

YUKON WATER Board
REASONS FOR DECISION
Water Use Application PM09-651, William Jardine
and Mining Land Use Approval AP09651

The Yukon Water Board (“the Board”) has made licensing decisions with respect to water use application PM09-651 for a type B licence for a placer mining undertaking and mining land use approval AP09651.

The purpose of the application is to obtain a water use licence to obtain a maximum of 4500 cubic metres of water per day and store water and to obtain an approved placer mining land use operating plan.

Notice of the application was provided in accordance with the requirements of the *Waters Act* and the *Placer Mining Land Use Regulation*. The Board received no interventions in response to the public notice.

In making licensing decisions pertaining to this application, the Board also took into account the *Waters Act*, *Waters Regulation*, the application, the *Yukon Environmental and Socio-economic Assessment Act* (“YESAA”) Decision Document, the Board's standard licence requirements, Mining Map/Territorial Resources Base Map 115P/09 and Chapter 14 of the Umbrella Final Agreement (“UFA”) and Board policies.

Environmental Assessment

This application required an environmental assessment under the YESAA.

Prior to making licensing decisions, the Board reviewed the YESAA Decision Document (“Decision Document”) that is included in the water use register. As per section 86 of YESAA, the Board is satisfied that the issuance of licence PM09-651 is not contrary to the terms and conditions included in the Decision Document.

Neither the applicant, nor the YESAA Decision Document proposed any alternative approaches to the operating conditions in the *Placer Mining Land Use Regulation*. These operating conditions have been incorporated into the Placer Land Use Approval for a Class 4 Operating Plan.

Chapter 14 of the UFA


The Board examined the proposed use of water as it relates to Chapter 14 of the Umbrella Final Agreement, as to quantity, quality, or rate of flow of water flowing on, through or adjacent to Settlement Land, including seasonal rate of flow, as follows:

Map 115P/09 is included in the Nacho Nyak Dun First Nation Final Agreement. Nacho Nyak Dun First Nation did not intervene to the Board regarding this project prior to this summary being prepared.

Territorial Resources Base Map 115P/09 and Mining Claims Map 115P/09 were reviewed for Settlement Land. No settlement Land was present downstream of the application. The Board determined this to mean that there will not be a significant alteration to the quantity or rate of flow of water flowing on, through or adjacent to Settlement Land.

Conclusion

The Board has approved the issuance of Water Use Licence PM09-651 and AP09651 for Placer Land Use Approval for a Class 4 Operating Plan.



Chairperson
Yukon Water Board

February 10, 2010
Date