. Citizens in attendance shared their perspectives on the objectives presented at the meeting.
Photo: Lael Lund.

The main objectives put forth as recommendations by the Champagne and Aishihik Community Advisory Committee can be summarized as:

- Maintain, restore and protect the lake, wetland and river ecosystems;
- Protect and enhance Aishihik Village and other CAFN sites directly impacted (e.g., Chemi, Canyon, other CAFN Settlement Land);
- Restore CAFN connection to the land and water and participation in traditional and cultural activities;
- Maximize use of other energy sources, or develop new sources, that can reduce reliance on the Aishihik hydro system;
- Improve and maintain access and other infrastructure;
- Provide benefits for CAFN and its citizens, to address the imbalance of benefits/costs accrued to CAFN and its citizens;
- Elevate CAFN self-determination and role in decision-making about and management of the land and water (Our Country – Dàkeyi);
- Develop a better understanding of the effects of the project and support ongoing learning through science and traditional knowledge, ensuring CAFN community involvement throughout.

Confirming Operating Alternatives Workshop - May 31

The planning process includes the consideration of a range of operating alternatives for the generating station. A set of alternatives was developed by the Aishihik Advisory Committee. The purpose of the workshop was to review the alternatives and to ensure that we were looking at all the right options and not missing anything important. The meeting was attended by representatives of Yukon Energy, Champagne and Aishihik First Nations, the Technical support team, the CAFN Community Advisory Committee, the Aishihik Advisory Committee and approximately 14 other invited CAFN citizens. This workshop was held in preparation for the upcoming 3 day workshop to evaluate the alternatives.



Team members facilitate input from participants at the Operating Alternatives workshop held on May 31st in Whitehorse. Photo: Basil Stumborg.

Frequently Asked Questions

How is water being managed currently?

Yukon Energy is required to follow its Water Use License that was issued by the Yukon Water Board in 2002, and according to a *Fisheries Act* Authorization (Department of Fisheries and Oceans Canada). Both of these authorizations are set to expire on December 31, 2019.

The license states the water levels at Aishihik Lake and Canyon (Otter) Lake shall not go below or above defined levels. It also states minimum flows over Otter Falls for different times of the year. The *Fisheries Act* Authorization also states the minimum water level in Aishihik Lake has to be maintained at a slightly higher level over any 10 year period to prevent the lake going down to the license minimum every year.

There are currently no restrictions on downstream flows below the power plant.

How will the water be managed in the future?

No decision has been made yet on how water use will be managed in the future. We are in the process of considering the impacts and benefits of a range of operating alternatives. Those alternatives will be looked at in detail by CAFN representatives, the CAFN Community Advisory Committee and other CAFN citizens, Yukon Energy and stakeholder groups during a workshop in early September. A final recommendation will be made to Yukon Energy and CAFN by mid-September.

What are the operating alternatives that are being looked at?

There will be up to six options evaluated for managing water levels for Aishihik Lake, as well as different options for flows over Otter Falls and flows downstream below the power plant.

Some of the options include:

- Continue with the existing water use license (business as usual);
- Relax the *Fisheries Act* requirement to allow for more water storage;
- Reduced water storage by increasing the minimum lake level closer to historic levels;
- No water storage at Aishihik Lake (similar to 2017 CAFN GA Resolution);
- Remove the minimum summer aesthetic flow requirement at Otter Falls but maintain minimum flow requirements to protect fish and fish habitat;
- Add a requirement to ensure a minimum winter flow and restrict the amount of daily change in the water discharge below the power plant (lower Aishihik River).

How is Traditional Knowledge being considered?

The CAFN-YEC Protocol Agreement confirms traditional knowledge must be used in the development of the project. CAFN assembled its own experts to take the lead on this effort. The team has carried out archival and oral history research and have developed map biographies with the participation of close to 50 CAFN Elders and other knowledgeable citizens. The results of this work are nearing completion. A follow-up consultation will be held with participants this August to review the conclusions of the work and to confirm that “we got it right”.

What happens after the preferred option is selected?

Yukon Energy and CAFN will work through a final project proposal and draft license application that addresses impacts of the project, and how the project will be managed in the future. Part of any project proposal to YESAB and the Water Board requires that the application identifies all possible values that could be negatively impacted by the water use, and what is going to be done to reduce or eliminate any of these effects. Those effects that are considered “significant” have to be avoided or mitigated. We have agreed to a process that includes CAFN citizen participation so that they can be part of the group that makes the decision whether certain impacts are “significant”. That workshop will be planned sometime in the fall of this year.

What if we don't reach an agreement?

Both CAFN and Yukon Energy are trying to reach a consensus on how the Aishihik generating station and its water use will be managed in the future. It is possible that we will not reach agreement on some or all parts of the project. CAFN and its citizens retain all rights to participate in the YESAA and Water Board processes and can leverage these processes as opportunities to express our views and assert CAFN rights and interests.

When does the current license expire?

The Existing Yukon Water Use license, and the federal *Fisheries Act* Authorization are set to expire December 31, 2019.

How long will the next license last?

The *Yukon Waters Act* and Regulations consider hydroelectric water storage projects to require a Class A Water License, which can be up to 25 years. When Yukon Energy applied for the last relicensing, the Water Board determined that the license would be for only 17 years. The CAFN Community Advisory Committee is recommending the next license be for a shorter period (e.g., 10 years), or have strong requirements for a review of the license built into the authorization.



ÄSHÈYI FAMILY IMMERSION & FIRST HUNT CAMP

JULY 30 – AUGUST 3

Please join us for the Äshèyi Family Language Immersion & First Hunt Camp! There will be a lot of fun, land-based activities that incorporate Dän K'e. This year we are combining the First Hunt as part of the camp. It will be an amazing opportunity for youth to obtain the skills they need to harvest such as patience, navigation, survival skills, and most importantly, our values and traditions. For two days, we will also be inviting delegates to our community that are involved in the Yukon Energy Aishihik Relicensing project. We hope to see your family there!

First Hunt Camp provides our youth the opportunity to participate in land-based traditional activities, while introducing them to the land and its attributes. The intent is to assist our youth in learning to preserve the subsistence lifestyle, traditional and contemporary methods of harvest and learning from our subsistence harvesters.

Please come prepared with proper hunting and hiking gear and bring a pack board if you have one.



Register Now!

To register, contact:

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Or

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Next Steps

Operating Alternatives Evaluation Workshop: September 5-7, 2018

A key step in the CAFN and YEC planning process includes a three day workshop to evaluate all of the pros and cons of each identified option for managing the lake and downstream conditions. We will be considering how well each of the options can address all the parties' objectives. Representatives of CAFN, YEC, the technical consultant team, the Aishihik Advisory Committee and the Champagne and Aishihik Community Advisory Committee will be working through the identified management options.

The results of this workshop will then be considered by the Aishihik Advisory Committee whose job is to recommend the preferred option to CAFN and YEC that best balances the needs of the parties involved while minimizing impact to people and the environment.

Once an option is agreed to, CAFN and YEC will continue to work together from October to December of this year, to complete the project proposal and regulatory applications before they are submitted to the local office of the Yukon Environmental and Socioeconomic Assessment Board.

Summary Timeline of Key Activities

Opportunities for CAFN citizens to provide input are indicated in **red**.

Äsheyi Language Immersion and Culture Camp / First Hunt Camp
July 30 – August 2

CAFN Traditional Knowledge Project Workshop (consultation on draft Traditional Knowledge report)
Week of August 6-12 (exact date and location to be determined)

Operating Alternatives Evaluation Workshop
September 5-7, Da Kų Cultural Centre (by registration)

Aishihik Advisory Committee meeting
Mid-September

Develop a Recommendation to CAFN and YEC on preferred operating alternative

Participatory Significance Determination Workshop
(Fall 2018)

Public Consultation / Open Houses
(Fall 2018)

Project Proposal and Regulatory Application submitted
(estimating by December 31, 2018)

YESAB Review Process
(early 2019)

Yukon Water Board Review Process
2019 (or later pending completion of YESAA assessment)

Questions?

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or check out www.cafn.ca/aishihik-relicensing-2019



CHAMPAGNE AND AISHIHIK FIRST NATIONS

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