

The Yukon Placer Mining Act is essentially unchanged⁵ since 1906. It is a dinosaur. In 1906 the Government of Canada perceived Yukon as an unpeopled snow bound purgatory with little value except for the gold found in Klondike gravels. 113 years later we know better. This is a land of surpassing beauty, with renewable resources that inspire the imagination. This is a place that will sustain and astound future generations. It's time to bring the Yukon mining regime into the 21st century. The Dawson planning process can assist with that evolution.

A good place for the Commission to start would be to request an immediate moratorium on mining claim staking – to remain in place until the Dawson Regional Land Use Plan is approved. There is useful precedent in the Peel – which was withdrawn from staking nine years before the approval of the Peel Regional Land Use Plan. A subsurface withdrawal would not address the 10's of thousands of mining claims that already exist in the Dawson region, but would ease the pressure and create some space for considered planning.

There are doubtless areas within the Dawson Planning region that deserve permanent protection from industrial development. A withdrawal would prevent mineral claims from being staked in those areas, and thus make it far easier to establish protected areas. In our view this is a no brainer. How can a land use plan be fairly developed in the midst of continuous staking?

Beyond establishing protected areas, we encourage the Commission to take a good look at Yukon mining legislation and how it relates to sustainable development throughout the Dawson planning region. Again, there is excellent precedent in the Peel Plan, which calls for higher environmental standards to apply throughout the Peel Watershed, including the Integrated Management Areas that allow for industrial development.

We encourage the Commission to compare Yukon mining legislation to mining legislation in other parts of Canada. How does the mining regime in other jurisdictions address issues like staking, access, reclamation, royalties and security? How should these issues be addressed in the Dawson region going forward? What are your recommendations with respect to modernizing legislation and policies that presently govern mining in this region?

We hope the Commission takes an ambitious approach to developing your recommendation for a Dawson Regional Land Use Plan - that looks well beyond the status quo and charts a bold course for land use in the future. In particular, we ask the Commission to protect, promote and prioritize existing, historic and new trails.

We would be happy to engage in further dialog. Thanks for considering our views.

Godspeed,



Cathie Findlay-Brook
President, KATTS

⁵ Mandatory Land Use Regulations were introduced in 1999, but the priority land use rights associated with owning a mining claim remain unchanged.

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Re: Draft Resource Assessment Report - information on Salmon Habitat

Thank you for the opportunity to provide comment. Please note that these are personal comments. I am a member of the Yukon Salmon Sub-Committee but my views do not necessarily reflect those held by the YSSC.

As introduction, I was the DFO Habitat Management person in the Yukon from 1983 to 1997. I conducted fish habitat field surveys and regulatory actions on many of the streams in your Planning Region. Most were to determine summer feeding (rearing) and overwintering by juvenile Chinook Salmon. Rearing juvenile Chinook Salmon were a focus due to a 1984 British Columbian court case that stipulated that fish had to contribute to a fishery for the habitat provisions of the Fisheries Act to apply to them. Salmon supported a number of fisheries in Canada and Alaska. Most of the Yukon's fresh water fish did not support fisheries. My focus was therefore on juvenile Chinook Salmon as they were numerous, widely distributed and easy to capture. The classification reports I generated were submitted to the Placer Implementation Review Committee or, later, to the Yukon Placer Committee. The IRC or YPC then classified the streams on the basis of actual field data.

I moved to a non-regulatory position in the DFO Salmon Enhancement Program and continued to be active in salmon restoration in your Planning Region. I did so for the remainder of my government career, which ended in early 2010, and continued into my retirement. Through DNA analysis I helped establish that streams such as the Klondike River and Clinton Creek were used by juvenile Chinook Salmon from populations located further up the Yukon River. As of 2014 we identified juvenile Chinook from the Yukon Mid – Mainstem (Selwyn R. to Teslin R.), Mayo R., Jennings R., Teslin R., Big Salmon R., Little Salmon R., Hoole R., Nordenskiold R., Kalzas R., Tincup Cr., and Whitehorse as being present. It is likely that more sampling would have resulted in additional populations being represented. The juvenile salmon rearing and overwintering in tributaries along the Yukon- and Stewart Rivers in your Planning Region are therefore important to Chinook Salmon throughout the upper Yukon River Basin.

With respect, the "Salmon Habitat – Dawson Planning Region" in Map 20 is more properly a Placer Classification map. It is the result of an accommodation between various parties, including Fisheries and Oceans, Yukon Government departments, the Klondike Placer Miners Association and perhaps others. Your Draft Resource Assessment Report acknowledges this by stating that the authorizations granted by DFO were to a specific (placer) industry. When the Placer Classification maps were being prepared I asked if there was an intent to use them for other purposes, such as non-placer planning and project review. I was told that they were for the Placer industry only.

The Placer industry management process appears, generally, to have been acceptable to the industry and to government. I take no exception to the management of the Placer industry. I do have issues with the Placer Classification maps and most particularly their extension to non-placer areas. As noted, the existing Placer Classifications are shown on your DRAFT Salmon Habitat Map 20 in the Baseline Report. They are a summary of more detailed maps drawn at 1:50,000 scale. The classifications were based, generally, on rivers that are considered to support Chinook Salmon spawning or adult migration. Other factors seem to have been used but I am not in a position to describe them. Non-spawning tributaries are classified by a computer program that apparently calculates the distance from the migration/spawning river and the gradient of the tributary. The gradient is – or was – calculated from topographical maps. Some of the topographical maps were a little dodgy, as at least a few were drawn from airphotos taken half a century earlier. There are a number of issues with the maps:

1. The Placer Classification process was meant for the Placer industry but was geographically extended far beyond the area where Placer mining was likely to occur. Issues such as the classifications being based on maps with contours that did not match up with adjacent map sheets were probably quickly found in the Gold Fields and corrected. Those beyond the Gold Fields are unlikely to have been corrected and may give false information to the Planning Commission and future users;
2. The Placer Classification maps had- and probably still have some significant errors. As an example, the maps were implemented in 2007. In 2009 I found that the North Klondike River had been inaccurately classified to follow the Klondike Ditch from the dyke downstream to the old hydro plant. The Placer Classification map showed salmon to be spawning in the Klondike ditch, down the spillway, and in the tailrace channel. The existing North Klondike River was not shown on the Placer Classification map. I brought it to the attention of DFO and that particular map was corrected;
3. High(er) quality salmon habitats are being classified for channels that did not exist or for channels that may exist but do not support salmon. Good examples of this are found along the North Klondike Highway south of Dawson from Alki- to Too Much Gold Creeks. Creeks flow from valleys located on the south side of the highway. The creeks go underground or into swamps in the Klondike valley. They do not flow through defined channels into the Klondike River. Despite this, the streams were classified as moderate-high salmon habitat under the existing Placer Classification process. The streams may have some intrinsic value for some biological resource, but it is not related to salmon usage or habitat. They also appear to have some value to Placer miners, who maybe unfairly penalized by inaccurate classifications. Of note, this is not confined to this small area but (seems to) occur throughout the Planning Region;
4. The Placer Classification maps significantly overestimate the total amount of habitat available to juvenile Chinook Salmon. This could result in future regulators not affording important juvenile Chinook Salmon habitat the protection it deserves. If a habitat base seems to far exceed the needs of the salmon that use it, it becomes easy to fritter it away;
5. And finally, the classification process appears to have ignored much of the field data collection and reports that preceded it. As I noted above, a considerable amount of work was conducted by myself and others in the Klondike Gold Fields in the 1980s and 1990s. It is not reflected in the existing Placer Classification maps.

I would suggest that the Placer Classification Maps not be used as a salmon distribution map or as an indication of salmon habitat productivity. It works – for the majority of the Placer industry and for the regulatory agencies – for the purpose it was designed and in the area of placer mining. It does not work for salmon. An alternate map could be developed showing the distribution of spawning Chinook Salmon

in the Planning Region – the information is available, but you would have to plot it into a map. Please contact me if you want to develop it, I can provide the information at no cost. Please contact me if I can be of any assistance.

On another matter, the text of the Resource Restoration Report provides very little mention of the significant amount of salmon (or other fish) related work that has been conducted in the Planning Region. The work extends back to before 1900. It includes the Dempster Lateral Pipeline studies. Reports from the citizen conducted salmon enumeration, restoration and habitat management projects in the Chandindu and Klondike River in the 1980s and 1990s exist. Most are easily accessed from the Yukon River Panel website. The reports include the exceptional efforts of local Dawson residents, in particular Jake Duncan, Jonathon Howe, Sebastian Jones, and David Curtis. Many of the projects were done with the assistance of Dr. Mike Bradford, DFO Research Scientist. The reports of the DRRRC Stream Stewardship Program conducted under the supervision of Hans Algottson are also available there, as is the current work of TH salmon restoration and management. Overall, there are more than 100 reports that may be accessed on salmon in the planning region.

Again, thank you for the opportunity to comment.

Yours truly,



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