


NORTH YUKON REGIONAL LAND USE PLAN CONFORMITY CHECK	
YESAB Project #	2023-0099
Project Title:	Operation of Chance Main Camp
Date:	November 10 th , 2023
Submitted to:	YESAB Dawson Designated Office Bag 6050, Dawson City, Y0B 1G0
Completed by:	<div style="display: flex; justify-content: space-between;"> <div> <p>Sam Skinner Yukon Land Use Planning Council 302-309 Strickland St Whitehorse, Yukon Y1A 2J9 1-867-667-7397 sam@planyukon.ca</p> </div> <div style="text-align: center;">  </div> </div>
More information on NYLUP conformity checks:	https://planyukon.ca/north-yukon-consistency-opinions/
Project conforms to Regional Land Use Plan: (select one) Yes	

Background Information and Conformity Check Analysis

Affected Landscape Management Unit (LMU)(s): (insert rows as needed for additional LMUs) Map 1 and Section 6							
LM Unit #	9	LMU Name:	Eagle Plains				
Zoning:	IMA – Zone IV	Land Owner:	YG				
Landscape Disturbance Indicators: Table 3.2, sections 3.3.1.1, 5.1.1							
Surface Disturbance (ha):							
LMU	Cautionary Level	Critical Level	*Current est. Level	Project Estimate	Total Estimate	Notification Rqr'd**	Parties Notified
9	4811	6415	3153	0	3153	No	No
Linear Disturbance (km):							
LMU	Cautionary Level	Critical Level	*Current est. Level	Project Estimate	Total Estimate	Notification Rqr'd**	Parties Notified
9	4811	6415	5308	0	5308	No	No
<p>*current cumulative effects levels based disturbance data produced by Yukon Government based on 2020 1.5m imagery. It does not consider recovery of legacy disturbances. YLUPC analyzed these data and published the disturbance amounts per LMU in their interactive mapping application.</p> <p>** the YLUPC shall notify the Parties prior to submitting the conformity check to YESAB if they are concerned cautionary or critical levels may be reached</p>							

Designations:

(Section 3, Plan Concepts) – these are typically high-level directions applied to all LMUs of the same designation. Ones especially relevant for this opinion are **bolded**.

LMU	Designation	Description
9	Integrated Management Area – Zone IV	<ul style="list-style-type: none"> • The working landscape—areas where oil and gas, mining, and other land uses are allowed, subject to the Plan recommendations and regulatory processes. • Lower ecological and heritage/cultural values within a moderately sensitive biophysical setting. Higher levels of land use are consistent with Zone IV objectives.

Special Management Considerations: (Section 6, LMUs)

LMU	Special Management Consideration
9	<ul style="list-style-type: none"> • Potential new all-season access roads into LMU #9 from Dempster Highway corridor require careful assessment and management. • Tetlit Gwich'in Secondary Use Area, Na-cho Nyak Dun Traditional Territory (east of Dempster Highway), and Tr'ondëk Hwëch'in Traditional Territory (south of 66°N latitude). Tr'ondëk Hwëch'in First Nation R-block (TH R-49A) adjacent to southwestern boundary of unit. • Northern portion of unit is adjacent to LMU#8, Whitefish Wetlands. • 25% of this LMU was affected by wildfire in summers of 2004 and 2005

Affected Values and General Management Directions (GMD): (Section 5)

Only GMDs that are relevant to the project and/or values identified in the LMUs are included here.

	Corresponding Recommendation:
Wildlife	<p>2.1.1 Reduce size, intensity and duration of human-caused physical surface disturbances (e.g., utilize low impact seismic, winter roads and enhanced reclamation).</p> <p>2.1.2 Reduce other human land use impacts such as noise, smell and light.</p> <p>2.3. Minimize potential habitat avoidance that results from human features and activities.</p> <p>2.3.1 Avoid or reduce activities in significant wildlife habitats during important biological periods (e.g., utilize timing windows).</p>
Fish	<p>3.3.1 Avoid direct disturbance to sensitive over-wintering habitats.</p> <p>3.3.3 Avoid or reduce activities in fish habitat during important biological periods or seasons (e.g., utilize timing windows).</p> <p>3.3.4 Avoid or reduce winter in-stream water withdrawals in sensitive over-wintering fish habitat.</p>

Heritage and Culture	<p>5.1.2 Minimize land use conflicts by avoiding or reducing the level of land use activities in important subsistence harvesting and current community use areas.</p> <p>5.1.3 Avoid or reduce activities in significant heritage and current community use areas during important seasonal use periods (e.g., utilize timing windows).</p>
Economic Development:	6.3.3 Manage location, scale and intensity of land use.

Plan Recommended Best Management Practices: (Section 5 following each value)	
Wildlife	<ul style="list-style-type: none"> • Avoid or minimize the size, extent, duration and level of activities in concentrated seasonal use areas. • Use appropriate operational timing-windows in significant wildlife habitats to minimize activities, whenever possible, during periods of wildlife use.
Porcupine Caribou	<ul style="list-style-type: none"> • Avoid using or crossing seasonal migration corridors with new access routes. • Define and implement safe operating distances from the herd. • Consider the following seasons when determining appropriate operational timing-windows (seasons when Porcupine caribou occupy the region) <p> Winter: December 1 to March 31 Spring migration: April 1 to May 31 Early summer: July 1 to July 15 Mid to late summer: July 16 to August 7 Fall migration: August 8 to October 7 Rut: October 8 to November 30 </p>

Wetlands, Lakes and Rivers	<ul style="list-style-type: none"> • Surface disturbance and land use activities within and adjacent to Major River and other riparian corridors should not result in diminished water quality, quantity or flow.
Heritage, Social, Cultural Resources:	<ul style="list-style-type: none"> • In identified current community use areas exploration and construction activities should be minimized or mitigated during subsistence harvesting periods. • Work camps associated with resource exploration and development activity should be sited near areas of resource production, away from identified heritage routes, historic sites, current community use areas, and the Old Crow Community Area.
Transportation and Access	<ul style="list-style-type: none"> • Avoid important trapping, harvesting, and current use areas. • Whenever possible, land use activities should be coordinated to utilize the same access route(s).

Plan Recommendations: (Section 5 following each value)

Fish Habitat

Water withdrawals in sensitive fish over-wintering areas should be prohibited (see Map 2, Appendix 1 for known locations) [Note: this map indicates “potential” overwintering habitat on the Eagle River. A footnote in the plan concedes that some major rivers may be relatively resilient to water withdrawals]

Additional Analysis or Comments:

This project proposes little or no new surface disturbance in the North Yukon Region.

The Plan directs proponents to “Avoid or reduce winter in-stream water withdrawals in sensitive over-wintering fish habitat.” Water withdrawals are proposed from the Eagle River, which was marked in the Plan as having overwintering potential. However, the Plan concedes that some major rivers (like presumably the Eagle) may be “relatively resilient to water withdrawals, due to their size and rate of flow.” The plan notes that “The sensitivity of over-wintering fish habitats requires additional assessment.” No assessment of water withdrawal was discussed in the proposal. Presumably DFO requirements will address this concern.

With little lasting new disturbance to habitat, one of this project’s primary effects is direct impacts to wildlife. In the late fall, caribou frequently move through the Eagle Plains towards their wintering areas (Russell & Gunn, 2017). At this time, the Porcupine Caribou Herd is often concentrated and may be more sensitive to human activities. It is during this period that the herd fans out onto their winter range. This is also a time when minimizing disruption of migration pathways is critical. Human activities can influence movements by the herd and deflect it to other less productive areas.

Most of this project is to occur in a timing window that minimizes this impact. However, early season work may most likely to disturb caribou. A delay work until after November would help mitigate this concern. However, it is possible that caribou are be present in the area after November. The location and timing of work (e.g. water source or well) should be adjusted in response to caribou presence and movements.