

LAND MATTERS

If the C/TFN Final and Self-Government Agreements receive approval through the ratification process, C/TFN will acquire ownership and management of over 1,554 square kilometres of land. This is called Settlement Land.

Settlement Lands are diverse. Some are important traditional and cultural areas. Others are good for housing or have strong tourism development potential. There are Settlement Lands that include good hunting and fishing areas. Other Settlement Lands might be suitable for mining or other resource development.

There are three categories of Settlement Land. Self-government powers will apply to all categories of Settlement Land.

1. Category A Settlement Land

On this type of Settlement Land, C/TFN will have complete ownership of the land's surface, including forest resources. It will retain any aboriginal rights and title. C/TFN will also own sub-surface resources such as minerals and oil and gas.

Two-thirds of C/TFN's Settlement Land — 1,036 square kilometres — is Category A Settlement Land. These lands are located in large rural blocks near places like Carcross, Tagish, Marsh Lake, Bennett Lake, the Wheaton River and the Annie Lake Road.



photo courtesy of Brian Shanahan

How much land is that?

C/TFN will own over 1,554 square kilometres (sq. km.) of Settlement Land if the land claim agreements are approved.

- A square kilometre of land is a piece of land, each side of which is one kilometre long.
- The City of Whitehorse, which stretches from the Carcross Cut-off to the Takhini River Bridge on the Mayo Road, is 416 sq. km. You could fit almost four cities the size of Whitehorse into C/TFN's Settlement Lands.
- The City of Toronto is 641 sq. km. The City of Vancouver is 113 sq. km. The City of Edmonton is about 700 sq. km. C/TFN's Settlement Lands are bigger than these three cities put together.

2. Category B Settlement Land

On this type of Settlement Land, C/TFN will have complete ownership of the land's surface and retain any aboriginal rights and title. The First Nation will not have ownership of subsurface resources such as minerals and oil and gas, but will have the right to take and use gravel, clay and some other materials on its Category B Settlement Land free of charge.

Category B Settlement Lands are found in large rural blocks, small parcels of site-specific selections, and community lands. About one-third — 518 square kilometres — of all C/TFN Settlement Land is Category B Settlement Land.

3. Fee Simple Settlement Land

On this type of Settlement Land, C/TFN will have complete ownership of the land's surface, but will not have aboriginal rights or title on that land. Only a very small amount of Settlement Land, including certain lots in Carcross and Tagish, will be Fee Simple.

(The Hunting and Fishing Information Sheet contains more information about C/TFN rights on its Settlement Land.)

LAWMAKING ON SETTLEMENT LAND

The C/TFN Self-Government Agreement sets out the powers of the self-governing First Nation to pass laws to apply to Settlement Land, including laws for land use, logging, hunting, trapping and fishing. It can make laws to regulate and license businesses on Settlement Lands, control or prevent pollution, control the transportation of dangerous goods, regulate the construction and demolition of buildings and govern the proper care of animals. C/TFN will also be able to make decisions about land use planning and development of its Settlement Lands.

CARCROSS INDIAN RESERVE NO. 4

The Carcross Indian Reserve No. 4 will be a retained reserve owned by C/TFN. Like Category A Settlement Land, C/TFN will have complete ownership of the land's surface and subsurface, and will retain any aboriginal rights and title on this land.



photo courtesy of Brian Shanahan

OTHER CLAIMS

Under its Final Agreement, C/TFN may submit two specific claims to the Government of Canada through a process for specific claims. C/TFN may claim that the Settlement Lands known as the Tagish Post and Choutla School Site are reserves within the meaning of the *Indian Act*. If these specific claims are successful, these areas will remain Settlement Land or may become a retained reserve like Carcross Indian Reserve No. 4.

C/TFN may still make a claim for compensation for a portion of Carcross Indian Reserve No. 4 that was used for the South Klondike Highway. This claim may be resolved through a process outside the land claim agreements.

SPECIAL MANAGEMENT AREAS

The C/TFN Final Agreement includes four Special Management Areas (SMAs) in the Traditional Territory of the Carcross/Tagish people. C/TFN will have a role in the development of management plans for each SMA. Carcross/Tagish people will have the right to hunt, fish and benefit from economic opportunities within these areas as set out in the Final Agreement.

Kusawa Park

The area for this park is approximately 3,078 square kilometres. It extends from the British Columbia border to the north end of Kusawa Lake



photo courtesy of Yukon government

near the Alaska Highway. It is within the traditional territories of C/TFN, Kwanlin Dün First Nation and Champagne and Aishihik First Nations. These three First Nations can each appoint one representative on the park's steering committee which will develop a management plan for the park.

Agay Mene Natural Environment Park

Agay Mene Natural Environment Park will be established after the C/TFN Final Agreement is approved and comes into effect. It will have an approximate size of 723 square kilometres and falls within the traditional territories of the Teslin Tlingit Council and C/TFN. Both First Nations will have representation on the steering committee that will develop a management plan for the park.



photo courtesy of Janet Lee

Tagish River Habitat Protection Area

This Habitat Protection Area (HPA) will be established after the C/TFN Final Agreement is approved and comes into effect. This area falls within C/TFN's Traditional Territory and C/TFN will have a role in the development of the Management Plan for the HPA through representation on a steering committee.

Lewes Marsh Habitat Protection Area

This wetlands HPA falls within the Traditional Territory of C/TFN as well as Kwanlin Dün First Nation and Ta'an Kwach'an Council. Each First Nation can appoint a representative to the steering committee that will develop a Management Plan for the area.

ADDITIONAL LANDS

Like other governments, C/TFN will have the ability to own and buy other lands. Any new land the First Nation or its corporation may obtain will not be considered as Settlement Lands so self-government powers will not apply to these new lands. C/TFN will have the same rights as any private property owner on these lands.

Watson River Subdivision

After the C/TFN Final Agreement was initialled, the Yukon government transferred ten lots in the Watson River Subdivision to a corporation owned by C/TFN. There was no cost to C/TFN for these lots.

Airport parcel and Emerald Lake lands

The Yukon government has a three-hectare parcel of land at the western end of the Carcross airport. If, in the future, the Yukon no longer requires this parcel for the airport, C/TFN will have the first opportunity to purchase the land. C/TFN will also have the first chance to obtain certain lands within the recreational reserve located at Emerald Lake if the Yukon ever wants to dispose of it.

Historic sites

Under the land claim agreements, the Conrad Historic Site and the Tagish North West Mounted Police Historic Site (old Tagish Post) will be established. C/TFN will have joint ownership, with the Yukon government, of these two sites.



photo courtesy of Yukon government

Contact the Ratification Committee for more information.

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This fact sheet highlights elements of the Carcross/Tagish land claim agreements. It should not be relied on for legal interpretation of the Final and Self-Government agreements.