

Tab 8



YUKON LAND USE PLANNING COUNCIL

0.0 GENERAL ROLES AND RESPONSIBILITIES			
Role	Council	Commission	YG
	Process Coordinator	Plan Developer and Author	Implementer
		Liaison to the public and the community	Approval body
			Information provider
			Reviewer
			Implement Land Claim
			Nominate members for YLUPC (CYFN, Canada, YG)
			Establish YLUPC
			Ensure governments have adequate staff to participate where they have agreed to implement the Chapter 11 process.
			Ensure FN has appropriate staff to participate where they have agreed to implement the Chapter 11 process.
Responsibilities	Ensure Council has adequate staff and skills to participate in Chapter 11 activities		
	Assist Parties to build capacity to participate in Chapter 11.		



YUKON LAND USE PLANNING COUNCIL

0.0 GENERAL ROLES AND RESPONSIBILITIES				
	Council	Commission	FN	YG
Responsibilities (cont.)	Support TOR and operating guidelines through the FTPs (i.e. monitor Commission for compliance with these documents) Implement remedial action when these documents are not being complied with	Comply with TOR, FA, FTPs	Inform Commission and Council when TOR, FA, and FTPs are not being complied with. Consult with Council and Commission on proposed changes to TOR if necessary.	Inform Commission and Council when TOR, FA, and FTPs are not being complied with. Consult with Council and Commission on proposed changes to TOR if necessary.
	Review and approve Commission budgets	Ensure that FN is consulted on annual budgets	Provide timely feedback on annual budgets	Approve annual budgets and provide funds to Commissions and YLUP
	Encourage communication between Parties and Commission	Communicate with Parties, Council, and interested agencies		Consider linkages between regional land use planning and other water and land planning processes
	Upon request, assist Commissions with technical, administrative, and planning support	Define cause-related internal policies	Provide technical support when requested	Provide technical support when requested
	Advise members when they are contravening cause-related guidelines	Advise members when they are contravening cause-related guidelines	Provide policy-level advice (i.e. advise when Commission is likely to contravene policy) Stay informed of Commission activities	Provide policy-level advice (i.e. advise when Commission is likely to contravene policy) Stay informed of Commission activities



YUKON LAND USE PLANNING COUNCIL

0.0 GENERAL ROLES AND RESPONSIBILITIES				
	Council	Commission	FN	YG
Responsibilities (cont.)			Recommend removal of members for cause if necessary.	Recommend removal of members for cause if necessary (YG)
			Respond to formal Council Recommendations in timely fashion	Removal of members if necessary. (Canada) Respond to formal Council Recommendations in timely fashion
	<ul style="list-style-type: none"> • Monthly meetings between chairs • Regular meetings between SLC, TWG, and Commission • Distribution of documents with deadlines for review • Response Protocol • Regular means of communication: newsletters, progress reports • FTP reporting requirements • Sharing of FTP-based reports between Council and Parties 			



YUKON LAND USE PLANNING COUNCIL

1.1 IDENTIFY PROPOSED PLANNING REGIONS AND PRIORITIES				
	Council	Commission	FN	YG
Role	Lead			
	Information provider			Land Claim Implementor
	Researcher			
	Concept developer			
	Advocate for RLUP			
Responsibilities	Develop criteria for prioritizing planning regions			Explore broader planning issues, planning goals, boundaries and information requirements for each region and identify implications for regional planning
	Identify priority regions & consider factors leading up to the recommendation for establishing a Commission			Respond to Recommendations of YLUPC
Strategies	<ul style="list-style-type: none"> Annual Review of Planning Priorities Response Protocol 			
Milestones	<ul style="list-style-type: none"> YLUPC established FTP for Yukon Land Use Planning Council Criteria for Prioritizing Planning Regions (Formal Council Recommendation) 			



YUKON LAND USE PLANNING COUNCIL

1.2 DEFINE PRIORITIES, PROCESS AND PARTICIPANTS FOR REGIONAL PLANNING

	Council	Commission	FN	YG
Role	Lead Facilitator		Participant	Participant
Responsibilities	Determine level of support for an Area Specific Working Group or alternate protocol for consensus to establish Commission			
	Develop protocol regarding communication on priorities, process and participants			
	Convene meeting of participants (ASWG)		Assign technical staff to ASWG	Assign technical staff to ASWG
	Chair meetings and distribute comments		Fund own participation on ASWG	Fund own participation on ASWG
Strategies	<ul style="list-style-type: none"> • Meetings with Parties and Council • Letters • Area Specific Protocol is adopted (e.g. North Yukon, ASWG, Peel Action Plan) 			
Milestones				
Reference	11.3.3.2 (identification of planning regions and priorities for preparation of regional land use plans); 11.3.3.3 (terms of reference, including time frames); 11.3.3.4 (boundary of planning regions);			



YUKON LAND USE PLANNING COUNCIL

1.3 DEVELOP TERMS OF REFERENCE

	Council	Commission	FN	YG
Role	Lead			
	Participant at technical level		Participant at technical level	Participant at technical level
	Advocate of TOR		Consensus-builder at technical level	Consensus-builder at technical level
	Approval facilitator		Approval body at senior level	Approval body at senior level
Responsibilities	Encourage resolution of overlaps, provide technical support		Agree on overlap areas	
	Agree to proposed planning boundaries		Agree to proposed planning boundaries	
	Track and explain recommendation		Identify policies and priorities to be addressed in a regional plan	
	Assist parties to agree on expectations		Agree on expectations of Commission	
	Draft TOR document		Circulate document within First Nation	Circulate document within government
	Make formal recommendation		Provide co-ordinated response with other parties to TOR recommendation	Provide co-ordinated response with other parties to TOR recommendation
	Budget development			
Strategies	Main process stages added		Internal review process	Internal review process
	Letters, Response Protocol			
Milestones	<ul style="list-style-type: none"> Draft TOR document complete Parties at ministerial/regional director general level sign recommended TOR (First formal recognition of RLUPC) 			
Reference	<ul style="list-style-type: none"> 11.3.3.2 (identification of planning regions and priorities for preparation of regional land use plans) Make formal recommendation; 11.3.3.3 (terms of reference, including time frames); 11.3.3.4 (boundary of planning regions); 11.3.3.5 (other matters that gov't and FN agree upon) 			



YUKON LAND USE PLANNING COUNCIL

2.1 COMMISSION ESTABLISHMENT (Nomination and Appointment of Members)				
	Council	Commission	FN	YG
Role		Participant in orientation workshops	Nominator	Lead Nominator
Responsibilities	<p>Begin information collection</p> <p>Prepare for orientation</p> <p>Prepare financial statement</p>		<p>Respond within 60 days to request for nominees –</p> <p>Consider the familiarity and compatibility of prospective nominees</p> <p>To make reasonable attempts to achieve consensus on Nominees</p> <p>Nominate Members</p>	Respond as soon as practicable to request for nominees
Strategies		Attend Orientation Workshops		Appoint members to the Commission as soon as is practicable
Milestones	Government (YG) and First Nations Chief nominate members to Minister of Energy, Mines and Resources, Minister of Energy, Mines and Resources sends appointment letter to members			
Reference	<p>2.12.2 (Ministerial appointment of Board members; conflict of interest; removal for cause; training; length of terms)</p> <p>11.4.1 (Agreement to establish a regional land use planning commission)</p> <p>11.4.2 (Representation on Commission; candidate selection criteria; consensus on nominees)</p> <p>11.3.4 (YLUPC Secretariat may provide assistance to Commissions)</p>			



YUKON LAND USE PLANNING COUNCIL

2.2 COMMISSION START-UP				
	Council	Commission	FN	YG
Role	Lead			
	Mentor Technical Resource	Public Commission	Budget consulting body	Budget approval body (Canada)
Responsibilities	Participation in initial Commission Meetings			
	Enable Commission to accomplish initial tasks	Participate in initial Commission Meetings		Assign technical staff resources for orientation to Chapter 11
	Introduce finance and budgeting procedures	Identify Commission training requirements		
		Develop budget/work plan		Review and approve budget and workplan (YG/FN)
		Forward budget to FN for consultation	Review budget and workplan	
	Negotiate FTP			
Strategies	Provide orientation on land use planning. and Implementation Plan requirements on behalf of YG/FN	Develops operating guidelines, distributes to Parties		Provide orientation as per IP requirements
		Hires staff and secures office space		
Milestones	<ul style="list-style-type: none"> • Start-up Meet & Greet • Starter Kit • Initial Budget & Workplan template • Orientation Workshop • Commission holds start-up meeting • Budget and workplan approved by Yukon, FTP signed • Commission chair selected • Operating guidelines approved by Commission and distributed to Parties 			
	Budget activities pursuant to: <ul style="list-style-type: none"> 2.12.2.8 (budget preparation and approval); and 2.12.2.9 (funding for cross-cultural orientation and training) 11.3.4 (YLUPC Secretariat may provide assistance to Commissions) 			
Reference				



YUKON LAND USE PLANNING COUNCIL

3.1 IDENTIFY ISSUES					
	Council	Commission	FN	YG	
Role	Assistant to Commission	Lead Author	Information provider Research facilitator (if applicable)	Information Provider Research Facilitator (if applicable)	
		Writes issues document Host issues gathering meetings Distributes issues document to parties and Council	Technical staff assists in gathering issues from within FN	Technical staff assists in gathering issues and interpreting relevant policy and program initiatives from within government	
Responsibilities	Reviews and responds to document in a timely manner	Allows for further discussion of document if necessary	Reviews and responds to document in a timely manner	Reviews and responds to document in a timely manner	
	<ul style="list-style-type: none"> Public hearings Workshops Bibliographic and library research Consultation with technical and special experts Public event Issue and Current Land Use Map Issue summary document 				
Strategies					
Milestones					



YUKON LAND USE PLANNING COUNCIL

Reference	TOR should outline expectations of document distribution 3yr Workplan should outline scope of issues and consultation SLC and TWG terms of reference 11.3.4 (YLUPC Secretariat may provide assistance to Commissions)
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YUKON LAND USE PLANNING COUNCIL

3.2 GATHER INFORMATION

	Council	Commission	FN	YG
Role	Assistant to Commission	Lead Data collector	Information provider	Information provider
Responsibilities	Assist Commission with research if requested	Gather existing scientific and traditional knowledge information	Provide technical and traditional knowledge information from within FN	Provide technical information from within governments in an organized and timely manner
Strategies	<ul style="list-style-type: none"> • TWG coordinates information flow • Meetings with researchers, government, industry, stakeholders 			TWG enable easy flow of information from gov't departments to Commission
Milestones	<ul style="list-style-type: none"> • Information Sharing Agreements (if necessary) • Technical documents • Resource Inventory 			
Reference	3yr Workplan SLC/TWG terms of reference 11.3.4 (YLUPC Secretariat may provide assistance to Commissions)			



YUKON LAND USE PLANNING COUNCIL

3.3 PLAN SCENARIOS

	Council	Commission	FN	YG
Role	Assistant to Commission	Lead	Information provider Reviewer	Information provider Reviewer
		Data collector		
		Author		
Responsibilities	Assist Commission with research and analysis if requested	Public consultation facilitator	Provide technical information from within FN	Provide technical information from within governments
		Develop plan options and land use designations		
Strategies	<ul style="list-style-type: none"> Meetings with researchers, government, industry, stakeholders Meetings with TWG and SLC Public forums 	Seek public input on a range of planning options	SLC will provide policy recommendations and interpretation	SLC will provide policy recommendations and interpretation
		<ul style="list-style-type: none"> Public consultation events Presentation materials 		
Milestones				
Reference	SLC terms of reference 11.3.4 (YLUPC Secretariat may provide assistance to Commissions)			



YUKON LAND USE PLANNING COUNCIL

4.1 DEVELOP PLAN FOR RECOMMENDATION				
	Council	Commission	FN	YG
Role	Lead			
	Reviewer	Author Consultation facilitator	Reviewer	Reviewer
Responsibilities		Write and revise draft plan		
		Inform public of revisions		
	Review draft plan		Review draft plan	Inter-departmental review of draft plan
		Recommend Final Draft Plan		
		Develop Response Protocol for Recommendation		
Strategies	<ul style="list-style-type: none"> • Public forums • TWG/SLC Review • Draft plan published • Notice of Recommendation sent to Minister and Chiefs 			
Milestones	11.6.1 (RLUPC shall forward land use plan to government and First Nations)			
Reference				



YUKON LAND USE PLANNING COUNCIL

4.2 APPROVAL OF REGIONAL LAND USE PLAN				
	Council	Commission	FN	YG
Role	Plan Reviewer	Plan "expert", Plan Revisor	Approval Body	Approval Body
Responsibilities	Review LUP	Revise plan according to government and First Nation, with written reasons	Approve, reject or propose modifications to the draft plan for non-settlement land	Approve, reject or propose modifications to the draft plan for non-settlement land
			Facilitate consultation by government	Consult with First Nations and affected Yukon communities
	Respond in a timely manner		Respond in a timely manner	Respond in a timely manner
Strategies				
Milestones	<ul style="list-style-type: none"> Approved Land Use Plan 			
Reference	11.6.0 (Approval Process for Land Use Plans) 11.6.3.2 (Consultation with FN and affected communities)			



YUKON LAND USE PLANNING COUNCIL

4.3 IMPLEMENTATION OF REGIONAL LAND USE PLAN				
	Council	Commission	FN	YG
Role	Monitor	Monitor compliance	Lead Implementers	
Responsibilities	Undertake periodic review of regional land use plans	Review projects referred to Commission under YESSA Process	Authorize land, water and resource use in compliance with approved Regional Land Use Plan	Request input from Regional Planning Commissions on project applications under YESSA (Yukon Environment and Socio-economic Assessment Act)
	Recommend process for amending regional land use plans	Assess need for amendment of the plan		
	Recommend process for preparation and approval of sub-regional and district land use plans prepared jointly by First Nations and government under the provisions of UFA Chapter 11		Develop sub-regional and district plans for Settlement Lands in conformance with approved regional land use plan	Develop sub-regional and district plans for non-Settlement Lands in conformance with approved regional land use plan
		Prepare budget for sub-regional planning (if re-designated as the planning body)	Where sub-regional or district plans are prepared jointly, conduct planning in accordance with Chapter 11 (ie. Use the common land use planning process)	Provide funding for sub-regional or district planning body
Strategies	<ul style="list-style-type: none"> • YESSA 			
Reference	<ul style="list-style-type: none"> 11.4.5.10 (Monitoring for compliance to Plan) 11.7.0 (Conformance to Plan in land, water and other resource management decisions) 11.8.0 (Preparation of sub-regional and district plans) 11.9.4 (Funding for sub-regional and district plans) 			



YUKON LAND USE PLANNING COUNCIL

Roles and Responsibilities for Council, Commissions and the Parties

Partner	Role	Responsibilities
Council	Process Coordinator	<ul style="list-style-type: none"> • Ensure Council has adequate staff and skills to participate in Chapter 11 activities • Assist Parties to build capacity to participate in Chapter • Support TOR and operating guidelines through the FTPs (i.e. monitor Commission for compliance • with these documents) and implement remedial action when these documents are not being complied with • Review and approve Commission budgets • Encourage communication between Parties and Commission • Assist Commissions, at their request, with technical, administrative, and planning support • Advise members when they are contravening cause-related guidelines
Regional Commission	Plan Developer and Author Liaison to the public and the community	<ul style="list-style-type: none"> • Operate in compliance with Terms of Reference, Final Agreements and Financial Agreements • Ensure First Nation is consulted on annual budgets. • Communicate with Parties, Council and interested agencies • Define internal policies for conduct of Commission Members • Advise members of any contravention of internal operating guidelines

Yukon Land Use Planning Council
bold outline indicates shared responsibilities



YUKON LAND USE PLANNING COUNCIL

<p>Government (Yukon, First Nations)</p>	<p>Land Claim Implementers</p>	<ul style="list-style-type: none"> • Implement Land Claim • Nominate members for YLUPC (CYFN, Canada, YG) • Ensure governments have adequate staff to participate where they have agreed to implement the • Chapter 11 process (Canada, YTG) • Ensure FN has appropriate staff to participate where they have agreed to implement the Chapter 11 • process (FN) • Inform Commission and Council when TOR, FA, and FTPs are not being complied with. • Consult with Council and Commission on proposed changes to TOR if necessary. • Provide timely feedback on annual budgets (FN) • Approve annual budgets and provide funds to Commissions and YLUPC • Consider linkages between regional land use planning and other water and land planning processes • Provide technical support when requested • Provide policy-level advice (i.e. advise when Commission is likely to contravene policy) • Stay informed of Commission activities • Recommend removal of members for cause if necessary (YG) • Removal of members if necessary. • Respond to formal Council Recommendations in timely fashion
	<p>Approval Body</p>	
	<p>Information Provider</p>	
	<p>Reviewer</p>	