

Yukon River Inter-Tribal Watershed Council

Talking points: watershed/water quality management plan

What?

At the direction of its leadership, the Yukon River inter-Tribal watershed Council is developing a **basin wide watershed plan** for the Yukon River, a plan that will include specific **water quality standards** designed to protect the quality and flow of the water in the Yukon River. The Watershed Council staff has now produced a draft of such a basin wide watershed plan with water quality standards, which we are bringing to you and your community for review and discussion and, especially, for your input in shaping and improving the draft plan.

Purpose of the watershed plan?

To improve and protect the quality of the Yukon River water over the long run, both to sustain the health of our communities and to have healthy, productive habitats for the fish, animals and plants of the watershed.

When?

Our target is the Watershed Council's next bi-annual summit, to be held in Mayo, Yukon, in August 2013. Our goal is to bring to the 2013 Summit for consideration and approval a draft of the basin wide water quality plan, including as the plan's centerpiece -- a set of measurable water quality standards for the basin as a whole. We will also include in the draft plan a model Ordinances that individual Tribes and First Nations may use to adopt the watershed plan and water quality standards following the approval of the Watershed Council as a whole at the Summit. The basin wide plan, once approved, will also set in motion a way to identify locally the activities in the Yukon River basin that degrade or threaten to degrade the water quality of the Yukon River in violation of the standards, as well as actions that can address those threats.

The Watershed Council leadership and staff recognize that the staff will need to visit with the governments and communities of the Yukon First Nations and Tribes over the next year to seek guidance and input in the development of the final draft version of the basin wide watershed plan to bring to the 2013 Summit. That is, we know that to get approval of this plan by the Watershed Council leadership in August 2013, we need to work with the individual governments and communities before then for input and review of the draft plan. We are just beginning that effort.

Why now?

Developing a basin wide water quality plan is the next logical step in the Watershed Council's mission. The Watershed Council and its member nations have been working for 15 years to increase our capacity to work together, to monitor water quality and develop a first-class science program with a collective body of water quality information about the Yukon River that no one else has, and to address contamination sources through backhaul and training programs. At the Watershed Council's Summit in Ruby, Alaska, in August 2011, the YRITWC leadership decided it is time for the First Nations and Tribes of the Watershed Council to be more assertive in bringing all this capacity and knowledge and action together into a collective inter-tribal plan for the Yukon River. A watershed plan to match the vision of the Watershed Council founders of a river clean enough to drink from and to sustain the coming generations of the Yukon basin.

How has the Watershed Council staff developed the draft water quality plan?

Our ultimate intent, at the direction of the Watershed Council leadership, is to have a plan that combines the best of the water quality information and modern scientific knowledge of the Watershed Council's science staff and the Yukon governments' environmental and natural resources staff *with* the traditional environmental knowledge of the governments and communities and people of the river. At this point the draft watershed plan begins with the vision and objectives of the Tribes and First Nations in forming the Watershed Council. The draft plan then proposes a set of water quality standards that describe in measurable terms the quality of the water necessary to match that vision of a Yukon River substantially unaltered from natural conditions in terms of quality and quantity and flow. The proposed water quality standards are derived from the information on water quality that the Watershed Council has and the most stringent water quality standards developed by other Tribes and States in the Pacific Northwest to protect human health and aquatic life.

How does this effort relate to existing laws and rights and relationships?

The draft watershed plan has been designed with an intent to be consistent with -- and an expression of -- any water rights and other rights of the Yukon First Nations and Alaskan Tribes. This includes the right and expectation to have the flow of the Yukon River remain substantially unaltered as to quantity, quality and rate of flow through or adjacent to the First Nations lands, a right that is described in the Umbrella Final Agreement (although the USA is *not* the source of the right) and consistent with the inherent rights of the Alaskan tribes expressed at this point in time in reserved water rights held by the U.S. government. The plan will also be designed to build on your existing relationships with the

national, provincial and state governments, but also designed to improve substantially on those governance relationships over time.

So what? How does the plan get implemented?

Once the Watershed Council does its work and develops and approves a high-quality basin wide watershed plan for the Yukon River, we expect to enter into government-to-government discussions with the other sovereign governments in the Yukon River basin (federal, province, and state) about implementing the water quality standards and other elements of watershed plan, in shared governance approach to the river. At the approval of the Watershed Council's Executive Committee, we sent these governments in the summer of 2012 alerting them to what we are working on and our expectations for when we have completed the watershed plan and approved the water quality standards.

As noted above, the basin wide watershed plan will be designed so that each Tribe and First Nation will be able to consider and adopt by Ordinance the water quality standards and key objectives and implementation provisions, and thus implement the plan within their own area of governance. But more important, the plan will also be designed with the assumption that the Tribes and First Nations will then work, individually and collectively, with the other sovereign entities in the basin to secure recognition and implementation of these standards as well as the appropriate participation of the Tribes and First Nations in the governance of the river to this end. The watershed plan will, over the long run, be as much about governance as about water quality -- about what it means to assert a more significant role for the Tribes and First Nations in the governance of the Yukon River to protect the water for all the people of the basin. Patience will be essential. This will be a project of many years, to protect in law the quality of the Yukon River and the role of the Tribes and First Nations in the governance of the river.