



Yukon Salmon Sub-Committee
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October 29, 2021

Dawson Regional Land Use Planning Commission
C/O Tim Sellars, Senior Land Use Planner
201-307 Jarvis Street
Whitehorse, Yukon
Y1A 2H3

Re: Recommended Dawson Regional Land Use Plan

Dear Dawson Regional Land Use Planning Commission,

Please consider the attached submission from the Yukon Salmon Sub-Committee in developing your Recommended Dawson Regional Land Use Plan.

On November 13, 2020, we made a submission to the Commission detailing our concerns pertaining to Salmon and outlining recommendations to help identify and protect Yukon River salmon stocks and habitat in the Dawson planning region. We stand by that submission and have appended the Executive Summary, but otherwise will not replicate that detail in this document.

Our current submission focusses on the content of your Draft Regional Plan and makes recommendations for improving it in your Recommended Plan.

We would be happy to answer any questions you may have. Should you require further information or clarification please contact us by email at ex.dir@yssc.ca or by phone at 867-393-6725.

Mähsi,

A handwritten signature in black ink that reads "James MacDonald".

James MacDonald
Chair, Yukon Salmon Sub-Committee

Attachment

Yukon Salmon Sub-Committee Comments on Draft Dawson Regional Land Use Plan

BACKDROP

Every Yukon River salmon that is destined to spawn in the mainstem of the Yukon River Watershed in Canada (all major tributaries except for the Porcupine) enters the Yukon Territory in the Dawson planning region. Every Yukon River salmon that out-migrates to the Bering Sea from the mainstem of the Yukon River watershed in Canada leaves the Yukon Territory from the Dawson planning region. And many Yukon River Chinook salmon that spawn upstream from the Dawson planning region rear and overwinter in the Dawson planning region prior to out-migrating to the Bering Sea.

As of 2017, 104 separate Chinook salmon populations have been identified in the Yukon. The health of almost all of those populations may be affected by what happens in the Dawson Planning region.

INTRODUCTION

In the main, the Yukon Salmon Sub-Committee (the “YSSC”) likes the direction the Dawson Planning Commission (the “Commission”) took with the Draft Dawson Regional Land Use Plan (the “Draft Plan”). We support your vision of stewardship, which puts “*the health of the land at the forefront of decision making*”, even in areas where industrial development is allowed. But there are sections of the Draft Plan that can be improved. That is the focus of our submission. We hope that you give serious consideration to our comments when you prepare your Recommended Plan.

COMMENTS ON SPECIFIC SECTIONS OF DRAFT PLAN

1.7 PLAN GOALS

The second Ecological Goal in the Draft Plan is to “*Support the natural integrity of the planning region by ensuring cumulative disturbances from human activities are reclaimed or restored.*”

The YSSC acknowledges that supporting the natural integrity of the region is key to ensuring sustainable development but does not believe that good salmon habitat can always be achieved through reclamation or restoration. Supporting natural integrity has to occur in conjunction with physical processes – precipitation, run off, landforms, etc. – affecting the area.

Sometimes the only way to maintain natural integrity is to leave habitats in their natural state and subject to natural processes. In our view, a more appropriate goal for salmon habitat would be to support the natural integrity of the planning region by:

- Ensuring disturbance from human activities does not damage salmon habitats in areas that cannot be reclaimed or restored; and
- Ensuring that any human disturbance in areas that can be reclaimed or restored is reclaimed or restored.

2.5 ECONOMY

The Draft Plan identifies fish (which we presume includes salmon) as part of the Traditional Economy but does not identify salmon as part of the monetary economy. We know that Yukon River salmon stocks have seriously declined and do not currently provide opportunities for commercial fishing. However, in the past commercial salmon fishing did add appreciably to the Dawson economy. As recently as 2019, an

active commercial Chum fishery took place in the Dawson region. We would like to see salmon noted as a potential contributor to the Dawson region monetary economy while fully recognizing that the needs of the Traditional Economy take precedence.

3.5 CUMULATIVE EFFECTS MANAGEMENT

The Draft Plan notes that salmon are a “*complex value*” and recommends “*researching and mapping salmon habitat to support management directions prohibiting disturbing important habitats.*” This section concludes by saying, “*As such, salmon-specific indicators may not be needed at this time.*”

The YSSC agrees that researching and mapping salmon habitat and prohibiting disturbance to important habitats is important. However, given the complexity of salmon and salmon habitat, we do not agree that salmon specific indicators may not be needed.

We respectfully recommend that salmon specific indicators be identified as a pending issue in the Recommended Plan. The Recommended Plan should provide a roadmap for the timely identification of salmon specific indicators in the future. These should include biological indicators and other indicators.

We support the Research Recommendation to evaluate “*other indicators*”, including “*indicators of water quality and stewardship*”.

4.1 SUSTAINABLE ECONOMY

The Draft Plan states that “*Added clarity and certainty on what lands are accessible for mineral exploration and development within the Dawson planning region, and what conditions are necessary to achieve sustainable development within those areas*”. It recommends that “*The Parties should support implementation of the recommendations of the Yukon Mineral Development Strategy related to Strategic Priority # 3 to establish effective, efficient and transparent environmental and regulatory processes.*”

The YSSC agrees that added clarity is needed with respect to mineral and related industries. We do not agree that the implementation of Strategic Priority # 3 will be sufficient to achieve that. We would like to see the Commission consider additional recommendations of the Mineral Development Strategy. In particular, we encourage the Commission to consider Strategic Priorities 1 and 5, which speak to establishing a modern mineral resource regime. The modern mineral regime should be reflective of Yukon First Nation Final Agreements and to increasing environmental responsibility.

The protection of salmon and salmon habitat requires efficient and transparent environmental and regulatory regimes. It also requires commitment on the part of governments to administer and, as required, to enforce those regimes.

4.1.2.5 WATER ACCESS

The Draft Plan recommends that the “*The Parties should design and conduct a study into the ecological and social impacts of barging along the Yukon River.*” The YSSC supports this recommendation as far as it goes but believes that “barging” is too narrow a focus. In our view, the study should include large, high-powered watercraft (please see our November 2020 submission for more detail).

The Draft Plan recommends that “*Further research into the potential*” for “*jet boat*” to impact “*LMU #21 (White – Tadzan dek)* and *LMU # 15 (Fortymile River – Chedahdek)* “*should be conducted*”. We recommend that LMU # 17 (60 Mile) and LMUs 13, 6 and 10 (Klondike Highway Corridor, Upper Klondike and Klondike Tr’ondëk) be added to that list.

4.2.1.3 SALMON

There is good intent in this section, but we also see gaps. The first Recommended Management Practice is to “*Avoid direct disturbance to known sensitive overwintering and spawning habitats for salmon*”. This recommendation misses two key points:

- 1) Some disturbances (potentially including serious gaps) are “indirect”, such as downstream accumulations of fine sediments from upstream ground disturbance. Some of the ground disturbance will be the result of landslides, wildfire, etc, and will be beyond human control. Others, however, may be the result of the development and operation of industrial operations. We recommend that both direct and indirect disturbances from human activities be avoided; and
- 2) There is a significant lack of knowledge of sensitive overwintering and spawning habitats. We recommend that disturbance be avoided in all sensitive overwintering and spawning habitats for salmon. We appreciate that some spawning and overwintering habitats have not yet been identified and others are changing as river channels migrate.

The need to avoid disturbance to sensitive salmon spawning, rearing and overwintering areas is at the heart of the YSSC’s concerns with the future management of land and water within the Dawson planning region. As detailed in our November 2020 submission, there is a lack of current baseline information about Chinook salmon rearing and overwintering habitat in the Dawson planning area.

In our view, the collection of adequate baseline information regarding salmon habitat related to creeks that have not been mined or are not currently being mined, industrial farms, hydro-electrical or other industries should be required prior to the approval of any of these industries.

The Draft Plan recommends that YG “*Implement the recommendations in the Review and Evaluation of Adaptive Management in the Fish Habitat Management System for Yukon Placer Mining.*” Related to that, the Draft Plan recommends that “*... the Parties should continue to reevaluate (sp) the effectiveness of the Fish Habitat Management System for Placer Mining*”. The YSSC does not believe that those recommendations go far enough to protect salmon and their habitats. As we stated in our November 2020 submission, the YSSC does not believe that salmon habitat is properly addressed or protected by current Yukon Placer Stream classifications.

We also have concerns with the DFO approach of authorizing habitat alteration, disruption or destruction in one geographical area in exchange for creating habitat in another geographical area. We consider that the conditions for productive salmon habitat are complex and may be difficult to replicate. Further, the benefits of the habitat creation should be enjoyed by the salmon population whose habitat was negatively affected.

The Draft Plan recommends that “*A comprehensive, publicly available aquatic inventory should be conducted prior to mining and other land use activities in areas that have not yet been mined to determine whether salmon habitat is at risk. Such an assessment should identify and map key habitat with specific focus on spawning and over-wintering areas.*”

The YSSC does not support limiting the inventory to areas that have not yet been mined. In November of 2020 we recommended that aquatic inventories be conducted on streams that are not **currently** (emphasis added) being mined. This recommendation remains valid and was not addressed in the Draft Plan.

The Draft Plan recommends that the Parties collaborate to implement research strategies related to *“Understanding and assessing the cumulative effects of land use activities on salmon and their habitat to further inform indicators and thresholds in Plan monitoring and implementation.”*

This is an excellent recommendation. As stated under 3.5, adequate baseline information on salmon habitat does not presently exist for portions of the Planning Area. As noted by the Commission in the beginning of section 4.2.1.3, *“Salmon, particularly Chinook habitat in the Yukon River and spawning streams is a critical indicator of ecological viability”*. As expressed in section 1.7 PLAN GOALS, in order to achieve sustainable development and maintain ecological integrity, the Parties must *“Maintain healthy aquatic and terrestrial habitats to achieve sustainable fish and wildlife populations”*.

Cumulative effects cannot be accurately measured without a baseline against which to measure possible changes and attribute the source of those changes. Accordingly, the acquisition of an acceptable baseline must be the first step in cumulative effects management.

In the case of salmon, linear and surface disturbance are not particularly good indicators for measuring cumulative effects. Salmon spawning and overwintering habitat require specific conditions that are not spread evenly over the landscape. Oftentimes salmon spawning and overwintering habitat is localized. This may make the protection of relatively small areas spread widely across the landscape critical.

For salmon other indicators such as water quality and biological indicators are required to indicate cumulative effects. We hereby repeat our earlier recommendation that salmon specific indicators be developed.

5.3 LMU 3: YUKON RIVER – CHU KON DEK

The Draft Plan designates this corridor as a Special Management Area II and recommends that a sub-regional plan be developed for it. The YSSC supports the Commission in this initiative. As we stated in our November 2020 submission, a Yukon River Corridor may be an excellent tool for protecting Yukon River Salmon.

We recommend that this LMU designated as a Special Management Area 1 in order to afford the area greater protection.

We recommend a relatively short timeline for the development of a sub-regional plan in this area. We suggest that a Board or Committee be constituted along the lines of the present Dawson Planning Commission to carry out this task.

CLOSING COMMENTS

The YSSC encourages the Commission to recommend a Dawson Regional Land Use Plan that includes effective measures to identify and protect Yukon River salmon stocks and habitat in the Dawson planning region.

We look forward to seeing your next iteration in the Recommended Plan and thank you for your dedication.

Executive Summary from November 13, 2020 Submission

- The Yukon Umbrella Final Agreement establishes the Yukon Salmon Sub-Committee (YSSC) as the main instrument of salmon management in the Yukon. This includes the management of salmon habitats.
- Our submission focuses on salmon populations and habitat in the Dawson planning region. However, the protection of salmon stocks and salmon habitat in the Dawson region affects all Yukon River salmon in the Yukon territory
- Yukon River Chinook salmon spawning distribution is relatively well known. Less is known of Yukon River Chinook juvenile rearing and overwintering distribution. To properly manage and sustain Yukon River Chinook salmon, we need better information on Chinook salmon rearing and overwintering habitat in the Dawson planning region.
- At this point in time, Yukon River fall chum salmon habitat in the Dawson planning region is relatively safe from industrial development. We need to ensure this remains the case going forward.
- As a first principle the YSSC believes that, to the extent practicable, human activities should not result in additive and appreciable amounts of fine sediment or the release of ground or surface waters high in dissolved substances to salmon habitats.
- The YSSC does not believe that salmon habitat is properly addressed or protected by current Yukon Placer stream classifications.
- This is especially relevant to this submission, since at least 50% of placer mining in Yukon takes place in the Dawson region.
- For both Placer and Quartz mining, streams, rivers and tributary waters that have not been mined or are not currently being mined should be subjected to an acceptable aquatic inventory prior to mine development to determine whether Chinook salmon habitat is at risk.
- All mines and other forms of land or water based industrial activity should provide financial security that will pay for the reclamation of the site if proponents are unable or unwilling to do so.
- Off-site infrastructure for exploration and mining, including roads and any electrical transmission lines, should be designed and built to effectively mitigate effects to salmon habitat.
- As a second principle the YSSC believes that, to the extent possible, the operation of large, high powered tourist watercraft on the Yukon River and its major tributaries should not result in appreciable mortality to juvenile or adult salmon, or disruption of their habitats.

In short, the Dawson Regional Land Use Plan should ensure that Yukon salmon stocks and habitat are properly identified and protected in the Dawson planning region.