

Kelly.Boutilier

From: Janet.Bell-MacDonald
Sent: Thursday, January 14, 2010 4:21 PM
To: Kelly.Boutilier
Cc: Joe.Ballantyne; Robert.Holmes
Subject: PM09-666, YESAB project 2009-0202

To: Kelly Boutilier, Yukon Water Board Licencing Officer

Re: PM09-666
YESAB project 2009-0202
Michel Vincent - Placer Mine at Moosehorn Creek

A Decision Document was posted to the YESAB On-line Registry and original mailed to the proponent (Michel Vincent) on January 12, 2010. The project scope included in the Decision Document noted a principle activity as: *Use of Water (40191m³/day and if needed 1,00 m³/day for make up water from Moosehorn Creek)*. The correct activity should have been described as *Use of Water (4191m³/day and if needed 100 m³/day for make up water from Moosehorn Creek)*. I have discussed the error with Joe Ballantyne, Chief of Mining Land Use. This is a clerical error. The incorrect amount of daily water usage noted in the project scope is far greater then the actual volume to be used. Therefore, although there was an error in the scope it will not change the determination of the assessor, or the recommendation report and a new assessment will not be required.

I apologize for any inconvenience this may have caused. If you have any questions, or need any further information, please do not hesitate to contact me.

Regards,

Janet Bell-MacDonald
Mining Lands Officer
Dawson Mining District
Phone (867) 993-5343
Fax (867) 993-6747

Think Green... Do you really need to print this email?

**Yukon Environmental & Socio-economic Assessment Act
Decision Document**

APPL. NO. PM09-666

This document meets the Yukon government's requirements as a Decision Body as set out in the *Yukon Environmental & Socio-economic Assessment Act*.

Decision Document Issued By:

YG Decision Body:	EMR Mineral Resources
Federal Decision Body(ies):	[where applicable]
First Nation Decision Body(ies):	[where applicable]

Project:

Project Name:	Placer Mine at Moosehorn Creek	YESAA File Number: 2009-0202
Proponent Name:	Michel Vincent	

Project Scope

The principal project is a placer mining operation on approximately 8 claims on Moosehorn Creek. Moosehorn Creek is a tributary to Henderson Creek; Henderson Creek is a tributary to the Yukon River. Activities are proposed to occur annually from March 1- October 31 for ten years.

Principal Activities Include

- Processing (15-20,00m³/yr)
- Removal of overburden (12,750m³/yr mechanical)
- Use of Water (40191m³/da and if needed 1,00m³/day for make up water from Moosehorn Creek)
- Permanent Diversion of Moosehorn Creek (800m)
- Out of stream reservoirs and settling ponds
- Reclamation of mined area during and upon project completion

Accessory Activities Include

- Construction of new trail (approximately 2km)
- Camp (3 person trailer, frame/log structure camp)
- Storage of Fuel (2270L of diesel, 454l of gasoline, and 200lb of propane)
- Use of new and existing fords (Moose horn Creek)
- Cutting of timber (for mining purposes)

Other Decision Bodies:

Other Decision Body Consultation:	▪ [list decision bodies consulted where applicable]
Consolidated Decision Document:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> No <input type="checkbox"/> Yes ▪ [list decision bodies consolidated with where applicable]



Non-Self Governing First Nations:

Non-Self Governing First Nation Consultation:	▪ [list First Nation consulted where applicable]
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Decision

Pursuant to ss.75, 76 and 80, the Yukon government has considered the YESAA Assessment and:

- a) Accepts the following recommendation(s):
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- b) Rejects the following recommendation(s) as follows for the reason(s) specified:
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- c) Varies the following recommendation(s) as follows for the reason(s) specified:

YG accepts the following:

- 5. The proponent provide a means of escape for wildlife (ie a ramp) at one end of ditches/trenches/test pits to prevent wildlife entrapment.
- 6. Whenever possible, the proponent shall restrict the use of heavy equipment to active mining areas and to designated access routes.
- 7. The proponent shall make best efforts to avoid the disruption of areas in a state of reclamation from previous mining operations.

YG varies the following:

- 1. Any heritage resources located by the applicant while working within Tr'ondëk Hwëch'in Traditional Territory shall be reported to the Tr'ondëk Hwëch'in Heritage Department at 993-7100. Information regarding the location of these resources should include, for example, GPS coordinates and descriptive location, photographs, etc.

Justification:

The project takes place on Commissioner's land and falls within the mandate of Government of Yukon for heritage resources. The First Nations Heritage Departments are the lead department for heritage issues on Category A or Category B settlement land.

Replaced By:

Any heritage resources located by the proponent should be reported to the Chief of Mining Land Use.

YG varies the following:

- 2. If clearing is proposed during the breeding period (May 1 to July 31), pre-clearing surveys should be conducted for nesting birds.
- 3. If any SARA or COSEWIC listed species are found to be present: evidenced by active nests (incl. tree cavities) a 10-meter vegetation buffer zone should be maintained around nests.

Justification:

The proponent by law is required to follow the Migratory Birds Regulation

Replaced with:

The proponent and planners shall exhibit due diligence with regard to their responsibility under the Migratory Birds Regulation, specifically Section 6, which contains general prohibitions against the disturbance and destruction of nests.

YG varies the following by removing:

4. The proponent shall contact Tr'ondëk Hwëch'in Fish and Wildlife Department [(867) 993-7100] if sightings of any animals not normally found within Tr'ondëk Hwëch'in Traditional Territory.

Justification:

This is not a mitigation; it is management of a resource that is not the responsibility of the proponent.

YG varies the following:

8. The trapping concession owner is to be contacted as soon as practicable, prior to the actual commencement of activities to identify trapping infrastructure that could be impacted by the project during the non-trapping months.
9. The proponent shall ensure that project activities, including the use of roads, do not unnecessarily disturb other users from using the area.

Justification:

All resource users in any particular area should be communicating on their activities to reduce land use conflicts. General clause provides balance and expectation for all parties.

Replaced with:

The proponent and other permitted resources users (trappers, big game outfitters and wilderness tourism outfitters, quartz miners, other placer miners and subsistence harvesters) shall communicate plans and timing of activities to each other to reduce land use conflicts and any potential negative impacts on each other's interests.



Dates

Project Recommendation Issued: December 21, 2009	Decision Document Issued: January 12, 2010
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Recommendation Received From:

Designated Office	<input type="checkbox"/>	Location: Dawson City
Executive Committee	<input type="checkbox"/>	
Panel	<input type="checkbox"/>	a) Panel of the YESAB
	<input type="checkbox"/>	b) CEAA Panel
	<input type="checkbox"/>	c) Joint Panel (YESAB and other assessment body)

Authorization

By signing below, the Yukon government has exercised its authority as per YESAA s. 75 or s. 76 to issue a decision document on this project.

Name: Robert Holmes Position: Director, Mineral Resources
 Signature: Date: January 12, 2010

Copies Forwarded to (as required by YESAA):

- Other Decision Bodies [list] _____
- Project Proponent [name] Michel Vincent
- DAP Branch, Executive Council Office _____
- YESAB Designated Office [location] Dawson City
- YESAB Executive Committee [when applicable] _____
- Minister Environment (Canada) [when applicable] _____
- Yukon Surface Rights Board [when applicable] _____
- Yukon Water Board [when applicable] _____
- Land Use Planning Commission: [when applicable] _____
- Independent Regulatory Agency [when applicable] _____
- Other Body/Person as Required [List] _____