

Yukon Government Fish and Wildlife Branch Mandate Review

PREPARED FOR



Yukon Government Fish and Wildlife
Branch

DATE
August 2024



¹ Photo by Jennifer Smith

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BACKGROUND

A mandate is a concise statement defining the fundamental purpose of an organization (or unit within an organization) and what it is required to do based on both:

- **Formal requirements:** laws, regulations, Final Agreements, articles of incorporation, charters.
- **Informal requirements:** expectations of key stakeholders (e.g., elected officials, Modern Treaty beneficiaries, the public).

The fish and wildlife management structure for the Yukon is defined primarily through Chapter 16 of the Umbrella Final Agreement (UFA) and First Nation Final Agreements (FNFAs), the Inuvialuit Final Agreement (IFA), and the *Yukon Wildlife Act*.

The Government of Yukon (YG) plays an important role in fish and wildlife management in the Yukon, with its mandate stemming from the UFA and FNFAs, the IFA and key pieces of legislation. The Fish and Wildlife Branch (the Branch) within the Department of Environment plays a key role in implementing this mandate, although this responsibility is not solely fulfilled by the Branch. Appendix A visually demonstrates our understanding of how the Branch fits into the structure for fish and wildlife management in the Yukon.

At the December 2018 Yukon Forum meeting, the Government of Yukon and First Nations decided to review the Yukon Fish and Wildlife Management Board (YFWMB) to “evaluate the success and effectiveness of this important Chapter 16 entity” (Yukon Forum, 2018, p.2). A review was undertaken in 2019, which included the recommendation (#1) to:

Undergo a process to clarify, achieve consensus and document the fish and wildlife structure and various roles within it, including the Government of Canada, based on the current external context / legal landscape, areas of overlap / duplication, and identified strengths and weaknesses (All Actors; Parties to the Agreement)

To contribute to addressing this recommendation, the Branch retained ERM Consultants Canada (ERM) in February 2024 to undertake a Branch mandate review to 1) document how its mandate is defined through both formal and informal requirements and 2) gather input on mandate implementation.

MANDATE REVIEW PURPOSE

The overall purpose of this mandate review is to examine:

- The mandate, activities, and objectives of the Branch, as established in Canadian and Yukon legislation, modern treaties², international agreements, Ministerial mandate letters, and Departmental and Branch Strategic Plans;

² Modern treaties articulate the relationships, overall objectives, and specific obligations and responsibilities that their signatories must achieve and execute. Modern treaties recognize the rights of Indigenous peoples to ownership of land; protection and revitalization of traditional culture, language and heritage; access to resource development opportunities; participation in land and resource management decisions; predictability with respect to land rights; associated self-government rights and political recognition; improved social development through better outcomes in health, education and housing; fostering of economic development opportunities and achieving greater self-reliance. (Crown Indigenous Relations and Northern Affairs Canada, Modern treaties)

- The strengths of the Branch in fulfilling its mandate and objectives; and,
- The opportunities for improvement for the Branch to more effectively meet its mandate and objectives.

This review is part of a cycle of continuous improvement undertaken by the Branch to ensure it continues to provide relevant services to Yukoners and helps to address recommendation #1 from the YFWMB Review (2019).

METHODOLOGY

As detailed in Figure 1, we completed the review by undertaking the following four steps.

FIGURE 1: REVIEW METHODS



To confirm the scope and approach for the review with the Branch, we developed a review plan, which identified three areas of inquiry, an engagement guide based on the areas of inquiry, a list of intended participants, and a document review list.

Three areas of inquiry were outlined in the review plan and used to guide the data collection and analysis steps. Areas of inquiry include:

- **Mandate definition:** to document the Branch mandate and to understand whether recent or anticipated changes influence the Branch’s context;
- **Mandate implementation:** to document the Branch objectives, key activities, and outputs of the Branch to meet its mandate; and,
- **Mandate evaluation:** to document whether the Branch is effectively fulfilling its mandate as established in legislation, modern treaties and international agreements, including the strengths and opportunities for improvement.

To support this review, we collected information from two main sources:

1. Reviewing a set of documents (18) provided by the Branch to summarize the Branch mandate, priorities, and activities³; and
2. 16 interviews with current and former Branch employees, members of the organizations the Branch regularly engages with, including the YFWMB, Renewable Resources Councils (RRCs), First Nations land and resource directors, the Wildlife Management Advisory Council (North Slope), the Yukon Conservation Society, and the Yukon Fish and Game Association.

The list of documents reviewed, and organizations engaged can be found in Appendix B.

In total, we engaged 27 participants. A sampling approach was used to identify First Nations land and resource directors and RRC participants, based on interest in participation.

³ In addition to providing source documents, the Branch also provided written summaries for Canadian and Yukon legislation, modern treaties, and international agreements.

Participants were contacted by email to invite them to an interview. The emails included an introductory paragraph explaining the purpose of the review and a copy of the engagement guide (Appendix C and D). We followed up by phone and email as needed to schedule interviews.

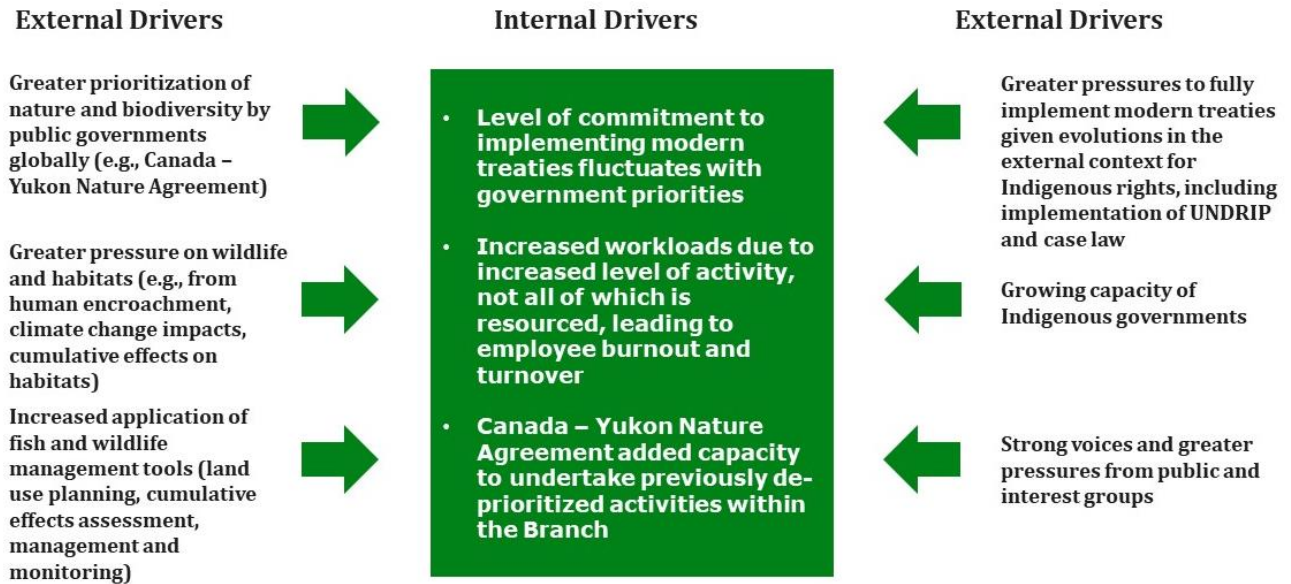
Following the collection of data, we synthesized information in line with the areas of inquiry and according to key themes that emerged from the information collection phase. This information was analyzed to form findings on what we heard, observations, and recommendations which are presented in the subsequent sections of this report.

This report begins by first outlining drivers shaping the Branch context. The following sections summarize what is documented in legislation, modern treaties, or other documents, followed by what we heard from participants and our observations. The final section offers recommendations to support the Branch in its cycle of continuous improvement.

DRIVERS SHAPING THE BRANCH CONTEXT

The external and internal context in which the Branch operates offers important considerations for the Branch's mandate definition, implementation, and evaluation. Figure 2 outlines key factors shaping the external and internal context for the Branch.

FIGURE 2: DRIVERS SHAPING THE BRANCH'S CONTEXT



BRANCH MANDATE AND ORGANIZATIONAL STATEMENTS

The Branch's mandate evolves from formal requirements including modern treaties, key legislation and regulations, and other relevant agreements. The Branch's mandate is also shaped by informal requirements including a Ministerial mandate letter, a department strategic plan, and government-to-government fora (e.g., the Yukon Forum).

- **Formal requirements** defining the Branch's mandate include: Umbrella Final Agreement (UFA) and First Nations Final Agreements (FNFAs), Inuvialuit Final Agreement (IFA), Gwich'in Comprehensive Land Claim Agreement, the *Yukon Wildlife Act*, *Species at Risk Act*, *Yukon Environmental and Socio-Economic Assessment Act*, and associated regulations and orders; Yukon Territories Fishery Regulations, Agreement between the Government of Canada and the Government of the United States on the Conservation of the Porcupine Caribou Herd, and the Pacific Salmon Treaty
- **Informal requirements** defining the Branch's mandate include: Minister of Environment Mandate Letter

BRANCH MANDATE

The internal Department of Environment's Strategic Plan (2023 - 2026) describes the Branch's **mandate** in the following way:

The Fish and Wildlife Branch (the Branch) leads the management of fish and wildlife and their habitats for the conservation, appreciation, and sustainable use of naturally diverse and changing ecosystems, in a manner that is collaborative and adaptive while respecting Indigenous rights and title, and the provisions of Yukon's modern treaties. This includes leading wildlife research and monitoring, coordinating harvest management, and delivering public education programming (Department of Environment Strategic Plan, 2023 - 2026)

Another internal Government of Yukon document identifies the Branch's **mandate** as:

The Fish and Wildlife Branch provides for the management of Yukon's fish and wildlife populations and their habitats. The Branch also provides relevant, regional level input to support environmental assessment processes, and public education, the delivery of education and youth programs including summer camps and numerous school programs, Conservation Action Team (CAT), Yukon Youth Conservation Corps (Y2C2), and engagement through wildlife viewing program.

The Fish and Wildlife Branch generates information to inform evidence-based decision-making. Through implementation of Chapter 16 (UFA), Section 12 (IFA) and ongoing community-based regional programs, we have been successful in nurturing and stewarding relationships with various partners and in bringing local needs, local interests, and local solutions to wildlife planning and allocation processes. The Branch also supports vibrant, sustainable communities by providing access to fishing and hunting opportunities from sustainable wildlife populations.

KEY FUNCTIONS

The mandate statements above identify four **key functions** for the Branch. Appendix E includes detailed information on the Branch's activities.

- **Leading wildlife research and monitoring:** Conducting wildlife surveys and data collection on the health and population distribution of fish and wildlife in the Yukon and base harvest management on the best information from scientific, local, and traditional knowledge to support decision-making.
- **Supporting environmental assessment processes:** Providing support to assessment and regulatory processes, through project reviews and effects monitoring.
- **Coordinating harvest management:** Delivering an effective legislative framework to manage hunting, trapping and fishing in the Yukon to ensure all Yukoners are provided opportunities to sustainably harvest fish and wildlife while looking for new opportunities for Yukon hunters to pursue activities across the Yukon.
- **Delivering public education programming:** Delivering public education and youth programs on wildlife viewing and conservation to enhance environmental awareness and stewardship.

BRANCH MISSION STATEMENT

The Branch's **mission statement** is stated publicly⁴:

To conserve all wildlife, and their interrelationships with each other, and their environment, while respecting Aboriginal Rights and Title, the provisions of Yukon's modern treaties, and the diverse needs of Yukoners (Fish and Wildlife Mission Statement, 2021).

⁴ <https://yukon.ca/en/fish-and-wildlife-branch-mission-statement-and-core-principles>

CORE PRINCIPLES

The Branch's **core principles** guide the Branch's recommendations, decisions, and actions and are shared publicly⁵.

- *Naturally, self-sustaining wildlife populations are the principal management objective.*
- *Wildlife populations are managed within their natural range of variation to the best extent possible.*
- *Management of human activity, including harvest, disturbance, and land use, is the primary tool available for recovering or maintaining wildlife and wildlife habitat.*
- *The interests of all consumptive and non-consumptive users are recognized and considered in the management of wildlife populations.*
- *Where wildlife populations are self-sustaining, the interests of users are prioritized to meet the subsistence needs of Aboriginal peoples before the needs of Yukon residents, and the needs of Yukon residents before those of non-residents.*
- *Management is guided by scientific, traditional, and local knowledge to the best extent possible.*
- *When knowledge is limited, management is guided by a precautionary approach.*
- *Management strives to be adaptive.*
- *Management decisions are ecosystem-based where possible.*

OBJECTIVES

The following Branch **objectives** were identified in the 2023 internal Branch Plan. They were informed by the Department of Environment's Strategic Plan, the Minister's mandate letter, and priority areas within the Branch.

- *The Fish and Wildlife Branch conserves all fish and wildlife, and their interrelationships with each other and their environment, while respecting Indigenous Rights and Title, the provisions of the Yukon's modern treaties, and the diverse needs of Yukoners.*
- *Land use planning, and the development-assessment process and outcomes, are informed by current and accurate wildlife habitat information and analyses.*
- *The Fish and Wildlife Branch is committed to reconciliation with Yukon's Indigenous peoples through its activities, recommendations and decisions.*
- *The Fish and Wildlife Branch is committed to the elimination of workplace hazards and the creation of a physically and psychologically healthy and safe work environment.*
- *The Fish and Wildlife Branch is collaborating with Client, Business and Technology Services to improve the management and quality of our wildlife survey and mortality data and to efficiently turn data into knowledge to guide our management decisions.*
- *The Fish and Wildlife Branch will implement and meet our commitments under the Yukon Policy for the Stewardship of Yukon's Wetlands and the Yukon-Canada Bilateral Nature Agreement over the next several years.*

⁵ <https://yukon.ca/en/fish-and-wildlife-branch-mission-statement-and-core-principles>

WHAT WE HEARD

The following section summarizes what we heard from engagement with current and former Branch employees (i.e., internal participants) as well as organizations the Branch engages with regularly (i.e., external participants).

- **Participants point to the mandate not being clearly documented and accessible, which creates confusion on the role of the Branch.** Many participants commented that they are not able to locate the Branch's mandate via online searches and suggest this creates a lack of public knowledge around the Branch's core functions. Some internal participants suggest that not having a clear, documented mandate has made it challenging for Branch employees to communicate externally on the Branch's role.
- **External participants see Chapter 16 of the UFA and FNFAs / IFA Section 12 and the associated fish and wildlife structure as the guiding framework for the Branch.** Additionally, there's a feeling that the IFA is not given equal consideration as the Branch often applies a "UFA centric" approach.
- Neither the UFA nor any of the FNFAs are recognized in the *Yukon Wildlife Act*, whereas the IFA is recognized in the *Yukon Wildlife Act*. **Bringing the Yukon Wildlife Act into conformity with the UFA was identified as a priority by external participants to support a consistent and universal understanding of the Branch's mandate.** Internal participants identified the mission and core principles of the Branch as the guiding framework (which acknowledge respect for Aboriginal Rights and Title and the provisions of Yukon's modern treaties) and pointed to key functions and activities of the Branch when asked to identify the Branch's role for fish and wildlife management.
- **Both external and internal participants are aligned on the Branch's primary functions as conducting scientific research and analysis and informing Ministerial recommendations and decisions.** Internal participants also emphasized tactical participation in existing processes, including participation and provision of technical information in assessment and regulatory processes and land use planning. We heard that work on habitat management (e.g., developing management plans for species) is often deprioritized within the Branch given capacity constraints. External participants also highlight that the Branch should play a more strategic role by advancing legislation, policy and regulation and delivering on the Branch's mandate through collaboration and partnership. Participants identified the need for additional strategic activities including meaningful participation in Board processes, engaging partner organizations, providing funding for partner delivery of programs, and delivering public education programs or communications. Although it is not the responsibility of the Branch, external participants identified a need for greater enforcement of fish and wildlife legislation, policy and regulations⁶.
- **Internal coordination across the Government of Yukon identified as a gap, given decisions taken within other departments** (primarily Energy, Mines and Resources) **impacting fish and wildlife populations and their habitats.** We heard the need for greater coordination and collaboration across departments to support the Yukon's collaborative fish and wildlife system.

⁶ Enforcement authority lies primarily with the Conservation Officer Services Branch within the Department of Environment.

- **External participants feel that the Branch is prioritizing or managing to consumptive objectives rather than conservation objectives, as demonstrated through a focus on harvest management activities rather than habitat or ecosystem-based management.** A need to shift management actions toward other tools beyond harvest control was identified, including more proactive management and longer-term thinking (especially in the context of climate change), and a greater openness to applying a range of management tools or solutions (i.e., species management and not just people management).
- **External participants feel that informal requirements of the mandate are often prioritized over formal requirements of the mandate.** For example, prioritizing activities identified under the Minister’s mandate letter (e.g., finding “new opportunities for Yukon hunters to pursue activities across the Yukon”) rather than requirements established in the UFA and FNFAs /IFA (e.g., Chapter 16 objective to ensure “Conservation in the management of all Fish and Wildlife resources and their habitats”).
- **Both internal and external participants feel that political direction, informed by the public, interest groups, and media attention on certain issues, leads the Branch into a reactive mode of operating, which inhibits the Branch’s ability to stay focused on strategic aspects of its mandate.** Decisions taken on controversial issues without disclosing the scientific basis (e.g., thin horn sheep hunting closures) and/or without following processes outlined in the UFA/IFA to engage with the YFWMB further exacerbate this perception.
- Both internal and external participants identify a **strong organizational culture** characterized by **passionate and knowledgeable employees, a willingness to collaborate, and supported by strong working relationships at the regional level as strengths of the Branch.** For example, regional biologists are often highlighted as supporting relationships with partners through collaborative identification and working together to address regional concerns. Participants also highlight **recent efforts by the Branch to convene discussions** to address priorities collaboratively as a welcome change in the Branch’s approach. **Public education programs and activities** are also identified as strengths, and many note that these were well received in communities. Lastly, the ability for the Branch to be **nimble and adaptive** to changing priorities is identified as a strength.
- While strong working relationships at the regional level were identified as a strength, **participants also identified the need to repair relationships with Indigenous governments.** Trust has been eroded over time through a lack of transparency, fluctuating or limited engagement or changing interpretations of the UFA/IFA given changing political direction and a lack of collaboration on decisions taken to restrict or limit harvest. This history has led to mistrust and feelings that fish and wildlife management decisions are not aligned with the spirit and intent of the UFA/IFA. This mistrust impacts communities’ willingness to share Traditional Knowledge (TK), information and data with the Branch (e.g., harvest related data). In addition, participants identify varying working relationships across the Branch as they are dependent on individual employees’ willingness to work with Indigenous governments and develop relationships. This dependence on individual willingness, rather than Branch-level policy or practice, further exacerbates distrust between the Branch and Indigenous governments. Reliance on individual working relationships also increases risks to the Branch due to employee turnover or role changes.

- We also heard that **engagement processes often do not provide adequate time for Indigenous governments' meaningful participation, as they are often capacity constrained and are managing competing priorities.** As a result, Indigenous governments feel that the Branch provides information to the Minister without their input. As the Branch lacks decision-making authority (i.e., decision-making authority sits with the Minister of the Environment), decisions made that do not align with inputs provided during engagement processes may further erode trust. Actions or decisions taken without engagement with Indigenous governments further erode relationships. For example, it was noted that the Canada-Yukon Nature Agreement was negotiated without engagement with Indigenous governments, although the Agreement includes additional capacity to support Branch engagement with Indigenous governments. Indigenous governments expect to be meaningfully engaged on this type of Agreement going forward to collaboratively implement the Yukon's structure for fish and wildlife management.
- While participants acknowledge that the **Branch is starting to reflect and seek out TK more frequently, its collection, integration, and reflection in wildlife research and monitoring was identified as a gap.** TK should be better reflected to understand the pressures facing species and habitats and be applied to inform priorities and collaborative work planning. Varied approaches across the Branch to collaborative work planning, including gaps in follow-up and resourcing to implement joint priorities further erodes trust and relationships with Indigenous governments.
- While some external partners feel that the behaviours of the Branch are changing over time, **timely provision, distribution and accessibility of technical information by the Branch to inform transparent evidence-based decision-making** was identified as a gap. We heard that the Branch has become increasingly risk adverse and that political direction influences when and how information is released to the public. External participants requested more proactive and timely communications of Branch activities and data collected (e.g., percentage of harvest success rather than numbers of animals harvested). Internal participants identified a need for consistent and ongoing data sharing, and proposed that a data solution (e.g., public facing database) may help to reduce capacity required to share data with external organizations.
- Lastly, **external organizations express an interest in playing a greater role in supporting the Branch in delivering their key functions and activities.** This includes the Branch increasing opportunities for community-based research and monitoring, leveraging interest groups or community organizations to deliver public education programs and/or community outreach, and providing funding to organizations to deliver programs in collaboration to leverage their strengths (e.g., reflecting Indigenous worldviews). Doing so may reduce organizational constraints within the Branch such as reducing workload pressures and travel budgets, while empowering partners in alignment with the collaborative spirit of the UFA and FNFA's and the IFA.

OBSERVATIONS

The Branch's mandate is defined through many sources (both formal and informal requirements) and is primarily understood as a set of activities. While some components of the Branch's guiding organizational statements are communicated publicly (i.e., its mission and core principles), its mandate and key functions are not communicated publicly. Because mandates emerge from both formal, documented requirements and informal stakeholder expectations, it is common practice for organizations to have a formal, documented, and public mandate statement to ensure that there are no gaps in understanding among stakeholders. This is an important part of building clarity and trust with stakeholders. Building clarity and trust is particularly relevant for the Branch, as it operates in a collaborative fish and wildlife management structure, for which other partners also play a role. Recommendation 1 in the YFWMB review identified that there was a need to "*undergo a process to clarify, achieve consensus and document the fish and wildlife structure and various roles within it...*", so formalizing and publicly communicating the Branch's mandate supports implementation of this previous recommendation.

Many Indigenous governments in the Yukon have more capacity now than ever before to support their participation in the Yukon's fish and wildlife management system, including working with the Branch. Increased capacity represents an opportunity for strengthened partnerships between the Branch and Indigenous governments. This type of partnership could include working collaboratively to identify joint priorities and key ways of working together such as identifying and reflecting TK and regional differences to inform pressures on species and habitats, informing wildlife research and monitoring approaches, and enabling shared collection and distribution of species information. It may also include focusing on higher-level changes, like ensuring the *Yukon Wildlife Act* is in conformity with the UFA/FNFAs and IFA. Doing so would create an opportunity to contribute to a more strategic approach to fish and wildlife collaboration with partners, including establishing mechanisms to coordinate, collaborate, set priorities and work together (e.g., establishing protocols to guide the relationship between the Branch and Indigenous governments). It also includes the Branch recognizing their role and prioritizing collaboration with the Inuvialuit and Gwich'in.

The Branch plays a key and unique role in the Yukon's fish and wildlife management system in providing fish and wildlife research and analysis to support decision-making. The Branch should play to this strength by collaboratively identifying priorities with partners, conducting long-term monitoring and transparent reporting of results. Providing rigorous, timely and publicly available access to information will help the Branch to be seen as a 'trusted advisor' to decision-makers, especially in the context of increased pressures on fish and wildlife in the Yukon. This approach aligns with similar strategic frameworks in other jurisdictions, for example the Northwest Territories Cumulative Impacts Monitoring Program (CIMP) and the Nunavut General Monitoring Program (NGMP) which are sources of environmental monitoring and research in other territories. These programs have been established to identify priorities, fund studies and analyze and report on information related to environmental concerns. Their main purpose is to support resource management decision-making through improved understanding of cumulative impacts and environmental trends.

With a growing emphasis on the importance of ecosystems and species globally, nationally, and regionally, organizations with mandates for conservation and sustainable management of resources, including the Branch, are experiencing greater demands and pressures on their

time. Increasing expectations for engagement and partnership with Indigenous governments adds to these demands on the Branch's capacity. Organizations navigate these demands and pressures through rigorous prioritization. To build this alignment with partners, organizations often develop frameworks that can be used to guide efforts and assess results (e.g., logic models). These tools help organizations shift from reactive to proactive modes of operating, inform strategic execution on priorities, and focus delivery on activities to maximize impact. Taking this approach within the Branch would reduce the perception that day-to-day activities and priorities are influenced by political direction.

Formalizing and publicly communicating the Branch's mandate, strengthening partnerships with First Nations governments, transparently reporting results of fish and wildlife research, and application of frameworks to guide rigorous prioritization will help the Branch to more effectively meet its mandate and objectives, and enhance trust and relationships with partners.

PROPOSED PATH FORWARD

This review is a part of a cycle of continuous improvement undertaken by the Branch to ensure it continues to provide relevant services to Yukoners. Based on the observations outlined in the previous section of the report, this section highlights recommendations for the Branch to address the findings in this mandate review.

In addition to the recommendations outlined below, the Branch should continue playing to its strengths, including supporting and retaining passionate and knowledgeable employees, fostering a culture of collaboration, investing in strong working relationships at the regional level and delivering public education programs and activities. The Branch should also continue efforts to convene discussions to address priorities collaboratively.

AREAS OF FOCUS TO SUPPORT THE BRANCH

The following areas of focus and associated recommendations will support the Branch in more effectively meeting its mandate.

1. Clarify and create consistency in the Branch’s mandate
2. Take a strategic approach to mandate delivery
3. Develop an approach to support collective fish and wildlife management prioritization, collaboration among actors with responsibilities in the Yukon’s fish and wildlife structure, and Branch-level prioritization
4. Make technical information and analysis available to support transparency and decision-making
5. Enhance approaches to collaborate with Indigenous governments as partners in the fish and wildlife structure

RECOMMENDATIONS

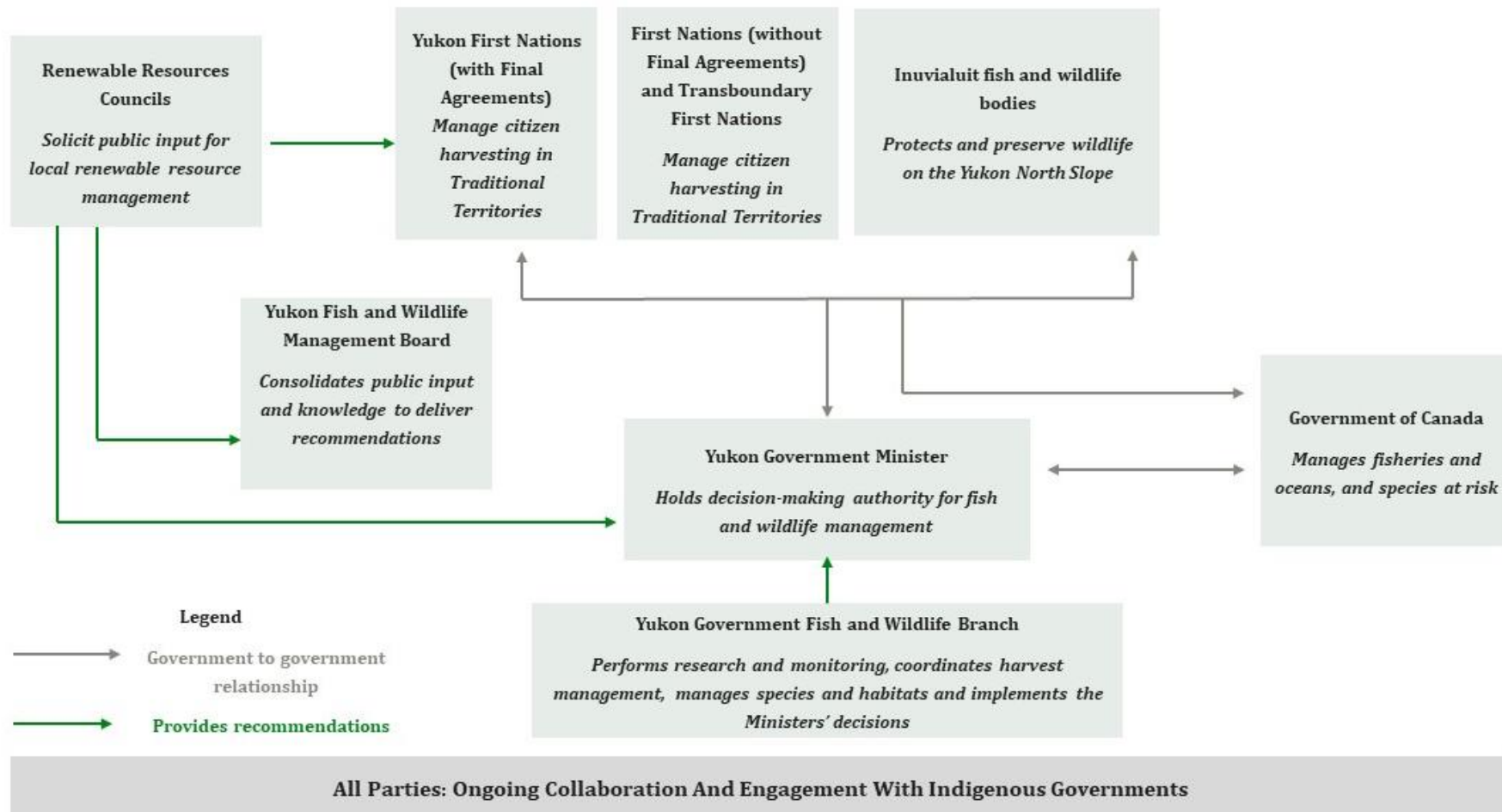
Areas of Focus	Recommendations
Clarify and create consistency in the Branch’s mandate	<ol style="list-style-type: none"> 1. Formalize and publicly communicate the Branch’s mandate so that it can be easily understood by both internal and external stakeholders. 2. Address inconsistencies in the Branch’s mandate by bringing the <i>Yukon Wildlife Act</i> into conformity with the UFA/FNFAs and IFA. 3. Support understanding of the Branch’s mandate by working with Parties to clarify, achieve consensus and document the fish and wildlife structure and various roles within it (applying Appendix A as a starting point for future discussion).
Take a strategic approach to mandate delivery	<ol style="list-style-type: none"> 4. Develop a logic model for the Branch to clearly articulate the linkage between Branch outcomes, outputs, and activities. Use the logic model to guide the effort and activities of the Branch and to assess results.
Develop an approach to support collective fish and wildlife management prioritization, collaboration among actors with responsibilities in the Yukon’s fish and wildlife structure, and Branch-level prioritization	<ol style="list-style-type: none"> 5. In partnership, develop long-term priorities for data collection, monitoring and management to support collaboration among actors with responsibilities in the Yukon’s fish and wildlife structure. 6. Formalize and establish predictable mechanisms and ways of working together among actors with responsibilities in the Yukon’s fish and wildlife structure,

Areas of Focus	Recommendations
	in support of long-term priority setting and annual joint work planning.
Make technical information and analysis available to support transparency and decision-making	7. Develop a protocol for how and when the Branch will make technical information and analysis available to actors in the fish and wildlife structure and the public to support transparency and decision-making.
Enhance approaches to collaborate with Indigenous governments as partners in the fish and wildlife structure	8. Work with Indigenous governments to identify approaches to better reflect Traditional Knowledge in fish and wildlife data collection, monitoring and management. 9. Work with Indigenous governments to identify preferred engagement mechanisms for an ongoing relationship with the Branch. For example, develop a Branch policy on engagement with Indigenous governments as partners in the fish and wildlife structure and/or engagement protocols to inform expectations and principles of engagement with individual governments. 10. Develop and implement an approach to build a common understanding and meaningful implementation of the UFA /IFA and FNFAs within the Branch, including requiring training for Branch employees on Yukon’s fish and wildlife management structure and meaningful engagement with Indigenous governments.

APPENDIX A: YUKON FISH AND WILDLIFE MANAGEMENT STRUCTURE

The following figure demonstrates our understanding of the structure for fish and wildlife management in the Yukon, including the different parties and their primary roles and responsibilities. As identified in the Yukon Fish and Wildlife Management Board Review (2019), parties should continue to work together to clarify, achieve consensus and document the fish and wildlife structure and roles.

FIGURE 3: YUKON FISH AND WILDLIFE MANAGEMENT STRUCTURE



APPENDIX B: DOCUMENTS REVIEWED AND ORGANIZATIONS ENGAGED

Documents Reviewed

- Minister Clarke Mandate Letter, Minister of the Environment and Minister of Highways and Public Works, 2023
- Supplementary Note on Minister's Mandate Commitments, 2023
- Department of Environment Strategic Plan, 2023-2026
- Environment Strategic Plan, 2022-2025, poster of priorities
- Branch Plan Fish and Wildlife, 2023-2026
- Umbrella Final Agreement, Chapter 16
- Information summarized from:
 - Federal legislation (*Canada Wildlife Act, Migratory Birds Convention Act, Species at Risk Act, Fisheries Act*);
 - Territorial legislation (*Yukon Wildlife Act and Regulations, Yukon Territory Fishery Regulations, Yukon Environmental and Socio-economic Assessment Act, Yukon Environment Act*);
 - Modern Treaties (Inuvialuit Final Agreement, Gwich'in Comprehensive Land Claim Agreement, Umbrella Final Agreement and Yukon First Nation Final Agreements); and
 - International agreements (Agreement between the Government of Canada and the Government of the United States on the Conservation of the Porcupine Caribou Herd, Pacific Salmon Treaty)

Organizations Engaged

- Current and former Government of Yukon Fish and Wildlife Branch employees (4 engagements)
- Champagne and Aishihik First Nations
- Kwanlin Dün First Nation
- Vuntut Gwitchin First Nation
- Tr'ondëk Hwëch'in First Nation
- Yukon Fish and Wildlife Management Board
- Teslin RRC
- Dawson District RRC
- Carcross/Tagish RRC
- Alsek RRC
- Wildlife Management Advisory Council – North Slope
- Yukon Fish and Game Association
- Yukon Conservation Society

APPENDIX C: ENGAGEMENT GUIDE (GOVERNMENT OF YUKON)

The Government of Yukon (YG) plays an important role in fish and wildlife management in the Yukon, with its mandate stemming from key legislation and the Final Agreements. Within YG, this responsibility is fulfilled by the Fish and Wildlife Branch within the Department of Environment. The Fish and Wildlife Branch leads the management of fish and wildlife and their habitats for the conservation, appreciation, and sustainable use of naturally diverse and changing ecosystems, in a manner that is collaborative and adaptive while respecting Indigenous rights and title, and the provisions of Yukon's modern treaties. This includes leading wildlife research and monitoring, coordinating harvest management, and delivering public education programming.

Purpose and Scope of this Work

The Government of Yukon (YG) Fish and Wildlife Branch (the Branch) has retained ERM Consultants Canada (ERM) to undertake a mandate review to 1) document how its mandate is defined through both formal and informal requirements and expectations and 2) gather input on mandate implementation.

A mandate is a concise statement defining the fundamental purpose of an organization / department and what it is required to do based on both:

- **Formal requirements:** laws, regulations, Final Agreements, articles of incorporation, charters
- **Informal requirements:** expectations of key stakeholders, including beneficiaries and elected representatives.

The overall purpose of the review is to examine:

- The mandate, activities, and objectives of the Branch, as established in Canadian and Yukon legislation and agreements, Indigenous agreements, Ministerial mandate letters and Departmental and Branch Strategic Plans;
- The strengths of the Branch in fulfilling its mandate and objectives; and,
- The opportunities for improvement for the Branch to more effectively meet its mandate and objectives.

Preparing for your Engagement with ERM

Your input is an essential component of this exercise. In preparing for your engagement, we invite you to reflect on the discussion questions, which we will use to help structure our conversation with you. We expect interviews to be approximately 1 hour in length. Information provided by interviewees will not be attributed to individuals.

Discussion Questions

- 1) What changes have or will occur that will influence the Branch's mandate over time?
- 2) What is the Government of Yukon's role for fish and wildlife management?
- 3) What are the Branch's objectives?
- 4) What are the key functions and activities of the Branch?

- 5) What are the key deliverables of the Branch?
- 6) Do you feel that the Branch is fulfilling its mandate as established in legislation and agreements? Why or why not?
- 7) What are the key strengths of the Branch in fulfilling its mandate / objectives?
- 8) What could the Branch do differently to more effectively meet its mandate / objectives?

APPENDIX D: ENGAGEMENT GUIDE (EXTERNAL)

The Government of Yukon (YG) plays an important role in fish and wildlife management in the Yukon, with its mandate stemming from key legislation and the Final Agreements. Within YG, this responsibility is fulfilled by the Fish and Wildlife Branch within the Department of Environment. The Fish and Wildlife Branch leads the management of fish and wildlife and their habitats for the conservation, appreciation, and sustainable use of naturally diverse and changing ecosystems, in a manner that is collaborative and adaptive while respecting Indigenous rights and title, and the provisions of Yukon's modern treaties. This includes leading wildlife research and monitoring, coordinating harvest management, and delivering public education programming.

Purpose and Scope of this Work

The Government of Yukon (YG) Fish and Wildlife Branch (the Branch) has retained ERM Consultants Canada (ERM) to undertake a mandate review to 1) document how its mandate is defined through both formal and informal requirements and expectations and 2) gather input on mandate implementation.

A mandate is a concise statement defining the fundamental purpose of an organization / department and what it is required to do based on both:

- **Formal requirements:** laws, regulations, Final Agreements, articles of incorporation, charters
- **Informal requirements:** expectations of key stakeholders, including beneficiaries and elected representatives.

The overall purpose of the review is to examine:

- The mandate, activities, and objectives of the Branch, as established in Canadian and Yukon legislation and agreements, Indigenous agreements, Ministerial mandate letters and Departmental and Branch Strategic Plans;
- The strengths of the Branch in fulfilling its mandate and objectives; and,
- The opportunities for improvement for the Branch to more effectively meet its mandate and objectives.

Preparing for your Engagement with ERM

Your input is an essential component of this exercise. In preparing for your engagement, we invite you to reflect on the discussion questions, which we will use to help structure our conversation with you. We expect interviews to be approximately 1 hour in length. Information provided by interviewees will not be attributed to individuals.

Discussion Questions

- 1) What changes have or will occur that will influence the Branch's mandate over time?
- 2) How would you describe the YGWB's mandate for fish and wildlife management?
- 3) How would you describe the Branch's objectives for fish and wildlife management?
- 4) How does your organization/government interact with the Branch?
- 5) What does the Branch do to deliver on its mandate?

- 6) Do you feel that the Branch is fulfilling its mandate as established in legislation and agreements? Why or why not?
- 7) What are the key strengths of the Branch in fulfilling its mandate / objectives?
- 8) What could the Branch do differently to more effectively meet its mandate / objectives?

APPENDIX E: SUPPORTING INFORMATION FROM DOCUMENT REVIEW

This section includes detailed information on the key functions and activities that the Branch undertakes as part of its mandate, as identified in formal and informal requirements.

FORMAL REQUIREMENTS

The Branch's mandate is defined through the following Final Agreements, legislation, regulations, and international Agreements.

- **Final Agreements:** Umbrella Final Agreement (UFA) and First Nations Final Agreements (FNFAs), Inuvialuit Final Agreement (IFA), Gwich'in Comprehensive Land Claim Agreement
- **Legislation and Regulations:** The *Yukon Wildlife Act*, *Species at Risk Act*, *Yukon Environmental and Socio-Economic Assessment Act*, and associated regulations and orders; Yukon Territories Fishery Regulations
- **International Agreements:** Agreement between the Government of Canada and the Government of the United States on the Conservation of the Porcupine Caribou Herd, Pacific Salmon Treaty

Key elements of these formal requirements that inform the Branch's mandate include:

- Chapter 10 of the UFA establishes Habitat Protection Areas, which mandates government in **management planning for areas** with identified **natural or cultural significance**
- Chapter 11 of the UFA provides guidance for integrating planning of potential land use activities, which mandates government in providing **technical support** for the **creation of regional land use plans**
- Chapter 12 of the UFA establishes the objectives and scope of the *Yukon Environmental and Socio-Economic Assessment Act*, which mandates government in **project reviews** where there are **potential adverse effects** on fish and wildlife or their habitats, and in fish, wildlife, and/or habitat effects monitoring of a project
- Chapter 16 of the UFA provides the framework for the co-management of fish and wildlife and their habitats, which mandates government in **ensuring subsistence harvest is a priority** in fish and wildlife management and for **the Director of Fish and Wildlife to provide technical support** to the YFWMB
- The IFA outlines principles to protect and preserve the Arctic wildlife, environment, and biological productivity, thereby committing the Branch to **servicing on the Wildlife Management Advisory Council (North Slope)** and the **Porcupine Caribou Management Board**, and **conducting annual surveys and research on wildlife** on the Yukon North Slope
- The Gwich'in Comprehensive Land Claim Agreement outlines **consultation requirements** with the Tetlit Gwich'in prior to taking action on fish or wildlife matters which may affect the exercise of their harvesting rights in the primary- and secondary-use areas
- The *Yukon Wildlife Act* outlines **jurisdiction** over big game animals, fur-bearing animals, small game animals, game birds, and specially protected wildlife as listed in Schedule A of the *Wildlife Regulation*, as well as the **regulation of all aspects of recreational hunting, outfitting, guiding and trapping**

- The federal *Species at Risk Act* directs the Branch's **representation on the Committee on the Status of Endangered Wildlife in Canada**
- The Canada-Yukon Freshwater Fisheries Agreement outlines **administrative responsibilities for the management of freshwater fish, including licences and regulations**
- The Yukon Territories Fishery Regulations outlines authority through Variation Orders to **approve changes to fishing times, catch, possession, length limits, and gear or equipment limits**

INFORMAL REQUIREMENTS

In addition to the formal requirements listed above, the Branch's mandate, objectives, key functions and activities and outputs are defined in the following informal requirements:

- Minister Clarke Mandate Letter, Minister of the Environment and Minister of Highways and Public Works, 2023 (pg. 1-5)
- Supplementary Note on Minister's Mandate Commitments, 2023 (pg. 1-1)
- Public Fora (e.g., the Yukon Forum)

Key Functions and Activities

The following key functions and activities were identified through a review of the Department of Environment Strategic Plan and the Fish and Wildlife Branch Plan. These documents identify how the Branch implements the formal requirements of its mandate, including key functions, activities and priorities. We have proposed key functions (bolded statements) based on the Branch mandate statements and activities identified through the document review.

- **Leading wildlife research and monitoring:**
 - Conducting wildlife surveys and data collection to ensure the Government of Yukon has the most up-to-date information to support decision-making
 - Monitoring and maintaining the health and population distributions of fish and wildlife
 - Expanding wildlife health surveillance and wildlife survey work
 - Building and supporting First Nations' capacity for wildlife research, monitoring and enforcement
 - Implementing the elk focus group recommendations for second year
 - Conducting research on the impacts of bear translocations
 - Conducting annual surveys and research on wildlife on the Yukon North Slope (Inuvialuit Final Agreement)
 - Developing and implementing a new Wildlife Mortality Information and Permitting System for the collection, storage, validation, and tracking of wildlife mortality information in support of sustainable harvest management
 - Developing and implementing a modern data management solution for wildlife species location, capture, and survey data
 - Implementing new dashboards of fish and wildlife information to support evidence-based decision-making and enhance public access to wildlife data
- **Coordinating harvest management**

- Managing big and small game animals, fur-bearing animals, game birds, and specially protected wildlife as listed in Schedule A of the *Wildlife Regulation* in the *Yukon Wildlife Act*
- Revising the process for assigning harvest quotas in outfitting concessions
- Exploring the development of a harvest sharing framework
- Working with Yukon First Nations, the YFWMB and stakeholders to continue to ensure all Yukoners are provided opportunities to sustainably harvest fish and wildlife while looking for new opportunities for Yukon hunters to pursue activities across the Yukon
- Protecting and conserving habitat and species by managing interactions between humans and wildlife, such as hunting, guiding, trapping and fishing
- Continuing work on species at risk legislation to ensure Yukon's wildlife and animal population are adequately protected
- Amending territorial regulations governing licensed hunting, angling, and trapping
- Collaborating with Yukon and trans-boundary First Nations and environmental organizations to coordinate a strategy to advocate to the federal government and international partners to take immediate action to protect salmon and restore populations to historical levels
- **Habitat protection and land use**
 - Creating management plans for Habitat Protection Areas and Special Management Area designations
 - Advancing land use planning by completing the Dawson Regional Land Use Plan, beginning planning work in other regions, and ensuring proactive engagement continues for successive plans.
 - Beginning implementation of a policy for the stewardship of Yukon's wetlands.
- **Delivering public education programming**
 - Delivering public education and youth programs on wildlife viewing and conservation to enhance environmental awareness and stewardship.
- **Others**
 - Carrying out actions to prohibit activities that may adversely affect a listed species and their habitat
 - Working with partners to streamline internal processes to ensure participation in the assessment and regulatory regime is effectively managed
 - Providing support to YESAA processes, through project reviews and effects monitoring
 - Consulting with affected First Nations (including the Tetlit Gwich'in), the YFWMB, and affected Renewable Resources Councils on regulatory changes
 - Sitting on (i.e., a representative) the following wildlife management boards, committees, or working groups, and providing technical support on fish and wildlife management:
 - The Yukon River Panel, supporting conservation and harvest management of salmon
 - The Committee on the Status of Endangered Wildlife in Canada
 - The Wildlife Management Advisory Council - North Slope

- RRCs and YFWMB
- Board between Canada and United States to coordinate conservation efforts of the Porcupine Caribou Herd, advising on monitoring, harvest data management, harvest allocation, etc.