

From Peel Plan Implementation Committee

September 27, 2022

Dear YLUPC, YESAB, and relevant Parties' officials,

The five Parties to the 2019 Peel Watershed Regional Land Use Plan (PWRLUP) approved an Implementation Plan (attached) in August 2020, which consists of a series of actions and commitments related to the PWRLUP. One commitment in Appendix 3 of the Implementation Plan was to develop a document that catalogues the PWRLUP policy and research recommendations.

This Standard Terms and Conditions (STC) document (attached) is to provide direction when industrial activities are proposed in the Peel region. It will guide conformity checks, inform assessment and regulation, and be a source of terms and conditions, for any authorizations (i.e., permits) that are granted.

The Peel Plan Implementation Committee is currently completing the PWRLUP Adequate Baseline Data Evaluation Report (referred to under *Collection of baseline data* on page 5 of the STC document). We will also provide this to you, as soon as it is ready.

These documents will be available at [Home - Yukon Land Use Planning Council \(plan.yukon.ca\)](http://plan.yukon.ca).

if you have any questions about any of these documents, please contact either the Government of Yukon's Manager of Regional Planning at 867-332-5401 or Tr'ondëk Hwëch'in Implementation at 867-993-7100 extension 217.

Sincerely,



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Katie Fraser (Tr'ondëk Hwëch'in representative)  
on behalf of the Peel Plan Implementation Committee

## **Standard Terms or Conditions to be Applied to Permitted Development Activities in the Peel Planning Region**

Set out below are statements of terms and conditions which are intended to guide decision makers with the interpretation and application of the Peel Watershed Regional Land Use Plan (PWRLUP). Any that are relevant to a proposed industrial activity will inform conformity checks, assist assessment and regulation, and be translated into and included as terms and conditions, in any authorizations (i.e. permits) that are granted.

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. Some statements include components of standard operating conditions.

### **Reclamation (Class 1 Activities)**

Class 1 activities as defined by regulation are achievable within 12 months. Where any of the following aspects of reclamation take longer than 12 months, reclamation efforts are to be monitored and enforced as required, until PWRLUP reclamation standards are achieved.

1. All forested and shrubby areas disturbed by activities must be reclaimed so that the area is covered by native species of woody vegetation (trees and shrubs) at least 1.5 metres in height, such that over time the areas are returned to their natural state<sup>1</sup>. Page 46
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

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<sup>1</sup> As defined Page 46 PWRLUP

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
7. The proponent must provide spatial information for newly created access in order to monitor cumulative effects indicator levels. Page 42, 47
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>2</sup>. Page 69

#### Reclamation (Classes 2-4 Activities)

Reclamation Activities in the Peel are based upon the principle of full reclamation. Page 49

10. All forested and shrubby areas disturbed by activities must be reclaimed so that the area is covered by native species of woody vegetation (trees and shrubs) at least 1.5 metres in height, such that over time the areas are returned to their natural state. Page 46
11. All areas mostly covered with vegetation less than 1.5 metres tall disturbed by 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
12. 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 All areas disturbed by activities must be reclaimed so that runoff and/or sediment loading levels in nearby water bodies return to pre-activity levels. Page 9, 46
13. All areas disturbed by activities must be re-sloped and contoured so that the area approximately matches the original contours. Page 44, 46

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<sup>2</sup> At the time of writing, there are no such plans.

14. 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 Solid Waste Regulation when the program ceases. All debris and materials brought on site must be removed and disposed of when the program ceases. Page 44, 46
15. 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
16. Mineral activities must comply with any applicable government wilderness tourism management plans<sup>3</sup>. Page 69

#### Wildlife and terrestrial habitat

17. New road and trail routes must avoid concentrated seasonal use areas and significant habitats. Page 49
18. New roads and trails must not use or cross seasonal migration corridors. Page 49
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
20. No activity is allowed within Porcupine Caribou range during the winter period (December 1 to March 31). 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>4</sup> habitats during known important biological periods<sup>5</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
25. All activities in the vicinity of wetlands and wetland complexes must be carried out in winter (December 1 to March 31). Page 51

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<sup>3</sup> At the time of writing, there are no such plans.

<sup>4</sup> 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.

<sup>5</sup> *Important biological periods* are species dependent. Denning is important for wolves, bear, and lynx; calving is important for moose and barren ground caribou.

26. Any all-season infrastructure must be located a minimum of 100 m from wetlands and lakes (i.e., 100 m from ordinary high water marks). Page 51
27. Significant levels of water may not be drawn in winter (December 1 to March 31) from sensitive over-wintering fish habitat. Page 51
28. Large-scale industrial and/or infrastructure projects must not be carried out within Major River Corridors (defined as the Ogilvie, Blackstone, Hart, Wind, Bonnet Plume, Snake and Peel Rivers). Page 51
29. No gravel may be removed from stream beds. Page 51
30. Activities must not be carried out in known sensitive over-wintering and spawning areas. A buffer may need to be established based on the location and activities proposed in the project. Page 51
31. All activities must be carried out to avoid or minimize stream crossings. Where stream crossings are required, proper structures (such as bridges) that can be easily removed, must be used and removed, as per reclamation requirements. Page 51
32. Activities must not block fish migration routes. Page 51
33. Overwintering and spawning locations of important fish species must be confirmed prior to any new major development<sup>6</sup>. 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>7</sup>. Page 53
35. No activities are allowed in important subsistence harvesting and current community use areas.<sup>8</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>9</sup> Additional buffer may need to be considered beyond current regulatory requirements. Page 53

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<sup>6</sup> Some information can be found Map 3, PWRLUP; depending on proposed project activities and scale, additional information may be required.

<sup>7</sup> There are recognized shortcomings in YG definitions of heritage historic and cultural resources.

<sup>8</sup> 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.

<sup>9</sup> 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.

38. All work must stop immediately if heritage or cultural values<sup>10</sup> 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

#### Access

40. (As per [off-road vehicles management area regulations](#)), off-road vehicles must not be used except on the Hart River Trail and existing trails adjacent to the Dempster Highway, within licensed camps and immediately adjacent to existing facilities. Page 62
41. (As per [off-road vehicles management area regulations](#)), off-road vehicles must not be used in wetlands or/and alpine areas in spring, summer, fall (i.e. when ground is not frozen and covered with suitable depth of snow). Page 62
42. In areas where permitted, utilize low impact seismic (lines) and winter roads. Page 49

#### Boreal Caribou habitat

43. No activities are allowed in Boreal caribou habitat. An appropriate buffer should be established based on the location and activities proposed in the project. Page 48

#### 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 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
46. Confirm overwintering and spawning locations of important fish species, with initial priority on the IMA, prior to any new major developments occurring. Page 51

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<sup>10</sup> There are recognized shortcomings in YG definitions of heritage historic and cultural resources.

47. Conduct survey of wetlands, including relevant indicators of wetland health, with initial emphasis on the IMA, prior to any new major developments. Page 51
48. Adequate baseline data on heritage and historic resources must be collected before any development activities, including exploration, can begin. Page 55
49. Document existing surface disturbances before any development activities, including exploration, begins. Page 47

#### Uranium activity

50. Any uranium activities must comply with any applicable government policy and operating guidelines. Page 66 Note: Policy development is required.

#### Coal bed methane activity

51. Any coal bed methane activities must comply with any applicable government policy and operating guidelines. Page 67 Note: Policy development is required.

#### Wilderness tourism

52. Mineral staking and development activities must comply with any applicable wildlife viewing management guidelines along Dempster highway. Page 69

#### Access in Relation to Integrated Management Areas

53. Where possible, activities should use air access. Where air access is not possible, use winter roads or trails, ice roads and other temporary routes. Page 63, 64
54. Any all-season access routes (roads or railways) must be fully reclaimed upon project completion. Page 58, 63
55. Adequate bonding must be provided for new roads to ensure that full reclamation is achieved. Page 63, 69
56. New roads or other surface transportation features must be managed and reclaimed such that public access is not possible. Page 63

#### Access in Relation to Conservation Areas

57. No new surface access, including roads, is permitted outside of existing dispositions. Page 36, 63
58. No new airstrips may be built outside of existing dispositions. Page 64
59. Within existing dispositions, Page 58, 63
  - i. if possible, use winter roads or trails, ice roads and other temporary routes;

- ii. any all-season access routes (roads or railways) must be fully reclaimed upon project completion;
  - iii. adequate bonding must be provided for new roads to ensure that full reclamation is achieved; and
  - iv. public access to new roads and surface transportation features must be prevented.
- 60. The Wind River Trail must not be used to support any industrial land use activity, including mining exploration activities. Page 61
- 61. Air access must comply with any applicable air access management plan. Page 64

## Appendix

The following are components of the Implementation Plan that relate to several terms or conditions above:

- 1. Contaminated sites must be remediated – Page 52
- 2. Support collection of information on abundance, distribution, habitat use and movement of Boreal caribou – Page 48
- 3. Support and expand current programs for the Major River Corridors – Page 51
- 4. Support benthic invertebrate community and water chemistry monitoring – Page 51
- 5. Support collection of information on abundance, distribution, habitat use and movement of Boreal caribou – Page 48
- 6. Record number of parties and people arriving at common land locations – Page 64
- 7. Assess ecological and social impacts of motorized watercraft use on lakes and rivers – Page 65
- 8. Document land use patterns of trappers (e.g., cabins and trails) – Page 72
- 9. Document land use patterns of big game outfitters (e.g., cabins and trails) – Page 74
- 10. Facilitate economic opportunities and activities that result in benefits to surrounding communities, affected First Nations, and Yukon as a whole – Page 57
- 11. Provide land use certainty and minimize land use conflicts throughout the region – Page 57
- 12. Maintain future land use options by adopting a cautious but flexible approach to land and resource decision-making - Page 57
- 13. Develop Heritage and historic resource education materials – Page 55
- 14. Establish two National Historic Sites within LMU # 14 – Page 55
- 15. Research and use traditional names wherever possible – Page 55
- 16. Ensure that activities are monitored and maintained below cumulative effects thresholds. Determine what role proponent plays in this – Page 47



# **Peel Plan Implementation Committee (PPIC) Terms of Reference (TOR) and Implementation Plan**

June 2020



## **1. Mandate**

The mandate of the Peel Plan Implementation Committee (PPIC) is to guide the implementation and monitoring of the 2019 Peel Watershed Regional Land Use Plan (the Plan), to ensure that the *Core Principle, Statement of Intent* and *Plan Goals* articulated in the Plan are fully realized (see Appendix 1).

The PPIC will facilitate collaborative joint implementation and monitoring of the Plan by:

- 1) Acting as the primary conduit between the Government of Yukon, First Nation of Na-cho Nyäk Dun, Tr'ondëk Hwëch'in, Vuntut Gwitchin Government and Gwich'in Tribal Council (the "Governments") on all matters related to the implementation and monitoring of the Peel Watershed Regional Land Use Plan; and
- 2) Monitoring the implementation of the Peel Watershed Regional Land Use Plan and providing input and advice to Governments, regarding relevant issues, policies, programs and initiatives, so as to ensure successful implementation.

PPIC members will represent the broad interests of their respective governments and will be responsible for keeping Governments informed of the key issues related to Plan implementation.

In the event that anything in this TOR conflicts with Final Agreements of affected First Nations or the Plan, those Agreements and the Plan will prevail.

## **2. Composition**

The PPIC will be comprised of two members from the Government of Yukon and one member each from Tr'ondëk Hwëch'in, First Nation of Na-cho Nyäk Dun, Vuntut Gwitchin Government and Gwich'in Tribal Council.

Each government will formally designate PPIC members and may change that designation by notice to the other Governments. Unless otherwise agreed, PPIC members may bring technical representatives to PPIC proceedings, to provide information and advice on all matters.

## **3. Commitment and Operating Procedures**

The PPIC will meet quarterly or as required, to guide and monitor Plan implementation.

- 1) Quarterly meetings shall take place in November, February, May and August of each year, unless otherwise agreed to by the members.

- 2) Hosting of the meetings will alternate between Dawson, Whitehorse, Old Crow, Mayo and Inuvik, unless otherwise agreed.
- 3) Prior to the meetings, PPIC members will agree upon an agenda.
- 4) The PPIC will make best efforts to operate on a consensus basis.
- 5) The Yukon government will provide secretariat services for the PPIC.
- 6) PPIC meetings will be chaired by members on a rotating basis.
- 7) Members may invite other persons to attend the meetings.
- 8) At least 30 days prior to each meeting, each member will provide a report to the PPIC detailing:
  - progress on activities undertaken by the Party the member represents,
  - any proposed revisions to the Implementation Plan, and
  - any proposed amendments to the Plan.
- 9) The PPIC will jointly produce an annual update for the Parties on progress of implementing the Plan
- 10) Where members agree that two or more Parties will take action together on a shared priority, they will identify contacts who will advance progress on the priority.

#### **4. Specific Duties of the PPIC**

The duties of the PPIC include, but are not limited to, making timely recommendations to governments regarding the following:

- 1) The manner in which the Parties are going to jointly achieve and implement the Plan Goals, Strategies and Best Management Practises (summarized in Appendix B of the Plan);
- 2) The manner in which the Parties are going to jointly achieve policy and research recommendations (summarized in Appendix C of the Plan);
- 3) Clarification of standards, practises and procedures to apply to mining and oil and gas exploration and industrial development in the Integrated Management Areas.
- 4) Withdrawal and prohibition of entry orders, legal designations and management plans for Special Management Areas, including the joint implementation and review of those plans;
- 5) Withdrawals, legal designations and management plans for Wilderness Areas-Boreal Caribou, including the joint implementation and review of those plans;
- 6) Withdrawal and prohibition of entry orders and any other actions needed for Wilderness Areas;
- 7) The timing and manner in which formal, longer-term public Plan review will be jointly conducted by the Parties, including the manner in which the Parties will review and determine the withdrawal status of the Wilderness Area and Wilderness Area- Boreal Caribou, or any other significant changes to any of the Plan's concepts;

- 8) A protocol for jointly assessing Plan Variances and Amendments of the Plan, in order to consider proposed nonconforming land uses or changing circumstances;
- 9) The timing and manner in which a sub-regional land use plan for the Dempster Corridor will be jointly developed and implemented;
- 10) Proposed revisions of implementation priorities; and
- 11) Any other actions necessary to successfully implement and monitor the Plan.

## **5. Implementation Plan**

An Implementation Plan for the Plan is attached to this TOR as Appendix 2. Changes to the attached Implementation Plan can be made by consensus of the PPIC. Appendix 3 provides principles and a framework for conformity evaluation for proposed industrial activities in the Peel Region, in relation to the Peel Watershed Regional Land Use Plan and the Implementation Plan,

## **6. Financial Considerations**

The governments shall be responsible for their respective costs to participate in the PPIC. The governments may agree to a particular arrangement to deal with costs of specific shared priorities in implementing this Plan.

## **7. Amendment**

The Parties may amend this TOR by agreement in writing.

## **8. Other**

This TOR is a statement of the intentions of the Parties and has no legal effect.

## **9. Execution and Coming into Effect**

The TOR may be executed in counterparts, with all signed counterparts taken together constituting one executed TOR.

The TOR come into effect upon execution and if executed in counterparts, the coming into effect will be the last date of execution.

## Parties Signature Page

Signed at Dawson City, Yukon this 16th day of July, 2020

**Tr'ondëk Hwëch'in**



Deputy Chief Simon Nagano

Signed at Mayo, Yukon this 17<sup>th</sup> day of June 2020

**First Nation of Na-cho Nyäk Dun**



Chief Simon Mervyn

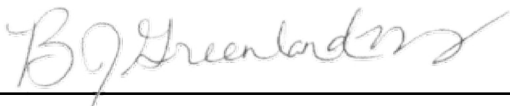
Signed at Old Crow, Yukon this 4 day of August 2020

**Vuntut Gwitchin Government**

Chief Dana Tizya-Tramm

Signed at Inuvik, Northwest Territories this 11 day of June 2020

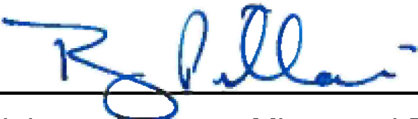
**Gwich'in Tribal Council**



Grand Chief Bobbie Jo Greenland Morgan

Signed at Whitehorse, Yukon this 29 day of June 2020

**Government of Yukon**



Minister of Energy, Mines and Resources  
Ranj Pillai

**Government of Yukon**



Minister of Environment  
Pauline Frost

## Appendix 1

# PEEL WATERSHED REGIONAL LAND USE PLAN - PRINCIPLE, STATEMENT OF INTENT AND GOALS

### Core Principle

Sustainable development

### Statement of Intent

The goal of the Peel Watershed Regional Land Use Plan is to ensure wilderness characteristics, wildlife and their habitats, cultural resources, and waters are maintained over time while managing resource use. These uses include, but are not limited to, traditional use, trapping, recreation, outfitting, wilderness tourism, subsistence harvesting, and the exploration and development of non-renewable resources. Achieving this goal requires managing development at a pace and scale that maintains ecological integrity. The long-term objective is to return all lands to their natural state.

### Goals

**Goal 1** Maintain the **wilderness character** of much of the planning region.

**Goal 2** Maintain **ecological integrity** by ensuring terrestrial and aquatic habitats remain in a suitable condition to sustain healthy native wildlife and fish populations and communities within their natural ranges.

**Goal 3** Maintain the quantity, quality, and rate of flow of **water** within its natural range.

**Goal 4** Ensure that any lands disturbed by human activities are reclaimed or restored to their **natural state**.

**Goal 5** Recognize, conserve, and promote the **heritage and cultural resources and values, and traditional land use practices**, of affected First Nations and the Yukon.

**Goal 6** Facilitate **economic opportunities** and activities that result in benefits to surrounding communities, affected First Nations, and Yukon as a whole, and that contribute to achieving the goals established by this Plan.

**Goal 7** Provide **land use certainty** and **minimize land use conflicts** throughout the region.

**Goal 8** Maintain **future land use options** by adopting a cautious but flexible approach to land and resource decision-making.

# Appendix 2 Implementation Plan – Peel Watershed Regional Land Use Plan

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
Prior to April 1, 2020.	Clarify standards that apply to industrial development	All	Appendix C Policy 1, 2, 3, 4, 6, 13, 14,16, 17, 21, 23, Research 1, 3, 4, 5, 6, 10	Provide information to the public and mineral industry, prior to April 1, 2020, related to standards, practices and procedures that apply throughout the Peel region.	All	YG EMR	YG EMR	Information sheet for distribution at 01/20/20 Cordilleran Roundup	Done
April 1, 2020	Prohibition	SMA	Policy 15, 20, 22	Indeterminate prohibition: <ul style="list-style-type: none"> <li>new mineral claims</li> <li>oil and gas exploration and development.</li> </ul>	YG	YG EMR	YG EMR	OICs under <i>Quartz Mining Act, Placer Mining Act, Oil and Gas Act</i>	Done
April 1, 2020	Prohibition	WA WA-BC	Policy 15, 18, 20, 22	Prohibition until Jan. 1 2030: <ul style="list-style-type: none"> <li>new mineral claims</li> <li>oil and gas exploration and development.</li> </ul>	YG	YG EMR All	YG EMR	OICs under <i>Quartz Mining Act, Placer Mining Act, Oil and Gas Act</i>	Done

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
April 1, 2020	Prohibition	IMA		Allow existing prohibitions to expire, enabling mineral staking under PMA and QMA.	YG	YG EMR All	YG EMR	Expired OICs under <i>Quartz Mining Act</i> and <i>Placer Mining Act</i>	Done
May 31, 2020	Plan Conformity	All	Policy 28, 6.1.3	Develop conformity evaluation process, which involves a relevant third-party (e.g. YLUPC) soon after plan approval.	All and YLUPC	All	All	Framework and flowchart for conformity Evaluation Process  Request and response from YLUPC to perform conformity checks	Framework and flowchart complete  Waiting for YLUPC response
Summer 2020	Clarify standards that apply to proposed mineral activities	All	All Appendix C Policy 1, 2, 3, 4, 6, 13, 14,16, 17, 21 Research 1, 3, 4, 5, 6, 10	Develop document(s) describing standard terms and conditions (STC) to apply to mining in IMAs and Conservation Areas (i.e. grandfathered claims), to ensure conformity to the Plan.  STC may be updated and refined over time.	All	YG EMR	YG EMR	STC for permitting mineral activities in region	Workshops being planned to further clarify



When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
Summer 2020	Clarify standards that apply to proposed industrial activities	All	All Appendix C Policy 1, 2, 3, 4, 6, 13, 14,16, 17, 23 Research 1, 3, 4, 5, 6, 10	Develop document(s) describing standard terms and conditions (STC) to apply to oil and gas exploration, and industrial development in IMAs and Conservation Areas (i.e. grandfathered claims), to ensure conformity to the Plan.  STC may be updated and refined over time.	All	YG EMR	YG EMR	STC for permitting industrial activities in region	Underway in concert with mineral piece above
Winter 2020/21	Prohibition	WA WA-BC	Policy 15, 18, 20, 22	Prohibition until Jan. 1 2030: <ul style="list-style-type: none"> <li>all new surface access,</li> <li>commercial forestry and agriculture,</li> <li>energy generation and transmission,</li> <li>aggregate extraction,</li> <li>new airstrips.</li> </ul>	YG	YG EMR All	YG EMR	Communication for public awareness in advance of executing admin holds	Bifold distributed in January 2020
								Communications internal to YG to ensure regulators are aware in advance of executing admin holds so as to ensure conformity with Peel Plan	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
								Administrative holds for forestry, agriculture and aggregate	
Winter 2020/21	Prohibition	SMA	Policy 15, 20, 22	Indeterminate prohibition: <ul style="list-style-type: none"> <li>all new surface access,</li> <li>commercial forestry and agriculture,</li> <li>energy generation and transmission,</li> <li>aggregate extraction,</li> <li>new airstrips.</li> </ul>	YG	YG EMR	YG EMR	Communication for public awareness in advance of executing admin holds	Bifold distributed in January 2020
								Communications internal to YG to ensure regulators are aware in advance of executing admin holds so as to ensure conformity with Peel Plan	
								Administrative holds for forestry, agriculture and aggregate	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
Fall 2021	Designation	SMA	Section 3.2	Designate SMAs <ul style="list-style-type: none"> <li>• Determine groupings</li> <li>• Create admin plans</li> <li>• Determine designations</li> <li>• Determine names (committee of elders)</li> <li>• Approval from all five governments</li> <li>• OICs.</li> </ul>	All	YG ENV	YG ENV	OIC (designation) under <i>Parks and Land Certainty Act, Environment Act</i> or <i>Wildlife Act</i>	
Fall 2021	Designation	WA-BC	Section 3.2	Designate WA-BCs <ul style="list-style-type: none"> <li>• Determine groupings</li> <li>• Create admin plans</li> <li>• Determine designations</li> <li>• Determine names (committee of elders)</li> <li>• Approval from all five governments</li> <li>• OICs.</li> </ul>	All	YG ENV	YG ENV	OIC (designation) under <i>Parks and Land Certainty Act, Environment Act</i> or <i>Wildlife Act</i>  Criteria related to Boreal caribou for IMA 13 permitting	
2021	Access	SMA	Policy 11, 12	Delist Wind River Trail as highway.	All	YG HPW YG EMR	YG HPW	Communication for public awareness in advance of	Bifold distributed in January 2020

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
				Amend existing Wind River Trail agreement to reflect this change in status.		NND		executing admin holds	
								Communications internal to YG to ensure regulators are aware in advance of executing admin holds so as to ensure conformity with Peel Plan	
								OIC under <i>Highways Act</i> Amended Wind River Trail agreement	Underway at HPW
Fall 2020	Access	All	Policy 13, 14	Restrict use of wheeled off-road vehicles (quads, motorbikes and Argos-like vehicles) for any purpose, to prevent impacts on wildlife, soil damage and land-user conflicts, to the Hart River	All	YG EMR	YG LMB	In interim, add to list of terms and conditions	Underway

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
				Trail, existing trails in areas immediately adjacent to the Dempster Highway, licensed camps, and existing facilities.  (In areas where use is allowed, ORVs should not be allowed in sensitive habitats i.e. wetlands, and alpine areas in spring, summer and fall.)				Regulation under the <i>Territorial Lands (Yukon) Act</i>	Mapping exercise underway for LMU 4
2020 / 2021	Cumulative Effects/Surface Disturbance	All	Research 1	Document status of existing surface disturbances.	All	EMR/ENV	ENV – F&W	Baseline information regarding surface disturbance	
2021 / 2022	Research/ Monitoring	All (unless otherwise noted)	Research 5	Requirements to support and expand water monitoring programs prior to any development occurring. (Establish hydrometric stations with Challenge funding.)	All	All	ENV – Parks	Comprehensive baseline data against which to measure change  Effective monitoring programs	Underway
Fall 2020	Access	IMA and on grandfathered mining claims, in other LMUs	Policy 16, 17  Section 3.2	Regulate road development, including management of private resource roads	All	YG EMR	YG LMB	In interim, add to list of terms and conditions	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
		All		and the ability to limit public access and enforce reclamation.  Prohibit public access to new surface access.  Where new surface access is allowed, proponents must provide adequate bonding to ensure full reclamation is achieved.				Regulation under <i>Territorial Lands (Yukon) Act</i>	Underway
Fall 2020	Access	Conservation Areas	Policy 26, 27	Designate as ORV management areas: <ul style="list-style-type: none"><li>• Special Management Areas</li><li>• Wilderness Areas</li><li>• Wilderness Areas – Boreal Caribou.</li></ul>	All	YG EMR	YG EMR	In interim, add to list of terms and conditions	
				Limit use of off-road vehicles for any purpose, to certain locations and specific trails.  Subsistence harvesting activities will be accommodated and big game outfitting should be accommodated.				Regulation under the <i>Territorial Lands (Yukon) Act</i>	Mapping exercise underway for LMU 4

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
Winter 2020/21	Clarify standards that apply to industrial development	All	Appendix C Policy 1, 2, 3, 4, 6, 13, 14,16, 17, 21, 23, Research 1, 3, 4, 5, 6, 10	Research possibility of designating Special Operating Areas under the QMA and PMA, such that mineral exploration proponents would need to adhere to special terms and conditions, as per regulation, when conducting their work program.	All	YG EMR	YG EMR	Recommendation regarding development of Special Operating Area regulations under the <i>Quartz Mining Act, Placer Mining Act</i>	
2023	Access	SMA	Research 8, 9	Aircraft technology research and wilderness tourism monitoring.	All	YG HPW YG EMR NND	YG EMR	Monitoring program and data collection	
2025	Management Plan	WA-BC	Section 3.2 Section 6.1.2.1 Research 3	Develop WA-BC management plan aligning with existing 2020-2030 interim withdrawals, that outlines allowed and prohibited uses within these areas.  Accommodate subsistence harvesting and big game outfitting subject to ORV management.  Support Yukon-based Boreal caribou research.	YG ENV NND GTC & where applicable, Canada	YG ENV NND GTC & CANADA	YG ENV	Management Plan	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
				For IMA 13, additional assessment criteria/permitting conditions related to boreal caribou need to be developed (i.e. Policy 2).					
2025	Boreal caribou permitting conditions	IMA 13	Policy 2	Develop additional assessment criteria/permitting conditions related to boreal caribou need (Challenge funding available).	YG ENV NND GTC Canada	YG ENV NND GTC & CANADA	YG ENV	Criteria/permitting conditions related to Boreal caribou	
2021 to 2025	Management Plan	SMA	Section 3.2 Policy 14, 18, 24, 26, 27 Research 4, 8, 9	Create SMA management plans. Consider refining LMU boundaries. Develop policy that outlines allowed and prohibited uses within SMAs. Accommodate subsistence harvesting and big game outfitting subject to ORV management. Development a Wilderness Tourism Management Plan for LMUs 8 and 9. Wilderness tourism monitoring and watercraft impacts assessment.	ALL	ALL	YG ENV	Management Plans Prohibited use policy Wilderness tourism monitoring and watercraft impacts assessment Zoning system for MRCs	



When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
				<p>Consider refining boundaries and zoning system for Major River Corridors.</p> <p>Confirm overwintering and spawning locations of important fish species, with an initial priority on the IMA, prior to any new major developments occurring.</p> <p>Subsistence harvesting activities, and big game guiding and outfitting to be accommodated subject to ORV management.</p>					
2021 to 2023	Cumulative Effects / Surface Disturbance	All	Policy 1, 3, 4, Research 1 & 2	<p>Evaluate definition of surface disturbance recovery.</p> <p>Maintain surface disturbance in IMAs below recommended levels.</p> <p>Conduct research in support of threshold determination, access considerations and resource planning.</p>	All	EMR/ENV	ENV – F&W	<p>Cumulative Effects Framework</p> <p>Recovery of human caused disturbances, as defined in section 4.1</p> <p>Develop monitoring and tracking process (including action plan, should Parties determine that</p>	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
								thresholds may be/ have been reached)	
As needed, prior to industrial development *	Heritage	All	Policy 6	Requirements for heritage data collection prior to any development occurring.	All	YG T&C & affected FNs	YG T&C	Data Collection Plan and timetable approved by PPIC	
								Comprehensive data against which to measure change	
As needed, prior to industrial development *	Fish, Aquatic Habitats and Hydrology	All	Policy 4	Ensure adequate fish, water bird, aquatic habitat and water quality baseline data collection is completed prior to any development activities occurring.	All	EMR/ENV	ENV – F&W	Data Collection Plan and timetable approved by PPIC	
								Comprehensive data against which to measure change	
As needed, prior to industrial development *	Wildlife and Habitat	All	Policy 3	Ensure adequate wildlife and habitat baseline data collection is completed prior to any development activities occurring.	All	EMR/ENV	ENV – F&W	Data Collection Plan and timetable approved by PPIC	
								Comprehensive data against which to measure change	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
2025	Contaminated Sites	All	Policy 5	Remediate any remaining contaminated sites; <ul style="list-style-type: none"> <li>Hart River sites licensed and/or may require work,</li> <li>other sites may require assessment.</li> </ul>	YG ENV/E MR & affected FNs	YG ENV/EMR	EMR-AAM ENV SARU	Action plan	1 site (Crest Iron deposit) was remediated in 2014
								Remediation of relevant sites	
2021	Heritage	All	Policy 6, 7, 9 Research 5	Education materials to be developed. Use traditional place names wherever possible.	All	YG T&C & affected FNs	YG T&C	Education materials Baseline data Available traditional place names / data	
2022	Heritage	All	Policy 8	Establish National Historic Sites within LMU 14 (Peel River) in support of Gwich'in Tribal Council Culture and Heritage Department proposal for Tshuu tr'adaojlich'uu and Teetl'it njik.	YG, GTC, NND & Canada	Canada	YG Parks	Designation of sites by GTC, NND & Canada	
2021	Air Access	SMA, WA	Policy 18, 19	An air access management plan is required for LMU 8 (Wind and Bonnet Plume watershed) and LMU 9 (Snake	NND, GTC	YG EMR	YG Parks	Access management plan	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
				River) and should be addressed during Special Management Area planning.  In the Conservation Areas, outside of existing dispositions, new airstrips are not allowed.				Clause in WA-management plan	
As needed, prior to industrial development *	Research/Monitoring	All	Research 4,7,8,9,11,12	Baseline data collection prior to any development occurring:  1. Confirm fish overwintering and spawning locations; 2. Examine airlift technology prior to any new road construction; 3. Record people arriving at landing locations; 4. Assess ecological and social impacts of motorized watercraft; 5. Document land use patterns of trappers; 6. Document land use patterns of outfitters.	All	All	ENV	Detailed table with data collection requirements	
								Comprehensive data against which to measure change	
2028	Formal Plan review	WA WA-BC	Policy 15, 18, 20, 22	Status of these areas to be jointly reviewed as part of formal Plan Review.  Decision required to extend or lapse prohibitions in WAs / WA-BCs.	all	YG EMR	YG EMR	Status determined, could be interim or permanent	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
								Extended or expired OICs	
As needed, prior to industrial development *	Research/Monitoring	IMA	Research 10	Aggregate assessment in IMAs near Dempster, prior to any development occurring. (Note that activities in Dempster Corridor will be considered as activities in adjacent LMUs until Dempster Highway Sub-regional Plan is in place.)	All	All	EMR	Detailed table with data collection requirements	
								Comprehensive data against which to measure change	
2028	Plan Implementation and Revision	All	Policy 29	Develop a process for assessing Plan Variances and Amendments that provides for input from the proponent(s), the public, and all Parties.	All	All	All	Plan variance assessment process	
2023/24	Dempster Highway Sub-Regional Plan	SMA WA IMA	Policy 10, 25	Determine width of Dempster Highway Corridor.  Develop sub-regional plan for Dempster Highway Corridor.  Consider zoning system.	All	All	EMR-LPB	In interim, assume land use designation in ‘corridor’ is as assigned in underlying LMU	
								Sub regional Land Use Plan including jointly defined planning area,	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
								management guidelines for commercial wildlife viewing, etc.	
2027**	Uranium	IMA	Policy 21	Develop government policy and operating guidelines regulating uranium activity in advance of any uranium exploration or development activities.	All	YG EMR	YG EMR	If this becomes an interest again, communication with industry in advance  Policy and operating guidelines	
2027**	Coal Bed Methane	IMA, SMA (existing coal licenses in LMU 8)	Policy 23	Develop government policy and operating guidelines regulating coal bed methane activity in advance of any coal bed methane exploration or development activities.	All	YG EMR	YG EMR	If this becomes an interest again, communication with industry in advance  Policy and operating guidelines	

When	Topic	Land Use Designation	Plan Reference (Recommendation or Section)	Action	Who			Outputs	Status
					Involved	Responsible	Contact		
2028	Plan Implementation and Revision	All	Policy 30 Table 6.1	Develop Plan review process and timeline, considering the following: <ul style="list-style-type: none"> <li>• Evaluate success of Plan in achieving goals;</li> <li>• Evaluate interim protected area status of both classes of WAs;</li> <li>• Develop and put into effect additional indicators.</li> </ul> Review and refine application of cumulative effects framework.	All	All	YG EMR	Plan review process and timeline  Improved approach to achieving Plan Goals	

\*Technical working teams (comprised of all Parties) are assigned to assist the PPIC to develop documents outlining what data should be collected, by whom and when. Some baseline data collection will be required from proponents, through permit terms and conditions. Other baseline data will be collected by the relevant Parties.

\*\* Unless interest in this resource arises in the interim

**Management Strategies (apply to all land use designations)**

Topic	Plan Reference (Section)	Principles	Who	Contact	Outputs
Management Strategies – Wildlife and Terrestrial Habitat	4.1.2	Reduce size, intensity and duration of human caused physical disturbances. Utilize low impact seismic and winter roads. Coordinate, manage and minimize new road and trail access. Avoid or reduce activities in significant habitats during important periods. Reduce other human land use related disturbances. Utilize principle of full reclamation and restore to natural state.	All	YG EMR	In development, part of communication and as terms and conditions  Possible use in conformity checks  Monitor and note inconsistencies with existing legislation.
Management Strategies – Hydrology and Aquatic Habitats	4.1.3	Minimize disturbance in riparian areas. Avoid or minimize industrial land use activities in wetlands and riparian areas: <ul style="list-style-type: none"><li>• In these areas carry out activities in winter;</li><li>• Keep all season infrastructure a minimum of 100 metres from wetlands and lakes.</li></ul> Prohibit significant levels of in stream water withdrawals in sensitive over-wintering fish habitat. Avoid large scale industrial or infrastructure projects within Major River Corridors. Avoid in-stream aggregate extraction. Prohibit direct disturbance to sensitive over-wintering and spawning habitats.	All	YG EMR	In development, part of communication and as terms and conditions  Possible use in conformity checks  Monitor and note inconsistencies with existing legislation.



Topic	Plan Reference (Section)	Principles	Who	Contact	Outputs
		<p>Minimize stream crossings.</p> <p>Where stream crossings are required ensure proper temporary bridge and crossing structures are used.</p> <p>Avoid direct or indirect blocking of identified fish migration routes.</p>			
Management Strategies – Heritage and Culture	4.2	<p>Avoid or minimize land use impacts in the vicinity of identified heritage or historic resources.</p> <p>Avoid or reduce the level of land use activities in important subsistence harvesting and community use areas.</p> <p>Avoid or reduce activities during important seasonal use periods.</p> <p>Where impacts to heritage and cultural resources may occur:</p> <ul style="list-style-type: none"> <li>• Establish work camps away from heritage resources and community use areas;</li> <li>• Implement immediate stop-work orders if evidence of heritage or cultural values is detected.</li> </ul>	All	All	<p>In development, part of communication and as terms and conditions</p> <p>Possible use in conformity checks</p> <p>Monitor and note inconsistencies with existing legislation.</p>

## **Appendix 3 - Framework for Conformity Evaluation for Proposed Industrial Activities in the Peel Region**

All industrial development activities throughout the Peel Region must conform to the Peel Watershed Regional Land Use Plan (the Plan).

*The information in Appendix 3 will be provided to prospective industrial proponents to ensure that the requirements for industrial land use in the Peel Region are clear. It will be available on the Energy, Mines and Resources website, in the mining recorder's offices, and in YESAB offices, and will be distributed to current and new claimholders.*

The *Yukon Environmental and Socio-economic Assessment Act* (YESAA) definition of industrial development, as adopted by the Peel Plan is:

- mining and the development of an energy source or of agricultural land
- for commercial purposes, cutting standing or fallen trees or removing fallen or cut trees;
- the development of a townsite; and
- any land use or the construction, operation, modification, decommissioning or abandonment of a structure, facility or installation associated with any activity referred to above.

Any application for an industrial development activity that is deemed out of conformity with the Plan will not be allowed to proceed, unless it is brought into conformity.

### **Standard Terms and Conditions for Proposed Industrial Activities**

Standard Terms and Conditions (STC) documents developed by the Peel Plan Implementation Committee (PPIC) describe detailed provisions of the Plan, in relation to the specific sector (e.g. mineral) activities. Any that are relevant to a proposed industrial activity will guide conformity checks, and inform assessment and regulation. Relevant provisions will be translated into and included as terms and conditions, in any authorizations (i.e. permits) that are granted.

#### **a) Mineral Activities**

All proposed mineral activities will be evaluated for conformity to the Peel Plan. Proponents submitting non-conforming proposals will be advised of the non-conforming aspects and required to adjust their proposals accordingly.

For proposed Class 1 placer and quartz programs, the conformity check will be done prior to the regulated 25-day notification period, during which affected First Nations and relevant Government of Yukon departments are entitled to comment. Class 1 conformity checks will be done through YLUPC and the PPIC, and coordinated by Government of Yukon, Land Planning Branch.

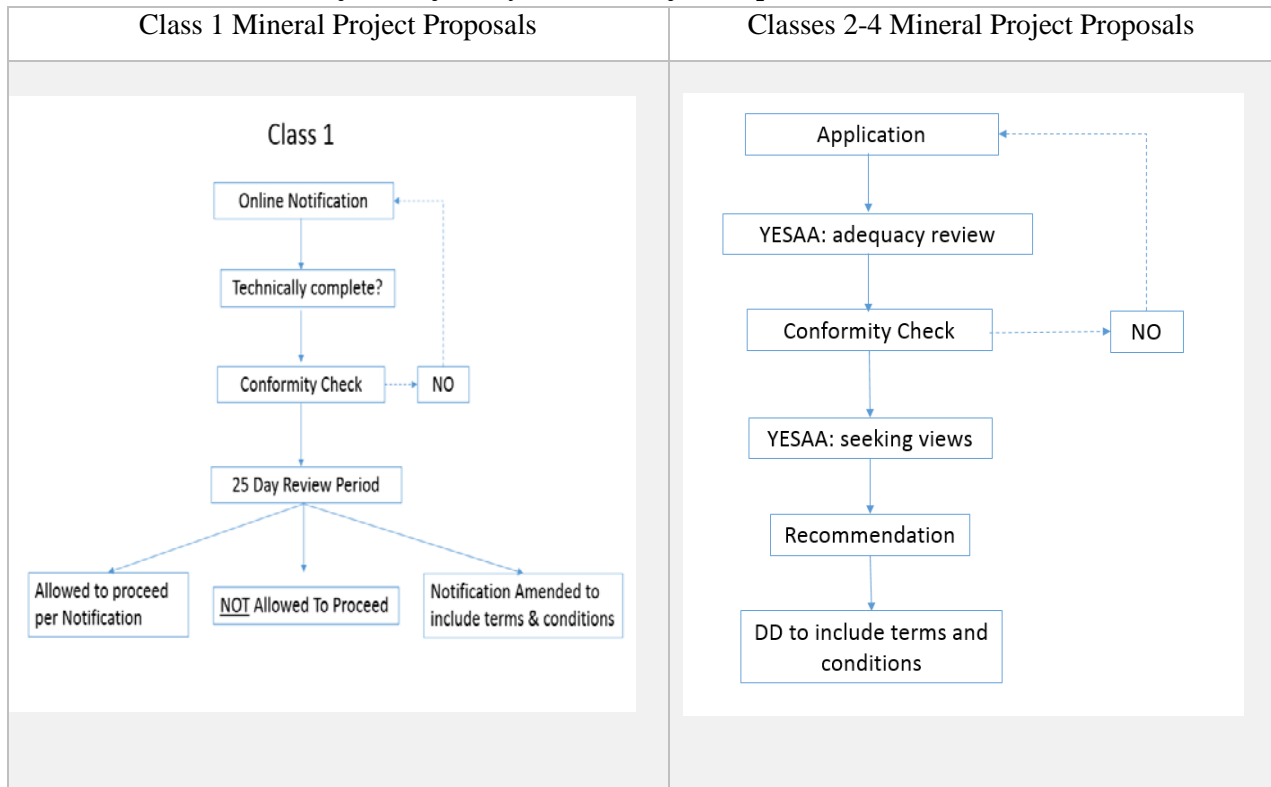
Further details of the Class 1 Conformity Check process are set out in the document titled *Peel Watershed Regional Land Use Plan - Conformity Check in Relation to Class 1 Notifications*.

For Classes 2 -4 placer and quartz proposals programs, conformity checks will be done by YLUPC, with oversight of the PPIC, and will be a component of the YESAB assessment process.

Project proposals that are deemed to be in conformity will proceed through consultation and regulatory review.

The Flowchart for Conformity Evaluation for Proposed Mineral Activities, included below, illustrates the steps for conformity check processes.

***Flowchart for Conformity Evaluation for Proposed Mineral Activities***



b) Other Industrial Activities

Proposals for other industrial activities (as per YESAA definition, and including oil and gas), will also be evaluated for conformity to the Peel Plan. Any that do not conform, will be handled through a process which will be agreed to by the PPIC and included in Appendix 3.

*The Parties may agree to amend this process over time, as those responsible for implementation of the Peel Plan, including assessors and regulators, gain a better appreciation of what is required to ensure conformity with the Peel Plan.*