

Yukon River Inter Tribal Watershed Council  
3<sup>rd</sup> Bi-Annual Summit  
Brooks Brook, Yukon

August 7, 2001

**General Assembly: 9:00 – 10:30 a.m.**

1. Welcome
2. Introduction of Steering Committee Members
3. Messages from Steering Committee members
4. General Announcements
5. General Introduction of all Participants and attendees

Accord and Administrative Discussions (F.N. & Tribal Leadership, Staff)

**AGENDA:**

1. Opening Prayer
2. Introductions and Steering Committee members' overview of activities
3. Accord document overview, the history and background, what it means, legal implications, questions and answers

Clarence: Council of Athabaskan Tribal Governments met and the idea arose to bring the tribal councils together on the issue of water. From the beginning, there were introductions and then round table discussions about what the people were seeing happening to the river – the people, the toxins, the garbage – and the effects.

The issue of water and the concerns is international. It has brought the peoples together. Speakers with experience with the effects of pollution to help give direction to the group.

In 1997 the Mission Statement was developed and the Steering Committee was charged with the task of developing guidelines. Of primary concern was the need for inclusivity and mutual commitment to the condition of the Yukon River Watershed. The arrival of the Canadians at Galena was indicative of the scope of the problem and the international commitment for the whole of the Yukon River Watershed.

Harold: When we went to Galena, it was the first time the Canadians and the Americans got together. It was a good thing, but a confusing thing. Robert's Rules were not adopted, but rather the decision to work by consensus. The Mission Statement was developed and received consensus of all participants. This clearly indicated the commitment and dedication of the people.

The Steering Committee has met a number of times in the four years, and every decision has been made by consensus. Arising has been developing relationships with other agencies and people who share the same concerns

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**Yukon River Inter Tribal Watershed Council  
3rd Bi-Annual Summit  
Brooks Brook, Yukon**

**August 8, 2001**

Accord and Administrative Discussions (F.N. & Tribal Leadership, Staff)

**AGENDA:**

- Opening Prayer
- Steering Committee – Leadership, makeup, expansion, elected v not elected, tributary representation
- Review Objectives and Guiding Principles
- Organizational Structure
- Bylaws amendment, Commitments and Contributions,
- Logo Selection
- Steering Committee Nominations and Selections, Issues and Activities
- Closing Prayer

Reference Material:                      Accord Implementation Details Discussion Paper (3/30/01)  
Draft Accord Document – Amended August 7, 2001  
Organizational Chart – YRITWC Administrative Details

Proceedings:

Opening Prayer:

Welcome to all and Opening Comments by Harold  
Brief introductions in round table format of all attendees

Preliminary Matter – Distribution of the amended Accord Document, with a request that each person review for correctness and completeness. The intent is to have it reviewed and moved to the final Accord Document by this afternoon. Each person was invited to indicate any errors or omissions to the Committee Staff anytime today.

**1. Question:**

**Regional Representation.**                      At present there are 4 regions identified within the Watershed and one representative for each, these representatives make up the Steering Committee, which oversees the work of the organization.

- **Are four regions enough?**
- During the 2<sup>nd</sup> Summit in Mt. Village, the directive was to include tributaries as part of the watershed council. To date the Koyukuk River has been represented by Chief Jack Wholecheese from Huslia. There has been no participation from the Tanana River basin.  
The existing Alaska representation is the Yukon-Koyukuk region (Chief Peter Captain, Sr.), the Council of Athabascan Tribal Governments (Clarence Alexander and Chief Larry Nathaniel) and Kuiqpagmuit, Inc. (Chief James Landlord) for a total of three. In addition, each of the regions has an alternate, Yukon-Koyukuk region (Pat Sweetsir) and Kuiqpagmuit, Inc. (Ephrim Thompson). The Yukon First Nations have been represented by Harold Gatensby (Carcross/Tagish First Nation) and Carl Sidney or

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Richard Sydney have acted as alternates. Is one representative for the entire Yukon Territory portion of the watershed enough? At present 9 First Nations are represented by 1 person.

**Discussion/Decisions:**

Structure to be decided upon. Current structure is four members, each one representing a region.

Arising issues include: Inclusion of the Yukon River Tributaries; Yukon Territory is only represented by one person; Current number does not best reflect to funding agencies the scope and support of the Tribe/FN to the YRITWC and its goals/mandate. Should there be more regions? For Alaska, the two major tributaries should be designated as two new regions: Tanana and Koyukuk. This would mean five regions in Alaska, with five members on the Steering Committee. While Tanana has not shown interest, so far, we will pursue their involvement. A number of communities have not yet been active and while all were invited, the issue remains for later discussion is how to attract and encourage involvement of more communities, with a goal to involve all. 63 communities were invited to this summit. For the Yukon, it's very difficult to discuss it because many of them are not represented here, such as Pelly and Dawson. The decision that can be made is in regard to equal representation on the Committee, and the Yukon First Nations can work out the actual Yukon representation at a later date. Yukon participation to date are nine First Nation: Kluane, White River, Champagne-Aishihik, Ross River, Liard have not participated. The only thing is to have this done in a realistic time line.

Over the break, and after the break, there were discussions held by regional breakout groups.

Reconvening the meeting at 2:30 p.m., Reports from each group were submitted to the whole.

Nomination for reappointment of Clarence to sit on the Steering Committee. The primary concerns discussed were: Keep the leadership as simple as possible, as close to the grass roots participation as possible.

Nomination for James Landlord to be reappointed to sit on the Steering Committee.

Peter Captain was nominated for reappointment along with Jack Wholecheese; Edna Hancock was also nominated. The primary concerns discussed were: Keep the leadership simple and workable with continuity.

Jack stated that he has been with the organization since it started, and there are a lot of young people who will show interest, if we stress the importance of the Rivers to them. We have to train them to learn to love the rivers and the land.

The decision was made to reappoint Clarence as a Steering Committee representative, as he is one of the founding members, with two alternates. Issues arising in discussion: Why is the office in Anchorage besides the fact that it's a hub of Alaska, but it's not on the Watershed. The CATG passed a resolution to seek a broader funding base, and if anyone wants to see it. How do we get the other villages involved? If we start on a plan of action, which requires participation, how do we assure buy-in? Education is of primary importance, along with communication. We also wondered about related issues, which may have impact on the Waters, such as Oil Drilling, and the stability of the Porcupine Caribou herd. Fort Yukon offered to host the next Summit gathering.

Five Representatives for the Yukon to be determined. The representation regions will be by linguistic groups as follows: Dahka Tlingit Nation (including Taku River from B.C.);Southern Tutchone (Champagne Aishihik, Kluane First Nation, Ta'an Council)(Kwanlin Dunn, may choose to be part of either Dahka Tlingit or Southern Tutchone)Northern Tutchone (Selkirk, Little Salmon and Nacho Nyak Dun)Vuntut & Trondek (each with one member, and the roles will switch between member and alternate)Dena (Ross River)

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Discussions in Canada were focused on: Working together to clean up the River and its resources; Based on the agreements negotiated, Yukon F. N. are active members of and involved with various government agencies such as the Water Board, DAP (Development Assessment Process). There is agreement as to how the Steering Committee would be structured – five members, aligned by linguistic group. Dahka has asked Harold to continue on as a member of the Steering Committee, which will help assure our concern for consistency. The Yukon Director will begin the process for each of those groups to choose a Steering Committee Representative.

There was agreement with the nominees.

## 2. Question:

**Board of Directors and Steering Committee members.** At present these representatives are not necessarily Leadership of a Tribe or First Nation, although they may have been when they were appointed.

- Should holding a position as a Board of Director or Steering Committee member require that the representative be in a leadership capacity? What happens if that capacity changes during their term?
- How should the terms be staggered – Steering Committee members can only be appointed at Summits which are held every two years. To ensure consistency should the terms be staggered? If so – how?
- When making and accepting nominations to be a Steering Committee member candidates should understand that being a Steering Committee member requires a commitment of time to attend quarterly meetings, participate in monthly conference calls and talk to / work with office staff on a regular basis. A Steering Committee member is also required to liaise with the First Nations or Tribes he/she represents. The YRITWC provides remuneration for travel and per diem costs for attendance at meetings however the position is not paid by wage or honorarium.

## Discussion:

In regards to the YRITWC Administration, items for discussion, include the Organizational Charts as appended to determine the Organizational format for general operations over the next two years and for the finalization of Non-Profit Organization Incorporation documents.

Currently, the organization operates with a single Board of Directors, whose membership crosses both borders, with business and decisions being made at the bi-annual summit meetings. The Administrative arm of YRITWC is the Steering Committee, represented by five regions, sharing resources and staff, with offices in Anchorage, Fairbanks and Whitehorse and carrying out the day to day business of the Council.

The legal opinion is that there be two Non-Profit Organizations – one for each side of the border, which get together and do business as one organization. This would more closely address the laws and requirements of the two distinct governments, and allow each to respond appropriately in the two countries based on these different laws.

Presently, when summits are held, the representatives are deemed to be members of the Board of Directors.

It was raised that many First Nations of the Yukon share a number of cross border concerns and have families living in both areas. Many of the First Nations also belong to the Council for Yukon First Nations (CYFN) and the Arctic Athabaskan Council (AAC). It was offered that to incorporate as many issues into one meeting to minimize the number of functions and amount of travel required may be efficient and beneficial.

Another suggestion of note, in regards to accessing funding, it was suggested that contact be made with Foreign Affairs as their mandate is to strengthen relationships between Canada and other countries.

Arising discussion noted that there are some villages here that are not members of the AAC, and that it is primarily a circumpolar organization, dealing with air quality. The question arises as to how YRITWC would be integrated into AAC, and impacts on their funding.

While the idea of working together has some positive points, maintaining priorities to stay focused on water quality

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and clarity of our mission is important.

In regards to the makeup of the Board of Directors, historically, representatives at the two prior summits were primarily made up of the Chiefs of each Tribal Council or First Nation. The question arises as to whether or not that will be the standard, or to allow other tribal members to represent their peoples. Chiefs are often over-burdened with meetings and commitments, and so this is a question that needs to be resolved. A number of chiefs agreed, also noting that not all tribes have chiefs. By resolution, a representative could be authorized. Maybe it could be formally the Chiefs, but allow a designated representative.

Consistency of membership is important. All representatives in most tribal councils report back to the whole council anyways. One of the expressed concerns is that this organization not 'get away' from the Board of Directors, who are the signatory communities and insure the power stays with the communities.

Discussion in regard to the leader being the signatory Tribal Council/First Nation noted that every Tribe/FN has a Constitution, and in most it is stated that the Council can appoint a representative. In some Tribal Councils, every person on the council is considered a leader. Recognizing that most leaders have jobs, and set aside time to fulfill their leadership duties, the burdens are shared to insure there is always somebody available to attend functions. The ability to appoint somebody as alternate to the Chief would be a good idea.

It has become a reasonable and acceptable practice within many of the tribes to authorize a member as designated representative. Further, in recognition that a Tribal council or First Nation is a governing body, they have the right to appoint or designate anybody they want to represent them. Nobody has the right to interfere with that right. The tribe has the right to appoint whoever best represents their interests.

The designate should be a member of the Tribal Council or First Nation to insure accountability and the reporting mechanisms.

The circumpolar Inuit Conference meets every 3 yrs. and every person is a member of that Board of Directors. Maybe have an executive board, and then have every one as Directors at the Summit.

Clarification was made that we are not talking about signatories, or executive directors, but rather the person who would be a Director who comes to the summit once every two years, and whose name appears on the Incorporation Documentation. Upon request, the role of a Director was clarified as:

- ❖ A Name recorded on the Non-Profit Incorporation Documents, as required by the laws of Incorporation; and
- ❖ A person who will attend and participate at Summit meetings every two years. The business at the Summits will be to review what has been done in prior two years, and direct the activities for the next two years to the Steering Committee.

The Steering Committee would be a smaller group, representing the regions, meeting three or four times a year to provide interim contact with the activities, plans, issues on the ongoing basis, with the ability to call a Summit, if necessary.

As an overview of the Yukon Political Structure, there are First Nations with Final Agreements, and some who are still in negotiations. Each has full jurisdiction over their affairs, including land and resources. Except for Kaska, all work with CYFN. There are also Tribal Councils. When looking at creating an organization or entity to provide services and to represent F.N., it would be a political entity, requiring involvement by leadership. If it's a repository of information, it may require technicians. Those who want political leaders, to be involved every two years, we must be respectful of the burden on the Chiefs. This organization must be efficient, organized, and able to work in conjunction or cooperation with any number of other entities, without being too fractured.

On the topic of representation, exclusivity of membership to chiefs, could severely limit the ability of the YRITWC to move forward. The trick is to find someone who can honestly and diligently represent the interests of their people and region. We also don't want to lose people who are committed.

CATG meeting raised a resolution that only elected officials could be appointed as representatives of Tribal

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Councils. Many did not agree, and it was discussion only, without resolution.

This organization in four years has come a long way, and a number of the Steering Committee are not Leaders or Chiefs, or elected officials. They have been instrumental in bringing the organization to where it is today. They have the time and commitment to participate. To change this, would have a severely negative impact on the organization.

We are still stymied on the question of who can be representatives on the Board and would like to get this matter settled. A number of suggestions have been presented. Most tribal constitutions state representatives are "tribal chief or his representative". The current suggestion is that this be adopted. Another suggestion is to just list the FN or Tribe and accept whoever is sent. How we've been doing it has worked pretty well, in that we accept the FN/Tribe as being a member, and whoever shows up is accepted as the representative.

**Decision:**

Each First Nation/Tribe is the member, and their duly authorized person is their representative, to be accepted at the Summit and meetings as being empowered to represent the Tribe or First Nation.

**3. Question:**

**International Organizational Structure.** Over the past year both the organization and its activity level have grown substantially, specifically with the opening of the Yukon Territory office. This has created some problems with the 'legalities and paperwork required' to incorporate in each jurisdiction. Specifically most funding received in AK cannot be spent in Yukon and vice versa. In order to have these offices each must have its own governing body, which is part of the larger organization. This is very common in international organizations.

- The YRITWC is an International organization comprised of a membership of both Yukon First Nations and Alaska Tribes. The Board of Directors for the organization is a leadership representative of each Tribe and First Nation in the watershed that attends the bi-annual summits and participates in the work of the YRITWC.
- Because the organization is international it requires both Canadian and Alaskan governing bodies. Organizations similar to this are the Rio Grande Watershed and EcoTrust. The existing organizational structure does not allow the Yukon Territory to incorporate for the purposes of developing an office or applying for Charitable Status.
- The Canadian and Alaskan governing bodies would be separate entities for the purposes of governing their respective sides of the borders (ie. Funding, staffing, specific projects and proposals, local issues, charitable status requirements, etc) however are ONE entity with respect to the goals and objectives of the YRITWC.
- The organization would have one International Board of Directors (representatives of each Tribe and First Nation) and one International Steering Committee (regional representatives chosen by the Board of Directors). This is the same as the current structure.
- The International Board of Directors is comprised of both Yukon and Alaska Tribal and First Nation representatives who are split into a Yukon and Alaskan sub Board. The International Steering Committee is comprised of both Yukon and Alaska Regional Representatives, which is split into a Yukon and Alaska sub committee. The splitting into a Yukon and Alaska sub-committee is a change from the current structure.

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- The International Board of Directors and Steering Committee govern the YRITWC by determining the goals and objectives and direction it will take for the purposes of the protection and preservation of the International Watershed. The Yukon and Alaska Board of Directors and Steering Committees will govern their local office (Anchorage, Alaska and Whitehorse, Yukon) for the purposes of the logistics of carrying out the objectives and goals of the YRITWC on a local or project specific basis.

**Discussion:**

Clarification was given:

The offices would share the Director position – with an Alaska Region Director and a Yukon Region Director. ‘On paper’ we would have two organizations – ‘sister’ organizations if you will. One in Alaska and one in Canada – this is necessary for legal purposes in order to obtain funding.

The Board of Directors (as defined above) would be the Governing body for the YRITWC including both offices. This Board of Directors meets every two years at Summit Meetings. The Steering Committee in its entirety would be comprised of 10 persons – 5 from Alaska and 5 from the Yukon, together they would form the “Working board of Directors” for the YRITWC – split up – the 5 Alaska Steering Committee members would govern the day to day operations of the Alaska office and the 5 Yukon Steering Committee members would govern the day to day operations of the Yukon office.

The Alaska and Yukon Steering Committee will meeting together and separately and have the responsibility of guiding the operations of the Yukon River Inter Tribal Watershed Council on an ongoing basis and with the abilities to focus on issues within there separate jurisdictions (Alaska/Yukon).

Clarification of the discussion, the issues are if, for the purpose of Incorporation:

The Chiefs (or their authorized representatives) shall be named as Directors of the Yukon River Inter Tribal Watershed Council at Summit meetings, broken down into U.S. and Canada on paper.

**Decision:**

The existing organizational structure of the YRITWC will be amended to recognize the increased participation of the Yukon First Nations and the legal/jurisdictional non profit governing rules requiring each office have non-profit and Charitable Status for funding. The Anchorage and Yukon office will share the Director responsibility.

**4. Question:**

**Bylaws Amendment.** The Bylaws for the Alaska and Yukon side vary slightly to conform to governmental requirements for non – profit and charitable status. The Alaska Bylaws require amending to conform them to the current structure of the organization.

**Discussion/Decision:**

The Alaska By-Laws are to be amended to conform to the new structure of the organization and the Accord and presented at the next Steering Committee meeting for approval.

**5. Question:**

**Commitments and Contributions.** The YRITWC is an indigenous organization whose main objectives are:

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- i. River Wide Assessment (Assessment of the Yukon River Watershed from the mouth to the headwaters, including water quality testing and monitoring, issue identification, historic information, traditional uses, gather scientific data and research, etc)
  - ii. Environmental Education (provide education to the youth through school and community programming, raise community awareness of the issues affecting the river, provide programming and opportunities to involve communities in becoming stewards of the land, etc)
  - iii. Clean up (work with communities to clean up the watershed including our own backyards, assist with the provision of recycling programs, assist with community projects, etc)
  - iv. Technical Assistance (provide technical assistance to communities, Tribes and First Nations in the way of project development, design and implementation, assist with funding and grant writing, implement programs such as Train the Trainer Workshops in the communities)
  - v. Organizational Capacity Building (build capacity in the organization and between communities to ensure continuity of efforts and communication)

Would the Tribes and First Nations that are participating consider a financial contribution to the Watershed Council? This could be done in the form of a yearly membership fee and would be used as matching base funding for proposals for additional and ongoing funding. It would clearly show to outside agencies the Tribes and First Nations commitment to the organization they have founded and would greatly assist each office with both base discretionary funding as well as a matching contribution for proposal writing. A suggested yearly amount is 250.00.

**Discussion:**

There were questions on how would we work the money coming back and forth across the border. The money contributed in each jurisdiction would remain in that jurisdiction, specifically Alaska and Yukon. Support for the idea was garnered in recognition that having a funding base and having unfettered funds. Clarification on definition of the breakdown of the membership fee was requested. One Council represents three tribes, for example. Would that mean membership contributions would be \$250.00 or \$750.00 a year? It was clarified that this would be a single contribution, with no strings or promises attached. The request is not from each representative, elder or youth or tribe, but from each community.

**Decision:**

Consensus reached that a membership fee or commitment would be a good idea. The amount was set at \$250.00 per year.

**6. Question:**

**Logo Selection** – The YRITWC does not have a logo so we asked a couple companies to do up some examples for us to work with. These samples are displayed on the bulletin board - they are ideas only – please write your comments down or suggestions for modifying / changing them on the paper provided and mark your preferred one.

**Decision:**

Discussed in general and deferred to next SC Meeting.

**7. Question:**

**Review of the Accord for final acceptance.** Andy read the amended draft Accord document and the arising discussion/changes are:

Article III (1.) Add “cooperating” before “approved entities”

Article IX Add “and education” to the end of the Article, deleting the former “and”

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**Discussion:**

Discussion yesterday was that this document was sent out earlier this summer, they looked at it, reviewed it and now it has been changed again. Should it go out again or is it okay to sign tomorrow?

Clarification was provided on who can sign the Accord: Those Tribes or First Nations who brought Resolutions from their governments will be authorized as duly appointed signatories to the Accord. Those who do not have them may sign, but will need to take the Accord back to their governments for ratification.

**Decision:**

Subject to the two noted changes and correction of minor typographic errors, consensus has been reached to accept the Accord Document as presented for signing during tomorrow's ceremony.

**7. Question:**

**Galena Resolution.** Peter asked that the YRITWC hear the resolution requesting the U.S. government and Dept. of Defense take immediate action to clean up the hazardous waste and contaminants in and about Galena, located on the Yukon River, and provide permission for him to solicit signatures and support to this Resolution from among the representatives at this Summit.

**Discussion:**

At previous Summits Resolutions have been drafted and signed by those present on a few issues, the Resolution for the Carcross Tagish First Nations Land Claims Negotiation is an example.

A number of the participants indicated that they were here authorized only to deal with the direct business of the YRITWC, and not any other resource issue. Also, the way it is worded is like a directive from the LTC to the YRITWC, not a resolution. Time will be spent rewording it for Thursday. A lot of what the resolution speaks to is included in the YRITWC Mission Statement.

**Decision:**

Anybody can sign the Resolutions and Petition as a person in support of the issues. They will be offered up for signatures on Thursday, at the same time as the Accord signing, at a separate table.

**8. Other Business:**

Next Summit: Fort Yukon offered to host the next Summit and it was also offered that Nenana on the Tanana might be a good idea so the Yukon River issues can be brought to the attention of the communities on the Tanana.

**Discussion:**

Details to be considered in making the choice are numerous. Resources have to be available. It should be as easy as possible for attendees to get there, and for the staff to arrange. Costs can be very prohibitive. For this summit, budget was \$110,000.00, not including the volunteers and donations. Also, hotel costs and facilities were not an issue because of the camping opportunity and the time of year. We are not limited to choice, especially based on costs, but the decision must be an informed decision. Nenana withdrew their offer in support of Fort Yukon. In regards to the timing of the next summit, it was noted that Galena Summit was in winter (December), Mountain Village Summit was in the Spring (May), Brooks Brook Summit is in the summer; Fort Yukon suggested early fall, right before moose hunting season, say mid August to mid September. Another suggestion was spring break-up. The decision will be left up to the Host community and they will let the staff know.

**Decision:**

Consensus was that Fort Yukon's offer was graciously accepted.

**Adjournment**

Closing Comments: Agenda for tomorrow is very exciting, including Round Table discussions, presentation by the Youth and Elders and the Signing of the Accord.

After the Closing Prayer, the meeting was adjourned.

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Yukon River Inter Tribal Watershed Council  
3<sup>rd</sup> Bi-Annual Summit  
Brooks Brook, Yukon

August 9, 2001

Accord and Administrative Discussions (F.N. & Tribal Leadership, Staff)

**AGENDA:**

- ❖ Opening Prayer
- ❖ Panel and Round Table Discussions
- ❖ Presentations – Story of the River/Unified Watershed Assessment Plan/Mapping
- ❖ Success Stories – Projects and Current Work
- ❖ Water Ceremony
- ❖ Historical Overview, perspectives and summary of the YRITWC and the Accord
- ❖ Signing of the Accord
- ❖ Volunteer & Member recognition of contributions
- ❖ Closing Prayer

**Proceedings:**

**1. Opening Prayer: 9:45 a.m.**

Announcements were made

Recognition was given to the Anchorage office staff interns for all her hard work – Judy Wolf

Brief introductions of the guests who were in attendance

Perry Mead – River Network  
Director

Ken Margolis – River Network  
Director

The river is broke and we can fix it, but it has to be done by the people who use it. Organization is a facilitation organization providing assistance and funding

Goal is to find out where the problems are and look for ways to fix it

Geoff Dates – River Network

Help people understand and protect rivers. Our work is expanding to across the continent

Angie Read – River Network

Water resources specialist in Maine

Deborah Schaaf – Indian Law  
Resource Centre

Having so much fun learning about what's going on and finding out how we can help

Andy Huff – Indian Law Resource  
Centre

Chippewa. Amazing moment yesterday when we all came to consensus on the Accord. Today is truly a celebration of this most historical event.

Rebecca Seib – First Nations  
Development Institute

Assoc. Director of grant making; privilege to see the interest, understanding and control being taken in this endeavour. We normally don't fund conferences, but this is such a united effort to take back control and guardianship of the rivers and look to the future for partnerships developing with the Council and communities

Julie Jessen

Wonderful job. ACF protects ecosystems in Alaska by raising funds for things like this. I have the utmost confidence that you will succeed

Laurie Bentlock – Lannon Foundation	Indigenous program, mainly in US First heard about the YRITWC three years ago; heard from Rosetta a year ago on her visit to New Mexico and encouraged her to submit a proposal for funding, which she did and we funded the Youth and Elders portion of this Summit. This is wonderful
Jean Gamache– EPA	
Scott Suffocool – EPA	On loan from the tribe to the EPA; works with 271 tribes, 231 are in AK; administer funds; goal to help them develop environmental programs; goal to help build nation to nation governments and sovereign tribes; thank you for allowing me to witness this historical event.
George MacKenzie Greaves – Environment Canada	We've been involved for the last couple of years trying to support the efforts to protect the waterways in the Yukon; acknowledge comments made by boss, Don Fast, who was unable to attend; he is very dedicated to working with the council; a lot of credit has to go to the Steering Committee and staff
Patricia Curl	Part of the Bristol Environmental Engineering Native Services expanded to all over AK; we specialize in water/sewer and landfill projects; helping tribes to do the work themselves;
Carl Schroeder	Non-point source Pollution – Juneau; Dept. of Env. Conservation recognizes that watershed problems are only solvable by the communities. No one can come in and solve them for you. Funding is being provided by DEC, also provide technical assistance, especially water quality monitoring
Tina Long – AK Village Initiatives	Rampart; working on a Wildlife project; mission to enhance rural economic development in AK; this project is especially important because it addresses economic development which promotes enhancement of the environment
Gordon Nelson – USGS	Geological survey – my job is in water studies; just started a 5 yr. Project on the Yukon River, moving all the money from the lower 48; Looking forward to working with the tribes and we hope to train within the communities so that the water testing can be continued. We also work with Water Survey of Canada
Lydia Olympic – Nat. Tribal Com.	19 caucus members – 2 from AK; being here, I've recognized your problem; we don't have the problem – yet! We have the largest salmon run, and it is now a lot easier for me to go back and push for this. I sit with the EPA senior management and this gives me a real feel for what the people need. At our last meeting, I told about the subsistence living, and I need to know more about this so that I can give them the message and work to make sure they're listening.

**2. Question from the Floor:**

Joanne MacDonald CYFN	We come from the Yukon and we grew up on the river. It really struck me about 10 years ago when I went to Eagle and found out that it was the same river – the Yukon River. We don't recognize the border. Will all the people here be able to deal with the cross border issues?
Answers from the audience/staff:	Now incorporated in the U.S. and in the process of doing it in Canada. A set of processes has been worked out so that these two legal bodies can work as one, but raise funds in both countries.  Some foundations fund in both Canada and U.S. where they are related – U.S. and border tribes of Canada and Mexico, for example. Some funders can only fund on one side of the border, but if it's for, say, Strategic Planning, it would have an

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'overflow' affect.

Also have an International Arm – First Peoples Worldwide which provide funding to indigenous communities. Urge especially the Canadian F.N. to join.

There is a growing awareness of the importance of transboundary work. ACS might fund the Anchorage office, but the work would be transboundary.

Environmental Grant Makers Association – group that deals with transboundary groups; meeting in the fall – look into it!!!

As far as the Federal Governments from both U.S. and Canada is concerned, there are a number of agreements in regard to eco-system rejuvenation; We are working to find creative ways to have funds moved cross-border and this Accord definitely could potentially qualify.

In some respects, the boundary is the problem, but those in the field get permits to operate on both sides of the border. Cooperative efforts are growing, and we are learning how to deal with it.

From Environment Canada perspective, we can only send money to Canadian offices, but we can find ways to assist with capacity building funds with Heidi in the Whitehorse office.

A request was made that each of the guests leave their E-mail and Website addresses before they leave so that the information can be distributed.

Harold made closing comments to the guests, saying that the whole watershed starts somewhere with one drop of water. I went down last night and drank some of the Yukon River water. Thank you for your efforts and dedication. You each represent one drop of water, and the more drops, coming together, we will all make it to the ocean. On behalf of the water system, and our forefathers and future generations, a Big Thank you.

*Break – 11:15 – 11:30 a.m.*

**3. Presentations:**

**Story of the River *by the Youth and Elders*** ON VIDEO

**Unified Watershed Assessment Plan** ON VIDEO

*Break for Lunch – 12:35 – 1:30 p.m.*

**4. Water Ceremony**

Following Lunch, the participants went down to the river for the Water Ceremony

**5. Signing of the Accord Document**

The Accord, having been approved by consensus on August 8, 2001, was presented and signed by the representatives of the Parties thereto.

Those signatures not having authorization by Resolutions will require ratification from their Tribe or First Nation.

**6. Recognition of Volunteers and Members**

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Gifts and words of appreciation were distributed:

- Peter Captain Sr on behalf of Loudon for hosting the 1<sup>st</sup> Summit in Galena
- James Landlord on behalf of Kuigpagmuit Inc. for hosting the 2<sup>nd</sup> Summit in Mtn Village
- The River Network and Indian Law Resource Centre for their support and assistance to the YRITWC
- The funders and donors who contributed to the 3<sup>rd</sup> Summit
- The original Steering Committee: Peter, Harold, James and Clarence for their years of dedication and hard work
- Staff for 'putting on' the Summit
- Chief Eric Morris, the Teslin Tlingit Council and the community of Teslin for hosting the 3<sup>rd</sup> Summit

**7. Closing Comments**

A number of participants stepped forward to make closing comments, and extend their thanks to Teslin and the other participants. Highlights include:

- ❖ We have a vision of Clean Water, we have the Accord, which transcends the borders, now we must go forward and 'do it'. Congratulations to everyone who is here today.
- ❖ We live on the river, we live off the river. We've seen such tragedy, but the wisdom of our elders and energy of our youth gives us hope.
- ❖ We must recognize that we are governments. Accordingly, we must move forward as government to government.

**8. Closing Prayer**

After closing announcements, the Closing Prayer was said.

about water quality.

The concept of traditional values and stewardship are fundamental to the process. The Accord to be presented is the result of much work. We are responsible for communicating with the communities to help and assist them, to educate them on the health of the Yukon River.

Peter: At the time we met in Galena, we realized that the nature of pollution is changing and the pollution is now having an impact on the water life, animals, land, and the health of the people. The future of the River is severely threatened and we must learn and educate how to clean up and maintain the Yukon River Watershed.

In Galena, there were 36 tribes who all arrived with different agendas. Yet, at the end, the common goal was defined as "Clean Water". Water is critical to the survival of the peoples and our way of life.

To define how we will work together and stay on track, we decided we needed a 'treaty'. Our common purpose is agreed upon, so now the agreement to work together, formally was our task as the Steering Committee. The goal of this Summit is to leave with a true Accord to empower the Steering Committee and staff to go off and get to work.

With knowledge, we will be able to accomplish much. When people become aware of a problem, and have the knowledge of how to deal with the problem, they will use the knowledge, recognizing the benefits. This is the case with Clean Water. We need to return the Yukon River Watershed to being safe, clean water, which will support the people, sustain our culture and the wildlife.

Peter also asked that the participants begin to now give thought to where they would like to hold the next summit.

James: At Galena, everyone had their say about the contaminants and we got the big picture of the problems – mining, railroads at the headwaters; down the river, other effects polluting the water. Ecoli testing is being done.

Between the first summit and the second, a lot of awareness was raised. When Henry Sijohn (from Idaho) our guest speaker spoke on pollution in the Quarterlink River and the effects, it provided the incentive to the group to band together to develop a non-profit organization to protect the Yukon River. This is a grassroots organization, and that is why consensus is so important.

Rosetta: Overview of Activities:

I came on board in March 2000. I moved from Soldotna to Anchorage; we now have a Whitehorse Office and Fairbanks Office. We have full time staff and several interns for the summer.

The Strategic Plan has been posted on the board. We've come a long way, and there are now a lot of participants and parties who have expressed interest in what we are doing. The Objectives of the Summit have been listed in the materials, but coming to this Summit we were told to come with a clearer

understanding of the whole process – needs and gaps.

The Yukon River Watershed covers 300,000 square miles; The Yukon River is the 4<sup>th</sup> largest river in North America. The task we've set for ourselves is not an easy task.

One of the interns is working on an annotated bibliography which will identify and pull together:

- ❖ Gaps identified
- ❖ Available information
- ❖ Develop a searchable (internet) database

Technicians are looking at creating a unified watershed assessment plan – monitoring and reporting, to be brought back to the group for approval.

Environmental Education, as an objective, involved the attraction and participation by the Youth for sustainable plans to assist with clean up and maintenance of Clean Water. Funding was acquired:

- ❖ School projects for education about the importance of Clean Water and what can be done to clean up the water
- ❖ Technical Seminar – how to identify hazardous waste and store it
- ❖ Project to remove hazardous waste (oil) from 10 communities in Alaska this year
- ❖ Coordinating with technicians throughout the area on their environmental projects

Strong administration is key to providing support to the Steering Committee, leading to a strong foundation for the Council. Communication strategies are being developed to insure continuity and funding for the projects and programs.

Rosetta:

The posted Plan is a short-term plan, and certainly not inclusive of the whole. The program will be ongoing.

We have been contacted by a number of other groups across the states who are concerned about their land and water. We are now participating in State-wide activities, but we are being very cautious without the Accord being in place and having clear direction from the group.

Heidi:

I was hired in January on a contract basis working from home with the following being short term main priorities: raising awareness and increasing First Nation participation with respect to the issues and concerns of the Yukon River Watershed and the work of the Council; identify and secure funding to allow for a permanent Yukon office and staff; and create a legal entity for the Watershed Council on the Canadian side. These priorities have been achieved and much of the past couple months has been spent on planning for and coordinating this years Summit. I have also worked with some of the First Nations on their individual projects and have developed working relationships with both Government and Non government organizations with a mandate for or interested in the health of the Watershed. The Summit has been a huge exercise and has consumed much of my time over the summer. Once the Summit is complete my

focus will be on organizational development and finding funding for the development of projects such as environmental education, data gathering and exchange and assessment and monitoring.

Peter: For clarity, we can't be fighting the small fires. We must focus on the goals set by our group and let the other groups fight the smaller fights. Cooperation, information sharing and technical help will be offered and accepted, but we will stay focused on our task – Clean Water. We are still in our formative stages of our group and we need to accomplish our goal before venturing off to other focuses.

General comments were made in regards to the fact that the participants live this river and its tributaries - eat from it and drink from it. The Indigenous Peoples moved around from spring camp to winter camp. One participant added that he is committed to getting involved and helping to teach others to "walk our talk".

This is a way of life – returning to our way of life. There will be many who wish to become involved, and like a dam-gate being opened, we want to be like the river. We must have patience like the river, and like the river, we will shape the future. The river moves rocks. Like the river, we're moving, and we will move rocks.

*Adjourn for lunch: 12:00 noon – 1:00 p.m. Reconvened at 1:30 p.m.*

Agenda for this afternoon is to look at the DRAFT ACCORD and proceed with arising issues.

Andy: Work on the Accord commenced in earnest in November 1999 subsequent to the Mountain Village Meeting. The committee made up of members from a number of villages, who met in Anchorage and Fairbanks many times to draft this document. It was then distributed for comments and review, with several meetings for input and review. The Goal is that at the end of this Summit this Draft document will be approved to a Final Document and have people sign it before we leave.

This summit has the strong potential for creating history. Nowhere in the world has there been a group of such scope come together to work on a singular project.

PREAMBLE: The Preamble is a general statement of intent and clarity

**CHANGE TO:** The Indigenous Peoples of the Yukon River and its tributaries, hereinafter referred to as the Watershed ..."

Discussion: Use of the words "Indigenous Peoples" or "Indigenous Tribal Nations" in relation to the legal applicability versus the conscious recognition that in International Law it does recognize the status of indigenous peoples and reduces the potential for interpretation of differences if you use "Tribal Nations" (U.S. / Canada)

Clarification arose indicating that the wording of the Accord is for the group, and

its purposes, not to be authored with the worry of what the others will think of it or try to interpret it as meaning, including governments.

Suggestion made to add a section of Definitions to the document to include any words or wording requiring clarification.

**Decision:** Leave it as is.

1. Discussion: When we developed the Mission Statement, we want to clarify and carry forward the essence of the message of the Mission Statement of our sacred duty

**ADD:** “and the sacredness” after “of the value”

2. **CHANGE:** “visitation” to “activities”

**CHANGE:** “wild resources” to “wildlife resources”

**STRIKE:** “the” before the words “high rates”

**STRIKE:** “the” and “along” from sentence ... and **CHANGE to** “diseases present in villages within the ...”

3. Suggestion: with the understanding that the relationship with the River is reciprocal, the sacred river provided to us as we continue to endeavour in its care taking.

**DECISION:** Add a #4 which reads:

“ Our relationship with the Yukon River Watershed is reciprocal. The sacred river provides for us as we continue to assist in its care taking.

4. SEE ABOVE

5. Discussion: Who are we “affirming” to? Both ourselves, all other indigenous people and governments.

**ADD:** “continue to” after “which we “

**ADD:** “traditional” before the word “development”, deleting “and” before “cultural”

6. This comes primarily from the work at the UN and put in to say this is an agreement between ourselves, but it also entitles us to have a say in related matters raised or acted upon by governments.

DISCUSSION: clarify that in the wording.

**ADD:** “We, as” before “Indigenous Peoples have the right...”

**CHANGE:** “institutions” to “governments”

**DELETE:** “Indigenous Peoples that are” before the word “signatories”

**ADD:** “with each other and” before “with other governments”

7. Written to indicate our responsibility to care for our own land and resources.

Discussion: add “traditional” after ‘cultural’

8. **CHANGE:** “their peoples presently” to “between each other presently”

**CHANGE:** “long before the international borders existed” to “long before the

establishment of the international borders”.

Discussion: At the last meeting of the committee, it was important to relate that the relationship pre-existed the establishment of borders, and continues to be maintained. Some people want it shortened to “recognizing and affirming that We, the I.P. of the W, maintained contacts relations and cooperation presently and have since long before the establishment of the international border.

9. Major function of the watershed is education, so it might be a good idea to add that specifically.

**CHANGE:** “Affirming the need to promote cooperation, communication and education among the...”

*Break – 2:45 – 3:15 p.m.*

Before proceeding to the next section, concerns were raised in regard to the need for documentation of the traditional use area. Agencies use this written material against us, not recognizing traditional practices as being as useful and valid as the written word. Documenting our fish and game practices will prove useful in the future and work hand in hand with the education by governments of our people, mixing it with traditional and cultural knowledge.

**ADD:** “planning” before the word “management”

## **PURPOSES OF THE ACCORD**

Art. I Purpose:

**ADD:** “and its tributaries” after “mouth of the Yukon River” for continuity

**ADD:** “plan” before “monitor”

**ADD:** “and education” to the end after “communication, deleting “and” before “communication”

***ACTION: Change the Mission Statement to reflect the inclusion of the tributaries of the Yukon River***

Art. II Cooperation

This article is to clarify the spirit of cooperation without interference in rights to authority and self-determination.

No changes.

Art. III Communication

1. **ADD:** “and Education” to the title to read Communication and Education, since this is the educational component arising out of the Accord and the activities brought about because of the Accord

Discussion: There are a number of entities who have desire to work in these areas and recognition of these other non-indigenous groups would be appropriate, especially in accessing potential funding. Any organization who is interested in assisting in the goal to Clean Water and cleaning up the Yukon River Watershed, should be allowed to be included in our efforts and information. Another position was that it should be limited to indigenous peoples and entities. Is there a need for a mechanism to review to whom the information is being

given?

**ADD:** “coordinate and” before “cooperate”

**ADD:** “and other cooperative entities” after “Indigenous Peoples

Discussion: Administration will need clear direction in regard to protocol in forming associations, information sharing relationships, etc. when we get further down in the process.

2. Discussion: The office should be producing newsletters to insure ongoing updates and knowledge sharing. Should that be included here, or in the section on Implementation Details? Decision – in the Implementation details. For general information, however, quarterly newsletters have been done, which we are hoping to increase to monthly with the Whitehorse Office now on-line.

General: Arising Discussion in regards to Indigenous Peoples signing accords or treaties or agreements? What’s the difference between Treaties and Accords and Peoples and Nations? Changed the name from Treaty to Accord because the negative connotation of the word “treaty” which were used, in the past, to take things away from us.

What authority does anyone have to sign an Accord? When we become signatory to this document, you sign on behalf of your Tribe or First Nation. That’s why the resolutions from each Council are required, approving each person as approved to sign. As governing bodies, we have the authority to enter into Accords.

For some representatives, the next action will be to take the Accord back home to be ratified, others have the Resolutions required and can sign it here at Brooks Brook.

Who makes Accords – Nations or Peoples? In International Law, the words “peoples” and “nation” are interchangeable.

**Action: Add “Indigenous Peoples” to the list of definitions to clarify interchangeability of the words Peoples and Nations as governing bodies.**

**ADD:** “development and” before the words “exchange of information”

## **CARRYING OUT THE PURPOSES OF THE ACCORD**

Art. IV Summit Meetings

The wording requires that additional meetings can only be scheduled at summit meetings.

**DELETE:** “gathered at the summit meetings”

Art. V The Yukon River Inter-Tribal Watershed Council (YRITWC)

**ADD:** “and Mission Statement” after By-Laws of the YRITWC, deleting “and” before.

**ADD:** “and its tributaries” after “Peoples of the Watershed” in both places

**ACTION: Review Articles of Incorporation and By-laws to assure that within these documents, the Yukon River and its tributaries are clearly indicated.**

## Art. VI Amendment of the Accord

Should there be clarity in regards to Notice given before presenting Amendments?

**ADD:** “The YRITWC shall inform all signatories to the Accord of the proposed amendment at least 30 days in advance of a summit, unless otherwise agreed.” after the first sentence, as a second sentence.

## Art. VII Implementation of the Accord

Discussion: Do we leave the wording as “upon signing” or change to “upon ratification by the governments of the Indigenous Peoples”. The design of the resolutions appointing representatives authorized to sign was to specifically address this Article.

No changes.

## Art. VIII Withdrawals

Discussion: Notice should go to the authority for the YRITWC, which is the YRITWC Council, who will then provide notice to the other signatories.

**ADD:** “the YRITWC who will provide notification ” before “to the other Indigenous Peoples...”

## Art. IX Disclaimers

No Discussion or changes.

Closing Remarks were made by Peter expressing appreciation for the commitment by every participant.

In Round Table, highlights of the comments made by the participants include:

- ❖ Compliments on the openness of the participants
- ❖ Compliments on the location at Brooks Brook
- ❖ This is the start of a very powerful and important organization
- ❖ Thank you for adding the “Tributaries of the Yukon River”
- ❖ Hope to see a Press Release on this Historic Summit and the work that will arise out of the Accord

Closing Prayer

*Meeting Adjourned at 5:30 p.m.*