

Łu Zil Män (Fish Lake)

LOCAL AREA PLAN

SUMMARY BACKGROUND REPORT

MARCH 2023

Welcome to Łu Zil Män

For thousands of years, Fish Lake has been an important area in the traditional seasonal round for Kwanlin Dün and our neighbouring First Nations. Our people would travel here from summer salmon camps on the Yukon and Takhini Rivers for trout in September and whitefish in November.

The Tagish Kwan are the original people who live and occupy the lands within Kwanlin Dün Traditional Territory. A Tagish Kwan story says Fish Lake is home to a pair of giant fish, a male and a female, who ensured there was always a good supply of fish.

In the Southern Tutchone language, Fish Lake is named Łu Zil Män after the whitefish that spawn there in the fall. In the old days, access to a good whitefish lake was vital to ensure our people had enough food for the long winter months, particularly when the fall hunt for caribou or moose was unpredictable.

According to Kwanlin Dün First Nation (KDFN) Elder Jessie Scarff, Fish Lake was also called Dis Hini - Moon Lake - in the Tlingit language, because people used to set nets for trout on Fox Point according to the phases of the moon.

Łu Zil Män is a traditional fall hunting territory for a number of First Nation families. Old foot trails run all around Fish Lake to productive hunting and trapping areas around Bonneville Lakes, Ibex Valley and Coal, Primrose and Rose (Mud) lakes. Large game like moose and caribou were once plentiful throughout the area, and sheep were found in upland locations. Small game, like gopher, groundhog, rabbit, ptarmigan and grouse were also an important food source.

The Fish Lake area holds deep cultural significance to KDFN. Oral history and the archaeological record show that people have been hunting, fishing, trapping, gathering, working hides and making tools around Łu Zil Män from the early post-glacial period to modern day. While KDFN now owns a large amount of Settlement Lands within the planning area, the entire region is important to our people. For Kwanlin Dün families with traditional ties to the area, Fish Lake is home.

Kwanlin Dün First Nation



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“I feel very spiritually connected being on the land, you know, Fish Lake and other places, as well. I feel close to the creator when I’m there, and I also feel close to my ancestors. So, it’s a pretty nice feeling to go out there to feel things like that, you know, and that’s what - I think - the land brings to us; and I think that by getting back out there, you know, that’s where we can do a lot of healing.”

~ Gary Bailie
KDFN Citizen and Founder,
Kwanlin Koyotes Ski Club

“It’s been a very productive area for people, because it was a productive ecosystem for animals and fish. So, these are the values that have been important for a very long time, and planning should strive to maintain these values for the future.”

~ Christian Thomas
Government of Yukon
Archaeologist

The Government of Yukon is pleased to undertake this joint planning initiative with Kwanlin Dün First Nation. The Łu Zil Män Local Area Plan will be developed in fulfillment of section 30 of the Kwanlin Dün Self-Government Agreement.

We look forward to collaborating with Kwanlin Dün First Nation, Ta’an Kwäch’än Council, residents, stakeholders and the public as we work towards developing this report and the future local area plan. We would like to thank the steering committee for their time and dedication to developing this project, which will help guide the future vision of the Łu Zil Män community, now and for future generations.

The Government of Yukon



List of Commonly Used Abbreviations

ATCO	ATCO Electric Yukon
GMS	Game Management Subzone(s)
KDFN	Kwanlin Dün First Nation
YG	Government of Yukon
TKC	Ta'an Kwäch'än Council

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Introduction

In 2020, the Government of Yukon (YG) and Kwanlin Dün First Nation (KDFN) initiated a joint local area plan for the Łu Zil Män (Fish Lake) area west of Whitehorse, following the direction set out in Section 30 of the KDFN *Self-Government Agreement*.

The local area plan will create a shared vision for the Łu Zil Män area to benefit all Yukoners, including future generations. The plan will answer questions such as:

1. What lands could be considered for residential or community development?
2. What areas need to be protected for wildlife or heritage?
3. How do we promote First Nations culture and history in the area?
4. How can we manage tourism and recreational activities?
5. What types of commercial or revenue generating opportunities are appropriate?

The plan isn't just about the end document, but about following a good process along the way. It's important that both the plan and the supporting process recognizes First Nation cultural ties and acknowledges its past and present use by both non-Indigenous and Indigenous Yukoners. The process also provides a way for the public to learn more about the Fish Lake area and better appreciate and enjoy what it has to offer.

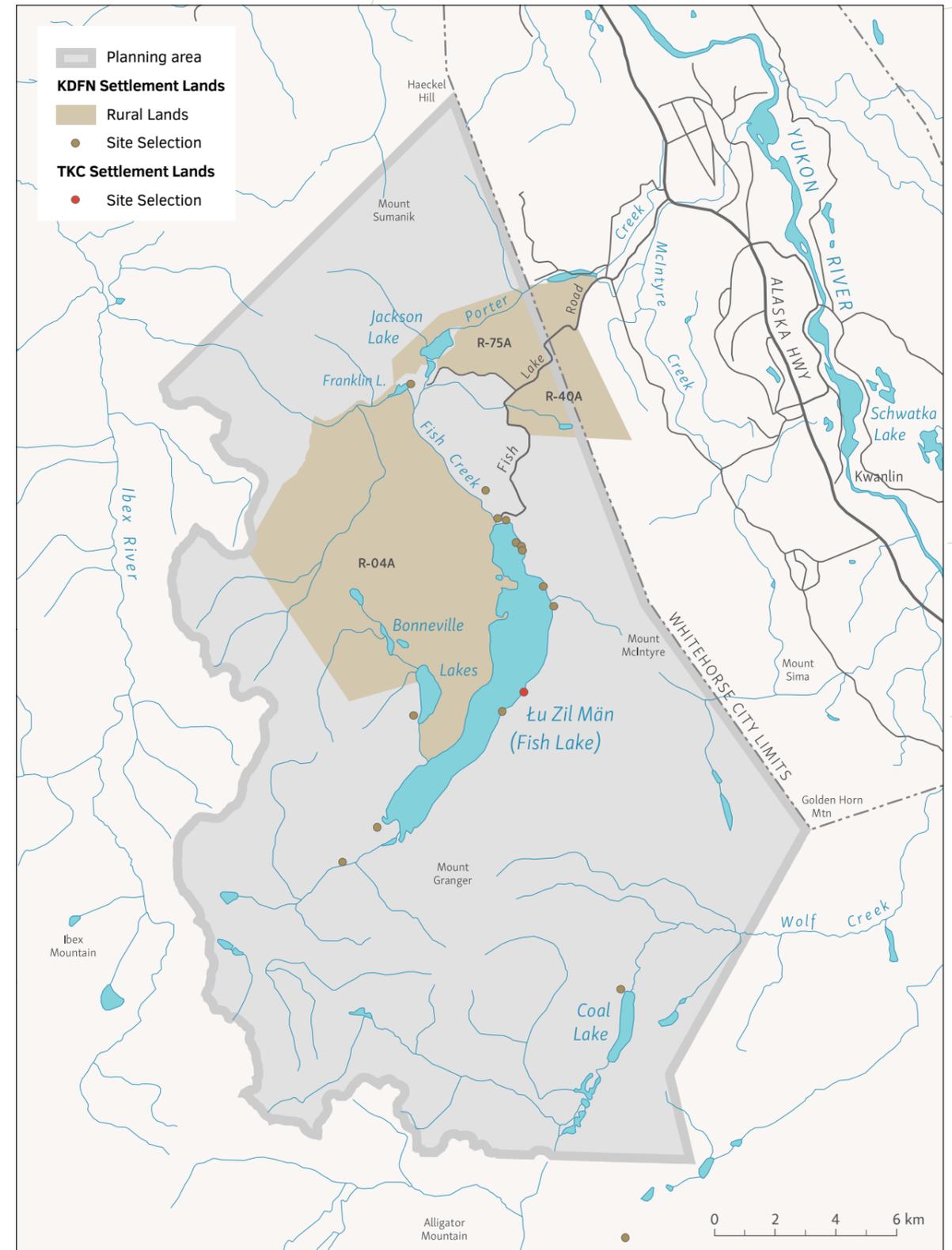
The planning area is situated approximately eight kilometres southwest of downtown Whitehorse and encompasses a total area of about 460 km². It is located entirely within KDFN's Traditional Territory. A portion of the planning area is also within the Traditional Territory of the Ta'an Kwäch'än Council.

Once approved, all land use decisions by KDFN on Settlement Lands or YG on non-Settlement Lands must conform to the plan. The plan will also include recommendations for working together on community development and management goals that are identified through the process.

This Summary Report is one of the key outcomes of the first phase of the planning process. It creates a shared foundation of knowledge about the planning area, including current conditions, uses and values – simply put, the things that matter most. It also shows our present-day activities occupying only a tiny fraction of the millennia-long timeline in which people have lived there. This document summarizes the more comprehensive information contained in the Background Report.

In the Southern Tutchone language, Fish Lake is named Łu Zil Män, after the whitefish that spawn there in the fall.

Throughout this report, the two place names are used interchangeably to honour both Indigenous and Western ways of knowing and talking about this special place.



OVERVIEW OF ŁU ZIL MÄN (FISH LAKE) PLANNING AREA

The History of Fish Lake

The story of Fish Lake begins many millions of years ago, when dinosaurs roamed the earth. More recently, glaciers transformed the landscape and created a dynamic environment where ancient peoples lived, adapted and thrived for millennia. For generations, Fish Lake was an important area to First Nation families for seasonal harvest, gathering and trade. The arrival of settlers in the early 20th century took the story in a new direction. We inherit that story today and will write its next chapter together.

180 MILLION years ago

An ancient sea covers the area and leaves behind sediments that form the local bedrock.

5,000 – 8,000 years ago

Environment stabilizes and hunting and fishing camps are occupied at the north end of Fish Lake and around Jackson Lake.

4,500 years ago

Seasonal living patterns are established and traditional ways are passed from generation to generation into the post-contact period.

24,000 years ago

Glaciers cover the entire area. The glaciers melt in fits and starts over a period of 10,000-14,000 years, leaving behind many landscape features visible around LZM today. Post-glacial Lake McIntyre forms, its shoreline 120 metres higher than present-day Fish Lake.

110 MILLION years ago

Magma intrudes into the sedimentary rocks, creating the granite cores of the area's major peaks (McIntyre, Granger, Golden Horn, Sumanik).

8,000–10,000 years ago

First Peoples arrive in the area, following the large game animals foraging in a warming post-glacial landscape. These people quarry stone on the west side of LZM to fabricate tools for hunting and day-to-day tasks.

early 1800s

LZM continues to be a key stop in a well established trade network extending from coastal Alaska/BC to the Yukon interior. Tlingit traders bring goods originating from Europe, Russia and China.

1897-98

The Klondike Gold Rush ushers in thousands of gold seekers, displacing First Nation people from traditional hunting and fishing camps and creating other impacts (alcohol, disease, forest fires, etc.)

1910s–1930s

First Nation families displaced from Yukon River valley seek new locations, including Fish Lake, for traditional summer camps. High fur prices enable First Nation people to earn a good income trapping in the area.

early 1900s

Further industrial development and impacts to First Nation people result from the completion of the White Pass and Yukon Route railway and start of steamboat travel on the Yukon River.

1930s–1940s

A fox farm and commercial fishery lead to declining fish stocks at Łu Zil Män. Alaska Highway construction creates new economic opportunities for First Nation people. The army builds a road to Fish Lake for fuel wood. Residential schools are established in Whitehorse and children are taken from Fish Lake.

1924

Construction of Lewes Marsh dam blocks traditional salmon fishery at M'Clintock River.

1953

Whitehorse becomes the capital of the territory.

1956–57

Canada amalgamates First Nations from Lake Laberge and Whitehorse areas to create the Whitehorse Indian Band.

1949

Fish Lake dam is constructed by Yukon Electrical Company Ltd. to meet the growing power demands of Whitehorse. The dam floods First Nation camps and harvest areas.

1956–58

Construction of the Whitehorse hydro dam further impacts salmon populations and fisheries.

1970s

Canada grants grazing leases around Fish Lake and the Foothills (Yukon) Pipeline Corridor is routed between the leases.

1960s

Canada surveys cottage lots on the east side of Fish Lake. The lake is closed to commercial fishing due to low productivity.

1980s

Canada grants a 10-year lease to a wilderness ranch and squatter properties in the area are legitimized.

1993

Fish Lake archaeology project uncovers evidence of human use and occupation at Fish Lake dating back thousands of years.

April 1, 2003

Through Devolution, lands and other resources were transferred from Canada to the Yukon government.

2004

Government of Yukon receives 31 applications for residential land in the area, leading to the temporary suspension of land dispositions and identification of the need for land use planning.

2006

Winter tourism in the area begins to increase. Tourism visitation, along with recreational use, steadily increases over the next 14 years, triggering concerns about conflicts with First Nation hunters, wildlife avoidance, litter, and other impacts.

2010

Jackson Lake Healing Camp opens, formally establishing a site used by KDFN for gathering, camps and assemblies since the early 90s.

2005

KDFN signs Final and Self-Government agreements and reclaims three large parcels around LZM.

1993

Canada, Yukon and Council of Yukon Indians sign the Umbrella Final Agreement.

2013

Water license for Fish Lake hydro dam is renewed. Traditional Knowledge workshops and archaeological studies lead to a better understanding of Indigenous occupation of the area.

1987

Ta'an Kwäch'än Council is recognized as separate First Nation.

1973

The modern land claims era begins with the document "Together Today for Our Children Tomorrow".

2018

KDFN uses public education and signage to ask hikers to avoid Fish Lake Trail during hunting season.

2020

KDFN and YG sign a memorandum of understanding to initiate the Fish Lake local area plan.

Traditional Use and Occupation

First Nations people and their ancestors have lived at Łu Zil Män since time immemorial. According to Kwanlin Dün oral history, the distinctive moguls, or little hills, located at the south end of Łu Zil Män were created by two giant bull moose fighting and churning up the ground.

The archaeological record provides evidence that the first people began to move into the Łu Zil Män area sometime after the glaciers receded. These first peoples drew upon Łu Zil Män's wealth and variety of natural resources to survive and thrive.

As the environment at Łu Zil Män changed, people adapted their land use into the traditional ways that today's Elders were taught by their parents, grandparents, and great-grandparents. These ways were organized around the seasonal round – the pattern of movement between resource gathering areas during the different times of year. Today, First Nations people still follow and practice the teachings of their ancestors in the Łu Zil Män area.

Many families would travel to camps at Fish Lake to harvest trout in late summer or early fall. In October and November, nets were set for whitefish around the mouths of the small streams coming into Fish Lake and at the outlet to Fish Creek. Elders tell us the main base camps were located at the north end of Fish Lake and at Fox Point, though hunting, fishing, and trapping camps were located all throughout the Łu Zil Män area.

From base camp, hunters travelled to surrounding upland areas to hunt large game in the fall, while others stayed in camp to process the harvest for winter storage or for sale in town. Early fall was also an important time for hunting and trapping small game like gopher (ground squirrel) and ground hog (marmot), hunting grouse and ptarmigan, and picking berries.

In winter and spring, people fished through the ice for whitefish and trout, hunted moose and caribou in the mountains, and trapped. In early spring, beaver and muskrat trapping were important. People also fished for grayling at Bonneville Lakes, Jackson (Louise) and Franklin Lakes.

KDFN Elders remember Fish Lake as a place for summer gatherings where lots of people always visited. Families from Carcross, Champagne, Aishihik, Lake Laberge and Carmacks came to fish, hunt, trade and hold potlatches. Over 20 First Nation families have been identified as having seasonal camps, cabins and traplines at Fish Lake over the last century.

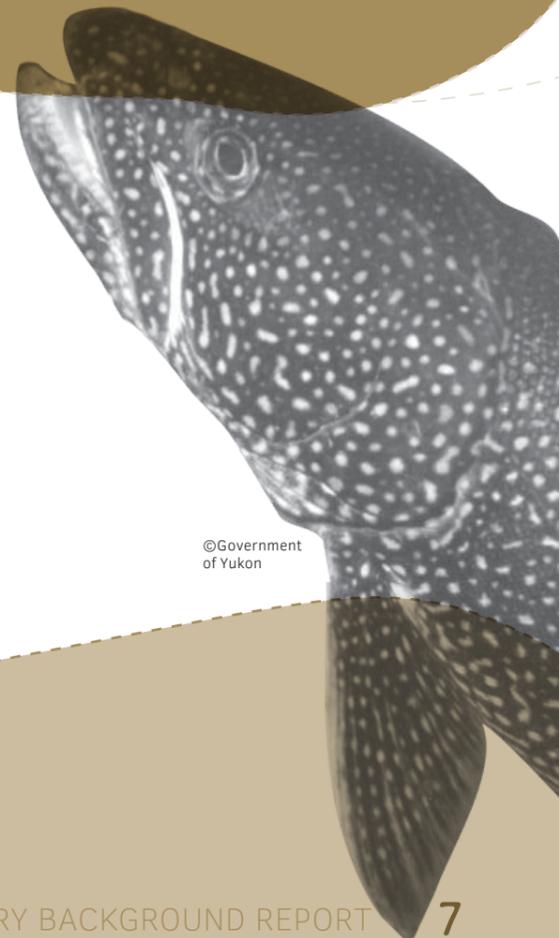
"I remember running up in the mountain behind the cabin at Fish Lake down where we lived, and I'd be up at the top of the mountain with my father at early hours of dawn...you could smell the moss, like, the smell of the moss; and it felt so good and clean, and I can remember sitting up there, eating bannock that my mom had prepared the day before with my father, and we're seeing in the valley, and my father would tell me, "Look, do you see that moose down there in the valley?"

~ Margaret McKay
KDFN Elder

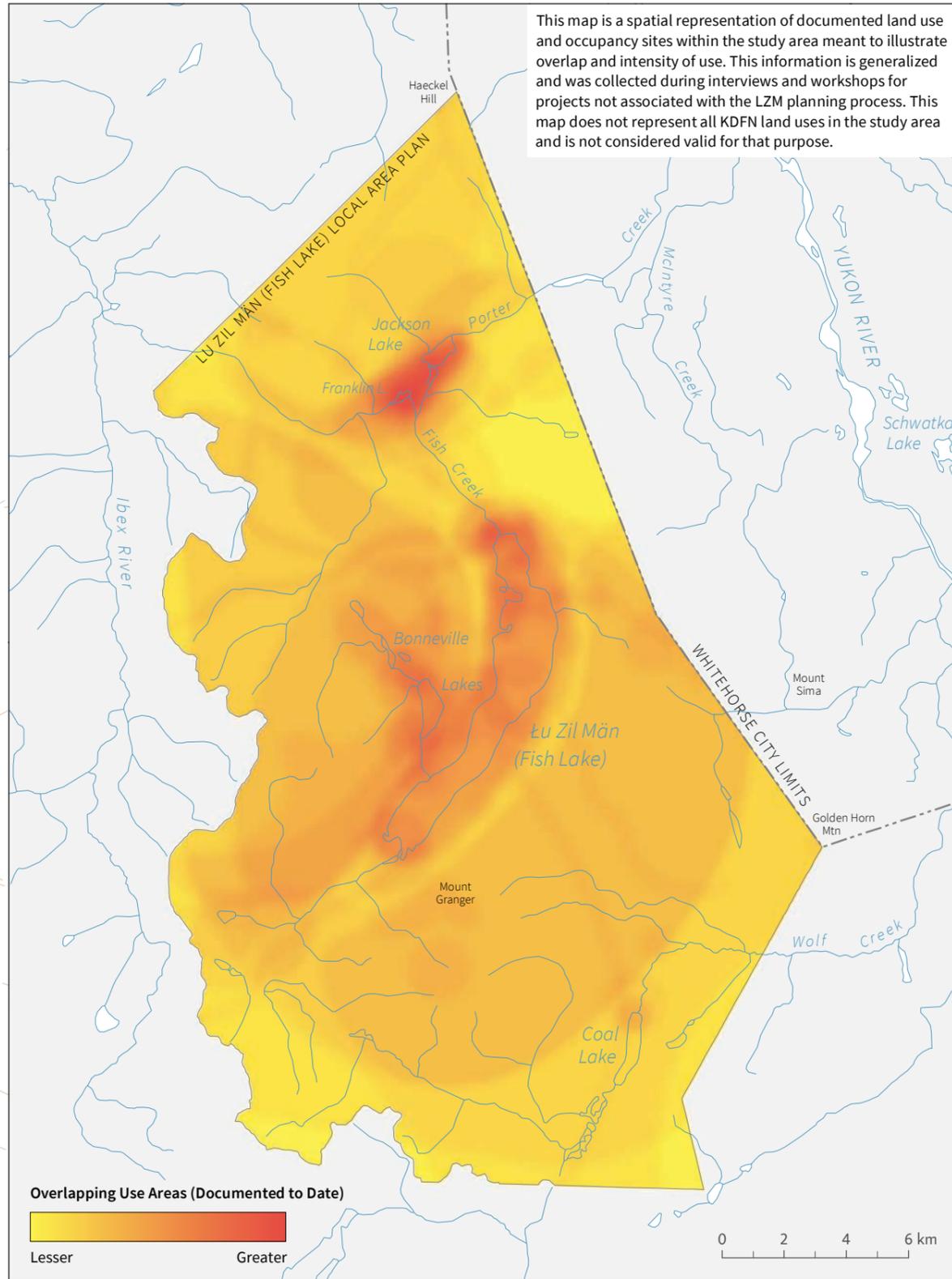
From summer salmon camps above Kwanlin (Miles Canyon) and Lür Däyhèl (Takhini River at the mouth of the Little River), many trails led to Fish Lake. Old foot trails branch out from the lake in all directions: west to the Bonneville Lakes and Ibex Valley; southwest to Primrose and Rose (Mud) Lakes; south to Alligator Lake; and southeast to Coal Lake and Robinson. Most of these trails were used to travel from one camp to another and associated with hunting routes and traplines. There were also extensive trail systems connecting Fish Lake to Champagne, Lake Laberge, Marsh Lake and points beyond.

"They used to have big potlatches there. I remember when my mom's family came from Alaska, and we did dancing and drumming and potlatch. That's how it was supposed to feel to hear the drums come across the water like that. It just made me cry, and I vow to you people if you ever get a chance to hear the drum at nighttime, go stick gambling, but you've got to be by the water. And when I heard that, it took me back centuries, to, like, the 1800s. That's what it felt like. I was so proud to be at Fish Lake."

~ Irma Scarff
KDFN Elder



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FIRST NATION TRADITIONAL AND CONTEMPORARY LAND USE IN THE LU ZIL MÄN (FISH LAKE) PLANNING AREA

Connection with Land, Water and Animals

Share, Care and Respect are the three pillars of Traditional Laws that guide First Nations' relationships with the land, water and animals. These laws helped the ancient and traditional peoples of Łu Zil Män sustain themselves and the area's abundant natural resources for generations. The balance of the area's natural elements has been altered in the past 120 years due to increased levels of human activity and climate change.

occurring at higher elevations. Alpine tundra with sedge-dominated meadows occurs at the higher elevations, and wetlands are present in the low-lying areas.

ECOREGION AND VEGETATION

The Łu Zil Män area is located within the Southern Lakes Ecoregion of the Boreal Cordillera Ecozone. The lake's elevation is about 1112 metres above sea level, while the summit of Mount Granger – the area's high point - is around 2080 metres. Lower elevation vegetation includes white spruce, trembling aspen, balsam poplar, and paper birch. Drier sites include stands of lodgepole pine, with sub-alpine fir

WILDLIFE

The Fish Lake area is home to a wide array of wildlife species, including:

Woodland Caribou – Barren-land and Woodland Caribou were historically abundant in the area and a key food source for First Nation people. Only Woodland Caribou are present today. These caribou will move between summer and winter habitats to find food, seek out the warmer temperatures in a forest, or escape insects by moving into alpine areas.

The Ibex herd's range overlaps with the western and southern portions of the planning area, which habitat modeling indicates is prime summer habitat. The Carcross herd is believed to rarely enter the area. Hunting pressure and population growth significantly reduced caribou

Kwanlin Dün First Nation and the Government of Yukon work collaboratively to better understand wildlife management issues in the Whitehorse/Southern Lakes area, including Fish Lake. Projects include How We Walk With the Land and Water (led by KDFN, Ta'an Kwäch'än Council and Carcross/Tagish First Nation), moose and fish surveys, and a study of recreation impacts on caribou. The local area plan and future implementation efforts will strive to incorporate new knowledge and insights gained from such initiatives.

Bessie Burns and Jenny LaBerge were out picking berries by Ptarmigan Pass and they came across a valley full of grouse. Not knowing how to catch them all, they decided to set a fish net across the valley and caught 100 grouse.

Due to a significant increase in human activity, ptarmigan hunting is no longer viable for citizens in some of their traditional resource areas around Łu Zil Män.

numbers in the 20th century, but harvest bans and other efforts have resulted in a gradual recovery of the Ibex herd to about 1160 individuals and the Carcross herd to about 1200.

1. Moose – Moose were and remain a very important resource for First Nations, being a source of food and raw materials from which to fashion utensils, clothing and rope. The Fish Lake area was an important Moose harvesting location, and Elders speak of the Fish Lake basin being so abundant that they would be seen walking around in groups of five to ten individuals. A decline in Moose population since the 1980s has been

linked to high harvest rates rather than the quality or availability of suitable habitat; the extensive use of the area by people may be a contributing factor to moose displacement and habitat avoidance.

2. Thinhorn Sheep - Dall's Sheep were hunted regularly for food by First Nations in the upland areas around Fish Lake and sheep horns were also used to make weapons and utensils. The southern end of the planning area and area west of Bonneville Lakes offer sub-alpine slopes with available forage and good vantage points for nursery groups of sheep to watch for predators. Thinhorn Sheep populations in the planning area are understood to be relatively stable.

3. Other Species and Small Mammals - Grizzly and American Black bears are present in the area, along with small mammals such as Common Muskrat, American Beaver, Hoary Marmot, Arctic Ground Squirrel, Canada Lynx, Red Fox, American Marten and Grey Wolf. Fur-bearing animals were abundant and

regularly trapped by First Nation people in the area. While challenging to map and manage, they are of high value to traditional land-based activity.

4. Birds - Over 100 species of birds have been directly observed in the diverse habitats of the Fish Lake planning area in the last 20 years. Grouse and waterfowl have been hunted by First Nations for thousands of years. Elders have recalled hunting waterfowl at the south end of Fish Lake, catching grouse in Ptarmigan Pass (between Fish Lake and Bonneville Lakes) and collecting gull eggs.

Twenty-six species that occur in the planning area are protected under the federal *Species at Risk Act*, the *Wildlife Act (Yukon)*, or are recognized as species of conservation concern under other legislation or working groups.

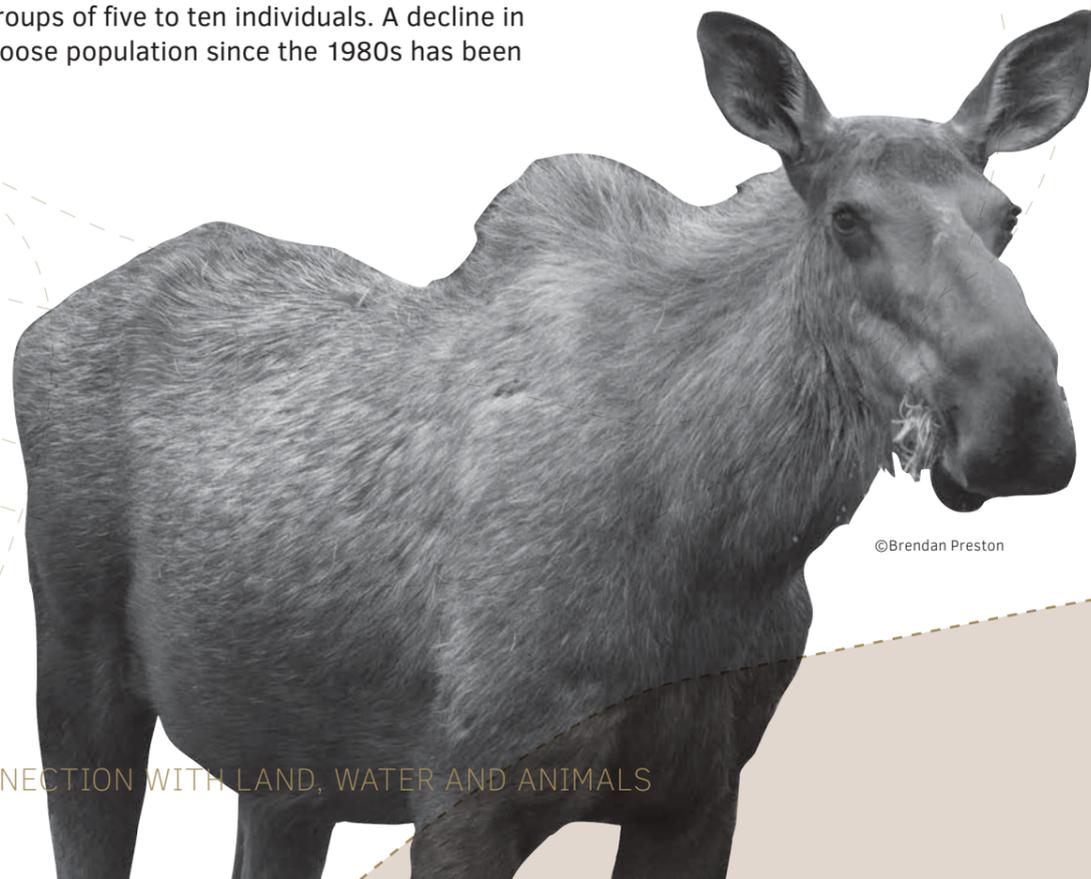
In the early 20th century, Fox Point was a commercial netting area where KDFN families would fish for the Taylor & Drury company. Strips of moose skin were twisted together like twine and knitted to make the net structure, which would be placed in the water with stick poles holding it up. Fish were so plentiful that people would gig, gaff, dip net, dip in buckets or gunny sacks, as well as set nets. Elders report that fish are not as large or plentiful today.

FISH

The planning boundaries encompass the Fish Lake and upper Wolf Creek drainage areas. Arctic Grayling, Lake Trout, Round Whitefish and Slimy Sculpin are native to the area and Chinook Salmon are known to spawn in areas downstream. Rainbow Trout have been introduced by past stocking efforts, and Arctic Char are known to occur in the lower Fish Lake basin due to escapees from local fish farms.

Jackson Lake has the highest recreational angling effort per area of any unstocked Yukon lake and there is potential for fish to be over-harvested there. Fish Lake also has a high angling effort but its Lake Trout population appears to be healthy.

The Fish Lake dam, constructed in 1949, affected the distribution and population numbers of all fish species in Fish, Jackson and Franklin lakes. The dam diverted the original drainage from the Takhini River via Fish Creek to the Yukon River via McIntyre Creek and submerged traditional whitefish and trout spawning areas.



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“Our elders talk of a time when the mountains used to move. They'd be black with caribou. So, it's very important to us. It's something that we've done, hunted and had a connection and a relationship with caribou for as far back as millennia before time, before colonialism or before contact.”

~ Brandy Mayes
KDFN Citizen and Lands
Operations Manager

A CHANGING ENVIRONMENT

CLIMATE CHANGE - Long-term data from the Wolf Creek Research Basin, which overlaps with the southern portion of the planning area, provides a good indication of how the local climate and landscape has changed since 1992 and helps predict what changes may be expected in the future. These include:

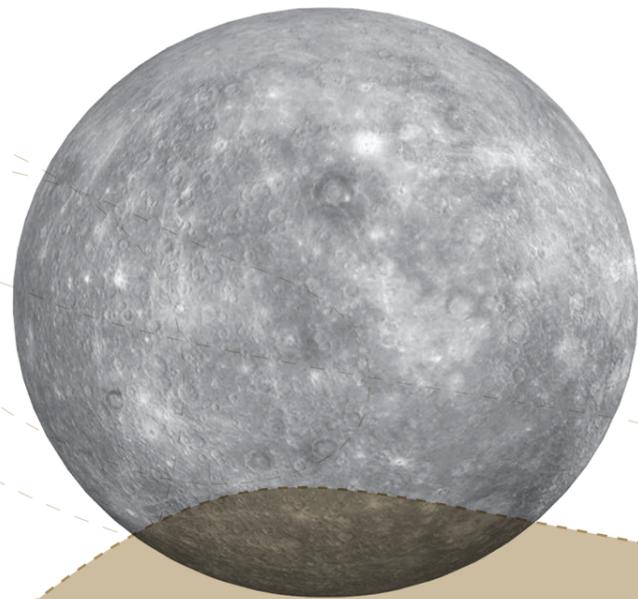
1. More Precipitation - Annual precipitation for the Fish Lake area is projected to increase by about 10% between 2021 and 2050. Increased precipitation and rises in lake levels may cause flooding of lower lying areas, changes in vegetation, increased bank erosion and sedimentation of fish habitat. Higher precipitation coupled with melting permafrost will likely lead to increases in groundwater levels and potentially destabilize slopes. Annual precipitation could increase by as much as 25% by 2100.

2. Warmer Temperatures - Mean annual temperatures have increased by about 2°C since 1950 and by over 5°C in the winter. Mean annual temperatures are projected to increase another 1.6°C between 2021 and 2050. The amount of snowpack is expected to decline by 30 - 45% and the sub-alpine snow cover period is likely to be reduced by several weeks. Warmer annual temperatures could lead to periods of drought and changes in fish species composition and water quality.

3. Diseases and Infestations - Warmer and wetter temperatures could lead to increased outbreaks of disease or infestations as well as the introduction of new diseases and parasites. These could cause abnormal behaviour, poorer physical condition and even death in animal species.

The various climatic changes described above will undoubtedly affect wildlife. Temperature and moisture increases may not be tolerated by some species and habitat availability and wildlife movement could decrease.

FOREST FIRES - Several wildland fires of note have occurred within, or at the periphery of, the planning area since the 1950s - most human caused. Fire risk is present in the lower lying areas around the north end of Fish Lake and Jackson Lake, where there is a high percentage of conifers and more concentrated human activity. Fire mitigation and fuels management are top priorities of forest management planning in this area.



WATER QUALITY - The reliance of some area residents on local waterbodies for potable water, as well as concerns about fish health, has triggered questions about potential water quality impacts from human residential and recreational activity (i.e., human/animal waste and hydrocarbons from boats and snowmachines). 2019 sampling of Fish Creek found no waterborne contamination. YG sampled the lake, Fish Creek and Porter Creek in October 2021, and results are pending.

LAKE LEVELS AND EROSION - The construction of the Fish Lake hydroelectric facility in 1949 caused an (approximate) one metre rise in lake levels and significantly altered the area's natural hydrology. The impacts of this alteration to the natural environment are still felt by, and a source of concern to KDFN.

Under the current human-influenced hydrological regime of Fish Lake, changes to lake elevations are determined by inflows to the lake (via snowmelt and rainfall), and the rate of outflow. Water levels are reduced during the winter months as water is released from the lake for hydroelectric generation. Levels reach their lowest point during early spring and increase steadily to a high point sometime in late summer or fall. Higher water levels are not the only threat to aquatic life and habitat; low water levels can also be problematic.



"If we do not respect all creations on earth, bad luck will happen (Dooli Law). Animals and plants were here long before man. When man arrived he was a pitiful creature. So all the animals got together and said that they need to help man. So Caribou went to the man and said:

'Take my coat to keep you warm, and my meat for food, and my bones for tools and weapons, and my stomach for medicine...'

That is why it is so important we respect all creations, after all, animals and plants gave Man their lives for us to survive. Our stories were not about the past, but for the present and for the future. As I get to understand and interpret our oral traditions, it was not just for entertainment but, had valuable lessons of survival."

~ Pat Joe
KDFN Elder

Gifts from the Land

The First Nation peoples who lived around Łu Zil Män for millennia harvested many gifts from the land – including animals, plants, rocks, trees, and coal – to meet their day-to-day needs. Today, Kwanlin Dün citizens, along with Western settlers and other land users, continue to benefit from the Fish Lake area's natural wealth and resources.

AGRICULTURE

Due to its high elevation, the Fish Lake planning area is generally considered only suitable for grazing activity under the Yukon Grazing Policy. Currently there are two active grazing agreements, comprising 520 hectares, located off the Fish Lake Road. Both are used to support commercial tourism (i.e., horseback riding). These agreements are valid for the next three decades.

FORESTRY

Trees have traditionally been harvested by First Nations for firewood and construction of small cabins and shelters. Forest resources permits are issued in the Fish Lake area, primarily for non-commercial personal use, and the area has also been used extensively for Christmas tree harvesting in recent years. The Whitehorse and Southern Lakes Forest Resources Management Plan (2019) designates the northern portion of the planning area for potential timber harvesting, with a shared objective of reducing wildland fire risk.

PLANT HARVEST

Indigenous people have harvested trees, shrubs, grasses and flowers around the Łu Zil Män area for sustenance and medicine for millennia. Fish Lake remains an important berry picking and wild plant harvesting area for all Yukoners. Bear root, balsam sap, berries, Labrador tea, mushrooms, yarrow and willow are among the more common species collected.

HUNTING, TRAPPING AND OUTFITTING

The Fish Lake planning area overlaps with three YG Game Management Subzones (GMS), which are used to manage licensed hunting and outfitting. Licensed harvest of Dall's Sheep and Moose are restricted in these areas, and there is no licensed harvest of Woodland Caribou. Restrictions on licensed hunting are in place to help maintain healthy wildlife populations in the Fish Lake area and surrounding region.

Subsistence hunting is an important activity in the Fish Lake area. However, the high levels of activity around Łu Zil Män make hunting less productive and safe for citizens.

The planning area overlaps with one outfitting concession, which has been held by the same individual since 2013. Based on harvest reporting and quotas, a very small number of animals, if any, has been harvested by non-resident hunters in the area during that period.



Signs installed at Fish Lake ask recreational users to avoid KDFN Settlement Lands during hunting season. Safety concerns between recreational users and hunters have increased in recent years.

The planning area is straddled by two registered trapping concession areas. There is a trapping cabin lease located in the upper Wolf Creek drainage about 2.5 kilometres north of Coal Lake. Between 2015 and 2020, 36 animals were taken from permitted traplines. Most were Canada Lynx but some Grey Wolf and Wolverine were harvested as well.



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Subsistence hunting is a highly valued traditional activity for KDFN. Under its Final Agreement, Beneficiaries may harvest all species of wildlife and fish (except bison or elk) within KDFN's Traditional Territory.

Fish Lake is a particularly significant harvesting area for KDFN, as it is one of the only places within its Traditional Territory that does not overlap with other Yukon First Nations' traditional territories. This means KDFN Beneficiaries have exclusive subsistence harvesting rights at Fish Lake. Proximity to Whitehorse also makes Fish Lake one of the most accessible traditional use areas for KDFN.

Subsistence harvesting opportunities for KDFN Beneficiaries are impacted by increased activity and development. Maintaining opportunity for current and future generations to hunt and fish at Fish Lake is critically important to KDFN.

MINING

There are about 30 active quartz claims in the planning area, the majority of which were staked in 2015 and are due to expire in 2025. There are eight placer claims due to expire in 2022 although annual renewal may extend this date. First Nation people traditionally collected coal around the Coal Lake area; today, there are three coal leases there. Generally speaking, Class I exploration is considered a low impact activity and while notification is required, environmental assessment is not. Class II-IV require government approvals and assessment under the Yukon Environmental and Socioeconomic Assessment Act (YESAA).

OIL AND GAS

There is some potential for oil and gas resources in the planning area. It is unlikely that there will be development of oil or gas resources there due to a ban on petroleum activities in all of Whitehorse Trough (since 2012) and a territory-wide ban on hydraulic fracturing (since 2016). In 2013, Kwanlin Dün First Nation passed a General Assembly Resolution prohibiting fracking anywhere within KDFN Traditional Territory.

HYDROELECTRIC POWER GENERATION

The Fish Lake hydroelectric generation system has been in operation since 1950 and has undergone several upgrades since that time, the most recent concluding in 2016. The system includes two power plants and several control structures located along roughly 10 kilometres of waterway extending from the north end of Fish Lake through Fish Creek, Jackson Lake, Porter Creek and McIntyre Creek. The facilities, which generate 1.3 megawatts of power, are owned and operated by ATCO Electric Yukon.

The Fish Lake dyke regulates storage capacity, and discharge into Fish Creek is through a control structure in the dyke. The dyke is located on surveyed land with long-term tenure and was not designed to be a public right-of-way or parking area. The dyke's narrow one-lane capacity and lack of proper turnarounds are becoming issues with the increasing levels of recreational use and traffic.

Connection to Place



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Łu Zil Män offers scenic beauty, adventure, spiritual connection, challenge, respite and a sense of belonging and home. The area also holds stories, memories, knowledge and physical evidence of thousands of years of human occupation. In recent decades, these special qualities have been sought out by ever-growing numbers of Whitehorse residents and visitors. This increased activity creates new pressures and impacts, as well as new opportunities to explore, share and care for this unique place.

including one of the most significant being a stone quarry where people collected and prepared a local shale-like material for stone tools. Here, elements of large blade production, microblade cores, and various spear and dart point blanks reveal some of the earliest known tool production occurred here and continued over the entire history of human occupation of Fish Lake. Numerous other seasonal campsites, fishing spots and hunting lookout sites have been identified.

ARCHAEOLOGICAL AND HISTORIC RESOURCES

The Łu Zil Män (Fish Lake) area is one of the Yukon's richest archaeological resources, with several sites dating back 5000-8000 years and others indicating that people were in the area soon after deglaciation. Over the course of 32 investigations dating back to the 1960s, 43 archaeological sites have been identified. Only three of these sites – the north end of Fish Lake, a camp site on Jackson Lake, and the Mount Granger ice patch - have been investigated in detail.

The ice patch at the summit of Mount Granger is one of the oldest ice patch sites in the southern Yukon. Side-notched spear points and an arrow with barbed antler point, dating back as far as 4000-5000 years ago, were discovered here indicating that the site was visited by caribou hunters over many thousands of years.

Many other significant archaeological sites are located throughout the planning area,

YG has also identified four sites - the Fish Lake fox pens, Jessie Scarff residence, Fish Lake cabin and Louise Lake cabin - as historically significant. These sites represent some of the physical evidence of more recent land use and land use changes that have occurred in the area (e.g., fur farming, hunting and trapping).

The existing archaeological record shows that a main camp area spanned over two kilometers of the shoreline of the north end of Łu Zil Män. This ancient site had been used for at least 5000-8000 years and contains evidence for occupation shortly after the glaciers retreated. Unfortunately, the site was almost completely destroyed when the road was built down to the boat launch at Fish Lake. Many archaeological resources remain vulnerable to the high levels of recreation and tourism activity in the area and fluctuating water levels brought on by the dam. Heritage experts believe that much of the archaeological wealth in around Łu Zil Män is yet to be discovered.

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TOURISM AND EVENTS

The Fish Lake area is important from a tourism standpoint. Commercial tourism began around 40 years ago with the establishment of a wilderness ranch in the area. For the first few decades, tourism was small-scale. Since 1999, however, the number of annual commercial tourism clients has increased significantly – from about 500 to just over 5000. Most of that growth has been in winter tourism and can be attributed to two businesses.

A range of summer and winter activities are offered at Fish Lake, with horseback riding, dog mushing and snowmobiling being the most

popular. Though commercial operators use routes and trails throughout the planning area, most activity occurs at the north end of the lake. Commercial tourism visits typically are a half-day or less in duration. Unguided tourists also visit the area, but their numbers are unknown.

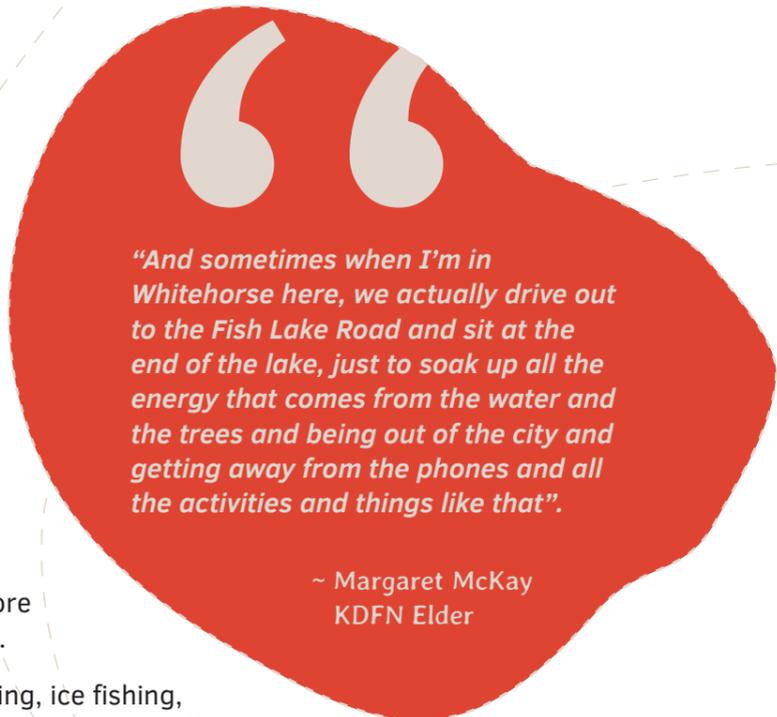
Three sporting events – the Granger Grind dog sled race, Reckless Raven ultra-marathon and Gravel Growler bike race – utilize the Fish Lake area. Fish Lake has also served as a backdrop for a variety of television, film and commercial productions over the past few decades and is one of the most popular shooting locations in the territory.

RECREATION

Fish Lake boasts a unique set of qualities that make it a highly appealing recreational area, among them its proximity to Whitehorse. The number of recreational users has increased significantly in recent years. This growth has been estimated at 100-400% during the past decade. Growth can be attributed to increased population, road improvements, new motorized technologies, lack of reliable snow at lower elevations and more accessible information courtesy of the Internet.

Mountain and winter biking, boating, dog mushing, ice fishing, angling, hiking, running, cross-country skiing, snowshoeing, off-road riding and snowmobiling are among the more popular recreational activities in the planning area. The Fish Lake (or Bonneville Lakes) Trail is the most visited trail in the area, along with being one of the most popular hikes in the broader Whitehorse region.

A variety of recreation groups use the area for programming. Whitehorse Cross Country Ski Club operates the Skyline Trail is within the planning region, which connects the Fish Lake area to the club's overall network of trails outside of the planning area. KDFN's Recreation Department offers youth activities, such as ice fishing, and the Kwanlin Koyotes ski group typically visits in the late winter to skate ski down to the south end of the lake. The Fish Lake area is familiar to many Whitehorse school groups, who visit the area to hike, undertake ski/snowshoe trips and canoe on Jackson Lake.



“And sometimes when I’m in Whitehorse here, we actually drive out to the Fish Lake Road and sit at the end of the lake, just to soak up all the energy that comes from the water and the trees and being out of the city and getting away from the phones and all the activities and things like that”.

~ Margaret McKay
KDFN Elder



“But for myself, I’ll go there for the rest of my days until I can’t, you know, hopefully be part of helping to make sure that the land is preserved and hopefully, this includes sharing the land with other user groups; because I’ve noticed recently that there’s a lot of people going up there, doing everything from ice fishing to kite skiing to, you know, just cross-country skiing, snowmobiling. Like, a lot of things are going on up there, and there needs to be some thought going into how we’re going to protect the land, because there is an impact being made there...”

~ Gary Bailie
KDFN Citizen and Founder,
Kwanlin Koyotes Ski Club

GROWTH IN ANNUAL TOURISM CLIENTS AT FISH LAKE BETWEEN 1999 AND 2019:

ABOUT
900%

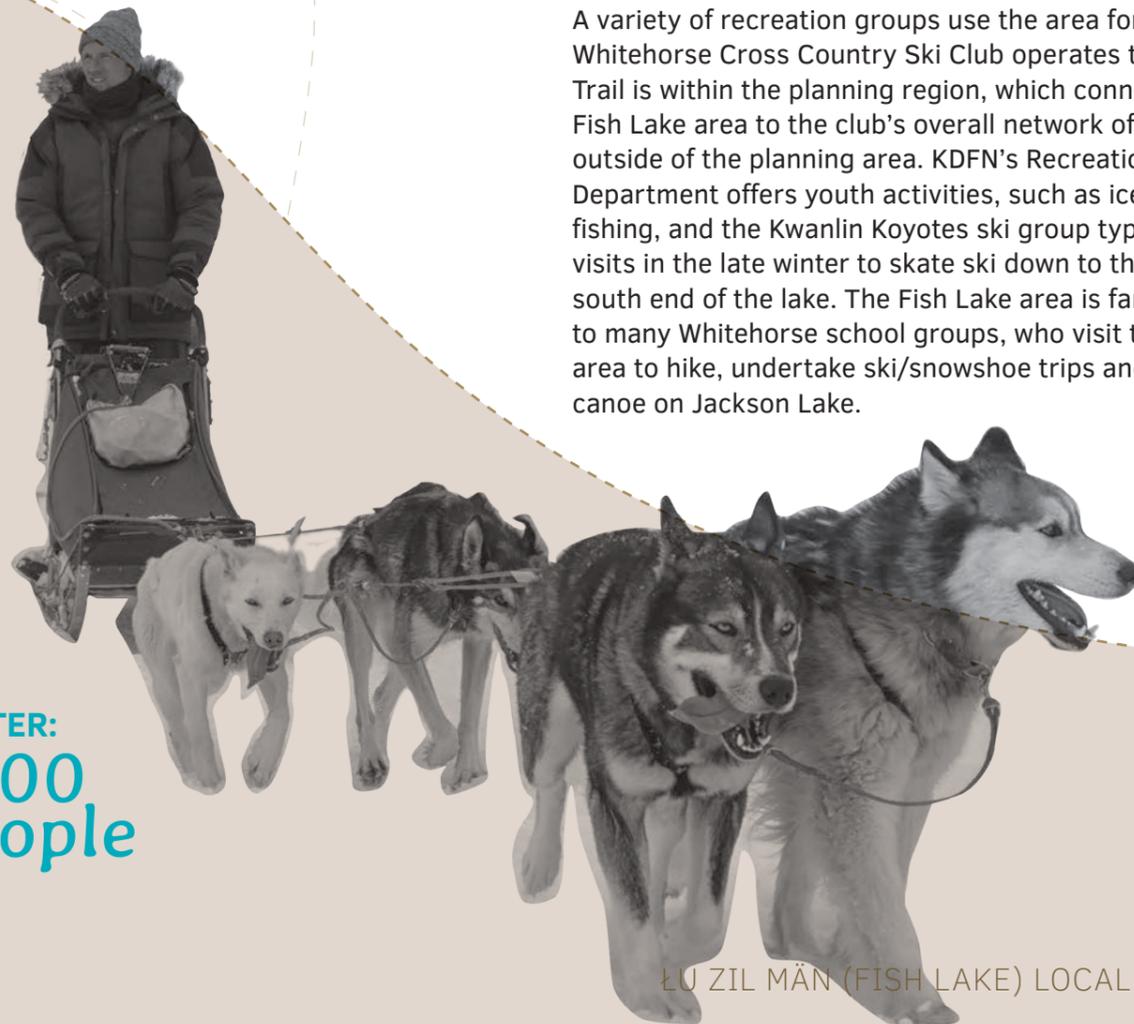
2019/20 TOURISM CLIENT NUMBERS:

SUMMER:
700 people



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WINTER:
4300 people



The Planning Context

The arrival of people of European ancestry into present-day Yukon in the 1860s marked the beginning of a pattern of naming, organizing and disposing of lands and waters in keeping with Western concepts of exclusive use and ownership. This pattern played out in the Fish Lake area and has ultimately resulted in our current understanding of who owns and controls the land, and how it can be used. The Kwanlin Dün First Nation *Final Agreement* and local area plan present an opportunity to create a shared vision for the lands and waters around Łu Zil Män, regardless of ownership.

PRESENT-DAY LAND TENURE

Most of the lands in the planning area – almost 39,000 hectares – are under the control of the territorial government. About half of that – some 19,000 hectares – is used by third parties via leases, licenses and other types of dispositions.

Most of the 16,977 hectares in reservations are for the Wolf Creek Research Basin and wind monitoring in the Mount Sumanik area. Leases cover a variety of land uses, including coal exploration, private quarrying, trapping, residential and recreation. ATCO Yukon Electric has four licenses of occupation for components of the Fish Lake hydroelectric system. Placer and quartz claims occupy 820 hectares of public land.

KDFN has a total Settlement Land area of 7291 hectares comprised of three Rural Settlement

Land parcels (R-blocks) and 14 Site-specific (S) sites. Settlement Land parcels in the Fish Lake area were selected for a variety of purposes, including traditional use areas, existing camps and residences, future camps and residences, ecotourism, and heritage and archaeological sites. Current records indicate numerous Historic Land Submissions in the Fish Lake area, which are now in the process of being reviewed and authorized under KDFN's *Lands Act*.

There are 19 privately titled parcels in the planning area, comprising 67 hectares. Most of the privately titled lots are held by individuals; a few are held by ATCO and other companies.



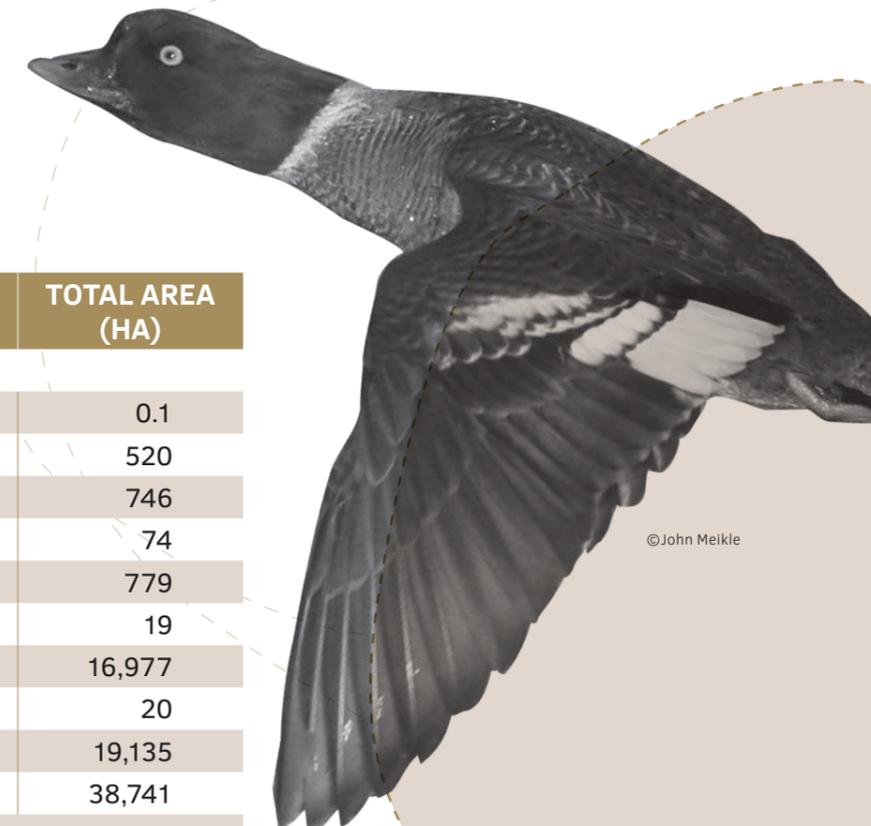
“And it’s an area that our elders and our ancestors would want us to...look after..., and they would want us to make a plan, and we should make sure that we’re taking care of it and that we are respecting it and carrying on those stories and the use of the land and how it’s so important to us and the significance of how they looked after it and continue that on for future generations.”

~ Brandy Mayes
KDFN Citizen and Lands
Operations Manager

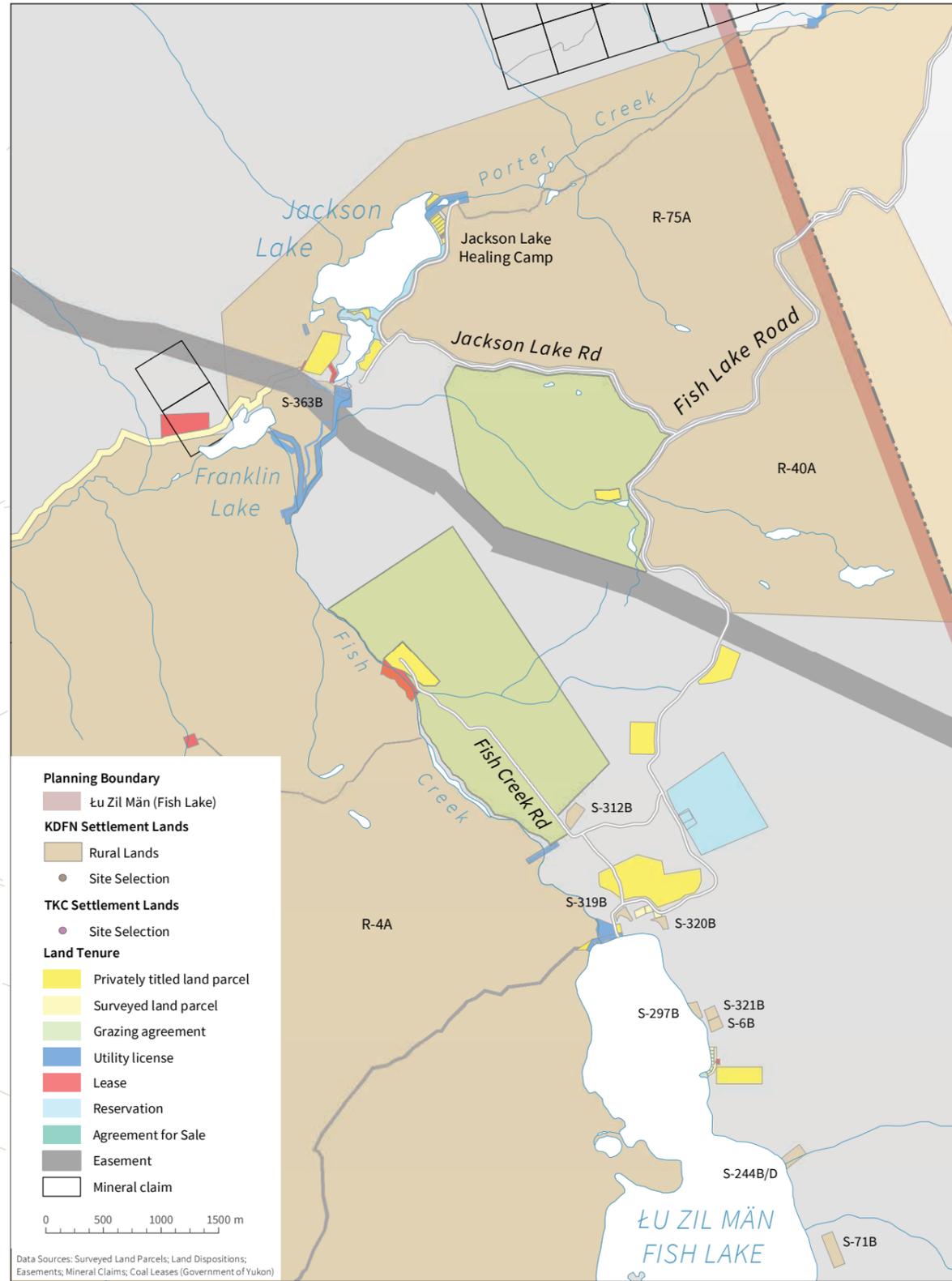
Table 1. Land tenure in the planning area

TYPE OF TENURE	NUMBER OF PARCELS	TOTAL AREA (HA)
PUBLIC LAND		
Agreements (for sale)	2	0.1
Agreements (grazing)	2	520
Claims (placer)	28	746
Claims (quartz)	8	74
Leases	8	779
Licenses	4	19
Reservations	6	16,977
Surveyed parcels (no title)*	17	20
Unsurveyed land	-	19,135
SUB-TOTAL	-	38,741
KDFN SETTLEMENT LAND		
R-blocks	3	7,234
Site-specific sites	14	57
SUB-TOTAL	-	7,291
TKC SETTLEMENT LAND		
Site-specific sites	1	2
TOTAL	-	2
PRIVATE LAND		
Private titled lots	19	67
SUB-TOTAL	-	2
TOTAL – PLANNING AREA	-	46,101

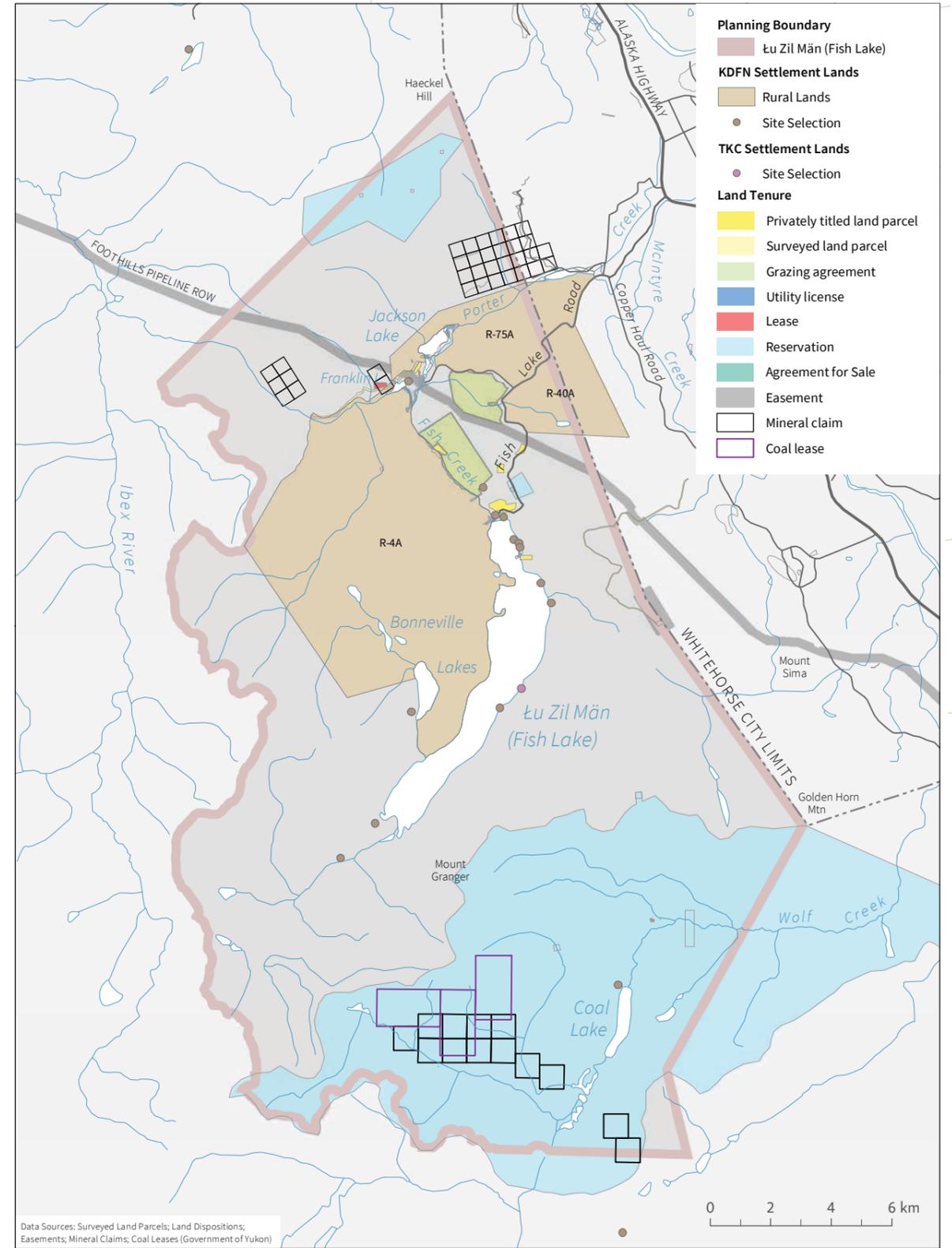
*Does not include any of the previous public land dispositions



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LAND TENURE IN THE ŁU ZIL MÄN (FISH LAKE) AREA – ENLARGED



OVERVIEW OF LAND TENURE IN THE ŁU ZIL MÄN (FISH LAKE) AREA

LOCAL POPULATION

There is a small local population in the Fish Lake area living in residences along the Fish Lake Road itself and in the Jackson Lake area. Rough roads access a handful of seasonal residences on the western and eastern shores of the northern end of Fish Lake. An estimated 40 people live in the area year-round. One community association is already in place for the Jackson Lake area and another is being formed by residents of the Fish Lake Road.

INFRASTRUCTURE AND SERVICES

Infrastructure and services are very limited in the planning area. The Fish Lake Road is maintained by the City of Whitehorse and YG, but many sections do not meet modern design standards. There is no power or telecommunications service to the area and cellular coverage is spotty. Water is provided via a combination of private wells, water haul and water delivery. Individual dwellings manage with on-site septic disposal systems. There is no solid waste disposal facility.

FUTURE DEVELOPMENT

Kwanlin Dün's 2017 Traditional Territory Land Vision identifies the Fish Lake area as helping to achieve the nation's Community Development, Wildlife and Heritage goals. Potential community development opportunities noted in the document include a campground and residential subdivision for citizens (R-40A) and a culture camp, campground and healing centre (R-4A).

In addition to KDFN's development interests, there are pressures from a growing Whitehorse population and it is a priority for YG to identify areas for future housing. A "rush" of 31 spot land applications in 2004 suggested that market

interest in new residential and/or recreational lots around Fish Lake would be high. A technical feasibility study completed in 2008 found that there is potentially suitable terrain for development in the area; however, the lack of power and communications and need for major upgrades to meet road safety standards may make development cost prohibitive. There may be challenges with individual water and wastewater servicing as well.

RELEVANT AGREEMENTS, LEGISLATION AND PLANS

The local area plan for Łu Zil Män will not be developed in isolation. Rather, numerous pre-existing agreements, legislation and plans already apply - directly or indirectly - to lands and land use activities there. These include the KDFN Final and Self-Government agreements, territorial regulations, and First Nation-YG resource and wildlife management efforts.

This pre-existing framework poses both strengths and weaknesses for a future plan. One key strength to build on may be the resources already in place, such as YG conservation officers, KDFN land monitors, and YG's wilderness tourism reporting system. Weaknesses for the plan to acknowledge and potentially navigate around include a lack of sufficient resources to fully enact and/or enforce legislation that influences activities such as land use outside of developed areas and wilderness tourism.

KEY PLANNING ISSUES AND OPPORTUNITIES

Zoning Considerations – Local area plans usually apply to developed areas and result in new zoning regulations. The nature of the uses and issues in Fish Lake, a largely undeveloped area, may require a different approach that places more emphasis on recreation and conservation values than previous local area plans and development area regulations have. It is common to restrict new development and various land uses in these areas, however recreation activities cannot be effectively restricted in zoning regulations unless it is tied to development. As such, governments may need to rely on other forms of legislation or processes to ensure effective implementation of the plan.

Visitor and Impact Management – This area is very important for tourism and recreation use. Kwanlin Dün citizens and government have long expressed concerns about the environmental impacts of increasing tourism and recreational use. The plan will need to consider ways to manage these impacts, whether they are from Yukoners or tourists, while allowing continued use.

Reconciliation - The patterns of land use and development that characterize Fish Lake today are the result of 20th century displacement of the Indigenous people who had inhabited the area for millennia. The plan will need to contemplate what reconciliation might look like, both in terms of the plan process itself and its outcomes.

Balancing Ecological, Cultural and Tourism/ Recreation Values - The predominance of a highly valued wilderness within the planning area would suggest that some type of protected or conservation designation should be considered during the planning process. A key planning consideration may be how to make tourism and recreation sustainable in a sensitive environment, while protecting KDFN rights to traditional harvest.

Education and Interpretation - Traditionally, Indigenous peoples relied on stories, teachings, and knowledge sharing - rather than rules and regulations - to encourage healthy relationships between people, animals and the environment. Some KDFN citizens see education as an important tool to help mitigate the growing use pressures around Fish Lake.

Appropriate Development – Development can be positive and negative. While some types – campgrounds or housing, for example – could help manage visitors and help address housing needs, others have the potential to displace animals, habitat, and valued subsistence and recreation areas. Determining how much, and where, development should occur poses both practical and philosophical challenges.

"You know, I'm a white person. I feel like I need to do more to educate people. And it's easy to say, "Welcome to Sky High. We'd like to acknowledge that we're surrounded by Kwanlin Dün and the Ta'an Kwäch'än First Nation," but for me, it's just words. Something needs to be done."

~ Jocelyne Leblanc
Partner/Office and Marketing Manager
Sky High Wilderness Ranch

Indigenous Tourism - KDFN citizens have expressed an interest in tourism as a means to educate visitors, share traditions and create economic benefits. A campground and tourism lodge with a visitor's centre that showcases KDFN culture are two popular ideas that could be pursued. Local tourism businesses could also incorporate more KDFN knowledge, culture and citizens into their operations.

Collaboration and Implementation - One of the objectives of land use planning is to ensure that First Nation values and interests on non-Settlement Lands are incorporated into decision-making. KDFN and YG are jointly planning, but each will retain authority for implementation on lands under their respective control. This, combined with the non-binding nature of local area plans, could undermine implementation success. Cooperative management, ongoing collaboration and other mechanisms that build trust and accountability between the governments are worth exploring.

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“That’s why Fish Lake is important to me. Because as an elder, I want to go home. I grew up at Fish Lake, and I was taken away. ... I was taken from Fish Lake, and I never went back, and I’m 63 now, and I want to go home. That’s my home.”

~ Irma Scarff
KDFN Elder

Setting a Good Precedent – Setting a good precedent might mean that the public “buys in” to cooperative planning and management and partnerships and participation are maximized. This would help future planning processes for other well-used wilderness areas around Whitehorse.

Fairness, Equity and Transparency - There may be expectations that the plan balances all interests and users in a fair and equitable manner. This expectation may apply not only to how Indigenous and non-Indigenous land users are treated, but also to different user groups. As one example, some tourism operators have expressed concerns that they will be treated differently than recreationists, simply because it is easier to regulate them than the general public. Transparency, open dialogue, respectful relationships and a willingness to come together will be needed from all parties to create a successful plan.

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“When you look at the archaeological record...what you see is that land use and land use traditions on the lake were actually fairly consistent for thousands and thousands of years... So, when you change radically how you manage a landscape, that will bring new obstacles and challenges. So, we need to consider that this was a very conservatively used landscape in the past, and now, we’re bringing a lot of different land uses to the table in the modern era, which will be difficult to manage.”

~ Christian Thomas
Government of Yukon Archaeologist



KDFN Elder Russell Burns roasting moose nose at Jackson Lake.
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