

# YUKON LAND USE PLANNING COUNCIL (YLUPC) **Annual Activity Report 2007-2008**

## **1. Introduction**

This report summarizes the activities of the Yukon Land Use Planning Council, as required by the Yukon Government in its Flexible Transfer Payment contribution 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(s) of Parliament.
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## **2. Implementation Activities, Results and Achievements**

The Council has had a very active 2007-2008 assisting two planning Commissions and the signatories to the land claim agreements as they implement Chapter 11. There were two active regional planning commissions in the territory in 2007-2008, with the North Yukon Planning Commission (NYPC) completing its plan and the Peel Watershed Planning Commission (PWPC) making substantive progress through its planning process. Advancements were also made on the creation of the Dawson Regional Planning Commission (DRPC) but boundary issues prevented the recommendation of a Terms of Reference for this Commission.

### **2.1 Completing the 2007-2008 Work plan**

The activities listed in this section correspond to the tasks identified in the Council's work plan for 2007-2008. The following is a report on the Council's work completing these tasks and identifies additional work that was done in this period.

#### **Regional Plan Approval and Implementation Monitoring (4.1.1 in 2007/08 work plan)**

The Council's 2007-2008 work plan identified a potential role for it facilitating plan approval issues associated with the North Yukon Regional Plan. However, the North Yukon Plan was not completed within the year and the Council has not been asked by the Parties to facilitate plan approval. The Council encouraged the Parties and the North Yukon Planning Commission to develop agreement on most issues prior to the submission of the Recommended Plan. Towards that end, the Council wrote the Yukon Government about the inclusion of First Nations (Gwich'in Tribal Council, Inuvialuit and Vuntut Gwitchin) in discussion on the future of the North Yukon Land Withdrawal.

The Council recommended that the regional plans contain an implementation section. Towards that end, the Council staff assisted in the writing of chapters in the North Yukon's Draft Plan's that dealt with

plan implementation, monitoring and future changes to the plan (plan conformity, variance, amendment and review). These recommendations included the creation of a Regional Database and the maintenance of the database through the Yukon Planning Atlas.

Product/Correspondence: Internal Report: Consultation Requirements for Order in Council Process, July 18, 2007, YLUPC letter to YG re: North Yukon Land Use Plan.

#### **Next 10 Year Implementation Period (4.1.2 in 2007/08 work plan)**

In November 2003, the Council submitted “A Review of the Umbrella Final Agreement and Yukon First Nation Final Agreement Implementation Plans: YLUPC”. In December 2004, the Council received feedback on its initial submission from the Implementation Review Group (IRG) and subsequently prepared a second submission responding to the feedback received (see Supplementary Submission from the Yukon Land Use Planning Council, 2006).

In October 2007, the Council received a copy of the Implementation Review Group (IRG)’s, *Yukon First Nation Final and Self-government Agreement Implementation Reviews*. As much of the report reflected the Council’s earlier submissions, the Council was pleased with its content and did not feel the need to make further comment. The Council did request that senior land claim implementation personnel from the Yukon Government attend a Council meeting in December. The role of planning commissions after the submission of a regional plan was discussed, as were the challenges of managing Commission/Council funding under the terms of the Land Claim agreements and associated implementation plans. A series of meetings involving Yukon Government and YLUPC personal took place in February and March, 2008 to examine interpretation issues associated with Chapter 11.

In addition, the Draft North Yukon Plan outlined in detail a post-plan role for the NYPC Commission. The Parties to the NYPC plan (YG, VGFN) indicated that the role of Commissions after a plan is done has been considered by the Implementation Review Group and that the Council and Commission will be hearing back from the negotiating table once the recommendations of the 10 - year review are dealt with at the political level.

Product: *Challenges to Managing Council/Commission Funding and Work plans, YLUPC, December 2007*

#### **Data Atlas Implementation: (4.1.3 in 2007/08 workplan)**

GeoConnections provided the Yukon Land Use Planning Council with \$70 000 to assist in the creation of a land use planning atlas. This atlas will provide a web outlet (<http://atlas.planyukon.ca>) to support wider and easier distribution of land use planning documentation to all interested parties. It is envisioned that the atlas will play an important role in maintaining the information base of regional land use plans in the Yukon after the plans are complete. The atlas has benefited the community in several other ways as well. Short-term benefits include:

- a decision support system in which data can be presented in a comprehensive, consistent, and current framework;
- the ability to use the Canadian Geospatial Data Infrastructure (CGDI) to leverage existing data and reduce the effort required to obtain new data; and
- a channel for accessing information on Yukon resources and cultural assets for project assessors, decision-makers, industry, and the public.

Potential long-term benefits include employing the system for future land use scenario modeling and for assessing the cumulative impacts on valued regional resources. The atlas provides a regional planning context and perspective for resource and cultural information produced by planning commissions, as well as access to information warehoused in Yukon Government and First Nation data repositories or contributed by other data providers.

In June, YLUPC hosted a user workshop to provide a hands-on experience using the Atlas for 25 participants from Yukon First Nations and government. Trainees were guided through the structure, content and toolbox of the Atlas and given the opportunity to browse through the planning data for the North Yukon and Peel Watershed regions. An additional funding proposal was successfully developed in the December-March period for loading the content of the Atlas with information from the North Yukon and Peel regions.

Presentations on the Planning Atlas were made at the 1<sup>st</sup> International *Circumpolar Conference on Geospatial Science and Applications* (IPYGeoNorth), Yellowknife, *Free Open Source Software for Geospatial (FOSS4G)* Conference, Victoria, *Arctic Climate Workshop*, Whitehorse, March, 2008

Products: Final Project Report: *Yukon Land Use Planning Atlas*, GeoConnections project 5AUC20006415, June 2007, GeoConnection Discovery Portal, Atlas User Workshop Outline (June 2007), Published Atlas Themes (March 2008) – Ecologically Important Areas (NYPC), First Nations Heritage (NYPC), Landscape Management Units (NYPC), Land Status Proposal for *Thematic Content Development* to Geoconnections, Natural Resources Canada, developed in December- March 2007.

#### **Yukon Regional Planning “Source Book” (4.1.4 in 2007/08 workplan)**

The Council is producing a draft “Source Book” to help capture the experience and knowledge of creating the first land use plan in the Yukon based upon the First Nation land claim agreements. Commission members are intended to be the primary audience for the Source Book but it will also be of interest to members of the public and external agencies. Working with a contractor, the Council’s staff produced a draft of the Commission Member Source Book, with seven sections based upon the Common Land Use Planning Process (CLUPP) developed by the Council. Section titles are as follows:

1. Welcome to the Commission;
2. Regional Planning Context;
3. Background to the Planning Process;
4. Establishing the Commission;
5. Getting Started
6. Preparing the Plan
7. Plan Approval and Implementation

It is envisioned that the Commission Member Source Book be completed for the start of Dawson Regional Planning Commission. Decisions that are currently before the Parties with respect to the work of a planning commission after the submission of a Recommended Plan will affect the sections that focus on Plan Approval and Implementation. Final publication is being delayed until it is possible to complete these sections.

Product: draft “*Commission Member Sourcebook*”, YLUPC February 2008

### **Establishing Future Planning Commissions (4.1.5 in 2007/08 work plan)**

In November 2005, the Tr'ondek Hwech'in requested a commission be formed for the Dawson Region. The Council developed criteria for evaluating the "readiness" of a region to begin a regional planning exercise and evaluated two regions (Dawson and the Dakh Ka). Based upon these assessments, the Council hosted a series of meetings with the Tr'ondek Hwech'in and the Yukon Government that examined the challenges associated with establishing the Dawson Regional Planning Commission.

On May 1, 2007 the Council's staff met with staff members from THHN, VGFN and the Yukon Government to review progress against the action plan developed in 2006 for the establishment of the Dawson Regional Planning Commission. Detailed follow-up work occurred to clarify the definition of terms used in the Terms of Reference (June 15, 2007) and to develop a budget and work plan for the Commission (June 28, 29, 2007, Dawson). In October, YLUPC staff made a presentation to the Tr'ondek Hwech'in General Assembly on the progress being made to establish the Commission, including the identification of outstanding issues. This highlighted the need for regional planning boundary resolution in the area where there is overlapping traditional territory with the VGFN. The Council contacted VGFN chief in December requesting that this topic be given priority in order to allow the Council to recommend the Terms of Reference. The Council then sent a letter to the Tr'ondek Hwech'in asking that they contact the Vuntut Gwitchin to develop an agreement on the planning boundary (January 2008).

In addition, the Ta'an Kwächan Council requested land use planning in their traditional territory and the Council offered to provide Chief and Council with a briefing. The Teslin Tlingit Council also notified the Yukon Government that they wanted to complete the Teslin Regional Plan.

Product: Draft General Terms of Reference: Dawson Regional Planning Commission, January 2008, Power point presentation to the Tr'ondek Hwech'in General Assembly, October 2007

### **Assistance to Existing Planning Commissions: Peel Watershed Planning Commission and North Yukon Planning Commission (4.2 in 2007/08 work plan)**

The integration of the offices of the Yukon Land Use Planning Council and the regional commission resulted in many jointly completed projects. These projects focused on the work being done by the commissions. For the North Yukon planning process this work included:

- identifying and hiring an editor for the production of the Plan Summary Document and Recommended Land Use Plan;
- researching the consultation requirements associated with North Yukon Land Withdrawal;
- Website updates and uploading information about the plan through the website;
- Primary authorship on Chapter 7, Appendix 6, assistance/review of all other chapters: Draft North Yukon Land Use Plan, regional overview: Recommended Plan, landscape management units;
- participation on the Technical Working Group for the North Yukon Planning Commission;
- presentations on the results of ALCES (cumulative impact assessment modeling) on behalf of the North Yukon Planning Commission.

For the Peel Watershed Planning Commission, this included:

- assistance with the creation of the map series for the Peel Watershed Planning Commission's Resource Assessment Reports (February, March 2008);

- participation on the Technical Working Group;
- training and orientation of new Peel Watershed Planning Commission staff.

Assistance for both commission:

Commission Training: YLUPC organized and covered the cost of a two day training session entitled “***Communication, Consultation and Media Relations***” September 20, 2007. The objective of the workshop was to prepare both staff and commission members for the large consultation effort that is associated with the public release of the draft plan.

**Product:** Workshop Binder, *Communication, Consultation and Media Relations Workshop*, September 20, 2007, Whitehorse, Discussion Paper

- Website maintenance, computer/printing networking
- Office space renewal (lease negotiations)
- Payroll

**Other Work:**

- YLUPC Display booth at Dawson International Gold Show May 19, 2007
- Council’s staff attended the CYFN GA in Moosehide, July, 2007
- Annual Budgetary Cycle work: audit financial statements and activity reports produced and approved for the YLUPC, NYPC and PWPC. This included reviewing a new financial transfer payment agreement with the Yukon Government in February/March 2008. The Council reviewed and made recommendations on the annual work plans and budgets for both the Peel and North Yukon Planning Commissions (March, 2008);
- In 2006-2007, the Council reviewed staff salaries and benefits and in 2007-2008 adjusted staff salaries to reflect the results of the review. The Council also added an annual Cost of Living adjustment to the benefits. This was done through a series of meetings with the chairs of the Commissions and the Council, at which time it became apparent that there was a need to clarify the roles of each organization for human resource matters under the terms of the secondment agreements. After reviewing two Commission motions, the Council brought to the attention of the Commission’s Chairs (and the Yukon Government) several decisions that may not have been consistent with the secondment agreements or the financial agreements. Both the Council and the Commission sought clarification from the Parties as to the role both organizations were to have in human resource management (February, March, 2007). This resulted in a meeting of Parties in late March and a corresponding letter back to the Council and Commission’s clarifying their vision of the role of each organization in human resource matters;

Product: “*Discussion Paper on Productivity Incentives for Staff*”, YLUPC, April, 2007

- Council updated its statement of the relationships it desires to build with the planning commissions, governments, public and other external agencies

Product: updated draft “*YLUPC: Internal and External Relations*”, YLUPC, February 2008”

- Compilation of planning legislation in other jurisdictions in Canada (binder)

### 3.0 Overall Assessment

The YLUPC and the regional planning commissions continue to make progress in implementing Chapter 11 of the Final Agreements. The North Yukon Planning Commission has now submitted a Recommended Plan to the Yukon Government and the Vuntut Gwitchin government for approval. The Council views this as the most important implementation success in 2007-2008 and represents a major milestone in the implementation of the land claim agreements.

The Peel Watershed Planning Commission is well on its way to developing the second regional plan in the Yukon. The Peel region faces a different and more complex set of planning challenges than the North Yukon Planning Commission, as it must build consensus amongst *four* First Nations and Government and this region has a high public profile. The Peel Watershed Planning Commission had its most productive year to date, with the completion of the resource collection and analysis stage. Much has been learned about production timelines and planning product expectations that can be applied to future regional planning processes. A draft regional plan is expected by December 31, 2008.

The continued success of the Yukon Planning Atlas project was also a highlight of the Council's year. It is envisioned that the Atlas will help provide the Parties, stakeholders and the public understand the regional plans and the information they are based upon. The Atlas is helping the Council assist the Commissions with their long-term information storage, maintenance and presentation needs.

The Council has been pursuing the establishment of the Dawson Regional Planning Commission, with a draft Terms of Reference now developed. Consensus has been reached on a 3-year work plan and budget but the boundary of the region has yet to be agreed upon by the Yukon, Tr'ondek Hwech'in and Vuntut Gwitchin governments. The Council will continue to seek this consensus before it recommends the establishment of this commission.

#### 4. Schedule of Events

<b>ACTIVITY - APRIL 2007</b>
Entered into a funding agreement with the Yukon Government (YG) & the PWPC
Doug Phillips & Ian Robertson were re-appointed to YLUPC until April 7, 2010
Appointed Mackay LLP to complete a Financial Audit for YLUPC, NYPC & the PWPC
Teslin requested land use planning to resume in their region (to YG)
Hired Sam Skinner as the land use planner for a seconded position with the PWPC
“Getting Your Project Approved North of 60” – Conference held in Edmonton: presentation by YLUPC Planning Director and attended by YLUPC Chair
“Advantage North Conference” in Whse – attended by one YLUPC Council Member

<b>ACTIVITY - MAY 2007</b>
Meeting of the Chairs: YLUPC, NYPC & PWPC
Dawson Planning Meeting – Terms of Reference meeting
NYPC ALCES® Model – Scenario Report released
Ta’an Kwächan Council requested land use planning in their region
May 21 <sup>st</sup> – YLUPC Regular Board Meeting
NYPC finished the Draft North Yukon Land Use Plan, with YLUPC assistance
Hired legal interim student for the summer
YLUPC Regular Board Meeting – May 11, 2007
Council prepares for Chairs meeting by circulating a discussion paper on “productivity incentives” for Staff

<b>ACTIVITY - JUNE 2007</b>
Conducted training workshop for the Yukon Planning Atlas, 25 people from across the territory
‘Canadian Institute of Planners Conference’ Quebec– one YLUPC Council member attended
Decision Body Forum – hosted Yukon Environmental and Socio-economic Assessment Board – the Planning Director and the North Yukon Senior Planner presented
PWPC hosted – ‘Lessons Learned from Muskwa-Kechika Management Area” – Working Session
Steven Buyck appointed to the YLUPC, replacing Albert Peter as Council for Yukon First Nations nominee
Submitted Annual Activity Report to YG
YLUPC Regular Board Meeting – June 14, 2007

<b>ACTIVITY - JULY 2007</b>
YLUPC set up a display booth at the Council for Yukon First Nations General Assembly
Approved the audited financial statements for YLUPC, NYPC, and the PWPC
NY preparing for public consultation on Draft NY Land Use Plan
Chairs Meeting – YLUPC, NYPC & PWPC

**ACTIVITY - AUGUST 2007**

CYFN nominated new YLUPC member, attends first YLUPC Regular Board Meeting  
 Met with YG regarding YG's comments on the NY Land Use Plan  
 Peel information collection and analysis planning stage.  
 YLUPC & YG have a 'Lessons Learned' meeting  
 Presentation on Yukon Planning Atlas @1<sup>st</sup> International Circumpolar Conference on Geospatial Sciences and Applications (IPY GeoNorth)  
 YLUPC Regular Board Meeting – August 3, 2007

**ACTIVITY - SEPTEMBER 2007**

Communications, Consultation and Media Training Session  
 Signed a Memorandum of Understanding with the NYPC & the PWPC  
 Determining the NYPC members role in the approval and implementation stage  
 Presentation on Yukon Planning Atlas @ Free Open Source Software for Geospatial (FOSS4G) conference, Victoria  
 Contract extensions developed for seconded staff  
  
 YLUPC Regular Board Meeting – September 17, 2007

**ACTIVITY - OCTOBER 2007**

YLUPC set up booth and presented at the Tr'ondek Hwëch'in General Assembly  
 Renewed office space lease with Davos Holding LTD for 36 months  
 The Council received the results of the 10 Year Review – "Yukon First Nation Final and Self-Government agreement Implementation Reviews"  
 Council and Commissions complete Interim Report  
 Presentation on Yukon Planning Atlas to Yukon GIS User Group  
 Presentation on Yukon Planning Atlas @ Oil & Gas Best Practices Symposium, Inuvik  
  
 YLUPC Regular Board Meeting – October 24, 2007

**ACTIVITY - NOVEMBER 2007**

Reappointment of the PWPC members  
 YLUPC encouraging resolution on the northern boundary of the Dawson Planning Region  
 PWPC developing Resource Assessments work by YLUPC staff  
 Hired editor for NY land use plan  
 Council staff attended the Geoscience Forum, Whitehorse

**ACTIVITY - DECEMBER 2007**

Source Book being produced by the Secretariat aimed at explaining to new commission members the Common Land Use Planning Process  
 Information Management Planning for Regional Planning Commissions in the Yukon – presentation to the Council and the NY stakeholders by Jeff Hamm  
 NYPC doing public community consultations on draft NY land use plan  
  
 YLUPC Regular Board Meeting – December 17, 2007

<b>ACTIVITY - JANUARY 2008</b>
Proposal accepted for GeoConnections funding for Yukon Planning Atlas Thematic Content Development
Draft of "Commission Members Sourcebook" completed
Meetings between Land Claim Implementation, YG, Energy Mines and Resources and YLUPC staff
New Financial Agreement developed by YG
Annual Work plans and Budget development/review
Council's "Internal and External Relations" document redrafted

<b>ACTIVITY - FEBRUARY 2008</b>
Defining the roles and responsibility of the YLUPC, Commissions and Governments
Updated YLUPC website
Submit the workplan & budget for 2008-2009 – YLUPC, PWPC & NYPC to YG
YLUPC phasing into assuming responsibility of the NYPC's administration & data
Planning Atlas presentation given at the International Polar Year
YLUPC Regular Board Meeting – February 14, 2008 & February 29, 2008

<b>ACTIVITY - MARCH 2008</b>
Attended Integrated Resource Management Workshop in Dawson hosted by TH
Participated in "Arctic Climate Science Workshop" (ArcticNet), Whitehorse
4 year renewal of Planyukon.ca domain
YLUPC Regular Board Meeting – March 25, 2008