

Dawson Region Workshops Summary **August 4-5, 2021** **Topics: Conservation Zones and Wetlands**

On August 4 & 5, 2021, the Dawson Regional Planning Commission hosted public workshops on topics including conservation Zones, wetlands, and future planning regions. This included in person meetings held in Dawson City and online meetings.

The following are a summary of the comments received, as recorded by Commission staff members during these meetings on the topics of Conservation Zones and Wetlands. Notes from the meeting about future planning regions are provided in a separate document.

Note that these comments represent input from a wide variety of participants. Each session had an average of 25 participants from a broad spectrum of backgrounds.

1. Conservation Zones

Special Management Area Terminology

- The intent of Special Management Areas (SMAs) in the Draft Plan is good but there is more work to be done.
 - The term Special Management Area and how it is used in the Draft Plan is not consistent with the UFA. As described in the Draft Plan, these areas seem to go against how they are outlined in UFA. For example, regarding co-management, management plans and designations.
 - Not much protection is really offered in SMA 2 areas, seems to be left up to one of the Parties (YG) to withdraw from mineral staking, but that is a process dictated solely by YG.
 - Unclear about how legal designation could work, and if it even can. Need to think about how these areas will be managed. The Recommended Plan should include strategies. E.g. Habitat Protection Areas require development of a management plan.
 - The difference between an SMA 2 and an Integrated Stewardship Area 1 (ISA 1) is difficult to distinguish. This should be better communicated in the plan and during engagement.

Implementation and Enforcement

- Plan implementation and enforcement will pose challenges (this was expressed in all workshops, there appears to be a lot of concern from participants). This needs to be a consideration not just of SMA 2s but of the Plan as a whole.
 - Conformity checks and licenses being issued – unclear how this Plan will impact this. The capacity of YESAB and YLUPC is a big concern.
 - Yukon legislation is outdated and could impact Draft Plan recommendations, there is a significant need for updated legislation. Mining (Placer and Quartz Acts) and protection were of concern to attendees.
 - In conservation zones, activities should be held to a higher standard for reclamation. It should be clear about expectations and that rules don't keep changing. Related to this, enforcement needs to happen for those who don't follow the rules.
 - One miner suggested 'continuous reclamation' i.e. an operator is only permitted to move along their claims if and when reclamation is completed in the area they've just worked.

Connectivity

- Need to think about Conservation Areas in terms of connectivity and their wider impact.
 - 'Parcelling up' is a very Western-centric approach to planning. It ignores connectivity of landscape. This is also inconsistent with Tr'ondëk Hwëch'in worldview. There needs to be work done on bringing two approaches together.
 - Areas with the highest protection are isolated, and not connected. The Draft Plan SMA 1 areas aren't large enough for wide ranging mammals and should be more closely linked to SMA 2s. i.e. both SMA 1 areas are surrounded by ISAs and not linked or buffered by SMA 2 areas.
 - It seems futile to have LMU 19 – Upper Indian River Wetlands as an SMA 2 when its fully surrounded by an ISA IV area – LMU 12 – East.

Dawson Region Draft Plan Public Engagement

- Only 1.3% of Public Land is designated for full protection – LMU 18 - Matson Uplands. LMU 10 - Upper Klondike is all Settlement Land – very little of Yukon Government managed land will be protected.
- Climate shifts in the north need to be communicated in the plan and taken into consideration.
- Currently the northern section of the region is much more protected than the south.
- There should be consideration about how these areas fit into other strategies. E.g. “30 by 30”?
- Within SMA 2s specific areas could be identified for increased protection.

Alternative Designations

- There were suggestions to change how some Land Management Units (LMUs or units) are designated and there were some alternate areas identified for the Commission to consider.
 - LMU 12 – East is a huge unit, but there are large sections that are untouched and un-staked, which include significant wetland complexes. Could this unit be broken up into smaller units?
 - Upper Indian River should be an SMA 1. There is too much importance in the area for mineral development to continue. It being surrounded by an ISA 4 (highest development) is also problematic.
 - LMU 23 – Fortymile Caribou Corridor should be made an SMA 2. The western and southern portion include significant wetlands and the current ISA 1 and 2 designation will not protect the Matson Uplands.

Mining Access and Development

- Access and continued development is a concern from industry. The Draft Plan does not provide the clarity that is desired by industry.
 - Continued development in SMA 2 won't be possible. The claims within them become uneconomic to access, maintain and develop. This is effectively expropriation.

- 35% of the region is closed to staking, even finding deposits has become impossible. Various minerals are essential for components in green technologies; when thinking about the future, need to also think about what we need for cleaner, sustainable economy.
- Miners will do what they can when it comes to reclamation and protection, they just want clarity around what they should do.
- How will the Plan eventually be interpreted and used by the Parties and their organisations like YESAB? Implementation is key, and SMA 2 areas pose significant risk to the mining industry; Commission might intend for claims to be workable but in reality, will this actually happen?
- What will happen when current permits in SMA 2 areas expire? Unclear if renewal is possible.

Other comments about SMAs

- The Draft Plan is complicated and difficult to interpret and understand.
- It is unclear if SMAs are withdrawn from all tenure, not just mineral development. There needs to be clarification that other users can still access and apply for land use permits e.g. Forestry.

2. Wetlands

Development and Reclamation

- Concern about how realistic the Draft Plan is when it comes to wetlands and industry coexisting. Both 'sides' raised issues / points to clarify.
 - The mitigation hierarchy in the Draft Plan needs further work and expansion. There is not enough detail and there isn't a clear goal set out.
 - Wetlands and industrial activity are not compatible. The Draft Plan implies you can have both. 'No net loss' approach transforms wetlands from their intrinsic natural value. Peatlands cannot be reclaimed to their original state; they are a vitally important ecosystem.
 - Reclamation to open water ponds will affect the whole landscape and the wildlife that use these systems.

- Sustainable development, as outlined in the Draft Plan vision and UFA, is not compatible with wetland disturbance.

Cultural Importance

- Wetlands are culturally important and significant to TH, they are a fundamental part of identity.
 - Needs to be more community conversations around this topic and what we want to protect collectively and thresholds developed from there.
 - Elders have said they are a special place and teachings about them need to be passed down, how they are connected to other parts of the land.
 - Traditional Knowledge tells us that wetlands are where you go in difficult times. Their loss would be detrimental to TH citizens.

Fens

- Fens were a major topic of conversation and there is a lot of concern associated with this type of wetland.
 - There needs to be more consideration for fens. The way the Draft Plan is presented makes it a numbers game, but there is a lot more to consider.
 - Not enough is known about wetland functions for each of the classes. Permitting disturbance of one class without fully understanding impact on landscape could potentially shift entire ecosystems.
 - Fens need to be fully protected – connectivity is a huge issue, across the landscape and across classes. Can't protect one class of wetland when they are all integrated. The loss of one wetland type will impact other types.
 - If precautionary principle is a consideration, should protect 75% of fens until we know more about their importance and how they fit into the wider ecosystem.
 - Are fens zoned for disturbance because they are 'in the way of mining'?
 - Could fens be developed if 'progressive' reclamation occurs?

Wetlands Functions

- Wetland functions needs to be better understood before we permit greater disturbance.

- Wetlands are part of a larger water cycle. The loss of one type will impact the whole system.
- If we don't fully understand the systems, we shouldn't allow disturbance or destruction until we have more data and science to allow for informed decision making.
- Need to have agreed-upon data. At the moment, lots of contradictory opinions and each 'side' is presenting their own science; need to move forward using data that everyone agrees to?