


**PEEL WATERSHED APPROVED LAND USE PLAN CONSISTENCY OPINION**

|   |   |  |
|---|---|--|
| <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<br>Bag 6050, Dawson City, Y0B 1G0  |  |
| <b>Completed by:</b>  | Sam Skinner<br>Yukon Land Use Planning Council<br>201-307 Jarvis St<br>Whitehorse, Yukon<br>Y1A 2H3<br>1-867-667-7397<br>sam@planyukon.ca   | <br>The logo for the Yukon Land Use Planning Council (YLUPC) features a stylized green and blue circular emblem with a mountain peak and a river. Below the emblem, the text 'YLUPC' is written in a bold, purple font, with 'YUKON LAND USE PLANNING COUNCIL' in a smaller, black font underneath. |
| <b>More information on PW consistency opinions:</b>                                 | <a href="https://planyukon.ca/index.php/resources/planning-regions/peel/391-peel-watershed-conformity-checks">https://planyukon.ca/index.php/resources/planning-regions/peel/391-peel-watershed-conformity-checks</a> |  |
| <b>Project is consistent to the Approved Peel Watershed Regional Land Use Plan:</b> | <b>Yes, subject to mitigations</b>  |  |

## Background Information and Consistency Opinion Analysis

| <b>Affected Landscape Management Unit (LMU)(s):</b><br>Map 2 and Section 5  |                                      |                |  |                  |                |                      |                  |
|---|--------------------------------------|----------------|--|------------------|----------------|----------------------|------------------|
| LM Unit #   | 2                                    | LMU Name:      | Kit Range / North Cache Creek                            |                  |                |                      |                  |
| Zoning:   | Special Management Area              | Land Owner:    | YG & THFN (R-19B; S-33B, S-124B, S-180B, S-181B, S-202B) |                  |                |                      |                  |
| LM Unit #   | 3                                    | LMU Name:      | Central Ogilvie  |                  |                |                      |                  |
| Zoning:   | Integrated Management Area Zone III  | Land Owner:    | YG & VGFN (S-56A/D, S-44A)                               |                  |                |                      |                  |
| LM Unit #   | 4                                    | LMU Name:      | West Hart River  |                  |                |                      |                  |
| Zoning:   | Wilderness Area                      | Land Owner:    | YG & THFN (S-30B, S-31B)                                 |                  |                |                      |                  |
| LM Unit #   | 5                                    | LMU Name:      | Blackstone River   |                  |                |                      |                  |
| Zoning:   | Integrated Management Area, Zone III | Land Owner:    | YG & THFN (R-35B)  |                  |                |                      |                  |
| <b>Landscape Disturbance Indicators*:</b>   |                                      |                |  |                  |                |                      |                  |
| Surface Disturbance (ha):   |                                      |                |  |                  |                |                      |                  |
| LMU   | Cautionary Level                     | Critical Level | Current est. Level                                       | Project Estimate | Total Estimate | Notification Rqr'd** | Parties Notified |
| 2   | N/A***                               | N/A***         | 114  | ~0 ha            | 114            | No                   | No               |
| 3   | 1382                                 | 1842           | 506  |                  | 506            | No                   | No               |
| 4   | N/A***                               | N/A***         | 154  |                  | 154            | No                   | No               |
| 5   | 1345                                 | 1794           | 549  |                  | 549            | No                   | No               |
| Linear Disturbance (km):  |                                      |                |  |                  |                |                      |                  |
| LMU   | Cautionary Level                     | Critical Level | *Current est. Level                                      | Project Estimate | Total Estimate | Notification Rqr'd** | Parties Notified |
| 2   | N/A***                               | N/A***         | 52.1   | ~0 km            | 52.1           | No                   | No               |
| 3   | 1382                                 | 1842           | 306  |                  | 306            | No                   | No               |
| 4   | N/A***                               | N/A***         | 118  |                  | 118            | No                   | No               |
| 5   | 1345                                 | 1794           | 331.3  |                  | 331.3          | No                   | No               |
| <p>*Current cumulative effects levels are based on disturbance mapping completed in 2022 and provided on GeoYukon.</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> <p>***New disturbances are typically not allowed in Special Management Area and Wilderness Area zones.</p> |                                      |                |  |                  |                |                      |                  |

**Designation Considerations:** (Section 3, Plan Concepts) – these are typically high-level directions applied to all LMUs of the same designation

| LMU | Designation                          | Consideration   |
|-----|--------------------------------------|---|
| 2   | Special Management Area              | <p>Areas managed for conservation or protection of ecological and cultural resources, and long-term maintenance of wilderness characteristics. In the Conservation Area land category [this includes SMAs], new industrial land-use dispositions, as well as any new surface access, are not allowed.</p> <ul style="list-style-type: none"> <li>• Permanently withdrawn from any new industrial land use and surface access.</li> <li>• Intended to become legally designated as protected area, with subsequent management plans.</li> </ul>                              |
| 3   | Integrated Management Area Zone III  | <p>The working landscape—areas where new oil and gas, mining, and other industrial land uses are allowed, including surface access, subject to Plan recommendations and regulatory processes.</p> <ul style="list-style-type: none"> <li>• Moderate ecological and heritage/cultural values within a moderately sensitive biophysical setting.</li> <li>• Conservative levels of land use are consistent with Zone III objectives.</li> </ul>   |
| 4   | Wilderness Area                      | <p>Areas managed for conservation or protection of ecological and cultural resources, and long-term maintenance of wilderness characteristics. In the Conservation Area land category [this includes Wilderness Areas], new industrial land-use dispositions, as well as any new surface access, are not allowed.</p> <ul style="list-style-type: none"> <li>• Interim withdrawal from any new industrial land use and surface access.</li> <li>• Withdrawal status reviewed as part of formal, longer-term public Plan review conducted jointly by the Parties.</li> </ul> |
| 5   | Integrated Management Area, Zone III | <p>The working landscape—areas where new oil and gas, mining, and other industrial land uses are allowed, including surface access, subject to Plan recommendations and regulatory processes.</p> <ul style="list-style-type: none"> <li>• Moderate ecological and heritage/cultural values within a moderately sensitive biophysical setting.</li> <li>• Conservative levels of land use are consistent with Zone III objectives.</li> </ul>   |
| N/A | Dempster Highway Corridor            | <ul style="list-style-type: none"> <li>• The Plan shows the Dempster Highway Corridor as a two-km-wide corridor for purposes of illustration only [regarding future sub-regional planning].</li> </ul>  |
| N/A | Major River Corridor                 | <ul style="list-style-type: none"> <li>• Avoid large-scale industrial and/or infrastructure projects within Major River Corridors [include Oglivie and Blackstone Rivers].</li> </ul>   |

**Special Management Considerations:** (Section 5, LMUs) – these are typically LMU specific

| LMU | Special Management Consideration   |
|-----|--|
| 2   | <ul style="list-style-type: none"><li>• The proposed right-of-way for the Dempster Highway lateral pipeline passes through this unit.</li><li>• The Hart River caribou herd and Porcupine caribou herd core wintering areas overlap in this unit.</li><li>• Subsequent Dempster Highway sub-regional land use plan may apply to eastern part of unit – Dempster Corridor to be managed consistent with SMA objectives.</li></ul>   |
| 3   | <ul style="list-style-type: none"><li>• The proposed right-of-way for the Dempster Highway lateral pipeline runs along the eastern boundary.</li><li>• Major River Corridor management directions apply along the Ogilvie River.</li><li>• Subsequent Dempster Highway sub-regional land use plan may apply to the eastern part of the unit – Dempster Corridor to be managed consistent with IMA Zone III objectives.</li></ul>   |
| 4   | <ul style="list-style-type: none"><li>• Extensive regionally rare overlap of winter core areas of two caribou herds.</li><li>• Subsequent Dempster Highway land use plan may apply to northwestern part of unit.</li><li>• The administrative boundary between NND and TH traditional territories bisects the unit north–south.</li><li>• The Hart River Trail accesses the unit from the west. Use of this trail by off-road vehicles is allowed, subject to Section 4.3.1.1 of the Plan and other management plans.</li></ul>  |
| 5   | <ul style="list-style-type: none"><li>• The proposed right-of-way for the Dempster Highway lateral pipeline runs along western boundary.</li><li>• Major River Corridor management directions apply along the Ogilvie and Blackstone Rivers. (e.g., no new permanent infrastructure).</li><li>• Dempster Corridor management directions apply near the Dempster Highway.</li><li>• Subsequent Dempster Highway land use plan may apply near the Dempster Highway.</li><li>• The administrative boundary between NND and TH traditional territories runs through NE corner.</li></ul> |

**Affected Values and General Management Directions (GMD):** (Section 4)

Only include values identified in LMU. If no GMDs exist or are relevant, do not include in this table.

| Ecological Resources:                    | Corresponding GMD:   |
|--|--|
| <b>WILDLIFE and TERRESTRIAL HABITATS</b> | <ul style="list-style-type: none"><li>• Avoid or reduce activities in significant wildlife habitats during important biological periods (e.g., utilize timing windows).<ul style="list-style-type: none"><li>○ Porcupine Caribou are typically in the region during winter period (December – March)</li></ul></li><li>• Reduce other human land use-related disturbances such as noise, smell and light.</li></ul>  |
| <b>HYDROLOGY and AQUATIC HABITATS</b>    | <ul style="list-style-type: none"><li>• Minimize surface and vegetation disturbance in riparian areas.</li><li>• Prohibit significant levels of winter in-stream water withdrawals in sensitive over-wintering fish habitat.</li><li>• Prohibit direct disturbance to sensitive over-wintering and spawning habitats.</li><li>• Avoid direct or indirect blocking of identified fish migration routes.</li></ul>   |
| Heritage, Social, Cultural Resources:    | Corresponding GMD:   |
|  | <ul style="list-style-type: none"><li>• Avoid or minimize land use impacts in the vicinity of identified heritage and historic resources.</li><li>• Avoid or minimize land use conflicts by avoiding or reducing the level of land use activities in important subsistence harvesting and current community use areas.</li><li>• Avoid or reduce activities in significant heritage and current community use areas during important seasonal use periods (e.g., utilize timing windows).</li><li>• Where impacts to identified heritage and cultural sites and resources may occur, implement the following appropriate mitigation practices.</li><li>• Establish work camps associated with resource exploration and development activity near areas of resource production, and away from identified heritage routes, historic sites, and current community use areas.</li><li>• Implement immediate stop work orders if evidence of heritage or cultural values is detected, to assess significance.</li></ul> |

**Plan Recommended Best Management Practices:**

Water

Best Management Practices for Works Affecting Water in Yukon. Water Resources Branch, Yukon Environment. May 2011.

Available online:

[http://www.env.gov.yk.ca/publications-maps/documents/bestpractes\\_water.pdf](http://www.env.gov.yk.ca/publications-maps/documents/bestpractes_water.pdf)

This document has a number of recommendations on culverts.

**Applicable Terms and Conditions:**

[Standard terms or conditions](#) were developed by the Plan Parties. These statements stem directly from the approved PWRLUP (page number references are provided). Where there is any discrepancy between these statements and the PWRLUP, the PWRLUP will take precedence. Most relevant statements include:

- 20. No activity is allowed within Porcupine Caribou range during the winter period (December 1 to March 31).
- 23. All activities must be carried out to reduce disturbances such as noise, smell and light.
- 27. Significant levels of water may not be drawn in winter (December 1 to March 31) from sensitive over-wintering fish habitat.
- 36. No activities are allowed in significant heritage and current community use areas, during important seasonal use periods (i.e., utilize timing windows).

## Additional Analysis or Comments:

The Plan states:

*The [Dempster] highway is a multiple-use corridor. It must be maintained to support land use activity, now and in the future, without undermining the heritage, social and ecological resource values around the highway.*

thus, it can be implied that highway maintenance activities such as this project are generally supported by the Plan.

The Plan calls for sub-regional planning for the Dempster Corridor:

- Since this project is not a new land use and is of limited extent, it has limited implications and requirements for sub-regional planning.

This project will largely be on previously disturbed areas and is the continuation and maintenance of a pre-existing land-use and therefore:

- shouldn't result in significant additional linear or surface disturbances;
- shouldn't greatly affect the ecological and visual integrity of the Blackstone and Oglivie River Corridors;
- 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 Peel Watershed 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 the presence of "good overwintering potential" in every LMU in the project area. **Therefore, if water is to be withdrawn from surface streams during winter, appropriate knowledge holders (e.g. DFO (every LMU) or appropriate First Nation\*) 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 Peel Watershed Region during winter.**
- **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 appropriate First Nation\* wildlife monitors or their delegates.**

**Additional Analysis or Comments (continuation...):**

**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 as well as fall harvesting activities. Community use areas were identified throughout the project footprint in the Peel Watershed. **Appropriate First Nations\* should be consulted to confirm timing windows and locations or reduced or no activity to best accommodate community use/subsistence harvesting.**

\* The Dempster Highway is an area of many overlapping First Nation interests. Traditional Territories in the Peel Watershed portion of the project area are:

- VGFN (LMUs 3&5 past km 218);
- NND (LMUs 4&5);
- THFN (every LMU)