

Kluane First Nation Final Agreement
Chapter 10
Schedule C

6.0 The Kluane National Park Management Board

6.1 The authority of the Board shall be extended to include the Tachal Region.

6.2 The membership of the Board shall be increased from four to six and Kluane First Nation shall have the right to nominate two members to the Board. The Park superintendent or a person designated by the Park superintendent shall be a non-voting member of the Board.

6.3 Only Board members nominated by Kluane First Nation and Canada may participate in deliberations of the Board respecting the matters set out in 6.5.1 to 6.5.5.

6.4 Members of the Board nominated by Kluane First Nation shall not participate in deliberations of the Board respecting the matters set out in 6.3.1 to 6.3.4 and 6.3.10 of Schedule A - Kluane National Park of the Champagne and Aishihik First Nations Final Agreement.

6.5 The Board may make recommendations to the Minister on all matters pertaining to the development and management of the Tachal Region, including:

6.5.1 routes, methods and modes of access for Harvesting within the Tachal Region;

6.5.2 harvest limits, including allowable harvests, and seasons for Harvesting in the Tachal Region;

6.5.3 locations and methods of Harvesting within the Tachal Region;

6.5.4 the management of Heritage Resources within the Tachal Region;

6.5.5 designating or modifying a No Harvesting Zone in the Tachal Region, other than the No Harvest Zone on the south side of Slims River described in 4.24;

6.5.6 modifying the No Harvesting Zone on the south side of Slims River described in 4.24;

6.5.7 revisions to the Management Plan;

6.5.8 matters related to the development or management of the Park Reserve and Park forwarded to the Board by the Minister;

6.5.9 proposed Park Reserve and Park boundary adjustments;

6.5.10 co-ordinating the management of Fish and Wildlife populations which cross the boundary of the Park Reserve and Park with the Fish and Wildlife Management Board, affected Renewable Resources Councils and other responsible agencies;

6.5.11 existing and proposed Legislation relating to the Park Reserve and Park; and

6.5.12 means to integrate traditional and scientific knowledge in the management of the natural and cultural resources of the Park Reserve and Park.

6.6 Unless the Minister directs otherwise, all recommendations of the Board shall be kept confidential until the process in 6.7 to 6.14 has been completed or the time for the process has expired.

6.7 The Minister, within 60 days of the receipt of a recommendation of the Board, may accept, vary, set aside or replace the recommendation. Any proposed variation, replacement or setting aside shall be sent back to the Board by the Minister with written reasons. The Minister may consider information and matters of public interest not considered by the Board.

6.8 The Minister may extend the time provided in 6.7 by 30 days.

6.9 Nothing in 6.7 shall be construed as limiting the application of 4.8.

6.10 The Board shall, within 30 days of the receipt of a variation, replacement or setting aside by the Minister pursuant to 6.7, make a final recommendation and forward it to the Minister with written reasons.

6.11 The Minister may extend the time provided under 6.10.

6.12 The Minister may, within 45 days of receipt of a final recommendation, accept or vary it, or set it aside and replace it.

6.13 The Minister shall provide the Board with notice of the Minister's final decision under 6.12.

6.14 Government shall, as soon as practicable, implement:

6.14.1 all recommendations of the Board that are accepted by the Minister under 6.7;

6.14.2 all decisions of the Minister under 6.12; and

6.14.3 subject to 6.14.1 and 6.14.2, all recommendations of the Board pursuant to 6.5.1 to 6.5.4 after the expiry of the time provided in the process set out in 6.7 to 6.13.

6.15 Where the Board does not carry out one of its responsibilities, the Minister, after giving notice to the Board, may carry out that responsibility.

6.16 The Board shall make reasonable provisions for public involvement in the development of its recommendations.

6.17 The operation of 6.1, 6.2, 6.3 and 6.4 is suspended until amendments to Schedule A - Kluane Nation Park, of Chapter 10 of the Champagne and Aishihik First Nations Final Agreement which make reciprocal provisions come into effect, and the parties to this Agreement shall cooperate with a view to having those amendments come into effect on or as soon as practicable after the Effective Date of this Agreement.