

NORTH YUKON REGIONAL LAND USE PLAN CONSISTENCY OPINION		
YESAB Project #	2026-0084	
Project Title:	Old Crow Winter Road – Amendment	
Date:	September 29 th , 2026	
Submitted to:	YESAB Online Registry (yesabregistry.ca)	
Completed by:	Yukon Land Use Planning Council 302-309 Strickland St Whitehorse, Yukon Y1A 2J9 1-867-667-7397 nyassessment@planyukon.ca	
More information on NYLUP consistency opinions:	https://planyukon.ca/north-yukon-consistency-opinions/	
Project conforms to Regional Land Use Plan: Yes, subject to mitigations		

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 #	2A	LMU Name:	Old Crow – Rampart House & Community Area
Zoning:	CA & IMA Zone II	Land Owner:	YG, VGFN (C-2A, C-3A/D, R-10A, S-24A1/D, S-28A1, S-29A1/D, S-38A1/D)
LM Unit #	2B	LMU Name:	Bluefish River – David Lord Creek
Zoning:	IMA – Zone III	Land Owner:	YG, VGFN (S-22A1/D)
LM Unit #	2C	LMU Name:	Bluefish – Cadzow Lake Wetlands
Zoning:	IMA – Zone I	Land Owner:	YG, VGFN (R-11A, S-23A1/D, S-27A1, S-52A1/D)
LM Unit #	3	LMU Name:	DriftwoodRiver - Salmon Cache
Zoning:	IMA – Zone II	Land Owner:	YG, VGFN (R-3A, S-15A1, S-21A1/D, S-51A1, S-53A1/D)
LM Unit #	6	LMU Name:	Ahvee and Sharp Mountains
Zoning:	IMA – Zone III	Land Owner:	YG
LM Unit #	7	LMU Name:	Johnson Creek
Zoning:	IMA – Zone IV	Land Owner:	YG, VGFN (S-48A1)
LM Unit #	8A	LMU Name:	Whitefish - Porcupine Lakes
Zoning:	Protected Area	Land Owner:	YG, VGFN (R-2A, S-20A1/D)
LM Unit #	8B	LMU Name:	Eagle - Bell River
Zoning:	IMA – Zone I	Land Owner:	YG, VGFN (R-2A)
LM Unit #	9	LMU Name:	Eagle Plains
Zoning:	IMA – Zone IV	Land Owner:	YG, VGFN (R-6A)

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
2A	217	290	35	0	35	No	No
2B	1157	1543	179	0	179	No	No
2C	73	98	39	0	39	No	No
3	430	573	90	0	90	No	No
6	1018	1357	108	0	108	No	No
7	2423	3230	719	0	719	No	No
8A	NA***	NA***	89 (0.19%)	1.2	90	Yes	Yes
8B	77	103	231	0	231	Yes	Yes
9	4679	6239	3149	0	3149	No	No
Linear Disturbance (km):							
LMU	Cautionary Level	Critical Level	*Current est. Level	Project Estimate	Total Estimate	Notification Rqr'd**	Parties Notified
2A	217	290	49	0	49	No	No
2B	1157	1543	201	0	201	No	No
2C	73	98	43	0	43	No	No
3	430	573	137	0	137	No	No
6	1018	1357	152	0	152	No	No
7	2423	3230	933	0	933	No	No
8A	NA***	NA***	136 (0.287 km/km ²)	1	137	Yes	Yes
8B	77	103	311	0	311	Yes	Yes
9	4679	6239	5408	0	5408	No	No
*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. ** 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. Though the cautionary level for linear disturbance for LMU 9 and the critical level for both indicators for LMU 8B have been surpassed, this project will not contribute additional disturbance. *** The plan did not provide disturbance levels for SMAs/Protected Areas, assuming no new disturbance.							

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	
7 & 9	Integrated Management Area IV	The working landscape – areas where oil and gas, mining, and other land uses are allowed, subject to the Plan recommendations and regulatory processes.	Highest Development – Lower ecological and heritage/cultural values within a moderately sensitive biophysical setting. Higher levels of land use are consistent with Zone IV objectives.
2B & 6	Integrated Management Area III		Moderate Development – Moderate ecological and heritage/cultural values within a moderately sensitive biophysical setting. Conservative levels of land use are consistent with Zone III objectives.
2A & 3	Integrated Management Area II		Low Development – 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.
2C & 8B	Integrated Management Area I		Lowest Development – Very high ecological and heritage/cultural values within a sensitive biophysical setting. Maintaining ecological integrity and protecting heritage and cultural resources is the priority. Land uses are acceptable provided they do not result in creation of significant functional disturbance. All-season industrial infrastructure is discouraged.
8A	Protected Area	The Plan called for a Protected Area category for this LMU. It became the Ch’ihilii Chik Habitat Protection Area in 2019.	

Special Management Considerations: (Section 6, LMUs)	
LMU	Special Management Consideration (only relevant SMCs are listed)
2A	• Important caribou concentrated use area during multiple seasons; Porcupine caribou cross Porcupine River at this unit during fall and spring migration. • Maintain opportunities for community use and subsistence harvesting. • Old Crow Community Area noted for community infrastructure requirements.
2B	• Maintain existing routing of Old Crow winter road. • Maintain opportunities for community use and subsistence harvesting.
2C	• Within the IMA, Zone I designation identifies high ecological and cultural values within a sensitive biophysical setting. All-season infrastructure is discouraged. • Maintain opportunities for community use and subsistence harvesting. • Existing routing of Old Crow winter road should be maintained.
3	• Important caribou concentrated use area during multiple seasons; Porcupine caribou cross Porcupine River at this unit during fall and spring migration. • High heritage resource and cultural values. • Maintain opportunities for community use and subsistence harvesting.
6	• Important caribou concentrated use area during several seasons. In the western portion of the unit, Ahvee, Veeshridlah, and Nest (Chii Too Choo) mountains are among the most intensively used areas in the region. Most significant habitats are high-mid elevation, non-forested areas. • Maintain opportunities for community use and subsistence harvesting (winter season). • Existing routing of Old Crow winter road should be maintained.
7	• Existing routing of Old Crow winter road should be maintained.
8A	• Proposed as Protected Area land use category (implementation details to be determined by the Parties). [Note: the Ch'ihilii Chik Habitat Protection Area with it's own Management Plan was created after Plan approval.] • Lakes and creeks in unit are considered important to long-term maintenance of regional freshwater fish populations. • Maintain opportunities for community use and subsistence harvesting. • Existing routing of Old Crow winter road should be maintained.
8B	• In the IMA, Zone I designation identifies high ecological and cultural values within a sensitive biophysical setting. All-season infrastructure is discouraged.
9	• N/A

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

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

Ecological Resources:	Corresponding GMD:
Terrestrial habitat	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). 2.1.2 Reduce other human land use impacts such as noise, smell and light. 2.3.1 Avoid or reduce activities in significant wildlife habitats during important biological periods (e.g., utilize timing windows).
Aquatic habitat	3.1.1 Minimize surface and vegetation disturbance in riparian areas. 3.3.1 Avoid direct disturbance to sensitive over-wintering habitats. 3.3.4 Avoid or reduce winter in-stream water withdrawals in sensitive over-wintering fish habitat.
Wetlands, lakes, rivers, and sensitive permafrost areas	4.1.1 Avoid or minimize industrial land use activities in wetlands and riparian areas. 4.1.3 Reduce surface and vegetation impacts in riparian and sensitive permafrost areas. 4.2.1 Avoid or minimize industrial land use activities in wetlands and riparian areas. 4.5.1 Avoid or reduce water withdrawals in sensitive wetland areas.
Heritage, Social, Cultural Resources:	Corresponding GMD:
Heritage and cultural resources/Subsistence lifestyle	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). 5.1.4 Where impacts to identified heritage and cultural sites and resources are unavoidable, implement appropriate mitigation practices.

Plan Recommended Best Management Practices: (Section 5 following each value)	
Wildlife	• 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
Wetlands & lakes	• If land use activities are required in wetlands, hydrology, water flow, and natural drainage patterns should be maintained. • If required, surface disturbance within and adjacent to wetlands and lakes should not result in diminished water quality or quantity.
Major Rivers and Valleys	• Where new all-season or winter access roads and/or trails are required to cross Major River and other riparian corridors, these should be designed, constructed, and used in a manner that minimizes direct and indirect impacts to fish, wildlife and their habitats. • 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.
Porcupine Caribou	• Avoid or minimize the size, extent, duration and level of activities in concentrated seasonal use areas (<i>see</i> Map 2, Appendix 1 for locations). • Avoid using or crossing seasonal migration corridors with new access routes. • Define and implement safe operating distances from the herd.
Heritage and cultural resources	• In identified current community use areas (<i>see</i> Map 3, Appendix 1) exploration and construction activities should be minimized or mitigated during subsistence harvesting periods.
Transportation & Access	• Avoid or minimize the creation of new access roads and trails; utilize existing routes unless their use will cause additional long term environmental impacts (e.g., permafrost degradation). • Where new all-season or winter access roads and/or trails are required, these should be designed, constructed and used in a manner that minimizes direct and indirect impacts to fish and wildlife, their habitats and human viewsapes (i.e., minimize size and extent of features). • Limit and/or control use of new industrial access routes to authorized users only.

Additional Analysis or Comments:

The North Yukon Regional Land Use Planning clearly supports the construction of the Old Crow winter road when needed (5.4.1.2). The plan states: *“The existing Old Crow winter road route should be maintained and used as required.”* Since this winter road will mostly re-use existing disturbance or will be on the frozen Porcupine River, for most LMUs, this work does not add any new disturbance.

The proposal provided a shapefile for the proposed route which greatly helped with our analysis. However, the map “Map of KM110 and PR Access.pdf” indicated a different point of access to the Porcupine River and did not show the proposed route as per the shapefile. This added some confusion. Since all components of the proposal point to one access to the Porcupine River, we assumed only one will be used. Either option requires ~1km of clearing in LMU 8A (see Figure 1) which now falls within the Ch’ihilii Chik Habitat Protection Area.



Figure 1: The final page of the Map Package (& Map of KM110 and PR Access.pdf) showed the location of the mobile camp at point A on the current winter road alignment. It showed B as the point of access to the Porcupine River. However, the provided shapefile of the proposed route (purple line) as well as page 7 of the Map Package and Map of Ice Road Option Attachment.pdf show the access to be at point C. LMU 8/ Ch’ihilii Chik Habitat Protection Area is shown in green. An alternative access point to the Porcupine River is at point D.

The Plan’s intent for this area is the conservation of the ecological and cultural values by way of a protected area designation. The Plan did not anticipate much or any new human-caused disturbances in areas it recommended be protected, so did not provide any management thresholds (AKA levels) for them. Thus, we interpret the proposed 1km of clearing to be against the intent for this LMU, though perhaps not the letter of Plan. The Ch’ihilii Chik Habitat Protection Area Management Plan was approved in 2019 by both VGFN and YG about a decade after the North Yukon Plan’s approval. As such, we looked at this more recent

and detailed plan for clearer direction on access. It states:

Development of new access routes or the levels of current access is not a concern at this time.

This statement contrasts with other strong statements in that plan against commercial or industrial land use in the HPA.

We identified an alternative route that provides access to the Porcupine River without need for new disturbance: continue on the winter road alignment to the Porcupine River at VGFN S-14A. While this route would eliminate new disturbance in the HPA, it would bring traffic by S-14A and would result in a 12.5km extension to the route.

The Old Crow winter road route does pass through Porcupine Caribou winter habitat and the related current community use area (adjacent to the Dempster Highway). Gates, safe operating distances and other mitigative measures described in this proposal are generally consistent with the Plan's recommendations. This route also crosses and often runs along significant rivers, streams, wetlands and riparian areas. Temporary work camps, fuel stores, and other temporary infrastructure should not be located in these areas. The proposed compliance to DFOs guidelines on ice and snow fill bridges is consistent with Plan's recommendations regarding rivers, streams, wetlands and riparian areas.

Several of the LMUs have this Special Management Consideration:

Existing routing of Old Crow winter road should be maintained.

We interpret this as an expression of support for the winter road without significant deviations resulting in new disturbance. This project adheres to this except in LMU 8A as described above.

With the exception of the clearing of the ~1km link between the existing Old Crow Winter Road alignment and the proposed ice road on the Porcupine River, this proposal appears to conform to the plan. Given the support of the project by VGFN, the ambiguity of the Plan around access in LMU 8A, generally "lighter touch" on the land (relative to the existing alignment) and the apparent permissiveness of the Ch'ihilii Chik Habitat Protection Area Management Plan, the entire proposal conforms to the plan, subject to one of these options (in order of preference):

- Accessing the Porcupine River at S-14A, or
- Cutting one new access route to the Porcupine River.