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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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