

Canada has land freeze for Porcupine herd

BY LIBBY BARLOW
From the Whitehorse STAR

A resource development freeze on 15,000 square miles of land in the northern Yukon was announced today by Minister of Northern Development Hugh Faulkner, to begin protecting the 110,000 caribou Porcupine Herd.

The withdrawal of the land from any future resource development is "the initial step towards creation of Canada's first national wilderness park," Faulkner said.

The area being withdrawn includes all land in the Yukon north of the Porcupine and Bell Rivers, with the exclusion of a "small area around Old Crow and a harbour site on Herschel Island," Faulkner said.

The withdrawal of the land "simply prevents further alienation" of the area, he said. A CP wire story quoted Faulkner as saying that Ottawa "is prepared to modify the area it has selected as a wilderness park after talks with the people of the North."

The area being withdrawn includes the herd's calving grounds in Canada and "much" of their summer and fall ranges. The winter range, however, lies south of the Porcupine River and is not included in the withdrawn land.

Because of this, Faulkner said the withdrawal of the 15,000 square miles "will not in itself be enough to ensure the continued viability of the herd." For this reason, Faulkner also announced the establishment of a task force to "develop a management plan for the entire herd range." Representatives from both Yukon and NWT governments, Ottawa, the Council for Yukon Indians and the Committee for Original Peoples' Entitlement have been invited to develop the management plan, Faulkner said.

In conjunction with Faulkner's announcements, Environment Minister Len Marchand announced that an agreement between Canada and the U.S. is being sought to protect the herd.

As the caribou migrate between the Yukon, NWT and Alaska, discussions will occur between the Canadian Wildlife Service and the U.S. Department of the Interior.

The purpose of a proposed joint agreement, Marchand said, is "the need to manage the entire herd and its range, on both sides of the border, as an ecological unit."

In a CP wire story, Faulkner said that "northern Natives are generally supportive" of the withdrawal of land while at the same time he "anticipates resistance from some members of

the elected Yukon territorial council" because they were not "consulted in advance."

Faulkner said the withdrawal "will not prejudice land claims discussions nor traditional Native hunting, fishing and trapping activities in the area." In fact, CP wire quotes Faulkner as suggesting that "the decision could be regarded as a step toward settling" land claims in the North because the withdrawal "meshes with Native calls for protection of hunting and fishing rights."

In a CBC interview, CYI chairman Harry Allen said he was "reasonably pleased" with Faulkner's announcement. As the Old Crow people rely on the herd for food, Allen said Ottawa's actions indicate they do have a concern for the people.

While conceding that YTG was not consulted with respect to the actual tract of land withdrawn, Faulkner said that they have known since January that he intended to withdraw some land. However, he added, the land withdrawn "is larger than that identified in my earlier announcement."

Faulkner said the "consultation process" with YTG will commence Friday morning when he meets with ExCom in Whitehorse. He said he will go over with them "the question of the wilderness area (and) what its potential boundaries are." As well, he said, he wants to discuss YTG's participation in setting up the caribou management scheme.

Asked if he did not feel that meetings with ExCom would represent consultation after the fact, Faulkner replied, "No." He explained that if some of the land withdrawn is found not to be necessary for conservation purposes, "It gets reinstated."

YTG Minister of Renewable Resources Jack Hibberd could not be reached for comment as of press time. However, in an interview with CBC, former ExCom member Dan Lang said that the legislative assembly should have been "consulted... prior" to the withdrawal of the land.

He said that Faulkner's actions are contrary to a clause of the Territorial Lands Act which

stipulates that MLAs are to be consulted "prior to any withdrawal of lands" in the territory. Asked by CBC if he thought Faulkner's actions are therefore illegal, Lang replied he was not a lawyer, but that the suggestion was "an interesting point" and it "should be looked at."

Kluane MLA Hilda Watson, again talking to CBC, said that she found Ottawa's priorities

"ironic." This is so, she said, because Ottawa sets land aside for 110,000 caribou but at the same time people, particularly in the Haines Junction area, cannot get land to live on.

Faulkner said that he did not know what the mining industries "precise reaction will be" to the halting of any "further disposal of land...for oil and gas exploration..." the ceasing of "sale or
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lease of surface rights" and the prohibition of any further mineral claim staking activity. He said he doesn't think the mining industry should be "surprised" by the withdrawal because they, as did YTG, knew in January of his intentions to withdraw some land. However, Faulkner said he will be meeting with the mining industry "next week" and expects to hear from them then. As well, "they'll have a chance to make their views known" during the consultation process, he said.

"Existing mineral claims and oil and gas interests are not affected by the withdrawal," he said. Exploration in these areas may proceed under the normal "government regulatory controls," Faulkner said.

Faulkner added that the "mineral potential" in the 15,000 square miles "seems to be modest" and there is "a very low potential in terms of oil and gas."

Questioned as to the exclusion of the Old Crow area

and the harbour on Herschel Island, Faulkner replied that with respect to Old Crow there is an exploration moratorium which has been in existence since 1972 and this moratorium is still in effect.

Herschel Island is left unaffected, he said because the port there "was designed to meet the potential requirements of oil and gas explorations in the off-shore area."

Faulkner said that his decision to withdraw the area north of the Porcupine River is consistent with the recommendations of Justice Thomas Berger who conducted the Mackenzie Valley Pipeline Enquiry. As well, he said, there have been representations to Ottawa "since the 1970 Arctic International Wildlife Range Conference" held in Whitehorse.

Taking all into account, Faulkner said he has "concluded that the conservation values of the region exceed the development potential and we must reserve all land north of the Porcupine and Bell Rivers."