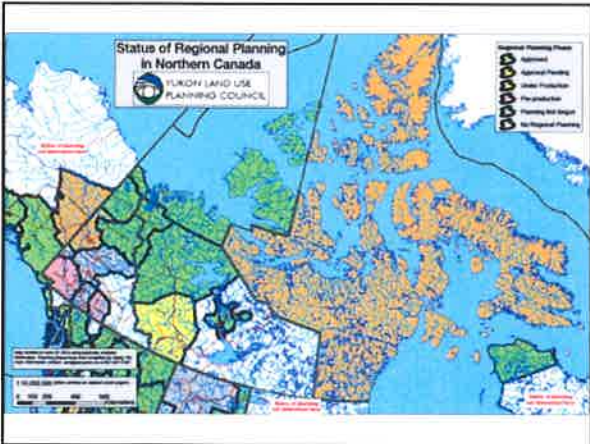


# Tab 5



### Outline

- An Introduction to the Concepts of Regional Planning
- Gwich'in Settlement Area: NWT
- North Yukon Regional Land Use Plan
- Peel Regional Land Use Planning Process



### A Northern Resource Management Career

- Masters at Waterloo: Regional Systems Studies: Kluane
- Economic Dev. Tourism: established a Canadian Heritage River: Tsiigehtchic (Arctic Red River)
- Planner/Coordinator: Gwich'in Settlement Area (1<sup>st</sup> post land claim approved region plan)
- Master Plan for Gwich'in Territorial Park
- Yukon Land Use Planning Council

Chief Hyacinthe Andre,  
Gwich'in Chief 1948-1980



Born 1910



## Regional Planning

- Establishes a **Vision** for the region
- Uses **Knowledge** in a systematic way  
avoids *ad hoc* decisions
- Provides a basis for **Decision Making**
- Provides an opportunity for periodic  
**Review and Flexibility**

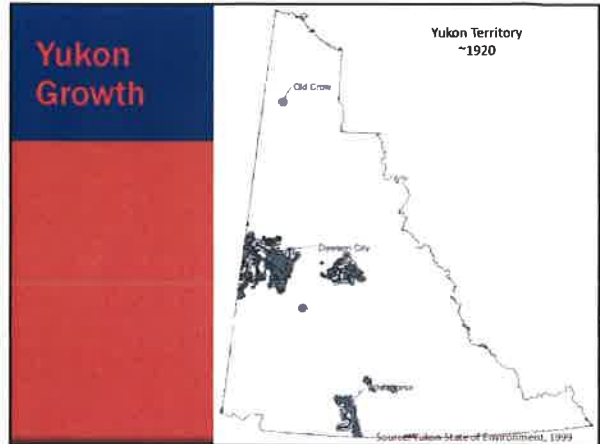
## Regional Planning

- Effects of growth and change
- Live together in a changing  
world
- "Regional Voice"
- Regulatory efficiency and  
certainty

## LAND CLAIM AGREEMENTS

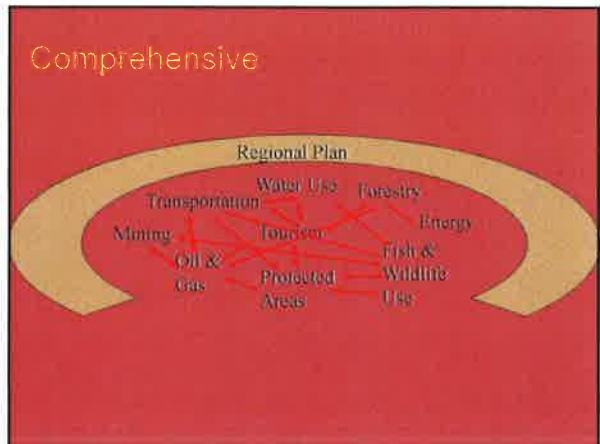
- Land Claim Agreements: Who owns  
the land?, Who manages the land?
- They do not go very far answering:  
**How is the land to be used?**

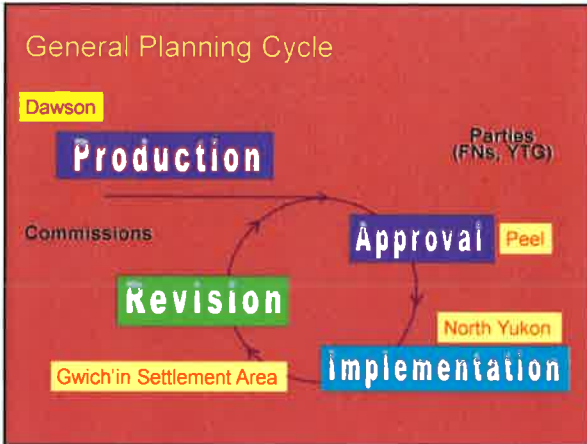
This question is central to Regional  
Planning



### What is Land Use Planning?

- Mining
- Oil and Gas
- Forestry
- Water Use
- Hunting, Trapping, Fishing
- Transportation and Communication
- Sand and gravel
- Protected Area Establishment
- Tourism
- Recreation
- Waste
- ... and others





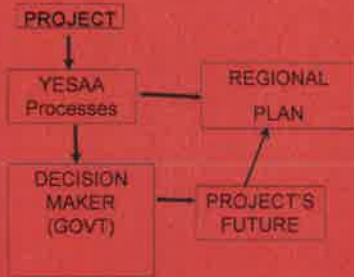
### Scale of Plan

- International/National (>1:1,000,000)
- Territorial (1:1,000,000)
- Regional Plans (1:250,000)
- Sub-Regional/District Plans (1:100,000)
- Local (1:50,000)



- ### The Common Land Use Planning Process
1. ESTABLISH COMMISSION
  2. COMMISSION START-UP
  3. PLAN PRODUCTION
  4. PLAN APPROVAL
  5. PLAN IMPLEMENTATION, REVIEW??

### 3. Regional Planning and Project Specific Review (YESAA)



### Gwich'in Settlement Area: NWT

### Regional Planning in NWT vs YK

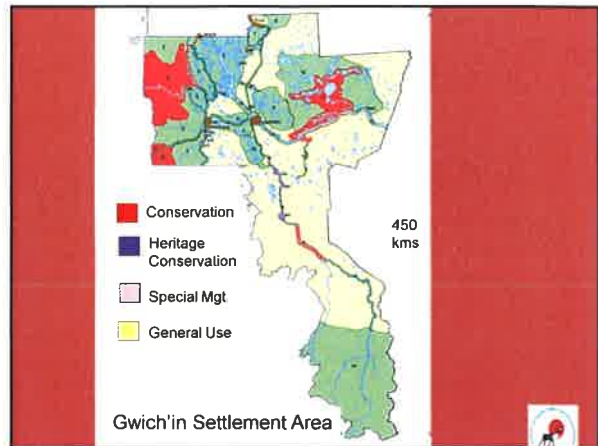
- NWT has both Land Claim Agreements and Regional Planning Legislation (Mackenzie Valley Resource Management Act). Big Difference!
- NWT Plans have "teeth": must be followed
- Yukon following the plan is ultimately optional

### This Plan is A Good Example of:

- "Community Based" Regional Planning
- Use of Traditional Knowledge, involvement of First Nations

### This Plan is A Good Example of:

- Simplicity of Process and Product
- Implementation and Review Cycle
- creating “protected areas” are tied the “life of the plan” (flexible)



### Legislation Interpretation

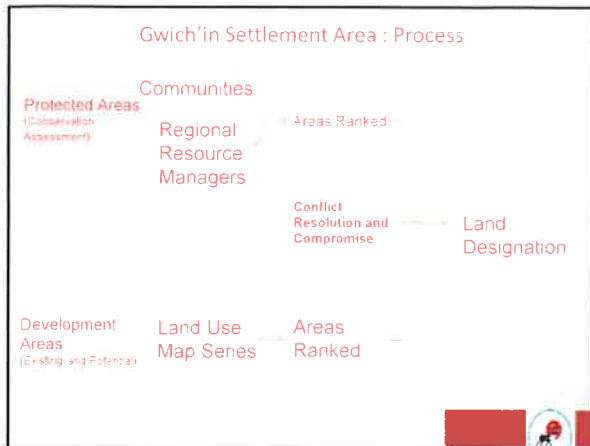
*“...every body ... shall carry out their powers in accordance with the land use plan...” MVRMA 46(1)*



### Legislation Interpretation

*“A land use plan may include:  
■(c) descriptions of permitted and prohibited uses of land, waters and resources*





- ### Land Designation System Application
- Landscape Management Units: Community based mapping (mental maps/traditional knowledge)
  - Integrated Community and Resource Managers Knowledge
  - Gwich'in Tribal Council: why did they select their land blocks?

- ### Plan Approval
- Took 5 years: conflict between the authority of the Plan to restrict activities and the allowance in the Canada Mining Regulations for access to land
  - Ultimately the Conservation Areas were created through land withdrawals



- ### Plan Implementation
- Lead and monitored by the Planning Board
  - Very detailed implementation plan, updated
  - Includes detailed policy statements regarding conformity check, plan amendments

# North Yukon Planning Process

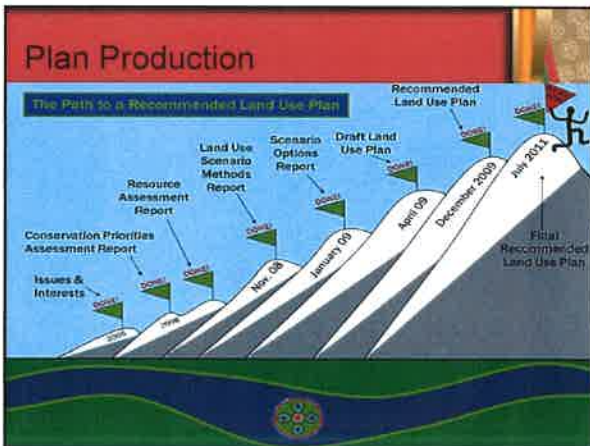
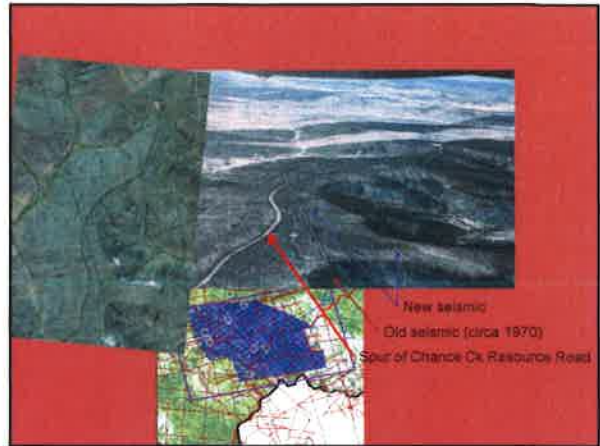
- ## Accomplishments of the North Yukon Regional Planning Process
- Governance**
    - Sustained Commission member commitment
    - Engagement of Approval Parties
  - "Planning Partners": engaged land users/potential land users**
  - Planning Tools**
    - Biophysical mapping/Habitat Mapping
    - Landscape Management Units/Land Designation System
    - Defined App
    - ALCES Scenarios
  - Information Products**
    - Regional Information Database (Resource Assessment Reports)
    - Draft, Recommended, Final Recommended Plan
  - Final Recommended Plan to the Parties (First under Chapter 11)**

## North Yukon CE Framework

Protected		No acceptable change
Integrate Management Areas		
Zone I		Lower
Zone II		 Higher
Zone III		
Zone IV		

## North Yukon Planning Region



## Themes of Ruling

- Role of the Courts
- Considering “the Treaty as a Whole”
- Collaborative Planning (Land Claim Governance)
- Nature of Changes to the Plan:  
“modification” and “changing circumstances”
- Nature of the Boards

Cutting Room Floor: consultation, appropriate response to Commission products

## Lesson's Learned Peel Process

- Better instructions to the Commission regarding what is “approvable” and what is not likely to be “approved”
- Governments *Proposed Modifications* to the Recommended Plan need to be clearer
- Spend more time planning, less time collecting information
- Clarify role of the public, land claim agreement agencies and stakeholders