



May 30, 2022

CPAWS Yukon  
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To:

Michael Draper, Legislation Advisor and Negotiator  
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The Yukon Chapter of the Canadian Parks and Wilderness Society (CPAWS Yukon) advocates for the territory's most valuable and priceless resource: our abundant wilderness. Our mission is to conserve the land, water and wildlife of the Yukon for current and future generations. As a conservation organization, we carry a responsibility to ground our actions within a commitment to reconciliation, and we recognize that the lands and waters we advocate for are also the Traditional Territories of Yukon First Nations, the Inuvialuit, and transboundary First Nations in British Columbia, the Northwest Territories, and Alaska.

Thank you for the meeting on March 17, 2022 to discuss the new Yukon Public Lands Act and for the opportunity to provide input on the proposed legislation. Our comments are organized according to the questions in the discussion document, although some have been skipped or combined.

Sincerely, and on behalf of the CPAWS Yukon team,

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Conservation Manager  
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## **1. What are the most important goals or priorities that should be considered in the vision for the Yukon Public Lands Act?**

The new legislation is an opportunity to reflect how conversations in the territory are shifting from “land management” to “land relationship”. For example, the Yukon Land Use Planning Council hosted a Land Relationship Planning Gathering in November of 2021, which explored how to weave Indigenous planning concepts and Traditional Knowledge into land planning, and move from “land use” to “land relationship”<sup>1</sup>. CPAWS Yukon believes this language better reflects our collective responsibilities towards reconciliation and to care for the land, waters, wildlife, and people.

Along these lines, CPAWS Yukon wonders if the act would be better served by another name and perhaps this could be a future topic for engagement and consultation. Indigenous governments are obviously better positioned to weigh in on this issue than CPAWS, but the term “public land” is not necessarily the best term to reflect unceded land in the Yukon, or Yukon Government’s responsibility to pursue collaborative decision making with Indigenous governments.

CPAWS Yukon does not disagree with the list of provided Guiding Principles in the discussion document but feels it is incomplete. It should also speak to reconciliation and collaborative decision making with Indigenous governments, stewardship of ecological and cultural values, and our responsibilities to future generations and to treat the land with respect.

## **2. What future needs and opportunities need to be considered for managing land in Yukon communities and municipalities?**

The Yukon is facing the climate crisis and increasing human pressure on the landscape, both of which can degrade the land and its ability to support ecological and cultural values. The new act can provide tools to help ease this pressure while still supporting the wellbeing of people and communities. While not an exhaustive list, CPAWS Yukon predicts the following needs and realities:

- Increasing wilderness tourism and a need to maintain positive tourism experiences while managing pressure on the land and communities.
- Access into the backcountry will continue to become easier because of technology (e.g. more capable ORVs, GPS and smartphone navigation) and increased information (e.g. social media, advertising, websites). There will likely be a corresponding need for tools to manage access and activities in hotspots of recreation activity.
- A need to meet the housing crisis while respecting ecological and cultural values, and not increasing habitat loss and fragmentation for species like caribou.

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<https://plan yukon.ca/index.php/documents-and-downloads/yukon-land-use-planning-council/workshop-proceedings/lrp2021>. See also the ‘How We Walk with the Land and Water’ Indigenous Land Relationship Plan at <https://www.howwewalk.org/>.

- An evolving legal and treaty landscape that includes the *United Nations Declaration on the Rights of Indigenous Peoples* and the right to free, prior, and informed consent for land management decisions.

CPAWS Yukon believes that one of the best ways to steward the land and consider rights and values is through land planning. Recognizing that land use planning may be years away for parts of the Yukon, the new act can play an important role in maintaining ecological and conservation values, and limiting the permanent alienation of land before land planning arrives. At the same time, while these tools may be useful, they will need to be carefully designed so they don't supersede land planning.

### **3. What role do the public lands play in the economic, social, cultural and lifestyle health of you and your family in your community or municipality?**

Public lands support the physical, emotional and spiritual wellbeing of people and communities. They are places people head to for recreation, cultural connection, and harvest and also places people look to for commercial and residential opportunities. Unfortunately these uses sometimes conflict with each other, and we expect that future conflicts will increase as the territory's population grows.

### **4. What other factors are important to consider when public lands are in discussion for sale or lease?**

CPAWS Yukon supports moving away from spot land applications to a more coordinated approach to land development through planned lot initiatives. Spot land applications have resulted in sprawling, random parcels of private property. With the Yukon's rapidly growing population, this approach will continue to fragment habitat and disrupt harvesting rights and opportunities. The review of spot land applications is also time consuming for assessors and those providing input, and backlogs will continue to grow as more people submit individual applications for parcels of land.

We encourage a planned approach to land development, with more concentrated development nodes in areas appropriate for residential, agricultural, or other purposes. This approach would manage land development in a more coordinated way, reducing habitat fragmentation. It would also address the demand for land in a timely manner, as multiple lots can be made available at one time.

CPAWS Yukon is also supportive of shifting away from land sales and towards leasing or permitting approaches, as a way to maintain the territory's public land base.

### **5. What needs to be considered to make sure remote public lands can continue to be accessible to all Yukoners?**

CPAWS Yukon supports equitable access to remote public lands, provided that access is balanced with stewardship and maintaining the same opportunities for future generations. In

some cases, this can mean limiting some types of access, such as off-trail ORV access in alpine environments or wetlands.

**6. Do you have any specific concerns about how remote public lands are currently used or comments about how it should or should not be used?**

As discussed at the March 17 meeting, there are areas in the Yukon that are experiencing recreational pressure past the point of sustainability or showing respect for the land. Examples include:

- High-use, unmanaged river campsites strewn with garbage and toilet paper.
- Some of the camps that spring up around morel mushroom areas.
- Busy hiking trails that overlap traditional harvesting areas or sensitive wildlife habitat, like sheep lambing grounds.

While the Yukon is fortunate that these issues are not as pressing as in southern jurisdictions, the new act should provide tools to manage both existing issues and future expected issues. We support tools to limit certain uses (e.g. rural residential) or activities in overused areas. It may also be helpful for the act to better enable active stewardship, such as the installation and maintenance of outhouses in high use backcountry areas.

CPAWS Yukon is supportive of the ORV regulations but feels there is an existing regulatory gap for snow machine use. While not an acute issue in most areas of the Yukon, there are certain areas, such as the wintering grounds of declining caribou herds, where concentrated snow machine use is a concern. The act should include a tool that can be applied to limit snow machine use in certain areas.

**7. How do we support continued access to a wide variety of commercial and recreational uses on remote public land and manage conflict between adjacent land uses?**

CPAWS Yukon believes reciprocity and respect should be two of the founding principles of all activities on public lands. Strengthening enforcement legislation and educational programming are the next logical steps to ensure that the values of reciprocity and respect are upheld.

**8. What approaches could be considered to make sure Yukon's remote public lands are adequately protected from environmental impacts and accessed responsibly now and into the future?**

We encourage a collaborative approach to managing public lands, recognizing that this entails the management of people on the land. We also recognize that the Yukon's population is growing, and most residents, regardless of how long they've been a resident, want to experience what the territory's public lands have to offer. Again, we believe that stronger enforcement processes, a focus on reciprocity, and ensuring future generations will have the

same opportunities are important steps for protecting public lands from environmental impacts while responsibly accessing those lands.

**9. Do you feel newly created roads in remote public lands are adequately managed to protect the environment? If not, are there solutions to address this issue?**

CPAWS Yukon believes there is a regulatory gap concerning newly created roads but hopes that the forthcoming Resource Road regulations will help to fill that gap. As we laid out in more detail in our comments on those regulations, roads can negatively impact ecological and cultural values and the Yukon does not have adequate tools to manage their creation, use or reclamation. We also feel that Resource Road regulations alone cannot adequately protect the environment and that land planning is a much more comprehensive way to manage the cumulative impacts of roads.