



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:	Amendment to PM05-462, Marten Creek	YESA File Number: 2010-0028
Proponent Name:	Leslie Chapman	

Project Scope

The principal activity is a Class 4 placer mining operation. The proposed project is an amendment to include an additional 10 claims to an existing operation. The proposed project is located along Marten Creek, a tributary of the Forty Mile River, and approximately 85 km north of Dawson City. The activities are proposed to occur between March and November annually until 2015.

Principal Activities

- Use of heavy machinery
- In-stream float-style dredge on 10 claims
- Construction and use of in-stream reservoir
- Construction and use of in-stream settling facility
- Level tailings as mining progresses upstream
- Exploration activities (test pits by both hand and excavator)
- Material processing (approx. 50,000 m³/year)
- Water use, including recycling (approx. 750 m³/day)
- Overburden removal (approx. 10,000 m³/year)

Accessory Activities

- Access and equipment mobilization to be constructed on tailings
- Use of permanent residence as camp
- Reclamation and decommissioning



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:

1. The proponent shall take all reasonable care to ensure no excess sedimentation will enter Marten Creek through stripping and reclamation activities.
2. The proponent shall make all efforts to ensure contaminants do not enter Marten Creek through regular inspections to ensure little or no presence of deleterious substances in or around the submersible pump.
3. When possible, the proponent shall limit the times applying grease to the excavator during in-stream works.
4. Where possible, the proponent shall avoid disturbing sections of Marten Creek where a 2 horizontal to 1 vertical slope for overburden piles cannot be achieved.
5. Wherever possible, the proponent shall restrict the use of heavy equipment to active mining areas and to designated access routes.



YG varies the following:

8. 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.

Justification:

The project takes place on Commissioner's Land, and management of heritage resources is under the mandate of Government of Yukon. Reporting requirements to First Nations under the UFA 13.4.8 and 13.7.1 will be strictly observed. YG Heritage is aware of the differences in heritage resource definitions by individual First Nation Final Agreements, the UFA, and YG heritage legislation. On Category A or Category B settlement lands, heritage management is under the mandate of the First Nations; as per the provisions of the Historic Resources Act 71(2), reporting of heritage resources shall be made to the First Nation and Yukon Government.

Replaced with:

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

YG varies the following by removing:

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

Justification:

The Migratory Birds Convention Act (1994) and associated Regulations Respecting the Protection of Migratory Birds already prohibit the unauthorized destruction of migratory bird nests. Given this legislation requires complete protection, further requirements on the proponent are unnecessary.



Dates

Project Recommendation Issued: April 1, 2010	Decision Document Issued: April 16, 2010
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Recommendation Received From:

		Location:
Designated Office	<input checked="" type="checkbox"/>	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: April 16, 2010

Copies Forwarded to (as required by YESAA):

- Other Decision Bodies [list] _____
- Project Proponent [name] Leslie Chapman
- 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] _____