



YUKON LAND USE PLANNING COUNCIL

YUKON LAND USE PLANNING COUNCIL (YLUPC)
Annual Activity Report 2012-2013

1. Introduction

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

1. Role of the Council, Relationship to the Commissions, Relationship to the Planning Parties
2. Support to Planning Commissions
3. Other Council Activities
4. Council Meetings and Activities
5. Work Plan for

Members

Yukon Land Use Planning Council:

Ian D. Robertson, Chair

Mel Stehelin, Member

Shirlee Frost, Member

Staff:

Ron Cruikshank, Director

Gerald Isaac, Senior Policy and Planning Advisor

Sam Skinner, Senior Planner

Nick Gryzbowski, Student Planner

Heidi Faulds, Senior Financial Administrator

1. Roles and Responsibilities

Role of the Council

The YLUPC initiates and guides the implementation of *Chapter 11 Land Use Planning* of the Umbrella Final Agreement. It does this by making recommendations to the Yukon Government and Yukon First Nations with respect to regional land use planning in the Yukon. The Council makes recommendations relating to:

- policies, processes, goals and priorities
- planning regions, their boundaries and priority planning areas
- Terms of Reference for the planning commissions; and
- Such other matters as Government and each affected Yukon First Nation may agree upon.

The Council also reviews the annual budgets and work plans prepared by the planning commissions before these budgets are submitted to Government.

Relationship to the Commissions

This relationship is characterized as a support role to the commissions, with the focus upon regional plan production in accordance with a terms of reference developed by the Parties. It is motivated by the YLUPC's mandate to advocate regional land use planning that is consistent with the provisions of Chapter 11.2.0. This assistance includes:

- Effective start up activities and start- up period;
- Providing assistance to the Commission as identified through consultation with the Parties or by the Commission;
- Providing ongoing support: technical, administrative, planning and communication;
- Providing opportunities for discussion on land use planning related topics via annual meeting of the Chairs and at regular Council sessions.

To help define this relationship, the Council enters into Transfer Payment Funding Agreements (jointly with Yukon) and Memorandums of Understanding with regional planning commissions.

Council to Parties

The Council is primarily an advisory body to the Parties but also has an oversight role for the implementation of *Chapter 11 Land Use Planning*. Recognizing that the Parties are the decision makers and therefore crucial to successful implementation, the Council engages the Parties in

virtually all stages of the implementation of Chapter 11. It does this by inviting the Parties onto the Area Specific Working Group that helps develop the Terms of Reference for regional commissions and continues these working relationships on the Technical Working Group and the Senior Liaison Committee. The Council also enters into funding agreements with Yukon that define the financial relationship and obligations associated with Chapter 11 funding. The Council attends First Nations General Assemblies when appropriate (3 to 5 per year) and hosts joint meetings with YG and FNs officials when decisions require the consensus of both groups.

2. Support to Planning Commissions

a. Overview of the Status of Planning by Region

The following is a summary of the status of planning in the seven planning regions the Council envisions for the Yukon (as of March 31, 2013):

North Yukon Planning Region: Commission terms expired. The plan is approved and being implemented by the Yukon and Vuntut Gwitchin governments;

Peel Watershed Planning Region: Commission no longer operational (but members appointed until October 15, 2013), as the Final Recommended Plan is currently in the review and approval process;

Dawson Planning Region: a six person planning commission is operational and completing the information collection stage and plan alternatives stage of their planning process;

Teslin Planning Region: Terms of Reference is in draft form with the primary outstanding issue being the nature of the involvement of the Ross River Dena Council and the Liard First Nation in the Teslin regional planning process;

Kluane Planning Region: Terms of Reference is in draft form, with the primary outstanding issues being the planning boundary and the nature of the involvement of the White River First Nation in the Kluane planning process;

Whitehorse Planning Region: No activity.

Northern Tutchone Region: No activity.

b. Support Provided by the Council to the Commissions

i. **Peel Watershed Planning Commission (PWPC):** the assistance the Council provided the PWPC between March 2nd and July 31st, 2011 was identified in a Memorandum of Understanding between the Council and the Commission. The Council's assistance was provided to allow the Commission to complete its Final Recommended Plan and included:

3. the Council maintaining the Commission's financial administrative system;
4. dedicating the Council's Senior Planner to assist with completion of the Commission's work (3/4 time);
5. arranging and organizing contractors that were required, with the YLUPC covering part of the costs of editing and producing the Final Recommended Plan;
6. arranging and organizing two commission meetings and providing office space.

Once the operations of the Commission ceased in August 2011, the YLUPC managed the PWPC website, continued completing any financial administration tasks, acted as the contact point for the Commission and managed the Commission's information base. The Council staff also coordinated the production of a summary document of the Final Recommended Plan. This included compiling all the spatial data and reports that were produced by the Commission. This information was subsequently provided to the Yukon Government. An independent contractor conducted exit surveys with the Commission members and prepared a summary report. The Council's Chair continued to be involved with the Senior Liaison Committee (SLC) and attended a SLC meeting July 28, 2011.

ii. **Dawson Regional Planning Commission (DRPC):** the assistance the Council provided the DRPC was identified in a Memorandum of Understanding signed between the two agencies. This assistance included:

- providing book keeping services, administering payroll, preparing any necessary financial reporting and other secretariat support (while the Senior Planner was working in Whitehorse);
- establishing the Dawson office;

- training and orienting the Senior Land Use Planner, including participating in the performance review;
- attending and presenting at community consultations events (Old Crow, Whitehorse, Dawson City for the issues and interest collection public meetings);
- providing guidance on the production of the annual work plans and budgets;
- building the DRPC's website;
- facilitating DRPC's meeting when needed (done at the April 27, 28, 2011 meeting)
- providing training to the DRPC's financial administrator;
- providing ongoing training and advice with Commission administration
- providing a staff member for the Technical Working Group;
- providing the Commission with a set of operational policies and procedures and reviewing key procedures with the Commission;
- co-hosted a Yukon Planning Conference in Dawson City in January 2012.

iii. North Yukon Regional Plan Implementation: The YLUPC continued with its work checking that proposed projects occurring in the North Yukon region are consistent with the North Yukon Regional Land Use Plan. Conformity checks were done on four projects occurring in the North Yukon region in 2011-2012.

3. Other Council Activities

Beyond the work of providing assistance to regional planning commissions, the Council worked to establish additional commissions and promote regional planning in territory. The focus of much of the activity involved updating the Council's 1998 recommendation regarding planning regions in the territory. The 1998 recommendation required updating in the Southern Yukon, as the Dah Ka Region was no longer envisioned as a region and the absence of land claims agreements with the Ross River Dena Council, Liard First Nation and White River First Nation altered the land available for planning under Chapter 11. A new planning region configuration in southern Yukon was required and detailed boundaries needed delineation before planning could begin.

The following is a summary of major activities and results (chronological in each section).

a. Regional Planning in the Southern Yukon:

- The YLUPC sent a letter to all southern Yukon First Nations (KDFN, TTC, TKC, CAFN, CTFN and LSCFN) (April 18th 2011), regarding their preferred option for planning regions in the Southern Yukon. These options included: one large region, three regions (Kluane, Whitehorse and Teslin) or two regions (Whitehorse, and an unnamed region including the remainder of the land in the Southern Yukon outside of Whitehorse). The letter also indicated that detailed boundaries would be delineated once the Southern Yukon First Nations and the Yukon Government agreed to the general configuration.
- The YLUPC staff met with the Chief and staff of the Teslin Tlingit Council in Teslin on May 10, 2011 regarding planning in the TTC Traditional Territory and the re-establishment of the Teslin Regional Planning Commission (TRPC). The Teslin Regional Planning Commission had existed between 2001 and 2004 but was not re-appointed because the Carcross/Tagish land claim agreement was signed and the potential for the creation of the Dah Ka region existed.
- The YLUPC staff met with the staff of the Kluane First Nation (KFN) (July 12, 2011) to gauge support for the establishment of the Kluane Regional Planning Commission. From this meeting came an invite for the Council to address the KFN July 24th, 2011 General Assembly. . Ultimately, KFN agreed to support the establishment of the Kluane Regional Planning Commission and work on the Terms of Reference for Kluane Region.
- The YLUPC staff contacted staff of the KDFN, TTC, TKC, CAFN, CTFN and LSCFN in June 2011 about creating the “Southern Yukon Technical Working Group” (SYTWG) to support future planning commissions in the Southern Yukon (Teslin, Kluane and Whitehorse). SYTWG was being proposed as a means of addressing planning issues that extend beyond the border of any one region
- Based on the meetings and correspondence of the last two years, the YLUPC drafted a recommendation to the First Nations in southern Yukon and the Yukon Government regarding regional planning in the southern Yukon. Key recommendations included:
 - The exclusion of the Traditional Territory of the Ross River Dena Council, the Liard First Nation and the core area of the White River First Nation from regional planning under Chapter 11, as the First Nations associated with these areas have yet to settle their land claims;

- That there should be three planning regions in the Southern Yukon:
 1. The Teslin Region, primarily the traditional territory of TTC, with portions of the KDFN and CTFN traditional territory;
 2. The Whitehorse Region: primarily the traditional territory of the KDFN, TKC and CTFN, with portions of the CAFN and LSCFN traditional territories;
 3. The Kluane Region: primarily the traditional territory of the CAFN and KFNs, excluding the WRFN core area and including portions of the LSCFN, CTFN and KWFN Traditional Territory.
 - That the Teslin Region should be the next planning region to be established;
 - That the detailed boundary delineation work associated with the Kluane and Whitehorse regions should begin immediately.
- At its November 2011 meeting, the Council altered its recommendation about the next planning region. Rather than the previous strategy of having one new planning region proceed, YLUPC decided on a new strategy of moving ahead in two planning regions at the same time, by completing a Terms of Reference as the basis on which planning begins in a region. The YLUPC did not recommend a Terms of Reference for either Teslin or the Kluane planning regions because discussions are still underway about the role of Yukon First Nations without Final Agreements in these regions
 - On December 14th, 2011, the YLUPC hosted a meeting of the southern Yukon First Nations attended by LSC, KDFN, CTFN, KFN, TTC, CAFN, and TKC with the goal of defining the detailed planning boundaries in the Southern Yukon. Follow-up meetings occurred in Teslin regarding the Terms of Reference for the Teslin Region and with the core First Nations (CAFN, KFN) of the Kluane Planning Region regarding the Terms of Reference for the Kluane Planning Region (March 20th 2012).
- b. **Peel Watershed Planning Commission: Review of the Final Recommended Plan**
- The YLUPC provided the Yukon government and affected First Nations (Nacho Nyäk Dun, Gwich'in Tribal Council, Vuntut Gwitchin First Nation and Tr'ondëk Hwëch'in) with a review of the Final Recommended Peel Watershed Regional Land Use Plan

(September 2011). This review included an analysis of the process by which the Recommended Peel Watershed Regional Land Use Plan was produced and the role of the Parties in its production.

c. Administration

- The YLUPC Chair and staff met with Yukon Government regarding the 2011-2012 annual work plans and budgets and this work continued through April and May of 2011. These meetings included discussions on the new financial agreements proposed for the regional planning commissions.
- Salary/Benefits Review: the Council completed a review of the salary and benefits it offers its employees and those of the regional planning commissions. It updated its policies and those provided to the regional commission to reflect changes in salary ranges, the addition of policies related to staff retirement (RRSP contribution) and the updating of the travel bonus (April);
- The YLUPC submitted audited financial statements and annual reports, for the 2010-2011 fiscal year July 31, 2011 and the Mid-year Reports for 2011-2012 (August 2011);
- The YLUPC developed its 2012-2013 work plan and budget for submission to the Yukon Government and reviewed and recommended the Dawson Regional Planning Commission's 2012-2013 work plan and budget (December 2011 – February 2012);
- The YLUPC Secretariat developed estimates for the cost of regional planning in the remaining regions of the territory and produced a draft general strategy for funding regional planning commissions through to the completion of all seven regional plans (February 2012);
- Records Management Strategy: with the assistance of a local contractor, the YLUPC staff developed a records management strategy for the organization of the office's central digital storage and filing system.

d. Planning Workshops

- The YLUPC hosted a regional planning forum entitled "*The Story of Wooshitin wudidaa*" (*Atlin Taku Land Use Plan*). This gathering focussed upon the successful regional planning exercise that occurred in the Atlin Taku planning region in northern

British Columbia. Speakers included representatives from both the Taku River Tlingit and the BC government.

- The YLUPC co-hosted, with the Dawson Regional Planning Commission, a regional planning workshop entitled “The Boom and Beyond”. About 80 delegates heard from eight speakers and a panel over a one and a half day conference. Breakout-sessions topics included trade-off analysis in planning and conservation assessment in regional planning.
- The YLUPC Director presented at the Canadian Wildlife Service’s “Species at Risk” Conference, March 1, 2012, in Whitehorse.

e. Yukon Planning Atlas

- In an effort to understand the needs of users (and potential users) of the Yukon Planning Atlas, the YLUPC conducted a survey and 25 responses were received. A report was written that analysed the results and presented options regarding potential improvements and alterations to the Atlas. Based upon a user’s survey, the YLUPC’s staff worked with Open Source contractors to make the Planning Atlas more “user friendly” and visually appealing. Improvements made to the Atlas included allowing a greater variety of the types of printing, integrating the Atlas with Google Earth and overhauling the Atlas’ graphics.

4. Council Meeting and Activities

- The Council meet eight times in 2011-2012 and held one strategic planning session (Nov. 5, 2011);
- Mel Stehelin was appointed in April 7th, 2011, with his first YLUPC meeting April 18th, 2011. As a new member, he received a briefing and information package.
- First Nations General Assemblies Attended by YLUPC Staff or members:
 - Council of Yukon First Nations General Assembly, Whitehorse, July 5-7, 2011;
 - Kluane First Nation General Assembly, Burwash Landing, July 23, 2011. YLUPC member Shirlee Frost addressed this General Assembly and the YLUPC sponsored a lunch.

- YLUPC Chair (Ian D. Robertson) attended the Canadian Institute of Planners Conference, St. John's NFld, July 11-13, 2011.
- YLUPC Chair (Ian D. Robertson) attended the "Opportunities North" Conference held in Whitehorse October 25-27, 2011.
- The YLUPC hosted its Strategic Planning Session November 5th, 2011. The results of this session formed the basis for the Annual Work Plan and Budget submission;
- The YLUPC attended (with its display booth) the Geoscience Forum (November 19-23, 2011);
- The YLUPC Chair briefed the Minister of Energy, Mines and Resources, Yukon Government, December 19th and the Official Opposition on February 16th, 2012. The briefing focussed upon the status of regional planning in the Yukon and associated issues (NYRLUP implementation, spot land applications, PWPC approval challenges, funding regional planning in the territory, the status of decisions on the 10-year review submissions and a transportation strategy for the territory).

5. Work Plan

Significant Variance from the 2011-2012 Work plan

The YLUPC generally completed its 2011-2012 work plan. The significant variance to the work plan included:

- Delaying improvements to the Planning Atlas until after a users survey was completed. Also delayed was any additional training opportunities related to the Planning Atlas until the Atlas improvements were completed and the YLUPC staff could develop the competency to provide the training.
- The annual "Meeting of Chairs" did not occur due to scheduling conflicts and the presence of only one operational regional land use planning commission in the territory for most of the year.
- The YLUPC decided not to attend the Yukon Tourism Industry Association's Annual meeting or the Mineral Exploration Round-up Conference in Vancouver.
- The YLUPC did not recommend a Terms of Reference for a fourth planning commission. Both the Terms of Reference for the Kluane and Teslin regions require the clarification of the role in regional planning of the Yukon First Nations without final agreements (Ross

River Dena Council, Liard First Nation and White River First Nation). The development of the Kluane region's Terms of is the subject of ongoing discussions between the affected First Nations.

Summary of 2012- 2013 Work plan

The key activities for the Council in 2012-2013 include:

- continuing to assist the Dawson Regional Planning Commission to complete its regional land use plan;
- recommending a Terms of Reference for a fourth and potentially fifth regional planning commission in the territory (most likely the Teslin and Kluane Planning regions);
- providing start-up support for the fourth and fifth planning commission;
- assisting the Parties with the approval and implementation of the regional plan for the Peel Watershed Planning region;
- enhancing the Planning Atlas by continuing to improve the graphics and ease of use, as well as adding spatial information from the Peel Watershed Planning Commission and the Dawson Regional Planning Commission. The effectiveness of Planning Atlas will be reassessed in December 2012;
- host a regional land use planning forum with based upon a theme relevant to the newly established commissions;
- review and update the Common Land Use Planning Process (CLUPP), with a focus on improving process efficiencies and the time required to produce regional plans.