

YUKON WATER BOARD  
REASONS FOR DECISION  
Water Use Application PM07-594, Last Chance Placers Ltd.  
and Mining Land Use Approval AP07594

The Yukon Water Board (“the Board”) has made licensing decisions with respect to water use application PM07-594 for a type B licence for a placer mining undertaking and mining land use approval AP07594.

The purpose of the application is to obtain a water use licence to obtain and store water, deposit a waste and to obtain an approved placer mining land use operating plan.

Notice of the application was provided in accordance with the requirements of the *Waters Act* and the *Placer Mining Land Use Regulation*. In response, the Board received interventions from the following parties:

Fisheries and Oceans Canada (“DFO”);  
Government of Yukon, Energy, Mines and Resources, Client Services and Inspections Branch (“GY”); and  
Government of Yukon, Energy, Mines and Resources, Mineral Resources (“GY”).

No party requested a public hearing. The applicant did not respond to the interventions.

This application 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 that is included in the water use register. The Board is satisfied that the licence and approval are not contrary to the YESAA Decision Document, as per section 86 of YESAA.

Neither the applicant or the YESAA Decision Document proposed any alternative approaches to the operating conditions in the *Placer Mining Land Use Regulation*. These operating conditions have been incorporated into the Placer Land Use Approval For a Class 4 Operating Plan.

In making licensing decisions pertaining to this application, the Board took into account the *Waters Act*, *Waters Regulation*, the application, the YESAA Decision Document, recommendations from the interveners, the Board's standard licence requirements, Territorial Resources Base Map 1150/10 and 1150/11, Chapter 14 of the Umbrella Final Agreement (“UFA”) and Board policies.

### **DFO**

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 to transport, store and dispose of fuels, lubricants, cleansers, solvents and similar chemicals or substances in such a way as to ensure that they are not deposited in, or allowed to be deposited in waters, has been included in the licence.

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

DFO has provided recommendations for the use of the stream as a conduit and to allow for instream settling. The Board included a clause in the licence to allow for the use of Stowe Creek to be use as an effluent conduit to a settling pond in the Montana Creek valley.

The Board did not include a condition in the licence to allow for instream settling facilities, as all settling facilities are to be constructed out of the channel, including diversions. The Board did allow total flow from Stowe Creek to be directed through the settling facilities in Montana Creek valley.

**GY**

GY recommended that the effluent standards should be met according to the Indian River Watershed authorization, pursuant to the new Fish Habitat Management Regime for Yukon Placer Mining. They also recommended that the point of compliance should be measured at a point in the effluent immediately before it enters the natural stream flow. However, the applicant does not propose to discharge effluent of any watercourse. The licence only authorizes those undertakings described in the application, therefore, the licence does not permit a direct surface discharge to any watercourse.

**Chapter 14 of the UFA**


The Board examined the proposed use of water as it relates to Chapter 14 of the UFA, 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 that as there is no settlement land within this water shed, therefore there will be no substantial alteration to the water quantity, quality, or rate of flow of water flowing on, through or adjacent to Settlement Land, including seasonal rate of flow.

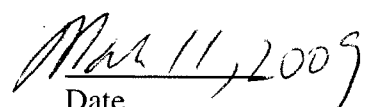
**YESAA Decision Document:**

The Board reviewed the YESAA Decision Document for conditions that would be applicable to water related activities and noted that a licence cannot be issued that is contrary to a YESAA Decision Document.

**Conclusion:**

The Board has approved the issuance of Water Use Licence PM07-594 and the Placer Mining Land Use Approval AP07594.

  
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Chairperson  
Yukon Water Board

  
Date