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Canada

Région du Pacifique  
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January 6, 2020

Dawson Regional Planning Commission  
Suite 201, 307 Jarvis St  
Whitehorse, YT Y1A 2H3

Sent via email to: [dawson@planyukon.ca](mailto:dawson@planyukon.ca)

Dear Commission Members:

**Subject: Dawson Regional Planning Commission's Resource Assessment Report**

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) has reviewed the Dawson Regional Planning Commission's Draft Dawson Regional Resource Assessment Report. The Program focused its review on sections relevant to DFO mandate and has provided the attached table outlining suggested updates and corrections.

If required, the Program is able to provide additional information regarding the fish and fish habitat protection provisions of the *Fisheries Act* as well as information about how placer mining is authorized under the *Fisheries Act*.

Should you have any questions or would like additional information from the Program, please contact Lindsay Knezevich by phone at 778-227-4957 or by e-mail at [Lindsay.Knezevich@dfompo.gc.ca](mailto:Lindsay.Knezevich@dfompo.gc.ca).

Yours sincerely,

Jeska Gagnon

Section Head  
Fish and Fish Habitat Protection Program  
Ecosystems Management Branch

Attachment: **Table 1. Fish and Fish Habitat Protection Program's Review of the Dawson Regional Planning Commission's Draft Dawson Resource Assessment Report**

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Table 1. Fish and Fish Habitat Protection Program's Review of the Dawson Regional Planning Commission's Draft Dawson Resource Assessment Report

Page	Wording	Corrections/Comments
4	DFO Department of Fisheries and Oceans	DFO Fisheries and Oceans Canada
43	<b>Fisheries Act (RSC 1985, c F-14)</b> Provides for the sustainability and ongoing productivity of commercial, recreational and Aboriginal fisheries. Revisions (Bill C-38) focus management on fisheries and away from managing impacts on areas that may or may not contain fish.	<b>Fisheries Act (RSC 1985, c F-14)</b> Provides the proper management and control of fisheries and the conservation and protection of fish and fish habitat, including by preventing pollution. Revisions from Bill C-68 focus on the protection of all fish and fish habitat.
49	<b>Fish Habitat Management System (2005)</b> Adaptive Management Framework implemented under the Fisheries Act, administered by Yukon Placer Secretariat. Protocols for: Aquatic Health Monitoring, Water Quality Objectives Monitoring, & Economic Health Monitoring.	<b>Fish Habitat Management System for Yukon Placer Mining (2008)</b> Adaptive Management Framework including protocols for Aquatic Health Monitoring, Water Quality Objectives Monitoring & Economic Health Monitoring.
182	<b>Fisheries Act</b> Watershed-based authorizations from Fisheries and Oceans Canada (DFO) are in place for placer mining activities in Yukon River North, Fortymile River, Indian River, Klondike River, Sixtymile River, Stewart River and White River. The authorizations extend to individuals or companies conducting placer mining in the watershed that hold a valid Water Use License pursuant to the Yukon Waters Act and include undertakings such as the construction of diversion channels, in-stream works, water acquisition and discharge of sediment from settling facilities. In addition, Section 36(3) of the Fisheries Act concerns the prohibition for the deposit of a deleterious substance in fish bearing water and is enforced by Environment and Climate Change Canada.	<b>Fisheries Act</b> Watershed-based Fisheries Act authorizations from Fisheries and Oceans Canada (DFO) are in place for placer mining activities in Yukon River North, Fortymile River, Indian River, Klondike River, Sixtymile River, Stewart River and White River. The authorizations extend to individuals or companies conducting placer mining in the watershed that hold a valid Water Use License pursuant to the Yukon Waters Act and include undertakings such as the construction of diversion channels, in-stream works, water acquisition and discharge of sediment from settling facilities. In addition, Section 36(3) of the Fisheries Act concerns the prohibition for the deposit of a deleterious substance of any type in water frequented by fish and is enforced by Environment and Climate Change Canada.
185	Sediment discharge standards are determined by the relevant watershed authorization under the Fish Habitat Management System for Yukon Placer Mining.	Sediment discharge standards are outlined in the relevant watershed authorization under the Fish Habitat Management System for Yukon Placer Mining.
186	Several departments within the federal government have responsibilities for Yukon waters. • Environment Canada	Several departments within the federal government have responsibilities for Yukon waters. • Environment and Climate Change Canada

	<ul style="list-style-type: none"> <li>• Aboriginal Affairs and Northern Development Canada</li> <li>• Fisheries and Oceans Canada</li> <li>• Transport Canada</li> </ul>	<ul style="list-style-type: none"> <li>• Aboriginal Affairs and Northern Development Canada</li> <li>• Fisheries and Oceans Canada</li> <li>• Transport Canada</li> </ul>
194	9.6 Chapter References	Broken links should be fixed
242-243	<p><b>Fisheries Act (1985)</b>  Section 35 of this Act is meant to prohibit the harmful alteration, disruption, or destruction of fish and fish habitat and section 36(3) of the Act prohibits the deposit of harmful substances into Canadian waters frequented by fish. An authorization may be issued for projects in which this will happen, typically with an aquatic effects monitoring program and/or a fish habitat compensation plan. For much of the region, blanket watershed-based authorizations address placer-mining specifically.</p> <p>Jurisdictional responsibilities for enforcement of the Act in the Yukon are complicated. The Government of Yukon has responsibility for management of freshwater fish and fisheries including establishing policies and regulations. In all other cases (including fish habitat), the federal government retains administration and enforcement responsibility through Fisheries and Oceans Canada. Fisheries and Oceans Canada enforces the clauses related to deposition of harmful substances (including sediment), but Environment Canada enforces the pollution prevention clauses (Government of Yukon 2011b, p.8).</p>	<p><b>Fisheries Act (1985)</b>  Section 35 of this Act is meant to prohibit the harmful alteration, disruption or destruction of fish habitat and section 36(3) of the Act prohibits the deposit of a deleterious substance of any type in Canadian waters frequented by fish. An authorization may be issued for projects in which this will happen, typically with an aquatic effects monitoring program and/or a fish habitat offsetting plan. For much of the region, watershed-based authorizations address placer-mining specifically.</p> <p>Jurisdictional responsibilities for enforcement of the Act in the Yukon are complicated. The Government of Yukon has responsibility for management of freshwater fish and fisheries including establishing policies and regulations. In all other cases (including fish habitat), the Federal Government retains administration and enforcement responsibility through Fisheries and Oceans Canada. Fisheries and Oceans Canada enforces the clauses related to deposition of deleterious substances (including sediment), but Environment and Climate Change Canada enforces the pollution prevention clauses (Government of Yukon 2011b, p.8).</p>
287	Operational standards set out by the Yukon Placer Regime to mitigate adverse impact on fish bearing streams relied on authority of Fisheries and Oceans Canada. The impact of recent regulatory changes diminishing the role of Fisheries and Oceans Canada in fish habitat management is not clear.	Operational and reclamation standards are outlined by the Fish Habitat Management System to mitigate adverse impacts on fish bearing streams under the authority of Fisheries and Oceans Canada.
292	<p><b>Fisheries Act (Canada)</b>  Sections 34 to 43 of the Fisheries Act – entitled Fisheries Habitat Protection and Pollution Prevention - are the primary legislation for the protection of fisheries resources and their supporting</p>	<p><b>Fisheries Act (Canada)</b>  Sections 34 to 42 of the <i>Fisheries Act</i> – entitled Fish and Fish Habitat Protection and Pollution Prevention - are the primary legislation for the protection of fish and fish habitat. Section 35(1)</p>

	<p>habitat. Section 35(1) prohibits a person from carrying on any work, undertaking or activity that results in harmful alteration, disruption or destruction of fish habitat, unless permission has been given under 35(2). Amendments made recently to the act as part of Bill C-38 modify the act's applicability to habitat, including renaming sections 34 to 43 as Fisheries Protection and Pollution Prevention.</p> <p>The Yukon Placer Mining Regime (2007) is the basis for all Fisheries Act authorizations pertaining to placer mining and is overseen by the Yukon Placer Secretariat (YPS, 2008).</p> <p>Additional information from placer operators must be submitted with an application to YESAB for project approval, indicating how the design, operation and reclamation associated with placer mining activity will address fish habitat requirements, given a specific fish habitat suitability classification for that portion of the stream.</p>	<p>prohibits a person from carrying on any work, undertaking or activity that results in harmful alteration, disruption or destruction of fish habitat, unless permission has been granted under Section 35(2).</p> <p>The Fish Habitat Management System for Yukon Placer (2008) is the basis for <i>Fisheries Act</i> watershed-based authorizations pertaining to placer mining.</p> <p>Additional information from placer operators must be submitted with an application to YESAB for project approval, indicating how the design, operation and reclamation associated with placer mining activity will address fish habitat requirements, given a specific fish habitat suitability classification for that portion of the stream.</p>
317	<p>The goals of the oil and gas BMPs are to conserve wildlife and fisheries habitat, vegetation and surface soil, and to avoid sensitive landscape and habitats.</p>	<p>The goals of the oil and gas BMPs are to conserve wildlife and fish habitat, vegetation and surface soil, and to avoid sensitive landscape and habitats.</p>

Canadian Wildlife Service (CWS)  
Environment and Climate Change Canada  
91780 Alaska Highway  
Whitehorse, Yukon

January 6, 2020

Tim Van Hinte  
Dawson Regional Planning Commission  
Suite 201, 307 Jarvis Street  
Whitehorse, Yukon



Dear Mr. Van Hinte,

Further to the December email advising that the Dawson Planning Commission would accept comments on the updated Issues & Interest and Resource Assessment Reports up to January 6, 2020; please find attached our comments and recommendations (Appendix 1 and 2). The comments pertain to the updated Resource Assessment Report, Sections 11 Fish and Wildlife Habitat and 12 Protected Areas and Conservation Opportunities. CWS reviewed the Issues & Interest Report, and have no comments.

In addition to information provided in our 2018 letter, we would like the Dawson Planning Commission to consider '*other effective area-based conservation measures*' (OECMs) as you develop land use categories for conservation where a land management unit may not be zoned as a Protected Area such as a park (terminology consistent with the Peel Watershed Regional Land Use Plan). In 2015, federal, provincial, and territorial governments developed 19 biodiversity targets for Canada. The Canada Target 1 is to conserve 17% of terrestrial areas and inland water through networks of protected areas and OECMs by 2023. In the 2019 Speech to the Throne and the 2019 mandate letter to the Minister of Environment and Climate Change Canada, this goal was increased to 25% by 2025 for terrestrial areas and inland water.

Areas that can be considered for contribution towards these goals may take the form of Protected Areas or OECMs. If an area of conservation meets the OECM criteria, it can be counted towards these goals (e.g. an Indigenous Protected and Conserved Area may be considered an OECM that meets the criteria to count towards Target 1 if the participating Indigenous people want it to count). A Pathway to Canada Target 1 decision support tool has been designed to promote consistency and transparency when identifying and reporting contributing areas for terrestrial and inland waters. Information can be found on the [Pathway to Canada Target 1 webpage](https://www.conservation2020canada.ca/accounting)<sup>1</sup>. Yukon Government is responsible for reporting these areas for consideration and

<sup>1</sup> <https://www.conservation2020canada.ca/accounting>



should be consulted for further information and advice. CWS can also be contacted for further information on the process and decision support tool.

Thank you for the opportunity to comment. Please do not hesitate to contact me by phone at 867-393-6833 or email at [nathalie.lowry@canada.ca](mailto:nathalie.lowry@canada.ca). CWS will continue to participate in the process and provide input as opportunities arise.

Yours truly,

Nathalie Lowry  
Canadian Wildlife Service

Appendix 1: Dawson Resource Assessment Report comments.

<b>Section and page no.</b>	<b>Issue</b>	<b>Recommendation</b>
<p>11 Fish and Wildlife Habitat            11.2 Description of Resource            11.2.2 Focal Species Habitat Suitability Analysis;            Critical and Key Habitat for Focal Species            pg 11-3</p>	<p>Use of the term "critical habitat" may be confusing when used in the same document/section where reference to the federal <i>Species at Risk Act</i> (SARA) is also being made. Critical habitat has a specific definition and associated protection under SARA.</p> <p>Identification of critical habitat is required for species listed as Threatened or Endangered (and for species listed as Extirpated if recovery has been deemed feasible by reintroduction). None of the species referred to in Chapter 11 are listed on Schedule 1 of SARA as Endangered or Threatened. Consideration for using different terminology than "critical habitat", unless referring to critical habitat that has been defined for a species listed on Schedule 1 of SARA, should be used.</p>	<p>Reword this section to remove reference to "critical habitat" with another term that conveys its importance. For example, just using "key habitat" could convey the importance of the habitat without inadvertent confusion with the association of critical habitat and SARA.</p>
<p>11 Fish and Wildlife Habitat            11.2 Description of Resource            11.2.3 Focal Mammal Species' Status and Habitat Requirements;            Rare Mammals / Species at Risk            pg 11-10 to 11-11</p>	<p>Regarding reference to the federal <i>Species at Risk Act</i> (SARA): Sentence worded "Species of conservation concern that are identified by SARA or the Yukon <i>Wildlife Act</i> require protection of critical habitats."</p> <p>The SARA does not use the term or category "species of conservation concern". Under SARA species are listed as Special Concern, Threatened, Endangered or Extirpated. Identification of critical habitat is required for species listed as Threatened or Endangered (and for species listed as Extirpated if recovery has been deemed feasible by reintroduction).</p>	<p>Remove the opening sentence "Species of conservation concern that are identified by SARA or the Yukon <i>Wildlife Act</i> require protection of critical habitats."</p> <p>Reword the bullet "Wolverines" to not refer to critical habitat (or provide a reference).</p>

	<p>Species listed as Special Concern do not require the identification of critical habitat and therefore protection of critical habitat under SARA.</p> <p>The bullet "Wolverines" refers to dens as critical habitat. Wolverines are assessed and listed on Schedule 1 of SARA as a species of Special Concern. There is no requirement under SARA to identify critical habitat unless the species is reassessed as Threatened or Endangered. Therefore, in relation to SARA, referring to the requirement of protection of critical habitat in this case is incorrect.</p> <p>The <i>Yukon Wildlife Act</i> does not use the terms "species of conservation concern" or "critical habitat". Wildlife species protected under the <i>Yukon Wildlife Act</i> are referred to as "specially protected wildlife" and are not categorized relative to status. Habitat protected under the <i>Yukon Wildlife Act</i> and its Regulations are referred to as "Habitat Protection Areas" and these areas are generally not species specific. Advice on the <i>Yukon Wildlife Act</i> should be sought from Yukon Government.</p>	
<p>11 Fish and Wildlife Habitat  11.2 Description of Resource  11.2.3 Focal Mammal Species' Status and Habitat Requirements;  Rare Mammals / Species at Risk  Table 11-4</p>	<p>Table 11-4 "Species at risk that may be present in the Dawson Planning Region" is no longer up to date. See Appendix 1 for updated list. As species are continually being assessed/reassessed by COSEWIC and Schedule 1 of SARA is updated as assessed species are considered through the process,</p>	<p>Insert updated Table 11-4 (Appendix 2) and include the wording provided to head the table.</p>



<p>pg 11-11 to 11-13</p>	<p>reference should be included with the table to refer the reader to the Species at Risk Public Registry for the most up to date information on species at risk in a particular area.</p>	
<p>11 Fish and Wildlife Habitat 11.2 Description of Resource 11.2.4 Birds; Waterfowl pg 11-15</p>	<p>The line "The Tintina Trench is a major flyway for migratory waterfowl (CWS, 2018)." is an incorrect reference. Our 2018 submission stated that "...the Tintina Trench flyway is a unique and important feature for migratory birds in the Dawson Planning Region, particularly during spring and fall migration periods." (pg 3) We did not single out or emphasize waterfowl. It is an important flyway for multiple kinds of migratory birds including waterfowl e.g. Sandhill Cranes, shorebirds, other bird types</p> <p>Note: The font for the Waterfowl section is not consistent with the rest of the document.</p>	<p>Reword to reflect that the Tintina Trench flyway is important for migratory birds (not just waterfowl). Could also refer to there being key wildlife habitat areas for waterfowl within the Tintina trench.</p>
<p>11 Fish and Wildlife Habitat 11.4 Resource Management 11.4.2 Policy Direction Forty Mile Caribou Herd Management Plan pg 11-23</p>	<p>Use of the term "critical caribou habitat" in this paragraph may be confusing. The Forty Mile Caribou Herd has not been assessed by COSEWIC and is not listed on Schedule 1 of SARA; therefore, critical habitat has not been defined for the herd within that context. Given that the Porcupine Caribou Herd has been assessed as Threatened, and may be listed on Schedule 1 of SARA, which would require the definition of critical habitat, it would be better to use a different descriptor for the importance of habitat related to the Forty Mile herd. Critical habitat, as defined under SARA, implies certain levels of protection under SARA.</p>	<p>Consider using a different term than "critical habitat" to describe important or key habitat for a species.</p>

<p>12 Protected Areas and Conservation Opportunities 12.4 Regulatory Context pg 12-4</p>	<p>First paragraph: "Parks and protected areas may be established...or Umbrella Final Agreement." Protected areas can be identified under the individual First Nation Final Agreements, not the Umbrella Final Agreement, as Special Management Areas or Habitat Protection Areas. In the implementation of the FA the protected area is designated and a management plan developed. The Umbrella Final Agreement provides for the overarching structure of the section of a Final Agreement but does not, in itself, establish protected areas.</p>	<p>Consider rewording the reference to be First Nation Final Agreements.</p>
<p>12 Protected Areas and Conservation Opportunities 12.6 Site Selection 12.6.2 Areas Important for Biodiversity Threatened Species or Threatened Ecosystem Types pg 12-8</p>	<p>First two paragraphs – reference to COSEWIC and SARA is not quite accurate. Species are assessed by COSWEIC and then are considered for listing on Schedule 1 of SARA. Often there is an extended period of time between the assessment and the listing so, as best practice, we recommend species that are under consideration for listing on SARA be considered in a manner similar to listed species.</p>	<p>Reword paragraph to: This group includes species assessed by COSEWIC and/or listed on Schedule 1 of the federal <i>Species at Risk Act</i> (SARA). They include species that have been assessed as endangered, threatened, or species of special concern. This group also includes species listed as "specially protected" under the <i>Yukon Wildlife Act</i>.</p> <p>Species known to occur within the Dawson Planning Region that have been assessed by COSEWIC and/or are listed on Schedule 1 of SARA are listed in Chapter 11 (note that this list is current at the time of writing, January 2020). As best practice, species that are assessed by COSEWIC but not yet listed on Schedule 1 of SARA should be considered in a manner similar to listed species. Information on the status of species at risk in a particular area should be confirmed on the Species at Risk Public Registry <a href="https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry.html">https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry.html</a>.</p>

<p>12 Protected Areas and Conservation Opportunities  12.6 Site Selection  12.6.2 Areas Important for Biodiversity  Key or Critical Habitat and Resources  pg 12-10</p>	<p>As discussed in previous sections, critical habitat as it pertains to SARA, has not been defined, to date, for any species that may be found in the Dawson Planning Region, and, within the context of SARA, does not apply to the bulleted list as written. Use of the term 'critical habitat' may be confusing as certain protections may be inferred in relation to critical habitat within the context of SARA.</p>	<p>Because there is a discussion of SARA and critical habitat within it's context, consider changing the heading for this section by removing the term 'critical habitat'.</p> <p>Consider rewording paragraph 3 by removing the term 'critical habitat' and replacing it with another term that conveys a similar meaning of importance.</p>
<p>12 Protected Areas and Conservation Opportunities  12.8 Priorities and Opportunities  12.8.1 Ecologically Important Features  pg 12-15</p>	<p>Bullet on Spiked Saxifrage – is lacking some context or back-ground information on why it should be considered.</p>	<p>Consider expanding on this point by adding: Spike Saxifrage, assessed by COSEWIC in 2015 as a species of Special Concern, occurs in the Dawson Planning Region. Active placer and/or quartz mining claims occur on or upstream of the plant's habitat on seven of the twelve subpopulations, representing about 70% of the Canadian population. This plant currently has no legal protection...</p>

Appendix 2:

Table 11-4. Terrestrial species at risk that may be found in the Dawson Regional Planning Area. List current at the time of writing (January 2020). As best practice, species that are assessed by COSEWIC but not yet listed on Schedule 1 of SARA should be considered in a manner similar to listed species. The Species at Risk Public Registry should be consulted for the most up to date information on species at risk in a particular area <https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry.html>.

Terrestrial Species at Risk <sup>1</sup>	COSEWIC Designation	SARA Status	Government Organization with Primary Management Responsibility <sup>2</sup>	Recovery Strategy, Action Plan or Management Plan posted on the Species at Risk Public Registry
Bank Swallow ( <i>Riparia riparia</i> )	Threatened (2013)	Schedule 1, Threatened	ECCC	
Barn Swallow ( <i>Hirundo rustica</i> )	Threatened (2011)	Schedule 1, Threatened	ECCC	
Common Nighthawk ( <i>Chordeiles minor</i> )	Special Concern (2018)	Schedule 1, Threatened	ECCC	Recovery Strategy
Horned Grebe ( <i>Podiceps auritus</i> )	Special Concern (2009)	Schedule 1, Special Concern	ECCC	
Olive-sided Flycatcher ( <i>Contopus cooperi</i> )	Special Concern (2018)	Schedule 1, Threatened	ECCC	Recovery Strategy
Red-necked Phalarope ( <i>Phalaropus lobatus</i> )	Special Concern (2014)	Schedule 1, Special Concern	ECCC	
Peregrine Falcon ( <i>Falco peregrinus</i> )	Not at Risk (2017)	Schedule 1, Special Concern	YG	Management Plan
Rusty Blackbird ( <i>Euphagus carolinus</i> )	Special Concern (2017)	Schedule 1, Special Concern	YG	Management Plan
Short-eared Owl ( <i>Asio flammeus</i> )	Special Concern (2008)	Schedule 1, Special Concern	YG	Management Plan
Collared Pika ( <i>Ochotona collaris</i> )	Special Concern (2011)	Schedule 1, Special Concern	YG	
Grizzly Bear ( <i>Ursus arctos</i> )	Special Concern (2012)	No Status	YG	

Terrestrial Species at Risk <sup>1</sup>	COSEWIC Designation	SARA Status	Government Organization with Primary Management Responsibility <sup>2</sup>	Recovery Strategy, Action Plan or Management Plan posted on the Species at Risk Public Registry
Little Brown Myotis ( <i>Myotis lucifugus</i> )	Endangered (2013)	Schedule 1, Endangered	YG	Recovery Strategy
Wolverine ( <i>Gulo gulo</i> )	Special Concern (2014)	Schedule 1, Special Concern	YG	
Woodland Caribou, Northern Mountain Population ( <i>Rangifer tarandus caribou</i> )	Special Concern (2014)	Schedule 1, Special Concern	YG	Management Plan
Caribou (Barren-ground population) ( <i>Rangifer tarandus</i> )	Threatened (2016)	No Status	YG	
Spiked Saxifrage ( <i>Micranthes spicata</i> )	Special Concern (2015)	Schedule 1, Special Concern	YG	
Yukon Podistera ( <i>Podistera yukonensis</i> )	Special Concern (2014)	Schedule 1, Special Concern	YG	
Gypsy Cuckoo Bumble Bee ( <i>Bombus bohemicus</i> )	Endangered (2014)	Schedule 1, Endangered	YG	
Western Bumble Bee, <i>mckayi</i> subspecies ( <i>Bombus occidentalis mckayi</i> )	Special Concern (2014)	No Status	YG	
Suckley's Cuckoo Bumble Bee ( <i>Bombus suckleyi</i> )	Threatened (2019)	No Status	YG	
Transverse Lady Beetle ( <i>Coccinella transversoguttata</i> )	Special Concern (2016)	No Status	YG	

Notes:

<sup>1</sup> Fisheries and Oceans Canada (DFO) has responsibility for aquatic species (not listed here).

<sup>2</sup> ECCC has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the *MBCA*. Day-to-day management of terrestrial species not covered in the *MBCA* is the responsibility of YG. Populations that exist in National Parks are managed under the authority of the Parks Canada Agency (PCA).



Friends of the Dempster Country, Box 1709, Dawson City, Yukon Territory, Y0B 1G0

January 5th, 2020

To: Dawson Regional Planning Commission  
By email: [dawson@planyukon.ca](mailto:dawson@planyukon.ca).  
Re: Issues and Interests Document Comments

Friends of the Dempster Country (FoDC) would like to thank the members of the Dawson Regional Planning Commission for this opportunity to comment on the Draft Issues and Interests Report, October 2019. FoDC is a not-for-profit society dedicated to increasing understanding and appreciation of the unique land through which the Dempster Highway passes ultimately cultivating a deeper respect for Dempster Country.

Our comments here then will focus on the northern portion of the planning area - the land north of the Klondike Highway and, at Dawson City, north of the Yukon River as it flows to the Alaska border. In general this is the area to the north of the Tintina Trench as it runs through the planning region.

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But first and perhaps of utmost importance we strongly urge the Commission to request that mineral staking in the region be immediately put on hold until the final plan is approved. Both the establishment of Tombstone Park and the Peel Watershed Land Use Plan have shown what happens when a halt on staking is delayed.

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In *Hammerstones, A History of the Tr'ondek Hewech'in*, the author suggests that at the time of the Klondike Gold Rush there were two opposing views of the land: "a commodity to be exploited" versus "a resource to be cherished".\* A hundred years have passed but these two views still hold and it is the Commission's task to come up with a plan for the region that has room for both.

Friends of the Dempster Country would like to see the portion of the planning region north of the Tintina Trench be designated as a Conservation Area\*\* and managed (read 'cherished') for conservation values. Research suggests that to conserve biodiversity and ecological integrity large connected areas of habitat need to be preserved. Already over 20% of the planning region has been disturbed, staked and fragmented by placer and hard rock claims. The majority of these are in the area south of the Tintina Trench.

Designating the lands in the planning region north of the Tintina Trench as a Conservation Area would:

- Provide the large undisturbed habitat grizzly bears, wolves and woodland caribou need to thrive.
- Maintain the integrity of the Dall's Sheep summer and winter ranges in the planning area.
- Protect the breeding habitat for over a hundred species of migratory birds, many under stress of warming climate and habitat loss in their winter ranges.

Friends of the Dempster Country, Box 1709, Dawson City, Yukon Territory, Y0B 1G0

- Continue to provide folks who drive 'up' the Dempster Highway with a chance to experience the wilderness from the edge of the road - and to do this even as wild places are disappearing around the globe.
- Continue to give the thousands of tourists who visit Tombstone Park, (over 25,000 in 2019), a glimpse of Canada's northern wilderness.
- Establish an area where the effects of a warming climate on the natural landscape can be observed and studied.
- Provide a haven where flora and fauna can attempt to adapt to climate change without interference from other external stressors.
- Remove part of the Kandik Basin from oil and gas development thus affirming the Yukon Government's commitment to fight climate change by 'leaving it in the ground'.

In conclusion, we urge the Dawson Regional Planning Commission to immediately request that the Yukon Government place a moratorium on staking until a Dawson Land Use Plan is adopted. Also we urge the Commission to recommend that the portion of the planning region north of the Tintina Trench be designated as a Conservation Area.\*\*

Thank you,  
Julie Frisch, for  
Friends of the Dempster Country Society

\* Dobrowolsky, Helene, *Hammerstones: A History of the Tr'ondek Hwech'in*, 2003, p.18.

\*\* Conservation Area as defined in the Peel Watershed Regional Land Use Plan





**January 6<sup>th</sup>, 2020**

Dawson Land Use Planning Commission  
Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Y1A 2H3

Dear members of the Dawson Land Use Planning Commission,

We thank you for the opportunity to provide input into this important process. We look forward to the completion of the Dawson Regional Land Use Plan as an important step in giving life to, and honouring the terms and intent of our Final Agreements.

A pressing concern is the lack of a withdrawal on mineral staking in the planning region. We would hope that the errors and lessons of past land use planning processes in Yukon be considered here. The Peel Watershed Land Use Plan process suffered from the lack of timely mineral staking moratorium during the development of the plan and the same can be said of the ongoing Beaver River land use planning process. Speculative mineral staking undermines the planning process as intended in Chapter 11 of the Final Agreements by allowing priority over certain values to the exclusion of others. The goal of Land Use Planning and the Commission is to ensure land use conflicts are minimized during the planning process. Allowing on-going staking and other dispositions to occur during the planning process cultivates conflict which undermines the process. As such, we urge you to make this your first priority.

We concur with the feedback provided by Canadian Parks and Wilderness Society Yukon Chapter (CPAWS) and the Yukon Conservation Society (YCS) with respect to the need for the highest levels of protection and attention to particularly vulnerable and unique ecosystems within the Dawson region including wetlands, watersheds and Beringia.

Wetlands are sensitive ecosystems which can be affected by even minor changes. They play a critical role in maintaining Yukon's biodiversity, preserving native fauna and flora, and are nearly impossible to restore once damaged.

The bogs, wetlands, and watersheds of the Dawson region have taken countless generations to fully develop, and as such, require careful consideration and caution in planning for their use and protection. Similarly, Beringia land, the largest portion of which is in the Dawson planning region, is a unique and delicate thread that ties us to the history of Yukon and should also be carefully considered.

The evolution of and our reliance upon the health of these ecosystems should be of utmost concern to us all. We entrust the Commission to fully consider the weight of this responsibility to ensure the viability of healthy, intact ecosystems for our survival and for the survival of all life dependent upon a healthy land. We agreed to this in signing the Umbrella Final Agreement and must honour that commitment.

To that end, we see a minimum of the protection of 50% land mass within the planning region as a priority.

Understanding and full consideration to the cumulative impacts of past and proposed developments requires serious consideration, as does the unknown impacts of our rapidly changing climate.

We hope and encourage you to take the future into serious consideration as you move forward with the planning process.

On behalf of the Yukon NDP Caucus, thank you for considering our recommendations.

## ***Submission to the Dawson Regional Planning Commission regarding the mineral exploration and land use planning***

***Jan 6, 2020***

Land use planning has effectively resulted in large land withdrawals from mineral exploration which now threaten the sustainability of the prospecting, mineral exploration and the mine development industries.

These industries need access to a large land base, to explore and test and to follow up on positive indications of potential ore bodies. Regulatory certainty would provide assurance that mineral discoveries can be responsibly developed. That is the main incentive needed for individuals and companies to assume the expense and risks of exploration.

In Canada and the Yukon, we should agree that we can successfully mine minerals as efficiently and as safely as anyone, anywhere in the world - right in our own backyard.

If it can be agreed that mining minerals is necessary and important to the world, should we not encourage responsible prospecting, mineral exploration and mining here in Canada – in the Yukon? We can do it right.

If we do it right we get the added benefit of the economic growth, jobs for citizens, and the opportunity for young persons to learn a variety of skills to get good employment – right in our backyard.

If responsible prospecting, mineral exploration and mining is not encouraged and facilitated here, where we are, in the Yukon, in Canada, then mining will be done elsewhere to provide the goods and materials we want and we will buy them from there instead. This is happening now.

If it is agreed that responsible, prospecting, mineral exploration and mining is good and should be encouraged and facilitated here, then how to do that?

### **Ways to encourage responsible prospecting and exploration:**

Ensure that the prospector or exploration company has the right and authority to prospect and explore the land in a responsible way, respecting confidentiality, and following the staking of mineral claims, have the certainty of ownership of any mineral resources, and the certainty these can be developed and mined if reasonable, clear laws and regulations are followed.

So, if the law, Mining Acts and regulations are followed, the prospectors and exploration companies will be allowed to have a reasonable chance of making a living and getting a good return on the investment of time, effort and money. The governments and citizens must provide that certainty.

It should be appreciated that of all of the land, less than one percent of the land is economical to mine. So all of the land should be available for low-impact prospecting, exploration and evaluation; the relatively few ore bodies found over time should be responsibly mined where feasible.

The land and ecosystems are protected by legislation, regulations and review processes. Any activities more than low-impact Class 1 work and exploration of all types on the land is subject to Yukon Environmental Socio-economic Assessment Act and the Water Board and Government Decision Bodies. These processes, already in place, ensures that all are consulted and potential adverse effects can be considered and mitigated as much as possible where mines are proposed.

As this Dawson Regional Plan process proceeds the land should all remain open for exploration of all types including mineral exploration by prospectors and exploration companies. There has been little mineral staking over the past year since the Dawson Regional Planning Commission has started up except where there has been good potential for significant mineral deposits, which is good. This is not a problem

Unexpected restrictions on access to land for mineral exploration and staking will impact the certainty and confidence, necessary to attract investment of time and money into responsible exploration now and into the future.

All Yukon stakeholders should be consulted, and should endeavor to understand other stakeholders' values. Submissions and ideas should be posted on the website as soon as possible and the sharing of information and ideas encouraged, They should then plan how responsible exploration and mining can be done efficiently, and encouraged, so governments can implement effective, efficient laws and regulations. This certainty will provide the incentive for the exploration and mining industry to invest, explore and successfully develop prospects.

*Grant Allan*  
*President Yukon Prospectors Association*  
[gallan@northwestel.net](mailto:gallan@northwestel.net) 867-332-9975

Yukon Order of Pioneers  
Lodge 1  
P.O. Box 131  
Dawson City, Yukon Territory  
Y0B 1G0



Organized at Fortymile  
Yukon Territory  
December 1, 1894

Dawson Regional Planning Commission  
Suite 201, 307 Jarvis St.  
Whitehorse, Yukon

Jan 3, 2020

The Yukon Order of Pioneers (YOOP) has a long history and tradition in the Dawson region since its founding in 1894. Its members have been directly or indirectly involved in the prospecting and mining industry and in supporting communities in this land that we value and respect.

We agree the work being undertaken by The Dawson Regional Planning Commission as called for in the Umbrella Final Agreement is necessary, important and hope that a consensus among all partners/stakeholders/citizens can be reached that will allow for all responsible low impact activities on all public lands to be continued.

The exploration and mapping of all resources, including vegetation, forests, wildlife, fish and minerals should be allowed and encouraged. Responsible harvesting should be allowed and where potential economic mineral deposits (perhaps 1 % of all lands) are found, advanced exploration should be allowed so properly operated mines can be developed – all subject to Yukon Environmental Socio-economic Assessment Act and the Water Board and Government decisions and regulations. This, the existing process, ensures that all are consulted and potential adverse effects can be mitigated where mines are proposed.

As this planning process proceeds, the land should all remain open for exploration of all types including mineral exploration by prospectors and exploration companies.

Unexpected restrictions and changes in rules and enforcements, creates uncertainty and discourages investments and positive economic activities that do benefit many. Over the years, since before the previous Dawson Regional Planning Commission, and now, during this renewed planning process, there hasn't been undue mineral staking.

Past and current increases and decreases in mineral staking has been driven mainly by mineral prices and other factors.

Please consider the Yukon Order of Pioneers views on this and our support for reaching a good consensus that works for all.

Sincerely,

A handwritten signature in black ink, appearing to be "JCS", written over a horizontal line.

President  
Yukon Order of Pioneers  
Lodge #1, Dawson City, Yukon

"DO UNTO OTHERS AS YE WOULD BE DONE BY"



January 3, 2020

To: Dawson Land Use Planning Commission

Re: Dawson Region Land Use Plan engagement submission

Dear Commission Members,

The Canadian Parks and Wilderness Society, Yukon Chapter (CPAWS Yukon) thanks the Commission for the opportunity to provide input at this stage of the Dawson Region land use plan. This letter includes our key recommendations for the Commission as they begin to develop the plan.

CPAWS Yukon believes one of the Commission's most important tasks is developing a plan that honours the Umbrella Final Agreement's vision of sustainable development (Section 11.1.1.6). Although sustainable development is sometimes a buzzword, it is clear from Chapter 11 of the UFA that it means development "that doesn't undermine the social and ecological systems that our communities depend on."

Given this task, CPAWS Yukon strongly supports the visions the Commission has put forward for the region, the process, and the plan. We feel these vision statements reflect what is needed to secure a sustainable future for the Dawson Region. In particular, we are pleased that the vision for the planning process includes sustainable development as a principle.

Our recommendations for the plan are listed below.

**Recommendation 1: Place a moratorium on mineral staking while the plan is being developed.**

Placing a temporary pause on mineral staking while developing a plan is good planning practice. Doing so in the Dawson Region will minimize future land use conflict and provide the maximum number of planning options, especially relating to limits on disturbance and the size and location of conservation areas. Thousands of claims were staked in the Peel Watershed while planning was ongoing, and now a cloud of uncertainty regarding compensation hangs over the region. Most recently, a December 30, 2019 *Whitehorse Star* article noted, "A handful of companies the Star has spoken with over the months and years have indicated they will pursue legal action if they don't receive compensation [for their claims in the Peel]."<sup>1</sup> Much of the uncertainty, and

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<sup>1</sup> <https://www.whitehorsestar.com/News/staking-moratorium-extended-in-peel-watershed>

potential future legal costs, could have been avoided if a staking moratorium was introduced at the onset of planning in the Peel.

CPAWS Yukon urges the Commission to recommend a moratorium on mineral staking while the Dawson Region plan is under development. The Commission could also consider recommending a moratorium on other land dispositions that will make planning similarly challenging.

**Recommendation 2: Protect large, interconnected areas to sustain the region's ecological integrity and cultural heritage.**

Conservation science suggests that, in general, protecting 25% to 75% of a given region is needed to sustain biodiversity and ecological processes<sup>2</sup>. These figures are substantial but not arbitrary; they are based on studies of what it truly takes to sustain wilderness as we know and value it, which includes thriving populations of wild species, a full spectrum of native ecosystems, and ecosystems that are resilient to environmental change.

As a buffer against uncertainty and recognizing the limits of human knowledge, conservation scientists suggest managing at least half of a given region for conservation.<sup>3</sup> To meet the bar of sustainable development set by the Umbrella Final Agreement, and secure the Dawson Region's ecological integrity and cultural heritage, CPAWS Yukon recommends that the Commission aim to apply a conservation designation to about half of the Dawson Region.

It is worth answering the question, why bother with such an ambitious target when large parts of the Dawson Region exist as wilderness? Well, the same was once true for many places to the south, including now-industrialized landscapes in British Columbia and Alberta. But, like in the Yukon, wilderness in these places was abundant but not endless, and certainly not immune to the march of development over the span of decades. Wilderness, wild species and the ways of life attached to them were diminished and even lost. Many people from the south now flock to the Yukon, seeking the wilderness that was lost in other places. By aiming to conserve considerable parts of the Dawson Region, the Commission has the opportunity to develop a plan that truly balances economic viability with the viability of the region's social, cultural and ecological systems.

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<sup>2</sup> Noss, R. & Cooperrider, A. Y. (1994). *Saving Nature's Legacy: Protecting and Restoring Biodiversity*. Island Press, Washington, DC.

<sup>3</sup> Noss, R., Dobson, A., Baldwin, R., Beier, P., Davis, C., Dellasala, D.,...Tabor, G. (2012). Bolder Thinking for Conservation. *Conservation Biology: the Journal of the Society for Conservation Biology*. 26, 1-4. 10.1111/j.1523-1739.2011.01738.x.



The Dawson Region is home to many ecologically and culturally valuable areas and features that are deserving of protection. A short list includes:

- **Habitat, corridors, and migration routes** for species like caribou, grizzly bears, wolverines and migratory birds. Managing interconnected areas for conservation allows animals, as well as their genes, to move and ensures their populations will continue to thrive.
- **Connected areas that will allow native species to move, adapt and survive in the face of climate change.** This is a priority in Yukon Government’s *Our Clean Future Draft Report*<sup>4</sup> (Action 94) and aligns with the *Draft Yukon Parks Strategy*<sup>5</sup> (Strategic Action 5.2: Develop a Parks System Plan).
- **Areas adjacent to existing protected areas**, such as Tombstone Territorial Park, Fishing Branch Habitat Protection Area, Yukon-Charley Rivers National Preserve in Alaska, and future protected areas in the Peel Watershed.
- Significant, representative areas within the **Yukon Plateau-North, Klondike Plateau, and Yukon Plateau-Central ecoregions**. Ecoregions are nature’s neighbourhoods: each sustains a different ecological community. A goal of Yukon’s *Parks and Land Certainty Act* is to protect representative core areas within the territory’s twenty ecoregions. Ecoregion protection is also a key part of developing the territory’s parks system in the *Draft Yukon Parks Strategy*.
- **Waterways, wetlands, and riparian areas** provide important ecological functions and resilience to climate change. This includes the Yukon River corridor, as well as the Ladue, White, Sixty Mile, Forty Mile, Indian, North and South Klondike, Tatonduk, Kandik, Miner and Whitestone Rivers.
- **Rare species and ecosystems.** The Dawson Region’s Beringian landscape supports rare and endemic species.
- **Intact boreal forest.** Areas free from habitat fragmentation are increasingly rare. The boreal forest provides essential habitat and can mitigate the impacts of climate change.
- **Areas identified through Tr’ondëk Hwëch’in’s Land Stewardship Framework project.** Tr’ondëk Hwëch’in First Nation has stewarded the Dawson Region since time immemorial and the Land Stewardship Framework project is an important extension of that relationship.

<sup>4</sup> Available at <https://yukon.ca/sites/yukon.ca/files/env/env-our-clean-future-draft.pdf>

<sup>5</sup> Available at <https://yukon.ca/sites/yukon.ca/files/env/env-draft-parks-strategy.pdf>

**Recommendation 3: In areas where development is allowed, set thresholds on disturbance to ensure development remains sustainable.**

CPAWS Yukon recognizes that development and resource extraction are important parts of the region's economy, a way of life for some, and that parts of the Dawson Region will continue to support significant amounts of development. At the same time, if these activities place too much pressure on the land, they can transform ecosystems, and cause the loss of species and the ways of life tied to wild places. Setting limits on disturbance will ensure development activities are compatible with the plan's vision for a rich cultural legacy and a healthy environment.

CPAWS Yukon recommends that the plan for the Dawson Region includes limits on disturbance, similar to those applied to Integrated Management Areas (IMAs) in the North Yukon Plan and Peel Watershed Plan. These thresholds should be adapted to the landscape, wild species, and industries of the Dawson Region.

Setting limits on disturbance in areas where development is permitted is a useful tool for addressing the human-caused dimensions of cumulative effects. We recommend that the Commission seek out traditional and scientific knowledge to set limits that will sustain the things that people care most about, like healthy wildlife and fish populations.

In particular, we recommend considering the habitat and connectivity needs of caribou, given their ecological and cultural importance in the region. We also recommend incorporating the needs of grizzly bears. The recently released *Conservation Plan for Grizzly Bear in Yukon* states that land use planning processes must "explicitly identify and consider the habitat needs of grizzly bears" (pg. 17) and "Consider grizzly bears in land allocations and land use planning, including the cumulative effects of land developments and furthering road networks" (Recommended Action 2.4, pg. 18).

Future generations in most other places have already lost the chance to enjoy wildlife, hunt, trap, and fish the way that their parents and grandparents did. This chance was largely lost due to habitat loss, fragmentation, and increased access. The Dawson Region has the opportunity to do things differently. The plan can set out a balance between development and conservation based on what it will take to sustain the things that people value.

CPAWS Yukon recognizes that development is subject to regulation and environmental assessment in the territory. However, these tools can only adequately address cumulative effects if there are thresholds setting out what environmental changes are acceptable. Places that have tried to manage development project-by-project, rather than with a big picture, forward-looking approach have seen wildlife populations decline and disappear.

In addition to thresholds, we recommend that the Dawson Plan include cumulative effects indicators and a commitment to monitoring and adaptive management to ensure thresholds on development are working as intended. Protected areas, where development is not permitted, can function as “benchmark areas” to help land managers determine if changes to the landscape are human-caused.

**Recommendation 4. Protect wetlands, especially bogs and fens that take thousands of years to form.**

The region includes many important wetland ecosystems, including peatlands in the Indian River Watershed, as well as wetland complexes in the Clear Creek and Scottie Creek area.

Development is particularly transforming the Indian River Watershed, and replacing peat wetlands with shallow water ponds. CPAWS Yukon recommends that the plan protect remaining intact wetlands in the Indian River Watershed to keep the ecosystem from complete ecological and hydrological transformation. We also recommend that the Commission consider protecting a significant portion of the region’s other intact wetlands.

Thank you for considering this submission.

Sincerely,

Randi Newton  
Conservation Manager, CPAWS Yukon





Yukon Salmon Sub-Committee  
Box 31094  
Whitehorse YT, Y1A 5P7  
ex.dir@yssc.ca

**December 20, 2019**

Debbie Nagano  
Chair  
Dawson Regional Planning Commission  
[dawson@plan yukon.ca](mailto:dawson@plan yukon.ca)

Dear Ms. Nagano:

**RE: Dawson Planning Region Draft Reports- Salmon Considerations**

The Yukon Salmon Sub-Committee (the "YSSC") is mandated by Yukon First Nation Final Agreements as the "main instrument of Salmon management in Yukon". Pursuant to those Final Agreements, the YSSC makes recommendations to the Minister of Fisheries and Oceans Canada and to Yukon First Nations on the management of salmon and their habitats in the Yukon River, Porcupine River and Alsek River drainages. In addition, the Final Agreements speak specifically to the YSSC's role in interjurisdictional agreements affecting the use of Yukon salmon resources, and being granted standing as an interested party dealing with matters that affect the management and conservation of salmon or their habitats in Yukon. This is the basis of our interest in the Dawson Regional Plan.

The YSSC appreciates the opportunity to comment on your draft reports for the Dawson Regional Plan. We ask that you consider including Chinook salmon as a focal aquatic species. This is due to their cultural, economic and environmental significance within the Planning Region. Additionally, juvenile Chinook salmon from all Chinook salmon populations using upstream waters rear and overwinter in tributaries to the mainstem Yukon River within your planning region. YSSC feels that aquatic habitats that support salmon habitats need to be considered in the planning process. Chinook occupy both major and minor tributaries throughout the planning area to spawn, rear and overwinter.

With the above in mind, special attention should be given to spawning habitats and to juvenile rearing and overwintering habitats. There is good information available on spawning habitats, and they are well protected at present. Juvenile overwintering habitats depend on the discharge of high-quality ground water throughout the winter. These have not been mapped. Importantly, some streams in the unglaciated area of the planning region may have poor quality ground water. This increases the relative value of the streams in which salmon can overwinter. Proponents planning works or undertakings that may disturb streams or rivers in the planning region should be required to determine the extent of overwintering Chinook Salmon habitats that may be negatively affected by their projects. Any risk can therefore be avoided or mitigated.

We hope that you will consider the above input to your draft reports. We look forward to seeing further drafts or final copies of the reports.

Sincerely,

A handwritten signature in black ink that reads "James MacDonald". The signature is written in a cursive style with a large, prominent "J" and "M".

James MacDonald  
Chair  
Yukon Salmon Sub-Committee



December 5, 2019

Dawson Regional Planning Commission  
c/o Tim Van Hinte  
Senior Land Use Planner  
201-307 Jarvis Street, Whitehorse, YT  
Y1A 2H3

**RE: Ducks Unlimited Canada's comments to the Commission's Draft Issues and Interests, and Resource Assessment Reports**

On behalf of Ducks Unlimited Canada (DUC) I would like to thank the Dawson Regional Planning Commission for the opportunity to provide written comments. As DUC was unable to attend any of the community conversations in November, our input is focused on our reviews of the draft reports. We appreciate that multiple venues and approaches to be engaged are available and we look forward to continued involvement.

As you are likely aware, DUC provided input to the Yukon Land Use Planning Council on earlier drafts of the Issues and Interests and Resource Assessment Reports. DUC is pleased to confirm that much of our input has been considered and indeed incorporated. In particular, DUC appreciates that the following suggestions have been significantly expanded and/or integrated into the new reports:

1. Broader inclusion of the full suite of ecological goods and services provided by wetlands and, in particular, their role in carbon storage and climate change mitigation and adaptation. We have more to offer in this regard later in this submission;
2. The introduction of concepts such as cumulative impacts, ecological thresholds and wetland mitigation, reclamation, and restoration. Clearly these issues will require more discussion as the planning process unfolds so introductory language as articulated in the reports is warranted and sufficient in our view;
3. Reference to the Yukon Water Strategy and pending Wetland Policy. Numerous references have been made to the Policy throughout the latest versions of the reports and DUC applauds the recognition of the importance of the Policy in general and as a supporting/guiding resource to the planning and implementation process. While the Policy may not necessarily be completed in time to fully inform the development of the Dawson Regional Land Use Plan (DRLUP), DUC believes the Policy process to date has been constructive, and as such, we would recommend that the Commission consider the interim deliberations and products that have been developed by the many stakeholders invested in the Policy process.

Again, DUC appreciates that our previous input has been duly considered, and with that, we are pleased to offer additional perspectives and suggestions as follows:

1. Similar to the Wetland Policy, the Commission may wish to update the reports with recognition of the new Yukon Mineral Development Strategy and possibly the Yukon Water Board processes – both their wetland guidelines document and the upcoming Hearing in the Public Interest regarding wetlands that is anticipated to be held in February;



2. DUC appreciates the explicit and numerous references to wetlands and the many values and benefits that they provide. One especially noteworthy issue is the interrelationship between wetlands to carbon/climate change and permafrost. DUC believes this complex relationship may drive some discussions and decisions contributing to the DRLUP. As such we are pleased to provide a recent report entitled "*Wetlands in Northern Canada: Permafrost, Carbon, and Climate Change*" which provides a high-level summary of the current state of knowledge related to wetlands in northern Canada and their inextricable linkages to permafrost, carbon cycling, and climate change. We hope this report is of value in providing further evidence and insights into these very important northern issues;
3. While not complete, DUC is currently conducting a wetland inventory for the entire planning region in partnership with Tr'ondek Hwech'in. Our goal is to have an inventory delineating areas of upland, wetland, and open water completed by March 2020. Subsequently we will further refine our wetland classification to be consistent with the Canadian Wetland Classification System where wetlands will be identified as either bog, fen, swamp, marsh, or shallow open water. We anticipate that portion of the inventory will be completed by March 2021. It is our plan to share this product with the Commission once it is complete;
4. The Reports make numerous references that wetlands in the DRLUP area are relatively scarce in this region and as such should be considered valuable (10% estimate based on Bond (2019)). While the final analysis of our inventory data will confirm actual abundance and spatial extent, DUC would anecdotally flag from our field work that wetlands seemed more abundant than we had anticipated in this area. However, this area hosts many unique wetland types such as those found on steep north-facing slopes and alpine areas which are likely quite fragile and sensitive to any impacts due to their presumed relationship with permafrost. We simply offer this as a heads up and we look forward to sharing and presenting our results with you once available.

Thank you for the opportunity to further comment on these reports. They are certainly comprehensive and it is clear much quality time and expertise has been invested in their development. We look forward to working further with the Commission as the planning process proceeds. Feel free to contact DUC at (867) 668-3824 or [j\\_kenyon@ducks.ca](mailto:j_kenyon@ducks.ca) if further clarification is required and for future follow-ups related to this process.

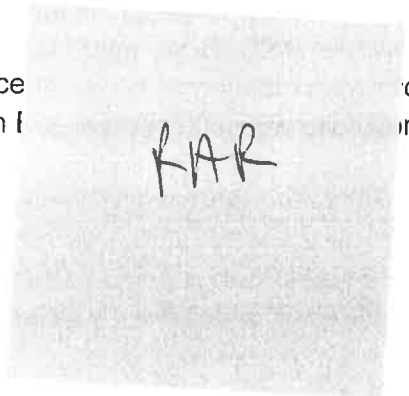
Sincerely,

Jamie Kenyon  
Conservation Programs Specialist  
Ducks Unlimited Canada



## YESAB review of DRAFT Dawson Planning Region Resource Assessment Report (RAR).

This review focussed on sections of the RAR that reference the *Socio-Economic Assessment Act* (YESAA) and the Yukon Impact Assessment Board (YESAB).



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### YESAB references:

Section 13 – 29

Coffee Gold Project

Proposed mining activities include four open pits, sodium cyanide heap leaching technology, a water treatment plant and waste rock storage facilities. Access to the mine site will be by air, ground and river crossings. Construction includes approximately 37 km of new road and barge landings and ice crossings at the Stewart River and Yukon River crossings (YESAB, 2017)

Is this description consistent with recent project changes proposed by Newmont/Goldcorp (specifically the removal of the Kirkman claim block)?

13-43

13.4.1 Regulatory Framework

Additional information from placer operators must be submitted with an application to YESAB for project approval, indicating how the design, operation and reclamation associated with placer mining activity will address fish habitat requirements, given a specific fish habitat suitability classification for that portion of the stream.

YESAB does not approve projects. YESAB issues recommendations to decision bodies.

15-3

15.2.2 Agricultural Production

As of 2018, statistics show within the land planning area, approximately 40 titled lots were derived from agriculture land programs. As of May 2018, there are three active agriculture agreements for sale as well as one application that is currently under review by YESAB (Government of Yukon personal communication, September 19, 2018).

Is this still under review? YESAB is not currently reviewing any agricultural projects in the North Yukon Assessment District.

17-8

## 17.2.6 Aggregates

Quarrying generally refers to the extraction and removal of aggregate materials from a pit or site. However, YESAB has approved YG-HPW's proposal for aggregate recovery from mine tailing for road maintenance over a five-year period. Most of this aggregate will be used on the Goldfields loop roads (TH personal communication, September 2018).

YESAB does not approve projects we make recommendations to decision bodies. See Quartz Mining Act and Placer Mining Act Section 13-44 for appropriate wording... "the end result being a recommendation issued by YESAB to the Decision Body for the Project. Following review of the YESAB recommendation, a Decision Body must produce a Decision Document"

### **YESAA references:**

Section 8 - 26

#### 8.4.1 Regulatory Framework

The following sections note legislation and regulations that specifically address protection of heritage resources. Determination of **potential impacts** of projects on heritage resources prior to land disposition decisions is accomplished through the *Yukon Environmental and Socio-economic Assessment Act* (YESAA) process described below. Additional protocols and requirements may also apply if work is being conducted on First Nation Settlement Land.

YESAB makes determinations on significance of likely adverse project effects.

Suggest: Determination of potential significant adverse impacts.....

8 – 29

In addition, Section 42(1) of the act states that the assessor must take into consideration:

g) the need to protect the rights of Yukon Indian persons under final agreements, the special relationship between Yukon Indian persons and the wilderness environment of Yukon, and the cultures, traditions, health and lifestyles of Yukon Indian persons and other residents of Yukon.

Why not list other considerations under section 42 (1)? i.e. Section (d)

8 – 31

**Government of Yukon**

Historic sites and heritage resources are protected under the *Historic Resources Act*, and YESAA is used as a tool to ensure heritage resources are considered and any impacts mitigated for proposed development projects.

Suggest: any significant adverse impacts

Note: Heritage resource are defined differently under YESAA.

8 -35

### 8.5.2 Other Risks and Uncertainties

Heritage resources are identified as a major area of concern in most project reviews under YESAA.

Source? Heritage resources are identified as a valued socio-economic component for projects that could adversely affect heritage resources.

13-48

### 13.6.5 Cumulative Effects

Under section 112 of YESAA, the executive committee may undertake studies of environmental or socio-economic effects that are cumulative geographically or over time at the request of the federal minister, territorial minister, or first nation. **In 2016 Tr'ondëk Hwëch'in requested a cumulative effects study through section 112 of the YESAA, regarding cumulative effects to wetlands in Indian River watershed.**

Was a formal request ever made?

17 – 24

Activities exceeding Class 1 criteria require review and approval evaluation under YESAA.

YESAB does not approve projects.





Dec 5th 2019

To:  
Debbie Kormendy,  
Chair,  
Dawson Land Use Planning Commission  
Suite 201, 307 Jarvis St.  
Whitehorse, Yukon  
Y1A 2H3  
By email: [dawson@planyukon.ca](mailto:dawson@planyukon.ca)

From: Sebastian Jones, Yukon Conservation Society

Re: Issues and Interests Submission, Dawson Regional Land Use Plan

Dear Debbie and Commission,  
Thank you for the opportunity to provide input into this very important Plan. We hope this will be but one of many submissions, as the use of the land in the Dawson region is of deep interest to residents and indeed many Yukoners and Canadians at large. In the interest of clarity, I have highlighted our specific recommendations in bold and summarized them at the end of the submission.

## Introduction

It is always difficult to summarize the most important issues, as there will always be short-term immediate issues related to current activities that may be seen to be less vital at a later date. Similarly, it is difficult to foresee what activities will need to be managed in the future. Therefore, **a precautionary approach to development** is warranted. Mineral resources will not vanish while less disruptive methods of extraction are being developed.

The Peel Watershed Planning Commission's (PWPC) Final Plan makes it clear that the Peel Plan is not meant to be a template for future land use plans. However, some aspects of previous land use plans can be used in development of the Dawson Plan.

For example, the Peel final plan uses the Final Agreements (FAs) definition of sustainable development: *Beneficial socio-economic change that does not undermine the ecological and social systems upon which communities and societies are dependent.* (Chapter 1, Final Agreements) and adopts sustainable development as a core principle. In adopting this principle, the Dawson Planning Commission can set



the understanding that the ecosystem is the basis for a sustainable society and a sustainable economy.

Similarly, the Peel Plan's definitions of three types of activities and their relative sustainability are useful:

1. *That which is sustainable indefinitely if properly managed. Trapping, fisheries, hunting and tourism are examples.*
2. *That which is not sustainable, but which ecosystems can tolerate or recover from. Some kinds of mining and oil and gas development are examples. Best management practices and effective restoration make this possible in some, but not all areas.*
3. *That which is not sustainable, and causes irreparable or unacceptable impacts on ecosystem integrity or communities and social systems. For example, some sensitive ecosystems, such as peatlands, cannot be restored in less than decades or even centuries.*

Currently, there is significant mining exploration and development taking place in the Dawson Region; while there may have been more people involved during the Klondike era, modern tools and equipment and techniques have given us greatly expanded ability to impact land compared to the foot slogging Argonauts of yore.

The nature of mining is for short-lived operations; once the deposits are exhausted, activity ceases but the aftereffects can linger indefinitely. According to the 2008 Faro Mine Closure Plan, that mine will be undergoing remediation and monitoring for hundreds of years. The experience we have gained at Faro, Clinton Creek, Mount Nansen and the Klondike Valley show that mining forever alters the landscape. There are inevitably also changes to wildlife and human activities. It is reasonable to suppose that there will be long term remediation and monitoring needed at new mine sites in the Dawson region.

Overland access (i.e. roads and trails) is generally required for a deposit to be viable. Roads, however, mean access for more than the immediate mining operation; other people will inevitably use the roads and people have impacts, whether it is hunting or developing land for other uses. A road built for a superior deposit can enable other, more marginal deposits to become viable; while a benefit from a purely economic development perspective, this makes assessing the environmental impacts of a road more complicated. Roads also directly affect fauna; wolves and other predators use roads equally well to access resources. The footprint of a road is much larger than its physical area and typically extends further temporally and spatially than expected.



While part of the Planning Region has already been impacted by placer mining and may be considered as either industrial or post industrial, in the rest of the Region the human footprint is relatively modest: one small town, three highways and a few camps and a farm or two comprise the physical infrastructure. Again the total footprint of these activities is greater than their physical size. There are however, still extensive areas that are almost untouched except for limited trapping, hunting, and gathering. **These areas should have a higher level of protection** compared to already impacted areas.

## Beringia

The planning region encompasses the largest Canadian portion of Beringia. Beringia is the land that escaped glaciation during the last ice ages, and can be thought of as the oldest ecosystem in Canada. This special area supports many rare and endemic species including SARA-listed species such as Spiked Saxifrage (*Micanthres spicata*), which are acutely sensitive to disturbance. **The Plan should ensure that this unique landscape is preserved.**

## Yukon River

A very special feature of the Dawson Region is the Yukon River; it is of importance as a pre-contact and historic transportation route and to this day supports fishing, commercial and residential river traffic as well as recreational travelers. These are important economic drivers and are sustainable if properly managed. The river is also ecologically important; the lush lowlands and islands of the valley bottom provide ideal moose nurseries, the riparian cliffs provide valuable habitat for nesting raptors and Dall sheep, the most extensive stands of large trees in the planning region offer habitat for old growth dependent species such as woodpeckers and caribou. The deep permafrost free soils support the most productive agricultural land in the Yukon.

Perhaps the most important reason to afford the Yukon River corridor special status is its role in supporting salmon.

The Yukon River has provided an access corridor to spawning salmon, which need clear water upstream gravels and a downstream, nurturing travel way for returning fry since at least the most recent ice age and quite likely before, during interglacial periods.

The biggest and most travelled of these salmon species are the Chinook who in two months and a half of upstream swimming, without eating, reach the upper Beaver River and the upper Nisultlin River.



This amounts to over 3000 kilometres of upstream navigating and in the case of upper Beaver River navigating up through Fraser Falls, at high water!

Swimming upstream they have provided subsistence and commercial support to many Indigenous and non-Indigenous cultures along the way but also to Grizzly and Black bears, Wolves, Bald Eagles and Ravens.

They also deliver needed upstream marine derived nutrients to local vegetation and benthic organisms critical to emergent salmon success and the ecosystem as a whole.

Swimming downstream and in the ocean they may support as many as 50 different species from River Otters, to King Fishers, Mergansers, gulls, cranes and a host of ocean predators including Orca whales.

All salmon species need additional and critical attention for their survival.

Of utmost importance are the present, high quality riparian conditions of all waters these fish live in, from the mouth of the river and back to the ocean.

There are also numerous culturally important sites, indeed, the inclusion of Tr'ondëk -Klondike as a candidate for UNESCO world heritage status would partially depend on the existence of a management plan for the Yukon River<sup>1</sup>.

Downstream of Dawson, the land to the north of and adjacent to the Yukon River affords some of the most spectacular and accessible viewsapes anywhere in the Yukon.

For these ecological, cultural, social and economic reasons, **a Yukon River Corridor should be established as a Special Management Area (SMA).**

## Protected Areas

YCS agrees with E.O. Wilson<sup>2</sup> that at least half of earth should be set aside for nature. Allowing natural process to proceed over most of the landscape maintains resilience against climate change, preserves an intact suite of species and fosters a sustainable, tourism based economy; at least 50% of the Yukon should be protected. YCS is of the

<sup>1</sup> <https://whc.unesco.org/en/tentativelists/6255/>

<sup>2</sup> <https://www.smithsonianmag.com/science-nature/can-world-really-set-aside-half-planet-wildlife-180952379/?no-ist>





opinion that the precedents set in the North Yukon and Peel Regional Land Use Plans should be followed in the Dawson region, and that **a minimum of half the planning region should be set aside for conservation purposes. Some of the mechanisms to achieve this include** parks, SMAs, Indigenous Protected and Conserved Areas or equivalent instruments. There are also opportunities to advance conservation through land designations that recognize the working landscape. When applied, these designations improve conservation outcomes while recognizing industrial outputs.

There are places where the Ogilvie Mountains tower directly from the banks of the Yukon, sheep, moose and caribou may be seen and major salmon spawning streams flow in from the north. Despite some limited mineral staking and exploration, most of this land is in a relatively natural state. It is the only home in the world to the unique-to-the-Yukon Ogilvie Mountain Lemming; it is the site of some of the best quality Dall sheep lambing habitat in North Central Yukon and is in the range of both the 40 Mile and Porcupine Caribou herds. For these (and many other) reasons, the **area of land north of the Yukon River north of Dawson deserves a high level of protection. Areas adjacent to Tr'ondëk Hwëch'in settlement lands and the established Parks (Tombstone Territorial Park, Fishing Branch and Yukon Charley National Wildlife Area in Alaska) should receive an even higher level of protection.** Other places that would make good candidates include wetlands supporting migrating birds, particularly in the Tintina Trench and in the south west of the planning region near Wellesley lakes. The area west of the Dempster highway in the Klondike watershed adjacent to the protected areas in the Peel watershed are mostly intact and support healthy suites of wildlife and would also make a good candidate conservation area.

## A Conservation Direction

Significant portions of the Planning Region have an anthropogenic footprint, largely, but not entirely, related to mining and associated roads. Several large mines are either under development or in advanced exploration.

The Plan should, while acknowledging and managing development, **maintain the wilderness character of most of the planning region.**

Considering the level of development already undertaken in the region, and to manage future development, YCS believes that a **threshold approach**, similar to that used in the North Yukon plan, to managing impacts should be considered.

Some parts of the industrial landscape are already highly impacted (e.g. lower Klondike, Indian and Sixty Mile Rivers), and should be zoned such that properly



managed non-sustainable activities would be acceptable, with a larger disturbance threshold. Areas with less industrial impact (e.g. White River, South Klondike, Indian River) should be managed more carefully, with a smaller disturbance threshold.

The Forty Mile River, which thus far has a low to moderate level of disturbance, is managed as a Wild and Scenic River in Alaska, at the very minimum; **it should be managed equivalently, perhaps, given its historic significance, as a Canadian Heritage River, in Canada.**

A considerable number of mineral claims have been staked in the planning region. History has shown that staked land leads to land use planning challenges as the staking can influence the planning process. For this reason, the Planning Commission should recommend that **the region be withdrawn from staking** while the Plan is under development. At the very least, once an area is identified as a candidate area for protection, it should be withdrawn from mineral staking and exploration. The absence of a land withdrawal in the Peel region during its planning phase led to significant difficulties regarding compensation for mining claims that were rendered too difficult to develop given the accepted land use plan.

Some of the most important salmon spawning streams in the territory flow into the Yukon in the Dawson Region, they are: Coal Creek, the Fifteen Mile, the Twelve Mile/ Chandindu and the Klondike Rivers. In recent years, high-powered jet boats have been used to facilitate hunting on these rivers. The use of jets over shallow spawning substrate is detrimental to salmon redds and therefore the Dawson Land Use Plan should recommend that **the use of jet boats on these rivers be restricted**. The destruction of fish or fish habitat is of course regulated under the *Fisheries Act*.

Large mining operations will need access to their properties and operations other than by fixed or rotary winged aircraft. The Commission should consider **recommending the use of river barges rather than roads where feasible**. The impacts of roads are far reaching and tend to attract additional users. Rivers, while they can be grievously injured by poorly managed traffic; have better restoration capacity given their dynamic nature, than land-based disturbances. The plan would need to examine potential riverine and riparian impacts from barging, and propose actions to avoid harmful impacts.

## Summary of Recommendations

- Employ a precautionary approach to development decisions
- Undeveloped and intact areas should be afforded a high level of protection
- The Plan should preserve the unique characteristics of Beringia



- The Yukon River Corridor should be specially managed as one unit
- At least half of the planning region should be set aside for purposes of conservation
- The land north of the Yukon River north of Dawson should receive a high level of protection.
- Areas adjacent to Tr'ondëk Hwëch'in settlement lands and established Parks should receive the highest level of protection
- Maintain the wilderness character of much of the Planning Region
- Use a threshold approach to managing the areal and temporal footprint of development
- The 40 Mile river should become a Canadian Heritage River.
- Withdraw the Planning Region from mineral staking while planning is underway
- Restrict the use of jet boats on salmon spawning rivers.
- Where possible, river barges could be used rather than roads to access mines

Thank you for considering this submission,

Sincerely,

Sebastian Jones  
Wildlife analyst



**Subject:** KFF Presentation -additional info

**From:** Lastraw Ranch <megan@lastraw.ca>

**Date:** 2019-12-04, 10:20 p.m.

**To:** "katie@planyukon.ca" <katie@planyukon.ca>, "tim@planyukon.ca" <tim@planyukon.ca>

Thank you for the opportunity to introduce our organization and to present on behalf of the Klondike Farmers Forum, and it is exciting to know that agriculture is being considered in our community's planning.

I would like to follow up in regards to the question, what do you think the biggest risk/ threat to agricultural lands is?

My answer should have been a two part answer and I only covered one part- based on protecting the right to farm on agricultural land and agricultural land not being exclusively reserved for other purposes. I hope you can add the following to my previous response.

1. Arable land being held in mining claims with priority for future mining vs future agriculture. While partnerships for use of non-arable land may be easier to develop for short term use, the partnerships between miners and farmers on arable ground need to be long term for crop development.
2. As I mentioned in the presentation, to protect agricultural land from being developed into rural residential subdivisions where the ability to farm is limited to what is tolerated by neighbors.

As you surely noticed, I was a little out of my element and new to presenting....but considering the biggest risks to agricultural lands, KFF members do support the idea that partnerships, innovative approaches, incentives, collaboration and new perspectives by farmers, miners, neighborhoods and governments are each parts of the solutions needed move our community towards providing for food security in the Klondike.

Also, Jennifer Hall is YAA/Executive Director [admin@yukonag.ca](mailto:admin@yukonag.ca) and she is a good resource for any agriculture resources and follow up, too.

Best regards,

Megan

867-993-2963 cell/text

signature\_1415200303

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— Attachments:

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KFF- DRPC Presentation.pdf

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12.8 KB



Box 1223, Dawson City, Y.T., Y0B 1G0  
[admin@katts.ca](mailto:admin@katts.ca)

Submitted via email  
[dawson@planyukon.ca](mailto:dawson@planyukon.ca)  
and delivered by hand

November 25, 2019

Dawson Regional Land Use Planning Commission  
978 2<sup>nd</sup> Avenue (upstairs)  
Dawson, Yukon

Dear Dawson Planning Commission,

Thank-you for the opportunity to make a submission. The work you do will likely guide the use of land in the Dawson planning region for decades to come. We salute you for taking on this important task and wish you all the best as you carry forward.

Before I offer comments, I'll tell you a bit about our organisation. The Klondike Active Transport and Trails Society (KATTS) is a volunteer, non-profit organization, based in Dawson City, working to provide the Klondike region with a network of recreational trails for non-motorized use. Our mandate is to lead the development and promotion of a network of non-motorized recreational trails in the Klondike region in order to promote healthy, safe and spiritually rewarding outdoor activities and showcase our region's rich cultural and natural heritage.

KATTS' work in the Dawson region includes:

- Development and maintenance of the Ninth Avenue Trail;
- Development and maintenance of the Moose Mountain (Klondike East Bench) ski and walking trails;
- Construction and maintenance of the Klondike East Bench warming shelter;
- In coordination with Dawson Centennial Committee, construction of Discovery Trail in the Goldfields;
- In coordination with Tr'ondëk Hwëch'in and Yukon Parks, construction of hiking trails near the Tombstone Interpretive Centre;
- Construction of hiking trails and pull-outs along the Klondike Highway;
- In coordination with Dawson Humane Society, construction of perimeter trail in Dog Park;

- In coordination with Robert Service School, provision of cross-country ski lessons and events for Dawson Youth; and
- Organisation and sponsorship of many community ski events in and around Dawson

Our most prominent and perhaps most controversial work has been the development of trails and a warming shelter on the Klondike East Bench, east of Moose Mountain within City of Dawson boundaries. These trails are used extensively by Dawson residents. 2900 uses of the trails were counted between January and April of 2018. Unfortunately, the trails are situated on grandfathered mining claims.

In both 2016 and 2018 the owner of the claims submitted project proposals to YESAB seeking permission to mine in and around the trails. On both occasions the people of Dawson responded with an avalanche of submissions vigorously opposing the mining proposal because of the significant cultural and recreational value of the Klondike Bench to the people of Dawson.

The 2016 proposal was rejected. The 2018 proposal was partially approved, with stipulations that the proponent, among other things:

- not conduct exploration or mining activities in the Dome Expansion Area;
- maintain a 2:1 slope on all working mine cuts, at all times;
- maintain a 150 metre buffer from all Settlement Land parcels; and
- maintain a 30 metre buffer from the trails<sup>1</sup>.

The proponent is now suing the Government of Yukon for allegedly violating his rights under the Placer Mining Act.

The point of this story is to illustrate that the Yukon Placer Mining Act is badly out of sync with modern values and the public interest, in addition to being inconsistent with UFA Chapter 11 objectives of minimizing land use conflicts<sup>2</sup> and ensuring that social, cultural, economic and environmental policies are applied to management, protection and use of land, water and resources<sup>3</sup>. To a somewhat lesser degree, the same can be said of the Yukon Quartz Mining Act.

We are hoping that the Dawson Regional Land Use Planning Commission (DRLUPC) will address this problem and help to find a solution.

Our interest in the Dawson regional land use planning discussion is to:

1. safeguard existing trails;
2. maintain, revive and upgrade historic trails; and
3. develop new trails

in order to promote healthy, safe and spiritually rewarding outdoor activities.

Looking forward - subject to support from the Tr'ondëk Hwëch'in and in some cases the ability to involve Settlement Land – trail projects KATTS would like to assist with include:

1. the re-development of the Percy De Wolfe mail trails from Dawson to Eagle, Alaska:

<sup>1</sup> KATTS wanted a 100-metre buffer. The Dawson Designated Office recommended a 50-metre buffer. EMR determined that a 30-metre buffer was sufficient.

<sup>2</sup> UFA 11.1.1.2

<sup>3</sup> UFA 11.1.1.6



2. the development/re-development of a trail along the Yukon Ditch to Tombstone Territorial Park and beyond;
3. the re-development of the trail between Tr'ochëk and the Indian River;
4. the development/re-development of a trail from Swede Creek to California Creek;
5. the maintenance of the Ridge trail from upper Hunker to Callison;
6. the maintenance, improvement and potential extension of the trail from Bonanza Creek to Flat Creek;
7. the protection or what remains of the Klondike Mines Railway and associated development of a trail up Bonanza Creek; and
8. the development of a multi-purpose trail between the communities of Rock Creek, Bear Creek and the Dredge Pond subdivision.

Every other community has these trails. They promote active living, recreation, healthy lifestyles and economic benefits; and generally, contribute to environmental and economic sustainability.

In addition to the trails noted above, we recognize the value of the Heritage Routes listed in Schedule C of Chapter 13 of the Tr'ondëk Hwëch'in Final Agreement. We will not presume to attempt to explain the cultural and heritage significance of these trails but will say that in our view these Routes are absolutely deserving of respect and protection.

Based on our experience with the Klondike East Bench trails - and observations related to the recent controversy over the nomination of the Klondike Region as a World Heritage Site and the present controversy over protecting a reasonable portion of Dawson area wetlands (to name just two examples) - it is our view that the present mining regime in the Dawson region is antithetical to meaningful land use planning, which for us includes meaningful provisions to protect existing trails, revive old trails, and develop new trails.

At present, anyone who wants can stake a mining claim virtually<sup>4</sup> anywhere in the Dawson planning region. Once a claim is staked, the claimholder has priority rights over any other type of land use, regardless of how valuable that land may be for other uses.

Claim holders are allowed to maintain their claims in good standing with minimal investment of work or money and thereby continue to hold onto their mining claims for decades. This can alienate that land for generations, which seriously compromises effective land use planning.

The Dawson Regional Land Use Plan is meant to "ensure that social, cultural, economic and environmental policies are applied to management, protection and use of land, water and resources in an integrated and coordinated manner so as to ensure sustainable development". Put another way, the Dawson Land Use Plan should regulate the use of land in a way that promotes beneficial social, cultural and environmental outcomes as well as efficient use of both renewable and non-renewable resources. The Dawson Plan should promote and safeguard the long-term interests of the people who live here, and our children and grandchildren.

In our view that means that all potential uses of land have to be given fair consideration. Dawson regional land use should not be pre-ordained by antiquated laws and policies.

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<sup>4</sup> Exceptions are TH Category A Settlement Land, Tombstone Park, and within City of Dawson boundaries.