

JOINT LETTER OF UNDERSTANDING (LOU) ON PEEL WATERSHED REGIONAL LAND USE PLANNING PROCESS

The purpose of this letter is to confirm the joint commitment by the Parties to the Peel Watershed Regional Land Use Plan to establish a coordinated process for responding to the Recommended Plan and Final Recommended Plan that follows the process identified in First Nation Final Agreements. It also seeks to clarify objectives, principles, timeframes and procedures for continued progress on the Peel Watershed Regional Land Use Plan process and completion of the Plan.

The Parties are the First Nation of Na-cho Nyäk Dun; the Vuntut Gwitchin First Nation; the Tr'ondëk Hwëch'in; the Gwich'in Tribal Council, and the Government of Yukon.

OBJECTIVES AND PRINCIPLES

The Yukon government acknowledges the obligation to consult with the affected Yukon First Nations and affected communities in respect of the Final Recommended Plan pursuant to Chapter 11.6.3.2 of the collective Yukon First Nation Final Agreements.

The Yukon government agrees to consult with the Gwich'in Tribal Council and Teetlit Gwich'in on the Final Recommended Plan.

The affected Yukon First Nations and the Gwich'in Tribal Council agree to consult with the Yukon government on the Final Recommended Plan.

The First Nation of Na-cho Nyak Dun, the Vuntut Gwitchin First Nation, the Tr'ondëk Hwëch'in, Gwich'in Tribal Council and the Government of Yukon agree to consult the First Nations citizens, Teetlit Gwich'in and the general public on a Final Recommended Plan.

In the process of developing a coordinated response to the Plan, the Parties agree to be guided by the objectives of Yukon First Nation Final Agreements. Key objectives of this process are to endeavour to achieve consensus on a coordinated response to the Peel

Watershed Planning Commission on the Recommended Plan, and to achieve consensus on the final Peel Watershed Regional Land Use Plan.

TIMEFRAMES

As outlined in Chapter 11, there is an extensive process and complex work required before we can conclude the planning. All Parties will endeavour to achieve the following key milestones to support the planning process (see Appendix 1 for detailed timeline):

- Coordinated response to the Commission on the Recommended Plan
- Final Recommended Plan Review (internal and intergovernmental), dependent on date of receipt of Final Recommended Plan.
- Consultation (affected communities and intergovernmental)
- Final decision on Final Plan to be made by November 2011, or sooner if possible.

PLAN REVIEW

To enable a thorough review of the Final Recommended Plan, each of the Parties will take sufficient time to conduct their respective internal reviews. They will then work together in a collaborative review of the plan using the expertise and support of the Technical Working Group and the Senior Liaison Committee.

These reviews – internal and collaborative - will identify and scope issues that could be further addressed through First Nation Final Agreement processes regarding the Final Recommended Plan.

Unless otherwise agreed to, the Parties are responsible for their respective costs in conducting the review and consultation processes outlined in this letter.

CONSULTATION

The Government of Yukon and the relevant individual First Nations agree to jointly conduct community consultations in Whitehorse, Mayo, Old Crow, Dawson City and Fort McPherson. The other affected First Nations may choose to also participate in these consultations.

The approach to the consultations will be designed and implemented collaboratively using the Technical Working Group and the Senior Liaison Committee. Following consultation with affected communities, the Parties will proceed with formal intergovernmental consultation. The intent of these intergovernmental consultations is to achieve a shared position on the Final Recommended Plan, and finalize an Approved Regional Land Use Plan.

The Parties agree that the Senior Liaison Committee shall serve as the primary conduit for the intergovernmental consultations, supporting the principals of the Parties.

FINAL APPROVAL

Following consultations, the Parties will work together to develop a joint or coordinated position on the Final Recommended Plan.

If desired, opportunities will be provided for the elected leaders of the Parties to meet and work together towards this coordinated position.

The Parties recognize that they may not be able to achieve consensus on all aspects of the Final Plan. If this occurs, the Parties may approve, reject or modify the final recommended plan in accordance with 11.6.3.2 and 11.6.5.2.

Notwithstanding any independent positions that may develop on certain aspects of the Plan, the Parties will endeavour to develop positions and make final decisions that are consistent with a collaborative approach to resource and land management in the region.


COMMUNICATIONS

In order to promote inter-party cooperation and coordination the Parties will use the Senior Liaison Committee as a forum for developing joint communications in respect of processes and outcomes related to the Plan and any responses to it. It is anticipated that this will enable the Parties to speak in a collaborative fashion. The Parties will provide prior notification to each other of any press releases related to the Final Recommended Plan.

In conclusion, the Parties are committed to continue to work collaboratively to enable continuing progress and the finalization of the Peel Watershed Regional Land Use Plan.

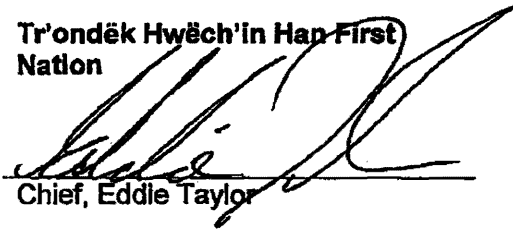
Signed this 20th day of January, 2011

First Nation of Na-cho Nyäk Dun



Chief, Simon Mewyn Sr.

Tr'ondëk Hwëch'in Han First Nation




Chief, Eddie Taylor

Vuntut Gwitchin First Nation



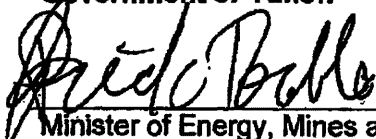
Chief, Norma Kassi

Gwich'in Tribal Council



President, Richard Nerysoo

Government of Yukon



Minister of Energy, Mines and Resources, Patrick Rouble

Government of Yukon



Minister of Environment, John Edzerza

Appendix 1

**JOINT LETTER OF UNDERSTANDING (LOU) ON PEEL WATERSHED REGIONAL LAND USE PLANNING PROCESS
Projected Timeline for Plan Review and Approval under Chapter 11.6
2011**

Project phase	Task	Milestone	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec
Plan review And approval		Update LOU on Ch. 11.6 process	▼											
	Response to Commission													
	Commission Review and Revisions													
		Final Recommended Plan released							▼					
	Parties review													
	Consultation (11.6.2)													
	Intergovernmental consultation (11.6.2 and 11.6.4)													
	Decision on Final Plan											▼		