



YUKON LAND USE PLANNING COUNCIL

201 - 307 Jarvis Street, Whitehorse, Yukon Y1A 2H3
PHONE (867) 667-7397 FAX (867) 667-4624 EMAIL ylupc@planyukon.ca

April 5, 2013

Honourable Darrell Pasloski, Premier
Government of Yukon
Box 2703, Whitehorse, Yukon
Y1A 2C6

Dear Premier Pasloski:

Re: Policy Yukon First Nation's without Final Agreements in Regional Planning

The Yukon Land Use Planning Council is pleased to see the Yukon Government recognizes the need to establish a clear policy on the involvement of Yukon First Nations without final agreements in regional planning. This is a matter of concern to all Yukon First Nations. The Council has no authority to address this issue. Our responsibilities relate to the implementation the land claim agreements of settled First Nations and the role of First Nations without final agreements is not addressed in these land claim agreements.

We currently have written correspondence from the chiefs of the White River and Liard First Nations indicating the need for clarity regarding their role in regional planning where they have overlapping interests with settled First Nations which want to get on with preparing regional land use plans (Liard to YLUPC, July 13, 2012, WRFN to YLUPC March 21st, 2013).

Discussions with the Executive Council Office - Land Claim Implementation Secretariat over the past year suggest two separate agreements may be needed prior to the establishment of a regional commission in such circumstances:

- an agreement between the Yukon Government and the affected FN's with settled land claims on a Terms of Reference for the new regional planning commission and;
- an agreement between the Yukon Government and the affected First Nations without a Final Agreement regarding their involvement in the regional planning process.

Analysis of the process by which plans are created indicates several opportunities for a First Nation without a Final Agreement to be engaged in the regional land use planning process. These include:

- addressing the new Commission at its Training and Orientation session;
- providing the Commission with an “Issues and Interests” statement;
- holding meetings and consultation events in affected communities;
- supplying information for the Resource Assessment Reports;
- reviewing and commenting on Commission products, including the Scenarios/Options Document, draft Plan, Recommended Plan and Final Recommended Plan.

We encourage you to consult all Yukon First Nations on this matter and develop a policy that is workable for all.

There are locations in three of the remaining four planning regions which have traditional territories of First Nations without land claim settlements (Kluane, Teslin and Northern Tutchone regions). All are interested in moving forward with regional planning and the absence of such a policy is a roadblock to effective program implementation in a timely manner.

It is YLUPC’s position that the preparation and implementation of regional land use plans is in the public interest of all Yukoners. We support the Executive Council Office and specifically the Land Claims Secretariat in taking responsibility to find a creative policy solution that is respectful and beneficial to both settled and unsettled First Nations.

We look forward to your reply.

Sincerely,



Ian D. Robertson,
YLUPC, Chair

CC All Yukon First Nations
Joe MacGillivray, Deputy Minister & Cabinet Secretary
Derмот Flynn, Acting Director, Land Claims and Implementation Secretariat