



## 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:

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

### Project:

<b>Project Name:</b>	Placer Mining Operation on Lower Kirkman Creek	<b>YESAA File Number: 2010-0006</b>
<b>Proponent Name:</b>	Merrit Sager	

### Project Scope

The principal activity is Class 4 mining operations on 12 placer claims on lower Kirkman Creek, a tributary of Yukon River. Operations are proposed to run from May to November for ten years.

#### Principal Activities

- Use of heavy machinery
- Obtaining water (6138m<sup>3</sup>/day)
- Material processing (70, 000m<sup>3</sup>/year)
- Stripping (160,000m<sup>3</sup>/year)
- Establishing out-of-stream reservoir and settling ponds
- 2 permanent stream relocations: 1650m & 180m
- Exploration drilling
- Decommissioning/reclamation work

#### Accessory Activities

- Establishment of a 4 person camp
- Utilization of pit privy & grey water pit
- Burning/burying of kitchen wastes; removal/recycling of industrial wastes
- Use & storage of fuel: 1435 l gasoline; 155,002 l diesel

### Other Decision Bodies:

<b>Other Decision Body Consultation:</b>	▪ [list decision bodies consulted where applicable]
<b>Consolidated Decision Document:</b>	<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:**

<b>Non-Self Governing First Nation Consultation:</b>	▪ [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):
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<input type="checkbox"/>	b) Rejects the following recommendation(s) as follows for the reason(s) specified:
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<input checked="" type="checkbox"/>	c) Varies the following recommendation(s) as follows for the reason(s) specified:
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**YG accepts the following:**

1. Wherever possible, the proponent shall restrict the use of heavy equipment to active mining areas and to designated access routes.
2. 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 Regulation.
3. When burning kitchen waste on site it must be burned regularly to reduce odours that might attract wildlife and be burned to ash by forced air or fuel fired incineration.

**YG varies the following:**

6. 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:**

7. 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. 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 as per the Mining Land Use Regulation.

**YG varies the following by removing:**

4. If new clearing is proposed during the breeding period (May 1-July 31), pre-clearing surveys should be conducted for nesting birds.
5. 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**

<b>Project Recommendation Issued:</b> March 18, 2010	<b>Decision Document Issued:</b> March 31, 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: March 31, 2010

**Copies Forwarded to (as required by YESAA):**

- Other Decision Bodies [list] \_\_\_\_\_
- Project Proponent [name] Merrit Sager
- 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] \_\_\_\_\_