

## APPENDIX 22A: ROAD USE PLAN

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## 1 INTRODUCTION

Casino Mining Corporation (CMC) proposes to construct, operate and decommission the Casino Project (the Project) located at latitude 62° 44'N and longitude 138° 50'W (NTS map sheet 115J/10), in west central Yukon, in the northwest trending Dawson Range mountains approximately 300 km northwest of Whitehorse. The Project will be a copper, gold, silver, and molybdenum open pit mine that is anticipated to process on average 120,000 t/d or 43.8 million t/y of material over 22 years of full production.

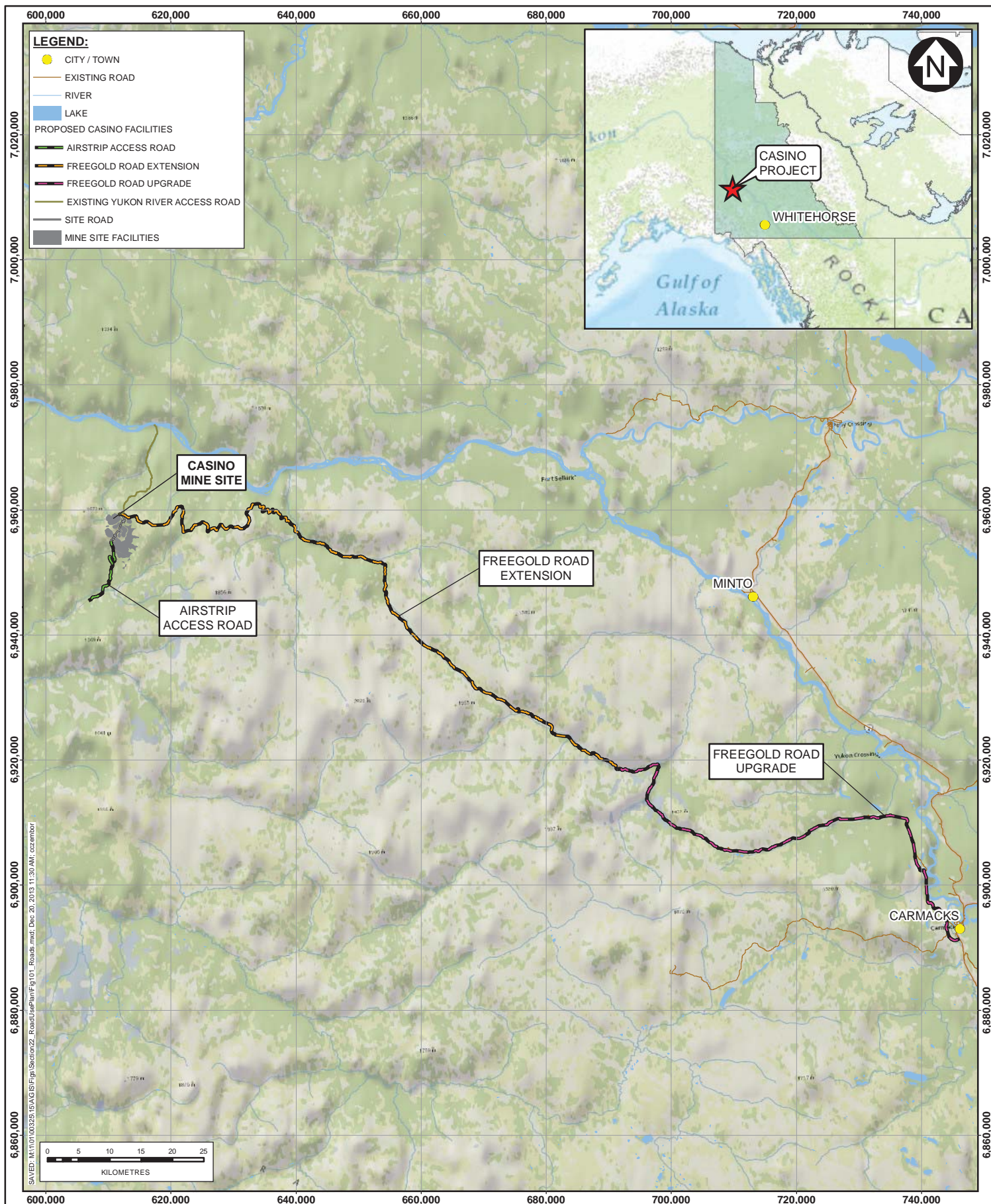
Road access to the Casino mine site during the life of the Project will be by the Freegold Road Extension and Freegold Road Upgrade, as shown on Figure 1.1.

A network of existing paved highways currently provides year-round access to the village of Carmacks from the Port of Skagway, northern British Columbia and Whitehorse. It will be necessary to construct an all-weather access road linking the Casino mine site to existing highway infrastructure in order to construct and operate the Project. Suitable paved roads currently exist up to the village of Carmacks where an existing limited access road, the Freegold Road, begins and extends approximately 83 km northwest towards the Casino mine site. The existing limited access Freegold Road is owned and operated by the Yukon Government and will require upgrades. CMC proposes to develop a continuous all season access road to the Casino mine site by constructing a new 120 km resource road, the Freegold Road Extension, which will generally follow the existing historic Casino Trail and will be owned and operated by CMC for the life of the Project. In addition, construction of a new by-pass around the village of Carmacks and a new bridge over the Nordenskiöld River will be required to keep mine traffic away from the village.

The proposed roadways are primarily on lands administered by the Yukon Government. CMC will seek authorization from the Yukon Government to manage the new roads and to develop them as required in support of the Casino Project. A section of the proposed Freegold Road Upgrade will transit through the Little Salmon/Carmacks First Nation settlement land. Additionally, a section of the proposed Freegold Road Extension will transit through Selkirk First Nation settlement land, a portion of which has an existing right-of-way. Figure 1.2 presents the proposed road alignment in relation to the settlement lands of the Little Salmon/Carmacks First Nation and the Selkirk First Nation.

This is a conceptual Road Use Plan that outlines the proposed road operations and mine site access management measures that will be implemented during construction, operation, and closure and decommissioning. Based on the Yukon Environmental and Socio-economic Assessment Board (YESAB) Decision Document, the Road Use Plan will be updated periodically to include further details.





PREPARED BY:

**Knight Piésold**  
CONSULTING

DESIGNED	GLS/CAH
DRAWN	CC
CHK'D	SJL
APP'D	GLS
REV	0
DATE	16DEC'13

**NOTES:**

1. BASE MAP: ESRI ARCGIS ONLINE NATIONAL GEOGRAPHIC MAPPING AND YUKON GOVERNMENT ELEVATION DATA
2. PROJECTION: NAD 1983 UTM ZONE 7N
3. COORDINATE GRID: METRES.

**CASINO**  
COPPER AND GOLD

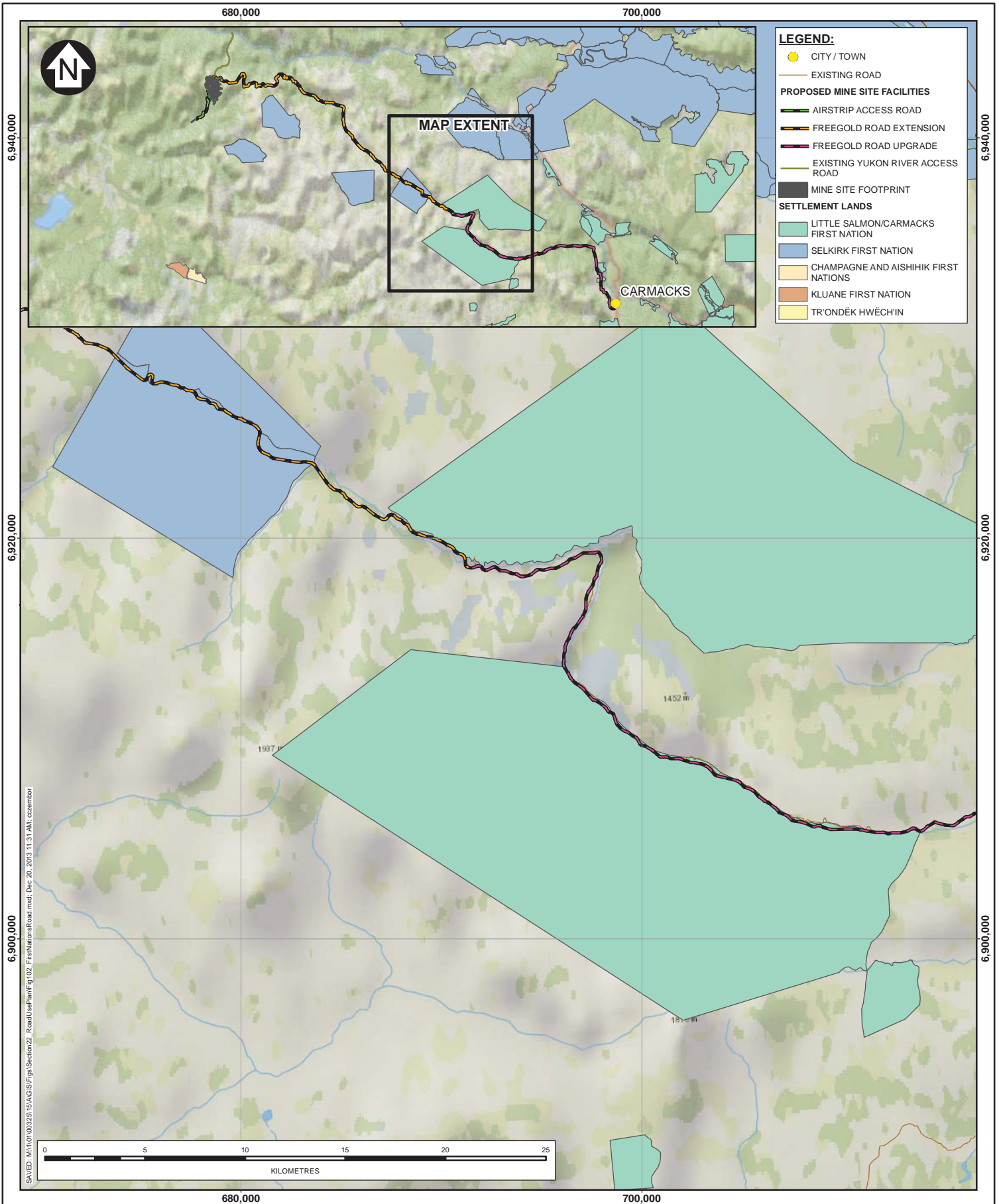
**CASINO PROJECT**

**ROAD ACCESS TO THE  
CASINO MINE SITE**

**FIGURE 1.1**

REF	1
P/A	VA101-325/15





<div>PREPARED BY:</div> <div><i>Knight Piésold</i></div> <div>CONSULTING</div>	DESIGNED	GLS	<div>NOTES:</div> <div>1. BASE MAP: ESRI ARCGIS ONLINE NATIONAL GEOGRAPHIC MAPPING AND YUKON GOVERNMENT ELEVATION DATA</div> <div>2. PROJECTION: NAD 1983 UTM ZONE 7N</div> <div>3. COORDINATE GRID: METRES.</div>	<div>CASINO</div> <div>COPPER AND GOLD</div>	<div>ROAD ALIGNMENT</div> <div>IN RELATION TO</div> <div>SETTLEMENT LANDS</div>		
	DRAWN	CC					
	CHKD	CAH					
	APP'D	KJB					
	REV	0					
	DATE	18DEC'13					
	CASINO PROJECT				FIGURE 1.2	REF 1	
				P/A	VA101-325/15		

## 2 LEGAL FRAMEWORK

The proposed roadways are primarily on lands administered by the Yukon Government. CMC proposes to seek authorization from the Yukon Government to manage the Freegold Road Extension for the duration of the life of the Project, from construction into closure. A section of the proposed Freegold Road Upgrade will transit through the Little Salmon/Carmack First Nation settlement land. Additionally, a section of the proposed Freegold Road Extension will transit through Selkirk First Nation settlement land, a portion of which has an existing right-of-way. CMC proposes to seek authorisation from First Nation governments for the proposed access across settlement land as part of the licensing process. CMC expects that the First Nation governments and the Yukon Government will proceed with developing an agreement for road management and use of these roadways. CMC will participate.

### 2.1 FIRST NATIONS GOVERNMENT ACCESS AGREEMENT

A section of the proposed Freegold Road Upgrade will transit through the Little Salmon/Carmacks Salmon Carmacks First Nation settlement land. Additionally, a section of the proposed Freegold Road Extension will transit through Selkirk First Nation settlement land, a portion of which has an existing right-of-way. The Selkirk First Nation and Little Salmon/Carmacks First Nation have the statutory authority to enact laws and enter into agreements with respect to settlement lands through the authority provided in the Yukon First Nations Self-Government Act (Self-Government Act). Specifically in relation to settlement land, each of the First Nations have the authority under s. 11(1) and s. 1 of Part III of the Self-Government Act to enact laws in relation to, among other things, the “use, management, administration, control and protection of settlement land”. There are similar provisions in the Final Agreement for each of the First Nations. Within the agreements of the settlement lands, the First Nations governments also have the opportunity to impose conditions on the agreements, including requirements for a management plan.

### 2.2 TERRITORIAL LANDS (YUKON) ACT

CMC understands that the Yukon Government is developing a new regulation pursuant to the Territorial Lands (Yukon) Act to manage the construction, operation, maintenance, decommissioning and reclamation of access roads over the life of a project (McDowell, 2013). The new regulation is expected to update current regulations to address three key issues:

- Ability to tie the life of a permit to the life of the main project
- Remove the maximum financial security requirement so that it can be determined consistent with other policy direction (i.e., mine site reclamation policy); and
- Offer complete control of access.

It is also expected to include an ability to authorize multiple permit holders and facilitate agreements for multi-use as may be allowed under a management plan.

### 2.3 ROAD TENURE

CMC will pursue the appropriate tenure for the construction, operations and decommissioning of the Freegold Road Extension. The road tenure agreement will be developed between the Yukon Government and the First Nation Governments as appropriate.



## 2.3.1 Freegold Road Extension

CMC will obtain appropriate tenure for construction, operation and decommissioning of the Freegold Extension Road. In consultation with the Yukon Government, the following steps may be required:

- Current legislation provides a mechanism, by application, for Yukon Government to grant a long-term surface lease for all portions of the road route on Crown Land from the Big Creek crossing (approximately Km 83) to the proposed Casino mine site, including sufficient area to accommodate construction activities and related facilities; to allow for the construction, operation and maintenance of a private access road;
- CMC may apply for and receive a permit under a new regulation (under development) pursuant to the Territorial Lands (Yukon) Act under development by Yukon Government to construct, operate and decommission the road (McDowell, 2013); and
- Initiate a formal request to Little Salmon/Carmacks First Nation and Selkirk First Nations to allow certain sections along the existing right-of-way to be rerouted onto settlement land for safety, environmental, and cost reasons. A “land swap” under the land claims agreements may be pursued that would see the proposed right-of-way become crown land with the First Nation selecting another parcel of land as settlement land in exchange. Alternatively, the proponent may enter into an Access Agreement and/or Lease Agreement directly with the First Nation.

## 2.3.2 Freegold Road Upgrade

CMC will discuss details relating to the upgrading the existing Freegold Road, the construction of the Carmacks by-pass and the Nordenskold Bridge with the Yukon Government such that they will be developed on a schedule consistent with the overall construction schedule for the Casino Project. The ownership of these road sections lies with the Yukon Government, and will remain as such.

### **3 PROJECT ACCESS DESCRIPTION**

#### **3.1 FREEGOLD ROAD**

##### **3.1.1 Freegold Road Upgrade – Klondike Highway to Big Creek**

A bypass of the village of Carmacks will be constructed from the Klondike Highway to the intersection of Mt. Nansen Road and the existing start of the Freegold Road. This approximately 5 km-long section of road will cross the Nordenskiöld River. A preliminary design of this section of the road has been undertaken by CMC consistent with work already performed by the Yukon Government. This section of road will become the first 5 km of the Freegold Road Upgrade.

The existing Freegold Road, which is part of the proposed Freegold Road Upgrade, begins at Mt. Nansen Road in the village of Carmacks and proceeds north and west to the confluence of Seymour and Bow Creeks. This section of road is used primarily to access mineral properties along its length, as well as by recreational users. The roadway is owned and managed by the Yukon Government.

In the mid-1990's, the Yukon Government completed substantial fieldwork and a design for the upgrade and realignment of the existing Freegold Road from its start to just beyond Km 32. The design was prepared to a rural collector, undivided road classification with a design speed of 80 km/hr (RCU80). Based on the engineering work completed to date, CMC has confirmed that the proposed road upgrades will meet the required design criteria for the Project. This section of roadway will form part of the proposed Freegold Road Upgrade.

The existing Freegold Road from approximately Km 32 to approximately Km 83 (at Big Creek crossing) will be upgraded to meet the 70 km/hr design speed with an 8.2 m wide gravel surface; the maximum grade in the design upgrade is 8%. The existing Freegold Road is generally located on the north side slopes of the Seymour Creek Valley. The proposed realignment for this section of the Freegold Road Upgrade is generally downslope of the existing road in order to achieve the design criteria and minimize earthworks quantities.

Settlement land belonging to the Little Salmon/Carmacks First Nation is located on the south side of the existing right-of-way (at approximately Km 48), close to the confluence of Seymour and Bow Creeks. To address constraints pertaining to design criteria, CMC proposes that the road be realigned through the settlement lands from approximately Km 49 to approximately Km 63. Further realignment is proposed from approximately Km 68 to approximately Km 70 to meet the design criteria and the location of a proposed bridge. This section of roadway will also form part of the proposed Freegold Road Upgrade.

##### **3.1.2 Freegold Road Extension – Big Creek to Mine Site**

CMC has completed preliminary engineering design for the Freegold Road Extension from approximately Km 83 (at Big Creek crossing) to approximately Km 203 (at the Casino Mine Site). The Freegold Road Extension approximately follows the alignment of the Casino trail corridor. A manned gate is proposed at the Big Creek Bridge to control access to the Freegold Road Extension, as the Freegold Road Extension is expected to be listed as a private resource road under the new regulation pursuant to the Territorial Lands (Yukon) Act.

The Freegold Road Extension is designed to be a two-lane, gravel resource road suitable for all weather use by transport trucks with highway legal loads. The road design criteria complies with the BC Ministry of Forests and Range Forest Road Engineering Guidebook (2nd Edition, 2002) for a 70 km/h design speed, with some short 50 km/h sections where road geometry is limited by the terrain. The road will be approximately 8 m wide with maximum grades of 8%. Vertical profiles are designed to allow adequate stopping sight distance for drivers to identify wildlife or other hazards on the road.

The Casino Trail corridor runs through the parcel area of Selkirk First Nation R-9A, which are Category A Settlement Lands designated under the Selkirk Final Agreement. This is an encumbering right under the Selkirk First Nation Final Agreement and the right of way for the road is administered by the Government as though located on Crown Land. There are certain limited sections of the road that CMC proposes to build on settlement lands, since current access right-of-way through Selkirk First Nation R-9A managed by Yukon Government is not suitable to support the design criteria for the roadway.

The Freegold Road Extension will be used by CMC during the construction, operation and closure of the Project. After the active phase of closure is complete, the Freegold Road Extension will be decommissioned. The watercourse crossings will be removed and the road will be scarified to promote re-vegetation. Further decommissioning details will be developed with project planning.



## 4 TRAFFIC PROJECTIONS

The preliminary design for the Freegold Road Extension and Freegold Road Upgrade is complete and traffic projections for the life of the Project have been generated as part of the YESAB Proposal. Historical and existing traffic data does not exist for the Freegold Road Extension because the Freegold Road Extension has not yet been constructed. Limited traffic currently exists for a portion of the existing Freegold Road that will become the Freegold Road Upgrade, through this is assumed to be negligible.

### 4.1 CONSTRUCTION PHASE

Traffic on the Freegold Road Extension and Freegold Road Upgrade during the construction phase of the Project will include both heavy construction equipment and light vehicular traffic. The average daily traffic projections for the four years of construction are shown in Table 1.

**Table 4.1 Construction Phase Traffic Projections**

Construction Year	Avg./Day "Heavy" Traffic	Avg./Day "Light" Traffic	Avg./Day Total
Year -4	3	1	4
Year -3	10	8	18
Year -2	14	14	28
Year -1	10	16	26

Source: Excerpted from Access Overview for Submission to YESAB, November 2013, Appendix 04B

Note:

Light vehicles include autos and trucks up to 10 tonne capacity.

Heavy traffic includes vehicles greater than 10 tonne capacity.

Year -4 is the first year of construction related activities.

The figures represent averages and may be more or less on any given day,

### 4.2 OPERATION PHASE

Vehicle traffic on the Freegold Road Extension and the Freegold Road Upgrade are expected to increase when the Project is in the operations phase. The peak number of outbound trips from the Casino Mine Site during operations is projected to be on average 72, as indicated in Table 4.2. It is noted that the traffic on the roadway will vary seasonally and daily and is dependent on the mine operations requirements.

**Table 4.2      Operation Phase Traffic Projections**

<b>Freight</b>	<b>Avg./Day "Heavy" Traffic (Freight)</b>	<b>Avg./Day "Light" Traffic (buses, vans)</b>	<b>Avg./Day Total</b>
Inbound (Avg./Day)	36	20	56
Outbound (Avg./Day)	48	20	68
Peak Outbound (Avg./Day)	52	20	72

*Source: Excerpted from Access Overview for Submission to YESAB, November 2013, Appendix 04B*

Notes:

Daily and seasonal variations will occur.

Peak outbound results from years of higher than life of mine average copper concentrate production.

#### 4.3 DECOMMISSIONING AND CLOSURE PHASE

The Freegold Road Extension will be used during Project decommissioning and closure, however, the anticipated traffic will diminish from the operation phase projections substantially. When the active closure phase is complete, the Freegold Road Extension will be decommissioned and traffic will cease.

## 5 ROAD OPERATIONS

### 5.1 ACCESS

CMC is committed to maintaining the Freegold Road Extension as a resource road with controlled access throughout the life of the Project. Specific permissions for individuals, outside of CMC, will be determined by the Freegold Road Extension access agreement. A manned gate is proposed at Big Creek (approximately Km 83), the beginning of the Freegold Road Extension. At the gate, CMC staff will confirm that all vehicles are travelling with an appropriate two-way radio, the appropriate frequency is set correctly and CMC will communicate with the driver to identify any specific roadway conditions (i.e. known icy patches, wildlife migration progress, etc.) both at the gate and during the transit time.

### 5.2 USE PRIORITIES

The Freegold Road Extension will to be utilized by a variety of traffic accessing the Casino Mine Site, ranging in size from transport trucks to pick-up vehicles. A standard protocol will be included in the final Road Use Plan to inform drivers who has the right-of-way when vehicles meet on the Freegold Road Extension. The preliminary road use priorities are:

1. Emergency vehicles, when lights are flashing;
2. Trucks transporting dangerous goods;
3. Transport trucks (from large to small);
4. Heavy equipment (from large to small); and
5. All other vehicles.

In general, other road use priorities are:

- Vehicles that are loaded will take priority on the roadway to vehicles travelling empty;
- If two vehicles with the same characterization meet, the blind-side vehicle will have the right-of-way; and
- If clear sight lines are available, speeds are regulated, and radio contact is confirmed between the vehicle operators, passing will be permitted.

### 5.3 RADIO USE

The Freegold Road Extension will be managed through radio control and radio frequencies will be implemented. CMC will enforce radio use with its employees and visitors to maintain safety and communication along the Freegold Road Extension. Drivers will be informed of the appropriate radio frequencies and call procedures at the manned gate (located at Big Creek) when entering the Freegold Road Extension. All vehicles will be expected to adhere to the radio call procedures.

### 5.4 SIGNAGE

CMC will be responsible for monitoring and confirming that signs are legible and relevant to the season for the Freegold Road Extension. Signage, which is intended to be included on the roadway, will include, but not be limited to, the following:



## Kilometer Markings

Kilometer marking signs will be placed at 1 kilometer intervals on the right side of the road for both travel directions. The signs will be critical for the vehicle call out protocols. Regular checks of the roadway will be completed by CMC to ensure the signs are visible, as they will have the opportunity to be obscured by snow or vegetation.

## Radio Frequencies

Signs indicating the radio frequencies for road control will be posted at the entrance to the Freegold Road Extension and the Casino Mine Site. The appropriate frequencies will be pre-set on any radios that are distributed from the manned gate.

## Speed Limits

Speed limit signs will be placed along the roadway for each traffic direction. Speed reductions will also be noted by signage along with cautionary signage indicating major corners, grades, etc.

## Wildlife Crossings

Wildlife crossings along the Freegold Road Extension will be indicated with signage throughout the year. Intermittent wildlife hazards, such as migrating caribou, will be indicated through signage and travel speed reductions and restrictions as may be appropriate to reduce the risk of wildlife collisions will be implemented and communicated through appropriate signage.

## 5.5 RADIO CALLING PROTOCOL

A major component of the CMC safety protocol for travel along the private Freegold Road Extension is the radio calling protocol for all vehicles. All vehicles travelling the Freegold Road Extension will be outfitted with a radio; the presence and operation of the radio will be confirmed at the Big Creek manned gate. The operational protocols will be defined in the final Road Use Plan; a preliminary radio calling protocol is proposed below:

### Direction of Travel

The direction of travel will be called as “Up” or “Down,” consistent with the kilometer markings on the roadside; “Up” will be called by vehicles heading towards the Casino Mine Site and “Down” will be called by those departing the Casino Mine Site.

### Identification

The general vehicle type will be required as identification (i.e. grader, pick-up, etc.).

### Frequency

All vehicles will be required to call when travelling on the Freegold Road Extension. All vehicles travelling the Freegold Road Extension will be required to call at every 5 km marking.

The typical call over the radio for a vehicle will be, for example, “Pick-up 105 Down” for a light vehicle leaving the site or “Grader 165 Up” for a grader approaching the Casino Mine Site.

### Must-Call

Must-call conditions will also be implemented for the following scenarios:

- Entering or leaving the Freegold Road Extension;
- Stopping and resuming travel along the roadway;
- Encountering a vehicle accident;
- Encountering large wildlife on or near the roadway (e.g. “two caribou north of road at kilometer 97”);
- Encountering a vehicle not calling; and
- Passing another vehicle.

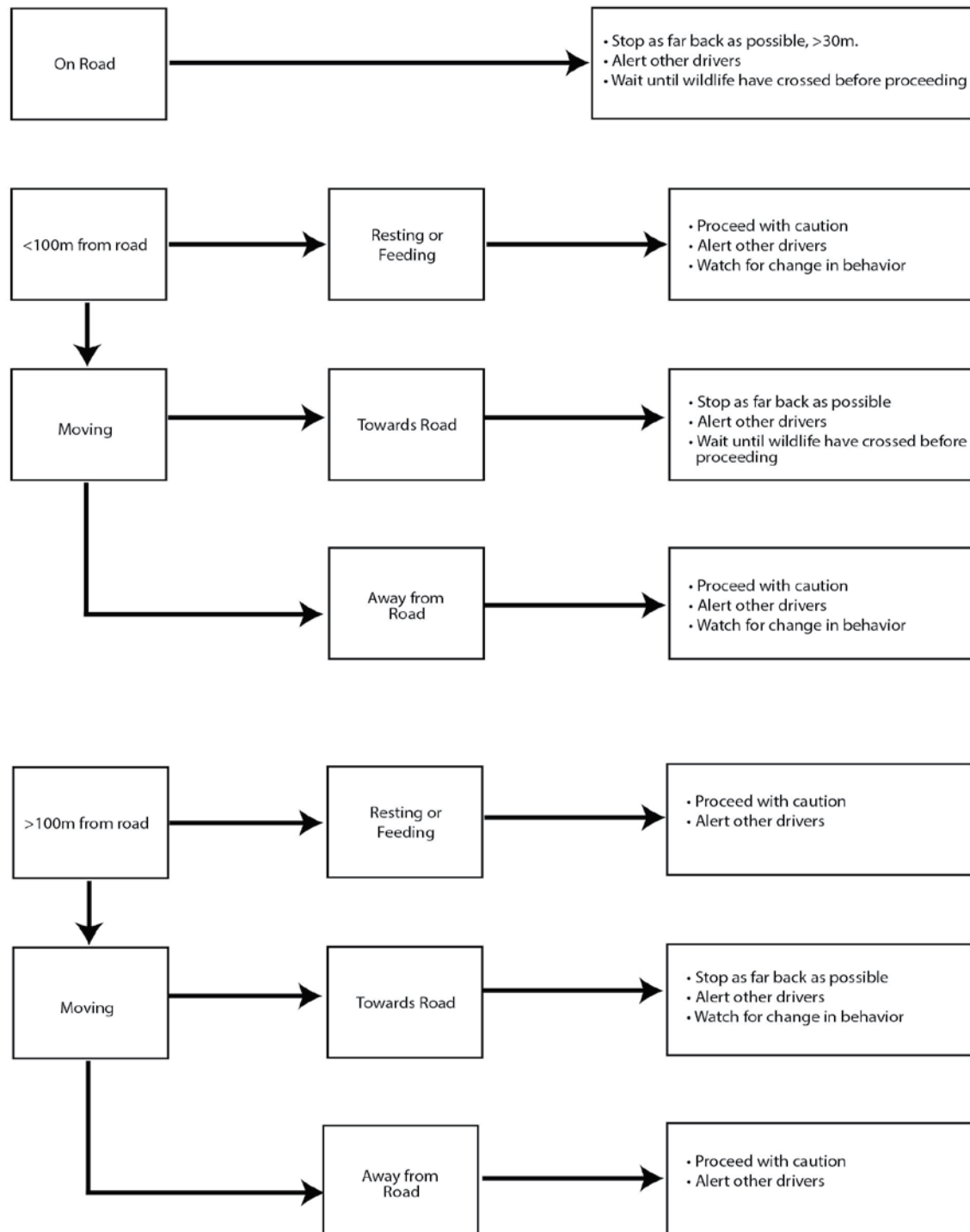
## 5.6 WILDLIFE ENCOUNTERS

Wildlife is a noted hazard on the Freegold Road Extension. CMC will implement a “Wildlife has the Right-of-Way” policy, if appropriate and if it does not compromise driver safety, to avoid potential collisions between wildlife and vehicles or unnecessary disturbances to wildlife. Vehicle operators will adhere to the following protocols:

- Be vigilant and watch for wildlife near roads, particularly in times of low light, and take all reasonable actions to avoid wildlife collisions;
- Stop when wildlife are observed on the road; and
- Allow small groups of animals (<10 individuals) standing on the road to move off the road unalarmed. Vehicles will stop for 15 minutes, then proceed slowly (<20 km/hr) if wildlife have not moved within that 15 minute period.

The safety procedures shown on Figure 5.1 will be followed by vehicle operators when wildlife is encountered, in accordance with the *Wildlife Monitoring and Management Plan* (Appendix 23A of the Casino Proposal).

**Figure 5.1 Wildlife and Road Operation Decision Matrix**



Source: Wildlife Monitoring and Mitigation Plan, YESAB Proposal, Appendix 23A



## 5.7 MAINTENANCE

CMC is committed to maintaining the Freegold Road Extension for the life of the Project. The Freegold Road Extension will be maintained to ensure traffic can travel during all seasons and general maintenance will be completed seasonally, as required.

During winter months, snow clearing will be completed regularly, as required. Snow banks will be maintained to be less than 1 m high so that caribou and other wildlife can cross the Freegold Road Extension easily as per the *Wildlife Monitoring and Management Plan* (Appendix 23A).

Debris on the road surface will be removed by CMC promptly. Vehicle operators encountering road debris will be required to report the location and material type on the roadway through the radio to CMC personnel. Any carcasses located on the road will be removed promptly to discourage further collisions.

Dust issues on the roadway will be abated using water sprays or suppressants, as necessary, to maintain safe driving conditions. It is expected that issues related to dust will be relayed to CMC personnel by vehicle operators travelling the roadway.

## 6 SAFETY

CMC recognizes the potential exists for vehicle collisions, malfunctions, spills, or wildlife encounters that could adversely affect the natural environment or cause an injury on the Freegold Road Extension. The operations protocols including speed limits, use priorities, radio use and signage, will be adhered to by all users of the road at all times to prevent incidents. Any incidents that occur will be managed by CMC in accordance with the *Emergency Response Plan* (Appendix 22B of the Casino Proposal).

The Freegold Road Extension will be monitored frequently to ensure that the road is safe and well kept. Radio communication will be available along all roads to allow for rapid communication with drivers and reporting of incidents. Personnel at the Big Creek manned gate will inform incoming traffic of any known safety concerns at the time of their travel.

Wildlife is a noted hazard along the Freegold Road Extension; a “Wildlife has the Right-of-Way” policy will be adopted to mitigate potential collisions between vehicles and wildlife or unnecessary disturbance to wildlife. Specific wildlife conditions will be communicated to incoming traffic when entering the site at the manned gate and radio communication will inform travellers of wildlife sightings.

Staff transporting goods to and from the Casino Mine Site will be trained according to Yukon Department of Transportation requirements and also have training in spills response, hazardous materials safety, and CMC’s environmental and transportation policies. CMC will ensure that its staff and contractors have basic emergency training as appropriate, such as standard first aid, and are aware of CMC health and safety policies. Routine practice drills will occur to maintain Emergency Response Team member skills and test the Emergency Response Plan system and processes.

In the event of an incident, available personnel are to contact the Casino Mine Site and relay all the pertinent details. The level of emergency will be determined in accordance with the Emergency Responses Plan and appropriate Emergency Response Team members will be dispatched to the incident location. Road closures or delays will be relayed via radio to all travelling vehicles.

## **7 REPORTING**

### **7.1 COMMUNICATION MANAGEMENT**

CMC may be contacted to request access, submit general enquires or comments regarding the Freegold Road Extension. All comments relayed to CMC regarding the roadways and its users will be documented and noted for follow-up, as required. Complaints regarding particular vehicles on the roadway will be forwarded to the relevant CMC representative as well as documented within CMC's database. The following information will be recorded for each of the comments received:

- Date and time of the comment;
- Method of comment receipt;
- Details of the individual making the comments;
- Contents of the comment;
- Action taken for the comment (including further contact with the contact or no action, as relevant); and
- Reasons for action (or no action).

Comments received will be reported monthly to CMC Management and summarized in an annual report.



## **8 MANAGEMENT PLANNING**

A final Road Use Plan will be developed when the road use agreement is in place with the Yukon Government and First Nation Governments; it will be the primary document that CMC will use to implement measures to manage controlled access on the Freegold Road Extension and promote the protection of wildlife. It will include a monitoring and reporting requirement that allows adjustments to be made to the Road Use Plan to ensure an appropriate level of wildlife protection is achieved.

The final Road Use Plan for the Project will include a discussion of the potential impacts of mine site roads, haul roads and access roads (including the Freegold Road Extension) and implement mitigation measures to avoid or minimize adverse effects on watercourses, wildlife, and the public. The final Road Use Plan will overlap with other management plans and monitoring programs; where relevant the plans will be referenced (e.g., Wildlife Monitoring and Management Plan, Emergency Response Plan, Occupational Health and Safety Management Plan).

The final Road Use Plan will capture the key mitigation measures for the protection of wildlife and for road use as suggested by CMC in the Project Proposal, and as reaffirmed and established in a YESAB Decision Document for the Project.

## 9 REFERENCES

McDowell, C. Director, Land Management Branch, Yukon Energy, Mines and Resources. Letter, 17 October, 2013.

BC Ministry of Forests. 2002. Forest Road Engineering Guidebook (2nd Edition, 2002). Province of British Columbia.



October 17, 2013

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Dear Mr. Duke:

**RE: Regulatory amendments to the Territorial Lands (Yukon) Act relating to management of Resource roads**

As part of our ongoing discussion with respect to the construction of the Freegold Road extension, and in response in particular to the questions you posed during our September 27<sup>th</sup> meeting, this letter is intended to provide clarification as to the regulatory amendments we are currently putting forward to manage resource roads in the future.

As you are aware, the existing land use regulations under the *Territorial Lands (Yukon) Act* are limited in that the permitting regime provides support only for the construction of resource roads, but is not a useful tool for the ongoing management and closure of these roads.

EMR is currently developing a regulatory amendment package that will:

- a) provide the regulatory authority to allow for the length of a land use permit from 3 years to a longer term permit if required to cover the entire life of a resource road;
- b) permit industry to construct, use, maintain, and decommission a resource road;
- c) address the proponent's interests in managing the risks of building, operating and decommissioning the road, at the same time as meeting the interests of other localized stakeholders in providing limited flexibility to consider maintenance and multi-use agreements between the proponent and/or Government and other users;
- d) permit longer terms and conditions on the operation and maintenance of the road to ensure greater certainty for both industry and government
- e) require closure and decommissioning plans for the road once the resource activity has ceased.

Mr. Duke  
Page 2  
October 17, 2013

In regard to the above points, you correctly noted at the September 27<sup>th</sup> meeting that use of an access road for purposes other than a haul road will require benefit of a completed management plan that is acceptable to all interested parties. It is also the intent of these regulatory changes to facilitate sustainable resource road development, while at the same time reducing risk and enhancing certainty for both government and industry over the life of the project.

As mentioned in the meeting, we are seeking to have these regulatory amendments in place by Spring 2014.

Sincerely

A handwritten signature in black ink, appearing to read 'Colin McDowell', with a large, stylized initial 'C'.

Colin McDowell  
Director  
Land Management Branch

Cc: Paul West-Sells  
Bryony McIntyre