



Yukon Environmental & Socio-economic Assessment Act Decision Document

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 – Upper Dominion Creek & RL Fork	YESA File Number: 2009-0225
Proponent Name:	Paul Phillips	

Project Scope

The proposed project is a small placer operation on approximately 10 placer grants on Dominion Creek and Right Limit Fork. The proposed project occurs at the headwaters of Dominion Creek approximately 35 kilometers from Dawson City. Access to the proposed project is by the existing Dominion Creek Road. The proposed project is to occur seasonally from May 1 – October 31 for ten years.

Principal Activities

- Processing (approx. 5000m³ – 10,000m³/day)
- Water Use (approx. 3,273m³/day from Upper Dominion Creek and 1000m³/day of makeup water and 2,160m³ a day from Right Limit Fork and 500m³/day of make up water)
- Removal of Overburden (approx. 5000m³-15,000m³/yr)
- Diversion (permanent total relocation approx 1,968m in total length)
- Reservoirs (In Stream)
- Settling Facilities (In and out of stream)

Accessory Activities

- Camp (4 person)
- Trails (new trails developed on clams)
- Drilling
- Fuel Storage (4,540 of diesel and 408L of gasoline)
- Use of new and existing fords



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:	
<input type="checkbox"/>	a) Accepts the following recommendation(s): ▪
<input type="checkbox"/>	b) Rejects the following recommendation(s) as follows for the reason(s) specified: ▪
<input checked="" type="checkbox"/>	c) Varies the following recommendation(s) as follows for the reason(s) specified:

YG accepts the following:

- Whenever possible, the proponent shall restrict the use of heavy equipment to active mining areas and to designated access routes.
- The proponent shall make best efforts to avoid the disruption of areas in a state of reclamation from previous mining operations.
- The proponent shall keep all garbage, including kitchen waste, in a container that prevents access by bears and other wildlife, until properly disposed of in accordance with the Solid Waste Regulations.
- When burning kitchen waste, the proponent shall burn waste regularly to reduce odors that might attract wildlife and be burned to ash by forced air or fuel fired incineration.

YG varies the following:

- Proponent shall enter into an open dialogue with immediate downstream water users to identify suitable times for water acquisition that will not lead to a significant adverse effect.
- 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.

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 resource users (trappers, big game outfitters and wilderness tourism outfitters, quartz / 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.

YG varies the following:

- If new clearing is proposed during the breeding period (May 1- July 31), pre-clearing surveys should be conducted for nesting birds. 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 Species at Risk Act and the Migratory Bird Regulations. No analysis has been provided showing that a 10m buffer zone will mitigate any significant and adverse effects on active nests.

Replaced with:

The proponent and planners shall exhibit due diligence with regard to their responsibility under the Species at Risk Act, specifically Sections 33, 36 and 73, and the Migratory Bird Regulations, specifically section 6, which contain general prohibitions against the disturbance and destruction of habitat and residences of birds and other wildlife.

YG varies the following:

- 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 lands.

Replaced with:

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



Dates

Project Recommendation Issued: January 19, 2010	Decision Document Issued: February 5, 2010
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Recommendation Received From:

Designated Office	<input checked="" 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: February 5, 2010

Copies Forwarded to (as required by YESAA):

- Other Decision Bodies [list] _____
- Project Proponent [name] Paul Phillips
- 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] _____