



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 on Frisco Creek	YESA File Number: 2010-0056
Proponent Name:	Eric Stretch	

Project Scope

The principal activity of the proposed project is a placer mining operation on approximately 67 claims on Frisco Creek. Frisco Creek is a tributary to the Yukon River's confluence with White River. Activities are proposed to occur between April and October annually for 10 years.

Principal activities include:

- Use of heavy machinery
- Mechanical stripping of overburden (up to 70,000m³/yr)
- Stockpiling of overburden
- Processing of up to 20,000m³/yr of material
- Water use of approximately 4,092 m³/yr
- Reclamation of mined area during and upon project completion
- Reclamation of access routes

Accessory activities include:

- Use of barge on Yukon River for transport of materials between Dawson City & the mine site
- Creation of new roads (up to 5.5 km in length) and trails
- Use of existing watercourse crossings
- Creation of new fords on Frisco Creek and unnamed tributaries
- Temporary or seasonal diversion of Frisco Creek in 350-500 m sections
- Out-of-stream reservoirs and settling ponds
- Creation of test pits and trenches
- Cutting, stockpiling, and burning timber
- Waste management
- Use of existing 4 person camp
- Use of pit privies/grey water sump use and storage of fuel: 4,500L diesel, 1,020L gas, 2,976L propane

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:

Government of Yukon accepts the following unchanged:

1. Progressive reclamation shall take place on an on-going basis throughout the life of the license.
4. The proponent shall make best efforts to use local native seeds for re-vegetation efforts and shall ensure that the seed mix is clean and free of invasive species.
Note: Seeding is not recommended; expect natural re-vegetation to mitigate
9. The proponent shall refer to the "Guidelines for Industrial Activity in Bear Country" booklet for best practices to reduce impacts on bears.
10. The proponent shall keep all attractants, including food waste, in a container (e.g. bear proof container) that prevents access by bears and other wildlife, until properly disposed of in accordance with the Solid Waste Regulation.
11. When burning garbage (other than clean wood and clean paper), the proponent shall burn waste regularly to reduce odors that might attract wildlife and be burned ash by forced air or fuel fire incineration.
14. The proponent shall decommission the access route upon project completion.
18. The proponent shall provide drinking water that meets the *Guidelines for Canadian Drinking Water Quality*.

Government of Yukon varies the following:

8. The proponent shall make every effort to dogleg the proposed road extension.

Replaced with:

The proponent shall make every reasonable effort to offset the proposed road extension to eliminate sightlines over long distances.

Justification:

Reworded for clarification.

17. Prior to commencement of the project, the proponent shall contact the holder of trapping concession 62 to identify areas where the trapper is active and/or areas that are critical to the maintenance of healthy furbearing population.

Replaced with:

The proponent shall make reasonable effort to identify and avoid areas where the trapper is active and/or areas that are critical to the maintenance of healthy furbearing population.

Justification:

Contacting the proponent is not mitigation.

2. Prior to commencing land clearing activities the proponent shall contact Environment Yukon to obtain a list of rare plant species present in the Yukon and shall conduct a pre-clearing survey for these species.

AND

3. Upon the discovery of rare plant species the proponent shall talk to officials about how to preserve species

Replaced with:

The proponent shall make best efforts to avoid *Saxifraga spicata* in order to preserve the species.

Justification for 11 & 12:

This is the recommended mitigation by Environment Yukon.

Government of Yukon varies the following by removing:

5. If new clearing is proposed during the breeding period (April 15 - July31), pre-clearing surveys shall be conducted for nesting birds.

AND

6. If any SARA or COSEWIC listed species are found to be present, evidenced by active nests (including tree cavities), a 10 meter buffer zone shall be maintained around nests.

Justification:

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

15. While undertaking the project, if the proponent discovers any ethnographic moveable heritage resources which are directly related to the culture and history of First Nations people, the proponent shall notify the Heritage Department of the Tr'ondek Hwech'in First Nation , in addition to notifying the Yukon Government Heritage Branch.

AND

16. If the proponent is unable to readily determine whether a moveable heritage resource found within the project area is a ethnographic object directly related to the culture and history of First Nations people, the proponent shall notify the Heritage Department of the Tr'ondek Hwech'in First Nation , in addition to notifying the Yukon Government Heritage Branch.

Justification for 15 & 16:

The project takes place exclusively on Commissioner's Land, and therefore the 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.

12. An electric fence shall be constructed around the perimeter of the camp to prevent entry of bears into the camp area.

Justification:

The proponents proposed mitigation of:

- burning of non-toxic combustibles;
- regular backhauling of non-combustible garbage to an approved facility; and
- terms 9, 10 and 11 of the recommendation (accepted, above)

are considered adequate waste management, and sufficient in terms of mitigating concerns about habituating bears through camp activities.

Note: If problem bears are identified in the area, an electric perimeter fence could be considered as part of a comprehensive wildlife and worker safety plan, in consultation with the local Conservation Officer.

13. The proponent shall install gates or other appropriate measures to control and minimize access that is not project related onto the Frisco Creek Road extensions.

Justification:

Most of the access is already in place and is by definition a commissioner's road that can be used by the public. The proponent operator in this place holds only subsurface rights and cannot exercise control over surface lands such as by gating existing access.

7. The proponent shall not destroy or damage animal dens, lodges or burrows, located during the project. A Yukon Government inspector shall determine setbacks from these wildlife features should they be identified.

Justification:

This activity is legislated by the Wildlife Act Section. Specifically:

91(1) No person shall damage or interfere with a beaver dam, lair or nest of any wildlife.

91(4) A person does not violate this section if that person damages or interferes with a den, lair or nest in the course of clearing or working land for building or road construction, for agricultural use, or for any similar purpose.

The assessor had not provided evidence that there is a significant adverse environmental effect that requires mitigation.



Dates

Project Recommendation Issued: May 12, 2010	Decision Document Issued: June 9, 2010
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Recommendation Received From:

Designated Office	<input checked="" type="checkbox"/>	Location: Dawson Creek
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: June 9, 2010

Copies Forwarded to (as required by YESAA):

- Other Decision Bodies [list] _____
- Project Proponent [name] Eric Stretch
- 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] _____