

YUKON WATER BOARD  
REASONS FOR DECISION  
Water Use Application PM06-520, amendment to PM05-487  
Ivan Zgela

The Yukon Water Board (the board) has made licensing decisions with respect to water use application PM06-520 for a type B licence for a placer mining undertaking.

The purpose of the application is for an amendment to PM05-487 to allow for diversions. There were no other changes to the mining plan or to the approved placer mining land use operating plan AP05487.

Notice of the application was provided in accordance with the requirements of the *Waters Act*. In response, the board received an intervention from Fisheries and Oceans Canada (DFO).

This amendment required an environmental assessment under the *Yukon Environmental and Socio-economic Assessment Act* (YESAA).

Prior to making licensing decisions, the board reviewed the YESAA Decision Document (Decision Document) that is included in the water use register. The board is satisfied that the licence and approval are not contrary to the Decision Document, as per section 86 of YESAA.

In making licensing decisions pertaining to this application, the board took into account the *Waters Act*, *Waters Regulation*, the application, the Decision Document, recommendations from the intervener, the board's standard licence requirements, Territorial Resources Base Map 1150/15, Chapter 14 of the Umbrella Final Agreement (UFA) and board policies.

**DFO**

The effluent standard recommended by DFO is the same standard as referenced in the Yukon Placer Authorization (YPA) and was included in the current licence.

DFO provided standard recommendations for fuel, lubricants, cleansers, solvents and similar chemicals or substances to be transported, stored and disposed of in such a way as to ensure that they are not deposited in, or allowed to be deposited in, waters. The typical condition was included in the current licence.

DFO has provided standard recommendations that all diversions, ditches, drains, dams, or any structure built or otherwise effected is able to withstand seasonal floods. The typical condition that requires all diversions, ditches, drains, dams or any structure built or otherwise effected to withstand seasonal floods has been included in the current licence.

DFO has provided standard recommendations to ensure that spring freshet is not routed through work areas. The typical conditions not to allow spring freshet to be routed through work areas has been included in the current licence.

DFO has provided recommendations for the use of fish screens on all water intakes when withdrawing water. The board has included criteria in the current licence. DFO provided specific recommendations for diversion channels. The board has included DFO's recommendations in amendment number one to the current licence.

### **Chapter 14 of the UFA**

The board examined the proposed use of water as it relates to Chapter 14 of the UFA for licence PM05-487 dated July 10, 2006, as to quantity, quality, or rate of flow of water flowing on, through or adjacent to Settlement Land, including seasonal rate of flow and determined, at that time that there would be no substantial alteration to quantity, quality or rate of flow of water flowing on, through or adjacent to Settlement Land, including seasonal rate of flow.

By amending licence PM05-487 to include a diversion, the board determined that this activity would not substantially alter quantity, quality or rate of flow of water flowing on, through or adjacent to Settlement Land, including seasonal rate of flow.

Original signed by Chair

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Chairperson  
Yukon Water Board

Date May 4<sup>th</sup>, 2007