

Champagne and Aishihik First Nations Final Agreement
Chapter 10
Schedule A

6.0 The Kluane National Park Management Board

6.1 The Kluane National Park Management Board shall be established no later than the Effective Date of this Agreement.

6.2 The Board shall be comprised of four members appointed by the Minister, two of which shall be nominees of the Champagne and Aishihik First Nations and two of which shall be nominees of Government. In addition the Park superintendent or his designate shall be a non-voting member of the Board.

6.3 The Board may make recommendations to the Minister on all matters pertaining to the development and management of the Park, including:

6.3.1 routes, methods and modes of access for Harvesting within the Park;

6.3.2 harvest limits and seasons for Harvesting in the Park;

6.3.3 locations and methods of Harvesting within the Park;

6.3.4 the management of Heritage Resources within the Park;

6.3.5 revisions to the Park Management Plan;

6.3.6 matters related to the development or management of the Park forwarded to the Board by the Minister;

6.3.7 proposed Park boundary adjustments;

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

6.3.9 existing and proposed Legislation relating to the Park; and

6.3.10 designating or modifying a No Harvesting Zone.

6.4 The provisions of 6.5 to 6.9.2 apply to recommendations made by the Board pursuant to 6.3.5 to 6.3.10.

6.4.1 The provisions of 6.5 to 6.9.3 apply to recommendations made by the Board pursuant to 6.3.1 to 6.3.4.

6.5 Unless the Minister directs otherwise, all recommendations of the Board shall be kept confidential until the process in 6.6 to 6.9 has been completed or the time for the process has expired.

6.6 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.

6.6.1 The Minister may extend the time provided in 6.6 by 30 days.

6.6.2 Nothing in 6.6 shall be construed as limiting the application of 4.8.

6.7 The Board within 30 days of the receipt of a variation, replacement or setting aside by the Minister pursuant to 6.6, shall make a final recommendation and forward it to the Minister with written reasons.

6.7.1 The Minister may extend the time provided under 6.7.

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

6.8.1 The Minister shall provide the Board with notice of the Minister's final decision under 6.8.

6.9 Government shall, as soon as practicable, implement:

6.9.1 all recommendations of the Board that are accepted by the Minister under 6.6;

6.9.2 all decisions of the Minister under 6.8; and

6.9.3 subject to 6.9.1 and 6.9.2, all recommendations of the Board pursuant to 6.3.1 to 6.3.4 after the expiry of the time provided in the process set out in 6.5 to 6.8.

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

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

6.12 If the boundary of the Park is enlarged to include land within the Traditional Territory of another Yukon First Nation, and if provided for in that Yukon First Nation Final Agreement, the following provisions shall apply:

6.12.1 the Board shall be reconstituted to be comprised of a maximum of 12 members to be appointed by the Minister, one half of the members to be nominated by the Yukon First Nations whose Traditional Territory includes lands within the Park and one half of the members to be nominated by Government;

6.12.2 the number of members to be nominated by Yukon First Nations in accordance with 6.12.1 shall be apportioned equally between the Yukon First Nations whose Traditional Territory includes lands within the Park;

6.12.3 unless otherwise agreed to by the parties to this Agreement, and by the parties to that other Yukon First Nation's Final Agreement, the powers and responsibilities of the Board provided for in this schedule shall apply to the Board reconstituted in accordance with this section; and

6.12.4 in 6.12.1 and 6.12.2, "Park" means the Park as enlarged to include land within the Traditional Territory of another Yukon First Nation.