


<b>NORTH YUKON REGIONAL LAND USE PLAN CONSISTENCY OPINION</b>	
<b>YESAB Project #</b>	2025-0150
<b>Project Title:</b>	Geotechnical Drilling within Yukon Highway Right-of-Ways and Bridgehead Reserves
<b>Date:</b>	April 27 <sup>th</sup> , 2026
<b>Submitted to:</b>	YESAB Dawson Designated Office Bag 6050, Dawson City, Y0B 1G0 (via YOR)
<b>Completed by:</b>	<div style="display: flex; justify-content: space-between;"> <div style="width: 70%;">           Sam Skinner            Yukon Land Use Planning Council            302-309 Strickland St            Whitehorse, Yukon            Y1A 2J9            1-867-667-7397            sam@planyukon.ca         </div> <div style="width: 25%; text-align: center;">  </div> </div>
<b>More information on NYLUP consistency opinions:</b>	<a href="https://planyukon.ca/north-yukon-consistency-opinions/">https://planyukon.ca/north-yukon-consistency-opinions/</a>
<b>Project conforms to Regional Land Use Plan: Yes, subject to mitigations</b>	

## Background Information and Conformity Check Analysis

<b>Affected Landscape Management Unit (LMU)(s):</b> (insert rows as needed for additional LMUs) Map 1 and Section 6			
<b>LM Unit #</b>	9	<b>LMU Name:</b>	Eagle Plains
<b>Zoning:</b>	Integrated Management Area IV	<b>Land Owner:</b>	Yukon public land and VGFN Settlement land (VG R-02A, R-06A, R-08A, R-12A, S-07A).
<b>LM Unit #</b>	10A	<b>LMU Name:</b>	South Richardson Mountains
<b>Zoning:</b>	Integrated Management Area II	<b>Land Owner:</b>	Yukon public land
<b>LM Unit #</b>	10B	<b>LMU Name:</b>	Rock River - Mount Joyal
<b>Zoning:</b>	Integrated Management Area II	<b>Land Owner:</b>	Yukon public land and VGFN Settlement land (S-08A/D, S-09A/D, S-10A and S-45A).

<b>Landscape Disturbance Indicators:</b> 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	4679	6239	3149	0	3149	No	No
10A	107	143	0	0	0	No	No
10B	339	453	217	0	217	No	No
Linear Disturbance (km):							
LMU	Cautionary Level	Critical Level	*Current est. Level	Project Estimate	Total Estimate	Notification Rqr'd**	Parties Notified
9	4679	6239	5408	0	5408	No	No
10A	107	143	0	0	0	No	No
10B	339	453	259	0	259	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 <a href="#">interactive mapping application</a>.</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. In the case of LMU 9 the cautionary level of the linear disturbance indicator has already been reached, but this project will not contribute to it.</p>							

<b>Designations:</b>		
(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 <b>bolded</b> .		
LMU	Designation	Description
9	Integrated Management Area IV	<p>The <b>working landscape</b> – areas where oil and gas, mining, and other land uses are allowed, subject to the Plan recommendations and regulatory processes.</p> <p><b>Highest Development</b> – Lower ecological and heritage/cultural values within a moderately sensitive biophysical setting. Higher levels of land use are consistent with Zone IV objectives.</p>
10A & 10B	Integrated Management Area II	<p>The <b>working landscape</b> – areas where oil and gas, mining, and other land uses are allowed, subject to the Plan recommendations and regulatory processes.</p> <p><b>Low Development</b> – High ecological and heritage/cultural values within a moderately sensitive biophysical setting. Maintaining ecological integrity, protecting heritage and cultural resources, and minimizing land use impacts is the priority.</p>

**Special Management Considerations:** (Section 6, LMUs)

LMU	Special Management Consideration
9	<ul style="list-style-type: none"> <li>• Potential new all-season access roads from Dempster Highway require careful assessment and management.</li> <li>• Unit overlaps or is adjacent to 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). TH R-block (TH R49A) is adjacent to southwestern boundary.</li> <li>• Northern portion of unit is adjacent to LMU #8, Whitefish Wetlands.</li> <li>• Approximately 25% of unit was affected by wildfires in 2004 and 2005.</li> </ul>
10A	<ul style="list-style-type: none"> <li>• Maintaining the visual quality of mountain and sub-arctic viewsapes along this segment of Dempster Highway is a management priority.</li> <li>• Important Porcupine Caribou Herd concentrated use area during fall, winter and spring periods.</li> <li>• Potential new all-season access roads into LMU #10A from Dempster Highway corridor require careful assessment and management.</li> <li>• Vittrekwa River Gwich'in Conservation Zone (in NWT) adjacent to northern boundary.</li> <li>• Tetlit Gwich'in Secondary Use Area and Na-cho Nyak Dun Traditional Territory.</li> </ul>
10B	<ul style="list-style-type: none"> <li>• Maintaining the visual quality of mountain and sub-arctic viewsapes along this segment of Dempster Highway is a management priority.</li> <li>• Potential new all-season access roads into LMU #10B from Dempster Highway corridor require careful assessment and management.</li> <li>• Potential future all-season road or infrastructure access to Eagle Plains should avoid routing through this unit. If required, access points from within LMU #9 are preferred.</li> <li>• Important Porcupine Caribou Herd concentrated use area during fall, winter and spring periods.</li> <li>• Tetlit Gwich'in Secondary Use Area and Na-cho Nyak Dun Traditional Territory (east of Dempster Highway).</li> <li>• Potential Yukon North Slope transportation corridor options from Dempster Highway may require consideration.</li> </ul>

**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.

	<b>Corresponding Recommendation:</b>
<b>Wildlife</b>	<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>
<b>Fish</b>	<p>3.1.1 Minimize surface and vegetation disturbance in riparian areas.</p> <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 <b>water withdrawals</b> in sensitive over-wintering fish habitat.</p>
<b>Wetlands, Lakes and Rivers</b>	<p>4.1.1 Avoid or minimize industrial land use activities in wetlands and riparian areas.</p> <p>4.1.3 Reduce surface and vegetation impacts in riparian and sensitive permafrost areas.</p>
<b>Heritage and Culture</b>	<p>5.1.1 Minimize land use impacts in the vicinity of identified heritage and historic resources. <b>[there is a concentration of documented archeological sites along the Dempster Highway within 50km of the NWT border – or km post 414 to the border]</b></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>

<b>Plan Recommended Best Management Practices:</b> (Section 5 following each value) Only BMPs that are relevant to the project and/or values identified in the LMUs are included here.	
<b>Wildlife</b>	<ul style="list-style-type: none"> <li>• Avoid or minimize the size, extent, duration and level of activities in concentrated seasonal use areas.</li> <li>• Use appropriate operational timing-windows in significant wildlife habitats to minimize activities, whenever possible, during periods of wildlife use.</li> </ul>
<b>Porcupine Caribou</b>	<ul style="list-style-type: none"> <li>• Avoid using or crossing seasonal migration corridors with new access routes.</li> <li>• Define and implement safe operating distances from the herd.</li> <li>• Consider the following seasons when determining appropriate operational timing-windows (seasons when Porcupine caribou occupy the region) – those <b>bolded</b> are seasons where Porcupine Caribou are most prevalent in the project area.</li> </ul> <p> <b>Winter: December 1 to March 31</b>            Spring migration: April 1 to May 31            Early summer: July 1 to July 15            Mid to late summer: July 16 to August 7  <b>Fall migration: August 8 to October 7</b>  <b>Rut: October 8 to November 30</b> </p>
<b>Wetlands, Lakes and Rivers</b>	<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<b>Heritage, Social, Cultural Resources:</b>	<ul style="list-style-type: none"> <li>• Avoid and/or mitigate exploration and development activities and impacts in areas with known heritage or historic resource values, where such areas or sites are not otherwise protected through existing land withdrawals (see Map 3, Appendix 1).</li> <li>• In identified current community use areas (see Map 3, Appendix 1) exploration and construction activities should be minimized or mitigated during subsistence harvesting periods.</li> <li>• 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.</li> </ul> <p><b>[Current community use areas were identified by the Commission from km 238 to 286 and 336 to 394]</b></p>
<b>Transportation and Access</b>	<ul style="list-style-type: none"> <li>• NA</li> </ul>

<b>Plan Recommendations:</b> (Section 5 following each value)	
<b>Fish Habitat</b>	<p><i>Water withdrawals in sensitive fish over-wintering areas should be prohibited (see Map 2, Appendix 1 for known locations).</i></p> <p><b>[The Eagle River is identified in Map 2 as “potential over-wintering fish habitat”. However, the plan concedes:  <i>The sensitivity of fish habitat to water withdrawals depends on a variety of factors. Significant overwintering habitats in some of the Major Rivers may be relatively resilient to water withdrawals, due to their size and rate of flow. The sensitivity of over-wintering fish habitats requires additional assessment.]</i></b></p>
<b>Wetlands, Lakes and Rivers</b>	<p><i>Water withdrawals in ecologically sensitive wetland areas should be prohibited.</i></p> <p><b>[wetlands are not prevalent in the project area except possibly adjacent to the Eagle River]</b></p>
<b>Dempster Highway</b>	<p><i>In recognition of the strategic importance of the Dempster Highway and its designation as a Northern and Remote Route under the National Highway System, surface disturbance and linear density indicator reporting and evaluation are exempt within a distance of 1 km on each side of the highway centre line (2-km total corridor width).</i></p>

### **Additional Analysis or Comments:**

Though the Plan does not speak to maintenance activities of the Dempster Highway, it does recognize its importance.

This project proposes no new surface disturbance in the North Yukon Region and therefore shouldn't have direct effects on habitat or archeological resources. However, we have noted three potential effects or stressors identified in the Plan that could result from this project.

**Further, all three effects would likely be mitigated if the North Yukon portion of this project proceeds in the late spring and summer.**

#### **Water withdrawal:**

The Plan prohibits water withdrawals in sensitive fish over-wintering areas, and notes that the Eagle River is "potential over-wintering fish habitat". It acknowledges "The sensitivity of fish habitat to water withdrawals depends on a variety of factors. Significant overwintering habitats in some of the Major Rivers may be relatively resilient to water withdrawals, due to their size and rate of flow." The Plan identifies the Eagle River as a "Major River". **Therefore, if water is to be withdrawn from the Eagle River during winter, appropriate knowledge holders (e.g. DFO or VGFN) should be consulted to confirm that 100m<sup>3</sup> withdrawal per day will not impact over-wintering fish habitat.**

#### **Disturbance to Wildlife (e.g. Porcupine Caribou)**

The Plan recommends the use appropriate operational timing-windows in significant wildlife habitats to minimize activities, whenever possible, during periods of wildlife use.

- **This project should not proceed in the North Yukon Region from late fall to the end of winter. This is especially important for LMUs 10A & 10B.**
- **If this project must proceed in this timing window, define and implement safe operating distances and procedures from the herd based on recent research and on advice of VGFN wildlife monitors or their delegates.**

#### **Disturbance to Community Use Areas/Subsistence Harvesting**

The Plan recommends work camps and activities avoid community use area especially during subsistence harvesting periods. This timing window will likely coincide with the one suggested for the Porcupine Caribou. **VGFN should be consulted to confirm timing windows and locations or reduced or no activity to best accommodate community use/subsistence harvesting.**