



REVIEW OF INCLUSION AND CONSIDERATION OF
TR'ONDĚK HWĚCH'IN VALUES, WAY OF LIFE, AND
TRADITIONAL KNOWLEDGE IN THE DRAFT
DAWSON REGIONAL LAND USE PLAN

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REVIEW OF THE DRAFT DAWSON REGIONAL LAND USE PLAN (OCTOBER 2021)

A. INTRODUCTION

This review of the Draft Dawson Regional Land Use Plan (DRLUP) (released in June of 2021) examines how Tr'ondëk Hwëch'in ways of being, doing, and knowing are integrated into the Draft DRLUP. It looks at how well the Draft DRLUP includes and considers Tr'ondëk Hwëch'in way of life, values, and traditional knowledge and experience.

This review also looks at how the Draft DRLUP aligns with the Tr'ondëk Hwëch'in Final Agreement objectives and obligations for planning as they relate to consideration of traditional knowledge. The Final Agreement Chapter 11 on Regional Land Use Planning sets out a planning process whereby Tr'ondëk Hwëch'in way of life, values, and traditional knowledge and experience are to be incorporated into planning. This review examines how the Draft DRLUP meets these requirements.

The review of the Draft DRLUP examines the consideration of Tr'ondëk Hwëch'in way of life, values, and traditional knowledge and experience by looking at:

1. the legislative context for requiring their consideration and the alignment of the Draft DRLUP with those requirements;
2. the stated intention of the Dawson Regional Planning Commission (DRPC);
3. sources and techniques used by DRPC;
4. the Draft DRLUP Plan process – the stages of planning as described in the Draft DRLUP;
 - clarity and transparency in the process;
5. the Draft DRLUP document (main focus of the review):
 - specific naming of Tr'ondëk Hwëch'in;
 - use of Hän language;
 - portrayal of traditional knowledge or traditional land management practices;
 - specific identification of Tr'ondëk Hwëch'in values;
 - explicit addressing of Tr'ondëk Hwëch'in values.

Section B of this report provides overall observations from the review of the entire Draft DRLUP. Section C summarizes the observations on each of the five questions listed above. Sections D – I provided a detailed section by section review of the Draft DRLUP. Each section of this report also includes recommendations on how the DRLUP could better address Tr'ondëk Hwëch'in way of life, values, and traditional knowledge and experience and be more aligned with the Final Agreement provisions for planning. This report has been prepared for Tr'ondëk Hwëch'in who are reviewing and developing a submission on the Draft DRLUP.

B. OVERALL OBSERVATIONS AND RECOMMENDATIONS

It is clear that the Dawson Regional Planning Commission (DRPC) has done a lot of work to prepare the Draft DRLUP, especially in Sections 4 and 5 on the General Management Directions and the Landscape Management Units. The Draft DRLUP introduces new approaches from previous regional plans in the Yukon by including detailed consideration of wetlands, introducing the concept of stewardship, and addressing missing and murdered Indigenous women and girls, two spirit, and other genders (MMIWG2S+), which are important to Tr'ondëk Hwëch'in. Overall however, the Draft DRLUP does not fully integrate Tr'ondëk Hwëch'in way of life, values, and traditional knowledge and experience throughout all aspects of the Plan. As such the Draft DRLUP does not clearly and transparently address the Final Agreement provisions for planning as they relate to the consideration of Tr'ondëk Hwëch'in cultural distinctiveness, knowledge and experience.

The following are overall observations about the Plan in regards to above, followed by recommended changes to address areas of concern. There are more examples of these topics in the detailed review sections D-I that follow.

B.1. TR'ONDËK HWËCH'IN CULTURAL DISTINCTIVENESS AND ALIGNMENT WITH FINAL AGREEMENT

The Tr'ondëk Hwëch'in Final Agreement requires all aspects of regional planning, and Commissions in particular, to address Tr'ondëk Hwëch'in way of life, values, and traditional knowledge, and experience as a plan is developed, approved, and implemented.

The Tr'ondëk Hwëch'in Final Agreement Recital clauses that precede the Tr'ondëk Hwëch'in, and the governments of Canada and Yukon approval signatures provide the facts that:

“the parties to this Agreement wish to recognize and protect a way of life that is based on economic and spiritual relationship between Tr’ondëk Huch’in and the land;
the parties to this Agreement wish to encourage and protect the cultural distinctiveness and social well-being of Tr’ondëk Huch’in”.

The Tr'ondëk Hwëch'in Final Agreement Chapter 11 Land Use Planning includes several clauses directing how Tr'ondëk Hwëch'in ways of being, doing, and knowing are to be addressed in regional planning:

11.1.0 Objectives:

11.1.1.3 to recognize and promote the cultural values of Yukon Indian People;

11.1.1.4 to utilize the knowledge and experience of Yukon Indian People in order to achieve effective land use planning.

11.4.5 Regional Land Use Planning Commissions

11.4.5. In developing a regional land use plan, a Regional Land Use Planning Commission:

11.4.5.5 shall use the knowledge and traditional experience of Yukon Indian People...;

11.4.5.6 shall take into account oral forms of communication and traditional land management practices of Yukon Indian People;

11.4.5.7 shall promote the well-being of Yukon Indian people, other residents of the planning region, the communities, and the Yukon as a whole, while having regard to the interests of other Canadians.

Many other clauses of Chapter 11 address Tr'ondëk Hwëch'in's role and authority in planning and other matters of importance to Tr'ondëk Hwëch'in, but these clauses in particular clearly state the objectives and obligations related to inclusion and consideration in planning of Tr'ondëk Hwëch'in way of life, values, knowledge, and experience.

It is not apparent how the Draft DRLUP aligns with the directives in the Final Agreement related to Tr'ondëk Hwëch'in values, way of life, and traditional knowledge as follows:

Final Agreement Recital clauses:

the parties to this Agreement wish to recognize and protect a way of life that is based on economic and spiritual relationship between Tr'ondëk Huch'in and the land; and the parties to this Agreement wish to encourage and protect the cultural distinctiveness and social well-being of Tr'ondëk Huch'in.

- the “cultural distinctiveness” of Tr'ondëk Hwëch'in is not strongly evident, portrayed, or addressed in the Draft DRLUP;
- Rather than name Tr'ondëk Hwëch'in specifically, the Draft DRLUP most often uses generic terms like “First Nations” or “community”. As a result, Tr'ondëk Hwëch'in is not recognized and it is unclear who the generic terms refers to. In several places, the Plan compares and equates addressing Tr'ondëk Hwëch'in values with addressing everyone's in the region. By doing this, the Plan does not respect, recognize or promote Tr'ondëk Hwëch'in's distinct way of life, values, and rights in the region;
- Tr'ondëk Hwëch'in's distinct cultural values are explained inaccurately and are often lumped into generic and vague references to ‘community values’ or ‘socio-cultural values’. They are not explained in the way Tr'ondëk Hwëch'in identifies them.

11.1.0 Objectives:

11.1.1.3 to recognize and promote the cultural values of Yukon Indian People.

- Values, as described by Tr'ondëk Hwëch'in in their April 2019 (Issues and Interests Report and Additional Documents) and December 2020 (Conservation Priority Assessment: Ninänkäk hozo wëk'ätr'ënhcha (we take good care of our lands)) submissions to the DRPC, are not clearly identified and addressed in the Draft DRLUP, specially the broader values of Tr'ondëk Hwëch'in relationship with the land with values such as cultural continuity and cultural landscape;
- The Draft DRLUP is not clear and explicit when it addresses cultural values; therefore, it is not evident whether or how Tr'ondëk Hwëch'in values were addressed in much of the Plan.

11.1.1.4 to utilize the knowledge and experience of Yukon Indian People in order to achieve effective land use planning.

- The Draft DRLUP makes few direct references to if or how the DRPC used Tr'ondëk Hwëch'in traditional knowledge and experience in preparing the Plan, or how traditional knowledge is to be applied in the Plan recommendations;
- While some of the Draft DRLUP concepts reflect some of the concepts in the Tr'ondëk Hwëch'in submissions (primarily in Plan section 5), in many sections the Plan does not portray how and where the use of Tr'ondëk Hwëch'in traditional knowledge and experience was incorporated.

11.4.5 Regional Land Use Planning Commissions:

11.4.5. In developing a regional land use plan, a Regional Land Use Planning Commission:

11.4.5.5 shall use the knowledge and traditional experience of Yukon Indian People.

- See comments on 11.1.1.4.

11.4.5.6 shall take into account oral forms of communication and traditional land management practices of Yukon Indian People.

- It is not apparent if and how oral forms of communication, such a storytelling, were used in the Plan
- There is limited Hän language;
- At present, it is unclear if and how traditional land management practices were considered and incorporated;
- While a few of the Draft DRLUP concepts reflect some of the traditional land management practices and concepts in the Tr'ondëk Hwëch'in submissions - primarily stewardship - the concept is: 1) not effectively explained, 2) does not portray the distinct Tr'ondëk Hwëch'in ancestral responsibility for stewardship; and 3) is not fully integrated throughout the Plan;
- While the Draft DRLUP includes some of the Tr'ondëk Hwëch'in values for conservation, it has not integrated Tr'ondëk Hwëch'in land management practices that respect land as an integrated whole, as explained in their submission Ninänkäk hozo wëk'ätr'ënòhcha (we take good care of our lands) (Dec 2020).

11.4.5.7 shall promote the well-being of Yukon Indian people, other residents of the planning region, the communities, and the Yukon as a whole, while having regard to the interests of other Canadians.

- The Draft does not explicitly address the well-being of Tr'ondëk Hwëch'in as well-being is defined by Tr'ondëk Hwëch'in in its description of values in the two submission to the DRPC.

In general, the Plan addresses cultural or “socio-cultural” values but does not achieve the Objective of recognizing and promoting Tr'ondëk Hwëch'in cultural values because:

- Tr'ondëk Hwëch'in cultural distinctiveness is not fully recognized;
- Tr'ondëk Hwëch'in values are not described in the way Tr'ondëk Hwëch'in describes them based on traditional knowledge and experience;

- Generally, the description of cultural values focuses on resource, sites, and uses without addressing Tr'ondëk Hwëch'in's broader way of life, and reciprocal and enduring relationship with the land, with all the associated and broader values such as cultural continuity and cultural landscape;
- By generally taking a siloed approach to land, people, economy the Plan does not adequately capture Tr'ondëk Hwëch'in's relationship with the land;
- The Draft DRLUP approach to sustainable development is not in keeping with Chapter 11 and the Final Agreement Definition;
- The lack of explicit consideration of Tr'ondëk Hwëch'in values, along with the Draft DRLUP problems with structure and consistency, means there is a lack of clarity and transparency in what cultural values were recognized and promoted.

Recommended changes in DRLUP:

- Tr'ondëk Hwëch'in has submitted documents (April 2019, December 2020) that describe Tr'ondëk Hwëch'in values and our way of life, which should be used to inform the Plan. They explain Tr'ondëk Hwëch'in cultural values, which the Plan is to promote. They are based on traditional knowledge and experience, which the Final Agreement requires the DRPC to use;
- Throughout the DRLUP, recognize and promote the cultural distinctiveness of Tr'ondëk Hwëch'in and their identity as Dënezhu. As recognized in the Draft Plan, this region is a unique mix of people, history and values. The DRLUP is the opportunity to address how the distinct values of Tr'ondëk Hwëch'in co-exist in a unique way with the other residents and the stakeholders in the region, each with their own history and attachment to the region;
- Rather than equate or lump Tr'ondëk Hwëch'in into generic groups, the DRLUP should recognize Tr'ondëk Hwëch'in's cultural distinctiveness, which co-exists in this unique region with other people who each have their own history and values (e.g., pg 20, 21).

B.2. TR'ONDËK HWËCH'IN WAYS OF BEING, DOING, AND KNOWING

Tr'ondëk Hwëch'in way of life, values, knowledge and experience are not fully integrated throughout the Draft Plan. The Draft Plan does not clearly portray and integrate the intertwined relationship between the land and Tr'ondëk Hwëch'in and how that relationship is fundamental to Tr'ondëk Hwëch'in identity and all aspects of well-being. The Draft Plan does not integrate the Tr'ondëk Hwëch'in Tr'ëhudè – “how to live in a good way, our way of life, our law”.

In April 2019 and December 2020 Tr'ondëk Hwëch'in provided comprehensive submissions that describe who Tr'ondëk Hwëch'in people are as Dënezhu and the Tr'ondëk Hwëch'in way of life Tr'ëhudè. They clearly describe Tr'ondëk Hwëch'in values and way of life based on traditional knowledge and experiences. The way of life and values as described by Tr'ondëk Hwëch'in in these submissions are not reflected in the Draft DRLUP.

While the Draft DRLUP addresses cultural values, most often described generally or as “First Nation” or “community” values, it does not capture what the Tr'ondëk Hwëch'in submissions provided to explain their distinct values and way of life (April 2019 and December 2020). The Final Agreement

Objective “to recognize and promote the cultural values of Yukon Indian People” is not referenced in the Plan, nor is it captured in the Plan Principles.

- Stewardship is introduced as a Principle, but requires further explanation and integration throughout the Plan and its recommendations, particularly in how it contributes to the Chapter 11 Objective to recognize and promote cultural values;
- Nän kāk ndä tr’ädäl - On the Land We Walk Together is introduced but requires further explanation and integration throughout the Plan and its recommendations;
- Tr’ondëk Hwëch’in way of life, values, knowledge, and experience are frequently portrayed under “heritage and culture”, with a focus on uses, resources and sites. While these are significant values, the more wholistic intertwined Tr’ondëk Hwëch’in relationship with the land and its significance to Tr’ondëk Hwëch’in is not fully captured.

Recommended changes in DRLUP:

- Recognize and promote Tr’ëhudè into the plan. Describe and better integrate the Tr’ondëk Hwëch’in relationship with the land that is fundamental to Tr’ondëk Hwëch’in identity, way of life and all aspects of well-being.
- Tr’ondëk Hwëch’in values should be included and considered more explicitly and wholistically. For example, explicit consideration of Tr’ondëk Hwëch’in relationship with the land means consideration of cultural values such as cultural landscape and continuity together with ecological values such as ecological integrity, along with measures to protect heritage uses, resources, and sites.

B.3. DAWSON PLAN AND RECONCILIATION

Although all Yukon regional land use plans are rooted in the Final Agreements, the DRLUP is being developed at a different time in history than either of the first two Yukon Plans. This Plan is being developed in the context of the Truth and Reconciliation Commission, the United Nations Declaration on the Rights of Indigenous Peoples, the Supreme Court of Canada ruling on the Peel case, and in the context of a state of climate emergency.

This DRLUP is being developed at a point in time of reconciliation, where the modern day treaties such as the Tr’ondëk Hwëch’in Final Agreement “play a critical role in fostering reconciliation”, which “will not accomplish its purpose of fostering long term relationships between Indigenous peoples and the Crown if it is interpreted in an ungenerous manner”. “Reconciliation is found in the respectful fulfillment of a modern treaty’s terms.” (Nacho Nyak Dun v. Yukon. 2017 SCC 58)

Plans being developed today need to reflect this evolving context of reconciliation.

The Draft DRLUP:

- refers to using the framework of previous Yukon regional plans, without any recognition of the changed planning context;

- predominantly follows the western science paradigm of the previous plans, and does not effectively integrate Tr'ondëk Hwëch'in values into its approach;
- frequently does not name Tr'ondëk Hwëch'in and does not describe Tr'ondëk Hwëch'in ways of being, doing and knowing in the way Tr'ondëk Hwëch'in identifies them;
- reflects colonial approaches, for example, by lumping and equating Tr'ondëk Hwëch'in values with all others.

The Commission has the opportunity with the DRLUP to lead the way with a plan that reflects this new context of reconciliation. Bringing in the Stewardship Principle is a step forward, but more work is needed to integrate the Principle and Tr'ondëk Hwëch'in values throughout the Plan.

Recommended changes in DRLUP:

- DRLUP Context section should describe these shifts in the context for planning and their implications for the need for planning to ensure plans are based in truth about Indigenous experience, and respect Indigenous ways of being, doing and knowing;
- The Commission should seize the opportunity of the DRLUP to lead the change required in plans for reconciliation.
- The DRPC can acknowledge Tr'ondëk Hwëch'in distinctness, rights, Tr'ëhudé, without diminishing the recognition of other residents and stakeholders in the region. As Tr'ondëk Hwëch'in stated in its 2019 submission, “we believe there are many truths and perspectives and together they make us stronger”.
- All aspects of the Plan should be informed by Tr'ondëk Hwëch'in traditional knowledge, the DRPC should be explicit and make transparent how they have used traditional knowledge to draft the Plan;

B.4. SUSTAINABLE DEVELOPMENT

Sustainable Development is a concept that the Planning Chapter 11 of the Final Agreement explicitly addresses in two places;

- (1) Objective 11.1.1.6 *“to ensure that social, cultural, economic, and environmental policies are applied to the management, protection and use of land, water and resources in an integrated and coordinated manner so as to ensure Sustainable Development.”*
- (2) 11.4.5.9 *“In developing a regional land use plan, a Regional Land Use Planning Commission shall promote Sustainable Development”.*

The first line of Section 1.6.2.1 of the Draft Plan suggests that Chapter 11 presents sustainable development as a guiding principle for planning. It also states that the Commission considered the lens of Sustainable Development “first and foremost”. None of these Chapter 11 Final Agreement clauses establish Sustainable Development as a “guiding principle” and there are many other clauses that direct planning. For example, Chapter 11 Objective to *“recognize and promote the cultural values of Yukon Indian people”* is an especially significant directive for planning. The Commission has chosen to centre Sustainable Development as a guiding principle while the Objectives and other directives

laid out in Chapter 11 are equally important. Objective 11.1.1.6 is about the integration and coordination of policies so that Sustainable Development can be ensured. The 11.4.5.9 clause directs the Commission, but there are nine other directives to the Commission in that section, including “*promote the well-being of Yukon Indian People*”.

The Final Agreement provides the definition of Sustainable Development to be used in planning:

“means beneficial socio-economic change that does not undermine the ecological and social systems upon which communities and societies are dependent.”

This definition captures the balancing required of “socio-economic change” - that it is beneficial and does not undermine the ecological and social systems we depend on. The descriptions in the Draft DRLUP of sustainable development and of balance between various land uses strays from this definition. In the Draft DRLUP sustainable development is presented mostly from a western science perspective as a mix of environment/economy/people with the need to establish trade-offs between competing, conflicting land uses.

In many places, Sustainable Development is the only Plan Principle identified of the five guiding Principles in the Plan. For example, “the Plan is guided by the principle of sustainable development” (pg. 13). In contrast to this focus on sustainable development, the Chapter 11 Objective to recognize and promote cultural values, is not referenced, nor is there any explicit analysis and description of how is to be achieved in the Plan.

Recommended changes in DRLUP:

- Add clarity around the provisions within the Final Agreement that direct planning, including those related to Sustainable Development, but also the other Objectives and clauses of Chapter 11. Don’t single out Sustainable Development as “first and foremost”.
- Use the Final Agreement definition of Sustainable Development to guide the balancing of land uses in the region – while this definition is referenced, it is important that the Plan does not undermine the ecological and social systems, such that the use of the definition is actually and effectively applied. Because of Tr’ondëk Hwëch’in relationship with the land, it is both an ecological and social system that is fundamental to Tr’ondëk Hwëch’in identity and well-being. Using the Final Agreement definition of Sustainable Development must emphasize the importance of “not undermining”.
- DRPC should address how both Sustainable Development and Stewardship Principles apply throughout the plan and how they come together (see section B5).

B.5. STEWARDSHIP, SUSTAINABLE DEVELOPMENT AND BALANCE IN RELATIONSHIP WITH LAND

The Draft DRLUP indicates that some sort of balance of land use is needed in the region, but that balance is explained in many different, inconsistent ways. The Plan presents Principles of Sustainable Development and Stewardship, but they have not been integrated into the Draft DRLUP in a way that explains what they mean and how they relate to each other or how they address Tr’ondëk Hwëch’in

values. The Draft presents the Sustainable Development Principle as a way of sustaining ecosystem integrity, communities and cultures, and economic activities, whereas the Stewardship Principle is trying to capture the concept of responsibility. Additional information as to how the Recommended Plan could address balance is captured in Appendix A.

The most common way of describing balance in the Draft DRLUP uses the term sustainable development as some kind of balancing and trading off between economy, environment, and people. For example, “strike a balance between sustainable economic development and ecological conservation and socio-cultural preservation” (pg.14). The discussion is frequently about conservation of priority ecological areas, and adequate land base for economic activities, and how uses may compete or conflict, and require trade-offs (e.g., Wetlands, pg.96).

However, for Tr'ondëk Hwëch'in, the obligation to care for the land, water, and animals as their ancestors did is an integrated wholistic approach to land use and management. As Tr'ondëk Hwëch'in stated in the December 2020 submission “It is not culturally appropriate for us to consider our home in relation to trade-offs, compromises, and priorities. We view the land in its interconnected entirety and we have a stewardship responsibility to it all”. Tr'ondëk Hwëch'in has a spiritual, social, and economic relationship with the land. Tr'ondëk Hwëch'in values are about an enduring relationship with the land and living in balance with the land.

The Draft DRLUP also describes a region that is a diverse and unique, where the mix of people and land uses co-exist and “can happen in a respectful way” (pg.17). The Plan indicates that in addition to the Tr'ondëk Hwëch'in values of stewardship, many other people in the region feel a shared responsibility and respect for the land. Tr'ondëk Hwëch'in values also include a sustainable economy.

Finding the balance in the region is challenging. As Tr'ondëk Hwëch'in has stated “applying these sustainable [Tr'ondëk Hwëch'in cultural values] to present-day land management approaches is precisely what is needed to ensure that the Tr'ondëk Hwëch'in Traditional Territory retains its integrity for another seven generations” (December 2020).

The Sustainable Development definition from the Final Agreement (see section B4) suggests a balance: beneficial socio-economic change that does not undermine the ecological and social systems we all depend on. The Tr'ondëk Hwëch'in intertwined relationship with the land is both an ecological and social system. The economic growth desired in region can be considered socio-economic change.

Both the Principles of Sustainable Development and Stewardship need to come together to guide finding the balance of living in relationship with the land and with each other, that respects the diverse values of the region.

Recommended Changes to DRLUP:

- DRLUP should bring Tr'ondëk Hwëch'in values and way of life into both these Principles.

- DRPC should consider how the Principles come together to guide “Nän kāk ndä tr’ädäl - On the Land We Walk Together” and the balance of living in relationship with the land and with each other, that respects the diverse values of the region.
- Better integrate both the Sustainable Development and Stewardship Principles throughout all of the Plan. The need for a balance should be captured in a vision, further defined in the goals, then made operational through the management tools. By addressing the balancing as a relationship with the land, the principles of Sustainable Development and Stewardship are better integrated. The Draft DRLUP already includes aspects of the concept of balance but it needs to be clarified, consistent, and integrate both Principles.

B.6. PLAN STRUCTURE, LINKAGE, CONSISTENCY

Problems in the structure, linkage and consistency within the Draft DRLUP undermines how clearly, transparently, and effectively the Draft DRLUP addresses Tr'ondëk Hwëch'in way of life, values and traditional knowledge.

Areas of concern include:

- The key foundational sections of Vision, Principles, and Goals do not provide the clear direction necessary to guide and provide the rationale for the following management directions in the LDS, SMD, and GMD;
- Intermixing of statements that are goals, vision, principles, and management directions so that the Plan does not provide a clear flow and continuity in concepts from broad vision (why) and principles (guidance) to goals (what we want to achieve to move toward vision) to management direction (LDS, SMD, GMD) (how we want to achieve the goals);
- Lack of consistency and continuity in terminology, which creates a confusing mix of language especially around such key aspects as stewardship, cultural values, sustainable development, balance, adaptive management;
- Not thoroughly addressing the integrated nature of ecological, cultural and economic values, and of important concepts of climate change, and adaptive management;
- Although some of these issues could be corrected with editing, they indicate underlying uncertainty in their meaning and intent in the Plan.

Consequently, the Draft DRLUP lacks clarity and consistency in what Tr'ondëk Hwëch'in values have been considered and how, especially around the broader land relationship values beyond resources, sites and uses.

Another consequence is that a lot of the details provided in the LMUs (Section 4) and GMDs (Section 5) are not linked clearly back to the Vision and Goals, and as a result to Tr'ondëk Hwëch'in values.

The results-based management system relies on clear goals linked to management directions. The overall lack of clarity in the linkages between the Plan Goals and management directions would make

effective application of this system through Plan implementation, monitoring, evaluation, and review more challenging.

Recommended changes in DRLUP:

- Improvements in clarity, structure, flow, linkage, terminology will improve effective plan implementation, monitoring, evaluation, review, and adaptive management.
- Sections D – I include recommended changes on these matters.
- Review the linkages between the Vision, Goals, and Management directions such the rationale and flow between them are clear.

C. OVERVIEW OF INCLUSION AND CONSIDERATION OF TR'ONDĚK HWĚCH'IN TRADITIONAL KNOWLEDGE IN DRAFT DRLUP

The following list is a summary on the inclusion and consideration of traditional knowledge in the Draft DRLUP. The rest of this document provides a more detailed review of the inclusion and consideration of Tr'ondĚk HwĚch'in traditional knowledge, values, and way of life in the Draft Plan.

1. the legislative context and the alignment of the Draft DRLUP
 - Tr'ondĚk HwĚch'in Final Agreement clearly requires all aspects of planning, including the work by the Planning Commission to address Tr'ondĚk HwĚch'in values, way of life, well-being, traditional knowledge, and traditional land management practices.
 - The extent to which the Draft DRLUP aligns with the Final Agreement is addressed specifically in Section B and Sections D – I of this report. Generally, this review shows how the Draft DRLUP did not achieve the Final Agreement Objectives to recognize and promote the Tr'ondĚk HwĚch'in cultural values, or to use Tr'ondĚk HwĚch'in knowledge and experience for effective planning.
 - The Dawson Regional Planning Commission Terms of Reference (2018/19) do not mention traditional knowledge other than to include Final Agreement clause 11.4.5.5 under section 9 “Participation and Engagement”.
2. the stated intention of the Dawson Regional Planning Commission (DRPC)
 - The DRPC did not prepare any policies around the use of traditional knowledge.
 - In the Draft DRLUP the Commission stated their vision for the process and the plan, which do not mention traditional knowledge. “For the plan” states “will be crafted to reflect community values and will guide integrated use and management of land, water, resources”(pg. 16).
3. sources and techniques used by DRPC
 - The primary source of traditional knowledge about Tr'ondĚk HwĚch'in values were the submissions prepared by Tr'ondĚk HwĚch'in (April 2019, December 2020). Tr'ondĚk HwĚch'in developed these documents through its own process and asked the DRPC to keep the December 2020 document confidential for their own use until the draft Plan was released and lands withdrawn. The documents clearly describe Tr'ondĚk HwĚch'in values, including identity as DĚnezhu, Tr'ondĚk HwĚch'in way of life as Tr'ĚhudĚ, and Tr'ondĚk HwĚch'in management practices of NinĚnkĚk hozo wĚk'Ětr'ĚnĚhcha (we take good care of our lands). The traditional knowledge shared in these documents provides a clear description of who Tr'ondĚk HwĚch'in people are and what is important to Tr'ondĚk HwĚch'in, and how that comes from the connection to the lands of Tr'ondĚk HwĚch'in Traditional Territory.
 - The DRPC carried out consultation activities with Tr'ondĚk HwĚch'in, but it does not appear that they hosted or funded any gathering and documentation of traditional knowledge specifically through such activities as workshops or interviews.

- The DRPC relied on Tr'ondëk Hwëch'in to provide the traditional knowledge for planning.
4. the Draft DRLUP Plan process – the stages of planning as described in the Draft DRLUP
 - The rest of this report addresses issues around the planning approach to the Draft DRLUP. Section B6 and the following sections D – I elaborate on this topic.
 - Generally, Plan concepts (see section F), structure and linkages (see B6) are not clear and consistent, which contributes to a lack of transparency in the planning process about whether and how Tr'ondëk Hwëch'in knowledge and values were considered and applied.
 5. the Draft DRLUP document
 - Tr'ondëk Hwëch'in ways of being, doing, and knowing are not infused throughout the Draft Plan.
 - For such a large plan, the Draft DRLUP does not specifically name Tr'ondëk Hwëch'in in very many parts of the Plan.
 - The Hän language is used in some places - mostly place names. Key concepts provided in Hän and explained by Tr'ondëk Hwëch'in in its submissions were not addressed.
 - The Draft DRLUP rarely mentions Tr'ondëk Hwëch'in traditional knowledge or traditional land management practices.
 - The Plan does not describe the Tr'ondëk Hwëch'in values in the way that Tr'ondëk Hwëch'in describes them in the submissions of April 2019 and December 2020.
 - Generally the Draft DRLUP acknowledges certain Tr'ondëk Hwëch'in values, but does not fully integrate Tr'ondëk Hwëch'in values into the Plan.

D. FOUNDATION SECTIONS – VISION, PRINCIPLES, GOALS (s.1.6, 1.7)

The upfront sections of the Plan on Principles, Vision, and Goals should provide the foundation for the entire Plan. They should flow from overall vision, to broad principles, to general goals, and be linked so that they provide the rationale for the more detailed objectives and directions that follow in the Plan. In the Draft DRLUP the sections are presented as part of the “Introduction”.

In the Draft DRLUP these foundational and guiding sections do not clearly lay out the intention for the region especially as it relates to Tr'ondëk Hwëch'in cultural distinctiveness, values, and way of life. Often, Tr'ondëk Hwëch'in is lumped along with everyone else in a generic “community” reference, which does not clearly reflect Tr'ondëk Hwëch'in’s distinct identity and values. The Context section (s.1.1) does not adequately set the stage and situate the Draft Plan in the region.

If these key foundational sections do not clearly establish and portray how Tr'ondëk Hwëch'in values are to be recognized and promoted, then these sections won’t guide how the values are to be addressed in the following management directions (s. 4 GMD, s. 5 LMU, SMD). For example, the Rationale and Priority Objectives in the LMUs need to be in keeping with the Vision and Goals.

Recommended changes in DRLUP:

- Rework these critical sections to better reflect Tr'ondëk Hwëch'in values and way of life, using the Tr'ondëk Hwëch'in submissions (April 2019, December 2020). Reworking these sections will provide a better foundation for the following detailed management sections.
- Vision, Principles, Goals should have their own section and not be part of the Introduction as they form the foundation of the Plan and the overall guiding statements for the future of the region.

D.1. CONTEXT (S. 1.1)

This section should situate the reader in the region and identify what a reader should know to be able to understand the Plan.

The section does not accurately portray who Tr'ondëk Hwëch'in people are and Tr'ondëk Hwëch'in way of life as an important context for the Plan. The description of a “relatively small but stable population...residing in Dawson” and “quality of life attributed to...mining and other economic sectors, a thriving cultural landscape” do not capture Tr'ondëk Hwëch'in's place in the region - Tr'ondëk Hwëch'in's way of being in the region and the meaning of the Traditional Territory.

Recommended changes in DRLUP:

- An important context for the DRLUP is an understanding of who Tr'ondëk Hwëch'in people are and Tr'ondëk Hwëch'in Traditional Territory, and the Tr'ondëk Hwëch'in way of life. Also to understand Tr'ondëk Hwëch'in's intertwined relationship with the land as essential to Tr'ondëk Hwëch'in identity and all aspects of well-being. This description in the context section would set a foundation for better understanding the principles, vision, goals and rest of the Plan that follow.
- The context section should include the Final Agreement context for the plan as the key legal authority for land, water, wildlife, natural resource management in the region and for Tr'ondëk Hwëch'in rights and responsibilities.
- The Tr'ondëk Hwëch'in submissions of April 2019 and December 2020 should be used to for a more accurate description for the context.

From that submission:

We are Dënezhu. The people of this land. We are Tr'ondëk Hwëch'in. The people of this river. We have occupied this territory for all time. Our enduring relationship with our land is our heritage. Our stories are written on the land and our place in this world is created, understood and owned through these stories. Tsà'Wëzhè travelled our territory and brought order to the world. He established relationships with our non-human relatives and formalized our responsibilities to them and to each other. His journey and the agreement he made are Tr'ëhudè, our way of life, our law. Living our law by engaging with our land brought our society into existence and has shaped our culture and created our identity. Central to this is

the requirement to uphold a reciprocal relationship with the land and all living things and to maintain the integrity of our homeland as an interconnected entity. This is the essence of existence as Dënezhu.

- Use of this information is an example of traditional knowledge informing the Plan. It would help explain some of the concepts introduced in the Plan such as stewardship and Nän kāk ndä tr'ädäl - on the land we walk together.
- The final paragraph should be moved to the sections on principles and vision.

D.2. NÄN KÄK NDÄ TR'ÄDÄL - ON THE LAND WE WALK TOGETHER (S. 1.4)

The Plan requires more clarity around the overall purpose of this section. The title suggests it could be a description of vision or principle, however the last bullet points suggest goals. The statements about how “the Plan strives to strike a balance between within the planning region between sustainable economic development and ecological conservation and socio-cultural preservation” are vision and goal statements.

It is written from a western scientific planning perspective, with its references to levels of “land use activity are increasing... the region is an attractive place to live, work and visit...increasing levels of land use conflict... potential impacts to culture and environment if not properly managed.”

Tr'ondëk Hwëch'in are not mentioned and the section doesn't reflect Tr'ondëk Hwëch'in way of describing Tr'ëhudè and the enduring relationship with the land with phrases such as “region has sustained generations of First Nations and non-First Nations people with its wealth of resources”. This phrase does not capture “we have occupied this territory for all time” and “living our law by engaging with our land brought our society into existence and has shaped our culture and created our identity” (April 2019 Submission to DRPC).

Recommended changes in DRLUP:

- Need further consideration of how Nän Käk Ndä Tr'ädäl, should be applied in the plan. It should be better integrated into the appropriate section. See discussion under Vision (D3).
- Accurately portray Tr'ondëk Hwëch'in values and way of life using the April 2019 submission and language. The generic phrase “rich cultural legacy” is not clear.
- Recognize and protect Tr'ondëk Hwëch'in cultural distinctiveness by more explicitly addressing Tr'ondëk Hwëch'in values, way of life. The section mentions “cultural landscape” but that concept, which aligns with Tr'ondëk Hwëch'in values, is not expanded on in the rest of the Plan.
- Need to reconcile the statements about balancing economic development, ecological conservation, and socio-cultural preservation with the clauses and definitions from the Final Agreement and with other statements in the plan about balancing values and interests. For example the section does not refer to ecological or social systems, as in the Final Agreement definition of Sustainable Development.

D.3. VISION (S. 1.6.1)

The Vision should explain the overall intent for the region as it moves into the future. The future vision should be the key guiding statement for the Plan. It should represent the common value-centred vision that those who will be affected by the Plan, including Tr'ondëk Hwëch'in, have for their future in the region. They should be able to put the vision on a poster as a clear statement of how they see themselves in the future in the region.

The April 2019 and December 2020 Tr'ondëk Hwëch'in submissions provided many statements that describe Tr'ondëk Hwëch'in's way of living with the land that extends to the past and will carry forward into the future. In addition, Tr'ondëk Hwëch'in clearly spelled out the Final Agreement's spirit and intent and Tr'ondëk Hwëch'in rights that would inform the vision (December 2020). These values are not reflected in the brief vision statement provided.

Recommended changes in DRLUP:

- Tr'ondëk Hwëch'in should be able to see their future in the Vision for the Plan. Tr'ondëk Hwëch'in has provided input about how their future flows from Tr'ondëk Hwëch'in's enduring relationship with the land. For example, the future of this region is one where Tr'ondëk Hwëch'in continue living as Dënezhu, as people of the land. The land continues to shape Tr'ondëk Hwëch'in identity. The April 2019 and December 2020 submissions include many statements about Tr'ondëk Hwëch'in's future in the region.
- The Vision can reflect all ways of being in the region but needs to recognize and respect each of the different histories and values. The Vision should reflect the unique mix of ways people co-exist together in the region. The concept of Nän Käk Ndä Tr'ädäl "On the Land We Walk Together" could help explain this vision.
- The Vision section should be about the future of the region. If the statements about "For the Plan" and "For the Process" are about how the Plan was prepared, they should not be in the Vision section.
- The work done throughout the rest of the Plan could help expand the Vision. The Plan indicates the future vision is about how Tr'ondëk Hwëch'in, other residents, and stakeholders co-exist and live in relationship with the land and with each other in the region. There is a balance in the region of a relationship with the land that ensures well-being of land and people. The region is a unique combination of Tr'ondëk Hwëch'in ways of being, doing, and knowing along with the values, history, and way of life of those who are part of the mining community, the arts community, and all the other residents and visitors who enjoy the regional values. The plan can describe this unique region without lumping everyone into a generic "community" in a way that also respects, recognizes, and promotes Tr'ondëk Hwëch'in's distinct way of life and values.

D.4. PRINCIPLES (S. 1.6.2)

The Principles should guide the choices to be made in the Plan for the future of the region. In the Draft DRLUP the Principles include goals and management statements, so the guiding principles are not clear. The Principles do not fully address the Final Agreement definition of Sustainable

Development, and the Tr'ondëk Hwëch'in cultural values of stewardship, adaptive management, and conservation.

SUSTAINABLE DEVELOPMENT (s. 1.6.2.1)

The definition of Sustainable Development in the Final Agreement is presented along with the clause about the need for integrated and coordinated policies but the next paragraphs don't use the same language or explain how they connect with the key concepts in the definition: we depend on ecological and social systems, socio-economic change is to be beneficial and to not undermine these systems (see B4 above).

The section lumps Tr'ondëk Hwëch'in in with the generic "community", rather than recognizing the distinct social system of Tr'ondëk Hwëch'in and how it in particular is intertwined with the ecological systems in culturally distinct ways that are different from other people in the Dawson region.

The Principle is not clearly explained because there are three bullets that address economic, ecology, and culture, followed by three other sections that also address those matters, but using different words, e.g., "maintaining and enhancing cultural and heritage values" and "maintaining communities and cultures". Many of these statements are more like goals than guiding principles.

Recommended changes in DRLUP:

- This section needs to provide clearer guidance for the balancing required in the plan between socio-economic change (including economic development) and the ecological and social systems so they are not undermined (see B5 above).
- Recognize the distinct social systems of Tr'ondëk Hwëch'in and how it is intertwined with the ecological systems, such that land is both an ecological and social system. Therefore sustaining both ecological and cultural integrity are interrelated and critical.
- In its submissions, Tr'ondëk Hwëch'in defined the elements of the Tr'ondëk Hwëch'in relationship with the land. For example, "we sustain what is most valuable to us by living Tr'ëhudè; we live in harmony and balance, we build and practice respect." The DRLUP should be clear and transparent in how the DRLUP brings together the values of all participants, so Tr'ondëk Hwëch'in sees themselves reflected in the Plan.
- Should not single out Sustainable Development from all the other Final Agreement provisions, such as the Objective to recognize and promote Tr'ondëk Hwëch'in cultural values.
- DRPC needs to address how Sustainable Development and Stewardship Principles both apply throughout the plan, and how they come together.
- Refer to the Final Agreement clause "to promote Sustainable Development", and other relevant clauses to explain the use of this Principle, rather than state it is the "first and foremost" consideration. There are many other as important clauses from the Final Agreement that the DRPC is to consider.

- Ensure they are statements of principle that that can then be applied to guide the choice of goals and management directions in the Plan. More detailed Statements about how to achieve Sustainable Development should be in the Goals section.

STEWARDSHIP (s. 1.6.2.2)

In its submissions (April 2019 and December 2020) Tr'ondëk Hwëch'in has given a clear description of stewardship from a Tr'ondëk Hwëch'in perspective. Stewardship is a duty toward the land, waters, animals, and fish and that it is central to Tr'ondëk Hwëch'in identity. The phrase Ninänkäk hozo wëk'ätr'ënòhcha (we take good care of our lands) states Tr'ondëk Hwëch'in inherent, culturally grounded stewardship obligations, which should be recognized and promoted in the DRLUP.

Although two Tr'ondëk Hwëch'in quotes are provided in s. 1.6.2.2, the section does not explain what they mean for the Stewardship Principle in guiding the Plan. The rest of the paragraphs do not refer back to the quotes and uses the generic term “community stewardship”. The stewardship principle does not make the connections with Nän käk ndä tr'ädäl – “on the land we walk together”, or Ninänkäk hozo wëk'ätr'ënòhcha – “we take good care of our land”.

The section portrays stewardship as a “common sentiment” heard from everyone, which diminishes this fundamental aspect of Tr'ondëk Hwëch'in identity, way of life, well-being, and laws, and perpetuates colonial attitudes. It does not respect, recognize or promote Tr'ondëk Hwëch'in's distinct cultural values.

This section links the Stewardship Principle primarily to the Integrated Stewardship Areas (ISAs). As the active industrial landscape, it's not clear why the principle would apply here, but not in the Special Management Areas (SMAs) for conservation. The descriptions of the ISA, and Plan recommendations and adaptive management don't further explain this guiding principle, but are more detailed management actions that should be later in the Plan.

In the rest of the Plan, stewardship is frequently portrayed as a value - for example, a cultural value of LMUs - not as a Plan Principle that applies to all land users and to all aspects of the Plan. This approach acknowledges Tr'ondëk Hwëch'in duty of stewardship, but provides little direction on stewardship responsibilities of other land users.

Recommended changes in DRLUP:

- The section needs to integrate the Tr'ondëk Hwëch'in distinct stewardship obligations - as Tr'ondëk Hwëch'in has described them - into the DRLUP Principle of stewardship;
- The Principles section needs to clarify both the Principle of Stewardship and how it relates to the Principle of Sustainable Development (see section B5);
- Stewardship should be presented as a Plan Principle that applies to all land uses and land users, and that promotes stewardship as it is practiced by Tr'ondëk Hwëch'in as well as by other land users and managers when they carry out practices to take care of the land. In this way the Principle would describe the “holistic mindset that all land users have a duty to care for the land” (pg.17);

- The management tools to operationalize the Principle should include both SMAs and ISAs, the Land Designation System (LDS) and cumulative effects management, the Special Management Directions (SMD) and General Management Directions (GMD) management practices, and adaptive management, all of which contribute to stewardship.
- The descriptive details about the ISA on page 17 are management directions about how to achieve stewardship and are not principles. They should be moved to the management section.

PRECAUTIONARY PRINCIPLE AND ADAPTIVE MANAGEMENT (1.6.2.3, 1.6.2.4)

These two Principles are described from a western scientific perspective without any reference to Tr'ondëk Hwëch'in knowledge and land management practices in keeping with these concepts.

In the April 2019 submission, Tr'ondëk Hwëch'in described the significance of the value of adaptation “We Adapt, We Survive”. Tr'ondëk Hwëch'in explained its way of dealing with uncertainty, gaining knowledge and wisdom from the land, being flexible, and adapting to challenges and dealing with change.

Recommended changes in DRLUP:

- Integrate Tr'ondëk Hwëch'in values - as Tr'ondëk Hwëch'in has described them - into the guiding principles for the DRLUP to ensure the DRLUP recognizes and promotes Tr'ondëk Hwëch'in cultural values.
- Tr'ondëk Hwëch'in values around learning from the land and being flexible should be integrated into the principle of adaptive management (see section I below).

PRIORITY CRITERIA FOR CANDIDATE CONSERVATION AREAS (s. 1.6.2.5)

Most of the material in this section is not a principle but is a description of methodology. The principle appears to be about what conservation means, and the importance of protecting key values and attributes of the landscape to maintaining ecological systems.

The section does not address the key, wholistic Tr'ondëk Hwëch'in values of cultural connectivity with the land - “the wellness of our land is intrinsically linked to the wellness of our future generations” (December 2020). It focuses primarily on ecological conservation and ecological connectivity.

The introduction to the section (pg. 18) refers to how ensuring ecological systems are maintained is central to the definition of sustainable development. The Final Agreement definition is about social systems as well as ecological systems, which captures Tr'ondëk Hwëch'in's intertwined connection with the land.

The criteria do not address the role of conservation areas in mitigating effects of climate change as Tr'ondëk Hwëch'in recognizes in its submission (December 2020).

Recommended changes in DRLUP:

- The principle being addressed in this section should be clarified and all the detailed criteria for choosing SMAs moved to section 3.2. Conservation areas would protect key values, and require intactness and connectivity to maintain landscape level ecological and social systems and to contribute to climate change adaptation. The discussion on page 100 of the Draft DRLUP provides some direction for statements that could be used for the principle.
- The principle should address the interconnected cultural significance of the landscape as well as its ecological importance. Tr'ondëk Hwëch'in's submissions (April 2019 and December 2020) explain Tr'ondëk Hwëch'in's intertwined and enduring relationship with the land, including values of cultural continuity and cultural landscape.
- The discussion of conservation is closely related to the Plan Principles of sustainable development and stewardship. The Final Agreement definition of Sustainable Development speaks to not undermining the ecological and social systems, which brings in the need for balancing our relationship with the land through conservation/use. The Principle should provide the guidance for why a network of conservation areas is needed. Together with the other Principles, it would guide how a balanced relationship with the land can be achieved with the management tools in the Plan. As the Tr'ondëk Hwëch'in submission (December 2020) stated, conservation areas “will make meaningful, sustainable, long-term contributions to Yukon’s economy”.

Comments about the conservation criteria (should move to s. 3.2.1):

- The relationship between Tr'ondëk Hwëch'in and the land means the land is both an ecological as well as a social system, so conservation criteria need to apply to the cultural landscape as well as to the ecological landscape. Conserving the land is about both ecological and cultural integrity. This cultural connection should be integrated into these criteria and not just under “Heritage, Social and Cultural Values”.
- Conservation criteria should include Tr'ondëk Hwëch'in's cultural value of the connection between the land and Tr'ondëk Hwëch'in way of life. The cultural values of cultural continuity and cultural landscape should be recognized and integrated into discussions about ecological criteria, such as fish and wildlife, water. The wetlands criteria does refer to how wetlands are significant for Tr'ondëk Hwëch'in traditional and cultural activities. While “Heritage Resources and Sites” are also essential values on the landscape, the broader connections need to be addressed.
- It is not clear how Tr'ondëk Hwëch'in traditional knowledge and land management practices were applied in this section, other than to identify specific values like water, wetlands, and heritage resources and sites. The section should reflect traditional knowledge around connectivity, maintaining intact ecosystems over the long term, and other knowledge and practices related to conservation.
- The rationale for giving priority to water and wetlands needs to be provided and should include Tr'ondëk Hwëch'in traditional knowledge about the significance of these to Tr'ondëk Hwëch'in values and way of life.

- The discussion of Harvesting Rights and Activities should make reference to Tr'ondëk Hwëch'in rights under the Final Agreement.

D.5. GOALS (S. 1.7)

The Goals should provide broad direction on how to achieve the Vision. They should provide the rationale for the management objectives and directions that follow in the Plan. They are the bridge between the values expressed as Vision and Principles and the choices made to operationalize those with management directions (LDS, SMD, GMD, CE management, and adaptive management). The Goals are critical to the results-based management system, and to ensure effective Plan implementation, monitoring, evaluation, and review.

The Goals follow the western scientific approach of dividing the direction into ecological, socio-cultural, and economic values. They are not clear in their rationale and direction. They vary from broad - “uphold and enhance cultural and heritage values” to very specific - ensure cumulative disturbances “are reclaimed or restored”. They repeat what has already been established in the Principles - “promote land stewardship”. Different words are used from the previous sections on Vision and Principles to describe the same idea, which increases the confusion on what is meant, e.g., “support natural integrity” (Goal) and “sustain ecosystem integrity” (Principle).

Other than one reference to Tr'ondëk Hwëch'in, Tr'ondëk Hwëch'in is lumped in with all “Yukoners” or “First Nations”, which does not recognize and promote Tr'ondëk Hwëch'in cultural distinctiveness and values.

The use of the terms “heritage and cultural values” is very vague and generic, whereas both the ecological and economic goals are more specific about which values are to be addressed (e.g., aquatic and terrestrial habitat, ecologically representative areas, economic development opportunities and activities, access infrastructure). Tr'ondëk Hwëch'in values are not effectively addressed:

- Water, which is essential and central to survival, is not specifically mentioned. The need for the highest order protection of water is not explicitly addressed;
- Tr'ondëk Hwëch'in cultural connections to fish and wildlife habitat are not recognized or addressed, as identified in Tr'ondëk Hwëch'in submissions;
- Ecological integrity is called “natural integrity” and only refers to reclamation and restoration of cumulative effects. The need for protecting the system as an interconnected whole is not explicitly addressed;
- Tr'ondëk Hwëch'in settlement lands are not mentioned, The value of these settlement lands as a base for traditional activities in the surrounding area is only recognized generically under support land-based activities that promote “Yukoners” health and well-being; facilitate traditional economic development that results in benefits to First Nations;
- Cultural continuity, is not addressed. Tr'ondëk Hwëch'in submissions describe this value of being connected with the land and fulfilling stewardship duties, and how that provides many benefits to Tr'ondëk Hwëch'in. The Goals do not address the significance of protecting these values through protecting culturally important areas, which support these essential values.

- The Goals don't address interconnections between the economic goals and the ecological and socio-cultural Goals. It is not clear if "sustainable economic development opportunities and activities" in the Goals encompasses Tr'ondëk Hwëch'in values of a sustainable economy, with activities that support economic and ecological goals.
- The Goals don't specifically address the Tr'ondëk Hwëch'in value of trapping or make the connection between this traditional economic activity with cultural and ecological Goals.
- Cultural Landscape is not addressed. Tr'ondëk Hwëch'in submissions describe this value of relationship with the land, and how it is integral to identity of Tr'ondëk Hwëch'in people. The Goals do not address the significance of maintaining the "web of connected experiences" of the cultural landscape.

Recommended changes in DRLUP:

- The Goals need to more explicitly reflect and integrate Tr'ondëk Hwëch'in values, way of life and knowledge. As described in the Tr'ondëk Hwëch'in submissions (April 2019 and December 2020), Tr'ondëk Hwëch'in's relationship with the land is much broader than this section portrays.
- The Goals should not be limited to three "silos" and need to address the interconnections between these values.
- Rework the Goals to provide the clear link between Vision and Principles and management direction. The large amount of detail in Plan sections 4 and 5 explaining values, rationale, vision, and objectives could help inform these Goals.
- The Goals should follow from and indicate how to apply *all* the Principles, not just Sustainable Development. They should provide the more detailed direction on the relationship between stewardship and sustainable development and how to balance relationship with the land.
- Chapter 16 Goals in the Final Agreement should be recognized.
- The Goals should use consistent wording from the Principles and Vision and explain any new terms.

E. DESCRIPTION OF THE REGION (S. 2)

Tr'ondëk Hwëch'in should be able to see themselves in the description of the planning region. It should be an accurate description using Tr'ondëk Hwëch'in knowledge and experience of how Tr'ondëk Hwëch'in sees themselves and their Traditional Territory. Other than noting that the planning region is contained entirely within Tr'ondëk Hwëch'in Traditional Territory, and a short account of land status, the Description has no further explanation of what the region means to Tr'ondëk Hwëch'in as a Traditional Territory. Tr'ondëk Hwëch'in and their Territory are not described using their own words. The description is primarily from a western scientific perspective using the "environment/people/economy" format.

The Final Agreement requirement to use the knowledge and experience of Tr'ondëk Hwëch'in is not met in this section:

- Environment section does not mention Tr'ondëk Hwëch'in relationship with the land;
- People and Communities section describes Tr'ondëk Hwëch'in in the region using the past tense (relied, hunted, harvested), then states “today, Tr'ondëk Hwëch'in maintain strong cultural connections to the region”. This is a colonial approach to describing Tr'ondëk Hwëch'in way of being in the region, instead of recognizing the continuity of connection and relationship Tr'ondëk Hwëch'in has with the land;
- The section on European contact is unclear - “impacted by economics”? “conflicts well beyond their homelands”? In its submission, Tr'ondëk Hwëch'in stated “Tr'ondëk Hwëch'in have experienced extreme challenges in the face of the Klondike Gold Rush and the subsequent installation of a colonial power in our territory” (December 2020);
- No explanation of why the two settlement areas are important to Tr'ondëk Hwëch'in;
- Not clear who “Communities” in the title refers to? Tr'ondëk Hwëch'in are lumped under “community” in other sections of this plan and section 2 should clarify Tr'ondëk Hwëch'in’s way of living in the region;
- The section on Economy does not make clear Tr'ondëk Hwëch'in’s connection with all aspects of the economy. For example, the employment statistics under Renewable Resources does not capture the significance of Tr'ondëk Hwëch'in involvement in timber harvest, agriculture, and tourism. The well-being of Tr'ondëk Hwëch'in derives from being involved in a range of economic activities, not only the traditional economy;
- The section on climate change is very limited. It describes “anticipated”, “expected” changes that “can affect interests and activities”. It does not use any of Tr'ondëk Hwëch'in’s knowledge and experience over generations of a way of life in the region about climate change in the region.

Recommended changes in DRLUP:

- Tr'ondëk Hwëch'in should be able to see themselves in the description of the region, based on their own knowledge, experience, and way of identifying themselves to explain who Tr'ondëk Hwëch'in are and what the Traditional Territory means. For example, the intertwined and enduring relationship between Tr'ondëk Hwëch'in and the land, and how land is the foundation of Tr'ondëk Hwëch'in identity and all aspects of well-being, and how Tr'ondëk Hwëch'in society is born out of the land – it is the place of stories, language, and teachings.
- The section needs to explain Tr'ondëk Hwëch'in: people of this river; Dënezhu: people of this land; Tr'ëhudè: our way of life, our law.
- Describe the landscape as Tr'ondëk Hwëch'in sees it – any distinct features or areas that are significant to Tr'ondëk Hwëch'in or that people use to navigate and understand the landscape. For example, the significance of the Yukon River.
- Explain significance of settlement land as Tr'ondëk Hwëch'in describes it.
- Use Hän language place names, for example, river names.
- Use Tr'ondëk Hwëch'in knowledge and experience of climate change, and its implications for Tr'ondëk Hwëch'in way of life.

- Clarify the use of terms like “communities” and “settlements”, recognizing the cultural distinctiveness of Tr'ondëk Hwëch'in.

F. MANAGEMENT CONCEPTS - LANDSCAPE MANAGEMENT UNITS, LAND USE DESIGNATION SYSTEM, SPECIAL AND GENERAL MANAGEMENT DIRECTIONS, CUMULATIVE EFFECT MANAGEMENT (S. 3.1, 3.2, 3.3, 3.4, 3.5)

This section of the Draft DRLUP explains four key conceptual approaches to management direction in the Plan:

- landscape management units (LMUs);
- landscape designation system (LDS), which includes three main zones of Special Management Area (SMA), Integrated Stewardship Area (ISA), and Corridor Areas;
- special and general management direction (SMD) and (GMD);
- and cumulative effects (CE) management .

LAND DESIGNATION SYSTEM, SPECIAL MANAGEMENT DIRECTION, GENERAL MANAGEMENT DIRECTION (S. 3.1, 3.2, 3.3, 3.4)

The LDS, SMD and GMD are management approaches through which the Plan Vision, Principles and Goals are operationalized. The general approach of dividing the landscape into separate areas to be managed in different ways is generally not in keeping with Tr'ondëk Hwëch'in values. As Tr'ondëk Hwëch'in stated “It is not culturally appropriate for us to consider our home in relation to tradeoffs, compromises and priorities. We view the land in its interconnected entirety and we have stewardship responsibility to it all”. However Tr'ondëk Hwëch'in also stated “applying these sustainable [Tr'ondëk Hwëch'in cultural values] to present-day land management approaches is precisely what is needed to ensure that the Tr'ondëk Hwëch'in Traditional Territory retains its integrity for another seven generations” (December 2020).

The section does not provide a transparent explanation of how Tr'ondëk Hwëch'in traditional knowledge and traditional land management practices were considered:

- to establish LMU boundaries, other than they follow settlement land boundaries;
- to establish three categories of SMA, ISA, and Corridors;
- to ensure management approaches address Tr'ondëk Hwëch'in values of connected, intact landscapes, cultural continuity and cultural landscape, especially at the regional scale across LMUs;
- to ensure the LDS manages the values and sensitivity of an individual LMU, and also to addresses the balance of land uses to not undermine the ecological and social systems of the region as a whole, i.e., at the spatial scale of the regional landscape. It is not clear how dividing the region into LMUs, each with its own designation contribute to overall ecological and cultural integrity at the regional landscape scale?

The Stewardship Principle is mentioned in the discussion of ISAs (3.2.2, PG. 31) but not in the discussion of SMAs. The Stewardship Principle should not just apply to ISAs that “allow for existing and new industrial land uses, including mining and exploration, forestry, agriculture and other land use activities” but also to SMAs that are intended for conservation. The ISA section (3.2.2) does not include the description under Implementation on page 176, which provides a description of intended balance and restoring the balance in these ISAs.

Many of the concepts introduced in the Draft DRLUP section 3 are not linked back to wording in the overall Plan Vision, Plan Goals. The section introduces new ideas, without a clear rationale, for example:

- 3.2 Priority values – what are these and whose priority? How were they identified? The discussion of criteria of water and wetlands (1.6.2.5) stated they received “priority consideration” – why and whose priority?
- The “rationale for designation” under each LMU should be consistent with the criteria for consideration described in 1.6.2.5. A lot of different terminology is used.
- Stewardship, which is a general Principle for the entire Plan, is listed under each LMU as a value and seems primarily to be about only Tr'ondëk Hwëch'in stewardship duties, not the responsibilities of all land users.

Recommended changes in DRLUP:

- Provide a clear description of how land designation, management intent, priority objectives for the LMUs are chosen, to provide transparency in how they relate to Tr'ondëk Hwëch'in values, traditional knowledge and traditional land management practices, including Tr'ondëk Hwëch'in's holistic, integrated values.
- The Draft DRLUP describes each individual LMU in detail in Section 5 with detailed rationale for their designation and management direction based in their individual values and vision. However Section 3 should first explain how the overall Plan approach of dividing the landscape into LMUs, designating them with different categories of use (SMA, ISA, Corridor), and directing how the LMU should be used (SMDs, and GMDs) would achieve the overall Plan vision, principles and goals, and more specifically how they capture Tr'ondëk Hwëch'in values.
- This explanation should show how the management approach maintains values, not just at the LMU scale, but also at the regional scale by not undermining the overall integrity of the ecological and cultural landscape.
- The criteria for choosing conservation areas (s. 1.6.2.5) should be moved to this section as they explain the values considered in choosing a suitable land designation and objectives for an LMU. The designation of LMUs as being for “maximum conservation” or “high conservation of ecological and cultural values” should be described in terms of these criteria. The SMA II discussion introduces a new concept of “long term maintenance of wilderness character” which was not explained in the conservation criteria.
- The discussion of conservation in these sections needs to address the cultural values of Tr'ondëk Hwëch'in as the intertwined and enduring relationship with the land, where the land is both an ecological and social system, as well as having specific cultural uses, resources and sites. For

example, a trapline is not only a use and site, it also enables connection between land and culture. Values of cultural landscape and cultural continuity should be added. For example, the Tr'ondëk Hwëch'in December 2020 submission described the cultural landscape as “a web of connected experiences”, such as a place for practicing traditional pursuits, passing on and sustaining culture by being on the land with children, maintaining the spiritual relationship, and as a place of identity through language, songs, stories, kinship connected with the land.

- Ecological representation and landscape connectivity should include the key Tr'ondëk Hwëch'in values of cultural continuity and cultural landscape. While Tr'ondëk Hwëch'in cultural uses, sites, and resources are concentrated in some areas, they are found throughout the planning region, which also holds the broader cultural values of an intact landscape. Cultural connectivity and continuity at a landscape level needs to be ensured.
- As a Plan Principle, Stewardship should be integrated throughout the Plan – not just for ISA LMUs. The SMA description talks about management shared among Yukon Government, First Nation governments, and Renewable Resource Councils, and the Yukon Parks Strategy states “improved joint management of territorial parts with Indigenous government is a high priority”. These collaborative management approaches are an example of ways in which the Stewardship Principle of shared responsibility could be applied to SMAs.
- This section should explain how the land designation system contributes to operationalizing both the Stewardship and Sustainable Development Principles, including how they relate to each other. Both Principles apply in the choice of appropriate designation as ISA or SMA, by both conserving priority values and also establishing the appropriate balance of land use across the region so as to not undermine the ecological and social systems.
- This section should provide more transparency on how Tr'ondëk Hwëch'in values were considered in both choice of appropriate designation for an LMU and in the balancing of uses across the region.

CUMULATIVE EFFECTS MANAGEMENT (CE) (s. 3.5)

Intact, connected ecological and cultural landscapes, ecological integrity, and protected water and habitat, and a sustainable economy are significant Tr'ondëk Hwëch'in values. The management of CE is one of the tools for managing the balance of land use in relationship with the land.

This section states that indicators relate directly or indirectly to regional values, and addresses some Tr'ondëk Hwëch'in values such as habitat and habitat intactness to some extent, but do not explicitly address other cultural values such as cultural continuity. The overview does not mention cultural values and Tr'ondëk Hwëch'in values specifically. References to cultural values in 3.5.1.1 and 3.5.1.2 are vague such as “how people use the land”, “high-valued caribou habitat”.

The section identifies other potential indicators, but none mention the cultural values associated with these ecological values or mention Tr'ondëk Hwëch'in specifically. It states that developing indicators around the stewardship concept “would require much further research”. It is not clear what this statement is based on or whether the role of traditional knowledge and traditional land management practices in determining cumulative effects and providing cultural indicators was considered.

The discussion of cumulative effects appears to be based mostly on western science. The use of traditional knowledge or traditional management practices of how Tr'ondëk Hwëch'in observes and responds to changes in the landscape are not mentioned. Where unknowns are identified and research is recommended, the use of traditional knowledge is not mentioned.

The levels for CE thresholds differ from both Peel and North Yukon levels, where the highest development indicators (IMA IV) are the same as the low development ISA Zone II in the Draft DRLUP. The discussion of the CE framework is not transparent in how threshold levels are tied to the Plan Goals and Tr'ondëk Hwëch'in values. The choice of threshold levels is “to try and balance potential risks to ecological and cultural resources with economic development”. The use of term “cultural resources” is not clear in how it portrays Tr'ondëk Hwëch'in values.

The Plan states the disturbance thresholds considered the tolerance for development and “ensured the threshold for each ISA exceeded current disturbance levels to allow for continued development”. It does not explain how the chosen levels relate to ecological and cultural integrity, the balance of risk, or Tr'ondëk Hwëch'in values specifically. It states that the modeling to estimate disturbance levels addresses only the disturbances of placer and quartz mining and exploration, but do not address “interactions between these disturbances or values like moose or caribou” (pg.42).

The discussion of the CE framework and thresholds levels does not elaborate on some approaches to CE mentioned elsewhere in the Plan. For example, how to meet the Plan goal to “support natural integrity of the planning region by ensuring cumulative disturbances from human activities on the landscape are reclaimed or restored”; or how CE relates to the statement under the Sustainable Development Principle that some economic activities can be sustained indefinitely, while others deplete resources, but are ones from which the land can recover.

The recommended action on pg. 41 is one of the few places in the Plan where the stewardship responsibilities of proponents are specifically addressed, which is an example of how their stewardship responsibilities could be addressed in the SMDs and GMDs.

The section describing the CE framework (3.5.3) does not explain clearly how adaptive management will be carried out, using the CE tracking information. The tracking would inform not just Plan amendments and land use decisions, but annual Plan monitoring, Plan evaluation and Plan review. An adaptive management system that monitors, learns and adjusts both the implementation of the Plan directions as well as the overall Plan is not clearly explained.

Recommended Changes to DRLUP:

- The concepts of threshold levels and a balancing of risks should be more fully explained as they relate to the Plan Goals. In the Final Agreement, the Sustainable Development balance required is to not undermine the social and ecological systems, so the discussion of threshold levels should show how it contributes to that balance.
- Specific aspects of the CE framework, including the levels of thresholds, CE reclamation and restoration need to be better integrated and aligned with the Plan Goals and linked to Plan values

(such as moose, caribou, salmon, water), which would assist with effective plan implementation, monitoring, and evaluation, and adaptive management.

- The way in which stewardship responsibilities of proponents are addressed in the recommended action in pg. 41 is an example that could be applied to the GMDs and SMDs in sections 4 and 5;
- This section 3.5 would be clearer if the order were reversed: explain the overall CE framework first, then the threshold levels, then the indicators. This approach would more clearly indicate rationale for choices made regarding CE and how Tr'ondëk Hwëch'in values are addressed.
- Separate out the discussion of technical methodology (e.g., pg. 40).
- Tr'ondëk Hwëch'in traditional knowledge and traditional land management practices should be used to consider other approaches to determining and assessing change in the land, including developing cultural indicators.

ADAPTIVE MANAGEMENT

Adaptive management is a significant Tr'ondëk Hwëch'in value – “We Adapt, We Survive.” (April 2019). Tr'ondëk Hwëch'in learns from the land to be aware of our impacts and our role in sustaining ourselves. The Plan Principle of Adaptive Management is mentioned in fragmented ways in different place in the plan. This section does not explain the link between CE and adaptive management. In several places in the Plan ‘unknowns’ are acknowledged and research recommendations made, but does not make the link to adaptive management.

Recommended Changes to DRLUP:

- Section 3 and Section 6 should explain the adaptive management approach in keeping with the Plan Principle, including Tr'ondëk Hwëch'in values of adaptation. They should connect monitoring what is happening on the land (including tracking CE) with learning and adjusting as the Plan is implemented, evaluated and reviewed. This adaptive approach should be carried out in reviewing the Plan as a whole, and also when land users and managers implement the management directions. The Plan should clarify the adaptive management system during Plan implementation when land users and managers monitor, learn and adjust the management actions of the Plan as they are implemented.
- The explanation of an adaptive management system also should include what would happen from monitoring CE if threshold levels are approaching? In addition to monitoring, how would the ‘learning and adjusting’ parts of adaptive management be carried out?
- The Plan should clarify how an adaptive management system can address ‘unknowns’ not just by research projects, but also by monitoring, learning, and adjusting during the implementation of management actions.

G. GENERAL MANAGEMENT DIRECTION (S. 4)

The discussion below is an overview, followed by detailed examples and recommendations in the discussion of Plan sections 4.1, 4.2, and 4.3.

The section does not fully recognize and promote Tr'ondëk Hwëch'in values, especially the intertwined relationship of Tr'ondëk Hwëch'in culture with the land – “the web of life to which we are culturally and biologically connected” (December 2020).

The section rarely names Tr'ondëk Hwëch'in specifically (Table 1).

The description of what informed the content in the section makes no reference to Tr'ondëk Hwëch'in traditional knowledge or traditional land management practices (pg. 45). The use of traditional knowledge to address topics where there is a lack of information is not mentioned. Only a few research recommendations mention collecting traditional knowledge.

The section is not clear which Tr'ondëk Hwëch'in values - or cultural values more broadly - it is addressing. Of the three themes, the “Culture and Heritage” heading does not include any descriptors as there are with both ecology (integrity, conservation, stewardship) and economy (sustainable), which is indicative of the lack of clear direction regarding Tr'ondëk Hwëch'in values. The “Culture and Heritage” section (4.3) focuses on heritage resources and sites, and uses, and does not address Tr'ondëk Hwëch'in's broader relationship with the land with values such as cultural continuity and cultural landscape. The section uses many different and inconsistent terms in referring to Tr'ondëk Hwëch'in values. “Socio-cultural values” is used most frequently, but not explained.

The section divides the management directions according to economy, ecology, and culture. While the section acknowledges the interconnections between these and the need to cross-reference (pg. 45), Issues, Objectives and Recommendations are presented by individual topic. As a result, the interconnections are not well addressed. Specific examples are provided below in the discussion of sections 4.1 and 4.2. In general, some of the sections on economic land use activities (4.1.1 to 4.1.8) identify associated ecological and cultural issues, but very few identify any objectives or recommendations around those issues. In the ecology section, most sections describe the issues and objectives as the direct impacts on wildlife and habitat, and do not address associated cultural issues and objectives. The water section (4.2.3) acknowledges the linkages with economy and culture, but the economic sections on mining (4.1.1) and agriculture (4.1.3), which are cross-referenced, do not include any discussion of issues and objectives on water. The wetlands section is the only one that describes both ecological and associated cultural issues, and mentions socio-cultural values in the objectives. The “Culture and Heritage” section (4.3) does not examine issues and objectives around the interactions between economic activities and culture from the perspective of cultural values.

The implication of this “siloe” approach is that the interconnected consequences for Tr'ondëk Hwëch'in values are not fully examined. The approach focuses primarily on maintaining ecological integrity as a way of also maintaining cultural integrity (if the land is protected, so are all the associated cultural values). However, there may be other objectives and recommendations that could explicitly address maintaining cultural integrity, in addition to those around protecting the land.

The application of the Stewardship Principle to all land uses and land users is not well addressed in the GMDs. The “Recommended Management Practices” could be considered stewardship practices for which

the proponents, land users, land managers, and project assessors take responsibility. They are not presented this way, and in many sections none are listed.

Recommended Changes to DRLUP:

- Consider Tr'ondëk Hwëch'in traditional knowledge and traditional land management practices in developing the Recommendations and identifying additional research work required to fill information gaps.
- As described in the results-based management framework and the plan implementation sections, monitoring the achievement of objectives is key to plan implementation, monitoring, and adaptive management. This section should clearly link the Issues, to Objectives, to Recommendations, so the section is transparent in how Tr'ondëk Hwëch'in values were addressed and can be effectively implemented and monitored.
- More effectively and comprehensively address the interconnections between ecological, cultural, and economic Issues, Objectives, and Recommendations. Consider consolidating Objectives into a summary section to make the interconnections more evident, to demonstrate the balancing of management intentions, and to enable more effective Plan implementation, monitoring, and adaptive management.
- Explicit consideration of cultural integrity issues, objectives, and recommendations in addition to ecological integrity considerations.
- Use the “Recommended Management Practices” as stewardship practices for which proponents, land users, land managers, and project assessors are responsible. This approach would promote the “holistic mind-set” as presented as the Stewardship Principle. For example, industry led reclamation practices.

G.1. SUSTAINABLE ECONOMY (S. 4.1)

The section mentions Tr'ondëk Hwëch'in specifically in five of the ten topics addressed (Table 1). Tr'ondëk Hwëch'in is not specifically mentioned in any discussion of Issues and Objectives.

The section does not make clear what specific cultural values are being addressed. References to culture in these sections are very inconsistent (Table 2). They vary as follows:

- socio-cultural values (used 7 times), socio-cultural use, socio-cultural setting, socio-cultural context, socio-cultural perspective, socio-cultural mode of transportation (each used once);
- cultural values, cultural setting, cultural areas;
- Traditional economic activities (used 7 times), traditional land use (3), traditional economic and subsistence harvest (3), traditional economy, traditional economic pursuits, traditional economic access, traditional economic value, traditional activities, traditional harvest, subsistence harvest (3).

With such inconsistent terminology, the section does not clearly indicate the values to which the Issues, Objectives and Management Recommendations apply. The section is not transparent in how it

has addressed Tr'ondëk Hwëch'in values. This lack of clarity also would make effective Plan implementation, monitoring, evaluation, review and adaptive management more challenging.

Specific examples of not addressing interconnections between economy, ecology, and culture are:

- Mining (s. 4.1.1): discusses only “issues and interests...for the ongoing support of the mineral exploration and development” (pg. 47). Objectives address the interest of the industry to ensure “adequate land base” for mining. The effects on the Tr'ondëk Hwëch'in cultural landscape over time as a result of development, for example, are not addressed;
- Access (s. 4.1.2): the overview acknowledges impacts of access on ecological integrity (but not cultural integrity). Issues include both ecological and cultural issues. Objectives address both “protect and manage access” for economic development and “minimize impacts to key ecological or socio-cultural values” (pg. 50);
- Agriculture (s. 4.1.3): Objectives include “minimize conflicts with other users” (pg. 63);
- Tourism (s. 4.1.4): Issue is “compatibility with other economic and socio-cultural values”, but this issue is not addressed in the Objectives (pg. 65);
- Outfitting (s. 4.1.5): Issue is “maintenance of functioning ecosystems is vital to outfitting industry”, but Objectives only address outfitting rights (pg. 67);
- Community Growth and Recreation (s. 4.1.6): Issue is recreational “conflict with other users”, but the Objectives do not address this issue (pg. 69);
- Forestry (s. 4.1.7): addresses traditional economic activities in Issues and Objectives;
- Aggregate (s. 4.1.8): addresses “socio-cultural resources” in Issues but not in Objectives.

The section does not mention the use of traditional knowledge or traditional land management practices in analysing the issues or developing objectives and recommendations. For example, an issue under Traditional Economy (s.4.1.9) is “limited information available on the impacts of development on traditional economic pursuits..., in particular to moose harvesting and overall use and enjoyment on the land”. There is no mention whether this limited information refers to both scientific and traditional knowledge. It suggests the section did not use traditional knowledge and experience about these impacts.

No mention of traditional knowledge research is included in the research recommendations.

Recommended Changes to DRLUP:

- Identify and address Tr'ondëk Hwëch'in values specifically as they have been identified by Tr'ondëk Hwëch'in in their April 2019 and December 2020 submissions;
- Ensure the sections link from Issues to Objectives to Recommendations and use consistent terminology so they are more transparent in how Tr'ondëk Hwëch'in values are addressed;
- Use traditional knowledge where available, and address gaps in the Recommendations.

Table 1: specific mention of Tr'ondëk Hwëch'in

Section	Topic Overview	Key Planning Issues	Objectives	Planning Strategy
4.1.2 Access	TOW*important connector between Tr'ondëk Hwëch'in families; Tr'ondëk Hwëch'in/YG Interpretive Plan			Interp Plan – cultural values Tr'ondëk Hwëch'in
4.1.3 Agriculture	Suitable Tr'ondëk Hwëch'in settlement land parcels, Tr'ondëk Hwëch'in Farm valued cultural and economic resource			
4.1.4 Tourism	Tourism value rich cultural history of Tr'ondëk Hwëch'in			Incorporate Tr'ondëk Hwëch'in cultural history and contemporary use into strategies and signage; opportunities for Tr'ondëk Hwëch'in retain co-management responsibilities in LMU 4; signage re Tr'ondëk Hwëch'in history and Hän language
4.1.5 Outfitting				Outfitting subject to Tr'ondëk Hwëch'in Final Agreement
4.1.9 Traditional Economy	as defined by Tr'ondëk Hwëch'in harvest natural resources, direct value, non-consumptive value; Tr'ondëk Hwëch'in land claim agreement provide for continued harvest rights			

*Top of the World Highway

Table 2: mention of values important to Tr'ondëk Hwëch'in

Section	Topic Overview	Key Planning Issues	Objectives	Planning Strategy
4.1.1 Mining	Strongly tied to socio-economic culture of Dawson	Impact ecological and socio-cultural values		Conserve priority ecological and socio-cultural values
4.1.2 Access	Impact ecological integrity, wildlife, fish; DH* important to subsistence harvesting; TOW* immense ecological and cultural importance; First Nations; traditional activities; environmental and cultural impacts; socio-cultural use; local subsistence harvest; river travel socio-cultural mode of transportation; traditional economic access	Impact ecological and cultural setting; wildlife; 40mile herd; heavy use by First Nations for traditional economic and subsistence harvest and rights; impact cultural values; harvest pressure on moose; impact wildlife and wildlife habitat; impact to key ecological or socio-cultural values	Minimize impacts to key ecological or socio-cultural values	Affected First Nations; unique biophysical and socio-cultural setting, cultural areas; harvesting and traditional economic activities; First Nation governments; harvesting and traditional economic activities; access management plan in areas of high ecological or socio-cultural value; the Parties develop access plan consider impacts to use of land for traditional economic activities, subsistence harvesting and trapping; impacts to traditional land use
4.1.3 Agriculture	Parties desire continued growth; contribute to socio-cultural context of community			
4.1.4 Tourism	tourism pressure impact important ecological and cultural setting of DH; potential growth in Indigenous tourism	Compatible with other economic and socio-cultural values; impact heritage sites, wildlife, water	Values of wildlife, culture, heritage	
4.1.5 Outfitting		Maintain functioning ecosystems		
4.1.6 Community	Balance growth, traditional harvesting			No new spot land applications in SMA

Growth, Recreation				
4.1.7 Forestry	Important socio-cultural perspective;	important part of traditional economic activities		Support Dawson Forest Management Plan
4.1.8 Aggregate Resources		Adverse impacts on ecological and/or socio-cultural values		Avoid sensitive fish habitat and other ecologically important areas
4.1.9 Traditional Economy	Participation required for First Nations culture and community well-being, subsistence harvest, traditional economic activities; other affected First Nation harvest rights; traditional economy closely linked to heritage and culture	Opportunities and landscapes to participate in traditional economic activities; maintaining First Nations culture, community well-being, ties to the land; limited information about development impacts on traditional economic pursuits	Protect traditional land use/ economic activities and harvesting; maintain key use areas for subsistence harvesting; protect trapping infrastructure and resources; furbearer habitat intact; maintain/support trapping concessions and minimize conflicts	Communication and consultation protocol to minimize conflict with traditional economic activities; communicate and consult; DDRRC Local resource Knowledge; traditional use impact studies; buffers for SL parcels; identify high traditional economic value; document trapping land use patterns
4.1.10 MMIWG2S+	Improve positive benefits for Indigenous women; culturally relevant gender-based analysis			Gender-based socio-economic and impact assessments; study relationship between resource and development projects and violence against Indigenous women and girls

*DH - Dempster Highway; TOW – Top of the World Highway

G.2. ECOLOGICAL INTEGRITY AND CONSERVATION (S. 4.2)

The connection between ecological, cultural, and economic values varies in this section. For example, links between ecological and cultural values are noted in the overview discussion of key species habitat (4.2.1) and under specific species of caribou (4.2.1.1), moose (4.2.1.2), salmon (4.2.1.3), and resident fish (4.2.2), but not in sheep (4.2.1.4), bears (4.2.1.5), migratory birds, raptors (4.2.2), or species at risk (4.2.2).

Tr'ondëk Hwëch'in is mentioned specifically in Issues and Objectives only in the caribou, salmon and in the wetlands overview.

The Waters section recognizes the cultural importance of water, but is an example of the Plan's generic approach to values in contrast to how Tr'ondëk Hwëch'in describes these values. Section 4.2.3 (pg. 90) describes water as "an important and complex *resource*", "it sustains ...plants, animals, industries, and *communities*", rivers "hold high ecological, economic, heritage, and cultural importance", "all rivers are important" (italics added). Tr'ondëk Hwëch'in is not mentioned specifically. Tr'ondëk Hwëch'in describes the value of water as "the life force of all creation and our collective survival depends on it. Water is essential for the health of every part of the land and for every aspect of survival, and is central to our culture and traditional activities" (December 2020). The Plan description does not recognize and promote the distinct Tr'ondëk Hwëch'in cultural values of water, its spiritual value, and as essential to all aspects of Tr'ondëk Hwëch'in well-being.

The "Rivers" discussion in the Water section does capture ecological and cultural values by stating the "main objective for rivers is to maintain and enhance their multi-use character while ensuring their ecological and cultural integrity remains intact". This statement is the one place in the Plan where the term "cultural integrity" is used - although not explained. This concept of intact ecological and cultural integrity is in keeping with Tr'ondëk Hwëch'in's values of ecological integrity, cultural landscape and cultural continuity.

The Wetlands section (4.2.4) is the one section where specific cultural implications of ecological impacts are identified in the Issue: "the impact of wetlands altered by human activity may result in the reduced use of an area (harvesting, recreational, and/or traditional pursuits); the sense that Tr'ondëk Hwëch'in have not upheld traditional laws; and a reduced connection to the land" (pg. 93). The Objectives and Recommendations address protecting wetlands, but do not explicitly address the associated cultural impacts.

The section does not mention use of traditional knowledge. Where the section mentions topics are "poorly understood", it is not clear if this considered traditional knowledge (pg. 88). Five research recommendations mention the use of traditional or local knowledge.

Recommended Changes for DRLUP:

- Explicitly address the cultural implications of ecological impacts, as is addressed in Wetlands for cultural integrity. This concept of cultural integrity is in keeping with

Tr'ondëk Hwëch'in's broader values of ecological integrity, cultural landscape and cultural continuity.

- Consider the cultural implications in Objectives and Recommendations. For example, are there management actions that could be recommended to address the issues identified under Wetlands, in addition to protecting the wetlands?
- Use traditional knowledge where available, and address gaps in the Recommendations.

CLIMATE CHANGE (s. 4.2.5)

Climate change is an overarching issue that affects economic, ecological and cultural values of the region. Similar to other interconnected matters, the Plan has not addressed the connections well. The implications for climate change at a regional scale for all values and land users, and its connection with adaptive management as a means to deal with the uncertainties of climate change are not well addressed.

Tr'ondëk Hwëch'in makes the connection between climate change resilience and protection of intact habitat, connected and intact landscapes to enable species to move, and carbon sequestration in wetlands (December 2020). The Plan does not mention climate change in the sections explaining conservation criteria (1.6.2.5), land designation system (s. 3), or cumulative effects management (s. 3).

The Climate Change overview (4.2.5) does not mention cultural values and the issues are narrowly interpreted as “changes to traditional land use, subsistence harvesting success, and gathering” (pg. 100). The section does not address the broader implications for Tr'ondëk Hwëch'in, who “make decisions that ensure a future for our grandchildren and great-grandchildren” (April 2019), where “Tr'ondëk Hwëch'in has survived on this land for thousands of years” and where management approaches need to “ensure that the Tr'ondëk Hwëch'in Traditional Territory retains its integrity for another seven generations” (December 2020).

Adaptive management in response to climate change is mentioned for Plan review (pg. 99) and major resource development projects (pg. 100), but not as a Plan Principle that applies to all land users.

The discussion of SMA under climate change does not address cultural implications. It identifies ecological but not cultural integrity, cultural resilience or connectivity of the cultural landscape.

Recommended Changes for DRLUP:

- Climate change - as a main driver of change in the region - should not be addressed solely under Ecological Integrity. The implications of climate change for ecological, cultural and economic values should be addressed.
- The implications of climate change for Tr'ondëk Hwëch'in cultural values should be explicitly addressed and linked to the adaptive management system.
- As a Plan Principle, adaptive management should apply to all land users as an approach that land and resource managers use when carrying out the management recommendations of the Plan (see section I).

G.3. CULTURE AND HERITAGE (S. 4.3)

The section focuses on heritage resources and sites, subsistence use, and traditional “pursuits”. Broader cultural values of Tr'ondëk Hwëch'in's relationship with the land are not addressed.

Stewardship is a Plan Principle, so it is not clear what is intended with this section (4.3.2). The section doesn't include any discussion of Issues or identify any Objectives, so it is not clear what is being addressed.

- Identifying stewardship as a “common sentiment” diminishes this fundamental aspect of Tr'ondëk Hwëch'in's identity;
- The first recommendation essentially restates the Plan Principle without any clearer management direction on how to apply the Principle through management actions.

The Hän language section (4.3.4) does not include any discussion of Issues or identify any Objectives so it is not clear what is being addressed or what is the rationale for the management recommendations.

Recommended Changes to DRLUP:

- Stewardship is a Principle that is integrated throughout the Plan.
- The Plan should explicitly address broader cultural values of cultural continuity, cultural landscape, including a discussion of issues and objectives as rationale to guide management directions.
- The Plan should address the broader interconnections between Issues around culture, economy and ecology.

H. LANDSCAPE MANAGEMENT UNIT MANAGEMENT (S. 5)

The list of values, and rationale for designation are the basis for the LMU Designation, Vision or Management Intent, the Priority Objectives, and the Special Management Directions (SMDs). The Plan Vision, Principles, and Goals are applied through the specific elements of this section.

The approach to values looks at the separate silos of ecological, economic and heritage, social and cultural values, without addressing the interconnections between these. Specific Tr'ondëk Hwëch'in cultural values of cultural continuity and connection with the land and cultural landscape are not mentioned. The most common reference is to generic “socio-cultural values”.

Stewardship is listed as a “Heritage, Social and Cultural Value”. Stewardship has been presented in the plan as a Principle that applies to all aspects of the Plan, so it should not be presented only as one type of cultural value.

The SMDs are mostly about managing industrial land use and access and protecting ecological features and Tr'ondëk Hwëch'in rights. SMDs to achieve vision and goals for cultural values, particularly the broader cultural continuity and cultural landscape are not explicitly addressed. Measures to ensure

cultural integrity as well as ecological integrity are not identified, other than to protect the land. For example, measures to support Tr'ondëk Hwëch'in stewardship duties or cultural practices on the land.

Vague wording in the objectives and specific management directions will make effective Plan implementation, monitoring evaluation and review challenging.

In the SMA II LMUs, Tr'ondëk Hwëch'in values are mentioned in a few places, but often Tr'ondëk Hwëch'in is not specifically mentioned and values are described using vague, different, and undefined terms. For example, “respect cultural values”, “recognize socio-cultural value” “respect space for traditional economic activities”. SMA I – LMU 10, 18 identify more specific Tr'ondëk Hwëch'in values.

Recommended Changes in the DRLUP:

- The Tr'ondëk Hwëch'in values should be identified as Tr'ondëk Hwëch'in describes them and should include the values of cultural continuity and cultural landscape;
- The description of values, rationale and management intent should establish that protection of land not only protects ecological values but also the intertwined values of the cultural landscape. For example, protect wild *and* cultural landscape, ensure ecological *and* cultural connectivity;
- In the list of values for each LMU, ecological representation and landscape connectivity should not just be linked to ecological values, but should also address cultural values, continuity, and landscapes;
- It should also make clear that some values, such as values of intactness and connectivity of the ecological and cultural landscape and cultural continuity, are on a regional scale, not just within individual LMUs, although specific areas are especially significant. The section should make clear how the individual LMUs contribute to the regional scale values;
- In addition to ensuring ecological integrity, the Plan should provide explicit, specific measures on maintaining cultural integrity. The Priority Objectives and SMDs should address measures for conserving and promoting Tr'ondëk Hwëch'in's cultural values, not only by protecting the land and managing industrial use, but also by supporting cultural continuity and landscape. For example, supporting Tr'ondëk Hwëch'in continued use of the land for teaching and learning, bringing Elders and youth together, language retention. Specific SMDs would contribute to achieving the vision of “Tr'ondëk Hwëch'in continues to access and learn from this landscape.” For example, some LMUs note “ongoing efforts by Tr'ondëk Hwëch'in to reconnect with the herd through community hunts and education camps”, as a value, but it could be addressed also as a specific management direction to support this activity.
- Stewardship should not be listed as a “heritage, social, and cultural value”. As a DRLUP Principle, stewardship is about the broader duty and mindset of caring for the land that applies to the entire Plan and all users. It is not only up to Tr'ondëk Hwëch'in to practice stewardship in the region, and it is not only with Tr'ondëk Hwëch'in values or practices where the Stewardship Principle is to be applied.

Stewardship practices would look different in the different land designations. In SMAs the Stewardship Principle is applied through different levels of protection. In ISAs, the Stewardship Principle is applied with the SMDs that manage how land use is carried out.

Example of applying the Stewardship Principle in the LMUs:

Heritage, Social, Cultural Values

- Cultural continuity, landscape
- Recognize the overall cultural values inherent anywhere on landscape, with certain areas as critically important. E.g., all water is important and wetlands have a specific critical importance. Use Tr'ondëk Hwëch'in knowledge and management practices of the area, e.g., land of plenty, citizen bread basket, connecting pathways for Forty-mile herd, the meaning of place names.

Priority Objectives: Current wording is “preserve values required to maintain stewardship duties”, which does not capture that stewardship is a principle and a duty, not something maintained by what values are present. Better wording would be:

- Preserve key values in keeping with Stewardship Principle (key values defined in S.3 and include Tr'ondëk Hwëch'in cultural values);
- Facilitate and support Tr'ondëk Hwëch'in stewardship practices, with SMD about being on the land with Elders, children, families;
- Maintain key areas where Tr'ondëk Hwëch'in has the opportunity to practice its stewardship duty because the landscape is still healthy and accessible.

SMDs

- Support Tr'ondëk Hwëch'in stewardship practices, e.g., on the land programs, culture camps.

I. PLAN IMPLEMENTATION, REVISION (S. 6)

As acknowledged in the Draft DRLUP, unknowns exist because of a lack of information and because of the changing context of the region, particularly climate change and new unexpected challenges that will continue to come up. Adaptive management is a key management approach to this uncertainty and risk.

Tr'ondëk Hwëch'in April 2019 and December 2020 submissions identified values that can be applied through adaptive management. Tr'ondëk Hwëch'in identified values of learning from the land, remaining fluid and mobile, learning how to live with the landscape by responding to its challenges. “We adapt, we survive. We move, we journey.”

The Final Agreement Objective “ensure that social, cultural, economic, and environmental policies are applied to the management, protection and use of land, water and resources in an integrated and coordinated manner so as to ensure Sustainable Development” (11.1.1.6) relates to the need for integration and coordination across the interconnected directions of the Plan. Plan implementation is not only about land and resource users and managers carrying out the recommendations, but also continuing to be aware of the integrated vision, goals, and principles for the region.

The Draft DRLUP mentions adaptive management in several places, but does not provide a good explanation of how the Principle is to be applied, especially in how it relates to land and resource users and managers as they implement the SMDs and GMDs. The section focuses mostly on the overall Plan review rather than the monitoring, learning and adjusting also needed as specific management directions are implemented.

Evaluating conformity of land uses with the plan by tracking only the two CE indicators would not address the full range of Tr'ondëk Hwëch'in values in the DRLUP.

Recommended Changes in DRLUP:

- As land and resource users and managers implement the recommendations, they should also understand the integrated context the Plan provides in its vision, principles, and goals rooted in the values of the region.
- The monitoring framework (pg. 182) should encompass all elements of the Plan, not just the few mentioned.
- A comprehensive approach to adaptive management should:
 - monitor the changing planning context, including climate change, and how effectively the DRLUP is being implemented by land users and land and resource managers;
 - identify what is being learned from monitoring and research;
 - enable adjustment in land and resource management to the new challenges and lessons learned;
 - the role of traditional knowledge in ongoing monitoring, learning, adjusting.
- A more thorough approach to conformity checks should ensure that Plan elements that are not captured by the two CE indicators are also checked.

APPENDIX A

Some suggestions for how to address balance as living in relationship with the land and with each other, respecting the diverse values of the region:

- Vision [Why- value centred]: Express a vision of balance for the region about what it means to live in relationship with land and each other. For example:
 - Co-exist based on respect, trust, stewardship;
 - Nän kāk ndä tr'ädäl - On the Land We Walk Together;
 - A balance of living with the land means human-caused disturbance will not undermine or put at risk ecological and cultural systems;
 - Sustain ourselves, self-sufficiency - in all aspects of our well-being (economic, physical, spiritual);
 - The changing climate challenges the ecological and social systems.
- Goals [what to achieve]
 - There are key values and areas that are especially important, but they are part of a broader ecological and cultural landscape. Maintain key values and areas and also not undermine the well-being, integrity of the overall functioning ecological and cultural systems.
 - Be resilient to climate change.
 - Ensure ecological and cultural intactness and connectivity over time and space; think of the interconnected whole and of seven generations.
 - Support a balance of type of activities in the region – some require more stewardship practices to limit their disturbance.
 - Establish acceptable limits to human-caused disturbance, considering both space and time.
- Management Tools [How – LDS, CE management, SMD, GMF, adaptive management] Recognize that all parts of the Plan are ways to operationalize the Principles of Sustainable Development and Stewardship (and the other Plan Principles) to achieve the desired balance. For example:
 - Both the SMA and ISA contribute to spatial intactness and connectivity over region as a whole. They establish different levels of human use in different areas within acceptable disturbance limits;
 - The SMD and GMD management practices are stewardship practices by land users, proponents, assessors;
 - Apply both spatial and temporal management: multi-use areas; mitigation hierarchy; to some extent human uses areas can be reclaimed and land can recover;
 - Manage CE around acceptable limits in each LMU;
 - Relationship is key: how we work together, communication actions, Land Stewardship Trust.