

ttt:

Jebbie Nagano, Chair

Tim Sellars, Senior Land Use Planner

Dawson Regional Planning Commission,

#201 - 307 Jarvis St

Whitehorse, Yukon Y1A 2H3

email: dawson@planyukon.ca

September, 2021

As Northerners have been asked for their input on the draft Dawson Land Use Plan, we as a Yukon placer mining family are writing to express our concerns that some parts of the draft could negatively affect not just us, but all Yukoners in the future.

It must have been very difficult to come up with the Draft, and try to balance this complex region and its different interest groups. It is a very good attempt, but there are some things that we feel should be corrected.

Our immediate concern is that outside interest groups such as multinational chemical and oil companies are funding organizations that are pushing to remove very large percentages of Yukon land from any chance of economic development. Their intent is to create symbolic areas of protection and control our natural resources.

This effort is just a continuation of outsiders determining what is best for northerners. Their legacy is long: damaging the fur trade, residential schools, stopping the MacKenzie Valley pipeline, etc - and now anti-mining land grabs.

These pressure groups could instead support responsible, modern development, and use science to co-operate with both industry and the traditional knowledge of First Nations to create a sustainable future.

This should be a "Land Use Plan", not a "Land Withdrawal Plan".

Land Use planning must choose a balanced way forward.

Currently, instead of a robust traditional economy, the Yukon relies on government money transfers. Present levels of federal transfer payments are not sustainable for much longer. Yukoners must prepare by having a self-sufficient wealth generating economy in the future. The federal national debt is 1.2 trillion dollars. (At one dollar per second, that equals 38,000 years. Think for a moment of all the seconds that pass in just one person's lifetime. Now think of how many generations have lived in 37,900 years!)

The Dawson area could remain the backbone of the Yukon economy for generations to come. What if the whole area were to be designated a special economic zone that allows existing legislation (such as YESAA) to let Yukoners protect and determine their own strong future?

The people who have lived on this land for many thousands of years, and looked after it successfully as stewards of nature, must have a strong voice in any future development. If large percentages of the Yukon are "protected", will even the First Nations have to fight southern outsiders in court to allow development such as a camp, a tourist lodge, a sawmill, or a mine that they might want in the future?

The First Nations must be allowed to participate in the development of the tremendous wealth that the region holds - for example, First Nation mining corporations. There are many First Nation elders who have practical mining experience who could be appointed to advisory boards that oversee development in sensitive areas such as wetlands. They could blend their traditional knowledge in respecting nature with their industry experience.

In our particular case, our future access to our family mine is threatened by Area 22 being classified as "Scottie Creek Wetlands".

We live and work at a very remote fly-in only placer mine many kilometers north of, and at a much higher elevation than, any wetlands, yet our claims are planned to be called part of the "Scottie Creek Wetlands". Southern interest groups would like an entire watershed declared "Wetlands" and protected. This means that the summits of mountains will be "protected" because they are "wetlands". Does this mean that the summit of Grey Mountain in Whitehorse will also be declared "wetland" because there are wetlands in McIntyre Creek? Of course not. It is absurd, and an outsider way of symbolic thinking. They do not know or care that the strict standards already imposed on modern mines do not allow distant wetlands to be threatened. We are the only operating mine in the area, and our creeks are so small, a lot of the time they would equal a small Honda pump discharge.

If the "Scottie Creek Wetlands" designation is allowed to continue for the whole of Area 22 in the Land Use Plan, it will become impossible for us to renew our Land Use permit to again construct a one lane compacted snow road that we have to make every few years for two weeks in February or March to move heavy equipment. This tote trail is also necessary to remain in compliance with our other mining land use and water permits.

We share this trail to our home with White River First Nation trappers and Canadian Ranger sovereignty patrols from Dawson and Beaver Creek, who also need access to this very remote region. The trail is strictly inspected during and after use, and our last Final Land Use inspection reports that the trail was left in pristine condition. It does no harm to the frozen swamp grass that grows waist high. But after using this trail since the 1970's, will we be able to continue to renew our permits if the area becomes just another symbolic sacrifice to the outsiders?

It is important to note that the draft plan states that there are no trails in the area.

The draft plan also incorrectly states that there is "minimal existing mineral tenure in complex with low prospects". This is obviously incorrect. The Moosehorn Range has been a major Yukon placer gold producer since the 1970s, without any resulting impact on wetlands.

Please also find enclosed with this submission a copy of the location of our winter access route, a copy of our last inspection report for the trail, and a portion of the government issued "Tote Trail map of the Yukon" showing our trail clearly marked north of Beaver Creek.

Also enclosed is the Draft map of Area 22, which shows our mountaintop claims and White River First Nation land on a ridgetop designated as "wetlands". The watershed boundaries are also not accurate. We ask that the whole of Area 22 not be labelled incorrectly as "wetland" to avoid misrepresentation. We also ask that our winter access tote trail be recognized.

Land Use decisions should not be able to be driven by people with no understanding of the economy or land. Some of these environmental groups are like packs of wolves that constantly try to pull moose and caribou down. If they are too successful, the moose and caribou disappear, and then the wolves also starve.

Thank-you for reviewing our concerns.

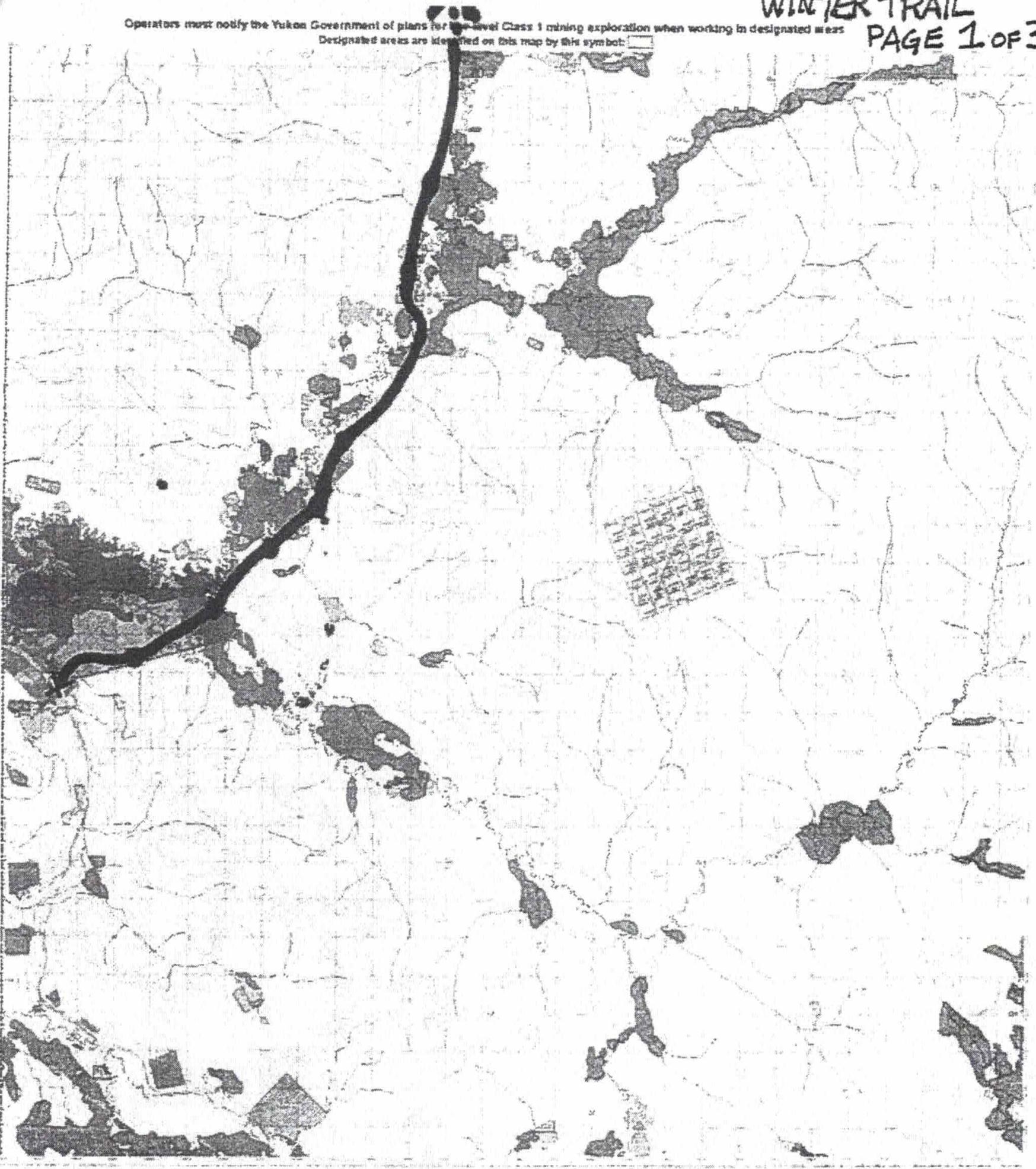
The Warrick family,  
Moosehorn Exploration Ltd.

[REDACTED]

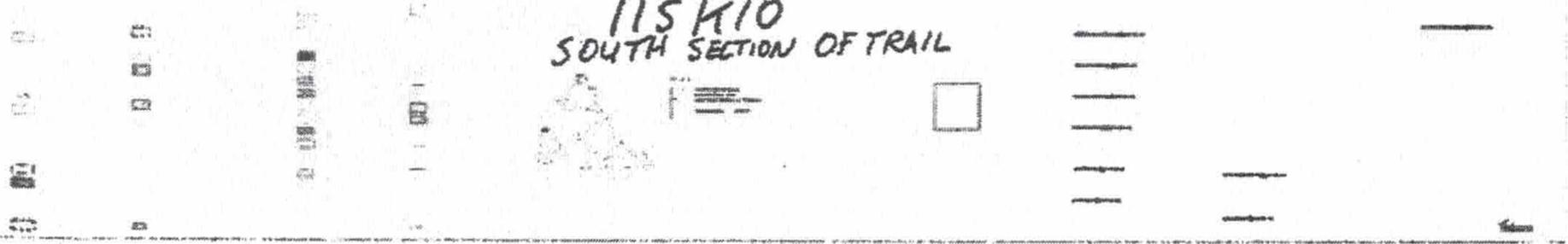
Operators must notify the Yukon Government of plans for low-level Class 1 mining exploration when working in designated areas  
Designated areas are identified on this map by this symbol: 

ALASKA

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ASKA  
HWAY



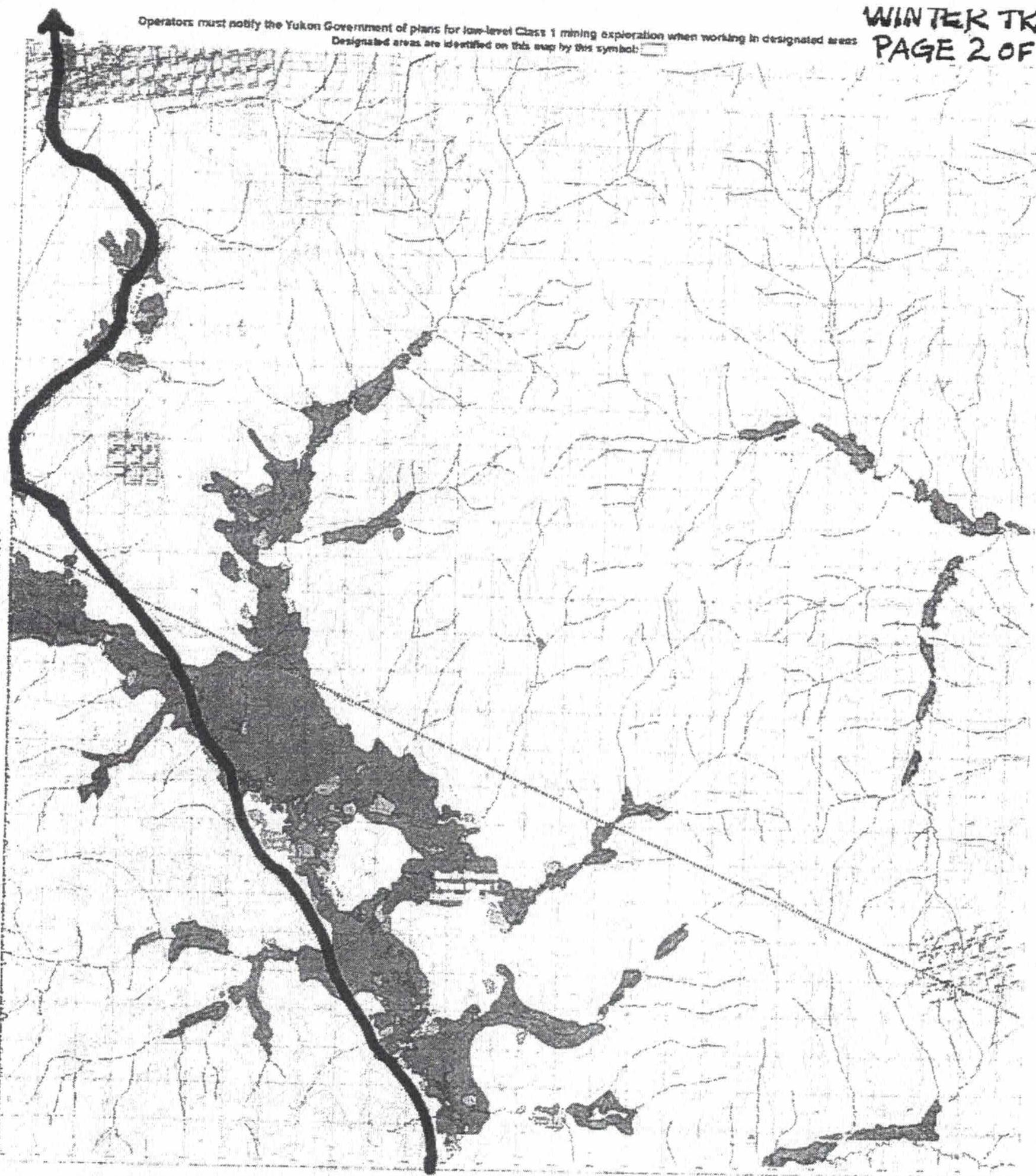
115 K10  
SOUTH SECTION OF TRAIL



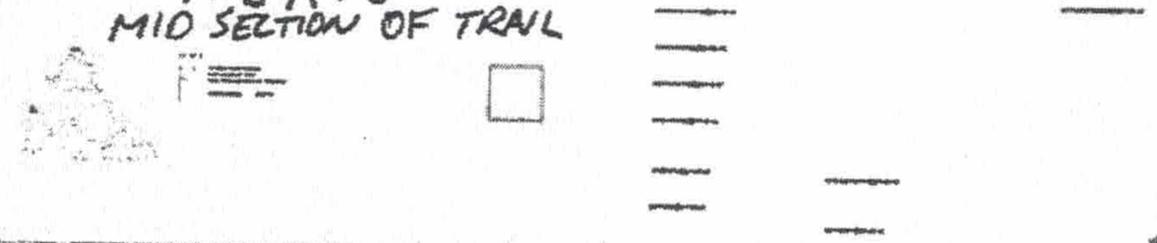
 DENOTES WINTER TRAIL FROM ALASKA HIGHWAY TO MOOSEHORN RANGE, USED FOR SEVERAL WEEKS PER YEAR MARCH/APRIL'S SINCE MID 1970'S

Operators must notify the Yukon Government of plans for low-level Class 1 mining exploration when working in designated areas  
Designated areas are identified on this map by this symbol: 

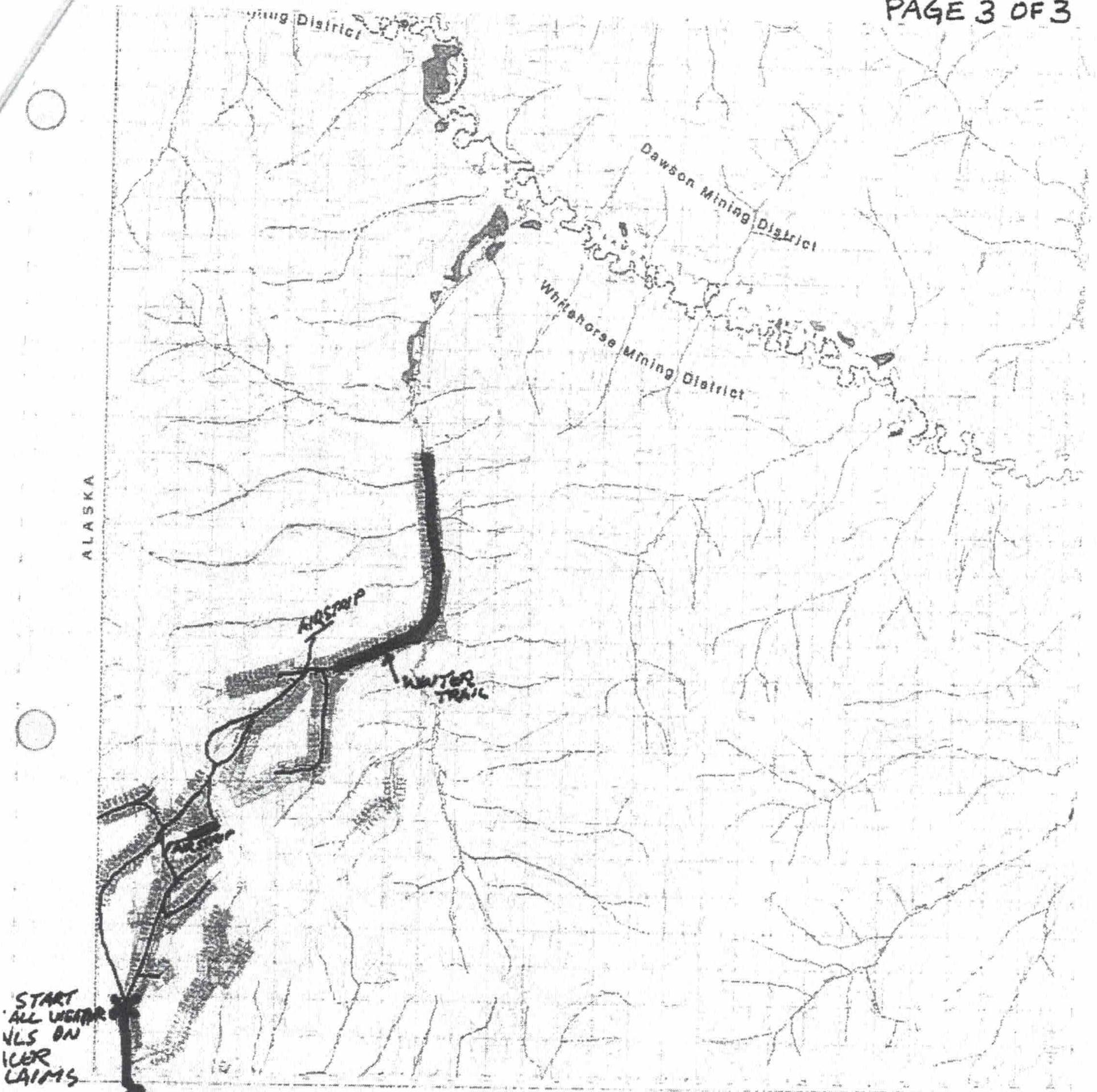
ALASKA



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 DENOTES WINTER TRAIL FROM ALASKA HIGHWAY TO MOOSEHORN RANGE. USED FOR SEVERAL WEEKS A YEAR - MARCH/APRIL SINCE MID 1970'S



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NORTH SECTION OF TRAIL

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— DENOTES WINTER TRAIL FROM ALASKA HIGHWAY TO MOOSEHORN RANGE, USED FOR SEVERAL WEEKS PER YEAR, MARCH/APRIL SINCE MID 1970'S

— ALL WEATHER TRAILS ON MOOSEHORN PLACER CLAIMS



Energy, Mines and Resources  
Énergie, Mines et Ressources

LAND USE INSPECTION REPORT  
RAPPORT D'INSPECTION DE L'UTILISATION DES TERRES

Permittee (complete name and address) • Titulaire du permis (nom et adresse complets)  
Moosehorn Exploration

407-108 Elliott St Whitehorse Yukon Y1A 6C4 Date • Date 11-Sep-2019

Land Use Permit No. • N° de permis d'utilisation des terres 2016-F719  
Quarrying Permit No. • N° de permis d'exploitation d'une carrière

Permit Start Date • Date d'entrée en vigueur du permis 30-Nov-2016  
Permit Start Date • Date d'entrée en vigueur du permis

Permit Expiry Date • Date d'expiration du permis 01-Jan-2019  
Permit Expiry Date • Date d'expiration du permis

Permit Location • Location du Permis  
Alaska Hwy Norht of Beaver Creek to Moosehorn Range  
Inspector Name:  
Owen MacKinnon

**Previous Inspection Dates • Dates des inspections précédentes**  
Pre-inspection • Inspection préliminaire 23-Nov-2016  
Initial • Premièr 05-Apr-2017  
Last Previous • Avant-dernière 05-Apr-2017  
Final • Dernière 11-Sep-2019

Contractor • Entrepreneur  
Location(s) Inspected • Emplacement(s) Inspecté(s)  
Entire Road

Security deposit • Dépôt de garantie  
Yes • Oui  No • Non  
Area Used • Superficie utilisée ~85km<sup>2</sup> •ha (hectares)  
Current Stage of Operation • Étape actuelle de l'exploitation  
End of Operation

Program modifications approved (see remarks) • Programme de modifications approuvé (voir les remarques)

**Condition of Operation • Conditions d'exploitation > A-Acceptable • Acceptable U-Unacceptable • Inacceptable N/A - Not Applicable • Sans objet**

Operating Conditions • Conditions d'exploitation		Aspect Inspected • Aspects inspectés	
		Winter Road	
3.0	Plans Plans	A	
4.0	Notices Reports Avis et rapports	A	
5.0	Display Permit Instruct Employees Affichage du permis et des consignes aux employés	N/A	
6.0	Equipment Équipement	A	
7.0	Petroleum Pétrole	A	
8.0	Explosives Explosifs	N/A	
9.0	Wildlife and Fisheries Habitat Faune terrestre et aquatique	A	
10.0	Travel Restrictions Restrictions concernant les déplacements	A	
11.0	Lines, Trails, R.O.W.'s Lignes, sentiers et droits de passage	A	
12.0	Forest Fire Prevention Prévention des incendies de forêt	A	
13.0	Disposal - Brush and Trees Prévention des incendies de forêt	A	
14.0	Disposal - Garbage and Solid Waste Élimination : ordures et déchets solides	A	
15.0	Disposal - Sewage and Liquid Waste Élimination : eaux usées et déchets liquides	A	
16.0	Disposal - Chemicals and Toxic Waste Élimination : produits chimiques et déchets toxiques	A	
17.0	Streams Ruisseaux	A	
18.0	Erosion Control / Prevention Contrôle et prévention de l'érosion	A	
19.0	Restoration Restauration	A	
20.0	Other Matters Autres points d'importance	A	

**Explanation and Remarks (include comments on the other permit conditions, as necessary)**  
**Explications et remarques (indiquez, au besoin, tout commentaire sur toute autre condition du permis)**

**Corrective Action Date**  
**Date visant les mesures correctives**



Energy, Mines and Resources  
Énergie, Mines et Ressources

LAND USE INSPECTION REPORT PART  
RAPPORT D'INSPECTION DE L'UTILISATION DES TERRES PARTIE

Note : This Form is to be used as necessary in conjunction with the Land Use Inspection Report (YG5029)  
Nota : Ce formulaire peut, au besoin, être utilisé conjointement avec Le Rapport d'inspection de l'utilisation des terres (YG5029).

Land Use Permit No. • N° de permis d'utilisation des terres

2016-F719

Quarrying Permit No. • N° de permis d'exploitation d'une carrière

Date • Date

11-Sep-2019

Explanation and Remarks (Continued)  
Explications et remarques (suite)

Corrective Action Date  
Date visant les mesures correctives

COMMENTS:

The final road bed condition appeared satisfactory for the entire length of this road. All creek crossings were noted to be in pristine condition. There were no concerns noted at the time of inspection and file closure is recommended.

Representative's Title - Titre du représentant

Date - Date

Area • Région

Inspector's Signature • Signature de l'inspecteur

*Owen Macdonald*

Date • Date

Oct. 10, 2019

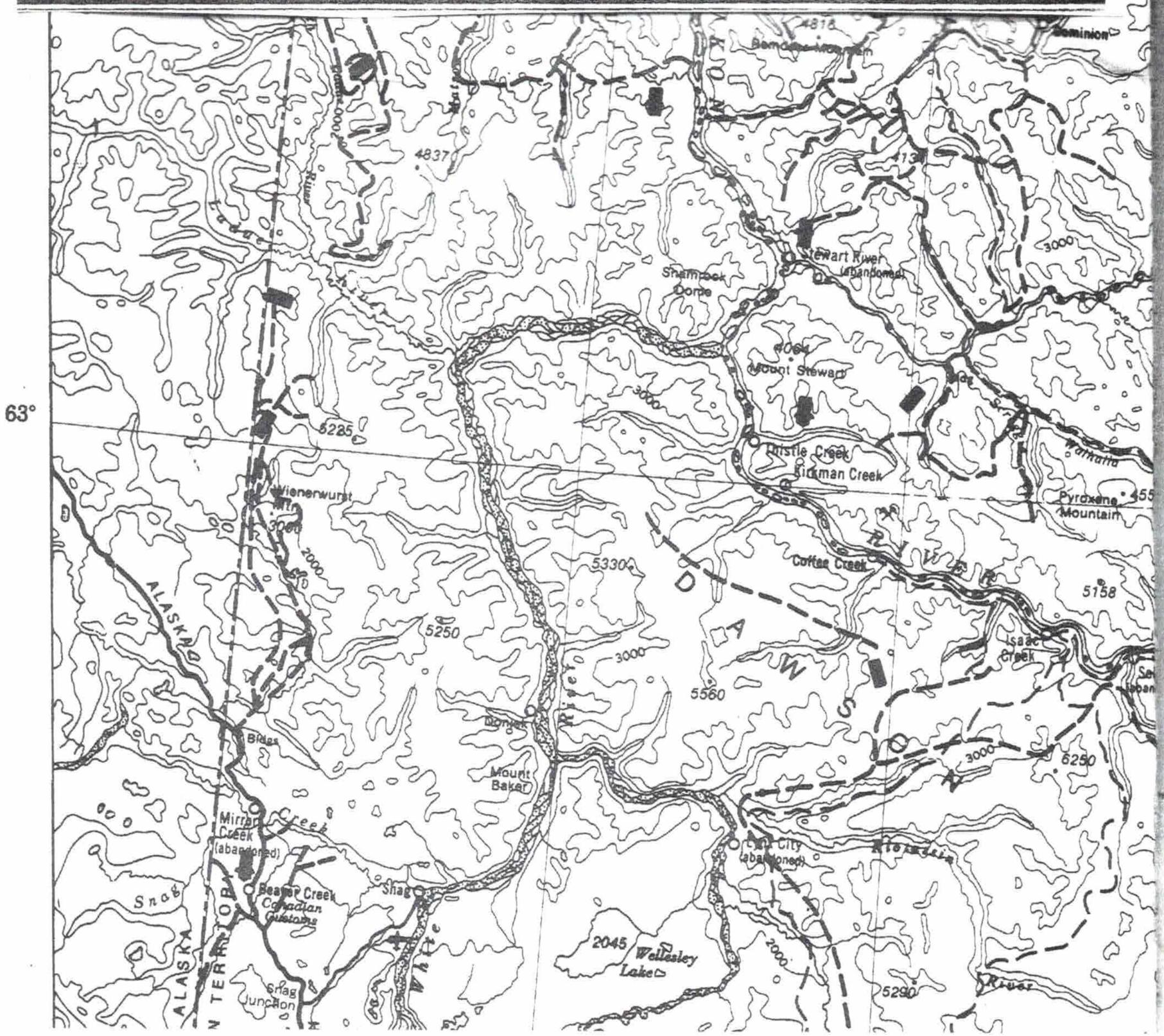
The personal information requested on this form is collected under the authority of and used for the purpose of administering the Land Use Regulations. Questions about the collection and use of this information can be directed to the Manager, Land Use, Department of Energy, Mines and Resources, Yukon Government, Box 2703, Whitehorse, Yukon Territory, Y1A 2C6 (867) 667-3173.

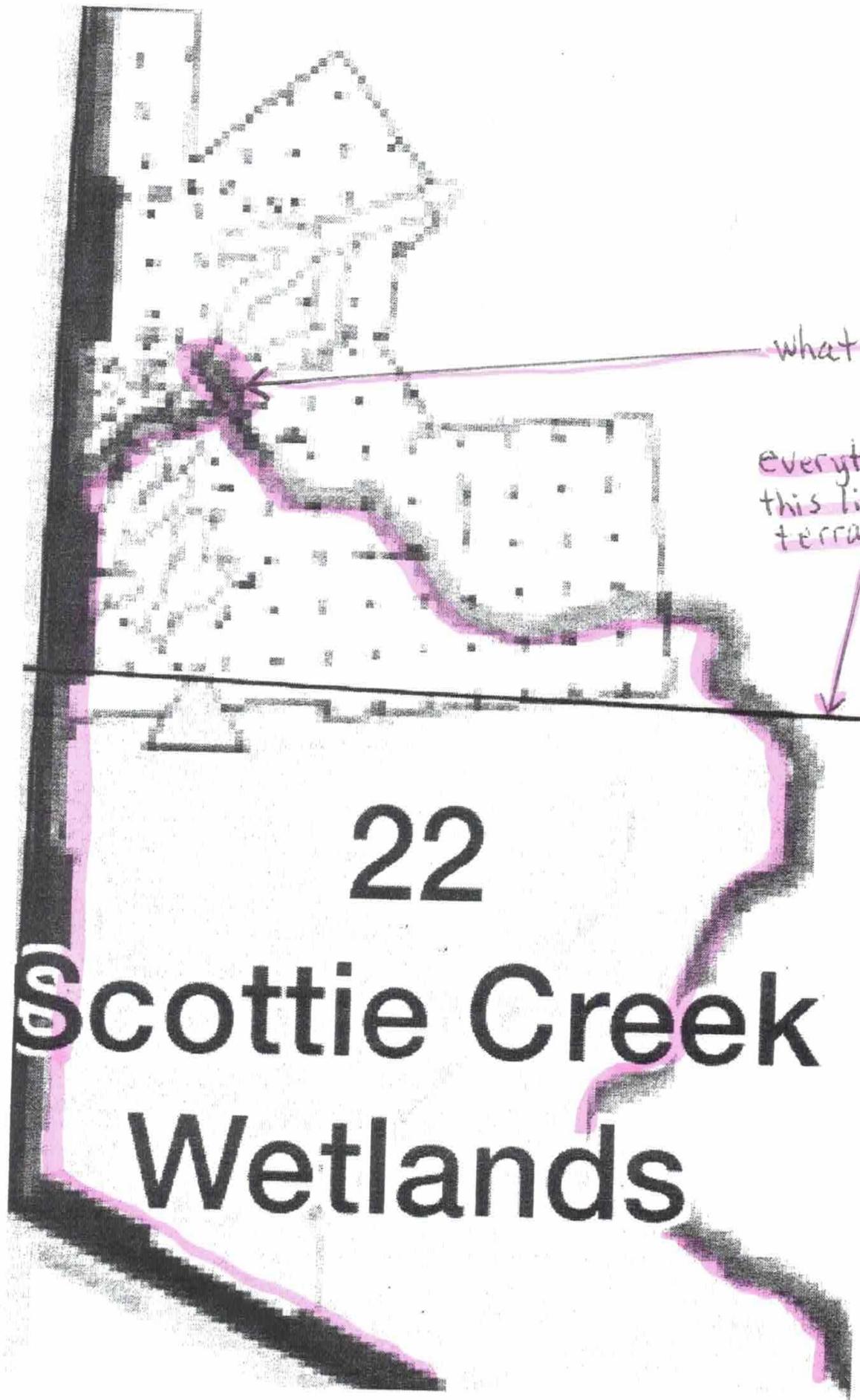
Les renseignements personnels fournis dans les présentes sont recueillis en application du Règlement sur l'utilisation des terres exclusivement aux fins de son administration. Veuillez adresser toute demande concernant la collecte ou l'utilisation de ces renseignements à l'agent des terres, ministère de l'Énergie, des Mines et des Ressources, Direction des forêts, C.P. 2703, Whitehorse (Yukon), Y1A 2C6, (867) 667-3173

**SOURCE MATERIAL :**

**Department of Indian Affairs and Northern Development  
Land Resources Section  
Land Use mapping- Historical Series  
1985 edition Tote Trail map**

**Government of Yukon  
Community and Transportation Services  
Transportation and Engineering Branch  
YTG Resource Transportation Access Program**





what is this?

everything north of this line is mountainous terrain, not wetland

22

# Scottie Creek Wetlands

2021 Dawson Draft Plan Engagement Submission

Type: In person Ref 003

From: "a miner"

Date: October 2021

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My problem with the wetland survey is that there is a built in assumption that if you care about wetlands and the environment you will protect it all from change and you will only accept change if you do not care. I resent that assumption

*\*note – emailed to Charlotte by Nicole on Monday Oct 18 2021*

Ralph Nordling – 5<sup>th</sup> October 2021

Type: In person (DRPC OFFICE) ref 004

From: Ralph Nordling

Date: Oct 5 2021

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- Came in to ask some questions about why certain areas were protected
- Believes that Matson Uplands and Upper Indian River were to prevent future mining / shut down existing operations
  - Matson Uplands has a huge Uranium ore deposit
  - Upper Indian River area has some of the most productive gold areas in the region – like a new Gold Rush
- Concerned that term ‘wetlands’ isn’t properly defined, in the Spring entire areas can be under water which means the entire East area is considered a wetland
- When it comes to Caribou, they aren’t bothered by mining. This summer they were around for 3 days and then moved on, what really affects them is hunting. Recommends that we shut down hunting in their migration routes

2021 Dawson Draft Plan Engagement Submission

Type: Email (*between Tim S and Shawn July 19 2021*) ref: 005

From: Shawn Ryan

Date: July 19 2021

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Hello Tim

Nice meeting you on Zoom

I was thinking more about the question of what's is so special about a frozen swamp.

I can't really think of anything myself other than the moose used it the rut in the fall, I see some trees that are all scrape up and its a prime spot for them to fight.

But I thought you should be directly asking all the other interest groups the same question to see what kind of answer you might get.

I did this for the Tombstone mining land use many years ago (late 1990's), then the question was "Do you know of anyone that's ever been to the Horn Claims or in that specific valley" interesting enough I posed to all the interveners and not one person had ever been to the area.

I kind of think the frozen swamp might turn up the same. "What's so Special in a Frozen Swamp"

I think the bigger question should be if a economic placer deposit was found under the frozen swamp should we allow with proper reclamation a placer miner to mine the ground, given that we all understand that we can't bring it back to a frozen unproductive peat swamp but we should be able to make potential a better habitat for other wildlife such as beavers, waterfowl, moose habitat etc.

I have been actively involved in researching placer ground and I always though that if I could find placer ground in some of these big wide valleys that I could avoid the creeks altogether , zero discharge and all should be good, but these big valleys hold frozen peat swamps?

one thing to note that some of my valleys are 300-400 meter wide but gold is only under 50-75 meters , in such a case the rest of the frozen valley would be left intact.

If I can be of any assistance from new exploration technique to how i select the ground that I did I would be glad to discuss or present

Cheers and thanks again

The prospector

Shawn

Type: Website (engage dawson) ref 006

From: Anne Mease

Date: Aug 26 2021

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**Name:** Anne Mease

**Message:** Land(scape) Management Area/Unit:

“A land use designation system used to guide the management of land use activities within different LMUs” (North Slope Draft Plan:18)

“An observable land unit that has identifiable and repeating patterns of landforms and vegetation (i.e., a landscape) and that forms a logical land management unit for regional planning. In this Plan, LMUs form the primary land management units to which land-use designation categories or zones are applied. LMU borders are usually drawn around rivers, roads, existing SMAs, or other identifiable features” (Peel Watershed Regional Land Use Plan, 2019: 144)

Commissioners should remain consistent in their terminology throughout all LUP in the Yukon. It was said that they were trying to ‘be better’ from the previous two land use plans (North Slope and Peel Watershed), however, trying to improve on terminology here is confusing and conflicting with the Final Agreements.

Special Management Area: As mandated through the Yukon Final Agreements, “Chapter 10 is to recognize and maintain important features of the Yukon's natural and cultural environment for the benefit of all Yukoners, while respecting the rights of Yukon First Nations.” An SMA, which was identified and imbedded at the onset of Land Claims, is a tract of land that is meant to be ‘protected’ and free from exploitation (mining), however, in this instance, the DRLUP has SMAs that are meant for development - this creates confusion and diminishes the original intent of an SMA. The draft does not say whether these SMAs will be “parks, bird sanctuaries, heritage sites, watershed protection areas, or habitat protection areas.” Accordingly, “the level of protection is defined in a management plan developed for each particular area, with management shared among the Yukon government, First Nation governments, and Renewable Resources Councils, depending on the area and jurisdiction.” (Chapter 10, Final Agreements).

Like the other two LUP, SMAs should be referred to as Integrated Management Areas/Units since its main purpose is to ensure that industry thrives on these tracts of land.

Question:

Will each SMA unit have their own management plan as per the Final Agreement or will both SMAs be lumped together into a one-size plan?

The FA states that ‘management shared among the Yukon government, First Nation governments, and Renewable Resources Councils’ - it does not say anything about sharing decision-making with industry.

Could important (all are important) wetlands be turned into Wetland Habitat Protection Areas?

Would there be a requirement to go back and make adhesions to the FA to include newly created

SMA's that were not mandated through Land Claim Agreements?

Stewardship: The draft implies that there will be development that will be monitored, however, Stewardship has a totally different meaning for First Nations - this term would also cause confusion and conflict around land development - which would be occurring on lands needing stewardship. Accordingly, "land stewardship is the conservation of your property's natural resources and features over a long period of time." I think the correct term to be used here would be 'land monitor' since they will not be conserving or protecting the lands that are under development. Using the term 'stewardship in this instance will diminish the intent of 'stewardship' when Indigenous and Protected Areas (IPCA) are created in the Yukon.

Question:

What authority/legality would the land stewards have over infractions they come upon (Ie, can they arrest or halt a project)? They cannot just be a presence on the land without having some kind of authority to enforce laws.

How do IPCAs factor into the overall land use plan, if they do?

North Yukon Regional Land Use Plan

55,568 km<sup>2</sup>

13 Land Management Areas

Integrated Management Area (I - IV) 54%

"The 'working landscape' - areas where oil and gas, mining and other land uses are allowed, subject to approved recommendations of the Plan and the YESSA review process" (NSRLUP, 2007:19).

Protected Area 33%

"Refers to legally designated land areas withdrawn from surface and subsurface rights issuance. Oil and gas, mining and other industrial land uses are not permitted. Examples include Vuntut National Park and Ni'iinlii'njik (Fishing Branch) Wilderness Preserves (NSRLUP, 2007:19)

Community Area 13%

Areas around communities or municipalities where local planning is undertaken. This would apply to the community of Old Crow" (NSRLUP, 2007:19).

Peel Watershed Land Use Plan

67,400 km<sup>2</sup>

16 Land Management Areas

Special Management Areas 55%

"A conservation area identified and established within a Traditional Territory of a Yukon First Nation under a Final Agreement. SMA's can be Yukon Parks, Habitat Protection Areas, National Parks or Wildlife Areas, or other types. The level of protection is defined in a management plan developed for each particular area, with management shared among the Yukon government, First Nation governments, and Renewable Resources Councils, depending on the area and jurisdiction (Chapter 10, Final Agreements)" (Peel Watershed Regional Land Use Plan, 2019: 148)

## 2021 Dawson Draft Plan Engagement Submission

### Wilderness Area 25% and 3%

“A land use designation designed for conservation and protection of ecological and cultural resources and wilderness character. These areas are under interim protection from industrial activities.” (Peel Watershed Regional Land Use Plan, 2019: 150)

### Integrated Management Area 17%

“ a land-use category where mineral and oil and gas disposition processes, other industrial activities, and other land uses are allowed, subject to the approved regional plan and existing legislation/regulations. This land category is also referred to as the working landscape.” (Peel Watershed Regional Land Use Plan, 2019: 142)

### Dawson Land Use Plan

39, 854 km<sup>2</sup>

23 Land Management Areas (called Landscape Management Units)

### Integrated Stewardship Areas (I - IV)

“identify areas where varying levels (1-4) of industrial and other development can occur. Land management in these areas is based on the concepts of stewardship and cumulative effects management.” (Dawson Draft Regional Land Use PPlan, 2020:8)

### Special Management Areas (SMA I and SMA II)

“are areas that need a higher conservation focus because of high cultural and ecological values. There are two SMA designations (SMA I & SMA II).” (Dawson Draft Regional Land Use PPlan, 2020:8)

### Highway Corridors

“Transportation and access are a major focus of the plan” (Dawson Draft Regional Land Use PPlan, 2020:8)



**ATAC**  
RESOURCES LTD.



# DRAFT DAWSON REGIONAL LAND PLAN COMMENTS

November 1, 2021

ATAC Resources Ltd.  
1500-409 W Hastings St.  
Vancouver, BC V6C 1T2

## EXECUTIVE SUMMARY

ATAC Resources Ltd. (ATAC) has prepared this submission in response to the Draft Dawson Regional Land Use Plan. ATAC's primary interest is in LMU 23, where its Connaught property is located. This submission provides specific comments for LMU 23 as well as general discussion of concerns and recommendations regarding the draft plan.

The general comments are structured into seven key themes, with recommendations developed for each theme. A summary of key points in each theme and the recommendations are provided below:

THEME 1: LAND AVAILABILITY & CERTAINTY	
<i>IN BRIEF</i>	
<ul style="list-style-type: none"> <li>➤ Mineral Exploration requires access to large land areas.</li> <li>➤ High mineral potential areas need to be open for exploration and development.</li> <li>➤ Over half of Yukon is currently withdrawn from staking of new mineral claims.</li> <li>➤ Industry needs clearly defined areas where we can and cannot work – the current Draft Plan does not provide the necessary certainty.</li> </ul>	
RECOMMENDATIONS	
<b>1A</b>	Refine LMU boundaries and classifications to ensure areas of high mineral potential remain available for exploration and development, unless there is a critical habitat, cultural or other conflict that cannot be mitigated.
<b>1B</b>	Remove the SMA 2 designation and classify all areas as either fully protected (SMA 1) or open for various levels of development (ISA).
<b>1C</b>	Review amount of land designated for conservation in context of the overall degree of protection in Yukon, with consideration to reducing the overall amount of SMA-designated land.

THEME 2: CUMULATIVE EFFECTS THRESHOLDS	
<i>IN BRIEF</i>	
<ul style="list-style-type: none"> <li>➤ Cumulative effects thresholds in the draft plan are very low.</li> <li>➤ Clarity needed on how disturbances will be tracked and evaluated against targets.</li> <li>➤ Several ISA-designated LMUs would allow few or no modest-sized mines with current thresholds.</li> </ul>	
RECOMMENDATIONS	
<b>2A</b>	Increase ISA Critical and Cautionary thresholds significantly (consider 5-20%) to reflect recent conservation and planning threshold research.
<b>2B</b>	Ensure all ISAs can accommodate at least one or two modest-sized quartz mines.
<b>2C</b>	Consider merging small-footprint LMUs with ISA designations together to enable critical thresholds to be spread over a broader area.
<b>2D</b>	Consider simplifying ISA designations to 3 levels of categorization (low, moderate and high development).
<b>2E</b>	Update analysis of current disturbances to reflect changes subsequent to 2014.
<b>2F</b>	Ensure current disturbance levels in ISAs are not already at or exceeding cautionary and critical thresholds – if so, thresholds should be increased to ensure future work can occur.

<b>2G</b>	Provide further detail on disturbance tracking and ensure there are mechanisms such that disturbances are no longer counted towards totals after reclamation is completed.
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### THEME 3: ACCESS

#### *IN BRIEF*

- Ground access is important for exploration and critical for development.
- Prohibitions or restrictions on ground access effectively prohibit mining and exploration.
- Shared, multi-user access provides economic and environmental benefits.
- Issues associated with roads (hunting pressure, etc.) should be addressed through targeted policy and regulations, not blanket restrictions on access.

#### RECOMMENDATIONS

<b>3A</b>	Consider outlining regional transportation corridors in areas with exploration and development activity where multi-user roads should be prioritized.
<b>3B</b>	Revise language in the plan to reflect the difference in direct impacts from construction and industrial of a road vs potential tangential impacts (i.e. over-hunting, over-fishing, etc)
<b>3C</b>	Utilize management directives to directly target issues such as harvest pressure on moose (ex. hunting restrictions) rather than tangentially addressing it through access restrictions.
<b>3D</b>	Remove language suggesting roads on ridgetops or valley bottoms can have disproportionate impacts – this is very much project-specific, and ridgetop roads often have fewer impacts.
<b>3E</b>	Remove language suggesting roads and trails can be difficult to reclaim in Yukon’s climate – successful reclamation has been conducted in many places in Yukon and regions with comparable climate.
<b>3F</b>	Remove or revise language suggesting linear disturbance is directly related to harvest pressure on moose, as policy can be put in place to prevent mis-use of roads.

### THEME 4: ENVIRONMENTAL IMPACTS OF EXPLORATION AND MINING

#### *IN BRIEF*

- Modern exploration can, and frequently is, conducted using low-impact methods.
- Reclamation and best practices can effectively minimize environmental impacts of exploration.
- Past negative legacies of mining (Faro, Mt. Nansen) are not indicative of modern projects.

#### RECOMMENDATIONS

<b>4A</b>	Revise language throughout the plan to reflect that modern exploration techniques allow for minimal disturbance for much of the exploration life cycle.
<b>4B</b>	Adopt the Rio Declaration definition of the Precautionary Principle and emphasize that precaution should not be used to avoid making decisions.
<b>4C</b>	Revise language throughout the plan to reflect that reclamation can be successfully conducted for exploration and development activities.

## THEME 5: EXISTING REGULATORY MECHANISMS

### *IN BRIEF*

- Exploration and mining projects are subject to rigorous assessment in Yukon.
- YESAB, the Water Board, and regulatory agencies provide appropriate checks on proposals.
- Project-specific evaluations allow for effective public engagement and collaborative approaches.
- Reporting structures already exist for pre- and post-season exploration activities.

### RECOMMENDATIONS

<b>5A</b>	Ensure the final plan reflects the existing regulatory environment.
<b>5B</b>	Remove the first policy recommendation under 3.5.2 as this reporting structure already exists.
<b>5C</b>	Revise the policy recommendation on conformity checks under 3.5.2 to incorporate data requirements into existing applications rather than recommend developing a separate application.
<b>5D</b>	Remove or revise the policy recommendation on traditional use impact studies to better define a) what the scope of a study would be, b) what level of activities would trigger this requirement, and c) what the key use areas are and what specific distance thresholds are a trigger.

## THEME 6: FORTY MILE CARIBOU HERD

### *IN BRIEF*

- The Fortymile Caribou herd is healthy and exhibiting significant rebound from historical population lows.
- Exploration and development have been co-existing with the herd during its recovery.
- Effective mitigation and adaptive management approaches exist that can minimize impacts to caribou while allowing development.

### RECOMMENDATIONS

<b>6A</b>	Revise language in the plan regarding conflicts between caribou and mineral exploration and development to better reflect available mitigation and management strategies that can allow exploration and development to co-exist with a sustainable caribou population.
<b>6B</b>	Provide further information about the data used to determine core habitats and key migration areas.
<b>6C</b>	Remove or modify special management directions and other caribou-related restrictions regarding which conflict with ISAs and would act as barriers to exploration and development.
<b>6D</b>	Remove or modify language which suggests mineral exploration and development is responsible for causing “major issues” to the herd.
<b>6E</b>	Modify language throughout to better reflect the recovery and improved population of the herd.
<b>6F</b>	Allow exploration and development to occur in migration corridors with appropriate mitigations – recognizing that mines and caribou can co-exist, and migration routes are highly variable year-to-year.
<b>6G</b>	Add a research recommendation to investigate modern caribou mitigation and management techniques successfully used at northern mines in other jurisdictions.

## THEME 7: ECONOMIC BENEFITS OF MINERAL EXPLORATION & DEVELOPMENT

### *IN BRIEF*

- Mineral exploration provides important benefits to Yukon's economy.
- Mines provide large royalty streams in addition to employment opportunities.
- Mining is critical in fighting climate change and transitioning to green energy systems.

### RECOMMENDATIONS

<b>7A</b>	Add language to the final plan to reflect the importance of mining and critical minerals in fighting climate change.
<b>7B</b>	Improve the discussion of mining and exploration in the economic section to better reflect the multiplier effect of industry expenditures and employment in associated sectors.
<b>7C</b>	Review management directives to reduce potential for far reaching negative economic impacts in the region.

## LMU 23

### *IN BRIEF*

- Unusual shape with complex borders poses implementation challenges.
- Conflicts between ISA designation and management directions does not provide certainty.
- Areas with high mineral potential are designated ISA 1.

### RECOMMENDATIONS

<b>A</b>	Remove or modify conflicting Special Management Directions and Recommended Management Practices to allow exploration and development to proceed in this region, consistent with an ISA designation.
<b>B</b>	Consider merging the area south of the Top of the World Highway with adjacent LMUs, with higher development thresholds allowed in areas with significant mineral potential.
<b>C</b>	Remove the elevation-based designation as it will be very challenging to implement.
<b>D</b>	Emphasize use of best practices and mitigation measures to allow exploration and development to co-exist with a sustainable caribou population.
<b>E</b>	Re-classify areas of high mineral potential to ISA II or higher development thresholds.

ATAC recognizes the significant work completed by the commission in producing the draft, and we appreciate the opportunity to provide input on the draft plan. Further discussion, maps and references pertaining to the above topics can be found in the subsequent sections of this submission.

## INTRODUCTION TO ATAC AND INTERESTS IN THE DRLUP AREA

ATAC Resources Ltd. (“ATAC”) is a publicly-traded Vancouver-based junior mining company. Since 2006, ATAC has worked primarily in Yukon, with exploration expenditures in excess of \$150 million – much of which has flowed to Yukon-based companies and individuals.

ATAC’s primary projects in Yukon are it’s Rackla Gold Property, located north of Mayo, and it’s Connaught Property, located west of Dawson City and within the Dawson Regional Land Use Plan area.

### CONNAUGHT PROPERTY

The Connaught property is a 137 km<sup>2</sup> claim package that has been held by ATAC since 2006. The property has seen varying amounts of historical exploration under numerous other operators, with work dating back to 1967. This historical work has included trenching, drilling and even small-scale mining in the form of a 241 tonne bulk sample in the 1970s.

ATAC has conducted multiple work programs on the project, with work prior to this year focused on a system of 26 known silver-lead-zinc-copper-gold veins. With new information regarding the age of an intrusive host rock, focus in this year shifted to exploration for copper-molybdenum porphyry mineralization – a style of deposit with potential for significant copper reserves.

Figure 1 shows the location of the property within the Dawson plan area. Connaught lies entirely within LMU 23 as defined by the Draft Plan, with a split between ISA 1 and ISA 2 classifications. Approximately 80% lies within ISA 1 and 20% within ISA 2, as defined by the elevation split in LMU 23.

The property has an extensive network of existing public roads and trails – built by operators prior to ATAC in various phases since the 1960s. Figure 2 shows the property and the existing road network on top of the LMU zoning classification.

Despite being located within an ISA, it is unclear if advanced exploration and/or development is possible on this property due to special management directives regarding caribou and LMU 23.

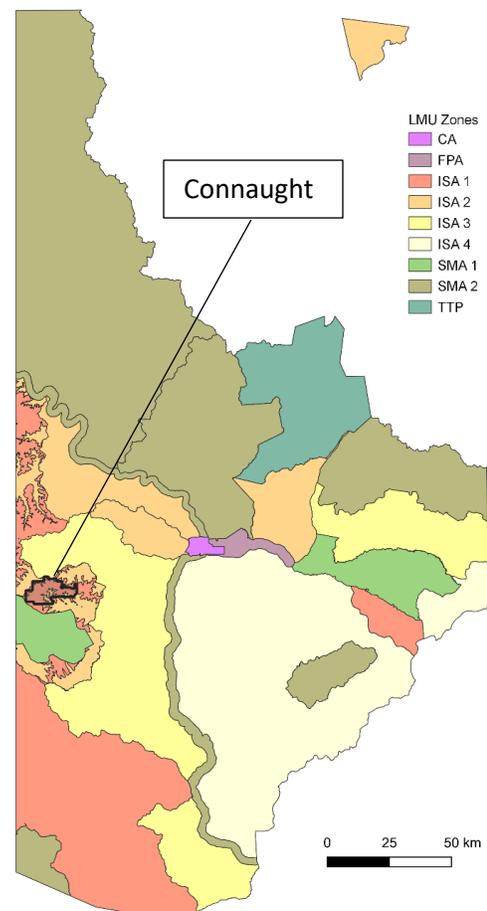


Figure 1: Connaught Property Location

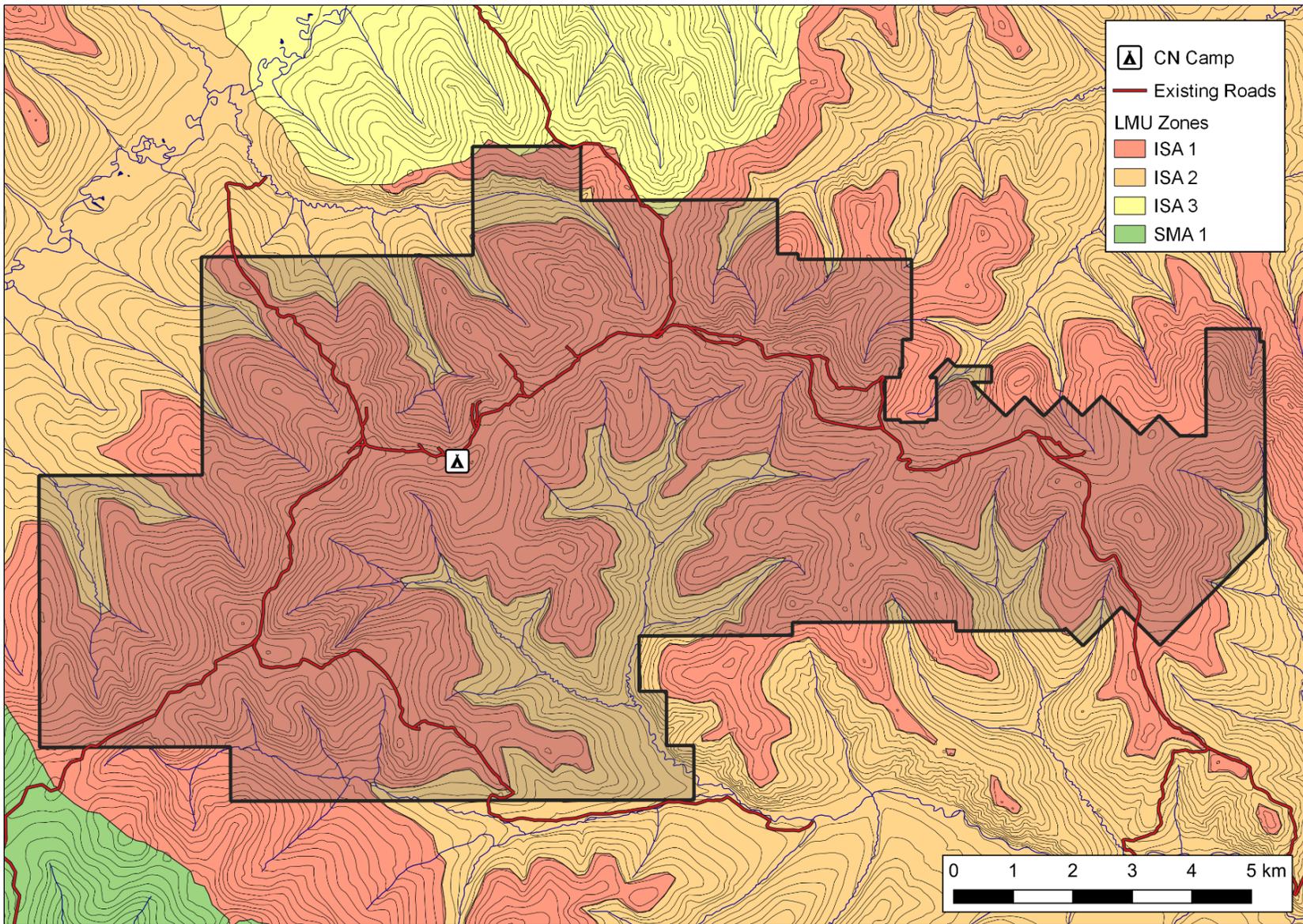


Figure 2: Connaught Property & LMUs

## GENERAL DRAFT PLAN COMMENTS – KEY THEMES

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ATAC has reviewed the Draft Plan and provides the following general comments in relation to the overall plan. Comments are organized into seven (7) themes:

1. Land Availability & Certainty
2. Cumulative Effects Thresholds
3. Access
4. Environmental Impacts of Exploration
5. Existing Regulatory Mechanisms
6. Fortymile Caribou Herd
7. Economic Benefits of Mineral Exploration & Development

### THEME 1: LAND AVAILABILITY & CERTAINTY

#### *IN BRIEF*

- Mineral Exploration requires access to large land areas.
- High mineral potential areas need to be open for exploration and development.
- Over half of Yukon is currently withdrawn from staking of new mineral claims.
- Industry needs clearly defined areas where we can and cannot work – the current Draft Plan does not provide the necessary certainty.

#### *DISCUSSION*

To be successful, mineral exploration requires large amounts of land available for exploration. It is often stated that exploration companies are betting at finding where mines *aren't* rather than finding mines themselves. This illustrates the reality of exploration – relatively few economic mineral deposits exist, and it is very hard to find them. *“It sometimes is said that it takes 500-1,000 grassroots exploration projects to identify 100 targets for advanced exploration, which in turn lead to 10 development projects, 1 of which becomes a profitable mine.”*<sup>1</sup>

Land is being withdrawn from exploration in Yukon at a concerning rate. As of the writing of this submission, **53% of the land-mass of Yukon is permanently or temporarily withdrawn** from staking<sup>2</sup>.

It is important to protect areas of environmental and cultural significance, but permanent withdrawal of large regions should be done with extreme caution due to the potential for long-term economic repercussions. Mineral potential varies dramatically across the territory, and not all areas can host strategic deposits. Of the deposits that are found, relatively few ever demonstrate the economic parameters necessary to warrant development. If mineral exploration and mining are to remain key industries in Yukon, as much land as possible must remain open for exploration, so that broad geological work can be undertaken in the hopes of finding the relatively few economic deposits likely to exist in the territory.

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<sup>1</sup> Eggert, 1010, Mineral Exploration and Development: Risk and Reward

<sup>2</sup> Calculated from the “Areas Withdrawn from Staking 50K” shapefiles available from Geomatics Yukon.

Furthermore, exploration techniques and commodities of interest are continually changing, leading to new deposits being found in locations that may previously have been thought to be barren. Even an area that has seen material exploration in the past without development of a mine should not be broadly withdrawn from future work. Projects that can provide important economic opportunities for Yukon will take multiple exploration cycles to identify, fund, and develop.

In addition to availability of open land, the mineral exploration industry also needs certainty that exploration and eventual development can occur in an area. It is impossible to attract investment if there may be future conflicts should a project proceed towards development. Therefore, it is critical that land use planning clearly delineate areas where exploration **can** and **cannot** occur. Unfortunately, the current gradational classifications of ISAs with restrictive cumulative effects thresholds – in conjunction with a complex set of special management directives – does not provide certainty.

Particularly with the low cumulative effects thresholds, companies will have difficulty making investment decisions. There may also be situations where multiple companies are working in an area, and one of them puts forth a large project proposal – leading to other companies no longer being able to incur disturbances on their own properties. It will be very challenging for companies, YESAB and regulators to monitor, plan and assess around this, and virtually impossible to explain the risk to investors.

THEME 1 RECOMMENDATIONS	
<b>1A</b>	Refine LMU boundaries and classifications to ensure areas of high mineral potential remain available for exploration and development, unless there is a critical habitat, cultural or other conflict that cannot be mitigated.
<b>1B</b>	Remove the SMA 2 designation and classify all areas as either fully protected (SMA 1) or open for various levels of development (ISA).
<b>1C</b>	Review amount of land designated for conservation in context of the overall degree of protection in Yukon, with consideration to reducing the overall amount of SMA-designated land.

## THEME 2: CUMULATIVE EFFECTS THRESHOLDS

### *IN BRIEF*

- Cumulative effects thresholds in the draft plan are very low.
- Clarity needed on how disturbances will be tracked and evaluated against targets.
- Several ISA-designated LMUs would allow few or no modest-sized mines with current thresholds.

### *DISCUSSION*

The Cumulative Effects thresholds present in the draft plan are very low and risk effectively prohibiting exploration and development in many regions designated as ISAs. The plan clearly states that “the intent of all ISAs is to enable existing and future economic activities for both surface uses and subsurface resource extraction”. However, this conflicts with low threshold values which in many cases lead to total surface disturbance limits that are less than the footprint of a modest-sized hard rock mine.

The critical thresholds in the draft plan range from 0.25% in the lowest development ISA to 5% in the highest development ISA. It’s unclear what the basis was for choosing these particular thresholds, and it would be helpful to have additional discussion in the final plan with the rationale behind these values. A review of relevant literature suggests these values are significantly lower than generally supported by research.

A detailed review of critical thresholds conducted by Swift and Hannon found that 10-30% disturbance levels were generally supported by research, but the specific threshold largely depended on the species’ the threshold was aiming to protect<sup>3</sup>. Work conducted by Environment Canada regarding critical habitat for Woodland Caribou found a threshold of 35-45% of habitat disturbance was a critical level<sup>4</sup>. Research by the Environmental Law Institute into general conservation thresholds for land use planning found recommended a target of protection of 20-50% of land<sup>5</sup>.

If the relative size of each ISA and their respective critical disturbance thresholds is totaled up, the draft plan allows for the following total<sup>6</sup> disturbance amounts:

- Precautionary Level: 82.4 km<sup>2</sup> or **0.2%**
- Cautionary level: 411.6 km<sup>2</sup> or **1.0%**
- Critical Level: 548.6 km<sup>2</sup> or **1.4%**

In total, between the SMAs and ISAs at the critical threshold level, the draft plan amounts to protection of effectively 98.6% of the Dawson region. This is significantly more protection than recommended by research and does not seem to effectively balance economic interests in the region with conservation priorities.

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<sup>3</sup> Swift TL, Hannon SJ. Critical thresholds associated with habitat loss: a review of the concepts, evidence and applications. *Biol Rev Camb Philos Soc.* 2010 Feb; 85(1):35-53

<sup>4</sup> Environment Canada, 2011. Scientific Assessment to Inform the Identification of critical Habitat for Woodland Caribou (*Rangifer tarandus caribou*), Boreal Population, in Canada: 2011 update. Ottawa, Ontario, Canada. 102 pp. plus appendices

<sup>5</sup> Environmental Law Institute

<sup>6</sup> Percentages calculated based on the total land area of the Dawson Region with LMUs 13 and 14 subtracted as they are subject to future planning.

Further analysis of the individual LMUs reveals that multiple ISA-designated areas wouldn't permit development of a single modest sized mine at the cautionary or critical levels. For purposes of this analysis, the Minto mine was calculated to have a 5 km<sup>2</sup> footprint, Victoria Gold a 7 km<sup>2</sup> footprint, and Casino a 28 km<sup>2</sup> footprint. These were calculated from satellite photos in the case of Minto and Victoria, and from plans submitted to YESAB for Casino. At these scales, LMUs 2, 11 and 23 (high) would not allow any mines of these size to be built without exceeding the critical thresholds. LMUs 6, 9, 11, 5, 25, 10, and 9 would allow a Victoria or Minto-sized mine, but not a single Casino-sized mine. Only LMUs 8, 12, and 17 would permit a Casino-sized mine within the thresholds.

Figure 3 shows a visual depiction of the planning region, the allowable disturbance areas within each LMU, and the footprint of the three aforementioned mines. This figure helps demonstrate how small LMUs such as 2, 6, 9, 15, 16 and 23 have relatively small areas available for disturbance – despite higher thresholds. Subdivision of LMUs into small areas makes the thresholds more sensitive to a single disturbance of size within each region. This has a disproportionate effect on mines, which by definition tend to have larger but focused disturbance footprints.

One method to address this would be to combine adjacent LMUs of the same ISA level. This would simplify the overall plan and would better accommodate a large mine, should one be proposed, while still maintaining the same overall disturbance threshold in the planning region.

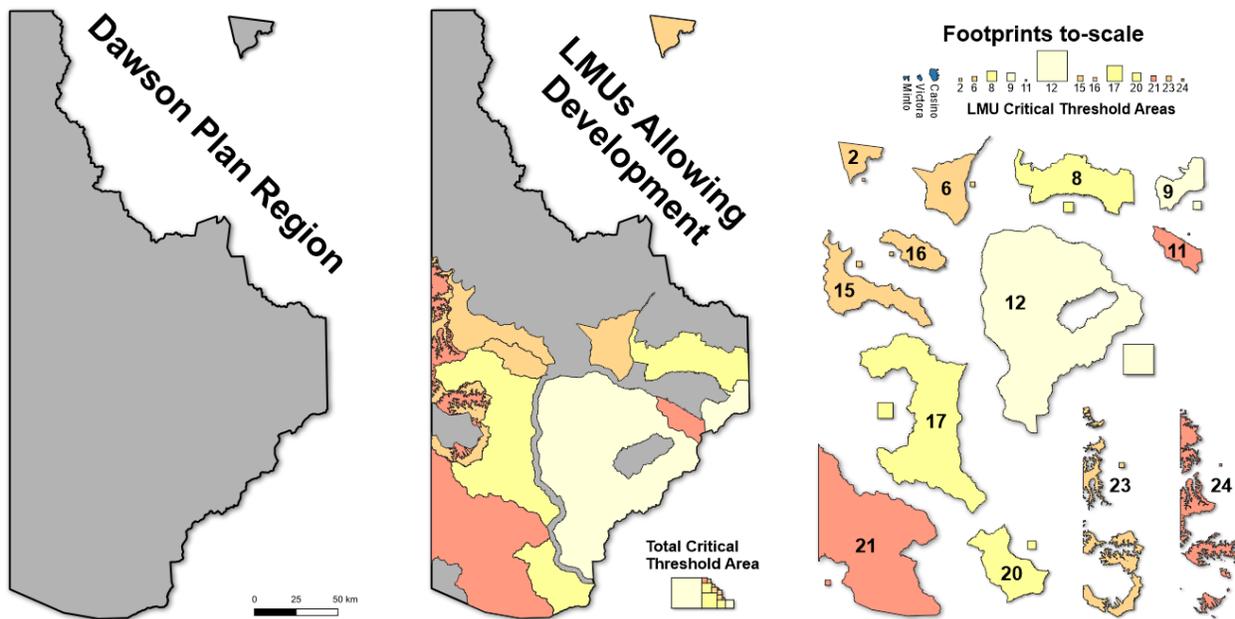


Figure 3: LMU Thresholds & Mine Footprints

THEME 2 RECOMMENDATIONS	
<b>2A</b>	Increase ISA Critical and Cautionary thresholds significantly (consider 5-20%) to reflect recent conservation and planning threshold research.
<b>2B</b>	Ensure all ISAs can accommodate at least one or two modest-sized quartz mines.
<b>2C</b>	Consider merging small-footprint LMUs with ISA designations together to enable critical thresholds to be spread over a broader area.
<b>2D</b>	Consider simplifying ISA designations to 3 levels of categorization (low, moderate and high development).
<b>2E</b>	Update analysis of current disturbances to reflect changes subsequent to 2014.
<b>2F</b>	Ensure current disturbance levels in ISAs are not already at or exceeding cautionary and critical thresholds – if so, thresholds should be increased to ensure future work can occur.
<b>2G</b>	Provide further detail on disturbance tracking and ensure there are mechanisms such that disturbances are no longer counted towards totals after reclamation is completed.

## THEME 3: ACCESS

### *IN BRIEF*

- Ground access is important for exploration and critical for development.
- Prohibitions or restrictions on ground access effectively prohibit mining and exploration.
- Shared, multi-user access provides economic and environmental benefits.
- Issues associated with roads (hunting pressure, etc.) should be addressed through targeted policy and regulations, not blanket restrictions on access.

### *DISCUSSION*

Access is a critical driver for mineral exploration, both in terms of early-stage access for exploration activities, as well as certainty that access can be expanded as appropriate should a project proceed to development. Early stages of exploration generally rely on either existing ground access or air support. Once an initial target is confirmed, the access requirements begin to increase. In remote areas where there are no existing road networks, construction of an on-site airstrip is often one of the first steps. This provides a significant improvement over helicopter supported activities, while avoiding initial costs from construction of a road or trail network.

Once a project reaches the feasibility stage, it becomes progressively more prohibitive to conduct activities solely via air support. Larger drilling equipment is often needed, and bulk samples are typically extracted for advanced metallurgical testing. Both of these can be challenging, if not impossible, to transport by air. If a project proceeds to development, ground access will be necessary for mine construction and operation. Any restrictions on ground access will effectively prevent any development from occurring even if the land use designations allow for mining.

Multiple industries, including tourism and wilderness-driven activities, benefit from ground access in other jurisdictions. B.C. is undeniably more developed than Yukon, but it is still thought of largely as a wilderness destination despite the proliferation of ground access. New roads and trails can be constructed and operated in a responsible manner, with provisions for multi-user shared access, without compromising the wilderness and environmental values of Yukon.

The most responsible and environmentally friendly way to handle access is through shared use of common infrastructure. This can be supported by the land use planning process identifying and supporting use of common transportation corridors throughout the area. It is important to recognize that access needs to exist, while ensuring that duplication of roads and unnecessary construction is minimized.

THEME 3 RECOMMENDATIONS	
<b>3A</b>	Consider outlining regional transportation corridors in areas with exploration and development activity where multi-user roads should be prioritized.
<b>3B</b>	Revise language in the plan to reflect the difference in direct impacts from construction and industrial roads vs potential tangential impacts (i.e. over-hunting, over-fishing, etc)
<b>3C</b>	Utilize management directives to directly target issues such as harvest pressure on moose (ex. hunting restrictions) rather than tangentially addressing it through access restrictions.
<b>3D</b>	Remove language suggesting roads on ridgetops or valley bottoms can have disproportionate impacts – this is very much project-specific, and ridgetop roads often have fewer impacts.

<b>3E</b>	Remove language suggesting roads and trails can be difficult to reclaim in Yukon's climate – successful reclamation has been conducted in many places in Yukon and regions with comparable climate.
<b>3F</b>	Remove or revise language suggesting linear disturbance is directly related to harvest pressure on caribou and moose, as policy can be put in place to prevent mis-use of roads.

## THEME 4: ENVIRONMENTAL IMPACTS OF EXPLORATION AND MINING

### *IN BRIEF*

- Modern exploration can, and frequently is, conducted using low-impact methods.
- Reclamation and best practices can effectively minimize environmental impacts of exploration.
- Past negative legacies of mining (Faro, Mt. Nansen) are not indicative of modern projects.

### *DISCUSSION*

Exploration and mining is regularly characterized by opponents as an environmentally negative activity. The reality, however, is that modern exploration and mining can be conducted in ways that leave a minimal environmental footprint, and reclamation best practices can restore areas relatively close to original condition. It is reasonable to believe that concerns around mining and exploration stem in part from historical failed projects such as Faro and Mt. Nansen, but these projects were constructed decades ago without the benefit of modern scientific methods and regulatory regimes.

Exploration and mining has been ongoing in the planning area for over 100 years. Grassroots exploration begins with prospecting, mapping and soil sampling. These techniques leave virtually no disturbance and allow for initial assessment of large areas. Airborne geophysical surveys are often conducted as well, with no impacts to wilderness. Once initial targets are identified, exploration often progresses to relatively more disruptive methods, such as drilling and trenching. The impacts of these activities are still minor if properly remediated. Drilling generally includes clearing and/or leveling of sites (20-50 m<sup>2</sup>) to support drill platforms. Once drilling is completed, best practices are that the collar is cemented in place and the site is re-contoured and allowed to revegetate. Trenching can be more involved, including excavation of large amounts of material, but modern progressive reclamation practices can mitigate any lasting impacts.

Conservation groups frequently point to the large size of claim blocks within the Dawson plan area. It is important to recognize that a large claim block does not necessarily pertain to a large disturbance. Especially at the early stages of exploration, the disturbances across a large area are very minimal. Claims themselves do not cause any disturbance, and do not act as barriers to wildlife in any way.

The draft plan contains a section discussing the Precautionary Principle, emphasizing that precaution is important when there is a lack of data. While this is a fairly generally accepted principle, the definition chosen by the planning committee is unusual. A more common definition to use would be that agreed to in the Rio Declaration on Environment and Development issues by the UN in 1992. This definition speaks to “not postponing cost-effective measures to prevent environmental degradation” rather than precaution towards development generally. It is critical to ensure precaution does not translate into avoiding making a decision, and modern mineral exploration and development methods need to be taken into account.

### THEME 4 RECOMMENDATIONS

<b>4A</b>	Revise language throughout the plan to reflect that modern exploration techniques allow for minimal disturbance for much of the exploration life cycle.
<b>4B</b>	Adopt the Rio Declaration definition of the Precautionary Principle and emphasize that precaution should not be used to avoid making decisions.
<b>4C</b>	Revise language throughout the plan to reflect that reclamation can be successfully conducted for exploration and development activities.

## THEME 5: EXISTING REGULATORY MECHANISMS

### *IN BRIEF*

- Exploration and mining projects are subject to rigorous assessment in Yukon.
- YESAB, the Water Board, and regulatory agencies provide appropriate checks on proposals.
- Project-specific evaluations allow for effective public engagement and collaborative approaches.
- Reporting structures already exist for pre- and post-season exploration activities.

### *DISCUSSION*

Exploration and mining projects are currently subject to substantial review and regulatory requirements. These mechanisms provide means for detailed evaluation of project-specific impacts, benefits and mitigations. Existing processes serve as appropriate means of management, versus blanket restrictions on development in any given area.

The first stage of review for all projects is a submission to YESAB, an independent agency tasked with conducting public reviews of proposed projects to evaluate potential impacts and make recommendations as to whether the project should proceed. This formalized process provides an opportunity for regulators, members of the public, and the proponent to work together in a transparent manner to evaluate a project.

Depending on the scope of a project, YESAB assessments can take the form of either a Designated Office, Executive Committee, or Panel review. This provides flexibility and ensures that projects are evaluated at an appropriate level based on the scope of proposed activities, and more fundamentally ensures the environmental and socio-economic impacts of projects are adequately considered. Depending on the proposed activities, projects may also require review by the Yukon Water Board – an additional independent public registry process and regulatory decision regarding issuance of a *Water License*.

Once a proposal completes the YESAB review process, it proceeds to regulators to make a final decision regarding allowance and any terms and conditions that might be appropriate. Depending on the scope of proposed activities, financial security may be required from a proponent before project activities can begin. Ongoing monitoring is then conducted by regulators to ensure compliance with project requirements.

Altogether, this public review and regulation process provides an effective means to ensure proposed projects will not have negative impacts that cannot be mitigated. It is critical that the Plan reflects the current robust regulatory regime and does not add additional administrative burden. Several specific references in the draft Plan are concerning.

A policy recommendation under heading 3.5.2 states that “Detailed (i.e., spatial) project proposals and year-end reporting should be mandatory for all Class 3 and 4 projects.” This is already a requirement of the mining land use regulations, and all Class 3 or 4 operators provide such reporting before and after each season of work. The final plan should recognize that this data is already collected, and instead discuss ways to better utilize this data.

A second policy recommendation under heading 3.5.2 states that “The Parties, in collaboration with the Yukon Land Use Planning Council, should work with YESAB to make Plan conformity checks more transparent. [...] A worksheet or separate application should be considered.” The application process for an advanced-stage exploration or development project is already very complicated, with multiple

separate applications for regulators, YESAB and the Water Board. Adding a further application will only add administrative burden. Instead, the planning council should work with Yukon Government and YESAB to integrate data requirements into the existing application forms.

A policy recommendation under heading 4.1.9 states that “The Parties shall implement requirements for proponents of large-scale advanced exploration and mining companies in the Dawson planning region to prepare traditional use impact studies within a certain distance of key use areas.” If this recommendation continues to the final plan it is critical that the scope of these studies be better defined, as well as clarity on what level of exploration would require them. References to “large-scale advanced exploration” are difficult to evaluate and do not provide certainty – thresholds for triggering studies need to be very clear and specific. Further information must also be provided regarding where key use areas are, and what distance would trigger a study.

A policy recommendation under heading 4.1.10 states that “The Parties shall implement requirements for proponents of large-scale advanced exploration and mining companies in the Dawson planning region to prepare gender-based socio-economic and impact assessments.” Similar to above, it is critical to define what “large-scale advanced exploration” is. Additionally, it is not clear what a study of this nature would encompass, or how a proponent would go about conducting one. Socio-economic impacts are already a core part of the YESAB assessment process, and YESAB is currently evaluating ways to better review gender-related issues within the assessment process.

THEME 5 RECOMMENDATIONS	
<b>5A</b>	Ensure the final plan reflects the existing regulatory environment.
<b>5B</b>	Remove the first policy recommendation under 3.5.2 as this reporting structure already exists.
<b>5C</b>	Revise the policy recommendation on conformity checks under 3.5.2 to incorporate data requirements into existing applications rather than recommend developing a separate application.
<b>5D</b>	Remove or revise the policy recommendation on traditional use impact studies to better define a) what the scope of a study would be, b) what level of activities would trigger this requirement, and c) what the key use areas are and what specific distance thresholds are a trigger.

## THEME 6: FORTY MILE CARIBOU HERD

### *IN BRIEF*

- The Fortymile Caribou herd is healthy and exhibiting significant rebound from historical population lows.
- Exploration and development have been co-existing with the herd during its recovery.
- Effective mitigation and adaptive management approaches exist that can minimize impacts to caribou while allowing development.

### *DISCUSSION*

The draft plan strongly emphasizes the importance of protecting the Fortymile Caribou Herd. However, there is minimal data documented in any of the planning materials around habitat, ranges or other critical factors. The Resource Assessment Report does not contain specifics – instead only showing overall herd ranges. The plan also discusses “specified ridgetops” that are “key for migration”, but does not identify these or provide rationale for their designation.

A review of recent data<sup>7</sup> shows that the Fortymile herd has experienced significant recent population recovery. Recent estimates place the herd size at roughly 84,000 animals in 2017, and there is concern that the population may actually be exceeding the carrying capacity of the land. As of last season, hunting is once again allowed<sup>8</sup>.

The recovery is largely attributed to harvest restrictions, however there have also been other measures deployed including wolf culls in Alaska. Caribou herds also tend to experience long term cycles of growth and decline related to over-abundance of animals and the carrying capability of their range<sup>9</sup>. These cycles are a natural part of caribou herds, and while human activity has certainly contributed to declines in the past, it may not be the entire cause. Particularly, the direct impacts of mining and exploration on the health of the herd appear to be minor. Exploration and mining have been co-existing during the entire rebound period, despite there being significant disturbances in areas deemed core habitat or key migration corridors. Caribou are still frequently observed in these areas, and mitigation and management strategies are in place to minimize impacts from industrial operations.

The core habitat for the Fortymile herd also lies primarily in Alaska. Research by the Alaska Department of Fish and Game suggests that the herd only periodically ranges into Yukon in any significant numbers, and this is not a core part of their habitat. Figure 4 shows a herd distribution map excerpted from this research. Language in the plan referring to “summer ranges and migratory pathways are well-known, and these areas are considered essential to the persistence of the FMCH in the territory” does not seem to reflect the actual distribution and use of Yukon by the herd.

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<sup>7</sup> Fortymile Harvest Management Committee. 2020. Fortymile Caribou Harvest Management Plan. Dawson City, Yukon, 54pp.

<sup>8</sup> Yukon reopens hunt as Fortymile caribou population booms. CBC News. Jan 2020.  
[https://cbc.ca/news/canada/north/yukon\\_reopens\\_fortymile\\_caribou\\_hunt\\_1.5412108](https://cbc.ca/news/canada/north/yukon_reopens_fortymile_caribou_hunt_1.5412108)

<sup>9</sup> Bortje, R.D., C.L. Gardner, K.A. Kellie, and B.D. Taras. 2012. Fortymile caribou herd: Increasing numbers, declining nutrition, and expanding range. Alaska Department of Fish and Game, Wildlife Technical Bulletin 14, AWDF&G/DWC/WTB 2012 14. Juneau, Alaska.

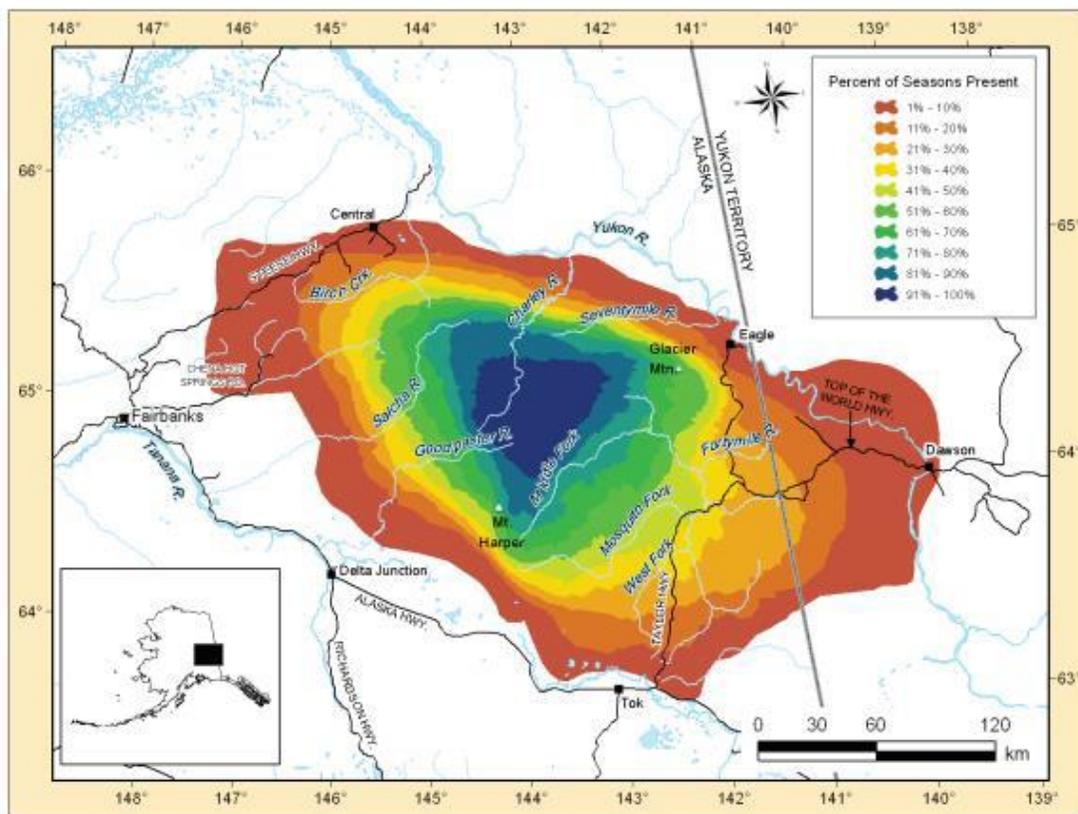


Figure 4: Fortymile caribou herd distribution. From Bortje et al.

Caribou migration paths are complex and continuously changing. This makes the designations in the plan around key migration corridors very broad and wide-reaching. We recognize the importance of protecting caribou and ensuring that their migrations are not impeded, however there are many ways to achieve this without outright prohibitions on development. Adaptive management and mitigation measures are commonly present in Mining Land Use Authorizations in the area. Examples include:

- Timing windows for certain work activities, with curtailment if significant caribou are sighted in the area.
- Minimum overflight altitudes for helicopters and fixed wing aircraft.
- Embankment sloping requirements during road construction and snow bank breaks when plowing roads in winter to allow animal passage.
- Speed limits and conveying requirements on roads.

There are multiple examples of large mines co-existing with migratory caribou herds elsewhere in the north, including the Meliadine Mine in Nunavut, operated by Agnico Eagle. At Meliadine, mitigations include a cessation of blasting and surface mining operations if over 50 caribou are observed within 5 km

of the mine<sup>10</sup>. Other mitigations are in place around the access road, including closure if large groups move towards it.

The draft plan has many references to development restrictions around caribou, including:

- Key Recommendations – Caribou (pg 8) “[...] limited development in a key migratory corridor [...]”
- Recommended Management Practices (c, pg 78) – “High concentrations of small-scale disturbance and any large quartz exploration projects (Class 4) or quartz mines should be avoided within key migration routes.”
- Recommended Management Practices (3, pg 79) – “New road and trail development should be avoided or minimized within the following [...]”

These restrictions – where they apply in ISAs – conflict with the intent of ISAs being “to enable existing and future economic activities for both surface uses and subsurface resource extraction.” Furthermore, these restrictions are not reflective of existing management practices that allow resource development and caribou to successfully co-exist. The final version of the plan should better reflect modern mitigation and adaptive management techniques and reduce language around blanket restrictions pertaining to development in areas of caribou habitat and migration pathways.

THEME 6 RECOMMENDATIONS	
<b>6A</b>	Revise language in the plan regarding conflicts between caribou and mineral exploration and development to better reflect available mitigation and management strategies that can allow exploration and development to co-exist with a sustainable caribou population.
<b>6B</b>	Provide further information about the data used to determine core habitats and key migration areas.
<b>6C</b>	Remove or modify special management directions and other caribou-related restrictions regarding which conflict with ISAs and would act as barriers to exploration and development.
<b>6D</b>	Remove or modify language which suggests mineral exploration and development is responsible for causing “major issues” to the herd.
<b>6E</b>	Modify language throughout to better reflect the recovery and improved population of the herd.
<b>6F</b>	Allow exploration and development to occur in migration corridors with appropriate mitigations – recognizing that mines and caribou can co-exist, and migration routes are highly variable year-to-year.
<b>6G</b>	Add a research recommendation to investigate modern caribou mitigation and management techniques successfully used at northern mines in other jurisdictions.

<sup>10</sup> Caribou Protection at Meliadine Mine. Agnico Eagle. 2021.  
<https://storymaps.arcgis.com/stories/2cc206908190458aa1ff785c11832372>

## THEME 7: ECONOMIC BENEFITS OF MINERAL EXPLORATION & DEVELOPMENT

### IN BRIEF

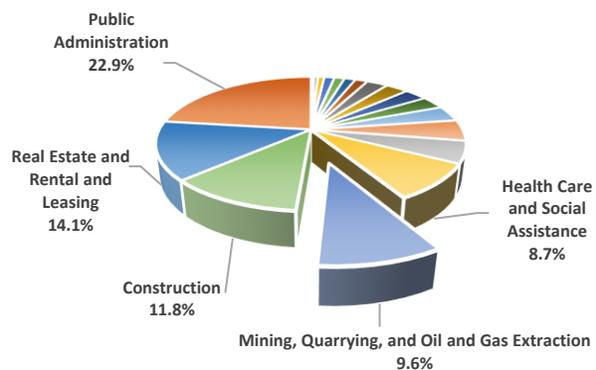
- Mineral exploration provides important benefits to Yukon’s economy.
- Mines provide large royalty streams in addition to employment opportunities.
- Mining is critical in fighting climate change and transitioning to green energy systems.

### DISCUSSION

Exploration and mining provide significant benefits to Yukon’s economy, both through direct employment and expenditures with service providers, and indirectly through the downstream effects those expenditures have for other Yukon businesses. According to data from the Yukon Bureau of Statistics, between 2008 and 2017, Yukon’s mineral exploration and development industry has directly contributed \$1.4 billion to the territory’s economy, with support activities contributing a further \$650 million<sup>11</sup>. This data further notes that mining, quarrying and oil and gas extraction was directly responsible for 9.6% of the territory’s GDP in 2017. This makes natural resources the fourth highest economic contributor after Public Administration, Real Estate and Rental and Leasing, and Construction.

Since 2007, the Minto and Bellekeno mines paid a total of \$34 million in direct royalties to Yukon<sup>12</sup>. Two major mining projects are currently proposed (Newmont Goldcorp’s Coffee Project; BMC Minerals’ Kudz Ze Kayah Project), and Victoria Gold’s Eagle Project will soon commence royalty payments as it has reached commercial production. These projects will provide significant royalties to Yukon should they go ahead, in addition to the employment opportunities and construction costs incurred within the territory.

Yukon 2017 Real GDP by Industry



It’s clear that mineral exploration and development provide important benefits to Yukon’s economy. While the draft plan does make reference to the economic benefits of mining in the Dawson area, it seems to only reference the direct employment in the industry. It is important to recognize that the economic benefits from exploration and development are much broader than direct employment and GDP contributions. Benefits to communities are much broader – from service and supply companies, to accommodation and transportation services. A common data point from economic impact analyses is that mining generates \$5 in the local economy for every dollar spent directly on a project. The final plan should include more emphasis in the economic sections about the broad and critical contributions of mining to the overall economic success of the Dawson region.

Mining is increasingly being recognized as a key component to fighting climate change and helping with the transition to a low-carbon economy<sup>13</sup>. Critical minerals have been identified by governments and

<sup>11</sup> Sourced from the 2017 Real GDP by Industry data, published by the Yukon Bureau of Statistics:

[http://www.eco.gov.yk.ca/stats/pdf/gdp\\_2017.pdf](http://www.eco.gov.yk.ca/stats/pdf/gdp_2017.pdf)

<sup>12</sup> From data published by Yukon Energy, Mines & Resources at <https://yukon.ca/en/doing-business/funding-and-supports-business/see-how-much-royalty-has-been-paid-quartz-mining-yukon>

<sup>13</sup> The Role of Critical Minerals in Clear Energy Transitions. IEA. 2021. <https://www.iea.org>

research groups that do not have sufficient supply to allow for development of green and renewable technologies. In particular, many of these minerals have little to no production within North America. Canada’s Critical Minerals List<sup>14</sup> includes copper, cobalt, nickel and zinc, among others – all of which have potential to be found in significant quantities within the Dawson region.

Recognizing that development of new critical mineral resources will be critical to fighting climate change, it is important to consider where these minerals will be found and mined. Development of local resources is beneficial for many reasons. It allows us to ensure that high environmental standards are maintained, including the use of clean energy. Transportation costs can be minimized compared to shipping metals across the globe. Negative social impacts can also be controlled and managed better than in countries with higher amounts of government corruption and fewer regulations. These are just a few of the many reasons we should consider increasing the proportion of metals mined locally. They will have to be extracted somewhere, and by doing it here we can make sure it’s done right.

THEME 7 RECOMMENDATIONS	
<b>7A</b>	Add language to the final plan to reflect the importance of mining and critical minerals in fighting climate change.
<b>7B</b>	Improve the discussion of mining and exploration in the economic section to better reflect the multiplier effect of industry expenditures and employment in associated sectors.
<b>7C</b>	Review management directives to reduce potential for far reaching negative economic impacts in the region.

## LMU 23 COMMENTS

ATAC’s primary interest is with LMU 23, as the Connaught property lies entirely within that region. LMU 23 is comprised of a mix of ISA 1 and ISA 2 categorization, split by elevation. Connaught is primarily in the higher elevation areas, with approximately 80% of the property falling in the ISA 1 categorization. This property offers significant potential for a large copper discovery, however clarity is currently lacking in the draft plan as to whether or not exploration and development can proceed in this area.

LMU 23 is a very unusual shape, with irregular and complex borders. In particular, the split of ISA designation by elevation level is unusual and would pose major challenges for both proponents and regulators. It will be hard for projects to plan around borders of this complexity, and understanding the boundaries in the field will be challenging. An elevation split also leads to isolated pockets of higher or lower designation which may complicate project proposals. It will also be challenging to track the overall level of disturbance given the complex shape, as disturbances may lie along a very irregular border.

With the region split in two, the total land area under each designation ends up very small, and coupled with low development thresholds leads to minimal amount of allowable surface disturbances. It is also unclear if the disturbance levels will be calculated independently for each zone, or if they are combined in some way between both zones (effectively two separate LMUs). The complex shape also risks pushing proponents to design infrastructure in ways that may lead to a larger overall footprint to avoid straying

<sup>14</sup> Canada’s Critical Minerals List 2021. Natural Resources Canada. <https://www.nrcan.gc.ca/our-natural-resources/minerals-mining/critical-minerals/23414>

into an area of lower development (i.e. a road skirting an elevation line for a much longer distance vs crossing a ridge).

There are also competing management directions for this LMU. As an integrated stewardship area, it should enable “both surface uses and subsurface resource extraction.” However, under Special Management Directions it states “no major infrastructure should be developed within specified ridgetops important to caribou migration”. The draft plan does not provide further details as to which ridgetops these are, and it is assumed to refer to all areas within the “high elevation” component. This Special Management Direction effectively prevents development in those areas, which does not align with the ISA designation. The Rationale for Designation section also refers to “maintaining the current level of disturbance” in the LMU, which again does not align with an ISA designation.

Mineral potential is very high in portions of this LMU, as demonstrated by the provided maps, as well as a review of quartz and placer activity in the area. Portions of this LMU have also seen significant historical work, and are already disturbed. These areas of existing disturbance and high mineral potential should be shifted into a higher ISA designation, reflective of balancing multiple values in the area. Other portions of the LMU have minimal mineral potential and/or no active claims and would be more appropriate for higher levels of protection. We recommend that at a minimum areas of identified high mineral potential be classified at an ISA II or higher level. This would be best accomplished by merging portions of the LMU with adjacent higher-development LMUs, rather than creating a new small LMU.

LMU 23 RECOMMENDATIONS	
<b>A</b>	Remove or modify conflicting Special Management Directions and Recommended Management Practices to allow exploration and development to proceed in this region, consistent with an ISA designation.
<b>B</b>	Consider merging the area south of the Top of the World Highway with adjacent LMUs, with higher development thresholds allowed in areas with significant mineral potential.
<b>C</b>	Remove the elevation-based designation as it will be very challenging to implement.
<b>D</b>	Emphasize use of best practices and mitigation measures to allow exploration and development to co-exist with a sustainable caribou population.
<b>E</b>	Re-classify areas of high mineral potential to ISA II or higher development thresholds.

## CLOSING

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ATAC recognizes the significant work completed by the commission in producing the draft, and we appreciate the opportunity to provide input on the draft plan. This written submission should be read in conjunction with a presentation given to the commission on October 26, 2021, which discussed many of the same concerns and recommendations.

ATAC looks forward to additional opportunities to provide context and clarifications as the planning process continues. Any questions regarding this submission can be directed to Andrew Carne at [acarne@atacresources.com](mailto:acarne@atacresources.com).

Goldcorp Kaminak Ltd.  
201-166 Titanium Way  
Whitehorse YT, Canada, Y1A 0G1

October 31, 2021

Dear Dawson Regional Planning Commission,

Please accept the following letter as feedback regarding the Draft Land Use Plan for the Dawson Region (DDLUP). Presently, the Coffee Mine Project has completed an executive committee screening with the Yukon Environmental and Socio-economic Assessment Board (YESAB), with a screening report and recommendation to proceed completed on October 13, 2021. Additionally, a Class 4 Mining Land Use Permit (LQ00552) is active for the exploration activities associated with the Coffee Mine Project. The Coffee Mine Project is located within Land Management Unit (LMU) 20 and the Northern Access Route (NAR) is located within LMU 12. Both the Coffee Mine Project and NAR are located in Integrated Stewardship Areas (ISA) that allow for sustainable development, specifically ISA 3 and ISA 4, respectively. The key area of interest in relation to the Coffee Mine Project and the DDLUP include the development, tracking and compliance with the cumulative effects thresholds and the recommendation of an access management plan.

The DDLUP notes that data on surface and linear disturbance was collected from 2014, forecasted for the LMU's and cumulative effects thresholds were determined from these forecasts. Newmont is concerned that the current data for LMU 20 and LMU 12 were not utilized for determining cumulative effects thresholds. Newmont would be available to work with the Commission to supply the current surface and linear disturbances associated with the Coffee Mine Project (exploration activities and proposed mine project) which could better inform the forecasts for the cumulative effects thresholds.

Newmont's second concern with the DDLUP is the lack of information on how disturbances are proposed to be tracked. The specific issue for Newmont is the timing of when the disturbance is counted towards a cumulative effect threshold. At times, there can be a lag between environmental assessment, licensing and project development. The concern is that a project could be licensed for disturbances, which have not yet occurred, and that a lag occurs between licensing and project development and during that lag cumulative effects thresholds are reached. Will the project be allowed to proceed as it is already licenced? It is not clear in the DDLUP when disturbances are counted, be it at environmental assessment, licencing or development.

Lastly, an Access Management Plan is recommended for both LMU 12 and 20 in which the NAR travels through. Newmont would like to confirm with the Commission that the Access Management Plan for LMU 12 and 20 will take into account the YESAB decision and screening report for the Coffee Mine Project.

If you have questions regarding this letter, please do not hesitate to contact me via phone (647) 923-5481 or email at [Christian.Roldan@newmont.com](mailto:Christian.Roldan@newmont.com).

Regards,



Christian Roldan  
Director/Study Manager  
Coffee Mine Project

CC: Dr. Sidney Schafrik, Senior Advisor, Mining and Strategic Initiatives, Tr'ondëk Hwëch'in  
Debbie Nagano, Heritage Director, Tr'ondëk Hwëch'in  
Darren Taylor, Director of Natural Resources, Tr'ondëk Hwëch'in  
Brienne Warner, Executive Director, Yukon Chamber of Mines



Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Phone: 867-667-7397  
Fax: 867-667-4624

Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

Please accept this letter as a formal commentary on the Dawson Regional Planning Commissions (DRPC) Draft Land Use Plan (June 2021) and supporting documents. We appreciate the challenges associated with the DRPC's mandate, the scope and the many years of work that have culminated in the 2021 DRLU Draft Plan. As this plan is part of fulfilment of the §11 (Land Use Planning) of the Umbrella Final Agreement (dated July 16, 1998) we are grateful to be part of the discussions for planning the future and the stewardship of land management and resources of the Dawson Region in Tr'ondëk Hwëch'in (THFN) Traditional Territory.

Recognizing that the documents are first drafts, the intention is nonetheless to utilize these documents as the basis for refining, developing, and finalizing a more balanced and defensible Regional Land Use Plan. A high-level summary of process and technical issues identified through reviewing the Draft Plan are provided below:

**1. Publicly available information and timeframe provided for comment**

- i. The Draft Plan was released June 2021 with November 1<sup>st</sup> comment closure. Industry is most active during the snow-free months. As a result, the allotted timeframe provided for comment left little time to provide adequate review and constructive input.
- ii. Limited information was released to outline the basis for many of the current Draft Plan proposals, including important maps for wildlife habitat and migration corridors, heritage areas, wetland mapping, watershed boundaries, as well as datasets and scientific studies that support the basis for the proposed disturbance thresholds.
- iii. **More time and information are required to properly assess and comment on this important Regional Planning framework.**

**2. Land Use Designations Methodology**

- i. The methodology described in §1.6.2.5 (Priority Criteria for Candidate Conservation Areas) do not appear to match Draft Land Management Units (LMU's) and currently proposed Land Use Designations (LUD's). Based on the methodology described in the Draft Plan, high-protection LMU's should be defined by high-density overlap of high-value features, such as habitat and heritage, and thus result in a more restrictive LUD's. High potential economic areas with low heritage and habitat values should be classified as less restrictive LUD's.
- ii. Simplifying the number of LUD's Integrated Stewardship Areas (ISA's) to three categories (low, moderate, and high development) and a singular Special Management Area zoning delineating full protection (SMA 1) should reduce potential management challenges in implementation and the need for increased capacity within YG and THFN.
- iii. Transitions from higher-protection LMU's to higher-development ones should be more gradational. Higher protection LMU's should logically cover areas with high habitat and/or high cultural values. Areas with high economic potential and lower habitat and cultural heritage

- values should allow for future economic development with corresponding higher disturbance thresholds, with such thresholds based on sound scientific studies for species and habitats.
- iv. Implementation of Integrated Stewardship Practises could provide excellent holistic, opportunities for the Planning Region. However, no concrete examples or techniques for connecting various land-users from seemingly different usage backgrounds, is provided.
  - v. Some high protection LMU's partly or wholly enclose areas of high historic and current placer and hard rock mining activity (LMU's 19, 21 and 22). These areas have significant potential future economic value, have extensive mining claims within them and have already seen substantial disturbance. **Designating these active mining and exploration areas as high protection LMU's will result in land use conflict and the potential need for economic compensation to mineral rights holders. These areas should be recognized for the current and future economic value and placed into more appropriate LMU designations.**

### 3. Cumulative Disturbance Thresholds Methodology

- i. It is unclear in the Draft Plan if the Cumulative Disturbance Thresholds are based off of Ecological derived habitat needs or are more arbitrary Management thresholds.
- ii. The Draft Plan does not appear to draw from the referenced Land Use Planning Conservation Thresholds (Environmental Law Institute, 2003). **Threshold values presented are very low compared to other land use plans in comparable sub-arctic, low-density populated areas and particularly relative to ecologic thresholds from scientific studies which generally indicate threshold preservation of >60% of habitat or perhaps 80% for rare species.** This compares with preservation of 95%, 97.5% and 99% of habitat for the high, medium and low development LUD's that are proposed.
- iii. §3.5.1 (Cumulative Effects Indicators) specifies that surface disturbance does not include areas deemed as recovered. This could be interpreted to align with in-place regulatory practises which incentivize restoration efforts in economically developed areas. However, it is unclear whether this means industry could operate in net-zero land disturbance if areas are progressively recovered, thus lowering the LMU's active disturbance threshold.
- iv. On October 12<sup>th</sup> 2021, the DRPC released 'Analysis of "Current" Disturbance Levels'. The outdated 2014 dataset provided was indicated to be the result of a lack of information, however figures from the document show recent satellite images mapping disturbance. If current disturbance levels are not defined, how can thresholds be proposed for each land management unit, especially if the thresholds are arbitrary management levels and not based on habitat needs or species criteria?
- v. How Disturbance Classes (Industry, Forestry, Agriculture, Road-development including aggregate resource extraction) are categorized and monitored is not described in the Draft Plan. Would future disturbance totals include all categories? The draft document states that only mining related disturbances were utilized in the development of thresholds.
- vi. In ISA areas that are open for development the thresholds need to allow for future economic activity; it is unclear based on "current" disturbance whether that would be the case for the 5%, 2.5% and 1% disturbance thresholds that are proposed in the Draft Plan.
- vii. The Draft Plan states that existing mineral rights will be honored in the LMU's but unless these areas are removed from the calculation of disturbance in the LMU's this may not be achievable. Likewise, the Draft Plan states that there would be no new disturbance of some classes of wetlands. If those wetlands cover existing mineral rights, then either the mineral rights have been lost, or no net loss would only apply outside of the existing mineral rights. The Draft Plan is unclear on both of those points.
- viii. **Recommend the establishment of science-based ecological habitat disturbance thresholds for the regional planning area. This could be achieved with the formation of an objective special technical working group who can advise on suitable disturbance thresholds to ensure the**

**integrity of key values (ecological habitat and heritage) whilst allowing for sustainable economic development.**

#### 4. Wetlands

- i. Outlined thresholds could have serious economic development consequences (in particular to placer mining which occurs in wetland areas) but are unclear in the Draft Plan.
- ii. The Federal Policy on Wetland Conservation (Government of Canada, 1991) describes no net loss of socioeconomic or ecological wetland function. Restoration of wetland function has been demonstrated globally on various projects in various biogeoclimatic ecozones. Therefore, it is recommended that criteria be developed for habitat and functional wetland restoration.
- iii. Why is there no development allowed in undisturbed bogs and marshes throughout the region within only specified SMAs and ISAs? Why is there inconsistent policy towards specified habitats? Placer mining often occurs in marshes, fens and bogs, as may hard rock exploration and development. **A blanket restriction on disturbance rather than providing criteria for functional restoration would effectively shut down economic activity in these areas.**
- iv. What are the factors included in the scientific basis considered with allowing development of an arbitrary 25-75% range for fens in each applicable LMU?
- v. The Draft Plan states that effective restoration of wetlands is impossible. This is inconsistent with results from a number of successful wetland restoration projects in Canada. It also contrasts with the surface disturbance recovery objectives and may discourage Operators from implementing costly best management restoration practices.
- vi. **Recommend the development of agreed upon wetlands restoration guidelines that could allow for uniform best management practices in these important ecological habitats.**

#### 5. Economic Plan

- i. Plans to maintain the economic health of the region are not discussed in detail. Management intent is unclear throughout the document and certain proposals could have far reaching negative economic impacts on the region.
- ii. §'s 4.1.9 and 4.3.3 on Traditional Economy recommends buffers and avoiding or reducing the level of land-use activities in areas identified as having cultural value. Map 5 (Appendix A) shows virtually the entire area as having traditional-use value. It is unclear what exactly this would mean for stakeholder-use in the entire planning area.
- iii. Sustaining a healthy placer mining industry is key for the economic security of the Planning Region as the single largest economic sector. While this natural resource has been developed in the region for over a century, many placer deposits have been depleted in the heavily developed areas. While there are opportunities to reclaim and restore these historically disturbed areas, the industry will continue to move into adjacent prospective areas that share the same geologic settings. This movement into adjacent areas needs to be accommodated to allow for a healthy placer mining industry and regional economy. For instance, in LMU 12 the natural progression is to move further eastward to the Upper Indian River (LMU 19), which has same geological setting, and is demonstrating comparable economic placer values. This area is the economic future for the Klondike Goldfields.
- iv. Though the focus in LMU's such as 12 and 19 have mostly been on placer mining, these placer mining areas are also highly prospective for future hard rock developments - as the source of the alluvial gold. **Accommodation should be made for such future potential in these types of areas with extensive placer and hard rock exploration and development to allow for sustainable economic activity in this important sector of the planning region's economy.**
- v. The Mining industry generates significant economic benefits for communities that are often not well understood. A substantiated figure used in the mineral industry shows that typically every dollar spent in mining generates \$5 in the local economy including indirect supporting industries & local-work force (hotels, restaurants, equipment sales and maintenance, supplies, fuel, etc.). A

similar multiplier value relates to jobs supported by indirect and induced economic activity. A recent study of mining related jobs in British Columbia indicates that for each (1) mining related job, 4.6 jobs indirect, or induced, jobs are created. The DLUP Resource Assessment Report does not accurately reflect economic contributions from these types of economic activity (refer to PWC 2012, Mining Industry Economic Impact Report). **Maintaining a healthy mineral resource economy is key to ensuring long-term socioeconomic health of the Planning Region.**

## 6. Regulatory Policy and Implementation

- i. There is currently no implemented monitoring of disturbance or impact assessment in the Dawson Planning Region.
- ii. **It is imperative that the Plan reflects the current, effective, in-place regulatory regime for permitting. This process incentivizes concurrent restoration efforts and includes permitting conditions that guide land-users to mitigate potential impacts whenever possible.**
- iii. The Senior Liaison Committee should encourage YG to use more consistent policy towards both Placer and Quartz operations. Pre- and Post-Season reporting should be conditions of Mining Land Use Permits (MLUPs). Presently, quartz operations are given thresholds of allowable disturbance within their projects. This incentivizes operators to progressively reclaim. Implementation of appropriate thresholds for placer operations with permitting conditions outlining reasonable allowable open disturbances, would allow for tracking disturbance and avoid LMU's from reaching critical thresholds of cumulative disturbance.
- iv. Understanding the current level of disturbance in the LMU's is critical to avoid potential for ceased operations and operators having large areas of open disturbance and no incentive to reclaim.
- v. Creation of wetland restoration policies outlining acceptable industry practises are required to provide a clear path for economic development in regions within, and proximal to wetlands (*i.e.*, placer mining, road management). Policies concerning wetland restoration should be consistent regardless of LUD and should be standardized for consistent stewardship in the Planning Region and follow sound scientifically based criteria.
- vi. The view that restoration of functional wetland habitat is effectively impossible is not backed by science and negates the incentive for land-users to implement best possible management practices in reclamation efforts. It is imperative for maintaining function of these ecosystems that wetland restoration policy encourages incentivized restoration efforts. Historic disturbances in wetlands would see little industry investment if the messaging presented is discouraging towards restoration of wetland function. Although a bog cannot be restored to be a bog, there is no scientific basis that effective wetland functions cannot be restored in disturbed areas.
- vii. **Current regulatory processes within the hard-rock industry, should be extended to placer mining, to incentivize habitat restoration of modern disturbance, but also historic disturbances. Additionally, these processes ensure that land-users abide by specific conditions that reflect habitat preservation of ecological sensitivities. Implementing restoration procedures through permitting conditions across the industry, as a whole, is key to successful execution of the Plan ecological goals and integrated stewardship practises.**

It is our belief that a balanced final plan would set the tone for future land use planning and inspire other Yukon First Nations and Land Use Planners to see this as an opportunity for the Yukon Territory and its future.

Sincerely,



Roger Hulstein  
Hulstein Geological Services, owner & operator

Also, please keep in mind that:

- mining is not sustainable . . . .
- mining, mineral exploration is a temporary use of the land.
- We have at most a 4 month field season, timely permits are essential.



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- i. Plans to maintain the economic health of the region are not discussed in detail. Management intent is unclear throughout the document and certain proposals could have far reaching negative economic impacts on the region.
- ii. §'s 4.1.9 and 4.3.3 on Traditional Economy recommends buffers and avoiding or reducing the level of land-use activities in areas identified as having cultural value. Map 5 (Appendix A) shows virtually the entire area as having traditional-use value. It is unclear what exactly this would mean for stakeholder-use in the entire planning area.
- iii. Sustaining a healthy placer mining industry is key for the economic security of the Planning Region as the single largest economic sector. While this natural resource has been developed in the region for over a century, many placer deposits have been depleted in the heavily developed areas. While there are opportunities to reclaim and restore these historically disturbed areas, the industry will continue to move into adjacent prospective areas that share the same geologic settings. This movement into adjacent areas needs to be accommodated to allow for a healthy placer mining industry and regional economy. For instance, in LMU 12 the natural progression is to move further eastward to the Upper Indian River (LMU 19), which has same geological setting, and is demonstrating comparable economic placer values. This area is the economic future for the Klondike Goldfields.
- iv. Though the focus in LMU's such as 12 and 19 have mostly been on placer mining, these placer mining areas are also highly prospective for future hard rock developments - as the source of the alluvial gold. **Accommodation should be made for such future potential in these types of areas with extensive placer and hard rock exploration and development to allow for sustainable economic activity in this important sector of the planning region's economy.**
- v. The Mining industry generates significant economic benefits for communities that are often not well understood. A substantiated figure used in the mineral industry shows that typically every dollar spent in mining generates \$5 in the local economy including indirect supporting industries & local-work force (hotels, restaurants, equipment sales and maintenance, supplies, fuel, etc.). A

similar multiplier value relates to jobs supported by indirect and induced economic activity. A recent study of mining related jobs in British Columbia indicates that for each (1) mining related job, 4.6 jobs indirect, or induced, jobs are created. The DLUP Resource Assessment Report does not accurately reflect economic contributions from these types of economic activity (refer to PWC 2012, Mining Industry Economic Impact Report). **Maintaining a healthy mineral resource economy is key to ensuring long-term socioeconomic health of the Planning Region.**

## 6. Regulatory Policy and Implementation

- i. There is currently no implemented monitoring of disturbance or impact assessment in the Dawson Planning Region.
- ii. **It is imperative that the Plan reflects the current, effective, in-place regulatory regime for permitting. This process incentivizes concurrent restoration efforts and includes permitting conditions that guide land-users to mitigate potential impacts whenever possible.**
- iii. The Senior Liaison Committee should encourage YG to use more consistent policy towards both Placer and Quartz operations. Pre- and Post-Season reporting should be conditions of Mining Land Use Permits (MLUPs). Presently, quartz operations are given thresholds of allowable disturbance within their projects. This incentivizes operators to progressively reclaim. Implementation of appropriate thresholds for placer operations with permitting conditions outlining reasonable allowable open disturbances, would allow for tracking disturbance and avoid LMU's from reaching critical thresholds of cumulative disturbance.
- iv. Understanding the current level of disturbance in the LMU's is critical to avoid potential for ceased operations and operators having large areas of open disturbance and no incentive to reclaim.
- v. Creation of wetland restoration policies outlining acceptable industry practises are required to provide a clear path for economic development in regions within, and proximal to wetlands (*i.e.*, placer mining, road management). Policies concerning wetland restoration should be consistent regardless of LUD and should be standardized for consistent stewardship in the Planning Region and follow sound scientifically based criteria.
- vi. The view that restoration of functional wetland habitat is effectively impossible is not backed by science and negates the incentive for land-users to implement best possible management practices in reclamation efforts. It is imperative for maintaining function of these ecosystems that wetland restoration policy encourages incentivized restoration efforts. Historic disturbances in wetlands would see little industry investment if the messaging presented is discouraging towards restoration of wetland function. Although a bog cannot be restored to be a bog, there is no scientific basis that effective wetland functions cannot be restored in disturbed areas.
- vii. **Current regulatory processes within the hard-rock industry, should be extended to placer mining, to incentivize habitat restoration of modern disturbance, but also historic disturbances. Additionally, these processes ensure that land-users abide by specific conditions that reflect habitat preservation of ecological sensitivities. Implementing restoration procedures through permitting conditions across the industry, as a whole, is key to successful execution of the Plan ecological goals and integrated stewardship practises.**

It is our belief that a balanced final plan would set the tone for future land use planning and inspire other Yukon First Nations and Land Use Planners to see this as an opportunity for the Yukon Territory and its future.

Sincerely,



Richard Drechsler, President and CEO Trifecta Gold Ltd.

2021 Dawson Draft Plan Engagement Submission

Type: email and letter ref 012

From: Richard Drechsler

Date: Nov 1 2021

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Hello,

The draft plan as laid out will eliminate the access route to our Trident project as upgrades to existing roads through region 18 do not seem to be permitted. This will result in the sterilization of a large area of highly prospective ground located predominantly in an area zoned ISA III. Submission attached.

Thank you,  
Richard Drechsler

Ref 013

Erik Val

[REDACTED]

[REDACTED]

November 1, 2021

Dawson Regional Land Use Planning Commission

Suite 201, 307 Jarvis St.

Whitehorse, Yukon

Dear Commission Members;

Thank you for the opportunity to comment on the draft Dawson Regional Land Use Plan.

I am providing these comments on behalf myself, wife and two daughters. We have lived in the Yukon for over 20 years to enjoy and benefit from its natural spaces and incredible wilderness landscapes. The Dawson Region is one of the Yukon's wonderful destinations that we have extensively explored and experienced by land and water. We have rafted and hunted along the Yukon and Stewart Rivers in the fall, travelled along Blackstone Rivers in the winter, and camped and hiked extensively in the Tombstone Mountains in the summer.

My employment with Fisheries and Oceans Canada, Parks Canada, and Yukon Parks also provided me the opportunity to work with the Tr'ondek Hwech'in to establish and implement the Tombstone Territorial Park Management Plan and with the placer industry to manage the protection of salmon habitat in the Klondike Gold Fields. Over the years, my experience with the First Nation and the Klondike Placer Miners Association provided me insights into the cultural, social and economic values of the region.

We strongly believe that in order to effectively protect and manage these values the plan must be strengthened; and take into account what we as Yukoners have learned from the Peel Watershed Regional Land Plan experience.

Most importantly and in the spirit of Truth and Reconciliation, we believe that the plan needs to clearly recognize the unique and longstanding Tr'ondek Hwech'in cultural and social relationship to the land and water of the Region. This relationship is captured in their own words in *We are Denezhu. The people of this land. We are Tr'ondek Hwech'in. The people of the river.* an April 4, 2019 submission to the Commission:

“We are people of this land. It has shaped us for generations and we have cared for it as it has cared for us. The land itself brought our worldview into being. It teaches us that we are an essential part of a bigger environment. We understand ourselves and our place in the world in relation to all other beings. This is the foundation of our identity. Our society is born out of this landscape. It demands that we remain mobile, that we occupy a vast

territory, and that our communities remain fluid. It requires us to fulfil obligations to each other, to our non-human relatives and to the land itself. These responsibilities are reflected in our core relationships and our code of conduct. They are embedded in our language and in the ways that we declare our relatedness with each other and the land.”

The plan needs to recognize and reflect this relationship in the management objectives and specific land use conditions and undertakings. While there are others who have interests in the region, they clearly are not the same as those of the Tr’ondek Hwech’in.

With this in mind, the plan needs to put the health of the lands, waters, and wildlife at the heart of the Dawson Region Plan. There are areas that need to be strengthened to reflect this such as upgrading conservation areas with weak protections to ‘Type I’ Special Management Areas. Similar to the Peel Watershed Regional Land Use Plan, this would provide lasting protections for conservation areas, and put tools in place for the First Nation to co-manage their traditional lands and waters.

Other improvements related to conservation and in an effort to address climate change, the plan must include strengthening the protection for lands that are critical for wildlife and subsistence, like river corridors and the range of the Forty-mile caribou herd. As well given the importance of wetlands, they need the best possible level of protection. These ecosystems are natural carbon reservoirs and help to buffer the effects of climate change. They also provide unique habitats for wildlife and cannot be restored after being disturbed.

Some areas will remain open to developments like mining, but the health of lands, waters and wildlife needs to be prioritized in these places too. Limits on development in some areas are too weak and allow development to be concentrated within sensitive habitats like river valleys. Again, in the spirit of Truth and Reconciliation and effective planning, the plan needs to more effectively integrate traditional knowledge and conservation science to set limits that ecosystems can tolerate.

In conclusion, the Tr’ondëk Hwëch'in Final Agreement, a constitutionally enshrined agreement signed by the First Nation and federal and territorial governments, commits us to “protect a way of life that is based on an economic and spiritual relationship between Tr’ondëk Hwëch'in and the land.” While the plan generally refers to the desire to safeguard the ecological and cultural values of the Dawson Region, it does not do so explicitly in terms of Tr’ondek Hwech’in values and does not provide the specific undertakings for the plan to be effectively implemented.

Again, thank for the opportunity to comment on the plan,

Erik Val

Ref 014

Mike Spindler



October 20, 2021

Dawson Regional Planning Commission  
307 Jarvis St., Suite 201  
Whitehorse, Yukon, Canada Y1A 2H3

Dear Commissioners:

I submit these comments to the draft Dawson plan in the interest of providing you with the perspective of a retired wildlife biologist and wildlife/land manager who has some field experience on the Alaska side of the Al-Can and Fortymile borderlands adjacent to and near the planning region. I make these comments as an individual, but they are based on several decades of experience working in wildlife refuge management and research. I am an active member of The Wildlife Society, Alaska Chapter, and I currently volunteer for the Northwest Boreal Partnership, a group that has a keen interest in transboundary conservation, stewardship and management of working landscapes.

I reviewed the entire plan, and I applaud the Commission for a quality product that aspires to combine modern science, adaptive management, traditional knowledge, and the concept of stewardship to modernize land planning. I believe the Commission, in general, proposes a good balance across the spectrum of activities, ranging from strict conservation, to the light-touches of land-honoring subsistence, to sustainable renewable resource use, and finally the more intensive extractive industrial uses. I was particularly impressed with your proposed zones of use intensity that are combined with specific criteria for surface disturbance and linear density. Similar Alaska resource and land management plans that I was involved in did not strive for such specificity with commitments to re-evaluation. I wish you great success in applying those concepts!

My specific comments refer to the areas I am familiar with, having spent time afield studying the wildlife, managing public lands, or working with communities that use the local wildlife and fisheries.

*Scottie Creek.* I am in complete agreement with designation of the Scottie Creek Watershed as a SMA that emphasizes conservation of wetland habitat values, ceases any further mineral entry, but recognizes there must be allowance for continued use of existing claims. I scrutinized the management intent, special management directions, objectives, and rationale for designation, and am in full support of that designation. This area is an incredibly rich habitat for waterfowl, migratory songbirds, and resident fish. I have field experience on the US side in the Scottie Creek drainage, and further downstream to the Chisana and Tanana Rivers, beginning in 1977. Some of these studies are published (Spindler and Kessel 1980, Spindler et al. 1981). My time there extended off-and-on through the summer of 2021, when I repeated a canoe float

and bird study trip on these streams from the US-Canada border to Tok, AK. I appreciate that the Governments of Yukon, Tr'ondëk Hwëchin FN, White River FN, and the Federal Government of Canada have all recognized the conservation value of this region, through this plan, and through their previous actions. Waters born in the upper Scottie Creek watershed filter through those Canadian wetlands and continue downstream into the US to nourish the wildlife and fishery resources in the upper Tanana River valley of Alaska. I have been privileged to spend much time studying and enjoying those incredible wetland and riparian habitats. Many Alaskans depend on those resources. The Dawson plan rightfully recognizes those values.

In reference to either *Special Management direction #4* "Parties should explore the option of establishing this area as a Habitat Protection Area (HPA)", or, in *Rationale for designation* "...preliminary discussions between Yukon Government and White River First Nation," I suggest adding the following possible language: "The Scottie Creek SMA in this Dawson plan, could be added to other protection measures in the territory of the White River First Nation to form a continuous Habitat Protection Area and/or an Indigenous Protected and Conserved Area that could connect to Canada's Kluane National Park through Tetlin National Wildlife Refuge and Wrangell-St. Elias National Park in Alaska." This aspect should also be mentioned in *Ecological Values – Landscape Connectivity*.

I believe there would be significant support in the nearby Alaska villages for this concept. I attended a meeting in Tok, Alaska in April 2018, in which representatives from the Alaskan villages of Northway, Tetlin, and Tanacross were joined by a Canadian village elder from White River-Beaver Creek. Together they discussed their concern about water quality and potential impacts to fisheries in the upper Tanana River if placer gold mining activities were to be increased at the headwaters of Scottie Creek. These Alaska villages have a significant reliance on non-salmonid fish, such as whitefish, pike, burbot, and grayling (because salmon do not reach so far upstream in the Tanana system). That meeting prompted the US Fish and Wildlife Service to update a decades-old whitefish spawning baseline study with additional fieldwork near Northway in 2019 (Brown and Shink 2020). Because of this importance, I urge the Commission to increase emphasis on maintenance of habitat intactness and high water quality in the entire Scottie Creek watershed. Ways to do that might be to make the mineral entry withdrawals permanent, and to possibly set the surface disturbance and linear density thresholds closer to the present level, so as to not allow any more disturbance. Perhaps you could consider Scottie Creek as an SMA I, and set cumulative effects thresholds closer to ISA I instead of ISA II because it's watershed and wetland values are so important, locally and internationally.

*Matson Uplands SMA I, Fortymile Corridor ISAs, North SMA II.* I have less experience on the Alaska side of these areas, compared to the Scottie area, but have spent time in the field along the Taylor and Top-of-The World Highways, floated the mainstem Fortymile River past Clinton Creek though Canada and back into Alaska *via* the Yukon to Eagle. I've also spent time on the Fortymile's Dennison Fork, fairly close to Canada. I greatly support the Commission's recognition of Fortymile Caribou Herd core summer habitat and importance of habitat

connectivity, in general, from Yukon into Alaska across these alpine ridges by creating the Matson Uplands SMA I, and Fortymile Corridor ISAs.

I strongly support your vision for the North SMA II “The future of the area will look similar to how it is today” and in particular, your rationale for establishing it: “...enable landscape connectivity between Yukon-Charley National Preserve in Alaska...” This would allow wildlife habitat connectivity from the Peel River on the east through the Dawson planning area, all the way to the extensive protected areas in eastern and northeastern Alaska. I appreciate that you have decided to apply cumulative effects thresholds of ISA I to the North SMA II, with no further mineral withdrawals. In a changing climate, I believe many Canadian and American citizens who depend on renewable natural resources and biodiversity will jointly benefit from this action that shows tremendous foresight.

A cautionary note about the proposed 10-year duration of the Dawson plan. I was involved in several US Federal and State land planning efforts in Alaska in which the plans were intended to be reviewed every 15 years. Inevitably, that duration extended to 20-25-30 years, and sometimes longer, due to budget, political and capacity restrictions. Canadians may find the intended ten-year time span for the Dawson plan comes very quickly!

Finally, I have had the privilege of visiting the goldfields south of Dawson along the Hunker Ck. Road. I had enjoyable conversations with placer miners on both sides of the border; and, earlier in my career worked with both placer miners and subsistence hunters/fishers in many parts of Alaska; people who closely rely on the landscape. I well understand the challenges you face in reaching agreement between conservation and sustainable uses on a working landscape. I believe you have found a good balance in the Dawson plan, and a sound strategy to implement it. Thank you for a great job, and for welcoming public comments, including some from your close neighbors in Alaska.

/s/ Mike Spindler

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Type: email Ref 015

From: Pascale Youkali Ménard



Date: Nov 1 2021

- 
- As a resident of Yukon Territory, we are signatories to the Umbrella Final Agreement and expect all government processes to uphold the full spirit and intent of those Agreements on our behalf. The Final Agreements and the provisions in it ensure Tr'ondëk Hwëch'in rights to continue to uphold their cultural practices - throughout their traditional territory. For TH Rights to be meaningful - healthy plant, fish and wildlife populations have to be available and assured, in the long term.
  - There have been significant impacts to TH traditional territory for gold and other minerals for one hundred and twenty plus years without the benefit of land use planning. Traditional harvesting areas have been lost and impacts to water quality and populations of fish and wildlife have declined significantly over this short period of time.
  - Sustainable development is defined in the Umbrella Final Agreement as “beneficial socio-economic change that does not undermine the ecological and social systems upon which communities and societies are dependent.” For our Treaty to be meaningful, economic development must be sustainable and not fundamentally compromise other values and opportunities in the renewable resource economic sector.
  - We have a shared responsibility to act as stewards. This is the spirit and intent of the Final Agreement. Stronger protection of the planning area is needed to ensure the health of the future of Tr'ondëk Hwëch'in, and for all of us, and our children to come. The Draft Plan is suggesting 3.8% of the planning region be protected for its cultural and ecological values. An additional 35% has some higher levels of protection but no assurances that industrial development will not continue to negatively impact the health of those areas. TH conservation priority submission to the Commission suggested 60% of the planning region for full protection. The Commission responded with 3.8% for full protection. Chapter 11 of the UFA key Objective is “utilize the knowledge and experience of Yukon Indian(sic) people to achieve effective land use planning”. If TH feels that amount of land is what is required to assure their on-going existence and maintenance of their culture and heritage, we should be accepting and honouring that recommendation. These are their ancestral lands and we are guests here.
  - 60% of the region is slated for some level of industrial development. Without modernizing mineral extraction legislation and regulations, in step with the implementation of the Dawson Plan, the management directions recommended for those areas are just that - recommendations. Urge the Commission to make strong and clear recommendations regarding changes to mineral resource legislation and regulations to come into alignment with the spirit and terms of the Umbrella Final Agreement (which they currently are not)

## 2021 Dawson Draft Plan Engagement Submission

- On the topic of wetlands, and development (placer mining principally) in wetlands, the Commission is suggesting complete protection of bogs and swamps and asks the public to what extent fens should be protected 25-75%? Fens are an integral part of a wetland complex. Fens are defined by the ground water that moves through them. Anything that interrupts their slow creeping groundwater flow, fundamentally alters the fen. Fens are therefore more vulnerable to disturbances. They are likened to a snake and should a piece of the snake be removed, or cut, the snake can not survive. Fens are more common than the other types of wetlands which is perhaps why the Commission is asking the public guidance on allowable limits to their disturbance. Wetlands have immense ecological and cultural value for the critical habitat for moose, waterfowl, small mammals, fish, etc, their role in water purification, flood abatement, and equally important carbon sequestration. Recommend not more than 25% allowable development of fens and increase protection of intact wetlands in Flat Creek and Tintina area wetlands.
- The Draft Plan does not consider Climate Change in any significant way. Climate change is considered to be “the mother of all cumulative impacts”. Urge the Commission to take a precautionary approach to the Plan in these uncertain times and recommend robust monitoring and reporting and adaptive management approach in response to the changes to come. Large tracts of undisturbed and intact landscape is the best hope for an uncertain future.
- Waterways. Currently the Yukon and Klondike River are proposed for subregional planning. Urge the Commission to instate a full withdrawal of further development until the region has a plan in place. Water is Life and every living thing depends on clean water for survival. The Draft Plan does not provide consistent or cohesive protection of waterways in the region. Urge the Commission to provide the highest level of conservation for waterways and their riparian areas including but not limited to Yukon, Klondike, North Klondike, Fortymile, Chanindu and the rivers and creeks in the in the Dempster region, not limiting Wolf Creek, Antimony Creek.
- All mineral claims that had been staked in the region, both before and during the Planning process have been accommodated in the Draft Plan. This is in spite of Tr’ondek Hwech’in have publicly made requests to the Commission to suspend staking during the Planning process to provide the Commission the space to develop a Draft Plan without further interests incoming. The Commission is not obligated to accommodate all of those interests. The planning process is an opportunity to develop a vision for the region and set a sustainable course to ensure the health and well-being of future generations.
- The Draft Plan has no recommendations for addressing the legacy of placer mining - especially in the Indian River. The Commission can make recommendations for the governments to develop a reclamation plan for areas that have been impacted by mining and abandon and returned to a state that will allow vegetation to grow, water to flow, and old equipment and refuse removed from those areas.
- Please speak to whether you feel the consultation - as led by the Dawson Planning Commission - from mid June to end of October (with two public engagement opportunities) was sufficient time to consider the future health of the region and have a fulsome community discussion around.

## 2021 Dawson Draft Plan Engagement Submission

- You could speak to your relationship to Tr'ondek Hwech'in and this region in light of the TRC's Calls to Action; Reconciliation and acknowledging TH ancestral land and stewardship responsibilities and co-management authority under the Final Agreement.

**Dear Dawson Planning Commission,**

Overall, this plan works within current planning frameworks. Yet, the framework must change to adequately include and protect Indigenous Knowledge, as noted by a current review of northern land use plans (McKee 2021). Also, as this plan is a function of a Final Agreement, the plan must allow Indigenous Knowledge Systems (McGregor 2021) to flourish in the Dawson region. **To protect Indigenous Knowledge Systems, the system which supports the creation and continuance of Indigenous Knowledge must be given equal weight in the plan.**

The *system* which supports Indigenous Knowledge would work to include, uplift, and support involvement of Indigenous citizens or their designates in all aspects of monitoring, enforcement, land designation, decision-making, and cultural renewal/continuance. Hence, fundamental parts of this plan must change to allow for supporting Indigenous Knowledge Systems, rather than working to include parts of Indigenous Knowledge within the plan.

I would challenge the commission **to bring more *feeling* into the plan, where values such as love, humility, bravery, respect, care, share inform every section of the plan.** These values should be determined by those who have a deep relationship with the land. I think of *Together Today for our Children Tomorrow*, where First Nation people are raised to know the value of *feeling* just as much as *thinking*. So far, this plan does a good job of bringing deep thinking into it. **Consider adding values to the plan.**

I believe this would help with accessibility of the plan as well. We base decisions on both thought and feeling. There are many people, myself included, who have spent countless days on the land, and have, what can only be called, a deep love for the land. **The plan should reflect feelings which maintain land relationships for all generations to come,** not just the thought structure. The plan should be a celebration of continual renewal of not just humanities relationship with the land, but all our non-human relations who share this place with us.

Many Elders **decenter the human story,** where the importance of other than human beings' relationships with the land are just as important as our own. Thinking of a planning process which decenters human concerns yet sees them as part of a web of relationships interacting with the land, may go a long way to change this plans framework.

Finally, **climate change, and greater protection must be centralized in this plan.** At the very least, TH suggestions for greater protections must be followed. **Planning should not be limited by mineral staking but use the time of Final Agreement signing as a baseline *at least*.**

I would challenge the planning commission to deeply engage with TH citizens and examples from elsewhere, to **work towards creating a plan that truly creates equity between Indigenous Knowledge and Western Knowledge** in how we plan for a sustainable relationship with the land that lasts for all-time.

Please find more specific comments below, though as noted the plan must expand beyond its current framework.

Thank you for your work on this important undertaking,  
First Nation Citizen, Taku River Tlingit. PhD Student, University of Alberta.



Jared Gonet

### Comments on Vision Statements

- For the region.. statement should point specifically to ‘sustainable economies’ that maintain a rich cultural legacy and healthy environment. Economies should not be separate from health, we must reimagine how economies function so they reinforce our stewardship relationship with the land, rather than fight against it.
- For the process.. statement should change so the process -supports- TH ways of community stewardship, so the *systems* which allow for continual cultural renewal, knowledge transfer, and the growth of indigenous knowledge, are supported and thrive. Finally, the process of this plan must be a living one which continues on, planning with continual implementation and adaption.
- For the plan.. statement should move away from ‘integrated use and management...’ to ‘stewardship of land, water, and resources.

### Comments on Guiding Principles

- **Climate Change as a Guiding Principle**

This is a general comment that climate change *must* be woven far more deeply into the plan. Climate change, along with biodiversity loss, is one of the most pressing crises of our generation. I would recommend putting Climate Change as a guiding principle of the plan in section 1.6.2. From here climate change should flow naturally into every section of the plan.
- **Priority Criteria for Candidate Conservation Areas**

It is unsure to me how this is a principle through its description. Currently it is worded as prescriptions rather than principles. I would reconsider this principle and as: *Biocultural Values will determine Conservation Areas*, then list the values (criteria) in another section.

### Comments on Draft Goals

- **General Comments**

Principles of adaptive management, precautionary principle, stewardship, must be woven into every goal in some fashion.
- **Ecological Goals**

On page 21 Draft Ecological and Socio-cultural goals should be woven together more. On Page 16, the principle of ‘sustainable development’ clearly states healthy ecological and social systems together (not separately) are what societies are dependent on. Further, you state ‘If the integrity of ecosystems is lost, societies and economies cannot be sustained.’ Finally, on page 20 it is stated ‘The THFA recognizes and protects the way of life which is based on an economic and spiritual relationship *between Tr’ondek Hwech’in and the land.*’  
Potential ways to ‘weave’ goals together may include:

- Including biocultural terminology, area of work which explicitly ties together biological and cultural. (See attached write-up on biocultural indicators)
  - Noting Ecological goals *must* include stewardship, cultural continuity, and knowledge transfer, could change title to ‘Draft Stewardship of Ecology Goals’, and bring more stewardship terminology into draft goals.
- **Socio-cultural Goals**

As per comments on ecological goals, more firm connection between healthy lands and peoples must be made. Land-based activities should include stewardship, where indigenous guardians, or indigenous youth guardians (or whichever term TH may choose) are working to steward the land. Indigenous guardians and youth must be included in monitoring work, and stewardship values must be part of projects which aim to protect the health of ecosystems.

Further, the *systems* which promote and create culture must be supported. There must be a place for indigenous knowledge to grow, and flourish, in all aspects of stewarding the land. Deborah Mcgreggor has an excellent description of Indigenous Knowledge Systems in environmental governance (See references).
  - **Economic Goals**

This section should at least be sustainable development goals, rather than economic goals. Further, stewardship values should be reflected in each goal. Each goal must note the health of the land must be maintained, and the precautionary principle followed. It is near universally recognized our current way of sustaining economies does not work, currently economic frameworks are creating biodiversity and climate change crisis (UN Environment 2019 and 2021). *Alternate* economies must be sought through this plan which can create healthy relationships between people and the land, while maintaining stewardship visions.

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**Appendix 1: Biocultural Indicators**

**Biocultural Indicator Definition** – Jared Gonet

Biocultural indicators hinge on **biocultural diversity**, which is place-based and links ecosystem well-being to human-well-being (Sterling et al. 2017). Biocultural diversity acknowledges both biological and cultural diversity are mutually reinforcing (Vaziri et al. 2020), and the links between the two have ‘co-evolved’ (Diaz et al. 2015). Disconnects between biological and cultural diversity can lead to resource misdirection and a failure to inspire action (Sterling et al. 2017).

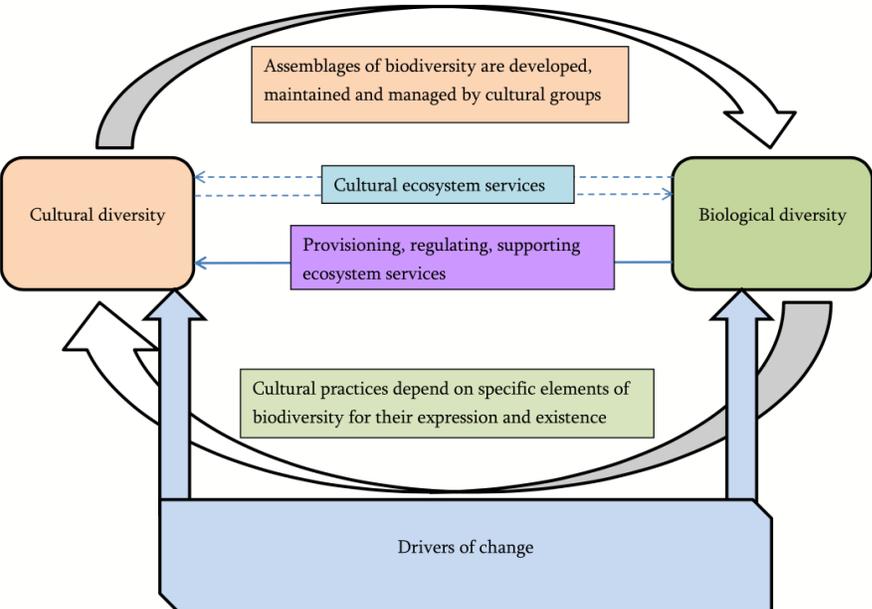


Figure 1 - Links between cultural and biological diversity (Bridgewater and Rotherham 2019)

**Biocultural Indicators**

Biocultural indicators are created through participatory methods with the lens of local cultures, values, knowledge, needs (Sterling et al. 2017). The indicators developed must be relevant to local communities’ conceptions of resilience, be able to be monitored and evaluated by communities and contribute to their ability to maintain healthy relationships with nature (Caillon et al. 2017). Ideally, indicators may bridge scales of local, regional and national to adequately measure biological and cultural elements (Vaziri et al. 2020).

Ultimately, A biocultural indicator would then be a measurable indicator, either through scientific (qualitative or quantitative) or indigenous methods (which may use scientific tools) that measures the continuance of biocultural diversity.

Examples of biocultural indicators may include but are not limited to:

- Animal health as it relates to ecosystem health (Vaziri et al. 2020)

- Ecosystem well-being (Caillon et al. 2017)
- Continuance of cultural practices measured and monitored in meaningful ways
- Maintaining traditional harvest (Vaziri et al. 2020).

## References

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## 2021 Dawson Draft Plan Engagement Submission

Type: email ref 017

From: Ron Berdahl

[REDACTED]

Date: Nov 1 2011

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To Whom It Concerns,

As we look back at our own histories, or even that of the Yukon, one universal truth stands out.....Unexpected events blind side us, almost regularly!

Consider your 20 year old self, your thoughts, plans and ideas....did life take that idealized, linear path? Probably not.

Consider the Yukon's history. You are out hunting and berry picking, everything is great. Then you notice a great white cloud rising from the west...what is it? For the next six months volcanic ash (from what is now a dormant volcano on the Alaska/ Yukon border) rains down, destroying all vegetation and life over most of the SW Yukon. You move your family or perish.

You are minding your own business, catching fish, collecting berries. Things have always been this way, and probably always will be....suddenly 30,000 gold seekers show up...oops.

Your minding your own business on the trapline, hunting, cutting firewood for the steamboat to get spending money, suddenly you see a bright star on the horizon...or is it, you've never seen it before. Nope it is a CAT from the US army, they are building a road that will forever change the Territory.

You folks are planning the future of a large chunk of the Yukon. All other LUP's will follow your lead. One thing is ABSOLUTELY CERTAIN - tomorrow will bring about a change that will render many of the ideas and plans you have worked so hard on, obsolete.....

Mark my words. This will happen. Your plan needs a means (and not just a five year review) that can give Yukoners the flexibility to adjust and thrive in this new climate. You do not know what is coming....but it is. Did you anticipate COVID in 2019? None of us could. We are all in this together. As the people in power please don't hamstring the rest of us with an inflexible plan. Yukoners need to have a source of income to feed our families....that will never changed.

What are we going to do when ( NOT IF people) governments cut money to local governments, does the THFN really believe that governments will keep their fiduciary obligation to fund YFNs for as long as the Yukon River flows....does YTG really think 1.7Billion dollars will continue to fall annually, like mana from heaven, forever....really....are we that ignorant of history and reality? I hope not....for all our families' sake.

Ron Berdahl



Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Phone: 867-667-7397  
Fax: 867-667-4624

Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

We are grateful to be part of the discussions for planning the future and the stewardship of land management and resources of the Dawson Region in Tr'ondëk Hwëch'in (THFN) Traditional Territory.

A summary of process and technical issues identified through reviewing the Draft Plan are provided below:

**1. Land Use Designations Methodology**

- i. Simplifying the number of LUD's Integrated Stewardship Areas (ISA's) to two categories (development and NO development) to have a singular Special Management Area zoning delineating full protection (SMA) should reduce potential management challenges in implementation and the need for increased capacity within YG and THFN.
- ii. Areas with high economic potential and lower habitat and cultural heritage values should allow for future economic development with corresponding higher disturbance thresholds, with such thresholds based on sound scientific studies for species and habitats.
- iii. Implementation of Integrated Stewardship Practises could provide excellent holistic, opportunities for the Planning Region. However, no concrete examples or techniques for connecting various land-users from seemingly different usage backgrounds, is provided.

**2. Cumulative Disturbance Thresholds Methodology**

- i. It is unclear in the Draft Plan if the Cumulative Disturbance Thresholds are based on Ecological derived habitat needs or are more arbitrary Management thresholds.
- ii. The Draft Plan does not use the referenced Land Use Planning Conservation Thresholds (Environmental Law Institute, 2003). **Threshold values presented are very low compared to other land use plans in comparable sub-arctic, low-density populated areas and particularly relative to ecologic thresholds from scientific studies which generally indicate threshold preservation of >60% of habitat or perhaps 80% for rare species.**
- iii. §3.5.1 (Cumulative Effects Indicators) specifies that surface disturbance does not include areas deemed as recovered. This could be interpreted to align with in-place regulatory practises which incentivize restoration efforts in economically developed areas. However, it is unclear whether this means industry could operate in net-zero land disturbance if areas are progressively recovered, thus lowering the LMU's active disturbance threshold.
- iv. On October 12<sup>th</sup> 2021, the DRPC released 'Analysis of "Current" Disturbance Levels'. The outdated 2014 dataset provided was indicated to be the result of a lack of information, however figures from the document show recent satellite images mapping disturbance. If current disturbance levels are not defined, how can thresholds be proposed for each land management unit, especially if the thresholds are arbitrary management levels and not based on habitat needs or species criteria?

- v. How Disturbance Classes (Industry, Forestry, Agriculture, Road-development including aggregate resource extraction) are categorized and monitored is not described in the Draft Plan. Would future disturbance totals include all categories? The draft document states that only mining related disturbances were utilized in the development of thresholds.
- vi. In ISA areas that are open for development the thresholds need to allow for future economic activity; it is unclear based on “current” disturbance whether that would be the case for the 5%, 2.5% and 1% disturbance thresholds that are proposed in the Draft Plan.
- vii. The Draft Plan states that existing mineral rights will be honored in the LMU’s but unless these areas are removed from the calculation of disturbance in the LMU’s this may not be achievable. Likewise, the Draft Plan states that there would be no new disturbance of some classes of wetlands. If those wetlands cover existing mineral rights, then either the mineral rights have been lost, or no net loss would only apply outside of the existing mineral rights. The Draft Plan is unclear on both of those points.
- viii. **Recommend the establishment of science-based ecological habitat disturbance thresholds for the regional planning area. This could be achieved with the formation of an objective special technical working group who can advise on suitable disturbance thresholds to ensure the integrity of key values (ecological habitat and heritage) whilst allowing for sustainable economic development.**

### 3. Wetlands

- i. Outlined thresholds could have serious economic development consequences (in particular to placer mining which occurs in wetland areas) but are unclear in the Draft Plan.
- ii. The Federal Policy on Wetland Conservation (Government of Canada, 1991) describes no net loss of socioeconomic or ecological wetland function. Restoration of wetland function has been demonstrated globally on various projects in various biogeoclimatic ecozones. Therefore, it is recommended that criteria be developed for habitat and functional wetland restoration.
- iii. Why is there no development allowed in undisturbed bogs and marshes throughout the region within only specified SMAs and ISAs? Why is there inconsistent policy towards specified habitats? Placer mining often occurs in marshes, fens and bogs, as may hard rock exploration and development. **A blanket restriction on disturbance rather than providing criteria for functional restoration would effectively shut down economic activity in these areas.**
- iv. What are the factors included in the scientific basis considered with allowing development of an arbitrary 25-75% range for fens in each applicable LMU?
- v. The Draft Plan states that effective restoration of wetlands is impossible. This is inconsistent with results from a number of successful wetland restoration projects in Canada. It also contrasts with the surface disturbance recovery objectives and may discourage Operators from implementing costly best management restoration practices.
- vi. **Recommend the development of agreed upon wetlands restoration guidelines that could allow for uniform best management practices in these important ecological habitats.**

### 4. Economic Plan

- i. Plans to maintain the economic health of the region are not discussed in detail. Management intent is unclear throughout the document and certain proposals could have far reaching negative economic impacts on the region.
- ii. §’s 4.1.9 and 4.3.3 on Traditional Economy recommends buffers and avoiding or reducing the level of land-use activities in areas identified as having cultural value. Map 5 (Appendix A) shows virtually the entire area as having traditional-use value. It is unclear what exactly this would mean for stakeholder-use in the entire planning area.
- iii. Sustaining a healthy placer mining industry is key for the economic security of the Planning Region as the single largest economic sector. While this natural resource has been developed in the region for over a century, many placer deposits have been depleted in the heavily developed

areas. While there are opportunities to reclaim and restore these historically disturbed areas, the industry will continue to move into adjacent prospective areas that share the same geologic settings. This movement into adjacent areas needs to be accommodated to allow for a healthy placer mining industry and regional economy. For instance, in LMU 12 the natural progression is to move further eastward to the Upper Indian River (LMU 19), which has same geological setting, and is demonstrating comparable economic placer values. This area is the economic future for the Klondike Goldfields.

- iv. The Mining industry generates significant economic benefits for communities that are often not well understood. A substantiated figure used in the mineral industry shows that typically every dollar spent in mining generates \$5 in the local economy including indirect supporting industries & local-work force (hotels, restaurants, equipment sales and maintenance, supplies, fuel, *etc.*). A similar multiplier value relates to jobs supported by indirect and induced economic activity. A recent study of mining related jobs in British Columbia indicates that for each (1) mining related job, 4.6 jobs indirect, or induced, jobs are created. The DLUP Resource Assessment Report does not accurately reflect economic contributions from these types of economic activity (refer to PWC 2012, Mining Industry Economic Impact Report). **Maintaining a healthy mineral resource economy is key to ensuring long-term socioeconomic health of the Planning Region.**

## 5. Regulatory Policy and Implementation

- i. There is currently no implemented monitoring of disturbance or impact assessment in the Dawson Planning Region.
- ii. **It is imperative that the Plan reflects the current, effective, in-place regulatory regime for permitting. This process incentivizes concurrent restoration efforts and includes permitting conditions that guide land-users to mitigate potential impacts whenever possible.**
- iii. The Senior Liaison Committee should encourage YG to use more consistent policy towards both Placer and Quartz operations. Pre- and Post-Season reporting should be conditions of Mining Land Use Permits (MLUPs). Presently, quartz operations are given thresholds of allowable disturbance within their projects. This incentivizes operators to progressively reclaim. Implementation of appropriate thresholds for placer operations with permitting conditions outlining reasonable allowable open disturbances, would allow for tracking disturbance and avoid LMU's from reaching critical thresholds of cumulative disturbance.
- iv. Understanding the current level of disturbance in the LMU's is critical to avoid potential for ceased operations and operators having large areas of open disturbance and no incentive to reclaim.
- v. Creation of wetland restoration policies outlining acceptable industry practises are required to provide a clear path for economic development in regions within, and proximal to wetlands (*i.e.*, placer mining, road management). Policies concerning wetland restoration should be consistent regardless of LUD and should be standardized for consistent stewardship in the Planning Region and follow sound scientifically based criteria.
- vi. The view that restoration of functional wetland habitat is effectively impossible is not backed by science and negates the incentive for land-users to implement best possible management practices in reclamation efforts. It is imperative for maintaining function of these ecosystems that wetland restoration policy encourages incentivized restoration efforts. Historic disturbances in wetlands would see little industry investment if the messaging presented is discouraging towards restoration of wetland function. Although a bog cannot be restored to be a bog, there is no scientific basis that effective wetland functions cannot be restored in disturbed areas.
- vii. **Current regulatory processes within the hard-rock industry, should be extended to placer mining, to incentivize habitat restoration of modern disturbance, but also historic disturbances. Additionally, these processes ensure that land-users abide by specific conditions that reflect habitat preservation of ecological sensitivities. Implementing restoration**

**procedures through permitting conditions across the industry, as a whole, is key to successful execution of the Plan ecological goals and integrated stewardship practises.**

It is our belief that a balanced final plan would set the tone for future land use planning and inspire other Yukon First Nations and Land Use Planners to see this as an opportunity for the Yukon Territory and its future.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Sheldon", written over a horizontal line.

Scott Sheldon  
President, Flow Metals Corp.



**Dawson Regional Planning Commission**

Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Y1A 2H3

November 1, 2021

Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

White Gold Corp. (“White Gold”) is a Canadian gold exploration company operating exclusively in the emerging White Gold District in northwest Yukon. We are the largest quartz mineral claims holder in the District with 21,111 claims covering over 420,000 hectares across 31 mineral properties, which stretch approximately 180 km south and 60 km west of Dawson City. Our gold resources include the flagship Golden Saddle and Arc deposits which collectively contain Indicated Resources of 1,140,000 ounce at 2.28 g/t Au and Inferred resources of 402,100 ounces at 1.39 g/t Au, and the nearby VG deposit which contains historical Inferred Resources of 230,000 at 1.65 g/t Au. Since our inception in 2016, we have spent approximately \$50 million on hard rock exploration on our Yukon projects, representing a significant investment in the local economy.

This letter represents White Gold’s preliminary comments on the Dawson Regional Planning Commission’s draft plan, which was released in June 2021. We have just recently completed our 2021 field season and unfortunately have had minimal time to review this lengthy document in detail. Consequently, we feel that an extension of time beyond the November 1<sup>st</sup> deadline for review and comments is required given the plan’s importance to all stakeholders.

**The Plan and White Gold’s Mineral Properties**

All but eight of White Gold’s 31 mineral properties fall within the boundaries of the Dawson Regional Planning area (see Figure 1), so clearly this plan has significant potential impacts on our projects in terms of future exploration and potential mine development.

The core of our claims which includes the gold resources at the Golden Saddle and Arc deposits fall within Land Management Unit (“LMU”) 12 (EAST – NÄCHO DĚK), which has a Land Use Designation of Integrated Stewardship Area (“LSA”) 4. The Commission has recognized the importance of the mining industry in this area, which is reflected in the Zone 4 designation which warrants a high threshold for development.

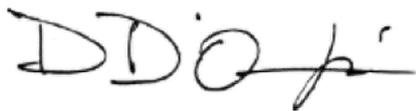
However, several of our properties located west of the Yukon River are potentially negatively impacted by the plan in terms of access, permitted exploration activities, and future development. In particular, our Nolan property is a large property covering 438 km<sup>2</sup> extending from the Top of the World Highway southward to Mount Hart. The central to southern portion of the property falls within LMU 23 (FORTYMILE

CARIBOU CORRIDOR) which is split into two zones based on elevation (ISA 1 = higher elevation; ISA 2 = lower elevations) and location to better manage ridgetops which are key to the migration of the Fortymile Caribou Herd. White Gold has identified several prospective exploration targets in this area (e.g. Boucher and Mount Hart) which we feel warrant significant future exploration work, including diamond drill testing. The area is gaining renewed interest in mineral exploration which also includes ATAC Resources Ltd.'s adjacent Connaught Property. We are concerned about the current designations for this area and the lack of clear direction on what is and is not permitted in terms of advanced exploration and potential development. We encourage the Commission to review and consider closely the rationale for the designations in the draft plan, which should be based on sound and existing caribou habitat and migration data. We are confident that exploration and development can coexist with healthy caribou populations in this area given adequate management and mitigation measures.

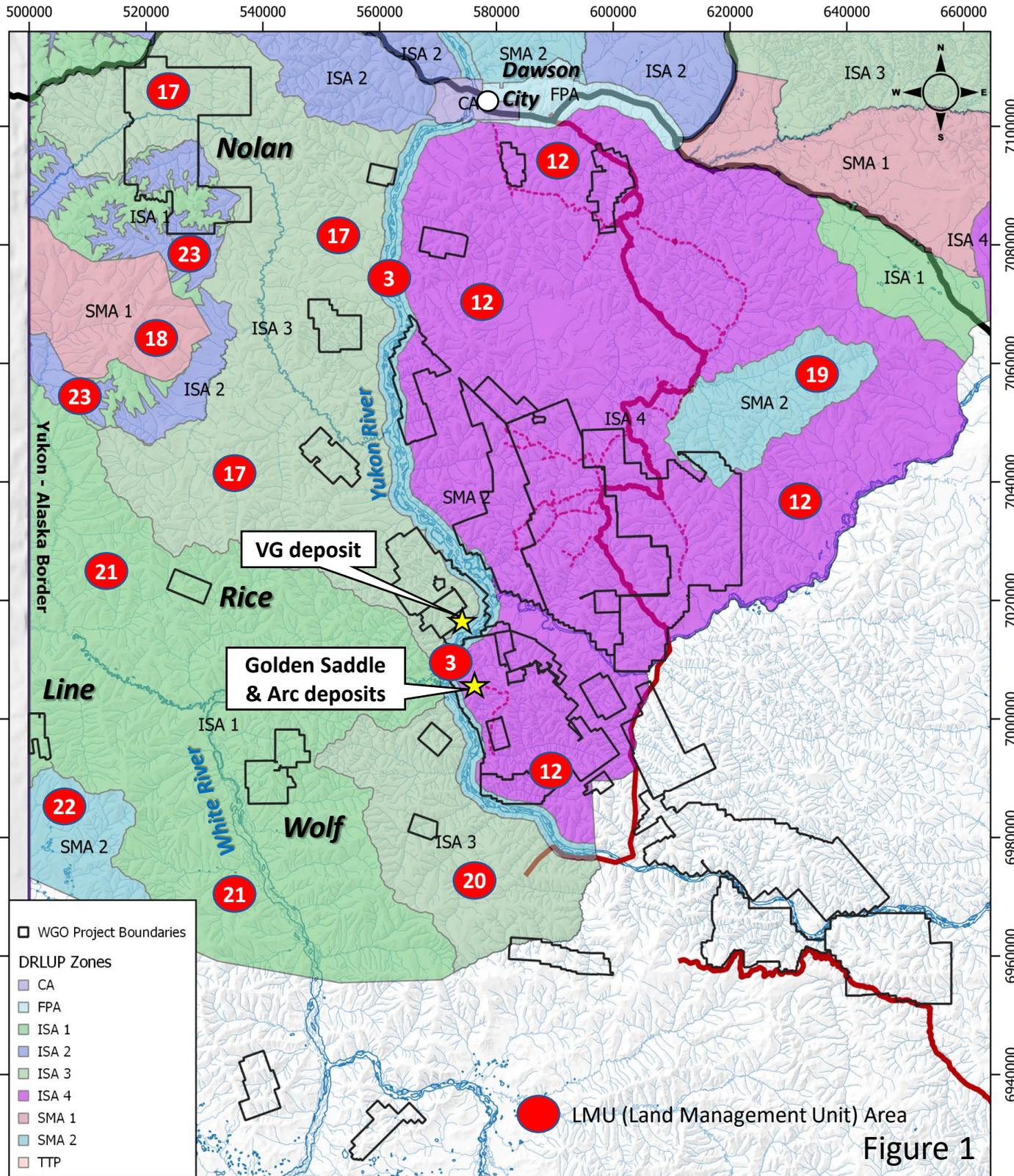
White Gold's other three properties (Wolf, Rice and Line properties) which are also potentially impacted by the draft plan fall within LMU 21 (WHITE – TÄDZAN DĚK) which is bisected by the White River. LMU 21 has been recognized by the Commission as being relatively undeveloped and inaccessible, and containing abundant intact wetland habitat. It is designated as an ISA 1, primarily in recognition of the importance of protecting these wetlands. Although these three properties represent early-stage exploration projects, it is critical that we understand any restrictions and/or impediments to future advanced exploration and potential development prior to committing to future significant exploration work and expenditures.

White Gold is committed to working closely with the Yukon Government and Tr'ondëk Hwëchin First Nation in carrying out responsible and sustainable exploration and potential future mine developments. Mineral exploration and mining carry inherent risks in terms of return on investment – an extremely small number of projects ever reach the development stage, and it is therefore critical to establish clear policies and plans that promote and encourage investment. We look forward to participating in future discussions with the Commission and all stakeholders on developing a balanced final regional plan for the Dawson region.

Yours truly,

A handwritten signature in black ink, appearing to read "DDO" followed by a stylized flourish.

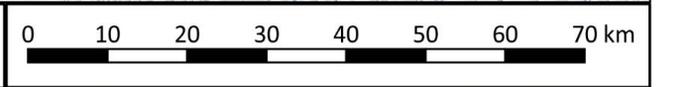
David D'Onofrio  
President & CEO  
White Gold Corp.



- WGO Project Boundaries
- DRLUP Zones
  - CA
  - FPA
  - ISA 1
  - ISA 2
  - ISA 3
  - ISA 4
  - SMA 1
  - SMA 2
  - TTP

**Dawson LMU Groups**

Prepared By: J. Forrester  
 Datum: NAD83 UTM Z 7N  
 Date 2021-10-29  
 Scale: 1:800,000



**Figure 1**



# NEW ERA Engineering Corporation

*Mining and Small Hydro Specialists*

71 Fireweed Drive, Whitehorse, Yukon, Canada Y1A 5T8, 867-668-3978 cell 334-9842

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October 30, 2021

Dawson Regional Planning Commission  
Suite 201, 307 Jarvis St.  
Whitehorse, Yukon Y1A 2H3  
[tim@planyukon.ca](mailto:tim@planyukon.ca)

Thanks for allowing Yukoner's to comment on the draft Dawson Land Use Plan (DLUP). I have reviewed the plan and I fully support the Klondike Placer Miners' (KPMA) comments and review of the plan and would like to take the opportunity to provide some additional comments of my own below:

The plan has an excellent introduction to the Dawson land use planning area. It has many references to the importance of the existing extensive economic development in the area and purports to support continued resource development. However I am very concerned that the land use designations and corresponding restrictions/ disturbance thresholds do not. Unless this is addressed it will result in a dramatic decline in economic activity in the area.

The amount of human caused linear disturbance is not a good surrogate for the impact of resource development activities on the environment especially if measures are undertaken to minimize impacts and good reclamation is undertaken. I have great difficulty using sums of linear disturbance (roads, trails etc.) to assess environmental impact from development in an area. I know it is one of the easiest disturbance items to measure but I think it is a poor indicator of environmental impact.

The linear impact could be a wide road with blasting and cut and fill or a narrow trail which didn't disturb the soils or vegetation - it could be 1.5 m wide or across the entire valley. How can you possibly account for these variances with a sum of linear disturbance? How can you accurately correlate these numbers with environmental impacts?

If you want to measure environmental impact, you need to measure actual effects such as the impact on wildlife using an indicator species. This is what the KPMA did in 2014. They hired a master in ecology to measure song bird diversity in the field. She was able to compare the ecology of unmined and post mined areas of the Indian River valley. Without this type of effort and scientific evaluation, all you are measuring is lines on a satellite image - not actual environmental impacts.

I also have a great difficulty in commenting on disturbance levels specified in each land management when no one appears to know what levels of disturbance presently exist? *"Furthermore the Commission acknowledges that there is a limited understanding of the current level of linear disturbance within the planning area"*. There may be areas where the present thresholds have already been exceeded and the wildlife and environment are vibrant and healthy. How can the plan hope to balance economic interests with ecological, cultural or social values? How can the plan hope to ensure an

adequate land base is available for placer and hard rock exploration and mining? How does this not inhibit industrial development in the region?

I don't think that airstrips should be reclaimed, we already have a low density of airstrips in the Yukon - flight safety must also be considered, I expect that in many cases the ability for aircraft to make an emergency landing at one of these strips has saved lives in the past.

The DLUP states on page 57 that "The most significant impact from increased linear disturbance in the Dawson planning region is on increased harvesting pressure on moose" and yet the Parties either don't want to (or are unable to) regulate hunters or let resource developers control access. It is not the roads but the hunters that use the roads that increase hunting pressure, disrupt mating and cause environmental impacts from their ATV's and camps. There is nothing like being shot at with a high powered riffle to interfere with mating.

The Parties should consider implementing seasonal hunting closures and/or the gating of resource roads in key rutting habitat during the rutting periods to help mitigate pressure on wildlife such as woodland caribou populations instead of forcing mines to stop operating even when none of the species of concern is in the area. The placer mining and exploration seasons are already very short in the Yukon due to our short summer season.

The Parties also need to address the ludicrous prohibition on mining in marshes on areas where mining on swamps is permitted. Marshes are relatively rare in undisturbed wetlands but are very common in reclaimed placer mined wetlands. In the mined sections of the Indian River, shallow water and marsh wetlands have increased in abundance from 3-5% of the original land surface to 20-25% of the post mined landscape. There should be no prohibition on mining natural marsh or open water wetlands because any type of wetland is relatively easy to reclaim to marshes. Marshes will be an abundant form of wetlands in the post mined landscape - assuming placer miners are allowed to continue mining.

In level 4 Integrated Stewardship Areas, where mining and sustainable development is encouraged, placer miners should be allowed to mine 100% of the fens on their claims provided they have a wetland reclamation plan. If the DLUP recommends against the mining of fen wetlands, many of the placer claims would be isolated from mining. I don't think that it is the intent of the Commission to isolate large sections of claims from placer mining in level 4 ISA's?

On a world-wide basis, the agricultural industry has been the largest destroyer of wetlands and these have been permanent impacts, they are not reclaimed back to wetlands. Therefore it is disturbing to see that there are no similar prohibitions on permanently destroying wetlands for the agriculture industry.

Some areas would have "Restricted industrial use is allowed for existing mineral and other land use rights within the area, however all other lands not currently hold mineral or other land use tenure should be withdrawn on either an interim or permanent basis." Many mineral prospects may require additional areas around the pre-existing mineral claims to fully cover a mineral deposit and to development infrastructure such as mill sites, tailings ponds and storage for overburden and waste rock as well as for surface access. Therefore many land use rights holders will not be able to develop their mineral resources if they cannot expand their land base. Will the plan recommend monetary compensation for these pre-existing rights?

Please contact me if you have any questions or comments regarding this review.

Regards,

A handwritten signature in black ink, appearing to read "Randy Clarkson", is written over a horizontal line.

Randy Clarkson P.Eng.



Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Phone: 867-667-7397  
Fax: 867-667-4624

Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

Please accept this letter as a formal commentary on the Dawson Regional Planning Commissions (DRPC) Draft Land Use Plan (June 2021) and supporting documents. We appreciate the challenges associated with the DRPC's mandate, the scope and the many years of work that have culminated in the 2021 DRLU Draft Plan. As this plan is part of fulfilment of the §11 (Land Use Planning) of the Umbrella Final Agreement (dated July 16, 1998) we are grateful to be part of the discussions for planning the future and the stewardship of land management and resources of the Dawson Region in Tr'ondëk Hwëch'in (THFN) Traditional Territory.

Recognizing that the documents are first drafts, the intention is nonetheless to utilize these documents as the basis for refining, developing, and finalizing a more balanced and defensible Regional Land Use Plan. A high-level summary of process and technical issues identified through reviewing the Draft Plan are provided below:

**1. Publicly available information and timeframe provided for comment**

- i. The Draft Plan was released June 2021 with November 1<sup>st</sup> comment closure. Industry is most active during the snow-free months. As a result, the allotted timeframe provided for comment left little time to provide adequate review and constructive input.
- ii. Limited information was released to outline the basis for many of the current Draft Plan proposals, including important maps for wildlife habitat and migration corridors, heritage areas, wetland mapping, watershed boundaries, as well as datasets and scientific studies that support the basis for the proposed disturbance thresholds.
- iii. More time and information are required to properly assess and comment on this important Regional Planning framework.

**2. Land Use Designations Methodology**

- i. The methodology described in §1.6.2.5 (Priority Criteria for Candidate Conservation Areas) do not appear to match Draft Land Management Units (LMU's) and currently proposed Land Use Designations (LUD's). Based on the methodology described in the Draft Plan, high-protection LMU's should be defined by high-density overlap of high-value features, such as habitat and heritage, and thus result in a more restrictive LUD's. High potential economic areas with low heritage and habitat values should be classified as less restrictive LUD's.
- ii. Simplifying the number of LUD's Integrated Stewardship Areas (ISA's) to three categories (low, moderate, and high development) and a singular Special Management Area zoning delineating full protection (SMA 1) should reduce potential management challenges in implementation and the need for increased capacity within YG and THFN.
- iii. Transitions from higher-protection LMU's to higher-development ones should be more gradational. Higher protection LMU's should logically cover areas with high habitat and/or high cultural values. Areas with high economic potential and lower habitat and cultural heritage

values should allow for future economic development with corresponding higher disturbance thresholds, with such thresholds based on sound scientific studies for species and habitats of focus.

- iv. Implementation of Integrated Stewardship Practises could provide excellent holistic, opportunities for the Planning Region. However, no concrete examples or techniques for connecting various land-users from seemingly different usage backgrounds, is provided.
- v. Some high protection LMU's partly or wholly enclose areas of high historic and current placer and hard rock mining activity. These areas have significant potential future economic value, have extensive mining claims within them and have already seen substantial disturbance. Designating these areas as high protection LMU's will result in land use conflict and the potential need for economic compensation to mineral rights holders. These areas should be recognized for the current and future economic value and placed into more appropriate LMU designations.

### 3. Cumulative Disturbance Thresholds Methodology

- i. It is unclear in the Draft Plan if the Cumulative Disturbance Thresholds are based off of Ecological derived habitat needs or are more arbitrary Management thresholds.
- ii. The Draft Plan does not appear to draw from the referenced Land Use Planning Conservation Thresholds (Environmental Law Institute, 2003). Threshold values presented are very low compared to other land use plans in comparable sub-arctic, low-density populated areas and particularly relative to ecologic thresholds from scientific studies which generally indicate threshold preservation of 60% of habitat or perhaps 80% for rare species. This compares with preservation of 95%, 97.5% and 99% of habitat for the high, medium and low development LUD's that are proposed.
- iii. §3.5.1 (Cumulative Effects Indicators) specifies that surface disturbance does not include areas deemed as recovered. This could be interpreted to align with in-place regulatory practises which incentivize restoration efforts in economically developed areas. However, it is unclear whether this means industry could operate in net-zero land disturbance if areas are progressively recovered, thus lowering the LMU's active disturbance threshold.
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demonstrated globally on various projects in various biogeoclimatic ecozones. Therefore, it is recommended that criteria be developed for habitat and functional wetland restoration.

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## 5. Economic Plan

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- iii. Sustaining a healthy placer mining industry is key for the economic security of the Planning Region as the single largest economic sector. While this natural resource has been developed in the region for over a century, many placer deposits have been depleted in the heavily developed areas. While there are opportunities to reclaim and restore these historically disturbed areas, the industry will continue to move into adjacent prospective areas that share the same geologic settings. This movement into adjacent areas needs to be accommodated to allow for a healthy placer mining industry and regional economy. For instance, in LMU 12 the natural progression is to move further eastward to the Upper Indian River (LMU 19), which has same geological setting, and is demonstrating comparable economic placer values. This area is the economic future for the Klondike Goldfields.
- iv. Though the focus in LMU's such as 12 and 19 have mostly been on placer mining. However, these areas are also highly prospective for future hard rock developments - as the source of the alluvial gold. Accommodation should be made for such future potential in these areas.
- v. Maintaining a healthy mineral resource economy is key to ensuring long-term socioeconomic health of the Planning Region. The Mining industry generates significant economic benefits for communities that are often not well understood. A substantiated figure used in the mineral industry shows that typically every dollar spent in mining generates \$5 in the local economy including indirect supporting industries & local-work force (hotels, restaurants, equipment sales and maintenance, supplies, fuel, *etc.*). A similar multiplier value relates to jobs supported by indirect and induced economic activity. A recent study of mining related jobs in British Columbia indicates that for each (1) mining related job, 4.6 jobs indirect, or induced, jobs are created. The DLUP Resource Assessment Report does not accurately reflect economic contributions from these types of economic activity (refer to PWC 2012, Mining Industry Economic Impact Report).

## 6. Regulatory Policy and Implementation

- i. There is currently no implemented monitoring of disturbance or impact assessment in the Dawson Planning Region.

- ii. It is imperative that the Plan reflects the current, effective, in-place regulatory regime for permitting. This process incentivizes concurrent restoration efforts and includes permitting conditions that guide land-users to mitigate potential impacts whenever possible.
- iii. The Senior Liaison Committee should encourage YG to use more consistent policy towards both Placer and Quartz operations. Pre- and Post-Season reporting should be conditions of Mining Land Use Permits (MLUPs). Presently, quartz operations are given thresholds of allowable disturbance within their projects. This incentivizes operators to progressively reclaim. Implementation of appropriate thresholds for placer operations with permitting conditions outlining reasonable allowable open disturbances, would allow for tracking disturbance and avoid LMU's from reaching critical thresholds of cumulative disturbance.
- iv. Understanding the current level of disturbance in the LMU's is critical to avoid potential for ceased operations and operators having large areas of open disturbance and no incentive to reclaim.
- v. Creation of wetland restoration policies outlining acceptable industry practises are required to provide a clear path for economic development in regions within, and proximal to wetlands (*i.e.*, placer mining, road management). Policies concerning wetland restoration should be consistent regardless of LUD and should be standardized for consistent stewardship in the Planning Region and follow sound scientifically based criteria.
- vi. The view that restoration of functional wetland habitat is effectively impossible is not backed by science and negates the incentive for land-users to implement best possible management practices in reclamation efforts. It is imperative for maintaining function of these ecosystems that wetland restoration policy encourages incentivized restoration efforts. Historic disturbances in wetlands would see little industry investment if the messaging presented is discouraging towards restoration of wetland function. Although a bog cannot be restored to be a bog, there is no scientific basis that effective wetland functions cannot be restored in disturbed areas.
- vii. Current regulatory processes within the hard-rock industry not only incentivize habitat restoration of modern disturbance, but also historic disturbances. Additionally, these processes ensure that land-users abide by specific conditions that reflect habitat preservation of ecological sensitivities. Implementing restoration procedures through permitting conditions across the industry, as a whole, is key to successful execution of the Plan ecological goals and integrated stewardship practises.

## **7. Regulatory Creep, Cumulative Impacts on Industry and Eventual Decimation of the Exploration Industry In Yukon**

Land use planning is one of many areas which are cumulatively impacting the exploration sector to the point where the industry will be at the brink of not being able to effectively operate in Yukon. Most of people are familiar with the concept of cumulative effects on the environment. In the same manner cumulative policy and regulatory decisions are having a detrimental impact on the ability of the exploration sector to effectively operate within Yukon and it is also now reaching the point where both policies and regulations are severely impacting the exploration attractiveness of the territory. Every group seems to think well that their own decisions will have a minimal impact on the sector and therefore proceed to implement the action or policy without regard to the multitude of other policies and actions that are impacting our sector. There is little regard to the overall cumulative current and long-term impact to the exploration sector in all areas in this regard. Land use planning is one of the

more critical areas where impacts to the industry are far reaching and cumulatively are reaching the point where decisions made today are having immediate significant negative impacts on our industry mostly due to the fact that a majority of the planners have little to no understanding or direct experience in how explorationists undertake their work and what the industry needs in policy and land use planning processes for Yukon to remain an attractive place to do work. Our concerns are falling on deaf ears and have since the planning of north Yukon and the Peel. Both of those land use plans had significant impacts on our industry which will impact us for decades to come. And cumulatively we have seen major areas set aside as special management areas, parks, and other things such as extended staking bans. Very little of the land is now available for us to access. The very life of the exploration sector such as land access, ability to permit in a reasonable timeframe, consultation demands which are onerous for most junior companies who do not have big staff or budgets, work restrictions, increasing limitations on ability to utilize equipment, limited or no ability to improve infrastructure and access without having to go through major planning processes and timelines that cost industry a lot of money, land withdrawals, staking bans, limiting work in wetlands when there are so many wetland areas in Yukon and so on and so on. Companies are starting to leave, industry speaks no one listens including this commission and the DLUP process as a whole. It is a massive failure to the industry which is the backbone of the Yukon economy and if it continues it will ultimately decimate the industry. Think about 2003 how much exploration went on at that time...we can go back to those days... as already key industry players are pulling out of Yukon. Do we all collectively want exploration to come to a halt in Yukon as we are clearly heading in that direction? Industry has many other places in the world that we can explore. Yukon is attractive for its exploration potential but that is quickly being destroyed by the current processes and decisions being made.

Most of us are small companies who cannot afford the time and resources to attend the multitude of consultations and events that are resulting in decisions that ultimately result in a negative effect on our ability to operate or that add significantly to the cost of exploration. For example, I am the only full time person in CMC and I have a part time accountant/administrator and otherwise we are dependent on a variety of consultants to complete the work we undertake. We spend millions and that is deceptive because people end up with the perception that we are much larger companies than we actually are. So we are unable to attend your events and speak out as we simply do not have the time and resources to do so. It is not due to lack of interest or need, it is that we simply do not have the resources to apply to each land use planning effort, or each government related consultation, and expectations placed on us are often beyond what is realistically possible for us to now accomplish with our human and financial resources. It is impressive to see that groups like ATAC have expended the resources to produce an amazing presentation on the impact the draft DLUP will have on themselves and the exploration sector as a whole. Few of us have that level of resources to be able to commit and so you cannot expect that you will hear from many of us to the degree that ATAC has in this regard but I will assure you that after being involved in land use planning and policy development for over 35 years and advocating industry perspectives. Those who are able to speak out within our sector represent not only themselves but all of us. And many will not also report because they fear repercussions in doing so with regulators and the like as those of us who have been around for decades know that if you speak out you often get black listed or treated indifferently and inequitably...I have worked both in

government and in industry and have seen that happen. So for the few of us who will report and express concerns to the DLUP, we represent a much larger group of companies with the same concerns and just because we are few does should not diminish in any manner the level of attention that should be paid to the concerns we do raise.

I think it is time for a wake up call in Yukon and with groups like DLUP to think seriously about how the cumulative impacts on our sector are killing it within Yukon. Do you want an exploration sector in Yukon? and if so, how are you going to implement your plan so it does not have a huge negative impact on us?... as you are driving us away.

It is time for land use planning processes to have a person with industry expertise in mineral exploration and development as an integral part of the planning team. This can be done through a consulting agreement as there is a huge amount of expertise available in western Canada in the geological and resource development areas to advise groups like the DLUP and your Commission should hire that expertise to provide you with an independent review of the potential negative impacts arising from the decisions you appear to have already made as they are very far reaching and very negative to the exploration sector. ATAC have done a super job of using Connaught as an example of how the current decisions in the draft plan would severely impact their project and I suspect in the Dawson region there are numerous companies and projects that would be impacted to a similar or greater degree. Our company is not active in the Dawson region, but plans se precedents for future plans so we are wary of decisions made in other areas as experience has shown that such policy setting establishes a framework for other land use planning that will be generated in other areas in the Yukon...yes back to the cumulative effect argument.

**It is important that the Commission seriously consider and analyze the serious implications on the exploration and mining industry if some of these proposed conditions, restrictions and thresholds are implemented.**

**Everything that ATAC Resources has presented is correct and it is a clear signal that concerns of explorationists like ATAC within the DLUP process need to not only be considered but implemented and the plan needs a major revision to address the other concerns that are applicable to the overall plan. The Connaught example is one of many that demonstrate the significant impacts the current draft plan will have on the explorationists in this area and likely set precedents for other land use plans as each plan sets the expectations level higher...regulatory and protectionist creep. I therefore fully support Andrew Carne's concerns as they are EXTREMELY VALID AND WELL THOUGHT OUT AND NEED TO BE TAKEN VERY SERIOUSLY.**

A more balanced final plan will set the tone for future land use planning and inspire other Yukon First Nations and Land Use Planners to see this as an opportunity for the Yukon Territory and a healthy and vibrant exploration sector providing economic benefits to all Yukoners for decades to come. Please integrate the concerns of our industry into your plan as it will not only affect the Dawson area but will also have an impact on future land use plans that remain to be developed in Yukon.

Sincerely,

Kevin Brewer  
President and CEO  
CMC Metals Ltd

To: the Dawson Regional Land Use Planning Commission  
Date: 23 October 2021  
Submitted by: Gill Cracknell

Thank you for this opportunity to comment on the Dawson Region Draft Land Use Plan.

In the early 1990's, my partner and I lived in the bush about 60 air miles northeast of Dawson which, at that time, was our local community.

I have since worked with many Tr'ondëk Hwëch'in people and I believe that the conservation priorities that TH has put forward for the Dawson region capture the ecological values of the area far better than the current version of the Draft Plan.

I therefore request that the Commission revise the current Draft Plan to strengthen protection of the ecological values of the area, bring the plan into alignment with the conservation recommendations put forward by TH, and better reflect the spirit and intent of the Final Agreements.

My suggestions are by no means comprehensive but are intended to indicate the kinds of changes that I would like the Commission to make.

The overarching change I feel is required, is to increase the percentage of real protection from 3.8% to 60%. With this in mind, I have the following comments:

- Words have to be backed up by bold and visionary recommendations. Claiming the precautionary principle requires the Commission to analyse the amplified effects of climate change we are experiencing in the north, and to recommend robust strategies to ensure that intact ecologies are secured for future generations.

The precautionary principle is a meaningless sentiment if not followed through at all scales and levels of detail in the Plan, and at this point, the Plan needs considerably more thoughtful work in this regard.

- Large-scale, long-term full protection of lands and waters in the region is the best way to build resilience for wildlife and the entire ecology, including humans, into the Regional Land Use Plan.
- The level of protection achieved will be significantly improved if SMA 2's are increased to SMA 1 designation.
- Ecological, cultural and subsistence values should be protected through a Co-management Agreement between the First Nation and Territorial governments.

- Mining legislation is being revised through a separate (MDS) consultation process. It is important that the Draft Plan sets a new vision for the region that sustains ecological and cultural assets in the long term.
- The Fortymile Caribou Herd core area needs to be expanded several times over to include much more of the core range. The current, very limited 'core' area designated as SMA1 protection is not going to secure the future of this transboundary herd.
- Wetlands, including fens, must be fully protected as they provide critical habitat for many species and play an important role in climate change mitigation.

I have had the privilege of working with land use planners who incorporate Traditional Knowledge into their work and who are also highly qualified ecologists.

Water connectivity, especially sub-surface water flow is complex and often barely understood, especially in wetland areas. Surface water may be flowing in one direction whilst subsurface flow can be in the opposite direction, micro and macro flows create complex feedback loops etc.

The precautionary principle must surely be applied and protection given to all wetland fens, bogs and marshes at the highest level.

- The calculations pertaining to limits to development must be revisited and revised.

Threshold levels applied to an entire LMU are inadequate and inaccurate. They do not reflect the extremes of impact that happen locally in more limited areas. The purpose of limits to development whether surficial, linear, or some other measure, is to protect ecosystems, water quality, habitat and other important values.

The current limits do nothing to improve clarity and transparency. Indeed, in some areas, the limits seem to be designed to accommodate current levels of development without consideration of whether that level is appropriate or not. An unacceptable approach in my view.

Impacts of development have repercussions and consequences to the ecology well beyond their immediate location. The Commission needs to tackle the expression of allowable levels of development, including access roads, in a far more robust, transparent and responsible way.

- The lack of recommendations in relation to new access roads and upgrading of current access, particularly in areas slated for development, concerns me. The Precautionary Principle must be consistently applied with vision as a guiding principle for the ecological integrity of the entire region, not just the parts that are not currently of interest to industry.

In sum, securing the ecological integrity of the land and water everywhere in the region must be the principal objective of the Plan because it underpins everything else. I urge Commission members to hold this intention front and centre as you review comments and revise the Plan.

Sincerely,

Gill Cracknell

Whitehorse

2021 Dawson Draft Plan Engagement Submission

Type: email Ref 023

From: Calhoun Keating Malay

Date: Oct 24 2021

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Hi there,

I'm emailing you to give voice to my opinion in the land use planning debate.

As a resident of Dawson, a person of euro-american descent and a placer claim stake holder I would like to give my full support the Tr'ondëk Hwëch'in government in this matter.

I've read the land use planning proposal and I feel TH's approach to land use is necessary to preserve the beautiful land and the ecosystems it sustains. If this means inconvenience to, or cessation of my mining, so be it. If this means re-imagining our economy, so be it. Our environment comes first and I feel that Tr'ondëk Hwëch'in government should be heard and supported in their decisions.

Sincerely,

Calhoun Keating Malay  
Dawson resident  
Placer claim holder: P522121

## DLUP comments

These comments are based on over 40 years experience mapping and assessing ecosystems, terrain, soils, habitat and wetlands in many parts of the Yukon. I have assessed disturbance due to seismic activity along the Dempster highway and I have spent weeks and months working in the Indian and Klondike river valleys.

### SMA designation:

SMA1 protects only a small portion of the DLU region (3.8%).

The SMA2 designation (35.5%) don't really provide protection. It allows existing claims to be developed, allows roads and do not necessarily provide for management planning in the future. 35.5% of the region is designated SMA2. Most of these SMA2's should be designated as SMA1's to give them real protection. These should include:

- Scottie creek wetlands
- More areas adjacent to Tombstone park.
- Areas adjacent to Ni'iinlii Njik (Fishing Branch)
- The wetlands along Wounded Moose and Australia creeks and corridors to link this to other protected areas.
- The Yukon River corridor. This is an important current and historical transportation corridor for recreation and harvesting activities in addition to accessing mining claims. In order to maintain these activities and the value of these activities without degrading the river ecosystem, cumulative effects of each additional increase in activity needs to be closely monitored.

Some areas not designated as SMA's which should be, include:

- Additional parts of the range of the Forty Mile caribou currently listed as ISA1/ISA2. Boreal caribou are threatened throughout most range and are threatened by warmer temperatures and fire which we are already experienced as a result of climate change which reduce lichen cover and traditional habitat. Adding extra mining and other activity will overly stress the population.
- Valley of the Stewart River. This area, I think, is important for FN and other Yukoners' harvesting and recreation and deserves a higher level of protection and management. It also hosts numerous wetlands.
- Sixty mile river: The sixty mile river has extensive wetland complexes similar (but smaller) to those that used to exist in the Indian and Klondike river valley. They are currently less disturbed and therefore the plan should provide some protection for these unique ecosystems than as an ISA3.
- Connectivity between LMU 19 and other non ISA4 areas needs to be established

### River valleys:

River valleys and wetlands are small but are often the most important parts of the landscape ecosystem. Current "rules" for managing disturbance footprints and networks allow for development of 2.5% and 5% of the area This can easily destroy all wetlands in a LMU, disturbance footprints should be evaluated by component within the landscape.

River corridors will require coordinated management plans as they are extremely important ecological parts of the landscape. They include many wetlands which provide habitat for large species as well as insects, fungi and other microorganisms as yet unidentified.

### Wetlands

Wetlands are extremely important parts of the landscape. In our mountainous terrain of the Yukon, wetlands are not that common, and the health of the whole landscape and our future needs healthy wetlands. They store carbon, filter water, moderate peak flows, provide a source of water in dry times and provide habitat for moose and birds. But we know very little detail about those values. And we know even less about the whole diverse ecosystems that they represent including the insects, fungi, lichens and other microorganisms, the water balance and use by animals at different times. The complex diversity found within river valleys and wetlands is important to all life including people.

In this region, there are some wetlands complexes on the floodplains of the larger Stewart and Yukon Rivers and on smaller rivers such as the Klondike (mostly mined and disturbed), Indian River (largely mined) and Sixty Mile (some mining). There are shrubby and treed swamps along most smaller creeks which are different ecosystems.

The sixty mile river in LMU 17 is in category ISA3 allowing 2.5% of the region to be disturbed. All the wetlands the whole length of the river are currently staked. Can we afford to lose all these peat rich bog and fen wetlands? Bogs can't be disturbed but if adjacent wetlands are removed or disturbed or if water flow is diverted the bogs will also be affected and dry will out or be otherwise altered. 2.5% seems like a small amount but could be a very large and significant % of the wetlands as creek valleys are where placer mining occurs. Some limits to allowable alteration of wetlands and stream valleys should be added to the following cumulative effects table.

Designation	Management Intent	Cumulative Effects Indicator	Precautionary Level*	Cautionary Level**	Critical Level
SMA I	No new disturbance		Tracking disturbance is unnecessary in the SMA I since no new disturbance is allowed.		
SMA II	Disturbance only in connection to existing surface and sub-surface rights		Thresholds align with ISA I or ISA II, depending on the LMU. These are defined in those LMU's Special Management Directions in Section 5.0.		
ISA Zone I	Lowest development	Surface disturbance	0.04%	0.19%	0.25%
		Linear density	0.04 km/km <sup>2</sup>	0.19 km/km <sup>2</sup>	0.25 km/km <sup>2</sup>
ISA Zone II	Low development	Surface disturbance	0.15%	0.75%	1.0%
		Linear density	0.15 km/km <sup>2</sup>	0.75 km/km <sup>2</sup>	1.0 km/km <sup>2</sup>
ISA Zone III	Moderate development	Surface disturbance	0.375%	1.875%	2.5%
		Linear density	0.375 km/km <sup>2</sup>	1.875 km/km <sup>2</sup>	2.5 km/km <sup>2</sup>
ISA Zone IV	Highest development	Surface disturbance	0.75%	3.75%	5.0%
		Linear density	0.75 km/km <sup>2</sup>	3.75 km/km <sup>2</sup>	5.0 km/km <sup>2</sup>

### Disturbance indicators

Cumulative effects: Surface disturbance and linear disturbance are used to assess cumulative impacts. This is a very simplified model.

- Because of the importance of wetlands and river valleys /thresholdslimits to allowable alteration of wetlands and stream valleys should be added to the above cumulative effects table.
- Linear disturbance is not just related to width, It is dependent on: amount of disturbance of ground vegetation, summer or winter use, in areas of high ice permafrost or not, in bog or fen wetlands or uplands. disturbance of trees only, vegetation cover, or land surface (levelling, excavation, material deposition etc).
- Disturbance less than 1.5 m wide is reasonable to exclude as it is usually non motorized with little ground cover disturbance

- Water quality and quantity should be monitored more closely in mining areas. And should occur not only when the inspector announces his visit to a placer mine. High sediment loads have been noted in rivers below placer mines and overlying wetlands adjacent to placer mined areas.

#### Recovery:

Animals tend to start following linear disturbance lines as travel is easier???, more direct???. Once they start using a route, use generally continues even as vegetation grows greater than 1.5m. Vegetation of 1.5 meters is not recovery. It does reduce line of sight for most mammals, but areas can not be said to be fully recovered.

Removing surface vegetation and topsoil from areas that are 100% wetlands, mining, then reclaiming the land and leaving some old mining pits (perhaps 15% of area as shallow water ponds), an old tailings pond (marsh-swamp 10%), with level to hummocky uplands in between (75-80%) is not an equivalent landscape and will not host the same ecosystem. Not all wetlands should be allowed to be mined even if they are currently staked.

#### Sustainable economy:

The mineral development strategy has some very good suggestions.

*Mining* and how it is done in the territory and in the DLUP area needs to change. Our mining laws need to respect other users of the land and not take automatic first priority. The DLUP needs to respect other land users. FN used river valleys before anyone staked or mined there. Their livelihood was taken away. Perhaps proven reserves should be required before ground is significantly disturbed. This can be shown through winter drilling, and helicopter access winter drilling. When I look at the maps of staked placer claims and leases just about every creek and tributary of the sixty mile, Indian, Forty Mile rivers.

It is important to make all decisions through a long term lens of changing climate and not for the next 5 years of a political mandate. Once we mine these old peat wetlands, we can't replace them over a long term and with high costs we can replace some of their functions but we can replace all those microorganisms.

The future potential of undisturbed wild places has consistently been undervalued in economic assessments.

*Forestry and agriculture:* important for local economic stability

#### Access and Corridors:

The caribou herds in the DLUPA are under many stresses and roads lead to many impacts on the herds.

Highway and river transportation corridor management plans as described are extremely important.

- Additional regulations should be established for ORV in any areas important to caribou and in wetlands and creek crossings (PS most creek crossings occur in swamp wetlands).
- Stewart river should be added to a longer term transportation network management

#### Caribou:

- I am not convinced that LMU23 designated mixed ISA1,ISA2 provides adequate protecting for the forty mile caribou herd. More of LMU17 23 and 15 should be protected.

#### Water and wetlands:

Safe water supplies for communities, wildlife and throughout the planning region should be a top priority.

Wetlands are an important part of the hydrological system. They filter water and help maintain water quality and help stabilize water levels in creeks and rivers. Small marshes are present along many small creeks in the region. These are often too small to map as they occur as part of swamp and marsh complexes, but they are present. Larger marshes are present along the larger rivers.

Fens: if one were to develop 75% of fens the remainder would not be able to function as they did before due to fragmentation, upstream impacting downstream wetlands and edge effects. 25% is a much more reasonable target.

Proven gold reserves should be established prior to removing wetlands.

#### Climate change:

This section is very short, weak and much too limited in scope.

All decisions need to be taken through a climate change lens. Climate change is here and we need to adapt and reduce further impacts as much as we possibly can (mitigation). Placer mining is a huge user of fossil fuels and impacts Yukon's overall carbon footprint significantly. To be sustainable in the future, this industry needs to become carbon neutral. I don't see this issue addressed in the proposed plan. In the plan, I only see ways we can mitigate permafrost thaw, invasive species, reclamation of wetlands and mined areas to somewhat reduce the amount of carbon released by clearing forests and wetlands but not ways to really address climate change. Mining most productive areas only. These need to be incorporated in the plan. The placer mining Industry needs to work to use renewables solar and wind to help power placer mines and use electric vehicles to do the mining. There is also potential for micro hydro. If streams can be diverted from one valley margin to the other and numerous dams built for tailings, it is a small step to begin hydro power generation. Old fashioned hydraulic ram technology could replace some pumps. A reduction in the amount of carbon generated by the industry is required with a goal of becoming truly sustainable and carbon neutral in the future.

Thank you for providing the opportunity to allow comments on the draft plan.

Karen McKenna

Type: email ref 025

From: Carl Schulze

Date: Nov 1 2021

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Dear Commission Members

Thank you kindly for allowing input on the Dawson Regional land Use Plan (DLUP) from association members and the general public.

I won't deal with particular issues arising from the draft Plan. I am aware they are being addressed in detail elsewhere. My issues are not specific to the DLUP but are applicable to the economic health of the Yukon in general.

I would like to mention two significant issues. The first concerns the need to explore, develop and mine deposits of "strategic metals". In the past, "strategic metals" referred to materials required for rapid production during times of war. Today this term refers to metals and materials required to combat climate change (the definition sometimes includes metals for the tech sector as well). For the planet to convert to clean energy rapidly, and keep global temperatures from exceeding 1.5°C from pre-industrial times, a rapid transition of energy sources, as well as transition from gas/diesel powered vehicle to electric vehicles, will be required. This will in turn require rapid development of mineral reserves to supply the materials for infrastructure development of clean energy systems. Protection of excessive amounts of any planning region, including 44.7% of the Dawson region, would counteract efforts to combat climate change, which is the greatest threat to modern civilization the entire human race is facing, by removing access to potential sources of strategic metals.

The second concerns the economy of Yukon. We need to bear in mind that all money provided to Yukon in the form of federal transfer payments ultimately comes from the private sector (some comes from sale of government bonds, but mainly from sales to private citizen). We have become overly accustomed to the largesse of Canadian citizens living "Outside". This largesse is likely to come under stress, as the federal and provincial governments deal with enormous fiscal deficits, compromised supply chains, and looming interest rate increases. The Yukon Government may need to become more self-reliant in revenue generation.

Mining and exploration create wealth, not just for a few greedy capitalists, but for all citizens, of Yukon and Canada. This is in the form of various tax revenue streams, direct spending by mining employees and also indirect spending by those employed in mining supply chains and "downstream" businesses. Prospectors and geologists have discovered mineral prospects developed in to producing mines in fairly recent times, in areas with little previous exploration or recognized mineral potential. Even a small mine could generate in excess of CDN\$500 million in tax revenue over the life of mine.

2021 Dawson Draft Plan Engagement Submission

Please take these aspects into consideration when developing the DLUP further.

Once again, thank you kindly for providing the opportunity to comment.

Kind regards

Carl Schulze

**Carl Schulze**

**35 Dawson Rd**

**Whitehorse, Yukon Y1A 5T6**

[REDACTED]

[REDACTED]

[REDACTED]

## 2021 Dawson Draft Plan Engagement Submission

Type: email ref 026

From: Caroline Power

Date: Nov 1 2021

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Good day,

I am a born and raised Dawson resident and I believe it is important to protect areas of the Dawson area from mining and development and to strictly control any active mines.

I work as an equipment operator in a placer mine and I am very thankful for the opportunity to make a good income, but it sickens me to see mining done inefficiently or improperly.

I believe if we made mining more exclusive it would raise the standards for practices and remediation.

I would like to see more areas of protection then was proposed in the draft plan. I am opposed to development in the mountains west of Dawson where the 40 mile caribou have migration corridors. I would also like to see more research done on the importance of the Indian river watershed and peat bogs before anymore development occurs. It appears to me, that this area is part of a migratory bird flight path. I am also opposed to the development of roads that fragment wilderness and open it to more hunting, how much is known about these potential effects on animals like moose?

I would like to see more mining closer to areas already developed, or disturbed, like the contentious "slinky mine" on the dome road. When this mine has reached the end of its life cycle it can be remediated into a residential area. We should focus on getting the most out of every piece of land before we move on to open more up. miners should focus on getting every piece of gold before moving on as well, rather than just taking the gold that is "economical" to their operations. We need to stop leaving tailings that still contain gold.

It is a terrible thing to waste and mine and a terrible thing to mine a waste.

Thank you for considering my opinions

Caroline Power

2021 Dawson Draft Plan Engagement Submission

Type: email ref 027

From: Greg Dawson

Date: Nov 01 2021

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Dear Planning Commission

Please accept the attached form letter as a good summary of my comments on the draft Dawson Land Use Plan.

I am particularly concerned about point 1.ii regarding the limited release of information and lack of datasets and scientific studies. Over the last number of years I have seen an increasing number of Wildlife Key Areas designated in Yukon. Unfortunately, the location and size of many of these areas seems arbitrary and more intended to restrict the mineral industry's ability to conduct cost effective exploration rather than for effective wildlife conservation.

If more land use designations are going to be put in place to limit the Industry's ability to conduct responsible exploration and create jobs and wealth, it is important that these designations are fully supported by data and are truly essential.

As a general comment, a successful land use plan needs to consider the uniqueness of the mineral development industry. The industry is unique in that economic mineral deposits are extremely rare and are hidden. You can't count economic mineral deposits the same way as you can count such things as trees, caribou or fish. The existence and economic value of a mineral deposit can only be determined after, usually, millions to tens of millions of dollars are spent to find and quantify it. The mineral development industry is also very high risk – the most common result of early-stage exploration is the determination that the prospect is not viable. For these reasons, a successful land use plan requires open and inexpensive access to large areas of land to conduct low impact exploration to identify very rare economic mineral deposits. Many of the recommendations in the Dawson Land Use Plan draft will serve to increase cost to exploration, reduce access to land and increase risk.

Regards,

Greg Dawson  
Director, Sitka Gold Corp.



Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Phone: 867-667-7397  
Fax: 867-667-4624

Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

Please accept this letter as a formal commentary on the Dawson Regional Planning Commissions (DRPC) Draft Land Use Plan (June 2021) and supporting documents. We appreciate the challenges associated with the DRPC's mandate, the scope and the many years of work that have culminated in the 2021 DRLU Draft Plan. As this plan is part of fulfilment of the §11 (Land Use Planning) of the Umbrella Final Agreement (dated July 16, 1998) we are grateful to be part of the discussions for planning the future and the stewardship of land management and resources of the Dawson Region in Tr'ondëk Hwëch'in (THFN) Traditional Territory.

Recognizing that the documents are first drafts, the intention is nonetheless to utilize these documents as the basis for refining, developing, and finalizing a more balanced and defensible Regional Land Use Plan. A high-level summary of process and technical issues identified through reviewing the Draft Plan are provided below:

**1. Publicly available information and timeframe provided for comment**

- i. The Draft Plan was released June 2021 with November 1<sup>st</sup> comment closure. Industry is most active during the snow-free months. As a result, the allotted timeframe provided for comment left little time to provide adequate review and constructive input.
- ii. Limited information was released to outline the basis for many of the current Draft Plan proposals, including important maps for wildlife habitat and migration corridors, heritage areas, wetland mapping, watershed boundaries, as well as datasets and scientific studies that support the basis for the proposed disturbance thresholds.
- iii. More time and information are required to properly assess and comment on this important Regional Planning framework.

**2. Land Use Designations Methodology**

- i. The methodology described in §1.6.2.5 (Priority Criteria for Candidate Conservation Areas) do not appear to match Draft Land Management Units (LMU's) and currently proposed Land Use Designations (LUD's). Based on the methodology described in the Draft Plan, high-protection LMU's should be defined by high-density overlap of high-value features, such as habitat and heritage, and thus result in a more restrictive LUD's. High potential economic areas with low heritage and habitat values should be classified as less restrictive LUD's.
- ii. Simplifying the number of LUD's Integrated Stewardship Areas (ISA's) to three categories (low, moderate, and high development) and a singular Special Management Area zoning delineating full protection (SMA 1) should reduce potential management challenges in implementation and the need for increased capacity within YG and THFN.
- iii. Transitions from higher-protection LMU's to higher-development ones should be more gradational. Higher protection LMU's should logically cover areas with high habitat and/or high cultural values. Areas with high economic potential and lower habitat and cultural heritage

values should allow for future economic development with corresponding higher disturbance thresholds, with such thresholds based on sound scientific studies for species and habitats of focus.

- iv. Implementation of Integrated Stewardship Practises could provide excellent holistic, opportunities for the Planning Region. However, no concrete examples or techniques for connecting various land-users from seemingly different usage backgrounds, is provided.
- v. Some high protection LMU's partly or wholly enclose areas of high historic and current placer and hard rock mining activity. These areas have significant potential future economic value, have extensive mining claims within them and have already seen substantial disturbance. Designating these areas as high protection LMU's will result in land use conflict and the potential need for economic compensation to mineral rights holders. These areas should be recognized for the current and future economic value and placed into more appropriate LMU designations.

### 3. Cumulative Disturbance Thresholds Methodology

- i. It is unclear in the Draft Plan if the Cumulative Disturbance Thresholds are based off of Ecological derived habitat needs or are more arbitrary Management thresholds.
- ii. The Draft Plan does not appear to draw from the referenced Land Use Planning Conservation Thresholds (Environmental Law Institute, 2003). Threshold values presented are very low compared to other land use plans in comparable sub-arctic, low-density populated areas and particularly relative to ecologic thresholds from scientific studies which generally indicate threshold preservation of 60% of habitat or perhaps 80% for rare species. This compares with preservation of 95%, 97.5% and 99% of habitat for the high, medium and low development LUD's that are proposed.
- iii. §3.5.1 (Cumulative Effects Indicators) specifies that surface disturbance does not include areas deemed as recovered. This could be interpreted to align with in-place regulatory practises which incentivize restoration efforts in economically developed areas. However, it is unclear whether this means industry could operate in net-zero land disturbance if areas are progressively recovered, thus lowering the LMU's active disturbance threshold.
- iv. On October 12<sup>th</sup> 2021, the DRPC released 'Analysis of "Current" Disturbance Levels'. The outdated 2014 dataset provided was indicated to be the result of a lack of information, however figures from the document show recent satellite images mapping disturbance. If current disturbance levels are not defined, how can thresholds be proposed for each land management unit, especially if the thresholds are arbitrary management levels and not based on habitat needs or species criteria?
- v. How Disturbance Classes (Industry, Forestry, Agriculture, Road-development including aggregate resource extraction) are categorized and monitored is not described in the Draft Plan. Would future disturbance totals include all categories? The draft document states that only mining related disturbances were utilized in the development of thresholds.
- vi. In ISA areas that are open for development the thresholds need to allow for future economic activity; it is unclear based on "current" disturbance whether that would be the case for the 5%, 2.5% and 1% disturbance thresholds that are proposed in the Draft Plan.

### 4. Wetlands

- i. Outlined thresholds could have serious economic development consequences (in particular to placer mining which occurs in wetland areas) but are unclear in the Draft Plan.
- ii. The Federal Policy on Wetland Conservation (Government of Canada, 1991) describes no net loss of socioeconomic or ecological wetland function. Restoration of wetland function has been

demonstrated globally on various projects in various biogeoclimatic ecozones. Therefore, it is recommended that criteria be developed for habitat and functional wetland restoration.

- iii. Why is there no development allowed in undisturbed bogs and marshes throughout the region within only specified SMAs and ISAs? Why is there inconsistent policy towards specified habitats?
- iv. What are the factors included in the scientific basis considered with allowing development of an arbitrary 25-75% range for fens in each applicable LMU?
- v. The Draft Plan states that effective restoration of wetlands is impossible. This is inconsistent with results from a number of successful wetland restoration projects in Canada. It also contrasts with the surface disturbance recovery objectives and may discourage Operators from implementing costly best management restoration practices.

## 5. Economic Plan

- i. Plans to maintain the economic health of the region are not discussed in detail. Management intent is unclear throughout the document and certain proposals could have far reaching negative economic impacts on the region.
- ii. §'s 4.1.9 and 4.3.3 on Traditional Economy recommends buffers and avoiding or reducing the level of land-use activities in areas identified as having cultural value. Map 5 (Appendix A) shows virtually the entire area as having traditional-use value. It is unclear what exactly this would mean for stakeholder-use in the entire planning area.
- iii. Sustaining a healthy placer mining industry is key for the economic security of the Planning Region as the single largest economic sector. While this natural resource has been developed in the region for over a century, many placer deposits have been depleted in the heavily developed areas. While there are opportunities to reclaim and restore these historically disturbed areas, the industry will continue to move into adjacent prospective areas that share the same geologic settings. This movement into adjacent areas needs to be accommodated to allow for a healthy placer mining industry and regional economy. For instance, in LMU 12 the natural progression is to move further eastward to the Upper Indian River (LMU 19), which has same geological setting, and is demonstrating comparable economic placer values. This area is the economic future for the Klondike Goldfields.
- iv. Though the focus in LMU's such as 12 and 19 have mostly been on placer mining. However, these areas are also highly prospective for future hard rock developments - as the source of the alluvial gold. Accommodation should be made for such future potential in these areas.
- v. Maintaining a healthy mineral resource economy is key to ensuring long-term socioeconomic health of the Planning Region. The Mining industry generates significant economic benefits for communities that are often not well understood. A substantiated figure used in the mineral industry shows that typically every dollar spent in mining generates \$5 in the local economy including indirect supporting industries & local-work force (hotels, restaurants, equipment sales and maintenance, supplies, fuel, etc.). A similar multiplier value relates to jobs supported by indirect and induced economic activity. A recent study of mining related jobs in British Columbia indicates that for each (1) mining related job, 4.6 jobs indirect, or induced, jobs are created. The DLUP Resource Assessment Report does not accurately reflect economic contributions from these types of economic activity (refer to PWC 2012, Mining Industry Economic Impact Report).

## 6. Regulatory Policy and Implementation

- i. There is currently no implemented monitoring of disturbance or impact assessment in the Dawson Planning Region.

- ii. It is imperative that the Plan reflects the current, effective, in-place regulatory regime for permitting. This process incentivizes concurrent restoration efforts and includes permitting conditions that guide land-users to mitigate potential impacts whenever possible.
- iii. The Senior Liaison Committee should encourage YG to use more consistent policy towards both Placer and Quartz operations. Pre- and Post-Season reporting should be conditions of Mining Land Use Permits (MLUPs). Presently, quartz operations are given thresholds of allowable disturbance within their projects. This incentivizes operators to progressively reclaim. Implementation of appropriate thresholds for placer operations with permitting conditions outlining reasonable allowable open disturbances, would allow for tracking disturbance and avoid LMU's from reaching critical thresholds of cumulative disturbance.
- iv. Understanding the current level of disturbance in the LMU's is critical to avoid potential for ceased operations and operators having large areas of open disturbance and no incentive to reclaim.
- v. Creation of wetland restoration policies outlining acceptable industry practises are required to provide a clear path for economic development in regions within, and proximal to wetlands (*i.e.*, placer mining, road management). Policies concerning wetland restoration should be consistent regardless of LUD and should be standardized for consistent stewardship in the Planning Region and follow sound scientifically based criteria.
- vi. The view that restoration of functional wetland habitat is effectively impossible is not backed by science and negates the incentive for land-users to implement best possible management practices in reclamation efforts. It is imperative for maintaining function of these ecosystems that wetland restoration policy encourages incentivized restoration efforts. Historic disturbances in wetlands would see little industry investment if the messaging presented is discouraging towards restoration of wetland function. Although a bog cannot be restored to be a bog, there is no scientific basis that effective wetland functions cannot be restored in disturbed areas.
- vii. Current regulatory processes within the hard-rock industry not only incentivize habitat restoration of modern disturbance, but also historic disturbances. Additionally, these processes ensure that land-users abide by specific conditions that reflect habitat preservation of ecological sensitivities. Implementing restoration procedures through permitting conditions across the industry, as a whole, is key to successful execution of the Plan ecological goals and integrated stewardship practises.

It is our belief that a balanced final plan would set the tone for future land use planning and inspire other Yukon First Nations and Land Use Planners to see this as an opportunity for the Yukon Territory and its future.

Sincerely,

Greg Dawson  
 Director,  
 Sitka Gold Corp.

Type: Email ref 029

From: Matthew Lien

Date: Oct 26 2021

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Dear Commission,

I am writing you to express feedback on the current draft of the land use management plan for the Dawson region.

First of all, I personally want to register my opposition to the name of "Dawson," as being representative of this vast area. There is a much deeper and richer history to this area than the blip in time which represents the gold rush and post-1898 mining activity.

I feel it would have been more appropriate to call this the Tr'ondëk Land Use Management Plan, as this word connects with the indigenous people who have lived there for countless generations, and is a restoration of the colonial misinterpretation, Klondike, under which I and other lifelong Yukoners --and certainly the indigenous people of that area -- have tolerated our entire lives.

That said, I wish to express my whole hearted support for the Tr'ondëk Hwëch'in conservation priorities for the "Dawson" Region, and urge the Commission to prioritize the protection of wildlands and wildlife, and the relationship which the Tr'ondëk Hwëch'in share with the land.

To this point, I do feel the current draft plan should be strengthened in the following areas:

1. The Commission should upgrade conservation areas with weak protections to 'Type I' Special Management Areas. This would provide lasting protections for conservation areas, and put tools in place for Tr'ondëk Hwëch'in to co-manage their traditional lands.
2. The plan should better protect lands that are critical for wildlife and subsistence, like river corridors and the range of the Fortymile caribou herd.
3. Wetlands need the best possible level of protection. These ecosystems are natural carbon reservoirs and help to buffer the effects of climate change. They provide unique habitats for wildlife and cannot be restored after being disturbed.
4. Some areas will remain open to developments like mining, but the health of lands, waters and wildlife needs to be prioritized in these places too. Limits on development in some areas are too high and allow development to be concentrated within sensitive habitats like river valleys. The Commission should use traditional knowledge and conservation science to set limits that ecosystems can tolerate.

The Tr'ondëk Hwëch'in Final Agreement speaks about needing to "protect a way of life that is based on an economic and spiritual relationship between Tr'ondëk Hwëch'in and the land." The

2021 Dawson Draft Plan Engagement Submission

Commission has expressed a similar desire to safeguard the ecological and cultural values of the Dawson Region, and I fully support this.

However, meeting these ambitions — and living up to our treaty obligations — requires bolder action than what's in the draft land use plan. I encourage the Commission to go further, and create a plan that makes these visions a reality.

Sincerely,

Matthew Lien  
Box 31407  
Whitehorse, Yukon  
Y1A6K8

[www.matthewlien.com](http://www.matthewlien.com)

Greg Brunner

October 31 2021

Dawson Regional Planning Commission  
Re: Issues and Interests Comments

Below are listed my concerns and ideas for the Dawson Land Use Plan.

- 1) I would like to see all hardrock quartz claim staking cease until this Land Use Plan is completed. I reference the thousands of claims hastily staked in the Peel River area just in the closing years of the Peel Land Use Plan. These claims greatly complicated the final acceptance for the plan.
- 2) I would like to see the area north of the Klondike Highway set aside as a "Conservation Area" in agreement with The Friends of The Dempster Country submission dated January, 5, 2020.
- 3) I would like to see the complete removal of the ISA IV designation from the Plan. This area #12 East Nacho dek is a very productive ecological area. There is an abundance of moose and a very diverse population of furbearers in this entire area. A great many people from across the Yukon use this area to hunt moose specifically because it is so productive. This area also has a lot of historical/heritage value as there are several stage routes and road houses across the region. Considering the abundance of game in the area it has undoubtedly been used for generations for hunting.
- 4) Though this is outside the scope or control of a land use plan, I would like to see very strict reclamation policies adhered to by both hard rock exploration and placer mining. Placer ground when properly reclaimed leads from successional shrub to mature forest rather rapidly instead of the many miles of steep rock piles devoid of vegetation decades after mining is complete that line many of the creeks in the Klondike historical mining district.  
I think the Land Use Plan should make a clear statement in this regard. "To be respectful of the land and return it to a productive state after mining is complete."
- 5) I think that it is important not to have too much industrially happening on the land all at the same time in each LMU. If the land is respectfully used and respectfully reclaimed it will regenerate to useful land again for a diversity of species.
- 6) I would like to see #23 Fortymile Caribou Corridor included in #18 Matson Uplands as an SMA1 with possible exception for the limited placer mining ongoing in the Fortymile and upper Sixtymile Rivers. These caribou need as much help as they can get.
- 7) I would like to see the specific wetlands designated in this Plan to be completely protected. I understand that the Indian River has long been part of the story of placer mining in the Klondike and that it is a much more contentious issue than the other two wetlands. These other two, #11 Flat Creek Wetlands and #22 Scottie Creek Wetlands, at least should be SMA1.

8) I like the idea of the Dawson Land Stewardship Trust. I think it is a great idea to promote a respectful connection to the land we live in/on. It could help promote a respectful long term connection to keeping the land productive just as it is now.

In conclusion I want to clearly state I'm not opposed to industrial usage of the land. The Dawson region is not going to see massive permanent changes to the landscape associated with large scale agriculture and clearcut forestry. That potential doesn't exist here. The primary usage will always be related to mining, mainly placer. Reclamation and roads those are the two concerns I have with mining. Roads open access to a great deal of land leading a big depletion in big game so I think there should be provisions to destroy roads that aren't actively used to help limit access. I also want to see proper reclamation that allows the land to regenerate in a few years rather than decades. In the case of dredge tailings centuries at best. The legacy of hard rock mines in the Yukon is appalling. We don't need more toxic waste dumps or environmental disasters like Faro or Clinton Creek. Big mines like that need to be done safely and the proponents held accountable to doing all the remediation. We shouldn't have accidents like the broken dam on Rose Creek -Faro mine.

For all the money those mines generated for the Territory it is all being sucked back by the remediations required for decades to come being paid for by all Canadian tax payers. It is a sad statement to say an economy has been created to repair and remediate the mess created by these mines.

Leave the wetlands alone and help those caribou.

Greg Brunner

Sitka Gold Corp  
1500-409 Granville Street  
Vancouver, BC V6C 1T2

Dawson Regional Planning Commission  
201-307 Jarvis Street  
Whitehorse, Yukon Y1A 2H3

October 31, 2021

Dear Planning Commission:

Re: Draft Land Use Plan

I have worked in the Yukon Territory for many years starting in the late 1960's. Since then, I have seen the mineral exploration industry slowly crumble under the weight of increasing bureaucracy and government regulation. Some of the regulation is warranted to prevent negligence by careless mining operators of the past, however, the pendulum has gone too far the other way. Modern day explorationists have improved tremendously in reducing their footprint and also incorporating First Nations into their programs.

The Land Use Plan, as drafted, sends a message of ever increasing regulation that is not sensitive to the needs of Mining and Exploration operators. This underscores the importance of drafting a Land Use Plan that is fair to all users of the land, and as such, we take issue with several proposals put forward in the Draft Land Use Plan.

Of high importance to our Company is the deadline for submission of comments required for this draft. The field seasons are short and we have not had the time to effectively review this draft for appropriate comment, as we have been focused on completing our Yukon projects.

According to the DLUP, some of the LMU's cover areas of high mineral potential and current or historical placer and hardrock mining. Our Company has spent more than \$5 million on exploration over the last four years, which has created positive economic impact to the local communities. The DLUP as presented could negatively impact our operations and this has to be weight against the potential negative economic consequence this may impose on the communities.

The recently announced current disturbance analysis is unclear in how this was arrived at and how it will be applied to each LMU. The draft document states that only mining related disturbance was utilized for determining thresholds and did not factor in disturbance from other land users.

It concerns us that plans to maintain the economic health of the region are not discussed in detail. The current DLUP intent is unclear throughout the document and certain proposals could have far reaching negative economic impacts on the region.

It is our belief that more time is needed to finalize a Land Use Plan that will incorporate a more balanced approach that will reflect the needs of all current and future land users.

Respectfully submitted,



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Donald Penner  
President & Director  
Sitka Gold Corp

## 2021 Dawson Draft Plan Engagement Submission

Type: Email ref 032

From: Peter Mather

Date: Oct 27 2021

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Hi,

I thought I'd send my comments on the plan.

1. I love the plan for the most part it is looking good. Some very important areas identified for development and protection.

2. I do worry about so much development along the Yukon River corridor and would like to see more protection along the river corridor.

3. My last concern is the lack of habitat protection for the forty mile caribou herd.

Thanks for your time and keep up the good work,

Best  
Peter Mather



Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Phone: 867-667-7397  
Fax: 867-667-4624

Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

Please accept this letter as a formal commentary on the Dawson Regional Planning Commissions (DRPC) Draft Land Use Plan (June 2021) and supporting documents. We appreciate the challenges associated with the DRPC's mandate, the scope and the many years of work that have culminated in the 2021 DRLU Draft Plan. As this plan is part of fulfilment of the §11 (Land Use Planning) of the Umbrella Final Agreement (dated July 16, 1998) we are grateful to be part of the discussions for planning the future and the stewardship of land management and resources of the Dawson Region in Tr'ondëk Hwëch'in (THFN) Traditional Territory.

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- ii. Simplifying the number of LUD's Integrated Stewardship Areas (ISA's) to three categories (low, moderate, and high development) and a singular Special Management Area zoning delineating full protection (SMA 1) should reduce potential management challenges in implementation and the need for increased capacity within YG and THFN.
- iii. Transitions from higher-protection LMU's to higher-development ones should be more gradational. Higher protection LMU's should logically cover areas with high habitat and/or high cultural values. Areas with high economic potential and lower habitat and cultural heritage

- values should allow for future economic development with corresponding higher disturbance thresholds, with such thresholds based on sound scientific studies for species and habitats.
- iv. Implementation of Integrated Stewardship Practises could provide excellent holistic, opportunities for the Planning Region. However, no concrete examples or techniques for connecting various land-users from seemingly different usage backgrounds, is provided.
  - v. Some high protection LMU's partly or wholly enclose areas of high historic and current placer and hard rock mining activity (LMU's 19, 21 and 22). These areas have significant potential future economic value, have extensive mining claims within them and have already seen substantial disturbance. **Designating these active mining and exploration areas as high protection LMU's will result in land use conflict and the potential need for economic compensation to mineral rights holders. These areas should be recognized for the current and future economic value and placed into more appropriate LMU designations.**

### 3. Cumulative Disturbance Thresholds Methodology

- i. It is unclear in the Draft Plan if the Cumulative Disturbance Thresholds are based off of Ecological derived habitat needs or are more arbitrary Management thresholds.
- ii. The Draft Plan does not appear to draw from the referenced Land Use Planning Conservation Thresholds (Environmental Law Institute, 2003). **Threshold values presented are very low compared to other land use plans in comparable sub-arctic, low-density populated areas and particularly relative to ecologic thresholds from scientific studies which generally indicate threshold preservation of >60% of habitat or perhaps 80% for rare species.** This compares with preservation of 95%, 97.5% and 99% of habitat for the high, medium and low development LUD's that are proposed.
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- v. How Disturbance Classes (Industry, Forestry, Agriculture, Road-development including aggregate resource extraction) are categorized and monitored is not described in the Draft Plan. Would future disturbance totals include all categories? The draft document states that only mining related disturbances were utilized in the development of thresholds.
- vi. In ISA areas that are open for development the thresholds need to allow for future economic activity; it is unclear based on "current" disturbance whether that would be the case for the 5%, 2.5% and 1% disturbance thresholds that are proposed in the Draft Plan.
- vii. The Draft Plan states that existing mineral rights will be honored in the LMU's but unless these areas are removed from the calculation of disturbance in the LMU's this may not be achievable. Likewise, the Draft Plan states that there would be no new disturbance of some classes of wetlands. If those wetlands cover existing mineral rights, then either the mineral rights have been lost, or no net loss would only apply outside of the existing mineral rights. The Draft Plan is unclear on both of those points.
- viii. **Recommend the establishment of science-based ecological habitat disturbance thresholds for the regional planning area. This could be achieved with the formation of an objective special technical working group who can advise on suitable disturbance thresholds to ensure the**

**integrity of key values (ecological habitat and heritage) whilst allowing for sustainable economic development.**

**4. Wetlands**

- i. Outlined thresholds could have serious economic development consequences (in particular to placer mining which occurs in wetland areas) but are unclear in the Draft Plan.
- ii. The Federal Policy on Wetland Conservation (Government of Canada, 1991) describes no net loss of socioeconomic or ecological wetland function. Restoration of wetland function has been demonstrated globally on various projects in various biogeoclimatic ecozones. Therefore, it is recommended that criteria be developed for habitat and functional wetland restoration.
- iii. Why is there no development allowed in undisturbed bogs and marshes throughout the region within only specified SMAs and ISAs? Why is there inconsistent policy towards specified habitats? Placer mining often occurs in marshes, fens and bogs, as may hard rock exploration and development. **A blanket restriction on disturbance rather than providing criteria for functional restoration would effectively shut down economic activity in these areas.**
- iv. What are the factors included in the scientific basis considered with allowing development of an arbitrary 25-75% range for fens in each applicable LMU?
- v. The Draft Plan states that effective restoration of wetlands is impossible. This is inconsistent with results from a number of successful wetland restoration projects in Canada. It also contrasts with the surface disturbance recovery objectives and may discourage Operators from implementing costly best management restoration practices.
- vi. **Recommend the development of agreed upon wetlands restoration guidelines that could allow for uniform best management practices in these important ecological habitats.**

**5. Economic Plan**

- i. Plans to maintain the economic health of the region are not discussed in detail. Management intent is unclear throughout the document and certain proposals could have far reaching negative economic impacts on the region.
- ii. §'s 4.1.9 and 4.3.3 on Traditional Economy recommends buffers and avoiding or reducing the level of land-use activities in areas identified as having cultural value. Map 5 (Appendix A) shows virtually the entire area as having traditional-use value. It is unclear what exactly this would mean for stakeholder-use in the entire planning area.
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- iv. Though the focus in LMU's such as 12 and 19 have mostly been on placer mining, these placer mining areas are also highly prospective for future hard rock developments - as the source of the alluvial gold. **Accommodation should be made for such future potential in these types of areas with extensive placer and hard rock exploration and development to allow for sustainable economic activity in this important sector of the planning region's economy.**
- v. The Mining industry generates significant economic benefits for communities that are often not well understood. A substantiated figure used in the mineral industry shows that typically every dollar spent in mining generates \$5 in the local economy including indirect supporting industries & local-work force (hotels, restaurants, equipment sales and maintenance, supplies, fuel, etc.). A

similar multiplier value relates to jobs supported by indirect and induced economic activity. A recent study of mining related jobs in British Columbia indicates that for each (1) mining related job, 4.6 jobs indirect, or induced, jobs are created. The DLUP Resource Assessment Report does not accurately reflect economic contributions from these types of economic activity (refer to PWC 2012, Mining Industry Economic Impact Report). **Maintaining a healthy mineral resource economy is key to ensuring long-term socioeconomic health of the Planning Region.**

## 6. Regulatory Policy and Implementation

- i. There is currently no implemented monitoring of disturbance or impact assessment in the Dawson Planning Region.
- ii. **It is imperative that the Plan reflects the current, effective, in-place regulatory regime for permitting. This process incentivizes concurrent restoration efforts and includes permitting conditions that guide land-users to mitigate potential impacts whenever possible.**
- iii. The Senior Liaison Committee should encourage YG to use more consistent policy towards both Placer and Quartz operations. Pre- and Post-Season reporting should be conditions of Mining Land Use Permits (MLUPs). Presently, quartz operations are given thresholds of allowable disturbance within their projects. This incentivizes operators to progressively reclaim. Implementation of appropriate thresholds for placer operations with permitting conditions outlining reasonable allowable open disturbances, would allow for tracking disturbance and avoid LMU's from reaching critical thresholds of cumulative disturbance.
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It is our belief that a balanced final plan would set the tone for future land use planning and inspire other Yukon First Nations and Land Use Planners to see this as an opportunity for the Yukon Territory and its future.

Sincerely,



Cor Coe, CEO and Director  
Sitka Gold Corp



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Carl Schulze, Senior Project Manager  
Aurora Geosciences Ltd.  
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Dawson Regional Planning Commission  
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Whitehorse, Yukon  
Phone: 867-667-7397  
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31 October 2021

Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

Aurora Geosciences Ltd (Aurora) is pleased to be allowed the opportunity to comment on the Dawson Regional Planning Commissions (DRPC) Draft Land Use Plan (June 2021) and supporting documents. We appreciate the challenges associated with the DRPC's mandate, the scope and diverging opinions that were incorporated into the 2021 DRLU Draft Plan. As this plan is part of fulfilment of Chapter 11 (Land Use Planning) of the Umbrella Final Agreement (dated July 16, 1998) we at Aurora are grateful to be part of the discussions towards planning the future and stewardship of land management and resources of the Dawson Region in Tr'ondëk Hwëch'in (THFN) Traditional Territory.

Aurora recognizes that the intention is to utilize this draft Plan as the basis for refining, developing, and finalizing a more balanced and defensible Regional Land Use Plan. A summary of process and technical issues identified through reviewing the Draft Plan are provided below:

**1. Publicly available information and timeframe provided for comment**

- The Draft Plan was released in June 2021 with November 1<sup>st</sup> as the comment closure date. Industry is most active during the snow-free months. As a result, the allotted time frame provided for comment left little time to provide adequate review and constructive input.
- Limited information was released to outline the basis for many of the current Draft Plan proposals, including important maps for wildlife habitat and migration corridors, heritage areas, wetland mapping, watershed boundaries, as well as datasets and scientific studies that support the basis for the proposed disturbance thresholds.
- More time and information are required to properly assess and comment on this important Regional Planning framework.

**2. Land Use Designations Methodology**

- The methodology described in Section 1.6.2.5 (Priority Criteria for Candidate Conservation Areas) do not appear to match Draft Land Management Units (LMUs) and currently proposed Land Use Designations (LUDs). Based on the methodology described in the Draft Plan, high-protection LMUs should be defined by high-density overlap of high-value features, such as habitat and heritage, and thus result in more

restrictive LUDs. High potential economic areas with low heritage and habitat values should be classified as less restrictive LUD's.

- Simplifying the number of Integrated Stewardship Areas (ISAs) to three categories (allowing for low, moderate, and high development respectively) should reduce potential management challenges in implementation and the need for increased capacity within the Government of Yukon (YG) and the THFN.
- Transitions from higher-protection LMUs to higher-development ones should be more gradational. Higher protection LMUs should logically cover areas with high habitat and/or high cultural values. Areas with high economic potential and lower habitat and cultural heritage values should allow for future economic development with corresponding higher disturbance thresholds, with such thresholds based on sound scientific studies for species and habitats of focus, rather than the current proposed arbitrary thresholds. Comprehensive studies elsewhere indicate a much higher threshold of disturbance can be easily tolerated by northern fauna with minimal impact to survival rates.
- It is possible that mineralized horizons may extend from a higher development ISA to a neighbouring low-protection ISA or an SMA. Where occurring, exploration should be allowed in these adjacent LMUs.
- Implementation of Integrated Stewardship Practices could provide excellent holistic opportunities for the planning region. However, no concrete examples or techniques for connecting various land-users from seemingly different usage backgrounds is provided.
- Some high-protection LMUs partly or wholly enclose areas of high historic and current placer and hard rock mining activity. These areas have significant potential future economic value, have extensive mining claim blocks within them and have already undergone substantial disturbance. Designating these areas as high protection LMUs will result in land use conflict and the potential need for economic compensation to mineral rights holders. These areas should be recognized for the current and future economic value and placed into more appropriate LMU designations.

### **3. Cumulative Disturbance Thresholds Methodology**

- It is unclear in the Draft Plan if the Cumulative Disturbance Thresholds are based on ecologically derived habitat needs, or are more arbitrary management thresholds.
- The Draft Plan does not appear to draw from the referenced Land Use Planning Conservation Thresholds (Environmental Law Institute, 2003). Threshold values presented are very low compared to other land use plans in comparable sub-arctic, thinly populated areas. Ecologic thresholds from scientific studies indicate threshold preservation of 60% of habitat (perhaps 80% for rare species) is sufficient. This compares with the proposed preservation of 95%, 97.5% and 99% of habitat for the high, medium and low development LUDs.
- Section 3.5.1 (Cumulative Effects Indicators) specifies that surface disturbance does not include areas deemed as recovered. This could be interpreted to align with in-place regulatory practises which incentivize restoration efforts in economically developed areas. However, it is unclear whether this means industry could operate in a net-zero land disturbance setting if areas are progressively recovered, thus lowering the LMU's active disturbance threshold. Clarity on this issue is required.
- On October 12<sup>th</sup> 2021, the DRPC released 'Analysis of "Current" Disturbance Levels'. The outdated 2014 dataset provided was indicated to be the result of a lack of information, however figures from the

document include recent satellite images showing the extent of disturbance. If current disturbance levels are not defined, it is impossible to objectively propose thresholds for each land management unit, especially if the thresholds are not based on habitat needs or species criteria.

- The way that Disturbance Classes (Industry, Forestry, Agriculture, Road-development including aggregate resource extraction) are categorized and monitored is not described in the Draft Plan. Would future disturbance totals include all categories? The draft document states that only mining-related disturbances were utilized in the development of thresholds. If other disturbance classes are included towards determining the cumulative totals, the amount for mining alone per LMU is likely to decrease.
- In ISA areas that are open for development, the thresholds need to allow for future economic activity. It is unclear based on “current” disturbance whether this would be the case for the 5%, 2.5% and 1% disturbance thresholds that are proposed in the Draft Plan.
- The Draft Plan states that existing mineral rights will be honored in the LMUs. However, unless these areas are removed from the calculation of disturbance in the LMUs, this may not be achievable. Likewise, the Draft Plan states that there would be no new disturbance allowed in some classes of wetlands. If those wetlands cover existing mineral rights, then either the mineral rights have been lost, or no net loss would only apply outside of the existing mineral rights. The Draft Plan is unclear on both points.
- We recommend the establishment of science-based ecological habitat disturbance thresholds for the regional planning area. This could be achieved with the formation of an objective special technical working group that can advise on suitable disturbance thresholds to ensure the integrity of key values (ecological habitat and heritage) whilst allowing for sustainable economic development.

#### 4. **Wetlands**

- The Draft Plan states that effective restoration of wetlands is impossible. This is inconsistent with results from a number of successful wetland restoration projects in Canada. It also contrasts with the surface disturbance recovery objectives and may discourage operators from implementing costly best-management restoration practices.
- The Federal Policy on Wetland Conservation (Government of Canada, 1991) describes no net loss of socioeconomic or ecological wetland function. Restoration of wetland function has been demonstrated globally on various projects in various ecozones. Therefore, it is recommended that criteria be developed for habitat and functional wetland restoration.
- The thresholds currently outlined could have serious economic development consequences (in particular to placer mining which occurs in wetland areas) but are unclear in the Draft Plan.
- Why is no development allowed in undisturbed bogs and marshes throughout the region within only specified SMAs and ISAs? Why is there inconsistent policy towards specified habitats? Placer mining often occurs in marshes, fens and bogs, as may hard rock exploration and development. A blanket restriction on disturbance rather than providing criteria for functional restoration would effectively shut down economic activity in these areas.
- What are the factors included in the scientific basis for allowing development of an arbitrary 25-75% range for fens in each applicable LMU?

- We recommend the development of wetlands restoration guidelines, agreed upon by all parties, that allow for uniform best management practices in these important ecological habitats.

## 5. Economic Plan

- Plans to maintain the economic health of the region are not discussed in detail, and appear to be subordinate to heritage or ecological criteria. Throughout the document, management intent is unclear and certain proposals could have far reaching negative economic impacts on the region.
- Sections 4.1.9 and 4.3.3 on Traditional Economy recommend buffers and avoidance or reduction of the level of land-use activities in areas identified as having cultural value. Map 5 (Appendix A) shows virtually the entire area as having traditional-use value. It is unclear what exactly this would mean for stakeholder-use in the entire planning area.
- Sustaining a healthy placer mining industry is key for the economic security of the planning region as it is the single largest economic sector. As this natural resource has been developed in the region for over a century, many placer deposits have been depleted in the heavily developed areas. Although there are opportunities to reclaim and restore these historically disturbed areas, the industry will continue to move into adjacent prospective areas sharing the same geologic settings. This movement into adjacent areas needs to be accommodated to allow for a healthy placer mining industry and robust regional economy. For example, in LMU 12 the natural progression is to move farther eastward to the Upper Indian River (LMU 19), which has the same geological setting and comparable economic placer values. This area is the economic future for the Klondike Goldfields.
- The focus on LMUs, such as LMU 12 and 19, has mostly been on placer mining. However, these areas are also highly prospective for future hard rock development, focusing on the source of the alluvial gold. Accommodation should be made for future potential in these areas.
- Maintaining a healthy mineral resource economy is key to ensuring the long-term socioeconomic health of the Planning Region. The mining industry generates significant economic benefits for communities that are often poorly understood. A substantiated figure used in the mineral industry shows that every dollar spent on mining typically generates \$5 in the local economy. This includes supporting industries and the local-work force (hotels, restaurants, equipment sales and maintenance, supplies, fuel, *etc.*). A similar multiplier value relates to jobs supported by indirect and induced economic activity. A recent study of mining-related jobs in British Columbia indicates that, for each direct mining related job, 4.6 indirect or induced jobs are created. The DLUP Resource Assessment Report does not accurately reflect economic contributions from these types of economic activity (refer to PWC 2012, Mining Industry Economic Impact Report).

## 6. Regulatory Policy and Implementation

- It is imperative that the Plan reflects the currently operating, effective regulatory and permitting regime. This process incentivizes concurrent restoration efforts and includes permitting conditions that guide land-users to mitigate potential impacts. There is currently no implemented monitoring of disturbance or impact assessment in the Dawson Planning Region.
- The Senior Liaison Committee should encourage the Government of Yukon to use more consistent policy towards both Placer and Quartz operations. Pre- and Post-Season reporting should be, and commonly are, conditions of Mining Land Use Permits (MLUPs). Presently, quartz operations are given thresholds of allowable disturbance within their projects. This incentivizes operators to progressively reclaim.

Implementation of appropriate thresholds for placer operations, with permitting conditions outlining reasonable allowable open disturbances, would allow for tracking disturbance and avoid LMUs from reaching critical thresholds of cumulative disturbance.

- Understanding the current level of disturbance in the LMUs is critical to avoid potential for ceased operations. If operations cease, operators would have no incentive to reclaim potentially large areas of open disturbance.
- Creation of wetland restoration policies outlining acceptable industry practises are required to provide a clear path for economic development in regions within, and proximal to, wetlands (*i.e.*, placer mining, road management). Policies concerning wetland restoration should be consistent regardless of land use designation, should be standardized for consistent stewardship in the planning region, and follow sound scientifically based criteria.
- The view that restoration of functional wetland habitat is effectively impossible is not backed by science and negates the incentive for land-users to implement the best possible management practices in reclamation efforts. It is imperative for maintaining function of these ecosystems that wetland restoration policy encourages incentivized restoration efforts. Historic disturbances in wetlands would see little industry investment if the messaging presented discourages restoration of wetland function. Although a bog cannot be restored to be a bog, there is no scientific basis that effective wetland functions cannot be otherwise restored in disturbed areas.
- Current regulatory processes within the hard-rock industry incentivize habitat restoration not only of modern disturbance, but also of historic disturbances. Additionally, these processes ensure that land-users abide by specific conditions that reflect habitat preservation of ecological sensitivities. Implementation of restoration procedures, through conditions attached to permits, is key to the successful execution of the Plan's ecological goals and integrated stewardship practices.

A balanced final plan would set the tone for future land use planning. It would inspire other Yukon First Nations and land use planning teams to view land use planning as an opportunity to advance economic conditions, as well as to protect particular areas of ecological sensitivity, for the future of the Yukon Territory. Global economic conditions incurred by Covid 19, including extreme deficit spending by federal and territorial governments, supply chain disruption and looming inflation, will put pressure on Yukon to become more self-sufficient on revenue generation.

Once again, thank you kindly for the opportunity for Aurora to express our views on this crucial process. Please feel free to contact myself on behalf of Aurora Geosciences Ltd.

Sincerely, and Mashi Cho

*Carl Schulze*

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Senior Project Manager,  
Aurora Geosciences Ltd.

**Dawson Regional Land Use Draft Plan – Comments:**

**1.6.2.5 Priority Criteria for Candidate Conservation Areas**

→ No mentioning of prioritizing permafrost as a criterion. Why is it only mentioned as an aside under 4.2.5 given the mandate to react to the climate crisis in a responsible way? Permafrost melt significantly changes the ecosystem above ground: both wildlife habitat and plant habitat are severely impacted. Apart from that, permafrost melt releases large amounts of methane, which contributes 80% more to climate warming than CO<sub>2</sub>. Permafrost melt is also predicted to effect transportation routes more than ever before, increasing not only problems for remote communities but also the costs for maintaining these roads, i.e. there is a significant economic setback to melting permafrost and increased local warming from permafrost melt. And this is not even anywhere close to exhausting the list of negative effects of permafrost melt.

**3.4 General Management Directions**

→ How binding are the “strategies and recommendations” as communicated in the Plan?

**3.4.1 Results based management Framework:**

→ Not different from what is existing, but how is monitoring going to be implemented? More inspectors? Independent monitoring body?

→ Will noticeable cumulative effects in one area inform the decision to potentially change the Plan for certain LMUs elsewhere? Is there an ‘educational’ effect foreseen for the Plan in assessing cumulative effects, even if that goes against the pressure of certain lobby groups?

**3.5.1 Cumulative Effects Indicators:**

→ Include other indicators: permafrost (see comment above)?

“DISCUSSION: Surface Disturbance Measurement and Recovery”

→ 1+2+3 ALL TO BE INCLUDED

**LINEAR DENSITY DISCUSSION (page 38):**

→ OPTION 1: Snowmobile and ATV trails can contribute majorly to the extension of hunting areas, i.e. increase predation and disturbance of wildlife habitat through motorized activities. Less than 1.5 m is bare minimum of what should be exempt. Rather 1 metre?

#### 4. General Management Direction:

“The management direction proposed in this Plan can be integrated into existing processes, such as the land application review process. **This Plan assumes that whenever possible and practical, recommendations and strategies will be considered and implemented.**” (my emphasis)

→ Decision-making bodies like the Ag Branch or DFO are essentially self-regulating in their decision to review an existing assessment. Their history of planning has proven that their plans are not amendable if it doesn't suit their purpose and that they do not consider recommendations and strategies if they counter their plans. See West Dawson/Sunnydale Land Use Plan and DFO on commercial management of salmon population and commercial salmon fishing.

→ **The Plan should express the urgent need for an independent evaluation and assessment body that can decide on the necessity for amendments**

##### 4.1.4 Tourism

→ Create no go zones

→ How do arts figure in the Plan other than for the signage as part of the “recommended actions” for the tourism sector?

##### 4.1.6.1 Dawson Growth and Recreation

→ Ensure water quality: what about agricultural activity along the Klondike river within the wellhead protection area as defined by Tetra Tech (up to Henderson); two industrial farms are along the way, using fertilizer, growing pigs and chicken (Nitrates). Are there any tests done?

→ Worse yet: what about contamination through the Quigley land fill?

→ What about ongoing contamination around Parks Canada's Bear Creek Compound at its effects on surrounding water?

→ Sub-regional plan recommended for LMU #13 (Klondike River Valley): Until a plan is ratified, though, there needs to be some guidance. Is that up to the Parties? (the same concern has to be raised for LMU #3 Yukon River) Such plans usually take a very long time to be ratified, a lot of things can happen in the meantime if nothing is put in place to regulate that. Amendments to the Dawson Regional Land Use Plan might be necessary to ensure protection and appropriate development in the meantime.

##### 4.1.7 Forestry

→ Community growth is not proportional to forestry activity for fuel wood and timber harvest, more emphasis on that.

→ Fuel wood as a traditional heat source is scarce for those who still use it. More and more, CO2 intense deliveries from HJ and as far as WL are brought in, despite the risk of spreading parasites.

→ At the same time: community growth and development is now increasingly focused on multiplex accommodations fueled with non-renewable energy or electricity. Very few new households use fuel wood as primary source, if at all. More emphasis should be placed in the Plan on either satisfying the growing energy consumption with sustainable energy sources or better yet, incentives to reduce overall consumption, rather than on forestry for fuel wood harvest. The only reference to that as far as I have been able to find is under 4.5.2 Climate Change in form of a research recommendation. Why is there no mentioning of it under 4.1.7? It appears a very industry-driven focus.

→ Forestry for timber harvest: Arctic Inland's sawmill does provide a valuable source of rough lumber and timbers, however, the majority of construction still uses imported kiln dried materials that have a very high CO2 footprint, especially after trucking them up here; if we are looking at sustainable community growth, we also have to look into amending building codes to include alternative ways of building which can use locally sourced wood and less toxic building materials.

See: [https://www.theguardian.com/artanddesign/2021/oct/14/skelleftea-swedish-plywood-eco-town-20-storey-wooden-skyscraper-worlds-tallest?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/artanddesign/2021/oct/14/skelleftea-swedish-plywood-eco-town-20-storey-wooden-skyscraper-worlds-tallest?CMP=Share_iOSApp_Other)

(note: the community discussed here has a population of 73,246 people as of 2021. Maybe Dawson with its 2,220 people, surrounded by at least equal square km of forest can do something different from what it is doing now?).

#### **4.1.8 Aggregate Resources**

→ While asking to reduce the need for aggregate resources, engineers coming into this town for consultation on construction are asking for ever deeper holes to be dug to get past permafrost mud. Wholes that need to be backfilled with enormous amounts of gravel (see new Men's Shelter, School Annex, etc.): Why not encourage use of piles which have been proven to be much more stable anyways and less impactful on permafrost. No hole's deep enough around this town to make things stable...

#### **Bottom line comment to 4.1 is:**

→ A lot of the problems mentioned here are industry driven: the industries have a vested interest in maintaining or expanding their rights for more development and consequently higher production rates, whether it is mining, forestry or those in the aggregate resource industry: sometimes less is more, as we are then forced to rethink unsustainable ways of industrial activities, including construction.

#### **4.2.1.1. Caribou**

Planning Strategy/Recommended Management Practices: Mining identified as main potential disturbance to caribou habitat; the Plan should include a binding request for sub-regional plans

such as the WD Sunnydale Land Use Plan to be reviewed with regards to the impacts of their developments. As part of the West Dawson Sunnydale Land Use Plan, the Ag Branch designated a key wildlife corridor in Sunnydale as agricultural land and is trying despite TH's and residents' multiple objections to develop it (there are a lot more ecological and economical concerns against this development apart from Caribou, yet all are dismissed). The Plan should contain regulatory precautions and recommendations for sub-regional plan committees on key issues such as, but not limited to Caribou, Salmon, Migratory Birds. Unfortunately, the development is pursued against all common sense by one of the Parties, yet not by the other. It seems their influence at this point is rather unbalanced. Why? The Ag Branch/YG is, as it turns out, self-regulatory in its sole authority as a decision-making body to call for a new YESAB report on the ecological and socio-economic impact of their project on the area; even though the Ag Branch has changed the Project outline, and has changed the probable socio-economic impact of the Project significantly for both residents and TH by introducing potentially 16 instead of 3 new agricultural parties to the area, they are not initiating a new YESAB assessment. Despite evidence that the slope on which the land is to be developed is unstable due to underground water and permafrost. Despite the concept of the lots allowing for very limited agricultural use (life stock only, no soil-based farming as the soil is not stable nor rich enough, three season access to the lots only with no permission for farmers to build a permanent home on the lots, etc.). Despite the risk of severe erosion not only washing whatever soil is there down the hill, but also damaging prime existing farmland that can be leased out for good use. Despite the fact that 16 farming parties with life stock will significantly impact TH's teaching trapline for the very young overlapping this area. Despite the unresolved problem of zoning in the area which can potentially cause conflict with the claim holders overlapping the area. And no-one else can request a new assessment. YESAB confirmed that this particular scenario in Sunnydale is not an exception. The Plan should foresee such scenarios in which one Party is the proponent of a project and pursuing it without consent of the other (political decisions around Salmon are yet another example of such power imbalance) and mitigate the negative impact of such politics to the land and the community.

#### **4.2.2 Migratory Birds and Raptors**

Recommended is protection of key habitats:

→ Again: Who will monitor and regulate the Parties' conduct? The YESAB report for the Agricultural development in Sunnydale clearly states to limit all clearing activities in the area to one week between the months of November and March because of disturbance to bird habitat. To start with, the Ag Branch itself hired a contractor for the road construction to be completed well into April. Furthermore, if clearing is to be limited to one week between November and March on a site that is only opened as a three-season agricultural project accessible between Mid-May and Mid-October, how can any farmer on this land comply with YESAB's requirements? The project itself is rather not so subtly conceived to infringe on YESAB's request, yet no-one can challenge this, as it seems. The Plan needs to address the potential for intentional infringement of recommendations or requirements by the Parties as Project Proponents.

Wetland questions:

“When reviewing please consider the following: [L][SEP]1. Think about what the fen threshold should be and its trade-offs carefully. 2. How could this work ‘in the field’? [L][SEP]3. Is there anything that we are missing?” [L][SEP]

**Yes, there is something you are missing:**

→ Can we ask for an unbiased wetland inventory rather than basing the threshold analysis on a study conducted by Ducks Unlimited which is known to closely work with the Industry?

→ After reading your description of wetlands and their ecological as well as socio-cultural significance, and their fragility, I was a bit surprised to read the development threshold being set at 25%-75%. I would have expected a recommendation of a complete ban of development in these areas, that is: if purely common sense was used, rather than industry interests. I understand the need to respect the industry, but given the wealth of mineral resources in the entire Region, as stressed in the Draft Plan, it could be expected that new mineral extraction development could take place elsewhere. I am not even suggesting shutting down existing industry in the area, but protecting what is still there at all costs seems critical to me. Why is LMU#12 only ISA IV? It should be ISA I or II. And my understanding is that LMU #12 spreads over a rather diverse ecosystem that is not limited to wetlands. Why not split up LMU #12 into different LMUs to protect the wetlands part from further development and to allow for mining in other areas?

#### **4.2.5 Climate change**

“Key Issues:

- Melting permafrost and changes to precipitation can lead to changes in overall water availability in the planning region, as well as changes to soil moisture, runoff regimes, and drainage patterns. [L][SEP]
- Changes in permafrost may induce large changes in habitat quality, distribution and abundance, and introduce a number of new terrain hazard and geotechnical issues.
- Permafrost melt and soil instability can negatively impact road transportation infrastructure [L][SEP]as well as lesson the reliability of winter roads and increase maintenance costs.”

→ If that is the case, all the more reason to include Permafrost in the list of Priority Criteria for Candidate Conservation Areas (see comment above). [L][SEP]

“Objectives:

Recommend pro-active measures to mitigate effects to permafrost” [L][SEP]

→ A pro-active measure within this Plan could be to include permafrost in the list of “Priority

Criteria”.

“Recommended Management Practices:

- a. The potential for permafrost degradation from any road or resource development projects should be minimized.<sup>[L]  
[SEP]</sup>
- b. Climate change considerations, including potential variability in environmental conditions and adaptation/mitigation measures, should be assessed and addressed in the design and adaptive management of major resource development projects.”<sup>[L]  
[SEP]</sup>
- c. Development activities in previously undisturbed areas, or areas adjacent to high ecological or socio-cultural value, should ensure appropriate mitigations are in place to minimize the risk of introducing invasive species. This includes the proper cleaning of equipment and gear before leaving infested areas, using invasive species-free materials, and monitoring for new introductions.”<sup>[L]  
[SEP]</sup>

→ Ditto: prioritize the protection of permafrost.

→ None of this is taken into consideration with the Sunnydale Ag project: upon inquiry by the residents, the Proponent/Ag Branch purported that they had consulted with a permafrost expert on the permafrost content of the slope that is suggested as the future site of 16 agricultural lots. Upon further inquiry with this expert herself, the residents found out that the so-called permafrost expert is a soil expert and that a proper permafrost assessment has never been conducted. Her report has never been officially shared with the residents. This goes to show how inefficient the concept of self-monitoring is in Land Use Plans. The trust in YG to monitor its own projects and adjust them according to their own findings is, understandably, rather limited. The mining or forestry industry is not the only proponent with a vested interest in industrial development. It is not always the mining industry that is to blame for poor decision making or conduct. Even though all industries need to be monitored for that, the Parties themselves have to be similarly screened for adherence to this and any other plan by an independent body.

#### **4.2.5. Climate Change – Wetlands:**

“Policy Recommendation:

Food Security: Parties should implement policy and research recommendations in Section 4.1.3 Agriculture, to create and support a sustainable and reliable food network in the Dawson Region.”

→ Appears like a slap in the face of this community given the current conduct of the Ag Branch in relation to the contentious Agricultural Planning Project in Sunnydale.

“Research Recommendation:

Permafrost: The Parties should continue to develop specific research initiatives in the planning region that focus on:

- The location of high-risk areas for permafrost thaw. [SEP]
- The impacts of permafrost thaw on local biophysical [SEP] conditions, including water availability and flow and wetlands. [SEP]
- Appropriate and effective mitigation measures for minimizing permafrost thaw from resource and road development projects. [SEP]
- Geohazard mapping and permafrost studies along major transportation routes, including the Dempster and Top of the World Highways.” [SEP]

→ Again: appears like a slap in the face of this community given the current conduct of the Ag Branch in relation to the contentious Agricultural Planning Project in Sunnydale.

“Research Recommendation:

Energy Production: The Parties should continue to explore the feasibility and practicality of alternative green energy sources within the planning region, including advances in hydroelectricity, biomass, geothermal, wind, and solar.”

→ More emphasis should be placed on that within the entire Plan, given that it would impact the industries (and their industrial development) represented here quite significantly.

#### **6.4.1 Implementation Guidelines**

→ Guidelines should further include monitoring/assessment tools to guarantee Parties are conforming to the Plan.

#### **Table 6-3 Potential regional indicators for sustainable development**

→ How do the different indicators compare towards judging certain developments as sustainable? Generally speaking, Dollar numbers given through the GDP are deemed to have more weight than the number of berries that were picked by so many TH citizens. In less polemic, less colonial words, there seems a great risk of weighing one over the other and looking at the indicators’ significance through a colonial, economically-shaped lens instead of through an indigenous, socio-cultural one. A socio-economic impact study on the effects of indigenous land use might have to be conducted?

#### **Comments on some specific LMUs:**

##### **LMU #3:**

→ Why only talk about Chinook Salmon? Chum salmon populations are becoming increasingly threatened as the current disastrous run shows. Both Chinook and Chum should be handled as “Species at Risk”. Given the ecological significance of the increasingly fragile salmon populations for the entire ecosystem along the Yukon River and its tributaries, the threshold for development might have to be amended.

#### **LMU #16**

“Industrial pursuits should be communicated to other rights holders, including residential property owners, community users, trappers, and to Tr’ondëk Hwëch’in, on an annual basis prior to the commencement of activities. Industrial activities should take necessary precautions to minimize impacts to other users of the area.”

→ Mining and exploration activities in the area have remained uncommunicated to residents. Not only that, upon Sunnydale residents’ inquiry with the mining inspectors whether an abandoned mine site near OK Creek is considered ‘reclaimed’ or whether the claim holder is still going to be called to task, the mining inspectors admitted to not being aware what state the site was in. To guarantee Swede Creek’s potable water quality that is so important to the community of WD and Sunnydale, an increase in inspection rates of the “industrial pursuits” around Swede Creek should be included in the Plan (as should be for all mine sites around the Region); a buffer for ALL industrial pursuits around the Creek should definitively be considered.

#### **LMU #17**

→ Impact on Caribou and Moose migration and pressure through increased predation on their population through mining roads cannot be lessened by timing mining activity in the area alone. Linear density development has to be limited; linear density in the area is very high at this point already.

→ To guarantee that “key caribou migration pathways are maintained, and disturbance to key habitat areas is avoided or minimized” is to compromise on the objective that the “area should remain open for mineral exploration and development”. One or the other. I would opt for whatever TH deems best for the Caribou.

#### **LMU #23:**

Special Management Directions:

“Project proponents should work with the Yukon Government Regional Biologist to identify, and avoid, areas with suitable lichen habitat prior to developing exploration or mine plans.”

→ If the project proponent is YG or TH, there should be an independent Regional Biologist to assess such key areas. Experts for assessment should always be chosen according to their level of expertise and their independence from either Parties or Industries. Just like Ducks Unlimited cannot serve as the sole source of assessing wetlands in the Region due to their affiliation with the industry sector.

→ For the sake of emphasis: There seems to be a general reluctance to accept the cultural and social value of land over the economic value. A socio-economic impact study might reveal the dollar value of the one in comparison to the other. Such an impact study should be conducted prior to making recommendations in the Draft Plan to inform the Plan and the public. Furthermore, the combined dollar value that is put on hard rock and placer mining does not take

into consideration that a lot of this money is taken outside the Territory, not to talk about the Region, given the large number of 'migratory miners' and exploration businesses. An economic impact study of the loss of plant and wildlife habitat, of an increase in mitigation measures due to climate change and the increasing loss of carbon sequestering landscapes might also prove to outweigh the effective revenue generated by mining for the Region. If the Plan, as stated, is aiming at a long-term effect of a minimum of 20 years, one should also take into consideration that today's advocates of industrial land use in critical areas will mostly be retired by the time that long-term consequences might show. It is hence a question of weighing short-term economic interests of industry representatives against long-term and often irreversible ecological, social, cultural and ultimately economic effects.

### **SUMMARY COMMENT:**

The Plan bears enormous potential. The timing of this Draft Plan is almost immaculate: At a time when an overwhelming majority of climate scientists and biologists suggest that it takes radical action and radical action only to avoid a major climate catastrophe (and ensuing major humanitarian and economic crises), this Plan has the opportunity to show that we as humans take our responsibility towards the land and future generations of land users seriously. Without discussion, more land should be designated as protected area, given the Regions unique and fragile ecosystem. And without a question, more emphasis needs to be placed on issues around climate crisis. However, the Draft Plan as it stands at this point seems to undervalue this opportunity in the face of pro-development pressure from industries to whom, historically, the current climate crisis can be largely accredited. This is not to blame mining alone. ALL human industrial activity since the Industrial Revolution has brought the current crises about, my profession is certainly not exempt from this and in economic terms, I should be a proponent of toning down the language of the Plan. However, in my profession I am also seeing increasing evidence of the environmental changes happening and the misguided approach to most development, whether landscaping, housing or road construction. Now is the last chance, as far as scientists around the world agree, to steer the ship into less turbulent waters. Why do we keep caving in to the pressure from the industries? I am more than willing to adapt my business to those changes and to contribute to mitigating the problems we have created for far too long. Do other businesses not see the necessity? Do the industries not realize that to go with the times is not only a moral responsibility towards the land and future generations, but that it is also not the end of everything? That there will be ways to continue doing business beyond our old ways? Business will continue after change. It always has. Without fail, for as long as there are humans.

The timing of the Draft Plan just after the first National Day for Truth and Reconciliation gives us, as non-indigenous people, yet another unique opportunity: to show our respect and willingness to change our colonial ways. However, the Draft Plan as it stands (as far as I am informed) ignores to a large extent TH's request for a greater percentage of land to be protected and favours colonial, industry-driven interest to do the exact opposite, i.e. to lower the percentage of protected area and/or the degree of protection. I understand that the Commission is in an extremely difficult position to remain neutral to all input. I merely ask for common sense to be used, to take a step back after this surely long-drawn and exhausting process of drafting this Plan

and to look at the mess that we have made over the last couple of centuries: the ecological and social mess. And to consider what we want to leave our children with, both Indigenous children and non-indigenous children.

I would also like to stress that I understand that the Plan cannot consider making decision about or influencing Sub-Regional Plans like the West Dawson Sunnydale Land Use Plan. My interceptions in this letter with regards to the Agricultural Project as planned in Sunnydale shall serve as a manifest example of current YG politics that are lacking transparency and communication with TH, and that ignore scientific evidence speaking against realizing this project. As much as I understand that you cannot influence the course of this project, I wish for this example to be known so that such scenarios can be avoided in the future. The Plan has the potential to integrate measures to help avoid a repetition. The potential risk for such misguided and disrespectful conduct by one of the Parties needs to be addressed.

Last but not least, it would have been desirable to extend the consultation period by at least a month until the end of November to a) give those more opportunity to read and comment on the Draft Plan who are seasonal workers and have been extremely busy until just around now, and to b) await the results of the COP26 meeting, since climate change should figure as one of the top motivators in the Plan for any recommendation that is made. Without the land, we can neither walk nor work the land.

## 2021 Dawson Draft Plan Engagement Submission

Type: Email

From: Olivia Holmes

Date: Oct 28 2021

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Hello,

I write in full support of the Tr'ondek Hwech'in and their thoughtful recommendations when constructing Dawson Regional Land Use Plan. I would like to explicitly express my urgency and encouragement to change, re-consider, and further implement the knowledge and recommendations of the Tr'ondek Hwech'in with the Dawson Regional Land Use Plan.

Tr'ondek Hwech'in have generously offered their connection and knowledge of the land. This plan reinforces a thought of unity; that we all greatly utilize and rely on our land every single day. With this, we need to lead with an all encompassing gratitude and respectful acknowledgment that the Tr'ondek Hwech'in remain valuable, integral pieces of our society that are the very reasons we are able to flourish and utilize these lands today.

Tr'ondek Hwech'in people have been on this land since time immemorial, and through the devastating and violent legacy of colonization, Tr'ondek Hwech'in have been adapting and resisting with kind hearts and strong, logical, points in the name of Mother Earth, Indigenous Human Rights, sustainable land care, cultural restoration, and planning for our children, grandchildren, and children's grandchildren.

As co stewards of this land, we must respect and allow Tr'ondek Hwech'in leaders and elders to take us on a necessary path of truth, reconciliation, land reclamation, environmental restoration, and healing together.

We are late to this, and the time to make things right is now.

It is our duty as uninvited guests on Tr'ondek Hwech'in unceded territory to show our ability to listen and grow as one. In the name of reconciliation, you must make strong and clear recommendations regarding changes to mineral resource legislation and regulations to come into alignment with the spirit and terms of the Umbrella Final Agreement (which they currently are not).

Current concerns of the draft from me to you:

- 5 months and a subjective reach out to stakeholders is not a fair approach to thoughtfully pave a path forward for mining, and the essential place reconciliation has within mining and land extraction
- This draft needs to furtherly and more gratefully protect waterways, fens, and wetlands that we can all understand to be contingent to the health, legacy, and protection of our valued Yukon wildlife that contribute greatly to our ecosystems and connect Tr'ondek Hwech'in citizens, among others, to land and culture
- Wetlands have immense ecological and cultural value for the critical habitat for moose, waterfowl, small mammals, fish, etc, their role in water purification, flood abatement, and equally important carbon sequestration. I strongly recommend no more than 25% allowable development of fens and increased protection of intact wetlands in Flat Creek and Tintina area wetlands.
- The Draft Plan does not provide consistent or cohesive protection of waterways in the region. I strongly urge the Commission to provide the highest level of conservation for waterways and their riparian areas including but not limited to Yukon, Klondike, North

## 2021 Dawson Draft Plan Engagement Submission

Klondike, Fortymile, Chanindu and the rivers and creeks in the in the Dempster region, not limiting Wolf Creek, Antimony Creek

- The Draft Plan does not consider Climate Change in any significant way.

And finally, it is important we acknowledge and uphold the intention of the *Truth and Reconciliation Commission of Canada: 94 Calls to Action* in which it clearly states we must acknowledge ancestral land and stewardship responsibilities and co-management authority. This means listening and **implementing** Tr'ondëk Hwëch'in ways, teachings, preservation, and reclamation tactics.

About me: I am a Dawson youth who grew up on the traditional lands of the Hän people in the traditional territory of Tr'ondëk Hwëch'in First Nation. I grew up attending culture camps, learning the Hän language, and had many opportunities to engage in the traditional ways of the Hän TH people. Their generosity and sharings were always brought through a kind heart and willingness to grow and heal together. It is with utmost respect that I acknowledge my uninvited presence on the traditional Tr'ondëk Hwëch'in territory.

I invite you to do the same through action, and honour a process rooted in an intention to heal and reconcile.

Thank you for listening and thank you for choosing to heal our community, together, in a good way.

Sincerely,

Olivia Holmes

Dear Dawson Planning Commission.

My name is Kay Linley. Most of you know me from my recent role as SLC for Tr'ondek Hwech'in. I lived in Dawson City for approximately seven years. As you may know, I recently moved away from Dawson and now live in Atlin, B.C.; however, I am writing to you today based on my strong connections to the Dawson Region and community.

I had a spectrum of experiences living in Dawson, from working in gold exploration, to art school, and as an employee of Tr'ondek Hwech'in (TH). I worked for TH for six years, three of which as their Land & Resources Manager, a shorter stint as an Executive Assistant and about two and a half years as Policy Advisor, where you may have known me as SLC for DRLUP. I left my work with TH in February 2021. This submission to the Commission comes from me and reflects my personal views.

With my range of experiences in Dawson, I can appreciate the breadth of interests in the region. I can also empathize with the inevitable land use conflicts resulting from these various views. Most notably, I became familiar with the land use conflicts between industrial development, primarily gold mining, and some of Tr'ondek Hwech'in's rights, interests and stewardship responsibilities to the land. I myself fell in love with TH's Traditional Territory while I was out in the bush collecting soil samples to help inform where the next big gold mine could be. It seems like many Dawsonites either grapple with this conflict internally, or it plays out in their social circles.

Even with my appreciation for the challenge behind managing these competing interests within ourselves and for the Dawson Land Use Plan, I cannot ignore the bigger picture which we are all obligated to and are served to honour. The big picture I am talking about is Together Today for Our Children Tomorrow, the TH Final Agreement, and the duty we have to implement reconciliation efforts with Indigenous people.

So, is reconciliation alive and well in the Klondike? I believe we still have a significant distance to go.

Most notably, it was hard for me to see that the Commission has decided to put only 3.8% permanent land protection in the Draft Land Use Plan, when Tr'ondek Hwech'in clearly stated a much higher amount – 60% in their conservation priorities submission. With a key Objective of Chapter 11 to “utilize the knowledge and experience of Yukon Indian(sic) people to achieve effective land use planning,” I am struggling to understand the disconnect.

Although the Commission is considering some kind of higher-level management of industrial activity for an additional 35% of the planning region, this still means that 60% of the region is slated for some level of industrial development. Based on my experience, I am concerned that we do not have effective tools or the capacity to manage this in a meaningful way. I have also seen the degree of development pressure in the region. It is immense and growing. Compounding this is the number of other land use plans coming online in the near future. Without the implementation of modernized mining legislation and reliable tools, a precautionary approach is not only favourable, but simply makes sense.

Many of us come and go in the Dawson region. Someone told me once that Dawson is heart-broken because a large number of the population is so transient. But the First Nation cannot pack up their Agreements and leave when the caribou herds are no longer, or when the water gets polluted, or when the salmon stop running. They are invested in this land use plan, not only because they are a party to it, but because this was and still is their forever home.

It is imperative that the Commission not only listens to what TH is saying, but also effectively reflects these views in the land use plan. As a society, and as a Commission, it's our duty to fulfill the Agreement and the TRC Calls to Action seriously and whole-heartedly.

It's high time we walked the land together.

Sincerely,

*Kay D Linley*

The following points address other aspects of the Draft Land Use Plan and make up part of my submission to the Commission:

- Healthy plant, fish and wildlife populations must be available and assured, in the long term.
- There have been significant impacts in the Dawson Region for gold and other minerals for one hundred and twenty plus years without the benefit of land use planning. Traditional harvesting areas have been lost and impacts to water quality and populations of fish and wildlife have declined significantly over this short period of time.
- Sustainable Development is defined in the TH Final Agreement as “beneficial socio-economic change that does not undermine the ecological and social systems upon which communities and societies are dependent.” For our Treaty to be meaningful, economic development must be sustainable and not fundamentally compromise other values and opportunities in the renewable resource economic sector.
- 60% of the region is slated for some level of industrial development. Without modernized mineral extraction legislation and regulations, in step with the implementation of the Dawson Plan, the management directions recommended for those areas are just that - recommendations. The Commission must make strong and clear recommendations regarding changes to mineral resource legislation and regulations to come into alignment with the spirit and terms of the Umbrella Final Agreement (which they currently are not).
- Wetlands have immense ecological and cultural value for the critical habitat for moose, waterfowl, small mammals, fish, etc, their role in water purification, flood abatement, and equally important carbon sequestration. I recommend no more than 25% allowable development of fens and increase protection of intact wetlands in Flat Creek and Tintina area wetlands.
- The Draft Plan does not consider Climate Change in any significant way. Climate change is considered to be “the mother of all cumulative impacts”. The Commission would be best served to take a precautionary approach to the Plan in these uncertain times and recommend robust monitoring and reporting and adaptive management approach in response to the changes to come. Large tracts of undisturbed and intact landscape is the best hope for an uncertain future.
- Currently the Yukon and Klondike River are proposed for subregional planning. I urge the Commission to instate a full withdrawal of further development until these subregions plans in place.
- Water is Life and every living thing depends on clean water for survival. The Draft Plan does not provide consistent or cohesive protection of waterways in the region. The Commission should provide the highest level of conservation for waterways and their riparian areas including but

not limited to Yukon, Klondike, North Klondike, Fortymile, Chanindu and the rivers and creeks in the in the Dempster region, not limiting Wolf Creek, Antimony Creek.

- All mineral claims that had been staked in the region, both before and during the Planning process have been accommodated in the Draft Plan. This is in spite of Tr'ondek Hwech'in having publicly made requests to the Commission to suspend staking during the Planning process to provide the Commission the space to develop a Draft Plan without further interests incumbering. The Commission is not obligated to accommodate all of those interests. The planning process is an opportunity to develop a vision for the region and set a sustainable course to ensure the health and well-being of future generations.
- The Draft Plan has no recommendations for addressing the legacy of placer mining - especially in the Indian River. The Commission can make recommendations for the governments to develop a reclamation plan for areas that have been impacted by mining and abandon and returned to a state that will allow vegetation to grow, water to flow, and old equipment and refuse removed from those areas.
- It is important that the Commission provide the public ample engagement opportunities so that they can consider the future health of the region and have a fulsome community discussion around it. I don't believe that two public engagement sessions are enough.



Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Phone: 867-667-7397  
Fax: 867-667-4624

Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

We are grateful to be part of the discussions for planning the future and the stewardship of land management and resources of the Dawson Region in Tr'ondëk Hwëch'in (THFN) Traditional Territory.

A summary of process and technical issues identified through reviewing the Draft Plan are provided below:

**1. Land Use Designations Methodology**

- i. Simplifying the number of LUD's Integrated Stewardship Areas (ISA's) to two categories (development and un-developable) to have a singular Special Management Area zoning delineating full protection (SMA) should reduce potential management challenges in implementation and the need for increased capacity within YG and THFN.
- ii. Areas with high economic potential and lower habitat and cultural heritage values should allow for future economic development with corresponding higher disturbance thresholds, with such thresholds based on sound scientific studies for species and habitats.
- iii. Implementation of Integrated Stewardship Practises could provide excellent holistic, opportunities for the Planning Region. However, no concrete examples or techniques for connecting various land-users from seemingly different usage backgrounds, is provided.

**2. Cumulative Disturbance Thresholds Methodology**

- i. It is unclear in the Draft Plan if the Cumulative Disturbance Thresholds are based on Ecological derived habitat needs or are more arbitrary Management thresholds.
- ii. The Draft Plan does not use the referenced Land Use Planning Conservation Thresholds (Environmental Law Institute, 2003). **Threshold values presented are very low compared to other land use plans in comparable sub-arctic, low-density populated areas and particularly relative to ecologic thresholds from scientific studies which generally indicate threshold preservation of >60% of habitat or perhaps 80% for rare species.**
- iii. §3.5.1 (Cumulative Effects Indicators) specifies that surface disturbance does not include areas deemed as recovered. This could be interpreted to align with in-place regulatory practises which incentivize restoration efforts in economically developed areas. However, it is unclear whether this means industry could operate in net-zero land disturbance if areas are progressively recovered, thus lowering the LMU's active disturbance threshold.
- iv. On October 12<sup>th</sup> 2021, the DRPC released 'Analysis of "Current" Disturbance Levels'. The outdated 2014 dataset provided was indicated to be the result of a lack of information, however figures from the document show recent satellite images mapping disturbance. If current disturbance levels are not defined, how can thresholds be proposed for each land management unit, especially if the thresholds are arbitrary management levels and not based on habitat needs or species criteria?

- v. How Disturbance Classes (Industry, Forestry, Agriculture, Road-development including aggregate resource extraction) are categorized and monitored is not described in the Draft Plan. Would future disturbance totals include all categories? The draft document states that only mining related disturbances were utilized in the development of thresholds.
- vi. In ISA areas that are open for development the thresholds need to allow for future economic activity; it is unclear based on “current” disturbance whether that would be the case for the 5%, 2.5% and 1% disturbance thresholds that are proposed in the Draft Plan.
- vii. The Draft Plan states that existing mineral rights will be honored in the LMU’s but unless these areas are removed from the calculation of disturbance in the LMU’s this may not be achievable. Likewise, the Draft Plan states that there would be no new disturbance of some classes of wetlands. If those wetlands cover existing mineral rights, then either the mineral rights have been lost, or no net loss would only apply outside of the existing mineral rights. The Draft Plan is unclear on both of those points.
- viii. **Recommend the establishment of science-based ecological habitat disturbance thresholds for the regional planning area. This could be achieved with the formation of an objective special technical working group who can advise on suitable disturbance thresholds to ensure the integrity of key values (ecological habitat and heritage) whilst allowing for sustainable economic development.**

### 3. Wetlands

- i. Outlined thresholds could have serious economic development consequences (in particular to placer mining which occurs in wetland areas) but are unclear in the Draft Plan.
- ii. The Federal Policy on Wetland Conservation (Government of Canada, 1991) describes no net loss of socioeconomic or ecological wetland function. Restoration of wetland function has been demonstrated globally on various projects in various biogeoclimatic ecozones. Therefore, it is recommended that criteria be developed for habitat and functional wetland restoration.
- iii. Why is there no development allowed in undisturbed bogs and marshes throughout the region within only specified SMAs and ISAs? Why is there inconsistent policy towards specified habitats? Placer mining often occurs in marshes, fens and bogs, as may hard rock exploration and development. **A blanket restriction on disturbance rather than providing criteria for functional restoration would effectively shut down economic activity in these areas.**
- iv. What are the factors included in the scientific basis considered with allowing development of an arbitrary 25-75% range for fens in each applicable LMU?
- v. The Draft Plan states that effective restoration of wetlands is impossible. This is inconsistent with results from a number of successful wetland restoration projects in Canada. It also contrasts with the surface disturbance recovery objectives and may discourage Operators from implementing costly best management restoration practices.
- vi. **Recommend the development of agreed upon wetlands restoration guidelines that could allow for uniform best management practices in these important ecological habitats.**

### 4. Economic Plan

- i. Plans to maintain the economic health of the region are not discussed in detail. Management intent is unclear throughout the document and certain proposals could have far reaching negative economic impacts on the region.
- ii. §’s 4.1.9 and 4.3.3 on Traditional Economy recommends buffers and avoiding or reducing the level of land-use activities in areas identified as having cultural value. Map 5 (Appendix A) shows virtually the entire area as having traditional-use value. It is unclear what exactly this would mean for stakeholder-use in the entire planning area.
- iii. Sustaining a healthy placer mining industry is key for the economic security of the Planning Region as the single largest economic sector. While this natural resource has been developed in the region for over a century, many placer deposits have been depleted in the heavily developed

areas. While there are opportunities to reclaim and restore these historically disturbed areas, the industry will continue to move into adjacent prospective areas that share the same geologic settings. This movement into adjacent areas needs to be accommodated to allow for a healthy placer mining industry and regional economy. For instance, in LMU 12 the natural progression is to move further eastward to the Upper Indian River (LMU 19), which has same geological setting, and is demonstrating comparable economic placer values. This area is the economic future for the Klondike Goldfields.

- iv. The Mining industry generates significant economic benefits for communities that are often not well understood. A substantiated figure used in the mineral industry shows that typically every dollar spent in mining generates \$5 in the local economy including indirect supporting industries & local-work force (hotels, restaurants, equipment sales and maintenance, supplies, fuel, *etc.*). A similar multiplier value relates to jobs supported by indirect and induced economic activity. A recent study of mining related jobs in British Columbia indicates that for each (1) mining related job, 4.6 jobs indirect, or induced, jobs are created. The DLUP Resource Assessment Report does not accurately reflect economic contributions from these types of economic activity (refer to PWC 2012, Mining Industry Economic Impact Report). **Maintaining a healthy mineral resource economy is key to ensuring long-term socioeconomic health of the Planning Region.**

## 5. Regulatory Policy and Implementation

- i. There is currently no implemented monitoring of disturbance or impact assessment in the Dawson Planning Region.
- ii. **It is imperative that the Plan reflects the current, effective, in-place regulatory regime for permitting. This process incentivizes concurrent restoration efforts and includes permitting conditions that guide land-users to mitigate potential impacts whenever possible.**
- iii. The Senior Liaison Committee should encourage YG to use more consistent policy towards both Placer and Quartz operations. Pre- and Post-Season reporting should be conditions of Mining Land Use Permits (MLUPs). Presently, quartz operations are given thresholds of allowable disturbance within their projects. This incentivizes operators to progressively reclaim. Implementation of appropriate thresholds for placer operations with permitting conditions outlining reasonable allowable open disturbances, would allow for tracking disturbance and avoid LMU's from reaching critical thresholds of cumulative disturbance.
- iv. Understanding the current level of disturbance in the LMU's is critical to avoid potential for ceased operations and operators having large areas of open disturbance and no incentive to reclaim.
- v. Creation of wetland restoration policies outlining acceptable industry practises are required to provide a clear path for economic development in regions within, and proximal to wetlands (*i.e.*, placer mining, road management). Policies concerning wetland restoration should be consistent regardless of LUD and should be standardized for consistent stewardship in the Planning Region and follow sound scientifically based criteria.
- vi. The view that restoration of functional wetland habitat is effectively impossible is not backed by science and negates the incentive for land-users to implement best possible management practices in reclamation efforts. It is imperative for maintaining function of these ecosystems that wetland restoration policy encourages incentivized restoration efforts. Historic disturbances in wetlands would see little industry investment if the messaging presented is discouraging towards restoration of wetland function. Although a bog cannot be restored to be a bog, there is no scientific basis that effective wetland functions cannot be restored in disturbed areas.
- vii. **Current regulatory processes within the hard-rock industry, should be extended to placer mining, to incentivize habitat restoration of modern disturbance, but also historic disturbances. Additionally, these processes ensure that land-users abide by specific conditions that reflect habitat preservation of ecological sensitivities. Implementing restoration**

**procedures through permitting conditions across the industry, as a whole, is key to successful execution of the Plan ecological goals and integrated stewardship practises.**

It is our belief that a balanced final plan would set the tone for future land use planning and inspire other Yukon First Nations and Land Use Planners to see this as an opportunity for the Yukon Territory and its future.

Sincerely,

Go Metals Corp.  
Battery Metals in the Yukon.



Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Phone: 867-667-7397  
Fax: 867-667-4624

Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

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- ii. **Recommend the establishment of science-based ecological habitat disturbance thresholds for the regional planning area. This could be achieved with the formation of an objective special technical working group who can advise on suitable disturbance thresholds to ensure the integrity of key values (ecological habitat and heritage) whilst allowing for sustainable economic development.**

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Sincerely,

A handwritten signature in black ink, appearing to read "Scott Sheldon", is written over a horizontal line.

Scott Sheldon  
President, Flow Metals Corp.

October 30<sup>th</sup>, 2021

To the Dawson Regional Planning Commission

Thank you for taking the time to hear from community members and give us the opportunity to comment on the Draft Plan.

My name is Alastair and I am 26 years old. I moved to Dawson City from B.C. when I was 8 years old so I have lived most of my life here and I plan to stay. From as early as I can remember I attended TH cultural camps like First Hunt and First Fish. I understood at an early age how important it is to protect our land and water to preserve our wildlife for years to come.

I had the chance to read over the Draft Regional Land Use Plan and really appreciate the time that has gone into this. But I think we have to do a better job to ensure protection for wildlife so that future generations can enjoy what I have been fortunate to experience in my life. For example I noticed that only 3.8% of the region in the draft plan is slated for full and legal protection of wildlife habitat and wildlife like caribou, bears and wolverine. This is not nearly enough land to protect these important wildlife species.

I have friends who are miners and I realize the importance of mining and other resource extraction as well as tourism and agriculture to our economy. But mining has been put first and foremost, and in many cases has threatened the other values of the land. There are many good miners, many of whom are local, however there are also many who come up here to mine, then leave behind a mess and neglect to do the proper reclamation for wildlife and other values. Before it's irreversible here is our best chance.

This is a chance for the Yukon to be in the forefront and set an example for the rest of the world on what it means to truly protect ecosystems and their wildlife and cultural values. Protection for the habitat ranges of caribou, which are migratory, is very important. Caribou are a key species. If caribou are protected then everything in the environment is.

I am asking the commission to consider upgrading the conservation areas slated as Type 2 Special Management Areas to Type 1 SMA's. By doing so we can ensure the protection of wildlife and critical wildlife habitat like river corridors, wetlands, migratory pathways and caribou ranges for future generations. I would like the plan to reflect the sentiment of 'Together Today for our Children Tomorrow'. The Tr'ondëk Hwëch'in Final Agreement speaks about needing to "protect a way of life that is based on an economic and spiritual relationship between Tr'ondëk Hwëch'in and the land." I fully support this and support TH's submission which is to offer full protection to 60% of the region.

Thank you,

Alastair Findlay-Brook

October 29, 2021

To the Dawson Regional Planning Commission:

Thank you for the opportunity to participate in the land use planning process. The intention of our submission is to provide some key ecological concepts and recommendations around ecosystem disturbance and recovery for the Planning Commission's consideration. We are both PhD students studying northern ecology: Kirsten examines ecosystem responses to climate change, including wildland fire, along the Klondike and Dempster Highways and Krystal studies northern plant community development and its applications to mine revegetation in the Yukon. Please note we have both worked/studied in the Dawson region, but do not live there – Krystal grew up and still lives in Whitehorse and Kirsten moved from St. John's to Whitehorse this spring.

Full disclosure – we are plant people. We see ecosystems through the lens of vegetation and consider plant community composition as the most important indicator of ecosystem structure and function. Many other ecologists share this view, but it is not universal. We also recognize the socio-cultural functions of ecosystems. We do not address them in our submission, but we strongly encourage their inclusion into the evaluation of recovery.

Of the three suggested ecological indicators (vegetation, run-off and sediment loading, topography), vegetation is the only indicator sensitive to changes in both living (e.g. wildlife, insects, human) and non-living (e.g. soil, climate, fire) conditions. We agree that the other indicators are relevant, but believe limited baseline data would make it difficult to quantify and measure the pre- and post-disturbance sediment loading and topography. From our perspective, focusing recovery on vegetation indicators is more likely to contribute to a holistic understanding of the ecosystem (e.g., vegetation community recovery, habitat recovery, return to a healthy cultural ecosystem etc.).

Thank you for considering our submission and all the best with the final plan,



Kirsten Reid  
PhD Student  
Memorial University



Krystal Isbister  
PhD Student  
Yukon University/University of Alberta

**Kirsten Reid and Krystal Isbister Submission for Recovery Indicators in DRLUP – October 2021**

Take home messages

- 1) The type and abundance of plants is determined by living and non-living ecosystem characteristics
  - We recommend using plant characteristics to measure recovery
- 2) The more severe the disturbance, the more likely an ecosystem will not recover to a natural state
  - We recommend categorizing disturbance into three different levels based on severity
  - We recommend more specific recovery indicators for more severe levels of disturbance
- 3) A natural state and the pre-disturbance state are not necessarily the same; for example: a field of fireweed is a natural state after wildfire, but not the same state as the original spruce forest
  - After moderate disturbance, we recommend using the types of plants as recovery indicators to understand how similar the new state is to the pre-disturbance state
  - After higher levels of disturbance than occur naturally, we recommend making a site-specific restoration plan and recovery indicators
- 4) The best science cannot restore a highly disturbed ecosystem to its pre-disturbance state
  - There are restoration techniques that can help ecosystems recover, but we cannot create an ecosystem from scratch. Ecosystem recovery is way more complex than rocket science.
  - If the current ecosystem is highly valued by humans or other species, maybe we as a society should consider not disturbing it
- 5) Recommended disturbance levels and recovery indicators can be found in Table 1. and Table 2.

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Definitions:

Ecological restoration: Ecological restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged or destroyed (McDonald et al. 2016)

Environmental conditions: the different components of an ecosystem – climate, topography, soils, vegetation, animals and fungi

Mineral Soil: A+B Horizon as defined by the Canadian Society of Soil Science (2020)

Plant community: a group of plant species in an area that interact

Recovery: We could not find a definition of “recovery” in the DRLUP, so we’re using the Peel Watershed Regional Land Use Plan’s definition of “return to its natural state”. We define a natural state as an ecosystem that occurred in the planning region prior to European arrival, acknowledging this will need be adjusted over time to account for climate change.

Vegetative mat: LFH and/or O Horizon of a soil as defined by the Canadian Society of Soil Science (2020)

## Key Concepts:

### 1) One place can have multiple natural states

Boreal ecosystems can exist in multiple different forms under the same environmental conditions, called alternative stable states (Chapin et al. 2004). The theory that plant communities develop in a predictable pattern to a single climax state is no longer broadly supported in ecology. Even minor, temporary surface disturbance such as cutting trees can shift an ecosystem from one state to another (Hart and Chen 2006). Shifting states is not inherently “bad” and can happen after natural disturbance too, it’s just something to be aware of.

More severe disturbance can also shift plant communities to an earlier successional state. A familiar local example is wildfire shifting a coniferous forest to a field of fireweed and resprouting willow. Both are natural states, but when the willow reaches 1.5 m in height the ecosystem is not the same as it was pre-disturbance nor does it provide similar ecosystem functions. This concept applies to human-caused disturbance as well.

Practical implications: *For mapping and tracking disturbance, we cannot assume a “recovered” area to be the same ecosystem that was mapped prior to disturbance, even if the disturbance wasn’t severe.*

### 2) Ecosystems that experience disturbance outside of the normal range of variation may not return to a natural state, at least within a human lifetime

Within the range of natural disturbance, increased disturbance severity =  
increased change in plant community + increased time to reach a stable state  
(Rydgren et al. 2004; Hollingsworth et al. 2013)

These successional states caused by natural disturbance are normal and healthy in the boreal forest (Chapin et al. 2006). When human-caused disturbance creates similar environmental conditions to natural disturbance, we can expect recovery to a natural state with minimal intervention as seen in the north Yukon (Simpson 2013). Ecological restoration techniques can speed up successional processes or influence the successional trajectory (i.e. the alternative stable state the plant community will eventually reach), but these ecosystems are likely to recover to a natural state over time.

When humans degrade environmental conditions outside of the normal range of variation, the developing plant communities may be not return to a natural state. Common causes for this are the presence of invasive species (Weidlich et al. 2020) and creation of harsh soil conditions such as minimal organic matter, metal contamination, and compaction (Polster 2017). Ecological restoration is usually required to assist the recovery of these ecosystems to a natural state.

Practical implications: *We recommend recovery indicators be based on disturbance severity. We agree with and support Simpson’s (2013) three disturbance levels proposed for the North Yukon Land Use Plan with slight tweaks to fit a boreal rather than arctic context.*

*The disturbance levels and rationale are presented in Table 1.*

- 3) The use of plant functional types as a recovery indicator would allow land managers to monitor changes in ecosystem functions as part of tracking surface disturbance

Each plant community provides a unique suite of ecological functions. To reduce this complexity, ecologists often group plants by functional type. The classification of plant functional type is context specific, but common categories include mosses, grasses, forbs (flowers), short shrubs, tall shrubs, deciduous trees, and coniferous trees (see Kittel et al. 2000 for a good discussion on arctic/boreal plant functional types).

It's unclear if "recovery" in the draft DRLUP is intended to include the resumption of pre-disturbance ecosystem functions. If yes, evaluating vegetation at the level of the dominant plant functional type may be a useful indicator. Changes in dominant plant functional types such as a shift from coniferous forest to tall shrub thicket can cause large changes in ecosystem patterns and processes such as habitat and migration pattern changes (e.g., Gustine et al. 2014; Lantz 2017), carbon cycling (Mack et al 2004), permafrost dynamics (Jorgenson et al. 2010), and overall ecosystem health. Defining appropriate plant functional types takes effort, but once defined measuring plant functional types can be a powerful way to understand ecosystems and ecosystem change (Kittel et al. 2000).

Please consider that invasive white sweet clover can grow over 1.5 m tall and dominate a large area (YISC n.d.). By just using vegetation height as an indicator, this ecosystem would be considered recovered yet is certainly not in a natural state.

*Practical Implications: We recognize there is practical value in remaining consistent with the North Yukon and Peel Watershed Land Use Plans. We've identified a disturbance level where using dominant plant functional type as an indicator is recommended if recovery of pre-disturbance ecosystem functions is desired.*

- 4) "Restoration is not a substitute for conservation" – Society for Ecological Restoration (2021)

We agree with the draft plan's ecological goal of "support the natural integrity of the planning region by ensuring cumulative disturbances from human activities on the landscape are reclaimed or restored", however, we recommend this goal be approached with humility and recognition of human limitations. See the International Standards for Ecological Restoration, page 8, for a broader discussion of this approach (McDonald et al. 2016). The best science cannot restore boreal ecosystems to their original state after they are heavily degraded by human disturbance (Pinno and Hawkes 2015; Dhar et al. 2018). Many techniques exist that can improve ecosystem structure and function (e.g. Macdonald et al. 2015) and forest restoration efforts have enhanced biodiversity globally (Crouzeilles et al. 2016).

*Practical implications: It is unethical to use restoration to the pre-disturbance ecosystem as a justification for disturbance. If the current ecosystem is highly valued by humans or other species, maybe we as a society should consider not disturbing it.*

## Recommended Disturbance Levels and Recovery Indicators

Table 1. Recommended terrestrial surface disturbance levels based on Simpson (2013); spatial thresholds for minimum area to be counted as disturbed could be based on the mapping resolution

Disturbance Severity	Description	Examples
Level 1	Vegetative mat intact	Winter logging, low severity wildfire, hand cut line, occasional snowmobile track
Level 2	Active layer > 1.5 m Vegetative mat disturbed/removed Mineral soil intact (incl. not actively eroding)	ATV and mountain bike trails, abandoned agricultural fields, some remote airstrips, high severity wildfire
Level 3	Permafrost present and the vegetative mat removed OR Vegetative mat and mineral soil disturbed/removed	Mining, gravel pits, roads, no common natural disturbance analogue

Table 2. Recommended ecological recovery indicators for each level of disturbance.

Disturbance Type	Recovery Indicator	Rationale
Level 1 Disturbance	Vegetation growth is over 1.5 m in forested areas	<ul style="list-style-type: none"> <li>- Regeneration from seed bank and resprouting from belowground plant parts is maintained</li> <li>- Soil nutrient/moisture regime unaffected</li> <li>- High resistance to most invasive plants</li> </ul>
Level 2 Disturbance	Vegetation growth is over 1.5 m in forested areas OR Dominant plant functional types are the same as pre-disturbance ecosystem  Invasive species not present	<ul style="list-style-type: none"> <li>- Many Yukon species are adapted to germinating on mineral soil (similar to severe wildfire).</li> <li>- Soil nutrient/moisture regime are reduced, but likely sufficient for early successional species</li> <li>- Similar regeneration trajectories occurred in North Yukon region after human and natural disturbances</li> <li>- Susceptible to invasive plants</li> </ul>
Level 3 Disturbance	Indicators identified in a site-specific ecological restoration plan*	<ul style="list-style-type: none"> <li>- Outside of natural disturbance processes (other than glacial recession)</li> <li>- High potential to follow unnatural or limited successional processes</li> <li>- Requires active restoration to create environmental conditions similar to natural ecosystems acknowledging a return to pre-disturbance state is not achievable</li> </ul>

\*We use the term restoration rather than reclamation intentionally. Ecological restoration as defined by the Society for Ecological Restoration, has the explicit goal of recovery to a natural state (McDonald et al. 2016). Reclamation is simply the transition from an industrial state to another desired state which could be anything from a golf course, solar farm or moose habitat. A reclamation plan would be equivalent to a restoration plan if the reclamation goal was to create natural ecosystems.

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October 31, 2021

Dawson Regional Land Use Plan Comments  
Kim Melton

I'd like to preface my comments with gratitude to the commission members and staff for conducting this work on behalf of our community. I have observed you to work with transparency and a genuine effort to engage. This is quite a task.

I have spoken with a number of Dawson residents who don't feel like they are part of – or are entitled to be part of – this plan; this is unfortunate, as I believe it is a very important tool in deciding the future direction of this region, perhaps the most important since the signing of the THFA over twenty years ago. I hope the spirit and intent of that Agreement and of its initiators are alive and well in this process; I believe strongly that TH (and the other FNs whose Traditional Territories overlap the planning region) is a true and equal partner in co-governance of the region and should be respected as such. For this reason as well as others I will outline below, I fully support TH's submission to the commission outlining 60% of the region to be designated for ecological protection, which in turn supports cultural well-being through allowing people to maintain cultural practices and a traditional economy. The rights of First Nations people to engage in cultural pursuits and harvesting are enshrined in law, and I believe a plan that does not first and foremost support healthy fish and wildlife populations, clean water and intact ecosystems does injustice to the work that has come before.

I see this plan as an opportunity for us to offer future generations gifts of abundance and choice. By setting aside lands for ecological protection and choosing not to allow development *now*, we leave the option open to future residents of the region to expand areas of industrial development - or not - based on the best available knowledge, and to experience the healthy populations of animals we are privileged to know today. If we choose instead to allow our footprint to expand and push wildlife outside of their zones of tolerance, without sufficient buffers for them to endure the challenges of climate change, we take away that option from our children and grandchildren. History tells us clearly that it is much easier to open a new area for human use than to restore a degraded habitat. We simply do not have the ability to restore entire ecosystems, only some of their functions.

From a global perspective, it is worth considering the rarity of what we have in this region: intact tracts of ecosystems that support wild herds of large mammals, not to mention all the flora, insects, migratory and resident birds and fish. The ongoing impacts of climate change, habitat loss, pollution and other human impacts continue to increase the rarity and consequent value of our landscape beyond our borders. Canada has set a goal of 30% protection for the country by 2030, and we could contribute to that in a way that would offset the inability of other regions whose development level has far exceeded that threshold.

Much of the commission's work revolves around 'competing land interests' and 'balancing' economy with social/cultural and ecological interests. This is, I believe, a false dichotomy. Only with thriving, healthy ecosystems can our community thrive. Only when our community thrives can we have thriving industries. While the order of these 'priorities' does shift throughout the document, I encourage the commission to set the tone at the beginning and articulate the true relationship between these elements. The language of 'balance' and 'trade-offs' also has the effect of polarizing the community and pitting people against one another. Now, more than ever, we need collaborative language that draws us together. Let's look for economic opportunities that support our social, cultural and environmental values.

I also urge the commission to consider the collective over the individual, the vulnerable over the adaptable. By these I mean being willing to make recommendations that require us – adaptable, resilient people – to change our practices and even professions while allowing animals like caribou, that have been extirpated across this country as people expand their zones of influence, room to thrive. I mean prioritizing the services rendered to both human and more-than-human communities by functioning ecosystems – flood protection, clean water, fish and game, carbon storage, water transport – over short-term financial gains in any one sector. I believe this can be a strong conservation plan that is supported by the community as a whole because I believe residents from all segments share the hope for healthy, thriving wildlife populations and clean drinking water in our future. A strong economy is absolutely possible alongside.

From the above, it is likely evident that I strongly support the guiding principles laid out in 1.6.2, and encourage their rigorous application throughout the plan.

- Under ‘Foster sustainable economic activities’, I would suggest it is important to recognize a third type of economic activity: those that degrade environments in such a way that they do not recover on any meaningful timescale. I would further suggest that the logical conclusion for this paragraph be that this third type of activity has no place within this plan, and that priority be given to those activities that can be sustained indefinitely. ‘Fostering’ requires more than recognition.
- Under ‘1.6.2.2 Stewardship’ I am glad to read the intention of the ISA designation is to put the health of the land at the forefront, however I fail to see how this will be implemented given the leeway allowed for use and development within these areas. I think it is important to be clear where we are giving people priority, even if there is honourable intent to create an integrated landscape; many species with whom we share the landscape cannot tolerate levels of ‘integration’ that we find acceptable!
- Under 1.6.2.5 I encourage the commission to provide some recommendation for protection and not only provide these criteria for interpretation. In all honesty, reading these criteria – and the principles on the whole – makes me quite surprised at the low level of suggested protection throughout the plan.
- I would like to see ‘conservation’ as defined in the THFA added as a principle
- I would like to see Reconciliation be a guiding principle

### 1.7 Plan Goals:

I broadly support the draft goals, with the suggested addition of something to the effect of: “Support the natural integrity of the planning region by ensuring cumulative disturbance thresholds from human activities on the landscape are not exceeded; and that where cautionary thresholds are approached disturbance is reclaimed or restored prior to further development being allowed.”

### 3.1/3.2 Land designations:

I support the use of LMUs as a management tool, but question the boundaries in some cases. As argued above, the environment provides the basis on which we build our cultures and economies. Boundaries should reflect areas that will benefit from being managed collectively, for instance the common range of a caribou herd or wetland complex; they should have odd add-ons or extensions to accommodate current or future industrial interests.

I would suggest that further definitions be made for SMAIIs, to ensure the creation of access to existing land tenures does not compromise the intent of ‘long-term maintenance of wilderness character’. I also suggest that allowing for further mineral exploration on claims within SMAIIs that don’t already have access is contradictory to this intent (as described in recommendations under 4.1.1).

### 3.5 Cumulative Effects:

I absolutely support the inclusion of a section on cumulative effects and some tools to manage them – the first and foremost being the **precautionary principle** as the very nature of cumulative effects is that they are interactive, not additive, and often we learn too late the toxic results of multiple projects on the same landscape. I understand that the thresholds included in the plan start with a baseline of current levels of development and add a buffer to allow a certain level of expansion beyond. I strongly encourage the commission to include established industrial thresholds for development (eg: using surface area and linear disturbance as accepted in the scientific literature) that will restrict surface disturbance so that ecological thresholds for species like caribou are not exceeded – 4.2 states that the commission heard repeatedly the importance of intact fish and wildlife populations, so maintaining these populations is an important social threshold. Where relevant thresholds have not been established, the commission can recommend research, with an interim cessation of expansion of industrial activity until they are determined.

#### 4.1.1 Mineral Exploration and Development

See introductory comments on ‘balance’. Suggest removing this language, as attempts to ‘balance’ economic development with environmental or social interests inevitably succeed at the *cost* to those interests. This is an outdated view that we should move beyond. I challenge us to get creative as a community and choose to support economic opportunities that *support* our cultural and social wellbeing, without undermining the ecological integrity of our environment.

I support objectives 2 and 3, but I object to objective 1. Where, as a community, we determine limited mineral development and exploration can proceed, I support the application of the YMDS recommendations. I encourage a recommendation on support for and research in becoming leaders in reclamation techniques.

#### 4.1.2.2

New surface access – I support the use of the precautionary principle in developing any new access, given the stated realities of difficulties in road decommissioning due to climate and regulatory regime. I encourage explicit recommendations in this regard in the individual LMU directions.

#### 4.1.2.3

ORVMAs – I would suggest that known wildlife migration routes (eg caribou) may present suitable ORVMAs, particularly where they move from one high elevation area to another? In addition, areas between critical habitat and areas of industrial use would be prime to restrict the zone of influence of those areas into land that is intended to have some degree of ecological value. Wetlands would be obvious choices, as would LMUs with an intent for conservation and the Top of the World Highway Corridor. It will be much easier to proceed with these plans if the commission recommends them than if it does not.

#### 4.1.2.5

I am surprised to see the statement that there is ‘limited knowledge’ about the effects of jetboats on key values; I understood it to be well-established that jetboat wash has a negative impact on salmon eggs and fry; as such, perhaps the plan could both recommend research (into these and other channels that regularly see jet boat use, such as the Klondike) and that jetboats not be permitted on these rivers when salmon are present, pending further information.

#### 4.1.3 Agriculture

I fully support the encouragement of a sustainable local agriculture industry and the objectives the commission has drafted. I would add that sustainable agriculture has the potential to be an active agent in reclaiming previously impacted areas, therefore the lands identified as potentially useful for agriculture can be greatly expanded (without impacting wilderness areas). By incorporating organic soil building techniques in the reclamation of previously developed lands within high development corridors (eg: along the highway between the Hunker Creek and Dawson), multiple objectives could be achieved for the community at once including carbon storage, beautification (tourism and quality of life) and food production. Support needs to be available to existing and potential farmers in light of the fact that they must compete with artificially cheap food in supermarkets (ie: prices lower than the actual cost of the food through subsidies and worker and environment exploitation in other places). I support the recommendations. Agritourism as a concept should also be supported, in conjunction with section 4.1.4.

#### 4.1.5

I would suggest that changing the recommended designation of LMUs 1, 4 and 7 to SMAII to better ensure the ongoing health of wildlife populations.

#### 4.1.6.2

Subregional plan for the Klondike Valley LMU – suggest recommending a timeline for this action, given the gap that will be left in the absence of further direction from this plan.

#### 4.1.9

I support the objectives for Traditional Economy.

#### 4.1.10

I applaud the inclusion of this section (though the name could be amended). While a local study may provide more insight into how/which mitigative measures could be applied, there is already a large body of research on gender-based violence associated with resource development projects and/or camp-type work settings, particularly in small, rural and/or remote communities. Recommending application of measures found to work elsewhere and supporting organizations presently in the community could be a useful part of this section.

#### 4.2

I support the majority of this section, with the amendment to goals I listed above and a few points below:

- 4.2.1.1 practice b: suggest that *no* placer mining be permitted within high quality caribou habitat

#### 4.2.4 Wetlands

I appreciate the commission's focus on wetlands, acknowledgement of their importance to both ecosystem function and specifically human activities, and their active engagement to seek further knowledge on this topic. I hope you have been convinced of the paramount importance of maintaining intact and functional wetlands throughout the planning region. I would like to see the recommendation that no development be permitted in undisturbed bogs and marshes throughout the region be extended to all fens. As stated in the plan, peatlands cannot be restored by current technology in any kind of reasonable timeframe. Peatland destruction contributes to climate change through immediate release of carbon as well as loss of a carbon sink. I think it is important to consider connectivity, for all the reasons stated in the draft plan regarding wetlands and water. There are wetland complexes within areas intended towards conservation where claims or pre-existing permits overlap with currently undisturbed

peatlands. Extending recommendations to cover these areas would provide for protection of the services provided by those wetlands; it is not the plan or the commission's job to figure out how to implement all of its recommendations, that will be up to the Parties.

I support strongly the recommendation that development not be permitted without adequate inventories of wetlands. Further, this should be at the watershed level so that cumulative effects can be adequately assessed, given the interconnected nature of wetland systems. Any development thresholds should minimize the allowable amount of wetland disturbance and should only be applied to the residual *after* adequate protections are made around wetland complexes to ensure their continued function and integrity.

- LMU 22 – absolutely support the direction for a Habitat Protection area. Request that the plan recommend this explicitly; suggest that ISA II development levels are incongruent with this approach. Suggest the designation should be SMA I to enable it to be maintained until such time as the 'wetland of special importance' designation has been fully developed, or until a Habitat Protection Area designation process can begin.
- LMU 19 should be connected with Flat Creek Wetlands (LMU 11, which could easily be assigned SMAII status as well to effectively meet it's management objectives; suggest preventing the possibility of mineral staking but allow for forestry via a SMD) to better protect the connectivity of these wetlands, necessary to their integrity. This would provide better options in the future at a time when the 'wetland of special importance' designation can be defined and applied. Disturbance threshold should be downgraded to ISA I levels at most. If existing disturbance levels already exceed that allowed in an ISA I, then I would suggest the commission recommend reclamation until the level is reduced enough to allow for further development.

#### 4.2.5 Climate Change

As with wetlands, I am grateful the commission has taken the time to give climate change solid consideration. It would also be accurate to refer to it as the climate crisis. In light of the first objective, and in line with the precautionary principle invoked in the principles section, I strongly advocate for expanding protections particularly for migratory species given the likelihood of habitat loss/change. I strongly support the recommendation to withdraw land within SMAs from mineral staking. I recommend increasing buffers around key wildlife areas and decreasing industrial thresholds to reflect the greater stresses wildlife populations will be facing. Shifts in habitat due to changing climate are one aspect, as is the anticipated increase in wildfires that could potentially remove large swathes of habitat in a single event, leaving wildlife with nowhere to go.

The realities of climate change are forcing society to reconsider many things. What is important to us? How much x do we actually need? We will all be facing tough decisions – if we haven't begun facing them already – as individuals, families, communities and countries. We should take this plan as an opportunity to collectively reimagine a future where we can all thrive without depending on carbon-intensive, ecologically destructive industries.

#### 4.3 I support the draft socio-cultural goals, pending approval of their language by TH.

I support efforts to include the Han language in plan documents and process. I question whether adequate protections have been assigned through LMU designation for heritage resources and trails, and urge the commission to respect and follow recommendations made by TH and other affected FNs in this regard.

As regards specific LMUs:

1. change from SMAII to SMAI; this is consistent with the SMDs except regarding CE threshold; this could be limited to the size of the undeveloped mineral claims, which could be addressed by a SMD to permit development within the claims, though of course no road access.
2. In the face of the climate crisis, and in light of the other stated objectives, I disagree that there should be any objective to preserve opportunities for oil and gas development. SMAII designation would support the main goals for traditional activities and harvesting by TH.
3. Supportive of SMA II status and direction for future planning; suggest that applying precautionary principle should lower CE threshold to ISAI to allow for as many options to remain available to subplan as possible.
4. Support the directions for this area; given stated intents, it would seem logical to designate this area an SMAI.
5. n/a
6. Given stated objectives and SMDs (eg: forestry opportunities, mixed land use and high ecological values, water quality and salmon habitat) this would be a good candidate for withdrawal from staking, as mineral development activity would negatively impact the stated values, and designated an SMAII.
7. Agree
8. Concern here over caribou herds – could elevation-related protections be added as in other LMUs?
9. Similar concern to LMU8; also, given wildlife use, suggest lowering CE threshold to ISA3 (future development can always be permitted once reclamation/restoration has been carried out).
10. Agree
11. as discussed previously, this could be designated SMAII and joined up with 19 to better meet objectives around wetland protection.
12. Recommend specific direction as per access road section that a loop road cannot be established in this area.
13. Support, and suggest interim withdrawal from staking until the subplan is developed
14. n/a
15. Heritage river status?
16. Support directions
17. concern over the amount of roads/trails in this area, given high value to caribou
18. support SMAI designation
19. support designation; recommend linking with Flat Creek (see comments above)..
20. concern about inability of FMCH to reoccupy historic range in the face of the (likely) coming mine; can the commission make recommendations on both mine operation and access that could grant FMCH (and Klaza) a chance?
21. Little knowledge of this area, though I understand there is rare mammoth steppe that deserves protection, could it become an SMAII?
22. See comments under wetlands
23. Concerning overlap of an identified caribou corridor with many existing claims as well as a designation that leaves room for more development. These are patently inconsistent. It is confusing to have two different elevations ascribed to important habitat? The shape, too, doesn't provide confidence that this will be useful to the caribou.

Thank you for providing me with the opportunity to provide thoughts and feedback on this draft. It has obviously been a huge amount of work, and I wish you luck moving through the (hopefully) vast quantities of submissions you have received! I appreciate the copious research recommendations provided and gaps in knowledge that have been identified. I also feel that given the resources available

and realistic timelines, in areas where it is clear that values present on the landscape (cultural, ecological or economic) will be eroded by continuation of the status quo, more recommendations for pausing in our activities until such time as more information is available would be useful; as well as identifying resources to help move things head.

Throughout the draft plan I have overwhelmingly found myself nodding with agreement through principles, objectives and goals. I have been struck repeatedly therefore, by the fact that I often disagree with the final designation of an area, which I would anticipate to be a logical conclusion of the sections. I do not know the why of this, and I can only urge the commission to be bold and audacious, to follow the principles you have so clearly articulated and be willing to go beyond business-as-usual; that is what this time, and our place, call for.

Kind regards  
Kim Melton

2021 Dawson Draft Plan Engagement Submission

Type: Email ref 044

From: Kurtis Van Bibber

Date: Oct 29 2021

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To whom it may concern,

Hi, I'm writing, as a TH citizen, in support of the current draft land use plan. I have received some emails from the TH government encouraging me to sign their template letters. After receiving their letter, I went and read the summary of the draft plan and I personally found it acceptable.

I just thought I would shoot an email in support of what has been proposed in the draft plan considering the push to send an email to the contrary.

And for what it's worth, I know there's a lot more TH citizens who feel the same as me, but aren't making their support known.

Anyway, keep up the good work.

Regards,  
Kurtis Van Bibber

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Dear Planning Commission,

**RE: Dawson Regional Planning – Commission Draft Plan**

Please accept this letter as a formal commentary on the Dawson Regional Planning Commissions (DRPC) Draft Land Use Plan (June 2021) and supporting documents.

I certainly recognize the challenges associated with the DRPC's mandate, the scope, and the many years of work that have culminated in the 2021 DRLU Draft Plan.

My comment is first of a general nature; land use planning has become a sanctioned mechanism for the implementation of additional protected areas, which I think is a high-jacking of the original intent of the UFA. Land use planning efforts to date have targeted land withdrawals from development activities and have done so successfully under the banner of conservation initiatives, adopting confrontational strategies or estimation strategies that ignore existing protection mechanisms operating on Crown Land, and exaggerating risks posed by responsible development. Regrettably, land use planning has so far failed in providing balance and has ignored the needs of resource industries and therefore of the Yukoners that work in them. Land use planning in the Yukon has directly threatened the livelihood of many Yukoners, dramatically reduced access to a land base and has done so by using fixed criteria applied to changing and impermanent parameters.

Although the mineral industry had diligently engaged in consultation and communications when allowed to join the table, it's needs have consistently been ignored and its capacity to operate had been consistently eroded. Was this the intent of the UFA? Land use planning so far has been a polarizing exercise, fostering divisions and tearing communities apart. Was this the intent of the UFA? We see what this has done elsewhere in the world. I would hope that we could do better.

The Draft Dawson LUP cannot be considered in isolation of previous land use plans completed in the Yukon, cannot be considered in isolation of those plans yet to come, nor can it be taken in isolation of other government initiatives that disregard the needs of the mineral industry. The Dawson LUP will have repercussions beyond the boundaries of the planning region. If the needs of the industry are ignored once again, the message will be very clear.

The Dawson LUP Commission is mandated with the difficult task of planning for a future that can only be in flux. I am disappointed that we don't use our creativity to search for flexible mechanisms that could achieve some compromise, and allow for future flexibility as societal needs may change.

I join my voice with the following text prepared by the Chamber of Mines, which I consider as a lobby group that represents my interests. Thank you for considering these points.

A high-level summary of process and technical issues identified through reviewing the Draft Plan are provided below:

### 1. Publicly available information and timeframe provided for comment

- i. The Draft Plan was released June 2021 with November 1<sup>st</sup> comment closure. Industry is most active during the snow-free months. As a result, the allotted timeframe provided for comment left little time to provide adequate review and constructive input.
- ii. Limited information was released to outline the basis for many of the current Draft Plan proposals, including important maps for wildlife habitat and migration corridors, heritage areas, wetland mapping, watershed boundaries, as well as datasets and scientific studies that support the basis for the proposed disturbance thresholds.
- iii. **More time and information are required to properly assess and comment on this important Regional Planning framework.**

### 2. Land Use Designations Methodology

- i. The methodology described in §1.6.2.5 (Priority Criteria for Candidate Conservation Areas) do not appear to match Draft Land Management Units (LMU's) and currently proposed Land Use Designations (LUD's). Based on the methodology described in the Draft Plan, high-protection LMU's should be defined by high-density overlap of high-value features, such as habitat and heritage, and thus result in a more restrictive LUD's. High potential economic areas with low heritage and habitat values should be classified as less restrictive LUD's.
- ii. Simplifying the number of LUD's Integrated Stewardship Areas (ISA's) to three categories (low, moderate, and high development) and a singular Special Management Area zoning delineating full protection (SMA 1) should reduce potential management challenges in implementation and the need for increased capacity within YG and THFN.
- iii. Transitions from higher-protection LMU's to higher-development ones should be more gradational. Higher protection LMU's should logically cover areas with high habitat and/or high cultural values. Areas with high economic potential and lower habitat and cultural heritage values should allow for future economic development with corresponding higher disturbance thresholds, with such thresholds based on sound scientific studies for species and habitats.
- iv. Implementation of Integrated Stewardship Practises could provide excellent holistic, opportunities for the Planning Region. However, no concrete examples or techniques for connecting various land-users from seemingly different usage backgrounds, is provided.
- v. Some high protection LMU's partly or wholly enclose areas of high historic and current placer and hard rock mining activity (LMU's 19, 21 and 22). These areas have significant potential future economic value, have extensive mining claims within them and have already seen substantial disturbance. **Designating these active mining and exploration areas as high protection LMU's will result in land use conflict and the potential need for economic compensation to mineral rights holders. These areas should be recognized for the current and future economic value and placed into more appropriate LMU designations.**

### 3. Cumulative Disturbance Thresholds Methodology

- i. It is unclear in the Draft Plan if the Cumulative Disturbance Thresholds are based off of Ecological derived habitat needs or are more arbitrary Management thresholds.
- ii. The Draft Plan does not appear to draw from the referenced Land Use Planning Conservation Thresholds (Environmental Law Institute, 2003). **Threshold values presented are very low compared to other land use plans in comparable sub-arctic, low-density populated areas and particularly relative to ecologic thresholds from scientific studies which generally indicate threshold preservation of >60% of habitat or perhaps 80% for rare species.** This compares with preservation of 95%, 97.5% and 99% of habitat for the high, medium and low development LUD's that are proposed.

- iii. §3.5.1 (Cumulative Effects Indicators) specifies that surface disturbance does not include areas deemed as recovered. This could be interpreted to align with in-place regulatory practises which incentivize restoration efforts in economically developed areas. However, it is unclear whether this means industry could operate in net-zero land disturbance if areas are progressively recovered, thus lowering the LMU's active disturbance threshold.
- iv. On October 12<sup>th</sup> 2021, the DRPC released 'Analysis of "Current" Disturbance Levels'. The outdated 2014 dataset provided was indicated to be the result of a lack of information, however figures from the document show recent satellite images mapping disturbance. If current disturbance levels are not defined, how can thresholds be proposed for each land management unit, especially if the thresholds are arbitrary management levels and not based on habitat needs or species criteria?
- v. How Disturbance Classes (Industry, Forestry, Agriculture, Road-development including aggregate resource extraction) are categorized and monitored is not described in the Draft Plan. Would future disturbance totals include all categories? The draft document states that only mining related disturbances were utilized in the development of thresholds.
- vi. In ISA areas that are open for development the thresholds need to allow for future economic activity; it is unclear based on "current" disturbance whether that would be the case for the 5%, 2.5% and 1% disturbance thresholds that are proposed in the Draft Plan.
- vii. The Draft Plan states that existing mineral rights will be honored in the LMU's but unless these areas are removed from the calculation of disturbance in the LMU's this may not be achievable. Likewise, the Draft Plan states that there would be no new disturbance of some classes of wetlands. If those wetlands cover existing mineral rights, then either the mineral rights have been lost, or no net loss would only apply outside of the existing mineral rights. The Draft Plan is unclear on both of those points.
- viii. **Recommend the establishment of science-based ecological habitat disturbance thresholds for the regional planning area. This could be achieved with the formation of an objective special technical working group who can advise on suitable disturbance thresholds to ensure the integrity of key values (ecological habitat and heritage) whilst allowing for sustainable economic development.**

#### 4. Wetlands

- i. Outlined thresholds could have serious economic development consequences (in particular to placer mining which occurs in wetland areas) but are unclear in the Draft Plan.
- ii. The Federal Policy on Wetland Conservation (Government of Canada, 1991) describes no net loss of socioeconomic or ecological wetland function. Restoration of wetland function has been demonstrated globally on various projects in various biogeoclimatic ecozones. Therefore, it is recommended that criteria be developed for habitat and functional wetland restoration.
- iii. Why is there no development allowed in undisturbed bogs and marshes throughout the region within only specified SMAs and ISAs? Why is there inconsistent policy towards specified habitats? Placer mining often occurs in marshes, fens and bogs, as may hard rock exploration and development. **A blanket restriction on disturbance rather than providing criteria for functional restoration would effectively shut down economic activity in these areas.**
- iv. What are the factors included in the scientific basis considered with allowing development of an arbitrary 25-75% range for fens in each applicable LMU?
- v. The Draft Plan states that effective restoration of wetlands is impossible. This is inconsistent with results from a number of successful wetland restoration projects in Canada. It also contrasts with the surface disturbance recovery objectives and may discourage Operators from implementing costly best management restoration practices.
- vi. **Recommend the development of agreed upon wetlands restoration guidelines that could allow for uniform best management practices in these important ecological habitats.**

## 5. Economic Plan

- i. Plans to maintain the economic health of the region are not discussed in detail. Management intent is unclear throughout the document and certain proposals could have far reaching negative economic impacts on the region.
- ii. §'s 4.1.9 and 4.3.3 on Traditional Economy recommends buffers and avoiding or reducing the level of land-use activities in areas identified as having cultural value. Map 5 (Appendix A) shows virtually the entire area as having traditional-use value. It is unclear what exactly this would mean for stakeholder-use in the entire planning area.
- iii. Sustaining a healthy placer mining industry is key for the economic security of the Planning Region as the single largest economic sector. While this natural resource has been developed in the region for over a century, many placer deposits have been depleted in the heavily developed areas. While there are opportunities to reclaim and restore these historically disturbed areas, the industry will continue to move into adjacent prospective areas that share the same geologic settings. This movement into adjacent areas needs to be accommodated to allow for a healthy placer mining industry and regional economy. For instance, in LMU 12 the natural progression is to move further eastward to the Upper Indian River (LMU 19), which has same geological setting, and is demonstrating comparable economic placer values. This area is the economic future for the Klondike Goldfields.
- iv. Though the focus in LMU's such as 12 and 19 have mostly been on placer mining, these placer mining areas are also highly prospective for future hard rock developments - as the source of the alluvial gold. **Accommodation should be made for such future potential in these types of areas with extensive placer and hard rock exploration and development to allow for sustainable economic activity in this important sector of the planning region's economy.**
- v. The Mining industry generates significant economic benefits for communities that are often not well understood. A substantiated figure used in the mineral industry shows that typically every dollar spent in mining generates \$5 in the local economy including indirect supporting industries & local-work force (hotels, restaurants, equipment sales and maintenance, supplies, fuel, etc.). A similar multiplier value relates to jobs supported by indirect and induced economic activity. A recent study of mining related jobs in British Columbia indicates that for each (1) mining related job, 4.6 jobs indirect, or induced, jobs are created. The DLUP Resource Assessment Report does not accurately reflect economic contributions from these types of economic activity (refer to PWC 2012, Mining Industry Economic Impact Report). **Maintaining a healthy mineral resource economy is key to ensuring long-term socioeconomic health of the Planning Region.**

## 6. Regulatory Policy and Implementation

- i. There is currently no implemented monitoring of disturbance or impact assessment in the Dawson Planning Region.
- ii. **It is imperative that the Plan reflects the current, effective, in-place regulatory regime for permitting. This process incentivizes concurrent restoration efforts and includes permitting conditions that guide land-users to mitigate potential impacts whenever possible.**
- iii. The Senior Liaison Committee should encourage YG to use more consistent policy towards both Placer and Quartz operations. Pre- and Post-Season reporting should be conditions of Mining Land Use Permits (MLUPs). Presently, quartz operations are given thresholds of allowable disturbance within their projects. This incentivizes operators to progressively reclaim. Implementation of appropriate thresholds for placer operations with permitting conditions outlining reasonable allowable open disturbances, would allow for tracking disturbance and avoid LMU's from reaching critical thresholds of cumulative disturbance.
- iv. Understanding the current level of disturbance in the LMU's is critical to avoid potential for ceased operations and operators having large areas of open disturbance and no incentive to reclaim.

- v. Creation of wetland restoration policies outlining acceptable industry practises are required to provide a clear path for economic development in regions within, and proximal to wetlands (*i.e.*, placer mining, road management). Policies concerning wetland restoration should be consistent regardless of LUD and should be standardized for consistent stewardship in the Planning Region and follow sound scientifically based criteria.
- vi. The view that restoration of functional wetland habitat is effectively impossible is not backed by science and negates the incentive for land-users to implement best possible management practices in reclamation efforts. It is imperative for maintaining function of these ecosystems that wetland restoration policy encourages incentivized restoration efforts. Historic disturbances in wetlands would see little industry investment if the messaging presented is discouraging towards restoration of wetland function. Although a bog cannot be restored to be a bog, there is no scientific basis that effective wetland functions cannot be restored in disturbed areas.
- vii. **Current regulatory processes within the hard-rock industry, should be extended to placer mining, to incentivize habitat restoration of modern disturbance, but also historic disturbances. Additionally, these processes ensure that land-users abide by specific conditions that reflect habitat preservation of ecological sensitivities. Implementing restoration procedures through permitting conditions across the industry, as a whole, is key to successful execution of the Plan ecological goals and integrated stewardship practises.**

It is our belief that a balanced final plan would set the tone for future land use planning and inspire other Yukon First Nations and Land Use Planners to see this as an opportunity for the Yukon Territory and its future.

Sincerely,

Danièle Héon, PGeo