

Thank you for the opportunity to comment on the DRPC Plan Alternatives Package.

1. The layout of the planning goals seems to infer that 'Economic Prosperity' is the primary concern of the plan and gives the impression that development of resources is a fundamental principle. I trust this is not the case, and suggest the layout be altered to better indicate that all planning goals are considered equal.

2. Climate change and its impacts are covered in detail in RAR, but how the issue was addressed and its role in developing alternatives is not really explained in the same way existing rights to resources (for example) have influenced potential uses in LMUs. I would prefer to see the regional and global climate impacts of resource extraction and use, for example, more clearly evaluated and incorporated into the alternative outcomes. There could be more information available on how (or if) climate change impacts on landscapes and permafrost were incorporated when creating LMU designations and how this may impact future uses.

3. Similarly, the theory and practice of cumulative effects is well documented in the RAR, but has seemingly little role to play in the assessment of plan alternatives. The primary limitation apparent in the protocol utilised in previous YLUPC plans is the assessment of what is considered the 'footprint' of activities. In the earlier plans the extent of disturbance is restricted only to the actual physical disruption of an activity or feature. Thus, the cumulative assessment of a highway will be restricted purely to the area of land that will be disrupted. It takes no apparent account of the sphere of influence that a facility, road or trail will have on the local environs or wildlife – normally covering a far greater area than the actual physical infrastructure.

4. The plan would seem to be a good opportunity to address regional energy needs and alternative, renewable energy provision. I appreciate the plan does not include the municipal boundaries of the City of Dawson, but there is perhaps potential for the plan to discuss current and future energy provision within the planning region. Identifying energy sources, like the Yukon River's hydrokinetic potential or areas for thermal differential generation, can play a key role on land use planning and designation. Perhaps the scale of these types of developments is considered too small to be registered on a regional scale.

5. The Commission has divided the planning region into a number of smaller Landscape Management Units (LMUs). Permanent watershed-based units are certainly the most appropriate forms on which to focus – particularly when assessing cumulative effects. I don't support the idea of amending some watersheds to better fit with current resource extraction rights. These are relatively temporary in nature and inconsistent with the plan's long-term outlook.

i. Integrated Management Area (IMA): All activities are allowed in IMA zones if operated within the established regulatory standards. This management regime is most restrictive for Zone II and least for Zone IV. These statements are a little contradictory, as the designations indicate differing levels of acceptable activity, yet seem limited only by current legislation. It would have been worth identifying

some of the key approvals and restrictions intended to complement existing regulatory requirements associated with each zoning type. At present it presupposes all approvable activities are appropriate for these zones.

In addition, the IMA designations must also take account of historic developments, with a retrospective assessment of the cumulative impacts in locations where this has not been considered in the past. Areas such as the Indian River have seen relatively unhindered exploration and mining without the benefit of a full cumulative assessment. It would seem appropriate for the a long-term land use plan such as the Dawson Region Plan to develop cumulative effects assessment criteria and a potential remediation strategy for areas considered to have (or are expected to) surpassed recognised thresholds.

ii Conservation and Protected Areas: These are little misleading as they apparently allow for staking, and access to and working of existing mineral claims. To be truly protected or conservation based the areas must be withdrawn from staking and measures introduced to deal with exiting claim owners. Ideally this will be undertaken through voluntary rescinding of claims or a possible transfer of rights to other less sensitive areas.

iii. Traditional Economy Area (TEA): I support this designation, based on the principle of promoting and enhancing what is normally termed subsistence harvesting and the traditional economy. This will be another area that will require further clarification and explanation if pursued.

iv. Yukon River Corridor (YRC): A recommendation for a sub-regional plan for the Yukon River corridor should be initiated as part of the Dawson Region Plan. The other major rivers in the planning region should be awarded similar consideration. Is the intention to have a YRC plan completed as part of this regional plan, or with a different time-line?

v. Community Area (CA): The Plan Alternatives Package describes this zone as an area that has been identified for potential future expansion of the Dawson City municipal boundaries for residential development, infrastructure, or recreational purposes. As far as I am aware, there has been no desire shown by the City of Dawson to further extend the municipal boundaries. Indeed, recent moves to rejuvenate the downtown core, and principles within the Official Community Plan and Integrated Community Sustainability Plan, support the notion of sustainability and reducing the distances residents are required to travel. The Dawson Region Plan should consider the current municipal boundary only and be applicable up to the boundary without any buffer. In addition, the *Klondike Valley Regional Land Use Plan* is over 20 years old and perhaps not an accurate guide to future development in that area.

6. In response to questions about the Land Use Designation System and how zones have been defined:

Which management tools and strategies do you think could be used to help achieve the intent of each zone? In general terms, the adoption of the precautionary principle is paramount. Uncertainty over the safety and impacts of many activities that are or may be proposed for the region directs us to place the burden of proof on the proponent and not plan for, or allow, activities until sufficient knowledge or experience directs us otherwise. This is a long-term plan and technological and scientific advances may allow activities, currently viewed as inappropriate, to be undertaken in future.

True adaptive management practices, continual plan reviews and the setting and assessment of targets will ensure the plan achieves its goals and remains relevant for the long term. A maximum five-year review process should be implemented and a mechanism to allow the YLUPC to publically assess the plan should be introduced.

Consideration must be given to the effects of activities on climate change – including the potential for the natural environment to help sustain clean air and water. These are valuable resources that have enormous environmental, health and social benefits, and which historically haven't been considered against economic values of resource extraction and other land uses.

Proper scheduling of resource use will assist with the intent to create a sustainable plan. Staggering development and placing limits on resource exploitation (in the true sense of the word) will provide long-term certainty and provide economic benefits for future generations. The plan must also take account of potential innovations and developments that may provide the region with better ways of doing business, increase efficiencies, and become innovative in developing new economic drivers.

Are there any gaps in the current regulatory system that need changing? There are numerous gaps in the current regulatory system that require review. The free entry staking system, archaic mining laws and mining within municipalities and residential areas must be reviewed to better reflect the rights of residents and municipalities. The role and influence of YESAB should be enhanced to allow YESAB assessment decisions to become mandatory and YESAA changed to allow for full assessments and not the current limitations to review 'adverse impacts' only. The impacts of climate change must be reflected in regulatory legislation and approvals. The assessment and implementation of cumulative impacts should become more stringent to better reflect the impacts of activities.

How can we determine the level of risk to ecological and cultural resources? Levels of risk are notoriously hard to define and measure. In many cases perceived risks can have as much impact on public perception as actual threats. Adopting the 'precautionary principle' as the guiding approach in the plan's development is recommended and indeed it should be a 'statutory' requirement. Full assessment of activities' impacts and their cumulative effects must consider the widest possible array of influences and effects on a comprehensive range of social, environmental and economic measures.

How do we deal with areas where there is uncertainty about the resource values? This depends on how 'resource values' are defined. Are we to consider how different stakeholders value an area or resource, or assess the potential values to the territory? Perhaps we've to consider the more monetary-based value to businesses and industries? The plan should best reflect the values of the people of the Yukon – including physical, spiritual, social, environmental and economic. Public opinion and desires should be paramount in the plan's development and assessment of 'resources'.

How can we promote sustainable economic development over the long term? I am pleased to note that you have chosen to use the term 'sustainable economic development', rather than 'economic growth'. If the plan is truly focused on 'sustainable development' as defined in the UFA it must adhere to the principles enshrined in the UFA. Governments by their very nature will only plan for the duration of their time in office. Responsible fiscal and economic sustainability requires long-term planning, comprehensive needs assessment, inclusion of environmental economics (including the value of the environment per se), full disclosure of economic benefit as it pertains directly to the territory and territorial residents and businesses, and synchronised development to move towards becoming sustainable.

How can we provide land use certainty and minimize potential land use conflicts throughout the region? Certainty will come through clear and concise planning guidelines, regulations and legislation. Clearly identifying land use restrictions and the terms of approvals should clarify the situation for all interests. Once in place this should eliminate, or at least minimise, land use conflicts. Of course, this relies on governments accepting planning recommendations and supporting planning principles through legislation. This has been notoriously difficult to achieve.

Plan alternatives: It is difficult to fully assess and comment on the plan alternatives without knowing the details of what types and levels of protection or development will be accorded each LMU designation. I presume we'll be given the chance to comment more fully when that information is made available at the next stage. I broadly support the draft alternative plan proposed by the Yukon Conservation Society. In addition, I wish to see the designations for the LMUs which cover the existing goldfields to include plans and requirements to deal with these areas when mining ceases. Implementing an area or LMU-wide plan for future remediation and use will be far more effective compared to initiating remediation plans for individual placer operations.

Designations and conditions for the LMUs bounded by the Peel watershed should reflect the designations proposed in the Final Recommended Plan proposed for the Peel. The alternative plan proposed by the Yukon Government has little merit and should be disregarded in relation to the Dawson Region Plan.

Finally, I would like to comment on the public consultation aspect of the planning process. The following also reiterates some remarks made at the recent public meeting in Dawson City.

1. The Yukon Land Use Planning Council *Communications Strategy* indicates that “The public plays a fundamental role in the creation of a land use plan.” I have been disappointed about the limited opportunities for public involvement and comment during the plan’s development to date. The recent improvements in public consultation are, however, noted and welcomed. While I appreciate the need to have the plan completed within a desirable timeline, a one-month period for feedback for this stage may limit public input; particularly as the Resource Assessment Report (RAR) which presumably forms the basis for the Plan Alternatives Package has not been widely publicized.

2. There is widespread concern over the future of any Final Recommended Plan for the Dawson Region, given the current situation regarding the Peel Watershed Plan. It is unlikely the Peel plan issues will be resolved before the proposed completion date for this plan. It may have been prudent to clarify the roles and decision capabilities of the governments in the planning process at this stage, as the Commission currently perceives it, to help address public concerns. Equally, the role and consideration of public opinion could have been explained more fully in order to encourage public responses and give confidence that public opinion plays a fundamental role in the process.

3. The Commission gets policy-level advice from the relevant governments through the Senior Liaison Committee (SLC). I’m sure the public would appreciate being better informed throughout the process on governments’ reactions and comments on progress to date. Direction from governments is crucial, and residents should be advised on which paths governments are intent on taking.

4. The ‘Alternatives’ may be interpreted by stakeholders and the public as a choice to be made rather than potential options to be considered. I appreciate during recent public meetings it was noted that the presented alternatives may not be adopted and a completely new (or combined) alternative may be developed for the final recommended plan. Perhaps this could be clarified on the web site.