


<b>PEEL WATERSHED APPROVED LAND USE PLAN CONSISTENCY OPINION</b>	
<b>YESAB Project #</b>	Q2026-0037
<b>Project Title:</b>	Michelle Creek Class 1 Exploration
<b>Date:</b>	May 8 <sup>th</sup> , 2026
<b>Submitted to:</b>	Land Planning Branch, Department of Energy, Mines and Resources, Yukon Government
<b>Completed by:</b>	<div style="display: flex; justify-content: space-between;"> <div style="width: 70%;"> <p>Sam Skinner Yukon Land Use Planning Council 201-307 Jarvis St Whitehorse, Yukon Y1A 2H3 1-867-667-7397 sam@planyukon.ca</p> </div> <div style="width: 25%; text-align: center;">  </div> </div>
<b>More information on PW consistency opinions:</b>	<a href="https://planyukon.ca/peel-watershed-consistency-opinions/">https://planyukon.ca/peel-watershed-consistency-opinions/</a>
<b>Project is consistent to the Approved Peel Watershed Regional Land Use Plan:</b>	<b>No</b>

## Background Information and Consistency Opinion Analysis

<b>Affected Landscape Management Unit (LMU)(s):</b> Map 2 and Section 5							
LM Unit #	4	LMU Name:		West Hart River			
Zoning:	Wilderness Area	Land Owner:		YG			
LM Unit #	5	LMU Name:		Blackstone River			
Zoning:	Integrated Management Area, Zone III	Land Owner:		YG			
LM Unit #	6	LMU Name:		Hart River			
Zoning:	Wilderness Area	Land Owner:		YG			
<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
4	N/A***	N/A***	154	0.014	154	No	No
5	1345	1794	549		549	No	No
6	N/A***	N/A***	120	0	120	No	No
Linear Disturbance (km):							
LMU	Cautionary Level	Critical Level	*Current est. Level	Project Estimate	Total Estimate	Notification Rqr'd**	Parties Notified
4	N/A***	N/A***	118	0	118	No	No
5	1345	1794	331.3		331.3	No	No
6	N/A***	N/A***	153	0	153	No	No
*Current cumulative effects levels are based on disturbance mapping completed in 2022 and provided on GeoYukon. **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. *** Disturbance levels were not given for WA and SMAs as their management intent implied no new disturbances. However, the Plan allowed pre-existing claims to remain, implying that on-claim disturbances could be permitted.							

<b>Designation Considerations:</b> (Section 3, Plan Concepts) – these are typically high-level directions applied to all LMUs of the same designation		
LMU	Designation	Consideration
4, 6	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>

<b>Special Management Considerations:</b> (Section 5, LMUs) – these are typically LMU specific	
LMU	Special Management Consideration
4	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
5	<ul style="list-style-type: none"> <li>• Major River Corridor management directions apply along the Ogilvie and Blackstone Rivers.</li> <li>• Dempster Corridor management directions apply near the Dempster Highway.</li> </ul> <p>[These SMDs are unlikely to apply to this project – assuming the work will not occur at the western edge of the claim block]</p>
6	<ul style="list-style-type: none"> <li>• N/A</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></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.<ul style="list-style-type: none"><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></li></ul>

<b>Plan Recommended Best Management Practices:</b>	
Water	<p>Best Management Practices for Works Affecting Water in Yukon. Water Resources Branch, Yukon Environment. May 2011.</p> <p>Available online:  <a href="http://www.env.gov.yk.ca/publications-maps/documents/bestpractes_water.pdf">http://www.env.gov.yk.ca/publications-maps/documents/bestpractes_water.pdf</a></p> <p>This document has a number of recommendations on culverts.</p>
Wildlife and fish	<ul style="list-style-type: none"> <li>• Flying in Sheep Country. How to minimize disturbance from aircraft. MPERG Report 2002-6. Available online:  <a href="https://yukon.ca/sites/yukon.ca/files/env/env-flying-sheep-country.pdf">https://yukon.ca/sites/yukon.ca/files/env/env-flying-sheep-country.pdf</a></li> <li>• Flying in Caribou Country. How to minimize disturbance from aircraft. MPERG Report 2008-1. Available online:  <a href="https://yukon.ca/sites/yukon.ca/files/env/env-flying-caribou-country.pdf">https://yukon.ca/sites/yukon.ca/files/env/env-flying-caribou-country.pdf</a></li> <li>• Guidelines for Industrial Activity in Bear Country. For the mineral exploration, placer mining and oil and gas industries. MPERG Report 2008-2. Available online: <a href="https://yukon.ca/sites/yukon.ca/files/env/env-guidelines-industrial-activity-bear-country.pdf">https://yukon.ca/sites/yukon.ca/files/env/env-guidelines-industrial-activity-bear-country.pdf</a></li> </ul>
Industry	<ul style="list-style-type: none"> <li>• Yukon Mineral and Coal Exploration Best Management Practices and Regulatory Guide. Yukon Chamber of Mines. August 2010. Available online: <a href="https://www.yukonminers.org/index.php/all-docs/guidebooks/3-yukon-mineral-and-coal-exploration-best-management-practices-and-regulatory-guide/file">https://www.yukonminers.org/index.php/all-docs/guidebooks/3-yukon-mineral-and-coal-exploration-best-management-practices-and-regulatory-guide/file</a></li> </ul>

## 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:

### Reclamation (Class 1 Activities)

2. All areas mostly covered with vegetation less than 1.5 metres tall which are disturbed by mineral activities must be reclaimed so that the area is covered with native species roughly the same height and composition as the surrounding dominant vegetation, such that over time the areas are returned to their natural state. Page 46
3. All reasonable care must be taken in carrying out exploration activities near or adjacent to a water body to prevent sediment from entering a water body, unless otherwise permitted by law. Areas disturbed by activities must be prepared to recover such that runoff and/or sediment loading levels in water bodies return to pre-activity levels. Page 9, 46
4. All areas disturbed by activities must be re-sloped and contoured so that the area approximately matches the original contours. Page 44, 46
5. All debris and materials brought on site must be removed and disposed of when the program ceases. All solid waste, including debris, equipment, barrels, drums, and scrap metal, must be safely stored on the site of the exploration program while the program is carried out and must be disposed of in accordance with the applicable regulations (e.g. *Solid Waste, Special Waste*) when the program ceases. Page 44, 46
6. All vegetated areas disturbed by exploration activities, including fuel and waste storage areas, clearings, corridors, temporary trails, camps and supporting infrastructure, and trenches and drill sites, must be left in a condition conducive to re-vegetation by native plant species or other species adaptable to the local environment to encourage re-vegetation comparable to similar, naturally occurring, environments in the area, such that all areas disturbed by activities are prepared to fully recover to their pre-disturbance state over time. Page 44, 46
8. The operator shall dismantle and remove any structure erected as part of a Class 1 exploration program within the duration of the Class 1 term and camps must be kept clean and tidy. Page 21, 47
9. (Mineral) activities must comply with any applicable government wilderness tourism management plans<sup>1</sup>. Page 69

### Wildlife and terrestrial habitat

19. No activity is allowed within sensitive sheep habitats and key areas. A buffer may need to be established based on the location and activities proposed in the project. Page 49.
21. No activity is allowed in concentrated woodland caribou use key areas (i.e. rutting and winter). A buffer may need to be established based on the location and activities proposed in the project. Page 49
22. No activity is allowed within any other significant wildlife<sup>2</sup> habitats during known important biological periods<sup>3</sup>. Page 49
23. All activities must be carried out to reduce disturbances such as noise, smell and light. Page 49

### **Water and aquatic habitats**

24. All activities must be carried out to minimize surface and vegetation disturbance in riparian areas. Page 51

### **Heritage and cultural resources and values, and traditional land use practices**

34. All activities must be carried out to avoid or minimize land use impacts near heritage and historic resources<sup>4</sup>. Page 53

35. No activities are allowed in important subsistence harvesting and current community use areas.<sup>5</sup> Page 53

36. No activities are allowed in significant heritage and current community use areas, during important seasonal use periods (i.e., utilize timing windows). Page 53

37. Work camps must be situated near areas of resource production and away from identified heritage routes, historic sites, and current community use areas.<sup>6</sup> Additional buffer may need to be considered beyond current regulatory requirements. Page 53

38. All work must stop immediately if heritage or cultural values are encountered, in order to assess their significance and determine appropriate mitigations. Page 53

39. Where impacts to identified heritage and cultural sites and resources may occur, immediately stop work to assess significance. (YG). Page 53

### **Collection of baseline data**

Where they do not exist, collection of adequate baseline data will be required. This may be scaled according to the magnitude of proposed activities. Refer to *PWRLUP Adequate Baseline Data Evaluation Report*<sup>7</sup> for guidance on what level of baseline data is appropriate.

44. Adequate baseline data on wildlife and terrestrial habitats must be collected before any development activities, including exploration, can begin. Page 48

45. Adequate baseline data on fish, water bird, aquatic habitat and water quality must be collected prior to any development activities can begin. Page 51

1 At the time of writing, there are no such plans.

2 Wildlife key area maps available with some data for caribou, sheep, and raptors, a little bit of data for moose. Data collection and gap analysis is ongoing.

3 *Important biological periods* are species dependent. Denning is important for wolves, bear, and lynx; calving is important for moose and barren ground caribou.

4 There are recognized shortcomings in YG definitions of heritage historic and cultural resources.

5 Some important subsistence harvesting and current community use areas are identified on Map 4 of Appendix A to the PWRLUP. However, there are gaps in that information. Best available information should be used as it is available.

6 Some heritage routes, historic sites and current community use areas are identified on Map 4 of Appendix A to the PWRLUP. However, there are gaps in that information. Best available information should be used as it is available.

7 **This document has not yet been produced.**

### Additional Analysis or Comments:

- This project is not consistent with the management intent of LMUs 4 and 6. However, The Plan states:

*Existing mineral claims or leases may be respected.*

Further, Policy Recommendation #18 states:

*In the Conservation Area, outside of existing dispositions, new airstrips should not be allowed. Existing airstrips and landing locations may continue to be used, however.*

These statements show that the Plan tolerates air access to existing mineral claims in the Conservation Area.

- There are currently no thresholds for linear and surface disturbance for Wilderness Areas (i.e., LMUs 4 & 6) that would apply to existing claim development.
- Regardless of the lack of thresholds for linear disturbance and surface disturbance, this project adds no linear and little surface disturbance to these landscape units
- Area identified as winter core area for two caribou herds, shoulder seasons may result in need for action in the event of herds migrating into the area (primarily in Hart River LMU).
- The project's timing and mitigations adhere to most of the Plan's General Management Directions and Standard Terms and Conditions. However, there are exceptions:
  1. Term/Condition #36: Map #4 shows a concentration of TH and NND land use and harvesting areas in the project area. This could be mitigated if TH and NND confirm that the project proceeds outside of "important seasonal use periods".
  2. Term/Condition #37: Map #4 shows a concentration of TH and NND land use and harvesting areas in the project area. The proposed camp is situated near proposed exploration activities, thus partially meeting this condition. This condition would be better met if TH and NND confirm that the project locations are sufficiently away from identified heritage routes, historic sites, and current community use areas.
  3. Term/Condition #44: the project proposal does not mention the required adequate baseline data on wildlife and terrestrial habitats. Further, "adequate" has not yet been defined by the Parties.

**For this final reason, this project is inconsistent with the Standard Terms and Conditions set by the Parties for the Plan.**