



## YUKON LAND USE PLANNING COUNCIL

# YUKON LAND USE PLANNING COUNCIL (YLUPC) Annual Activity Report 2010-2011

### 1. Introduction

This report summarizes the activities of the Yukon Land Use Planning Council, as required by the Yukon Government in its Transfer Payment Funding Agreement with the Council. The annual activity report contains the following:

- A brief description of implementation activities;
- A progress report on results and achievements;
- The scheduling or timing of major events; and
- An overall assessment of the achievements of the Council's obligations under the Final Agreement, its Implementation Plan, and related acts of Parliament.

Yukon Land Use Planning Council is:

Doug Phillips, Chair (Resigned December 2010)  
Ian D. Robertson, Member  
Steve Buyck, Member until July 2010  
Shirlee Frost, Member (Started August 2010)

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### 2. Implementation Activities, Results and Achievements

The Council had a very active 2010-2011 by assisting two planning commissions and the Yukon Government and Yukon First Nations as they implemented *Chapter 11 Land Use Planning* of the Yukon Final Agreements. Highlights of the year included the establishment of the Dawson Regional Planning Commission, the successfully reactivating the Peel Watershed Planning Commission after the Parties responded to the Recommended Plan, working with Yukon First Nations and the Yukon Government on

the region planning boundaries in the Southern Yukon and conducting, for the first time, conformity checks on a regional land use plan (the North Yukon Regional Land Use Plan).

## **2.1 Completing the 2010-2011 Work plan**

To complete its 2010-2011 work plan, the Council held 8 Council meetings. Council member Steven Buyck chose not to continue as a member after his term expired in July and was replaced by Shirlee Frost. Chair Doug Phillips resigned in December to become the Commissioner of the Yukon and was not replaced before the end of the fiscal year. The Council's Secretariat staff included a Director, Senior Planner, Senior Policy and Planning Advisor and a Senior Financial Administrator. Contractors were utilized for the salary review, technical geographic information systems training and communications work.

The Council generally carried out its 2010-2011 work plan. The largest deviation from its work plan related to the tasks associated with the establishment of the Dawson Regional Planning Commission, as the commission was not appointed by the Minister until August. In addition, the lack of consensus amongst the Southern Yukon First Nations as to the configuration of planning regions has slowed the Council's recommendation on this topic.

### **Major Work Themes:**

#### **Completing Regional Plans in Remaining Planning Regions (11.3.3.2)**

The work of completing regional plans in the remaining planning regions focussed upon the Southern Yukon and the reconfiguration of the regional planning boundaries in the "settled" portions of the territory. This work included:

- meeting with the Yukon First Nations involved in the reconfiguration of the boundaries in the Southern Yukon (April, May). These meetings included a presentation and a question and answer session about implementing Chapter 11 of their land claim agreements (Kwanlin Dun First Nation, Ta'an Kwäch'än Council, Carcross Tagish First Nation and Champagne & Aishihik First Nations);
- hosting a meeting June 10<sup>th</sup>, 2011 that included representatives from four FNs (KDFN, TTC, CTFN and TKC) and the Yukon Government that explored the "pros and cons" of various potential configurations and the willingness to plan in these areas.

- receiving and considering formal letters from the TTC, Kwanlin Dun First Nation, Carcross Tagish First Nation, and Ta'an Kwäch'än regarding regional planning in their traditional territories;
- attending the General Assembly of the Champagne & Aishihik First Nations and the Council of Yukon First Nations with an updated display booth;
- preparing a draft work plan and budget that estimated the work and cost of completing the Teslin Regional Land Use Plan (May);
- sending a letter to the Yukon Government and Canada regarding funding issues associated with regional planning, including a request for the identification of the total amount of funding remaining for regional planning in the territory (July);
- receiving a response from Canada and the Yukon that allowed Council to establish policies on where regional planning funding should be allocated (settled areas only) and the total remaining funds left for regional planning (\$5.4 million);
- hosting a meeting with planners and/or land managers from the Parties involved in regional planning in the Southern Yukon (February 3<sup>rd</sup>, 2011). This meeting included representatives from the Yukon Government, Champagne/Aishihik First Nation, Kwanlin Dun First Nation, Ta'an Kwach'an Council, Carcross/Tagish First Nation and Teslin Tlingit Council (Little Salmon/Carmacks First Nation was absent). The group "weighted" different considerations for creating planning regions and this "weighting" was applied to options for different planning configurations. From this work, one regional configuration received the highest weighting and identified three regions: Whitehorse, Kluane and Teslin;
- producing a draft paper that examined the current level of planning occurring in the Southern Yukon and identified the need for integrating these efforts;
- receiving correspondence from the Yukon Government that the traditional territory of the Kluane First Nation should be included in the area being considered for planning.

**Products:** Southern Yukon Regional Planning Workshop, February 3<sup>rd</sup>, 2011, Whitehorse, Draft: *Existing Planning Structures in the Southern Yukon*, November, 2010, Draft work plan and budget estimates for completing the Teslin Regional Land Use Plan

### **Assisting the Dawson Regional Planning Commission with its Start-up (11.3.4, 11.3.3.5)**

The Dawson Regional Planning Commission was appointed in August of 2010. The Council led the preparation work done in advance of the establishment of this commission and provided leadership through its first 4 months of operations. This work included:

- creating an DRPC office within the Council's Secretariat at 201- 307 Jarvis St., Whitehorse;
- preparing a set of draft Policies and Procedures for Dawson Regional Planning Commission;
- hosting a meeting with Yukon Government and Tr'ondëk Hwëch'in staff about preparation tasks (May);
- creating a new base map for the Dawson Region;
- preparing for the training and orientation of the members, including a general start-up strategy for the first year of operations;
- travelling to Dawson City and making 5 presentations to 10 organizations. The purpose of these presentations was to provide the community with a basic understanding of the planning process that was agreed to by the Parties (Yukon Government, the Tr'ondëk Hwëch'in and the Vuntut Gwitchin).
- responding to requests from a variety of local agencies to have the DRPC planning office immediately established in Dawson City. The Council's response indicating that Terms of Reference agreed to by the Parties stated that the Commission would start its operation in Whitehorse prior to moving to Dawson City at the end of the first year.
- assisting the Government of the Yukon with the preparation of the material to brief the newly appointed Dawson Regional Planning Commission;
- assisting the Commission with the hiring of its Senior Planner (October- February);
- training and orientating the new Commission, including a two day session in Dawson (November 3<sup>rd</sup> and 4<sup>th</sup>). The Training and Orientation session, included presentations and discussion on: First Nation Land Claim Agreements and Chapter 11: Land Use Planning, the DRPC Terms of Reference, the Regional Planning Process, the roles and responsibilities of key Agencies (YLUPC, YG, TH, VGFN), group dynamics, group development and group decision making; the experiences of the North Yukon Planning Commission and the Peel Watershed Planning Commission and preparing for the first full meeting of the Commission;

- assisting with the first full Commission meeting held February 16, 17<sup>th</sup>, 2011;
- assisting with the creation and submitted its Annual Work Plan and Budget, including adjusting to the new “allocation” based system for annual work plans and budgets was being implemented by the Government (March).

Products: *Draft Policy and Procedures: Dawson Regional Planning Commission; A Framework for the Orientation of Dawson Commission members (Year 1) April, A Training and Orientation Package: Dawson Regional Planning Commission: November 3<sup>rd</sup>, 4<sup>th</sup>, 2011, Dawson City, Yukon.*

#### **Assisting the Peel Watershed Planning Commission (11.3.4)**

The Peel Watershed Planning Commission was inactive until March of 2011, as it waited for the results of the Parties (Yukon, Tr’ondëk Hwëch’in, Gwich’in Tribal Council, Na-cho Nyäk Dun, Vuntut Gwitchin) review of the Recommended Plan submitted in December of 2009. The Council was responsible for any administrative matters during this period, prepared for the commission’s reactivation and organized the Commission’s first meeting in March. This work included:

- attending the community consultation in Mayo and Whitehorse (September).
- producing of the annual activity report and providing the auditor with the information associated with the audited financial statements of the Commission;
- ensuring that the human resource needs of the Commission were met (YLUPC Senior Planner assigned to led the completion of the plan);
- providing training and orientation to two new members (February 15, 2011) This orientation included presentations and discussions on: the Land Claim Agreements and Chapter 11: Land Use Planning, the Common Land Use Planning Process (CLUPP), the “Lesson Learned” from the North Yukon and Peel Watershed Planning Commission and the work plan for the production of the final Recommended Plan for the PWPC.
- producing and submitting to the Yukon Government a 2011-2012 Work plan and Budget for the PWPC.

Documents: *Training and Orientation Package: PWPC New Members Training, February 3<sup>rd</sup>, 2011, Annual Work plan and Budget: 2011-2012 PWPC, March 6, 2011*

### **North Yukon Planning Commission Conformity Check (11.3.4)**

The North Yukon Region Plan was approved in June 2009 and the Council has been identified as the body to conduct conformity checks on projects occurring in that region. This work has involved:

- Developing and documenting a procedure for conducting a conformity check;
- Conducting conformity checks on 4 projects in the North Yukon Planning Region

**Products:** *Procedure for Conducting a Conformity Check: North Yukon Region Land Use Plan*, YLUPC, October 2010.

### **Meeting of the Chairs**

This did not occur, as the Council's Chair resigned in December and a replacement member was not in place before the end of the fiscal year.

### **Yukon Planning Atlas**

The Council maintains an online "atlas" of primarily spatial information that is relevant to regional planning in the territory. Towards maintain and improving the Atlas, the Council:

- Assessed the maintenance and updating requirements of the Yukon Planning Atlas;
- Trained a new Senior Planner in the basic structure and use of the Council's online Planning Atlas;
- updated the Atlas's North Yukon Planning Region information and added data layers from the Peel Watershed Planning Commission Resource Assessment Report;
- developed an online survey of Yukon Atlas Users aimed at understanding who is using the Atlas and how it might be improved.

**Products:** *Maintenance and Updating Requirements of the Yukon Planning Atlas*, September, 2010 (prepared by GeoPlan Consulting); *Yukon Land Use Planning Atlas Survey*, January 2011

### **Other Work**

- attended the Council of Yukon First Nations General Assembly (July 23, 2010) and the General Assembly of the First Nation of Nacho Nyäk Dun ;

- updated the “Tracking Sheets” for the activities of the processes associated with all regional planning commission established to date (September);
- prepared the audited Financial Statements and Annual Reports for YLUPC, DRPC and PWPC ;
- Chair attends Canadian Institute of Planner Conference on Climate Change, October 2-5, 2010
- Preparation and attendance at the Canada Conference’s “Canada’s North: What’s the Plan” lecture, Whitehorse, May 2010
- New lease agreement, October 2010
- Salary and benefits review: February- March 2011
- prepared YLUPC 2010-2011 Work plan and Budget (January 2011);
- prepared YLUPC interim report (October);
- updated the Council’s Policies and Procedures (December, March);
- YLUPC display booth with YLUPC, DPRC and PWPC material at Yukon Geosciences Forum, Whitehorse, November, 2010.

### **3.0 Overall Assessment**

The YLUPC and the regional planning commissions continue to reach significant milestones in the implementation of regional planning in the territory and Chapter 11 of the Final Agreements. The implementation of the North Yukon Planning Commission’s regional plan has means that conformity checks are now being performed on projects relative to the plan for the region. The Council views this as a major achievement in the implementation of the land claim agreements, which envisioned integrating land use planning and land use permitting.

The completion of the Parties’ review and proposed modification to the Peel Watershed Planning Commission’s Recommended Plan represents a second milestone in regional planning. The Peel Planning Commission, and associated approval Parties, face a more complex planning challenge than the North Yukon Planning Commission did. Success for the Peel planning process must occur through the building of consensus amongst *four* First Nations and the Yukon Government in a region with high public profile. Much has been learned about planning product expectations and the need for an iterative process involving the Commission and the approval Parties. The successful reactivation of the Peel Watershed Planning Commission at the end of the fiscal year indicates that the Final Recommended Plan will be done on time and on budget in July of 2011.

The third significant milestone of the year was the start-up of the Dawson Regional Planning Commission. The successful training and orientation of these members has helped the Commission

establish a working office and the Council believes the Commission will meet the timelines set out in its Terms of Reference as it continues to normalize its operations.

Final, with respect to the establishment of additional commissions, the Council believes the Yukon Government and the all the Southern Yukon First Nations will soon develop consensus on how regional planning will occur in the areas where land claims are settled. The Council looks forward to recommending the establishment of addition commissions and continuing towards its goal of having regional plans in place throughout the territory.