

**YUKON WATER BOARD
REASONS FOR DECISION**

Water Use Application PM08-608, W. John H. Scott Jr.
and Mining Land Use Approval AP08608

The Yukon Water Board (“the Board”) has made licensing decisions with respect to water use application PM08-608 for a type B licence for a placer mining undertaking and mining land use approval AP.

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:

- Government of Yukon, Energy, Mines and Resources –Mineral Resources; and
- Government of Yukon, Energy, Mines and Resources –Client Services and Inspections.

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

In making licensing decisions pertaining to this application, the Board also took into account the *Waters Act*, *Waters Regulation*, the application, *Yukon Environmental and Socio-economic Assessment Act* (YESAA) Decision Document, recommendations from the interveners, the Board's standard licence requirements, Mining Map 115 P/14, Chapter 14 of the Umbrella Final Agreement (“UFA”) and Board policies.

Neither the applicant nor 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.

Government of Yukon –Client Services and Inspections

The Client Services and Inspections Branch recommended that the effluent standards should be met pursuant to the new Fish Habitat Management Regime for Yukon Placer Mining, operating under a Freshwater Fisheries Production Zone Habitat suitability classification. The Board incorporated the appropriate effluent quality standards according to the Stewart River Watershed Authorization into the licence.

Chapter 14 of the UFA

The Board examined the proposed use of water as it relates to Chapter 14 of the Umbrella Final Agreement, as to quantity, quality, or rate of flow of water flowing on, through or adjacent to Settlement Land, including seasonal rate of flow.

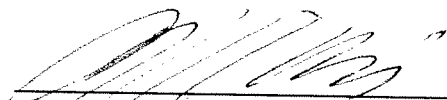
The Board examined mining map 115P/14, as referenced in the Tr'ondëk Hwëch' in Final Agreement. Settlement Land Parcel TH R-2A is located approximately 400m up gradient of the proposed operation. The Licensee is proposing to use 1440 m³/day, which represents approximately 4% of the total flow of Squaw Creek during mining season. The Board determined that there will be no substantial alteration to the quantity, quality, or rate of flow of water flowing on, through or adjacent to Settlement Land, including seasonal rate of flow.

YESAA Decision Document

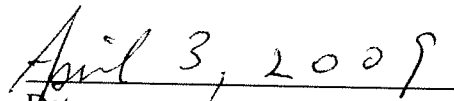
Prior to making licensing decisions, the Board reviewed the YESAA Decision Document in the water use register. The Board is satisfied that the licence and approval are not contrary to the YESAA Decision Document, as per section 86 of YESAA.

Conclusion

The Board has approved the issuance of Water Use Licence PM08-608 and AP08608 for Placer Land Use Approval for a Class 4 Operating Plan.



Chairperson
Yukon Water Board



Date