

# INTERIM Wetlands Conservation Summit Report

Prepared by

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## **Introduction**

Despite wetlands being internationally recognized as key climate regulating and biodiversity hotspots, wetlands in Yukon, outside of protected areas, have no protection; unlike most of the rest of Canada, including Newfoundland, Nova Scotia, PEI, Ontario, Quebec, Manitoba and Alberta, Yukon does not have a wetlands policy,

This project was conceived in 2017 when it became apparent that Yukon was going to develop a Wetlands Policy. Because the impetus for the policy was industry pressure to develop an extensive wetlands complex in the goldfields south of Dawson City, Yukon Conservation Society (YCS) was concerned that the policy risked becoming an industry driven wetlands policy affording no real protection to wetlands.

With the goal of maximizing the level of conservation in the wetlands policy, YCS decided on a two-pronged strategy. The first would be a conservation summit, where First Nation land managers, environmental professionals and land claim



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organizations would gather for an intensive day with wetlands experts to learn how to make the case for wetlands protection in Yukon and how to counter the pro-development narrative. The second, would be a public event designed to raise awareness of the need for wetlands protection in Yukon with the goal that the participants would be empowered to advocate for a higher level of wetlands protection when the wetlands policy came up for public input.

The timing of these events was necessarily oriented around the progress of the Wetlands Policy. The Conservation Summit was timed to be part way through the policy development cycle, at a point where some of the elements were appearing but nothing had been set in stone. The public event was anticipated just before, or at, the start of the public engagement on the draft policy.

When YCS applied for funds for this project, the timing of the policy development was not fixed; it is still subject to change, and it appears that the public engagement on the policy will not take place until fall 2019, almost a year later than we thought. Therefore, YCS decided to hold the Conservation Summit on schedule and delay the public event until fall 2019, that is, if the funders are prepared to extend the length of the project.

This report then is on the Conservation Summit and its outcomes. The single day event was successful because of the high quality presentations by experts and the participation of First Nation decision-makers and influential community members.

## **Methods**

The Conservation Summit took place from 9am to 5pm at the Northern Research Centre of Yukon College on September 5<sup>th</sup> 2018. A total of 22 people attended (for a full list of participants please see Appendix A).



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After an introduction and orientation to the event provided by YCS, wetlands expert Dr. Lee Foote, Professor and Director, University of Alberta Botanic Garden, University of Alberta, gave a presentation on, “Why it is important to preserve wetlands undisturbed but if they have to be disturbed, think about this”.

This was followed by a panel discussion where members of three First Nations laid out their perspective on wetlands. After lunch, Dr. Doug Clark, Associate Professor, School of Environment and Sustainability, University of Saskatchewan, gave a talk on how best to influence policy during its development. Subsequent to this, both Drs. Foote and Clark led a workshop/discussion on what level of change wetlands could withstand, as supported by the participants.

The Summit concluded with a critical examination of a presentation that has been frequently given by the placer industry that tries to show how little mining affects wetlands and can often improve them.

## **Results/Discussion**

Dr. Foote showed how society has not done a good job balancing wetlands protection and development; in almost every case where a development has been proposed in a wetland, wetlands have been degraded or eliminated in favour of development. Dr. Foote showed how restoring most wetlands to their original state is impossible, in less than a multi-century timescale. As a result, he said, it is important that wetlands policy construction have wetlands protection at its core.

The panel discussion addressed our relationship to wetlands as a critical part of the social and ecological environment through the personal histories of First Nation people and their relationship to the land.

Dr. Clark reinforced Dr. Foote’s points and warned of unintended consequences. He reminded participants that we simply don’t know before hand the consequences of



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our decisions and often, good intentions result in harm to the society and ecosystems a policy was intended to nurture or protect. As an example, he pointed to the restriction on the international trade in polar bear parts, which was intended to protect polar bears. A result was a significant drop in the few ways that Inuit and Inuvialuit could make a living on the land. The caution, he suggested, regarding a wetlands policy that advanced blanket prohibition on work in wetlands, was related to negative political and economic outcomes and how these circumstances influence other social and ecological priorities.

The joint discussion/workshop reinforced that Yukon has some real advantages over most other jurisdictions; where our robust system of co-management and environmental assessment and the expectation that public knowledge, including prominent input from Traditional Knowledge provides an effective counterweight to industrial development.

We concluded the day with a slide-by-slide examination of a pro-industry presentation produced for the placer industry. Participants were able to take the time to critique the assertions and assumptions in the presentation.

## **Conclusion**

The event was timed to take place after some of the groundwork for a Yukon Wetlands Policy had been completed, so that some of the issues had already been explored and some of the positions of stakeholders had become apparent. The Summit took place during the early stages of the Government of Yukon's efforts to draft wetlands policy. As a result, participants are better equipped to provide effective, conservation-focused input to the draft wetlands policy as it is developed.

The following "lessons learned" can be used to influence wetland policy development here in the Yukon.



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The first is that good science, and more knowledge, alone does not compel good policy. This is an important lesson because there has been a wish expressed by a subcommittee of the Yukon's wetlands policy development participants for access to expert knowledge about wetlands. As a result, the Yukon government issued a Request For Proposals for wetlands experts who could help inform the policy writing process. While this additional insight will be helpful and admittedly, science and traditional knowledge will be essential to a good policy, the socio-economic effects of the policy will have to be considered.

The next important lesson about policies is that, alone, they will not solve the problem that drove their inception, for several reasons. First among them is the problems appear different depending on one's perspective. For example, the main problem for Government might be criticism from the public and special interests, while for First Nations it could be a desire for a more meaningful role in management, and for an environmental organization, it could be protecting wetlands.

Policies are usually crafted to address complex problems, and by their nature, complex problems do not lend themselves to being easily "solved", and so when action is taken, another problem arises. The lesson here is one of recognizing complexity and consequence. To prepare to address these, policy development must consider the time scale needed for observation and measurement. Both must be agreed to in a way that respects local decision-making and higher order government authorities.

Another policy development lesson realized is that policies require a degree of acceptability. This speaks to characteristics of fairness and equitability. If, perhaps because a certain group dominated the policy development process because of disproportionate power, the policy can be seen as unfair, particularly those without the same access to the resources necessary to participate. As well, policy might be



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perceived as unreasonably forcing the hand of government(s). These circumstances risk the policy being undermined or not fully implemented.

There are, however, ingredients to crafting a policy that participants should use or be aware of. Some of them are:

Knowing one's brief and acquiring deep familiarity of the subject increases the likelihood of effective engagement.

Forming alliances that have broad agreement on the shape of the policy. For example, the placer, hard rock and mining exploration groups have joined forces to produce presentations and supply information.

Good policy development can be viewed as good consultation, and as such takes considerable time and effort, therefore participants must be prepared to engage over the long haul. Time and scale manifested themselves as important considerations throughout the discussion.

Despite the existence of carefully thought out policies across Canada, wetlands have continued to be lost, degraded and altered. It is possible the Yukon could avoid this fate because Yukon has a unique advantage in its governance structure: The active presence of Self Governing First Nations, and the associated constitutionally mandated Boards and Committees deliver checks and balances to government and special interest groups sometimes absent in the Provinces.

Lastly, we would like to recognize that the participation and input of Drs. Foote and Clark, was invaluable to the success of the Summit. Their experience and knowledge helped shape the discussions in a way that was respectful and informative. Their contributions will continue to be helpful as the wetland policy development process unfolds. Both have kindly offered their ongoing assistance.



## Appendix A

### Summit Agenda

TIME	EVENT	WHO
0900	Introduction to the Wetlands Conservation Summit	Sebastian Jones (Wildlife Coordinator) & Dr. Mike Walton (Executive Director), Yukon Conservation Society
1000	Presentation: “Why it is important to preserve wetlands undisturbed but if they have to be disturbed, think about this”	Dr. Lee Foote, Professor and Director, University of Alberta Botanic Garden University of Alberta
1100	Panel Discussion: First Nations and wetlands	Sebastian Jones (moderator), and 3-4 First Nation land managers including NND ( Dawna Hope) and TH (Debbie Nagano)
1200	Lunch provided	
1300	Presentation: “What are the best places to, and best methods of influencing policy?”	Dr. Doug Clark Associate Professor, School of Environment and Sustainability, University of Saskatchewan
1400 to 1600	Facilitated workshop: “Developing a coordinated approach to a Wetland Policy by understanding limits of acceptable change to wetlands supported by participants”	Dr. Lee Foote
1630	Presentation: “How to address misinformation in wetlands plans”	Sebastian Jones, Wildlife Coordinator, Yukon Conservation Society
1700	Wrap up & adjourn	Sebastian Jones, Wildlife Coordinator, YCS



## Appendix B

### Summit participants

NAME	AFFILIATION
Dawna Hope	NND
Kim Melton	TH
Debbie Nagano	TH
Kirsten Scott	TH
Betsy Jackson	Laberge RRC
2 <sup>nd</sup> representative	Laberge RRC
Jamie Kenyon	DUC
Randi Newton	CPAWS
Michael Jim	CAFN
Lorraine	Alsek RRC
Brandy Mayes	KDFN
Jerry Kruse	Selkirk RRC
Betty Baptist e	Selkirk FN
Jerry Alfred	Selkirk RRC
Sheila	LSC RRC
Hilary Cooke	WCS
Sebastian Jones	YCS
Dave Mossop	YCS
Mike Walton	YCS
Skeeter Wright	YCS
Lee Foote	U of A
Doug Clark	U Sask