



# YUKON LAND USE PLANNING COUNCIL

## **A Recommendation to Yukon Regional Planning Commissions with Respect to the Commission involvement in YESAA Processes during Plan Production**

**Recommendation Number 05-002**

**UFA Clause Reference: 12.17.2**

**To:** North Yukon Regional Planning Commission, Peel Watershed Planning Commission

**Motion passed at Board Meeting Number \_\_\_\_\_ on \_\_\_\_\_, 2005**

**Date Released:**

**Related Recommendations:**

## **Recommendation Number 05-001**

This recommendation is intended to provide guidance to regional Planning Commission's with respect their role in Yukon Environmental and Socio-Economic Assessment review process during the production of the regional land use plan.

### **Recommendation #1:**

The Commission should recognize that the land claim agreements and the Yukon Environmental and Socio-economic Assessment Act provide for the **concurrent** activities of *development assessment* and *regional land use planning*. Therefore, during the production of the plans, regional planning commissions are to support the development assessment process by supplying information about regional resources, land uses and any *draft* land use planning that has been completed.

### **Recommendation #2:**

The nature of the planning commissions representation to the YESAA process should change as the Commission advances through its planning process (i.e. the Common Land Use Planning Process):

#### **Start-up Phase:**

- Planning commissions should not make representation to the YESAA process;
- At the end of the start-up phase, the planning commission should notify the YESAB Executive Council and the appropriate Designated Office(s) that it is preparing a land use plan and YESAB/DO should supply the commission with information about every project for which an assessment is pending (Clause 45 (1) YESAA). The Commission should also register itself on the YESAA online public registry.

#### **Issues and Information Gathering Phase and Plan Scenario Development Phases**

- As the Commission has yet to conduct the planning phase of the process and cannot envision the draft plan, it is inappropriate for it to judge whether an activity should proceed or not proceed. Therefore, during the Issue and Information Gathering Phase and Plan Scenario Development Phases, Planning Commissions representation to the YESAA agencies should simply be to provide information to the YESAA review that it has collected about the area the project is planned for and identify relevant land use issues that were identified through its issue and interest gathering work.

#### **Draft Plan and Draft Plan Approval Stage**

- Once the Commission has examined potential scenarios for the region and has delineated the basic components of the plan (including land designation mapping), it

is now able to comment on the appropriateness of the activities referred to it by YESAA. The Commission can now make representation to the YESAA agencies that indicate the likelihood that the proposed activity will conform to the plan it is drafting (see Recommendation # 4).

When presenting *draft* land use planning information, the Commission should indicate to YESAA bodies any evidence that the *draft* planning is supported by the plan approval bodies (Yukon Government and Yukon First Nations).

#### Recommendation #3:

When making representation to the YESAA agencies, planning commissions should consider the three recommendation options the YESAA bodies are to make to the decision bodies. The proposed activities should:

1. proceed;
2. proceed with terms and conditions;
3. not proceed.

Therefore, a Planning Commission's representation should state:

1. if the activity is likely to conform to the plan (an indication that it should proceed);
2. if the Commission has concerns about the activities, with the Commission supplying evidence of its concern (this would indicate the need for terms and conditions);
3. if the Commission believes the activity is likely to not be in conformity to the plan being developed (an indication that the activity should not proceed). The commission should be prepared to present strong evidence that the activity is inconsistent with the plan under development.

#### Recommendation #4:

Planning commissions should be conscious of the time and resources they expend supporting the development assessment process during plan production. Funding provided to planning commissions is primarily for plan production and not development assessment activities. In addition, regional planning commissions should limit their representation to regionally significant projects. Therefore, in general, the *Commission* should only make representation with respect to the larger proposed activities associated with the Executive Committee Screenings or "Panel of the Board" Reviews. Commission staff should track project Evaluations done by the Designated Office and report the Evaluation notifications received to the Commission at each meeting, noting any trends in activity applications that may have regional implications.

## **Policy and Governance Implications**

In November 2005, the Commission will require policies with respect to their participation in the YESAA process during planning production. Therefore:

Recommendation # 5:

By November 1, 2005, all active planning commissions alter their policy and procedures to include a section regarding the Commission's involvement in the YESAA process during plan production. These would include instructions to *staff* regarding appropriate action when development assessment notifications are received and the identifying the appropriate triggers for *Commission* level representations.