



MEMORANDUM OF UNDERSTANDING ("MOU")

BETWEEN:

**Yukon Chamber of Mines
("YCM")**

AND:

**Klondike Placer Miners Association
("KPMA")**

AND:

**Tourism Industry Association of the Yukon
("TIAY")**

(Collectively the "Parties")

WHEREAS the YCM and the KPMA support and promote the Yukon mineral exploration and mining sectors to be leaders in sustainable mineral development.

AND WHEREAS TIAY represents tourism associations and businesses in YUKON and is mandated to advocating and educating the business community, the media and government on behalf of the tourism sector;

AND WHEREAS the parties are resource industries dependant on access to land in order to create wealth from Yukon's land base

AND WHEREAS the Parties acknowledge the ongoing importance of promoting mineral exploration, mining and tourism in the Yukon economy;

AND WHEREAS both parties agree that a business-to-business approach to promoting good neighbour practices will result in furthering the growth and management of both industries in relative harmony;

AND WHEREAS the Parties desire that this MOU will lead to a better understanding of each other's businesses and the impacts those businesses may have on each other's interests;

AND WHEREAS the Parties intend that this MOU will result in cooperation to pursue common goals, improve communication, avoid conflict, and resolve differences that may arise from time to time.

AND WHEREAS the Parties agree that this MOU is not intended to remove or limit existing mandates, processes and fundamental interests, within organizations represented in this memorandum, nor does the MOU prejudice any future relationship issues that may arise between the Parties or individual Industry Operators.

Therefore the undersigned agree to enter this MOU as follows:

1. PURPOSE

1.1. The purpose of this MOU is to provide a foundation of mutual recognition, respect, education, open dialogue and cooperation between the Parties and their respective Members in order to foster the development of healthy industries and minimize the potential for conflict between the Parties and, when such conflict occurs, provide a forum in which to endeavour to defuse tensions and resolve differences cooperatively.

2. PRINCIPLES

2.1. This MOU reflects the Parties joint desire to create an atmosphere of business certainty and investment confidence in the Yukon regarding access to land and land use as it pertains to relations between the mineral exploration, mining and tourism sectors. Certainty around land access and land use supports investment confidence, and ensures the growth of both industries.

2.2. The Parties will consider the activities of each sector regarding economic, social and environmental factors.

2.3. The Parties respect each sector's business objectives and their pursuit of activities to maximize their economic benefits.

2.4. The Parties recognize that they each have a responsibility to maintain high standards of environmental performance in compliance with applicable laws and regulations.

The parties recognize that First Nations own, have, or assert rights over crown lands and resources and the parties will collaborate with governments in consulting and attempting to find workable accommodations for those interests while pursuing their business objectives.

3. DEFINITIONS

“Associations” means Yukon Chamber of Mines, Klondike Placer Miners Association and or Tourism Industry Association of the Yukon

“Exploration” refers to the search for and evaluation of mineral resources.

“Members” refers to members of any of the Parties.

“Mining” refers to the development and operation of facilities for the commercial extraction and production of minerals.

“Parties” refers to the organizations defined at the beginning of this document.

“Party” refers to one of the Parties.

“Tourism” refers to commercial operators providing services including but not limited to, accommodation, meal service, transportation, and activities to tourists for a fee.

4. MUTUAL INTERESTS

4.1. The Parties will pursue constructive industry-*to*-industry dialogue that recognizes the need for certainty related to land access and land use for both sectors in order to ensure the sustainability of each industry.

4.2. The Parties acknowledge that, in areas outside parks and protected areas where tourism, mineral exploration and mining are allowed, potential conflict between respective members may occur. The Parties will encourage their members to pursue early business-*to*-business consultations to coordinate activities and endeavor to take reasonable actions to avoid unnecessary and unreasonable interruption to each other’s operations.

4.3. The Parties agree that they will promote mutually beneficial business arrangements on an ongoing basis and seek business-*to*-business solutions to avoid conflicts when the potential for conflict arises.

4.4. The Parties further agree that, if conflict between their respective members should arise that cannot be resolved through dialogue or other arrangements, the Parties, at the request of their respective members, will assist in resolving conflicts as described in Section 8.

4.5. The Parties will endeavour to inform each other and, where appropriate, may collaborate on issues of common interest on matters in respect of public policy and legislation.

4.6. The Parties will encourage all levels of government to create a business climate that promotes opportunities for both industries and takes into consideration the interests and reasonable operating requirements of each sector.

4.7. The Parties agree that they will work with their respective memberships to promote a greater understanding of the benefits, opportunities, interests and normal business and operational practices of each other's members.

4.8. The Parties will work together to encourage governments to create and maintain current, easily accessible maps and databases identifying all resource, land tenure and usage locations, including tourism potential and mineral potential maps, potential areas for development, and contact information for mineral industry and tourism operators.

4.9 The Parties agree that during the planning, environmental assessment, operation, closure and reclamation of any mining project or tourism facility, responsible authorities, project proponents, and mine operators should be encouraged to consider impacts and endeavour to reasonably accommodate tourism activities and values. The parties will consider the impact of their activities on the other Parties.

4.10 The Parties will hold regular meetings.

4.11 The Parties recognize that the creation of this MOU is a significant step towards a more collaborative relationship between the Mining and Tourism Industries and agree that further growth of this relationship could include, and would benefit from the development of best practices initiatives.

5. EXPLORATION AND MINING INTERESTS

5.1. Subject to paragraphs 4.9, the Parties agree that in areas open to exploration and mining, the parties will endeavour, to the best of their commercially reasonable efforts, to ensure access for mineral exploration and mining, and security of tenure for mineral tenure holders, *while at the same time considering the impact of their activities on the other parties.*

5.2. The Parties acknowledge that mineral resources are hidden and areas of high mineral potential are not always readily determinable. In areas where exploration and/or mineral development activities are being pursued, TIAY will encourage its members to:

5.2.1 make themselves aware of known mineral potential in areas where they wish to operate;

5.2.2 take into consideration issues that may have the potential to adversely affect exploration and mining activities; and,

5.2.3 make commercially reasonable efforts to minimize impacts on essential components of exploration and mining activities such as access and security of tenure.

6. TOURISM INTERESTS

6.1 Subject to paragraphs 4.9 , the Parties agree that, in areas open to tourism, the parties will endeavour, to the best of their commercially reasonable efforts, to ensure access for tourism, and security of tenure fore tourism rights holders and users, while at the same time considering the impact of their activities on the other parties

6.2 The Parties acknowledge that tourism areas continue to be identified and developed as the tourism industry grows. In areas where tourism activities are being pursued, YCM and KPMA will encourage their members to:

6.2.1 make themselves aware of known tourism potential in areas where they wish to operate;

6.2.1 take into consideration issues that may have the potential to adversely affect tourism activities;

6.2.3 make reasonable efforts to minimize impacts on essential components of exploration and mining activities such as access and security of tenure

7. PROTOCOLS

To support a beneficial ongoing business relationship, and avoid conflict, the Parties agree to promote the following protocols between their respective members co-existing in a given geographical area:

7.1 Communication

7.1.1 The Parties undertake to communicate with each other regularly on issues of concern and, to the extent practical, coordinate communications to the public on matters of mutual interest.

7.1.2 Members of the YCM, KPMA and TIAY whose interests are in the same general area should strive to make themselves known to each other, and commit to on-going open communication with the objective of reaching early agreement on aspects that could potentially affect each other's ongoing operations.

7.1.3 Members having difficulty in resolving differences will be encouraged to advise their respective Associations, after which the Parties should consider whether to recommend the conflict resolution process described in Section 8 or propose some other approach.

7.2 Mutual Understanding and Promotion

7.2.1 The Parties will encourage their Members to undertake to provide education and information to their employees in respect of the other Party's activities and concerns where there are overlapping or adjoining interests.