



YUKON LAND USE PLANNING COUNCIL

Annual Report 2021-2022

Report Introduction

This report summarizes the activities of the Yukon Land Use Planning Council (the Council), as required by the Government of Yukon in the Transfer Payment Funding Agreement. 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 Variance
6. Successes and Challenges
7. Work plan Summary 2021-2022

Members

Lois Craig, Member, Chair

Tess McLeod, Member

Neil Salvin, Member (appointed April 16, 2021 Informed August 2021, First YLUPC meeting September 16, 2021)

Staff: Ron Cruikshank, Director

Joe Copper Jack, Senior Policy and Planning Coordinator

Sam Skinner, Senior Planner

Heidi Hansen, Manager Finance and Administration (July 31, 2021 – March 31, 2022)

Andrea Kenderova, Manager Finance and Administration (May 1st – July 31, 2021)



1. Introduction: Roles and Responsibilities

1.1 Role of the Council

The Council makes recommendations to the Yukon Government and Yukon First Nations on regional land use planning in the Yukon and assists regional planning commissions. The Council makes recommendations relating to:

- Policies, processes, goals and priorities;
- Planning regions, 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 works collaboratively with the Parties (i.e. signatories of the Final Agreements) on regional land use planning related initiatives and facilitates issue delineation and resolution.

The Council also reviews the annual budgets and work plans prepared by the planning commissions, organizes an annual meeting of Chairs, and advises YESAA based reviews and the Yukon Government's Minerals Branch as to whether a project is consistent with the North Yukon and Peel Regional Land Use Plans.

1.2 Relationship to Commissions

This relationship is characterized as an assisting role to commissions, with a focus on regional plan preparation and production in accordance with a Terms of Reference (ToR) agreed to by the Parties. This assistance includes:

- Commission start-up activities and orientation;
- Providing assistance to the commission as identified in the Final Agreements through consultation with the Parties and/or by the commission;
- Providing ongoing support: technical, financial and office administration, planning and communication;
- Providing opportunities for discussing land use planning related topics, facilitating problem solving via annual meeting of the Chairs, at regular Council meetings and other meetings between the Council and the commissions.

To help define this relationship, the Council enters into Transfer Payment Funding Agreements (jointly with the Yukon Government) that define the standards and expectations of the commissions and a Memorandum of Understanding that define the assistance the Council will



provide. Both these were entered into with the Dawson Regional Planning Commission for 2021-22.

1.3 Council relationship with Parties

The Council is an advisory body to the Parties on regional planning matters. The Council recommends the work plans and budgets of the commissions to the Yukon Government and jointly administers the associated funding agreements. The Council also provides recommendations to the Parties on land use planning related issues that could contribute to timely resolution of matters pertaining to land planning.

To assist with this relationship, the Council worked with the Regional Planning Leads committee that was created through the Yukon Forum as an avenue for communications and issue resolution between the Council and the Parties. This has proven to be an effective strategy. YLUPC and Leads have also considered how regional planning in Yukon could be timelier and more effective, building upon experience and direction from the Yukon Forum.

1.4 Council Members

The Council operated with two members until Neil Salvin's appointment was finalized in August 2021. Mr. Salvin undertook training in August and attended his first meeting in September, 2021. The Council then operated with full membership for the remainder of the year.

2. Support to Planning Commissions

2.1 Status of Commissions by Region

Although the Parties have yet to determine what planning regions in Yukon will have regional land use plans, the following is a summary of the status of planning in the seven initial planning regions (as of March 31, 2022):

- **North Yukon** Planning Region: no active commission. The plan was approved in 2009 and is being implemented by the Yukon and Vuntut Gwitchin governments, with assistance from the Council. This includes conformity checks, technical work related to cumulative effects assessment and management (historical linear and surface disturbance levels and regeneration rates).
- **Peel Watershed** Planning Region: no active commission. The Plan was approved in 2019. The Parties have developed an implementation plan and formed the Peel Plan Implementation Committee (PPIC) to support the implementation. The Council began

conducting conformity checks (including Class 1 Mineral staking) as requested by the Parties;

- **Dawson** Planning Region: The Commission was appointed in December 2018 and planning began in 2019. The Commission released a Draft Plan in June 2021, undertook public engagement on the Draft Plan, and initiated work on a Recommended Plan with scheduled delivery to the Parties in June 2022;
- **Teslin** Planning Region: no active commission: RLUP requested by Teslin Tlingit Council in August 2019;
- **Kluane** Planning Region: no active commission;
- **Whitehorse** Planning Region: no active commission;
- **Northern Tutchone** Region: no active commission.

2.2 Overview of Support Provided by the Council to the Commissions

Dawson Regional Planning

The Council provides assistance to the Dawson Regional Planning Commission (DRPC) as defined in a Memorandum of Understanding between the two agencies. This agreement was updated and co-signed on April 20, 2021 and made part of the Financial Agreement.

The Council staff worked with DRPC staff as they prepared the Draft Plan (June 2021) and with the ongoing production of the Recommended Plan. The Council staff focussed much of its effort on supporting the Commission with the Council's Geographic Information System (map production), public engagement documents and website, and involvement in the Commission's considerations of cumulative effects management in the Dawson region.

The Council assisted with the production of the commission's Transfer Payment Funding Agreement (TPFA) and DRPC's Annual Report. As the Council continues to provide financial and administrative support for this commission, the Senior Financial Administrator led the Commission through its auditing process. The Director assisted the Commission with three human resource transitions, including orienting a new Senior Land Use Planner for the Commission.

The Council and Commission met on February 8th, 2022, with topics covered including: ongoing working relationships, annual workplan and budget, human resources, YESAB linkages, cumulative effects, DRPC plan development, a jointly funded evaluation project and relationships with the approval Parties. The Chairs of both organizations met periodically



regarding ways of supporting the work of each organization. The Council Director attended two DRPC Senior Liaison Committee meetings.

The Council jointly funded two projects undertaken by the Dawson Commission that are beneficial to regional planning across Yukon. The first project was a structured assessment framework aimed at developing evaluation criteria for considering responses to the Draft Dawson Regional Land Use Plan and the second was an illustrative poster series depicting how cumulative effects thresholds look on the landscape.

The Dawson Commission's staff assisted with the Council's annual gathering, the "*Land Relationship Planning Gathering*", November 24-25, 2021. The staff provided note taking and facilitation support for this online event.

North Yukon Implementation

The Council continues to assist in implementation of the North Yukon Plan by providing third party opinion on projects under YESAA assessment and undertaking Class 1 notification reviews in the North Yukon region, which has had an approved plan in place since 2009. There were four projects reviewed in the North Yukon region. Further technical work associated with linear and surface disturbance metrics associated with the implementation of the North Yukon plan occurred and this work was presented to the Directors of the North Yukon plan implementation and posted on the Council website.

Peel Watershed Implementation

The Peel Watershed Land Use Plan implementation is being overseen by a Peel Plan Implementation Committee (PPIC) with representation of the Parties (YG, VGG, FNNND, GTC, THFN). The Council continues to provide third party opinion on projects under YESAA and reviews Class 1 mineral developments originating from the Yukon Government's Minerals Branch. Three YESAA projects were reviewed and one Class 1 project was reviewed.

Information Storage and Maintenance

The Council maintains the information and records of the Teslin, Peel Watershed, North Yukon and Dawson regional planning commissions. The First Nation of Na-cho Nyak Dun requested a record of all past correspondence related to regional planning. This information was compiled and provided to the First Nation. This project required a substantial effort by staff due to the volume of records.

3. Other Council Activities

3.1 Summary of Major Activities and Results

The Council's 2021-22 workplan identified five major work themes:

1. Assist the Dawson Regional Planning Commission in developing its land use plan, address planning problems that arise during the process and providing the human resources for the planning;
2. Work with the Yukon Government and the Teslin Tlingit Council, develop a Terms of Reference for the Teslin Regional Planning Commission and agreed upon pre-planning initiatives. Assist with the creation and start-up of the Commission and develop a Memorandum of Understanding with the Commission regarding the assistance the Council will provide;
3. Revise the regional land use planning process for the territory and continue to affect positive changes to relationships, products and outcomes, based upon collaborative work with the Yukon Forum and appointed Leads, and based upon the outcome of the Council's work regarding indigenous planning and traditional knowledge;
4. Prepare funding estimates for the future resource needs of the Council and the Commissions; and
5. Outreach, education and engagement with the Parties, planning partners and the public about the new approaches to implementing Chapter 11 and the Council's role.

Other work:

- Host or sponsor a regional planning workshop (Land Relationship Gathering: November 24-25, 2021);
- Consider additional requests for regional planning commissions;
- Link and integrate Chapter 11 planning with other resource management work occurring in the territory, including the development assessment process, Yukon First Nations and Yukon Government planning efforts; and
- Assist with the North Yukon and Peel Watershed Plan implementation work.

Priority Work Theme #1: Assist the Dawson Regional Planning Commission

See section 2.2 Overview of Support Provided to Commissions



Priority Work Theme # 2: Develop a Terms of Reference for the Teslin Regional Planning Commission

To begin the process of creating the Teslin Regional Planning Commission, the Council's staff met with the staff of the Teslin Tlingit Council in Teslin on May 20, 2021. Topics covered in the meeting included the context for the planning process, membership on the Technical Working Group and the Senior Liaison Committee, the boundary of the planning region, membership composition, the role of adjacent First Nations in the planning process, the content of a Memorandum of Understanding between the Parties prior to the commission starting its work and the Commission's process and budget.

Follow-up correspondence was sent (November 2021), but with no additional meetings happened before the end of the fiscal year, as the Teslin Tlingit Council sought additional staff to help with the work of establishing the commission.

Priority Work Theme # 3 Work collaboratively with Parties: Advancing Chapter 11

The Council continued its work with the Leads committee that was formed to help implement recommendations from the Yukon Forum review of Chapter 11. On May 13, 2021 the Council wrote a letter to the committee regarding advancing regional planning in the territory. The letter addressed:

- resourcing the commissions and Council,
- sub-regional planning,
- pre-planning preparation,
- indigenous planning and use of traditional knowledge in Chapter 11 processes,
- interim measures,
- new approaches to plan preparation to improve timely production, and
- better collaboration and coordination between the Parties.

The Yukon Government Leads committee met with the Council July 6, 2021 and October 29, 2021 on these issues and the status of planning in other areas of the Yukon.

In May 2021, the Council provided the Leads committee with a report from a series of workshops it held in 2020-21 involving knowledgeable Yukon First Nations and Yukon government staff. The workshops focussed upon ways to improve regional planning processes. The document is entitled: *“Advancing Yukon Land Use Planning: Report on Workshops to address Yukon Forum Strategic Report Recommendations, Winter 2020-21.”*

Recommendations regarding improving regional planning processes with respect to the inclusion of traditional knowledge and indigenous planning concepts were delayed, as the



Council's workshop on this topic occurred in November 2021 and the proceedings and recommendations of this gathering were not fully developed by the end of the fiscal year.

Priority Work Theme # 4: Adequacy of Funding Review

The Council presented to the Adequacy of Funding Review Working Group 2 on April 29, 2021. The Council's presentation focussed on an update on the implementation of the Chapter, commission costs and timelines (historic and expected), the operating environment associated with the Council's support of commissions and the requirements (the ask) going forward (until 2024 and beyond). Funding and resourcing issues were also discussed at the Yukon Forum Regional Planning Leads meetings.

Priority Work Theme # 5: Outreach, education and engagement with the Parties, planning partners and the public

The Council's ability to engage on the advancing regional planning was hampered by the COVID-19 pandemic, as travel to communities across the territory was limited and visits to First Nation General Assemblies was not possible. In addition, events that YLUPC would normally have a presence at did not occur. The Council and Commission played a major role (Gold sponsor) in the Planning Institute of British Columbia's (PIBC) annual conference, held in Whitehorse June 15-17, 2021. Four presentations related to regional planning in the Yukon were provided by the staff, with assistance from Council members.

The Council released a summary of the work it is doing entitled "*Planning Now and Tomorrow*" (May 18, 2021). This document highlighted the work the Council is doing implementing approved regional plans, helping the Dawson Commission with their ongoing planning process, and working towards improving future planning processes in the territory.

The Council began work on a new logo. The theme for the new logo is "Planning for a brighter future".

Other Work

Hosting a Regional Planning Related Workshop

On November 24th - 25th 2021, the Council hosted a *Land Relationship Planning Gathering*. The purpose of the workshop was to explore ways to meaningfully weave Indigenous planning concepts and traditional knowledge with regional land use planning processes. This work strived to uphold the objectives of Chapter 11 recognizing and promoting the cultural values of Yukon First Nations *and* utilizing the knowledge and experience of Yukon First Nations to



achieve effective land use planning. This gathering was the result of the efforts of the Indigenous Planning and Traditional Knowledge Committee (IPTK). The gathering was a success and was attended virtually by over 70 people, primarily from Yukon First Nations. The Council produced a short video of Yukon First Nations relationship with the land for the introduction of the gathering. During the documentation of the proceedings, many recommendations and actions were identified by the IPTK committee for consideration by the Council. This work is ongoing.

Additional Planning Commissions Requests: Beyond Teslin, no formal requests were received by Council. The First Nation of Na-cho Nyak Dun did make a request to the Yukon Government that a regional planning commission be established within their traditional territory. Further requests may have been made to Government of Yukon that the Council is not aware of.

Linking Chapter 11 Planning with Other Resource Management Initiatives

Much of the work with the Yukon Forum Regional Planning Leads group related to integrating Chapter 11 planning with the Yukon and First Nation government initiatives (see previous section).

The Council continued its effort to improved the integration of Chapter 11 and YESAA based processes. On January 25-26, 2022, representatives from YESAB, the Council and DRPC met to discuss the relationship between development assessment and regional planning. The goal of the meeting was to build a common understanding of the respective processes and discuss effective ways in which planning can provide value and clarity to the assessment process. Recommendations for this gathering were reflected in the meeting summary done by YESAB *`Building Common Ground: Connecting Assessment and Regional Planning in the Dawson Region`*, February 20, 2022. In addition, the Council's Director assisted with a Masters project which examined the challenges and potential solutions to improving the integration of land use planning and development assessment (*Finding Common Ground: Exploring the Relationship Between Regional Land Use Planning and Development Assessment in the Yukon*, University of Saskatchewan, Katie Fraser, December 13, 2021).

The Council and the Yukon Fish and Wildlife Management Board (YFWMB) exchanged letters regarding the ATAC Road Agreement which led to the creation of the Beaver River Land Use Planning Committee. The Council offered to meet with YFWMB to develop a similar working relationship that it is developing with YESAB.



Annual Report and Audited Financial Statements

The annual report and audited financial statements were completed. There was no management letter associated with the audit.

3.2 Attendances at Conferences and Workshops

Note: Attendance at conferences and workshops was less than anticipated because of restrictions associated with COVID-19.

North of Ordinary, Planning Institute of British Columbia, Whitehorse, Yukon, June 15-18, 2021

Dawson Regional Planning Draft Plan Workshops, DRPC, Dawson City, August 4-5 2021

Whitehorse Public Engagement "Community Conversation", DRPC, Whitehorse, October 19, 2021

Land Relationship Planning Gathering, YLUPC, November 24-25, 2021

Building Common Ground: Connecting Assessment and Regional Planning in the Dawson Region, YESAB/DRPC/YLUPC, online, January 25-26, 2022.

4. Council Meetings and Activities

Council member activities included:

- attending four regular Council meetings;
- six working sessions (focussed upon specific issues);
- other special assignments (presentations by members, administrative and human resource matters, meetings with representatives of other organizations and working meetings, preparing submissions, posting achievements and upcoming priorities)

Changes from the 2021-2022 Work plan

As noted in the previous sections, the Council addressed most key priorities in its work plan. Changes included:

- The Council's work with the Yukon Forum Regional Planning Leads regarding ways of advancing land use planning in the territory made slow progress, as the Leads group did not address the recommendations in YLUPC May 13, 2021 letter or the "*Advancing Yukon Land Use Planning: Report on Workshops to address Yukon Forum Strategic Report Recommendations*", Winter 2020-21 during the fiscal year. In addition, Council recommendations regarding incorporating Indigenous planning concepts into regional



planning was delayed as the IPTK committee organized its *Land Relationship Planning Gathering* which occurred November 24-25, 2021;

- In addition, demands on the Council's Secretariat with respect of the Dawson Regional Planning Commission was substantive, as significant changes in staff in the year required more human resourcing work than expected to ensure a smooth transition of staff;
- The Council had hoped to build upon its discussion paper of 2018 regarding how sub-regional planning informed by best practices could be done in the territory, but was unable to secure a contractor to do the work.
- Finally, the COVID-19 pandemic existed throughout much of the year, causing a disruption of normal office functions (staff working from home, no office visitors, staff away for COVID-related reasons) and many of the communications and engagement opportunities normally available (i.e. First Nation General Assemblies) were negatively affected.

Successes

Land Relationship Gathering

On November 24th - 25th 2021 YLUPC hosted the *Land Relationship Planning Gathering*. This gathering was the result of the efforts of the Indigenous Planning and Traditional Knowledge Committee. The gathering was a great success and attended by over 70 people, primarily from Yukon First Nations. The Council produced a short video of Yukon First Nations relationship with the land for the introduction of the gathering. During the production of the proceedings, many recommendations and actions were identified by the IPTK committee for consideration by the Council.

Support for the Dawson Regional Planning Commission

The work associated with supporting the Dawson Regional Planning Commission has been more extensive than for previous commissions. The Council provided Geographic Information Systems analysis and mapping, cumulative effects support, computer network and IT support, human resource management, and financial services (all identified in an MOU). This has proven to be a successful model for reducing the non-planning work of the commission staff. The Commission released a Draft Plan and was well on the way to completing the Dawson Region Recommended Plan during this period.

Challenges

Advancing Regional Planning in the Yukon

The Council's work with the Yukon Forum Regional Planning Leads regarding ways of advancing land use planning in the territory was slow, as the Leads did not address the recommendations in YLUPC May 13, 2021 letter or the "*Advancing Yukon Land Use Planning: Report on Workshops to address Yukon Forum Strategic Report Recommendations*", Winter 2020-21, during the fiscal year. In addition, the Council's recommendations regarding incorporating Indigenous planning concepts into regional planning was delayed as the IPTK committee focussed on organizing the '*Land Relationship Planning Gathering*' which occurred November 24-25, 2021.

Advancing Sub-regional planning

The Council had hoped to build upon its discussion paper of 2018 regarding how sub-regional planning should be done in the territory, but was unable to secure a contractor to do the work.

7.0 Work Plan for 2022– 2023

The Council’s work in 2022-23 will include the following:

Priorities:

1. Assist the Dawson Regional Planning Commission in completing a Recommended land use plan. Address planning challenges that arise during the process, provide mapping products, and support administrative functions towards the production of the Recommended Plan;
2. Work with the Yukon Government and the Teslin Tlingit Council to develop a Terms of Reference for the Teslin Regional Planning Commission and pre-planning initiatives. Assist with the creation and start-up of the Commission and develop a Memorandum of Understanding regarding the assistance the Council will provide;
3. Lay the groundwork for a planning process in the Na-cho Nyak Dun traditional territory. Work with the Yukon Government and the First Nation of Na-cho Nyak Dun to develop a Terms of Reference and pre-planning initiatives. Assist with the creation and start-up of the Commission and develop a Memorandum of Understanding regarding the assistance the Council would provide;
4. Based upon collaborative work with the Yukon Forum Parties and appointed Leads (including YG/YFNs workshops) and the outcome of the Council’s work regarding indigenous planning and traditional knowledge (IPTK), improve the regional land use planning process for the territory, including clarifying roles and responsibilities, and continue to affect positive changes to relationships, products and outcomes;
5. Continue participating in the Adequacy of Funding Review: Chapter 11;
6. Outreach, education and engagement work with the communities, Parties, planning partners and the public about the new approaches to the implementation of Chapter 11 and the Council’s role.

Other work:

7. Host or sponsor a regional planning workshop, timing and theme to be determined. The Council will consider a follow-up gathering based upon the outcome of the *Land Relationship Gathering* hosted November 24-25, 2021;
8. Consider additional requests for regional planning commissions;
9. Link and integrate Chapter 11 planning to other resource management work occurring in the territory, including the development assessment process (YESAA),



- sub-regional planning and Yukon First Nation and Yukon Government planning efforts;
10. Dedicate resources to support staff for Council-related work. This will help ensure continuity of staff during heavy workloads (staff retiring, temporary assignments completed or extended);
 11. Assist with North Yukon and Peel Watershed Plan implementation.