

YUKON TERRITORY WATER BOARD  
REASONS FOR DECISION  
Water Use Application PM01-258, Gene Fowler  
and Mining Land Use Approval AP01258

The Yukon Territory Water Board ("the Board") has made licensing decisions with respect to water use application PM01-258, for a type B licence for a placer mining undertaking.

The purpose of the application was to obtain a water use licence, to obtain/store water, deposit a waste and to obtain an approved placer mining land use operating plan.

Notice of application was provided in accordance with the requirements of the Yukon Waters Act and the Yukon Placer Mining Land Use Regulations. In response, the Board received interventions from the following parties:

Fisheries and Oceans Canada ("DFO"),  
Indian Affairs and Northern Development ("DIAND"), Mining Inspection Division, and  
Indian Affairs and Northern Development ("DIAND"), Mineral Resources Directorate

No party requested a public hearing. The applicant did not respond to the interventions.

Prior to making licensing decisions, the Board undertook an environmental screening of the project pursuant to the Canadian Environmental Assessment Act ("CEAA"). The Board is satisfied that any known adverse effects that may be caused by the project are insignificant or can be mitigated with known technology or reasonable work practices.

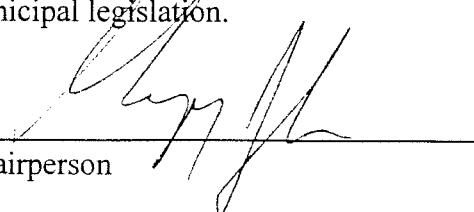
In making licensing decisions pertaining to this application, the Board took into account the application itself, the Environmental Assessment, the recommendations of interveners, the Board's standard licence requirements and Board policies.

The applicant did not propose alternative approaches to the Operating Conditions in the Yukon Placer Mining Land Use Regulations. These Operating Conditions have been incorporated into the Placer Mining Land Use Approval For a Class IV Operating Plan.

The effluent discharge standards and operating standards which are stipulated in the Yukon Placer Authorization ("YPA") and the Fish Habitat Restoration Plan, has been incorporated into the Licence.

In their intervention, DFO identified different areas as Area A and Area B . However, the recommendation provided by DFO for Areas A and B have not been included in the licence, as the applicant is not using water in Area B and the licence does not permit any work in this area. DFO identified Bonanza Creek as Area A and Bonanza Creek will be identified in the licence.

No term of the water use licence limits the application of any Federal, Territorial, First Nation or Municipal legislation.

  
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Chairperson

June 6 2002