

Yukon River Inter-Tribal Watershed Council

Leadership Meeting

Nenana, Alaska

August 11-13, 2004

Meeting Notes

Wednesday, August 11, 2004

Coal Bed Methane Educational Presentation, Albert Genier

Albert visited Coal Bed Methane (CBM) production areas in lower 48 US, in Montana and Wyoming. Visible impacts include drill pads, roads, pipelines, power-lines, compressor stations, drill pits for wastewater, and increased traffic. In speaking with locals, there are also social problems related to lots of new workers, strains on services, crime, air pollution, etc. Perhaps the biggest visible impact, and the one most relevant to the Watershed Council, are related to water. They need to de-water the wells and release pressure before it will produce methane (natural gas), and this results in massive water pollution and loss of groundwater in the local areas. There are large evaporation ponds, and much of the water becomes saline (salty) and is not usable after it is pumped out of the ground. Much wildlife and herd stock have died because of the evaporation ponds and contaminated discharges into streams and rivers. In one location, numerous cottonwood trees that were hundreds of years old died because of changes in the water table. There are a lot of lessons to be learned from the mistakes made in the lower 48.

CBM development is now being proposed for parts of the Yukon, north of Mayo in the Peel River watershed (feeds into the Yukon), and also in British Columbia and Alaska. The proposal in the Peel watershed is quite extensive and long-term. No one knows what kinds of impacts will occur with permafrost, and what will happen to the wildlife we depend on. We are calling for a moratorium on CBM development in the north. We need baseline assessments and better understanding of our environments before we change them so drastically with CBM development. We need a work-plan on how to monitor and oversee any future development. Depletion of the ground water is a major concern in our area. We also need to address land claims and Native ownership of the subsurface. If development were to occur, we need to create proper bonding so companies are responsible and pay for necessary clean-up, and we should look into ways to direct profits back into environmental clean-up.

Albert has prepared a CD with his presentation on it and the Watershed Council has made copies available to everyone here to bring back with them to their community.

Somebody suggested showing the CD in all communities' schools, at PTA meetings, Tribal and First Nation Councils, other community events, and wherever we can get an audience. The pictures and information on the CD are powerful and moving.

State of the River, Paul Erhart and Geoff Dates

Paul has been monitoring and assessing the Yukon River for one year at three sites, three times per week, for basic physical characteristics such as turbidity, pH, etc. The three sites, near the village of Tanana, are on the main-stem of the Yukon, on the Tanana near where it meets the Yukon River, and 60 miles downriver in the mixing zone, where the two rivers are fully mixed. This is a very small part of the huge watershed. We want to teach as many Tribes as possible to sample the River in their community. At a minimum, we want to sample right at Eagle, at the US/Canada border; at the North, Middle, and South mouths of the River; and 38 other sites. The goal is to get a “snapshot” of the River. With limited resources, we may just sample “hotspots,” which are areas of known impact from mining, military, etc. We estimate about 200 hotspots which will be prioritized.

The Yukon River Watershed is covered in ice for about 200 days/year. The River provides about 55% of our diet, on average. Mercury doesn't biodegrade, and so far, we haven't detected any in our water samples, which is good. BUT, water samples have shown cadmium, barium, nickel, and other contaminants. Also, no arsenic detected to date.

We have detected fecal coliform in the River. For example, the Village of Tanana has an Alaska Dept of Environmental Conservation (ADEC) permit to pump 1.4 million gallons of treated sewage daily into the River. We're looking at pumping this into wetlands first, before it gets to the River, to buffer it and reduce the loading into the River. Elders like to drink water from the River in the winter, and we need to make sure there is not fecal coliform from humans in that water. Some fecal coliforms also comes from animals, which is a lot harder to control. Geoff Dates has helped me figure out which coliform is human and which is animal. Most we have detected are human.

First big environmental impact to the River was from mercury for gold mining. Then diesel fuel that came from the military and White Alice sites. In the 1960s they sprayed DDT for mosquito control.

Water samples are sent to *Analytica* lab.

From our samples, it seems water quality on the Tanana is worse than the Yukon. There is more fecal coliform on the Tanana potentially from the Fairbanks area and in general there are more people on the Tanana; also, the Tanana is more turbid so it holds more contaminants in suspension. We don't yet have enough resources to do heavy metal sampling, which is much more expensive.

- Participant Suggestion: Have IGAP funds and staff in each Tribe for sampling on the River. Each community needs a Quality Assurance Program Plan, which the Watershed Council can help you draft. Communities can use regular IGAP funds for monitoring and assessment and also IGAP Special Projects.

- **Participant Suggestion:** Have the Watershed Council work with other groups like the Arctic Athabaskan Council (AAC) to share our strengths, like bringing the data and studies and information from snow sampling that Paul did, that detected pesticides from Asia and Russia, to the Trans-boundary Contaminants Working Group at the Arctic Council. The AAC can open international doors for the Watershed Council and the Watershed Council can help spread information to local communities and improve capacity of the AAC.

The YRITWC Fairbanks office can disseminate information to all the Tribes if individual Tribes send sampling results or other information to our Fairbanks office.

Geoff Dates / Assessment and Monitoring Coordinator for the River Network

Ideal monitoring system is monitoring everything, everywhere, all the time. This is impossible to do, so you need to figure out your resources, your skills, and what you care about.

How do you define health? A healthy river system? It is very difficult and complex. What makes us sick? Exposure to “stressors.” It is the same with the River: watersheds have stressors, such as pollution, restriction of flow, etc. We need to look at life in the River, beginning with invertebrates. My definition of a healthy river is a body of water that supports a full range of plant and animal life doing what they’re supposed to do. We view the River as both a living thing and a life support system.

Are people being exposed to things that can make them sick? Are they actually getting sick? Maybe not if there is not much exposure. When conducting a river assessment, what do we expect to find? Do we actually find that? Unless monitoring and assessment is community/village based, it won’t be done successfully and comprehensively. This is a long-term effort; we need to build a historic data-base and merge traditional knowledge.

We will never understand this River fully and properly without traditional knowledge and understanding of how things have changed.

We want the most amount of information acquired with the least amount of time and money—this is a definition of sustainable. You may want to consider sharing information with other large River systems that are heavily impacted, like the Pueblos on the Rio Grande, to learn from them.

Review Draft Organizational Goals – Board Meeting, Facilitated by Pat Sweetsir

Protocol for speaking during the meeting: the YRITWC welcomes comments from staff and others present, but requests that they do so only with the permission of a board member.

Pat Sweetsir– gives a brief background of the evolution of the Watershed Council’s vision, mission statement, guiding principles, goals, and objectives.

An old traditional story is that the Yukon River used to flow both ways, but scientists didn’t believe us for a long time. Our elders knew this to be true. Recently scientists discovered a 12,000 year old geological event that probably changed the water flow of the River to what we know of today.

Before the discussion of long-term goals began, Chief Randy Mayo of Stevens Village announced to everyone that his tribe has agreed to sign the Inter-Tribal Accord. With the addition of Stevens Village, there are now 59 signatories and every single tribe and First Nation on the main-stem of the Yukon River is now a signatory.

The process for this part of the meeting was clarified: the Board was asked to approve or modify specific language of the draft goals to provide direction to the staff.

Harold Gatensby asked how will we monitor the progress of these goals?

Rob Rosenfeld responded that we will have work plan items under each of the goals, which will be reported on to the Executive Committee (EC)/board. It will be up to the EC/board to let us know if we’re not doing it well.

Clarence Alexander reminds us that tribes must also implement some of these goals, and that the Watershed Council is primarily there to assist. These goals are not just there for the Watershed Council staff, but also for the tribes. Let’s not forget that we don’t want to create a bureaucratic monster with a big budget, lots of staff, etc., The following long-term goals were adopted by consensus. The discussion that resulting in these goals can be found after the goals.

Long-Term Goals adopted at the Nenana Leadership Meeting - August 11th, 2004

1.a. We will gather and use Indigenous knowledge regarding the Yukon River Watershed to enhance the quality of scientific and management decisions and promote environmental stewardship and traditional ways of life.

1.b. We will use quality assured monitoring to identify contaminated areas, prioritize them by severity, promote their restoration and measure the success of restoration efforts.

1.c. We will coordinate a network of monitoring entities to collect, analyze, and share information regarding the health trends and subsistence resources of the Yukon River Watershed.

2.a. We will develop a program to promote Indigenously produced and adapted environmental education resources to carry out traditional values of resource stewardship while creating jobs, internships, scholarships, incentives, and volunteer opportunities for youth, leadership and communities.

3.a. We will advocate for and develop strong Indigenous, state, territorial, federal and provincial environmental standards to be enforced that ensure the watershed is healthy and free from contaminants.

3.b. We will provide information and key support to communities within the Yukon River watershed to help develop and implement comprehensive wastewater, sewage, and solid and hazardous waste systems and plans, leading to affordable and appropriate improvements.

3.c. We will continue to be a body that is responsible for the watershed and participate in policy and management decisions that impact the health and future of the watershed.

3.d. We will continue to map the locations and update the status of contaminated sites along the Yukon River Watershed and advocate for their clean-up on a regular basis.

4.a. We will have a diversified funding strategy that adequately meets the long-term program and operational needs of the organization without competing with Indigenous governments within the watershed.

4.b. We will have a well-informed unified governing body that provides oversight and guidance to the organization and establish appropriate working committees.

4.c. We will assist Indigenous governments in improving their organizational capacity in order to achieve their goals and advocate for continued government funding allocated to Indigenous governments for the protection of the watershed and traditional way of life.

4.d. To accomplish its vision, mission, and goals, the Watershed Council will maximize partnerships and collaborative opportunities in all aspects of its work.

Discussion on Long Term Goals:

There was also discussion that “subsistence” should be included in the language, such as in goals 1a, 1c, 4d. There was general agreement, but Clarence reminded us that “subsistence” is not our original word. A participant remembered that in earlier planning, we decided to avoid using “subsistence”, that is why our mission statement says “traditional native way of life”. Chief Mayo commented that there is a certain benefit to using terminology that others countries have agreed to use and that is understood globally. We must be cognizant of that and know how to use it at different levels. Another participant was concerned that if our main objective is to drink water from the river, are we not duplicating from other organizations just to get funding? We shouldn’t lose track of clean and safe water. He doesn’t want to take money from our communities; it may hurt more than it helps. Harold says he remembers the dialogue and agrees that we don’t want to be taking away from communities but adding and complementing them. Rob indicated that this issue is addressed in long-term goal on financial resources, which states “that the watershed council will solicit funding without

competing with indigenous governments within the watershed.” Clarence suggested that we leave it but use a glossary.

- *The board agrees by consensus that the strategic document will contain a glossary of terms used.*
- After some discussion, it was agreed by consensus to add a new goal. The language was extracted from the document’s executive summary (see long-term goal 4e below.)

There was also some discussion about the goal under organizational capacity for the YRITWC staff. Bonnie Harpe suggested that this goal should be policy rather than a goal; it is self evident. Rob explained that a key success for nonprofit organizations is to have a solid organizational structure. By explicitly stating that a solid organizational structure is a goal, you create accountability and responsibility for making it happen, you are more cognizant of the time, financial, and human resources needed to achieve it.

- *The board agrees by consensus that the goal on organizational structure will be included in the policy and procedure manual as an amendment.*

Originally, we began the process of discussing and approving each long-term goal in a consecutive manner. Then, the group found it was easier to talk about all of them and not be tied to each consecutive goal and then determine where each comment or suggestion would best fit within the already existing framework of goals and objectives. Following is a summary of the discussion and final consensus of each goal in consecutive order.

Goal 1a

Chief Randy Mayo spoke of a tribal college doing a project with elders, medicine people, taking traditional knowledge and putting it in western, legal, scientific terms. There is a tribal college here that could be involved in the work towards this goal.

Also, we should use Indian General Assistance Project (IGAP) funds and develop Quality Assurance Project Plans (QAPP’s) to further this effort.

Chief Peter Captain, Sr., said that the monitoring strategy is on hold a little bit, pending a request to Congress for more money.

Karen Kriska – Environmental technicians should be trained in water testing, that way you would have testers all along the river.

Harold Gatensby – His community is working with the local college, Yukon government, First Nations, etc. to train people to monitor water – this creates consistency and permanence, as well as a role model for others to follow. The program will start in September with the water-monitoring curriculum. With this, we could make our work a community based project.

Clarence – the University of Alaska gave money to the corporation to build a dorm for 12 people in Fort Yukon, thus the opportunity is there to have courses in winter. This opportunity could be used as a good start for people to build skills in water monitoring. We can negotiate a curriculum with the university.

CJ Marion Sheldon – We need to figure out how to approach governments, to work within their criteria and guidelines – let's find compatibility. Often times our traditional knowledge is not appreciated by the other governments and policy makers. Their laws don't always fit our ways of life. We need to pull their system along to fit ours as well. We have Native technical people who can help us so we can all work together.

Chief Peter Captain – agrees with everyone, let's take it one step at a time and work collectively.

Long term monitoring goals approved by consensus in the following – refer to 1b and 1c:

Goal 2a

How can we develop a network for easy access for technical support? Instead of having to call lots of people and deal with bureaucracy, if we find a problem with fish in our nets, for example, who can we easily call who will begin the process of addressing this problem?

Gary Edwin – Recommends the YRITWC set up seats for youth to sit on so that they can learn by doing.

➤ **Recommendation to establish 2 seats on the Executive Committee, one each in Alaska and Canada, for youth to participate in YRITWC. This recommendation was not revisited but will likely be discussed in the future.**

Mike Grundberg – There is a lack of incentive in villages for youth to get educated and stay in their communities, it is an economic problem and unfortunately a big one. Let's think about how the YRITWC can influence that, perhaps with job creation, etc.

Nenana elder – Even if youth have good intentions, the YRITWC can do it and is already doing a good job.

Chief Randy Mayo – How can we be like a bridge between communities and youth?

George Owletuck – George spoke with Former Congresswomen Elizabeth Furse (Institute for Tribal Government (ITG) and General Tom Case (Dean of the University of Alaska College of Business and Public Policy) about creating an Institute for Tribal Government in Alaska. Both Elizabeth Furse and Tom Case are supportive of the idea, and George has also spoken with other professors from universities (in Anchorage and Fairbanks). The proposed ITG would provide the opportunity for master's and PhD level education in Federal Indian Law and Tribal Government. By establishing an ITG in Alaska, we will raise the professional credentials of tribal council members and program

staff, thus strengthening project proposals and the ability to secure funding. All of these people are behind us, we just need to act.

Comment from participant: We need to maintain our self-government and not become regionalized. YRITWC is to provide technical assistance to Tribes so Tribes can exercise governing authority and increase their own capacity, not compete for funds. YRITWC should add to Tribes and First Nations' resources, not take away.

Joy Shockley / Yukon River Inter Tribal Watershed Council staff from Stevens Village is doing a great job to keep youth at home. They gave her a chance by hiring her as a high school student; now she is in Dartmouth getting a college degree and will return to her home.

Chief Peter Captain – Good to see that ITG opened many doors for us; we will continue to work with the ITG to open more doors.

Harold – We want our youth to be responsible, but no one is giving responsibility to them. We should give them responsibility more often, and let them know the love is there when they make mistakes. Let's remember that what we do today is for the next generation.

Karen Kriska – As adults, we need to be better models. We shouldn't throw trash on the street, etc.

Goal 2 approved by consensus – refer to 2a above:

Goals 3

Clarence suggests the goal should be to advocate for and develop standards. Our standards are different; we want zero tolerance.

Comment from participant: There are Native and non-Native ways that are parallel but different. If we put them together, they can make each side stronger and work even better.

Albert Genier – The suggestion is legitimate. In Yukon Territory, the First Nations can make their own standards and there is nothing stopping them from exceeding government standards.

Goals approved by consensus – refer to the goals above –3a, 3b, 3c, and 3d.

Goals 4

(On the goal concerning good governance) Chief Mayo suggests the EC work in sub-groups to address important issues. These would be working committees that get together, then report back to the whole EC/board, such as legislative, financial, etc.

- **Recommendation: Identify and create specific working committees to perform certain tasks and analysis and report back to the Executive Committee with recommendations. Also, meeting minutes from Executive Committee and Board meetings should be distributed to the entire Board on a quarterly basis.**

Thursday, August 12

Alaska Director's Report, Rob Rosenfeld / Alaska Region Director

Report as submitted below:

The following report reflects the work of the entire Yukon River Inter-Tribal Watershed Council Staff listed below: Rob Rosenfeld / AK Region Director, Roberta Auston / Past Yukon Region Director (October 15th, 2003 – May 15th, 2004), Paul Erhart / Monitoring and Assessment Coordinator, Darcie Warden / Advocacy & Special Projects Coordinator (January 1, 2003 – present), Kip Cronk / Education & Communications Coordinator (April 1st, 2003 – June 7, 2004), Joy Shockley / Assistant Special Projects Coordinator (June – August 2004), Bonnie Harpe / Acting Yukon Region Director (July 15th, 2003– Present), Tija Karklis / Organizational Development Intern (Oct 1st, 2003 – Present), Ken Margolis / Program Development Director (Sept. 16th, 2003- Present), Chris Herberger / Bookeeper.

I would like to thank the board for coming together to meet and for continuing to shape the future direction of the Yukon River Inter-Tribal Watershed Council at 3 very large gatherings during the last 12-month period. The past 12-months mark a very rapid period of growth, activity and success. The YRITWC began in 1997 and had 3 large bi-annual summits in Galena, Mt. Village, and Teslin within a 5 year and 8 month period of time. Each gathering had approximately 34-36 indigenous governments in attendance. In the past 12- months the above staff have put together 3 large meetings in this short period of time. The staff organized the Ft. Yukon Summit in collaboration with the Gwichyaa Zhee Gwich'in Tribal Council which 42 tribes and First Nations attended, the Fairbanks Advocacy Training in collaboration with the Institute for Tribal Government attended by 102 individuals from 58 Indigenous Governments, and the Nenana Leadership meeting with approximately 40 Indigenous Governments in attendance. During this past 12-month period momentum and enthusiasm for the mission of the Watershed Council has been clear as the Yukon River Inter-Tribal Accord has expanded signature governments from 36-56 with the addition of 20 new signature governments during this time.

Harvard University: The Watershed Council has received recognition by Harvard University and the JFK School of Governance for two semifinalist awards in the Honoring Nations and the Innovations programs.

Office move: Another major undertaking was the moving of our central office from Anchorage to Fairbanks on October 1st, 2003. Our current office in Fairbanks has four desks. We will be expanding into the office next to us on September 15, 2004 to have 8 work-stations.

New hires: Edward Alexander / Project Oversight and Training Coordinator from the Gwichyaa Zhee Gwich'in Tribe, Lavern Huntington / Administrative and Finance Director from the Koyukuk Tribe and former employee of the Loudon Tribal Council, Jon Waterhouse / Solid Waste Coordinator from the Jamestown S'Klallam Tribe, Joy Shockley / Assistant Special Projects Coordinator of the Manley Tribe and Stevens Village (Summer hire), Aurora Fernandez / Fundraising Intern from the School for International Training, and Anna Goodhum / Ph.D. Intern from U. of Fairbanks.

New partnerships: We have begun very positive working relationships with the United States Geological Survey and we have developed a very powerful relationship with the Institute for Tribal Government at Portland State University.

Funding: We have secured \$700,000 for the period from October 1st, 2004 – September 30th, 2005.

Non-Federal Funding:

In the past 12 months we have doubled the amount of funds that we have obtained from non-federal sources with a total of \$155,000 and we tripled the amount of actual non-federal sources from 4 - 12 funders.

Federal Funding Highlights:

EPA Solid Waste: A proposal was awarded for \$200,000 to EPA to develop a public – private partnership with the Yutana Barge lines, in order to maximize the use of the free backhaul services that are being offered, by outreaching to schools, tribes and municipalities.

U.S. Congressional Appropriation: A half a million dollar appropriation request was submitted for a 2-year monitoring program. This request; was invited, by Senator Murkowski and Congressman Young. It was submitted on March 1st, 2004. If funded we would be able to hire 3 Biologists for the Spring and Summer of 2005.

Press: The Watershed Council has received positive press 3 times in the Fairbanks Daily News Miner, 3 times in the Yukon News, 2 times in the Whitehorse Star, 1 time in the Anchorage Daily News and the YRITWC was the lead story in the National Geographic on-line magazine on August 3, 2004.

River Hero Award: Paul Erhart was awarded the River Hero award, which is presented at the annual River Rally hosted by the River Network, in Virginia, the last week of May. This is a great honor for Paul. Travel scholarships were awarded to Paul Erhart, James Landlord, Roger Hamilton, Edward Alexander and Rob Rosenfeld to attend the River Rally.

Inter-Tribal Accord: The Accord has received many new signatures and now has 56 Tribes and First Nations signed on.

More important than the recognition and funding, is the actual training and work that is being accomplished in collaboration with the indigenous governments within the watershed. The following status report summarizes progress made on a work-plan approved in Ft. Yukon during the 4th Summit during August of 2004.

Status Report on Work Plan approved at Ft. Yukon Summit:

- 1) Provide 10-12 trainings in the next 12 months.

A water sampling training, a solid waste management, an emergency response planning and a grants management and reporting training were hosted in Ft. Yukon. (4 trainings in Ft. Yukon), a grants management / reporting and grant-writing training was hosted in Koyukuk, a grants management and strategic planning facilitation training took place in Ruby, and a solid waste management training took place in Fairbanks. In addition the YRITWC offered grant reporting and management training in Fairbanks in collaboration with TCC and an Advocacy training in collaboration with the Institute for Tribal Government. Lastly water-quality monitoring training, Quality Assurance Project Planning, and Strategic Planning facilitation training was offered in St. Mary's. Twelve trainings have occurred thus far.

- 2) Continue to work on the 40-mile Assessment and Remediation Project
Kip and Paul went to Dawson City in October and sampled on the Yukon River, the 40-mile river and Clinton Creek and Kip returned in June to sample again. Kip and Paul sampled near Chicken in coordination with the Eagle Tribe. There are a few potential remediation projects in the Yukon Territory and Alaska. One is with a land-owner that may have significant contaminants on their land in the Clinton Creek area. There is \$145,000 for remediation work. A remediation decision will be made in September based on upcoming lab results.

- 3) Complete the Office move from Anchorage to Fairbanks by 1 October, 2003
This was completed. We now have 4 full-time individuals in the Fairbanks office. Darcie Warden / Advocacy and Special Projects Coordinator, Tija Karklis / Organizational Development Intern until August 15th, Rob Rosenfeld / Alaska Region Director, and Joy Shockley / Assistant Special Projects Coordinator.

- 4) Develop comprehensive monitoring strategy.
We have had several multi-agency and tribal teleconferences for 2-hours each to formulate the beginnings of a monitoring strategy. Those involved have suggested a strategy that focuses our efforts towards sampling above and below hot spots or known contaminant spots. This strategy would also focus on training tribal environmental workers while the YRITWC would assume a lead role in coordinating the efforts of those entities monitoring within the Yukon River Watershed. This approach will be discussed at the Nenana Leadership meeting.

- 5) Provide assistance for the completion of at least 3 more QAPP's to be completed.
Council of Athabascan Tribal Governments, Eagle Tribe and Alakanuk Tribe have all begun QAPP's with the assistance of Paul Erhart. CATG has had thier plan approved!!

6) Continue ongoing monitoring.

Paul Erhart has been taking the vitals of the river regularly. He has taken the vitals 3-days per week at 4 data points from June 1st until the present. In addition, Paul conducted a series of under the ice winter samples. New equipment was purchased. Paul Erhart received a national River Hero award for his passion, drive, skills and knowledge. Paul will continue sampling until September 8th. He will have the winter off due to lack of funds for winter monitoring. We will restart monitoring work in the spring. The amount of Biologists working will depend upon the available funding.

7) Secure funding to organize leadership meeting in Nenana for 2004.

The Nenana Tribe has been very generous and gracious in donating an incredible amount of resources and hard work to make us feel welcome. The YRITWC secured donations from some local businesses and we secured minimal travel funds to cover the costs for First Nation and staff travel.

8) Produce 6 newsletters per year.

We produced the after summit report in September (instead of a newsletter), and newsletters were completed and distributed in December, February, April, and June. Additionally we completed detailed notes from the Advocacy Training in Fairbanks and circulated them instead of a newsletter. Our printing and postage funds were low this year. We will secure additional funds for the upcoming year.

9) Create a database of expertise and resources on the Yukon River.

We have been awarded \$75,000 from EPA for a special project to accomplish this task to the best of our ability.

10) Fax and mail action alerts.

We faxed action alerts out on two occasions. The first action alert revolved around the Alaska Department of Environmental Conservation's changing of grant priorities after the grants were submitted and the other was in response to Governor Murkowski's attempt to redirect Indian General Assistance Program funding to the State of Alaska.

11) Develop updated organizational plan to present to leadership with focus on:

- a. Assessment and Monitoring
- b. Communications
- c. Advocacy

New draft organizational goals and an annual work-plan will be presented to leadership in Nenana. In the fall, a detailed strategic plan will be developed from the agreed upon goals.

12) Assist with the hiring the Yukon Region Director.

Completed. The AK staff collected resumes, helped develop interview questions, and distributed minutes from a Yukon Region meeting that took place to discuss candidates

that would receive interviews. Roberta Auston was hired and worked for 7 months. The AK Office coordinated 3 additional teleconferences which resulted in the hiring of an Acting Yukon Region Director / Bonnie Harpe. Welcome Bonnie. It is a pleasure working with you.

Consultation Protocols, facilitated by Andy Huff

Consultation Protocols prepared by Andy Huff with the Indian Law Recourse Center were approved of by consensus. The Consultation Protocols will assure that the YRITWC is consulting with Indigenous governments. The protocols that were adopted follow:

I. Consultation Process

The Center recommended a consultation process that is organized according to the subject matter of the position or action in question. There will be some issues that, because of their importance or controversial nature, will require widespread consultations with Tribes and First Nations before the YRITWC should take a position or action. Other issues will be rather mundane, well-settled, or non-controversial, and will not necessarily require consultations. Subject matter consultation would allow the YRITWC to continue with its day-to-day work without getting bogged down in detailed consultations over minor or non-controversial matters.

Although there are a number of different ways to organize a consultation process, we suggest the following as a starting point for discussion:

STEP 1

The staff of the YRITWC decides, according to specific guidelines formulated by Tribal and First Nation leadership, whether they need to consult about a particular issue. When an issue does not precisely fit into the guidelines and the staff is unsure about whether consultations are required, they will engage in consultations.

Generally, issues that **would** require consultation include:

- Specific action that is of watershed-wide importance;
- Issues that are controversial, even amongst Tribes and First Nations;
- Issues that involve the legal rights of Tribes and First Nations;
- Issues that may generate media scrutiny of the YRITWC.

Issues that **would not** require consultations include:

- Day-to-day decisions involved with running the YRITWC offices;
- Specific action within the regular work and mandate of the YRITWC as determined at previous summit meetings;
- Non-controversial matters (for example, opportunities to encourage that increased funding go to Tribal and First Nation governments);

STEP 2

If the YRITWC decides that consultations may be needed, then it forwards a briefing paper on the issue to the Executive Committee, with a recommended advocacy position.

STEP 3

Each member of the Executive Committee represents a particular region within the watershed. Upon receiving a recommended advocacy position from the staff of the YRITWC, each Executive Committee member would decide whether to consult with the indigenous governments within his/her region, or whether to make a recommendation without consulting the indigenous governments in his/her region.

STEP 4

The Executive Committee members, after consulting (if necessary) with indigenous governments within their regions, would then discuss and arrive at a position on the matter in question. A record of the decision-making process of the Executive Committee would be maintained in order to ensure that the Executive Committee is following the desires of the Tribes and First Nations (accountability and transparency). If no consensus position can be reached, then the staff of the YRITWC will be informed that they are not to take any position or action on the issue.

STEP 5

Upon reaching a consensus position, the Executive Committee forwards its instructions to the staff of the YRITWC as to whether or not to engage in advocacy on the issue. These instruction can be very specific, limiting or expanding the YRITWC's recommended activities as deemed necessary by the Executive Committee and the Tribes and First Nations that have been consulted on the matter. The instructions of the Executive Committee should be in writing.

II. Pros and Cons

Pros

The process outlined above ensures accountability without too much bureaucracy. It places specific guidelines upon the staff of the YRITWC for when consultations are required on certain issues. Executive Committee members have the discretion as to how and when to consult with Tribes and First Nations in their region, but a written record of their decision process is required in order to ensure that they are following the desires of the Tribes and First Nations. As long as responsible Executive Committee members are chosen at the Summit Meeting who know the issues and who maintain regular contact with the First Nations/Tribes in their region, the process should work well.

Cons

There may be times when the Executive Committee is unable to arrive at a timely decision, either because of disagreements or because needed consultations with Tribal

and First Nation governments have not taken place. The staff of the YRITWC may, on rare occasions, mistakenly decide that consultations are not needed on a certain issue, placing some Tribal or First Nation governments in the position of having to disagree with the actions of the Watershed Council. Similarly, an Executive Committee member may mistakenly assume direct consultations with the Tribes or First Nations in his/her area are not needed on a particular issue, when, in fact, they are needed.

Discussion of Proposed Resolution on Coal Bed Methane Moratorium:

Andy Huff briefly reviewed the Resolution Protocol and then facilitated a discussion that used the Protocol for considering a resolution calling for a moratorium on Coal Bed Methane exploration and development within the watershed until baseline assessments of all potentially affected waters are completed.

A Resolution calling for a moratorium on Coal Bed Methane (CBM) development in the Yukon River watershed was introduced and explained by Albert Genier.

Because of the potential impacts to water posed by CBM development, the YRITWC was seen as an appropriate body to discuss this resolution. Meeting participants expressed several concerns about the original resolution, and some of the language was revised to better reflect participants' issues and needs.

One of the concerns was to ensure that this resolution doesn't specifically endorse or condemn CBM development, but rather, to outline a process that can protect the watershed and is consistent with the YRITWC 50 year vision (to drink water directly from the Yukon River) and mission. In other words, this resolution does not say "yes" or "no" to CBM development, but it does outline a way to determine if it can be done while maintaining a healthy watershed and support Tribal and First Nation control of the process.

Another issue that was thoroughly discussed was the intended audience for this resolution. As Albert explained, the primary audience is the federal, state, territorial, and provincial governments that regulate most mineral and resource development in the watershed. A secondary audience is the Tribe and First Nation governments that on one hand may be involved in potential CBM development and on the other hand may be affected by other entities, such as oil and gas companies, that are trying to develop CBM in the watershed.

With input from many people, final language was drafted and passed by consensus of all participants. There were 19 communities represented who approved and signed the resolution at the Summit. There are currently more the 20 signatures.

- **Directive: The final resolution is to be sent out to all Tribes/First Nations within the watershed for consideration and approval, following the Resolution protocol. As well, the resolution should be accompanied by a brief letter of explanation that summarizes the discussion and different viewpoints that were expressed during the Leadership Summit.**

Discussion on Energy Alternatives, facilitated by Brian Hirsch

Some basic information on energy use and production was presented. The three main uses of energy are for: (1) electricity (2) heating (3) transportation. Different fuels are used to meet different needs, and all fuels are unique. For example, CBM and natural gas are essentially the same fuel once they are pulled out of the ground, but there is a very different process required to pull them out of the ground. Natural gas is usually found in deep wells (about 10,000 feet below ground) under high pressure, so you have to drill deep into the earth, which is expensive, but once you find the gas, it comes up to the surface fairly easily and often in large quantities from a single well. CBM on the other hand, is usually much closer to the surface (about 1,500 feet below ground) so you don't need to drill as deeply into the earth, which is less expensive for the developer, but the methane does not come to the surface until all the underground water is removed. In some places, this means hundreds of millions of gallons of water must be pumped out of a well before any methane gas comes to the surface. This de-watering process has very high impacts on the surrounding area and water sources and can be quite expensive.

Most of the high tech new energy advances that are non-polluting are being developed for large markets like in the lower 48, not for small communities in Alaska and Canada. Large energy development projects such as oil or gas drilling, coal mining, pipelines, and even nuclear power, that are targeted for the Yukon River watershed may have significant negative impacts on subsistence resources and traditional ways of life.

Participants discussed possible alternatives to diesel fuel for electricity generation. These included solar and wind energy, geothermal, and in-stream hydropower that was modeled after a fish-wheel. All of these technology options have a role to play in an alternative energy system, but none of them by themselves will meet all of a community's energy needs, at least in the next decade or so.

A big problem is energy storage because renewable energies such as wind or solar or hydropower are not always available. Until the storage issue is technically and economically resolved, energy systems in small communities such as in Alaska and Canada will still rely mostly on diesel and other fossil fuels. Over time, however, such as in a decade or two, it is expected that energy systems will be extremely different from what we are used to now, and will likely be much less polluting and hopefully not more expensive.

It was mentioned that some communities are currently exploring alternatives like geothermal. Someone stated that Haines Junction recently installed geothermal, and it would be good to learn about it to see if it really works, how much it costs, etc.

- **Directive: Develop an inventory of communities' energy systems within the Watershed to determine who owns them, what they are currently using, problems and successes, if there is an interest in developing alternatives, etc.**

- **Directive: Make the inventory available to all communities within the Watershed and also provide additional information on fuel efficient generators from overseas. Additionally the YRITWC is directed to provide basic energy information on conservation and renewable energies, and websites on alternative energy and related grant opportunities.**

Friday, August 13

Discussion on working with non-Indigenous governmental entities, facilitated by Andy Huff

Mayor of City of Nenana stated that he is in full support of the YRITWC and that he would like to participate more formally in the process of protecting the Watershed. Considering that cities and municipalities are one of the major polluters within the Watershed (along with the military), the YRITWC may want to consider a way for these other governmental entities to participate more directly in the YRITWC's efforts.

Albert Genier agreed that in the Yukon, the municipalities operate the sewage facilities and that it would be good to include them somehow.

Edna Hancock said that we also need to consider Native corporations—the largest landowners on the Alaska side of the Watershed—and other entities, not just cities.

Chief Peter Captain said that we should continue to be inclusive, which is one of the guiding principles, so we need to include municipalities, but we also need to keep this indigenous. We have created a strong organization out of our traditional knowledge and wisdom and hard work, and we must hold on to this.

Harold Gatensby agreed with Chief Captain. He said that the YRITWC has done this already, such as with Dawson City, but not formally, and that would be good to formalize this, but not make a final decision today.

Clarence Alexander suggested a Municipality Advisory Steering Committee that could allow for formal participation but with no voting rights. “You will be with us for time immemorial.”

Lavern Huntington / YRITWC new staff, thanked the City of Nenana for wanting to become more involved with the Watershed Council.

Andy Huff presented a memo that he drafted concerning this issue. His recommendation was to create an Advisory Committee for non-Native governments to submit proposals and information to the Executive Committee and to have a non-Native governmental representative on the Executive Committee, but without voting power. All present agreed with this recommendation but no formal action was taken. Andy will draft something more formal for consideration at a future date.

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