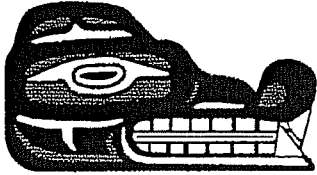
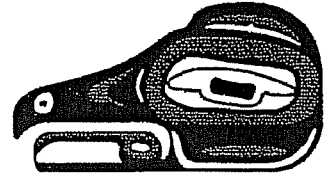


CARCROSS / TAGISH FIRST NATION



Governance Department
PO Box 130
Carcross, YT, Y0B 1B0
Phone: (867) 821-4263 Fax: (867) 821-4802



Yukon Energy, Mines and Resources
Oil and Gas Resources
Suite 300, 211 Main Street
Whitehorse, Yukon Y1A 2B2

September 14, 2009

Re: Comments on the Proposed Amendments to the Oil and Gas Act

Carcross/Tagish First Nation would like to make the following comments on the proposed amendments to the Yukon Oil and Gas Act.

The proposal to repeal section 13 is in direct opposition to the MOA signed , January 1997, by Yukon First Nations and the Yukon Government, wherein it is stated that :

- 4.1 Subject to the terms of this Agreement, the Parties agree to support the immediate passage and proclamation of Bill C-50 by the Parliament of Canada.
- 4.2 The Parties shall jointly recommend to the Government of Canada that it continue the effect of its existing policy of not issuing any new Oil and Gas rights in the Yukon Territory prior to the settlement of aboriginal claims, by amending Bill C-50 to provide that, in respect of a Traditional Territory for which the Effective Date of a Yukon First Nation's Settlement Agreement has not occurred, neither Yukon nor Canada shall issue any new disposition in respect of Yukon oil and gas lands in the Yukon Territory, without the consent of the Yukon First Nation.
- 5.1 In addition to recommending the amendment to Bill C-50 referred to in 4.2, Yukon hereby agrees that it will not, in respect of a Traditional Territory for which the Effective Date of a Yukon First Nation's

Settlement Agreement has not occurred, issue any new disposition in respect of Yukon oil and gas lands in the Yukon Territory, without the consent of that Yukon First Nation.

- 5.2 The Yukon agrees to amend the Proposed Yukon Oil and Gas Act to incorporate the undertaking set out in 5.1 and to amend the Proposed Yukon Oil and Gas Act or other legislation as may be required to implement the recommendations of the working group that are accepted by the Parties.

Carcross/Tagish First Nation recommends that Section 13 be upheld in order to honour this previous agreement, and that the final drafting of the proposed amendments be reviewed by the MOA working group, maintaining consistency with the process employed to develop the *Act* and its regulations.

We have concerns with the manner in which Yukon Government has proposed the amendments. It should have raised the matter with the Yukon First Nations on a government-to-government basis, especially in light of its wanting to amend the Act contrary to its commitment set out in the MOA.

The MOA working group should examine the outcomes of the benefit agreements implemented over the past decade to determine if the Act or policies require revision.

Finally, we feel the consultation period ought to be extended in order to afford the Yukon First Nations a reasonable amount of time to submit their written comments.

Respectfully,



Dan Cresswell
Deputy Kha Shade Heni