



Ta'an Kwäch'än Council

TKC Lands Act Community Meeting No. 1 Whitehorse United Church Basement Wednesday, December 6, 2017

Attendance

Citizens:

10

Staff and Others:

John Glynn-Morris, Facilitator

Natalie Leclerc, Land Use Planning Coordinator

Cody Bateman, Environmental Assessment Technician

Phil Emerson, Renewable Resources Technician

Cynthia Harper, Minute Taker

Welcome

- Dinner was provided and **Elder** offered the prayer.
- The meeting began at 5:54 p.m. **John Glynn-Morris** introduced himself and reviewed a slide presentation.
- He noted that the main reason for the gathering was to “reboot” the community conversation about developing a Lands Act by: learning together, finding shared meaning together, considering options together and moving forward together.
- The commitment was to look to Citizens for advice and ideas that will be incorporated in the decision as much as possible.

Citizens' Hopes and Aspirations

- The following questions were asked: What is top of mind? Do you have any burning questions or things you want everyone to hear? What are your hopes and aspirations for this evening?

Citizen: Our lands map shows our rural and community lands. What does our land actually look like? What possibilities do we have — quarries, gravel sites, gravel pits — how are we going to build revenue that Ta'an can create and benefit from?

Also, a lot of our land is basically open. There are no gates to C-23. They're having fires and dropping garbage. What about the other land that we have?

Natalie Leclerc: R-5B which is our gravel pit near Deep Creek near Lake Laberge has now been gated because it has been years of problems. I think you were still working with us when we sent YG a \$38,000 invoice because they “accidentally” used our gravel pit. We got the cheque two days later. YG hadn't updated their gravel pit

database since the land claims. It has been updated since. So that's a little bit more protection. Those are things that we can definitely identify through this process.

Citizen: What was the result of the land registry? The last I heard, we were in a legal situation with a technician about the software so Council was making a decision about having our own private land-based registry, or go with YTG. Then we were getting legal advice about how to close that deal with the software. It would be nice to know how much money we put into it and we still don't have a land registry. It would be beneficial to look at the pros and cons of having a land registry.

Natalie Leclerc: A larger community information session is coming in January or February. We have ironed out a lot of the creases and it's going well now. Council and the Elders Council will also be updated.

Citizen: When do we have to start pay tax on TKC Settlement Land? I'd like to see a timeline of it.

Citizen: The taxes on some pieces of land are very, very expensive. I made a land selection for family lands that involves a number of people. My intention is to drop it because the taxes will be close to \$10,000 a year. That's much more than I can put out for a piece of land that I'll never own.

Citizen: That's information we need to know and understand. Even as a Citizen, a Councillor or a staff member — there's a lot of things we don't know about our land. If we don't understand that, what are we making legislation about?

Natalie Leclerc: We'll need to legislate gravel extraction, wood extraction. Those are good questions that we have to work through before we start typing sections of the act.

Citizen: Who is this act for? Is it just for Citizens? There is already land use like the geothermal drilling. Are they taxed? Or is this confined to us? Is this a way to rein in our use of land?

Citizen: Da Daghay Development Corporation and Mundessa Development Corporation implement a lot of our lands and we don't know anything about it. They do land swaps with YTG. Things happen and it's like — what?

Citizen: It can appear shady too because they're not government. They can make land use decisions and we can't? It might have been better to stay with Indian Affairs, if that's the case, right?

Natalie Leclerc: So, throughout this, who will be the decision-makers? The act is for Citizens and it's for Settlement Land. It's a TKC act that will be for Citizens to be applied on land. It's also so that our department can manage some stuff.

Citizen: When you start on this act, is it going to include all the lands —category A, B, C and so on?

Natalie Leclerc: Yes. We're including all the lands because of the Community Lands Bill 2014-01. The Elders Council provided Chief and Council with the recommendation that said, "No, we don't want this act because it doesn't include all of our lands." We're not going to do that again. We have the letter and the direction. The last process for the Community Lands Bill was interesting. I don't want to go through that process again. It's stressful for the community but it's also stressful for staff. We spent money and we have nothing.

John Glynn-Morris: A Lands Act is a tool but it is up to you what is in that tool and how you want to use it. It doesn't have to be anything. The benefit of a Lands Act is it allows some kind of coordination on how decisions are made.

Citizen: Will the Lands Act mirror our overlap agreements. How does that look?

Natalie Leclerc: We absolutely have to look at the overlap agreements. We have neighbouring First Nations that have Lands Acts. I was asked about what happens if we're in an overlapped area and whose act supersedes what? The Lands Act applies to Settlement Land. If there is Ta'an and Kwanlin Dün side by side, our act applies to our land and Kwanlin Dün's act applies to their land even if there's overlap. I don't know if anything else has happened with those negotiations but we absolutely have to honour that.

Citizen: Five First Nations are overlapped with us.

Natalie Leclerc: We haven't lost sight of that; we just haven't tackled that yet.

Citizen: I applied for land and I haven't got it. What am I allowed to do? Could I have a drying cache? Could I clear off the dead trees? Or would I have to wait until everything is followed through with so I know what I am allowed to do and what not to do?

Natalie Leclerc: All land applications have been suspended because we don't have a Lands Act.

Citizen: With the exception of the Hot Springs, right?

Citizen: That's what I mean. Who is the act for? Is it to rein us in — to control our use of our traditional territories? Does it also apply to people who are already using our land base? How does that happen? How does a corporation become part of a land claim?

Natalie Leclerc: It's not necessarily to "control" how you use your land but it's to provide guidance how to use your land. You might want to protect certain areas where you say some areas aren't to be touched for 100 years.

When it comes to the corporation, I don't know how that happened because I wasn't involved in that. We heard there was drilling happening. I think it was kept very high level. I can find an answer. They want to do geothermal.

Citizen: When you say "high level", what do you mean? Isn't Council kind of high level in Ta'an? Council knew there was going to be drilling but Council did not know or approved the development corporation to be involved.

Natalie Leclerc: I don't know what companies or who else is involved in it. I just know they were drilling to see the kind of temperature they could get — the return on energy they might get.

Citizen: The newspapers said it was providing opportunities for Ta'an Citizens but when I tried to find out the names of the companies that were doing business — confidential. I tried to explain to the development corporation that companies actually spend a great deal of money on advertising — but this company prefers not to have that.

John Glynn-Morris: Part of what a Lands Act could do is provide guidance on how decisions like this are made. Meanwhile, decisions are made but there isn't really anything that guides it.

Citizen: I would like to share something on behalf of a couple of Elders. They said that at one time, we had a lot of land around Shallow Bay, Jackfish Bay, Fox Lake.

One of the Elders said, “Our land is not for sale.” When you put a 99-year lease in, that’s a sale for really small dollars.

Natalie Leclerc: We’ve heard that loud and clear. I don’t want to get too technical, but it’s illegal for us to sell First Nation land. Some of the other First Nations we’re working with on the land registry don’t want the 99-year lease. Having a lease that’s longer or shorter than a standard mortgage isn’t really logical.

John Glynn-Morris: What is the fear?

Citizen: The fear of losing the land. We have lost a lot of land already and have no desire to lose any more — none. Shallow Bay, Jackfish Bay, all around down to Fox Lake — Mayo Road, all the way to the Alaska Highway. We had a lot of land at one time and we lost it all and we thought that the land claims — which was hard-fought — would bring a halt to that.

Citizen: Do the people living at Fox Lake get leases from the government on those lands?

Natalie Leclerc: They own the land. YTG allows for spot land applications. If you go out and select a piece of land, then you put in your application — you actually buy the land and it’s titled to you.

Citizen: I know that Fox Lake and on the east side of that highway is where all the land is starting to get staked up.

Natalie Leclerc: There is a freeze on spot land applications right now because we’re doing the Fox Lake Local Area Plan.

Citizen: It would be nice to have our traditional knowledge highlighted, based on corridors for our moose, caribou and say that this land cannot be staked or utilized for residential because it’s moose migration routes or something. That definitely needs to be identified.

Natalie Leclerc: A larger update on Fox Lake is also due. We’re going from phase 2 to phase 3. We surveyed a lot of people and we produced a map with traditional knowledge. Whoever we spoke to just literally circled spots so that was mapped. There’s one little spot where there isn’t any traditional knowledge overlap; it’s right where the mountains are. It’s not that area wasn’t used; it was an area that wasn’t identified.

Our two representatives on the Steering Committee — John Burdek and Norm — have been incredibly vocal about how the fish population in Fox Lake is going down; about where moose used to be but aren’t there anymore. I have been really pushing YG to listen. There has been a really positive shift in government and the Land Planning branch. It’s better than it was.

John Glynn-Morris: I’m learning to understand how that must feel — about fighting so hard to get your land back in the sense that “Why are we just giving it away again?” I want to name that as something that’s going to be a really important thing to pay attention to in these conversations. Is there a way to maintain that control of your land you rightfully have?

Citizen: What about the spot applications where people go and pick out a chunk of land?

Natalie Leclerc: It’s just for Crown land. I’m a non-Citizen; I can’t walk on to R-5 which is by Lake Laberge and measure something out and then go to YG or even TKC and say, “I want this land.” It’s your land and you are the land managers.

We need a land use plan. Carcross/Tagish First Nation, Kwanlin Dün and Ta'an are doing a joint indigenous regional land use plan for the Southern Lakes. Spot land applications can be addressed in that land use plan. We hire people to do constraints mapping because it's very technical. They look at a map and some of the features like the mountains and corridors and they can actually identify areas that are good for development.

It's up to the First Nations to work together to decide if they want to allow development there or not because Yukon government will not stop asking. Members of the public will not stop asking for land so we need to figure out how we're going to control that demand and the process that we can develop that allows for that to happen. We work with First Nations and Yukon government because Yukon government owns the Crown land so we have to work with them. They have to work with us. The decision last Friday made that loud and clear.

Citizen: There was comment before as we were building up to come to this point and the community meeting tonight that the Lands Act basically only has jurisdiction over the two percent of land that is not overlapped. What does that look like?

Natalie Leclerc: No, the Lands Act has jurisdiction on Settlement Land. Even if we're overlapped, we have jurisdiction on that Settlement Land — whether it's a C parcel in town of community lands; whether it's category A, B or an S site. There's a little chunk by Marsh Lake where we overlap Kwanlin Dün, CTFN and TKC. If we have the Settlement parcel in that little triangle where everything is overlapped, our legislation supersedes because it's your land.

Citizen: Maybe if we could just find out what all the acronyms mean so we can follow along. We don't have a map in front of us.

John Glynn-Morris: One of the first comments was about the possibilities for our land — revenue, like a gravel quarry. Also, there was a really important point that we can't lose land. Can we have both? Is there a way for you to maintain control of your land, and allow it to be used in different ways — to give it to others temporarily for things? Can those things co-exist?

Citizen: You mean leasing it out to other people?

Johns Glynn-Morris: Leasing it out for something — whether it's for revenue or what have you.

Citizen: What is the general goal? Do people want development because not everyone does? Preservation to me means just to leave the land alone. We don't need to have it all developed.

Natalie Leclerc: Because we're doing this doesn't mean that every single parcel will be developed. It's up to you — the community, Council, Elders Council, Youth Council — to decide what we develop and what we don't. C-23 is ready to go.

Citizen: Do we need to do more? Is that going to give us enough money to sustain us?

Citizen: You really can't do anything with that anyway because it's not titled so it just sits until we do get a title somewhere. A sore point with me is the land registry because it's so kept under the pillow that nobody knows what's going on. They keep pouring more and more money into it and still there's nothing — not even a two-page draft.

Natalie Leclerc: In the last two years, the land registry has been a trying time with the contractors and getting everything together but we are moving forward. I don't have all the information yet but it is coming.

Citizen: With all of the money spent, how do they know that we'll even accept it or like it? If you can't point out mistakes to them, who do you work with?

Natalie Leclerc: Actually, it will be TKC's. Right now, we're doing a collective to develop all of this. Once it's developed in draft form, it will go to the First Nations and it's up to the First Nation to enact the legislation as TKC legislation. That's where we would do some editing — take stuff out or put it in. The land registry allows us to registers land; that's it.

Citizen: How is that registry set up legally?

Natalie Leclerc: The Land Titles Act and the land registry go together and they register lands. The Lands Act will help us manage the land and manage the land in the registry.

Citizen: I'm just concerned about CYFN. It's an organization or a society. It's not a government. I don't understand how it can do an act.

Citizen: The land registry came to us at the Elders table. We didn't share the enthusiasm that the Lands Manager at the time had for it — that that contractor could do everything but walk on water; he was the best thing ever. It didn't matter how much money he wanted, he was getting it shovelled out to him. Elders just saw things differently. Then the next time we heard about it was when we were told we were going to get into litigation with him because he won't complete.

John Glynn-Morris: Given that experience, what's your best advice for us as we chart this process?

Citizen: That registry comes to us; it comes to the people. Citizen is correct that CYFN has the same legal authority as the Yukon Humane Society but the Yukon Human Society probably has more support. It's not up to them to develop anything for us; it has to be driven by Citizens or else it doesn't work.

Natalie Leclerc: CYFN isn't developing the legislation and they won't be enacting it. They will have no legal way to say you can and cannot do that. CYFN is the facilitator and the project manager and they are helping to organize. They are helping seven First Nations work on this together and collaborate on this because we don't have the capacity to do that — with seven other First Nations, it gets very messy and difficult to schedule things. But at the end of the day, it's our legislation; it's Carcross/Tagish's legislation; it's Na-Cho Nyäk Dun's legislation. Everybody that is a part of it — it will be their own.

Framing the Conversation

Reboot: Development of the TKC Lands act

- What: Ta'an Kwäch'än Council Lands Act
- Why: Ta'an Kwäch'än Council can ensure the protection of Settlement Lands and natural resources through their own legislation
- Who: the legislation will be developed and enacted and administered by the TKC government.

- When: project was reinitiated in January 2017, and projected completion is within two years.
- How: with involvement from Citizens, Chief and Council, Elders Council, governance experts and legal counsel.

Citizen: Does it go to the Chief and Council table, the Elders Council? How is it administered or discussed at the General Assembly?

Natalie Leclerc: Those are all provisions we can put in the act. It's up to Citizens to decide — when we get a land application, what do we do from there? It goes through our department, but once we accept it, then what? For certain applications, does the manager have authority? Like the drilling on R-9, should that get punted up to Chief and Council? That's all to be discussed and to be designed.

Citizen: What about the land applications that have already been submitted?

Natalie Leclerc: We need to figure out what to do with those because they're suspended right now.

Citizen: If that were true, they wouldn't be drilling, right? It undermines the process of saying land applications are on hold because they're obviously not. They're on hold for us.

John Glynn-Morris: Goals are a key point. No one is going to start writing any legislation until there is really clear direction from Citizens on what you want it to say and what goals you want it to achieve. Otherwise, it's the cart before the horse.

Citizen: It also comes down to the Citizens understanding what our land looks like. What do we have? Once we understand, then we can create management tools and legislation. A lot of us are in the dark and don't know what value we have. If we could get that explained, then we can make our decisions.

Natalie Leclerc: Do you think that might fit into our next meeting that's planned for the winter?

Citizen: Yes.

Ta'an Kwäch'än Council Self- Government Agreement

13.0: Legislative Powers

13.3: The Ta'an Kwäch'än Council shall have the power to enact laws of a local or private nature on Settlement Land in relation to the following matters:

- 13.3.1 use, management, administration, control and protection of Settlement Land;
- 13.3.2 allocation or disposition of rights and interests in and to Settlement Land, including expropriation by the Ta'an Kwäch'än Council for Ta'an Kwäch'än Council purposes;
- 13.3.3 use, management, administration and protection of natural resources under the ownership, control or jurisdiction of the Ta'an Kwäch'än Council;
- 13.3.4 gathering, hunting, trapping or fishing and the protection of fish, wildlife and habitat.

What does this mean?

- Overall protection of Settlement Lands

- A process to handle the use and enjoyment of land
- Penalties and fines for misuse or destruction of lands or resources (e.g. poaching of wood, unauthorized creation of new roads/trails)
- Construction of housing with a methodical approach and establishment of bylaws
- Process for land use planning and zoning of Settlement Lands
- Others matters TKC and Citizens see as necessary

Citizen: What is that “methodical approach?”

Natalie Leclerc: I’ll use C-23 as an example. It’s divided into 27 lots now but let’s pretend that it hasn’t been divided into lots. It would be like, “Hey, here’s C-23. Build on it.” Everybody would rush and build in spots and it wouldn’t be organized. It wouldn’t be thought out. A methodical approach would be — let’s take this chunk of land, divide it into lots, register stuff properly — if that’s the way that we’re going — and have some sort of consistency with how people can build or how larger developments can happen. It’s like with the city with the building code and how they have some of their Official Community Plan and zoning. It’s just so that it’s not a free-for-all.

Citizen: There are Settlement Lands and what other kinds of lands?

Natalie Leclerc: You have Settlement Lands and they’re divided into a couple categories: A and B. With A, you have surface and subsurface rights. With B, you only have surface rights.

Then there are C lands, R blocks, and S sites. C lands are community lands within the municipal boundaries of Whitehorse; R blocks are outside of the municipal boundary and S sites are site-specifics that are areas that were negotiated during the land claims as special areas.

John Glynn-Morris: What is the difference between a Lands Act and land use planning?

Natalie Leclerc: The land use plan is a guideline. It provides you with recommendations and it provides you with some sort of direction. The Lands Act is the legislation that allows you to do certain things.

Citizen: Wouldn’t our land use planning for our Settlement Lands be in the Lands Act?

Natalie Leclerc: It would be after that.

Citizen: There would be two separate documents?

Natalie Leclerc: Land use planning for Settlement Land would be part of implementation for the Lands Act.

Citizen: What about the City of Whitehorse? How does that incorporate into our Lands Act?

Natalie Leclerc: We need to consult with them and talk to them about some of the things that we want to do. Right now, Council has the power to enact a bylaw if you want to build on a parcel. In the self-government agreement, we’re kind of blanket “City of Whitehorse.” Where some of the houses are in town, they have to abide by City of Whitehorse policy and bylaws. If we wanted to get rid of that, we would have to negotiate with them how we would develop bylaws because they don’t want it to be totally different because it’s within the contiguous boundary of the City of Whitehorse — but there is wiggle-room.

Kwanlin Dün is doing that right now and they're running into some obstacles — they're speedbumps — but they're working through that. I've been talking lately with a lot of First Nations that have lands legislation or that are developing it so we're learning. Kwanlin Dün is kind of testing a lot of stuff and they're finding little hiccups. But at the end of it, it will benefit us when we go into that — not necessarily Kwanlin Dün did this so we have to do this — but it's learning some of the process and some of the speedbumps that they've run into.

Citizen: How closely do you guys work together?

Natalie Leclerc: We don't share a ton of information but I see John Meikle and John Pattimore once a week, if not more.

Citizen: It might it be helpful in your land use planning if you engage some of the original land claims negotiators so we have a better idea of what those lands were originally selected for. There has been a couple of generations and a gap. So, I think it would give us a framework. It's hard for us now to know what our values are towards those specific S sites — especially the C sites. It would be good to know the relevance of why those were selected in the first place. What were the values on those specific parcels of land that drove us to select that, rather than other selections? Were we limited in what we could pick? It might help frame the plan.

Citizen: But we also need to know who our negotiators were.

Current process (as of January 2017)

- Motion 2017-01-11 (January 7, 2017): “As per Elders Council direction from July 25, 2016 letter, Council to defeat the Community Lands Bill 2014-01 and the Lands and Resources Act and to commence work on the new Lands Act 2017.”
- Motion 2017-07-07 (July 19, 2017): “That Council supports Woodward & Company to be hired as the legal firm to undertake the work required to completed the Lands Act 2017” — defeated.
- Motion 2017-09-13 (September 7, 2017): “That Council instructs TKC Administration to design a public consultation process to seek input from TKC Citizens with a vision of passing a Lands Act.”

Citizen: Do you have any other acts underway like gas and oil, mining, minerals?

Natalie Leclerc: All of those, in theory, could fit under here.

Citizen: I just thought it was something by itself and not part and parcel of our lands. So, it's the regulations that are apart.

Natalie Leclerc: I'm not going to say yes or no because that's your decision but it could possibly happen. Like theoretically, yes; in real life, no.

Break from 6:57 to 7:08 p.m.

Our Shared Story

Participants were divided into groups of two to discuss the following questions:

- What does “Lands Act” mean to you?
- How has the journey to develop a Lands Act impacted you?
- What have you heard others say about their journey?

Laying the Foundation

- This is not the first time Ta'an Kwäch'än Council has tried to develop a Lands Act. Reflecting on past attempts: What worked? What did not? What did we learn?

Citizen: We learned not to have a lawyer on this end of it.

Citizen: We made that change to develop our act before we provide them with the advice of legislation. We are doing it in a different approach or process.

John Glynn-Morris: What was the problem? Was it that the lawyer wasn't reflecting the goals, aspirations? What was the issue?

Citizen: It was right from the get-go. The Lands Manager was asked to produce the names of lawyers and produced the names of three or four lawyers from Alberta and one from the Yukon but then said, "Well, it will take too long for those other lawyers to get up to speed so we'll hire the lawyer from the Yukon" who just happened to be a close friend.

From there, that lawyer developed a Lands Act and brought it to us over a series of meetings. At every meeting, we would ask for changes and they would write it down, but not ever was one word changed in that document. She said she didn't have the authority — although she couldn't tell us how she got the Lands Act in the first place. She kept saying it was not written in stone but it was. We talked for about a year to try to get some changes and it didn't happen. I think that lawyer purchased that Lands Act from another lawyer and probably didn't have permission to change it.

Citizen: Before we went into this episode of the lawyers that Diane talked about, we had another lawyer for a number of years and that cost a bucketful of money. We were making progress. He came up with drafts but the thing is, there again, we couldn't make changes. We practically had to fight him a number of times to stand still to make changes. The end result was we all broke up in disorder and he went home eventually and the Lands Act fell by the wayside at that time as well. We haven't had very good luck with lawyers at the very beginning. I know you need them, of course, to put it together at the end.

Citizen: What if we need to redefine or refine the goals along the process? Maybe the Lands Act just has to really hold on to the land for a lot longer until that comes out — so it's just not being taken over and used by other people. So, we can just put a hold on everything as we work through the process. It's really complicated and we have to think long term. Real consultation can be a long process.

John Glynn-Morris: A lesson is: If Citizens don't see their goals, hopes and aspirations reflected, we're in trouble again.

Natalie Leclerc: I don't understand why Citizens couldn't make changes to their own legislation. I don't know why you were told "no".

Citizen: We weren't actually told "no". We had our first meeting at the Gold Rush Inn and we went through everything. We thought we brought up some really good points. We had a meeting a couple of days later knowing that the stuff was all written on flipcharts — and it was exactly the same. When we asked why, the Lands Manager started crying so it made us look like a bunch of bullies. It worked; tears are good.

So, we had the next meeting, it was exactly the same. It went on for a year. Citizen and Citizen were there. The lawyer would say, "This is not written in stone." We

would say, “Why don’t you change that?” I think she was paid by the word because she would say about 400 words but it didn’t mean anything.

Citizen: Anything we said wasn’t implemented into the development of our Lands Act. What was the point of our community meetings and engagement because nothing was changed? None of the wording that we put forward was written into the document.

Citizen: Like I said, maybe she bought it from another lawyer. I believe she did because it was similar to some other ones and she wasn’t allowed to make any changes. At the end, she started blaming the Chief for it and said the Chief has to make the changes.

Citizen: It’s easier to follow along when we have the visuals and maps. It’s important to have on the website or wherever.

Citizen: It’s also valuable for our youth who are coming up to understand what land we have. There are heritage sites all along Lake Laberge. For them to see that — some of them have never been across the lake or down the lake to Thirty Mile or Hootalinqua. Being able to draw out mapping for that process — the old vetting of where the camps or homes used to be on the west shore of Lake Laberge need to be identified because that land and area tells a story — and who we are and where we came from.

Citizen: I want to bring something else up about the first lawyer we had. A number of times we brought up about the fact that the TKC land is our land and it should belong to the Citizens of TKC — period. We can look to leasing out community lands to other people but under special provisions. But the lawyer we had said, “No, you can’t do that. All your lands have to be open to everyone because you would be infringing on their rights. They could sue you. They could do this and that.”

I know they have something written up at Champagne and Aishihik First Nations where their precious lands are reserved for their own people. I’ve always said to talk to Dave Joe. He knows exactly how to get around that, but no one ever did.

Citizen: I don’t understand how we could negotiate a land claims, based on our traditional use of the land, and then have someone tell us that we have to open it up to everybody.

Citizen: I think the reason why the lands bills are all faulty and never followed through on was because the process was done in wrong manner. It was given to the lawyers to develop for us. We were like, “No, you’re not complying with benefits for the Citizens.” This process is a lot better because we are actually developing it before they can do the review, putting in proper legislation. That’s a process that the lawyer will have to work with us as well. He will sit with us at a table like this and we will all be in that discussion.

Designing a Meaningful Process

- How would you like to participate?
- What will make the process successful?
- What commitment are you willing to make?
- How might others wish to participate?

Citizen: Taking pride in what we are trying to figure out. You can't anything done if you're slacking. It's best to take pride in what you're doing — make the best of things and get all the people involved.

Citizen: Trying to encourage all TKC Citizens in the Yukon to come out to these community engagements. We need everyone's input.

Citizen: But how are we going to do that?

Citizen: Just by talking and word of mouth and saying, "I really encourage you to come. Please make the effort to come out. It's an amazing good step forward for our First Nation government." That's how people will be aware of it and also be educated through it. They can also provide their advice and thoughts. What do they feel if they're not being heard? Just trying to encourage everybody as much as possible to get out for the engagement in January or February. The one out on the land has a really great aspect to it, because a lot of the time, we connect more out on the land. A lot more things come up for us.

John Glynn-Morris: We know some people might have wanted to be here but can't. But we also know some people just don't work well in this kind of format. It's kind of like a restaurant; it's nice to have a menu, to have choices. At the General Assembly, you had an online survey. Is there value in us giving people a bunch of options — doing things like this, having an online survey, maybe having tea one on one. Should we work hard to provide options? will that make a difference?

Citizen: Yes.

Citizen: It would reach out possibly to others. There are still people who just don't even come at all. Some say they don't get mail. They somehow just don't get the information. I got mine through the mail so that's pretty much the reason why I'm here. Maybe some people just don't have transportation.

Citizen: Home visits are great — just giving options to participate and trying to engage all the Citizens.

Citizen: Maybe like how we had at the GA where people go around to each family and have meetings.

Natalie Leclerc: This initial survey asks exactly what we were asking: What are your hopes and aspirations? I got some really good answers.

Also, it says: "The Lands, Resources and Heritage (LRH) department will be consulting with citizens in several different ways. Please tell us how you want to be involved (check all that apply)".

The options were — and still are:

"I want to attend public meetings where the entire community is involved."

"I want a Family Meeting."

"I want to be interviewed with a series of questions in a formal setting." We're working on an online survey that can be print as well with set questions that people will be able to answer.

"I would prefer a one-on-one discussion with a staff member from LRH in an informal setting." If people want to have tea, I can do that. If you want to have a conversation on the phone, I can do that. If you want me to come to your house, I can do that. If you want to go somewhere on the land and have the conversation, I can do that.

"Other (example: online survey)."

Citizen: Family meetings are good. We need as many tools; there's no right or wrong. Some people read well; some people don't. Some people need visual aids. Council members especially need a communication package that we can give to people in our family when they ask — like in digital, or a paper one. I don't know the Lands Act inside out but as a Council member it would be nice to say, "Here it is." If we're relying on Councillors to pass on information, we need communication tools.

Natalie Leclerc: Internally, we're on working on timelines with the newsletter because I wasn't able to put this meeting in the newsletter. There's a bit of a Lands Act spread. The survey is going to be shoved in but just timeline-wise, it hasn't been working out. We have been talking about monthly updates.

Citizen: What about TKC doing those calendars? You should still put in there that we did community Lands Act tonight even though it's past so that people are aware and say, "When is the next one? And they'll look forward to that in January or whenever.

Natalie Leclerc: I'll be doing an update for Council. The landsact@taan.ca e-mail address — people who have filled out the survey and who want to be emailed to be updated have provided me with e-mail addresses. I've already sent out a couple of emails from that address. I'm trying to explore all different means of communications — and they're meant to be forwarded.

Citizen: Another good engagement would be with the youth group.

Natalie Leclerc: We put out the expression of interest and John was the only one who actually proposed something for youth. He has worked with BYTE [formerly Bringing Youth Towards Equality, but now BYTE — Empowering Youth Society]. As you know, we haven't really any youth around, other than a few, and they are the next generation.

John Glynn-Morris: Our goal is to design this as meaningful a process as possible but it's only going to work if Citizens participate.

Citizen: This is probably going to make people uncomfortable, but I don't care — been there, done that. There are people who don't have enough money to come downtown to this meeting — let alone drive downtown for any reason. They're either on SA or unemployed and picking up odd jobs wherever they can. It's a struggle for people. There's no luxury in their lives. When Ta'an quits blowing hundreds of thousands of dollars on lawyers and starts doing that to our Citizens, then maybe we can get more people buying in to this process. I say it every day and I say it at every Council meeting but it goes in one ear and out the other. We're all equal but some are more equal than others.

John Glynn-Morris: Someone mentioned transportation. What can we do to make it maybe a little bit easier? Do we need to go to these folks?

Citizen: As far as this process goes, a ride might help — if they can see beyond scrambling to survive — to get involved with something else.

Citizen: There is oppression within the TKC government. There is oppression with some Citizens. I think the fundamental building blocks for pride in oneself is to have a home. We need to have housing for our Citizens but also to have our Citizens build those homes. Instead of contracting it out and giving money away, why don't we develop proper processes for our Citizens to be the contractors, the developers, the engineers for our government? Ultimately, this government was created by the Citizens, it's for the

Citizens and we need to have our Citizens be proud of themselves and of our First Nation.

John Glynn-Morris: However, this journey through lands and housing unfolds, we need to ensure that Citizens benefit the most.

Citizen: The purpose is for Citizens to benefit from this act being developed and implemented.

Natalie Leclerc: The last process was very siloed. I know there are Councillors, youth, Elders and staff in the room but you don't belong in any silo; you're a Citizen. I want to hear from Councillors, Elders and youth as Citizens. I want to do my best so that everybody has an equal voice and you're an equal Citizen.

What Success Looks Like

- What do we want a Lands act to achieve?
- Imagine it is 2025. TKC has been implementing their 2020 Lands Act for five years: What would success look like? What would failure look like?

Citizen: Success would be to wake up every day and be happy of who you are and be comfortable and appreciative of the life you have.

John Glynn-Morris: If we're successful with a Lands Act, what is it achieving that's successful? What are those goals?

Citizen: Everything running smoothly.

Citizen: It comes back to providing housing for our Citizens with the land we have. Also, providing land for harvesting for our people because ultimately, that's who we are — to be able to get out there and collect our medicine, our food and to take our children hunting.

Citizen: Because we don't want to lose our traditions.

Citizen: The land has to be affordable to live on as well. Success is when we have a completed Lands Act that doesn't contain 400 pages — say it's only 23 pages — straightforward and clean.

Natalie Leclerc: Kluane First Nations's is tiny and it works. They've had to do some amendments, which we may have to do.

Citizen: But they also don't have a lot of implications like we do. They have solidarity in their land. They don't have to share it with anybody. They don't need overlap agreements. They don't have to share it with the City of Whitehorse. We have major challenges that we have to deal with.

John Glynn-Morris: If it has to be complex, it has to be for the right reasons.

Citizen: Our Lands Act has to be clearly defined in concepts like liability issues; the penalties and what's going to happen if there are disturbances, like hunting or harvesting of wood and that sort of thing. But also, looking at the pros of it with economic development that would come to royalties to TKC as a whole. Maybe that concept will never be utilized, but it needs to be in there even for how the future rolls out. You never know what is going to happen so we want to make sure that all the avenues are covered within this act so that we don't have to worry about re-edits or whatever.

Natalie Leclerc: We may have to do amendments. That's just something that some of the other First Nations have gone through. You have your Lands Act and you implement it. Then you may need to grease some wheels and you need to fine-tune some

things. That is likely in the future but it doesn't have to be major and it doesn't have to be a lengthy process if we get this right.

Citizen: I was looking at the bottom sentence, "What would failure look like?" This is easy to answer. Do you see a Lands Act here? No, you don't. Do you see us sitting up straight and not slumped over and sad? That's what failure looks like. What a goofy sentence.

John Glynn-Morris: The reason I ask it is sometimes it might be harder for people to understand what they want — but they do know what they don't want.

Citizen: When we get the overlap with other First Nations straightened out, that will be good.

Citizen: I would like this act to be a positive for our Citizens — not down the road saying, "Gee, I wish we hadn't started that process because this is what happened."

Natalie Leclerc: I know it's still uneasy, especially to have these conversations, but I hope that once we gain momentum, you're actually going to want to come and you're going to bring family members. My goal for this meeting next year is to have 100 people.

Close and Next Steps

- Now what? The "learning together" chapter has begun. Next steps are finding shared meaning together, considering options together and moving forward together.
- Participants were invited to share their feelings at the moment. Responses included: gratitude, hopeful, powerful, we're getting somewhere, encouraged, excited, hope we're on the right path, thankful we're finally moving.

The community meeting concluded at 8:10 p.m.