


NORTH YUKON REGIONAL LAND USE PLAN CONFORMITY CHECK	
YESAB Project #	2020-0197
Project Title:	Eagle Plains Well Maintenance and Extended Flow Testing
Date:	March 8, 2021
Submitted to:	YESAB Dawson Designated Office Bag 6050, Dawson City, Y0B 1G0
Completed by:	<div style="display: flex; justify-content: space-between;"> <div> Sam Skinner Yukon Land Use Planning Council 201-307 Jarvis St Whitehorse, Yukon Y1A 2H3 1-867-667-7397 sam@planyukon.ca </div> <div style="text-align: center;">  YUKON LAND USE PLANNING COUNCIL </div> </div>
More information on NYLUP conformity checks:	http://planyukon.ca/index.php/resources/planning-regions-2/north-yukon/59-north-yukon-conformity-checks
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	Notific-ation Rqr'd**	Parties Notified
9	4811	6415	1182	9.85	1185	No	No
Linear Disturbance (km):							
LMU	Cautionary Level	Critical Level	*Current est. Level	Project Estimate	Total Estimate	Notific-ation Rqr'd**	Parties Notified
9	4811	6415	2360	2.85	2363	No	No
*current cumulative effects levels based on a pilot study by YLUPC of disturbances. These values have not yet been approved by YG and VGG. For more information, see: https://planyukon.ca/index.php/resources/planning-regions/north-yukon/521-surface-disturbance-in-eagle-plains-a-pilot-study ** 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							

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. [See Draft • 25% of this LMU was affected by wildfire in summers of 2004 and 2005
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.	
	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>2.2. Minimize habitat fragmentation as a result of human features.</p> <p>2.2.1 Coordinate, manage and minimize new road and trail access.</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>
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 creation of new access roads and trails; utilize existing routes unless their use will cause additional long term environmental impacts (e.g., permafrost degradation). • 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. <p>When new access creation is necessary:</p> <ul style="list-style-type: none"> • Non-permanent winter access routes should be developed and utilized versus all-season access routes. • Gate or otherwise restrict hunting along new access routes. • Where possible, direct new access routes through less significant wildlife habitats.
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"> • 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.
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.
Transportation and Access	<ul style="list-style-type: none"> • 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 viewscapes (i.e., minimize size and extent of features). • Avoid important trapping, harvesting, and current use areas. • Avoid using or crossing wildlife seasonal migration corridors with new access routes. • Whenever possible, land use activities should be coordinated to utilize the same access route(s). • Reclamation requirements and decommissioning strategies should be considered during planning and assessment of new road and access features. • Limit and/or control use

Plan Recommendations: (Section 5 following each value)

Community of Old Crow

*In advance of significant levels of energy sector activity, an access management plan should be developed for the Eagle Plain oil and gas basin.
[This recommendation was directed at the Plan Parties]*

Additional Analysis or Comments:

This project proposes little or no new surface disturbance in the North Yukon Region, and all access is to be done on gated winter roads – all concepts supported by the Plan.

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 mitigation measure or assessment of water withdrawal was discussed in the proposal.

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 phases of the winter road construction are the most likely to disturb caribou. A delay in winter road construction 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 should be adjusted in response to caribou presence and movements. For example, work should, where possible, focus on wells furthest away from caribou concentrations or when caribou are throughout the project area, on wells near the Dempster Highway where there is more human activity already.

The plan also supports an access management plan. Several elements of the proposal (e.g., gated roads, winter access, reusing old roads) are consistent with good access management, and with an access management plan in the draft stage.