



Dec 5th 2019

To:

Debbie Kormendy,
Chair,
Dawson Land Use Planning Commission
Suite 201, 307 Jarvis St.
Whitehorse, Yukon
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By email: dawson@planyukon.ca

From: Sebastian Jones, Yukon Conservation Society

Re: Issues and Interests Submission, Dawson Regional Land Use Plan

Dear Debbie and Commission,

Thank you for the opportunity to provide input into this very important Plan. We hope this will be but one of many submissions, as the use of the land in the Dawson region is of deep interest to residents and indeed many Yukoners and Canadians at large. In the interest of clarity, I have highlighted our specific recommendations in bold and summarized them at the end of the submission.

Introduction

It is always difficult to summarize the most important issues, as there will always be short-term immediate issues related to current activities that may be seen to be less vital at a later date. Similarly, it is difficult to foresee what activities will need to be managed in the future. Therefore, **a precautionary approach to development** is warranted. Mineral resources will not vanish while less disruptive methods of extraction are being developed.

The Peel Watershed Planning Commission's (PWPC) Final Plan makes it clear that the Peel Plan is not meant to be a template for future land use plans. However, some aspects of previous land use plans can be used in development of the Dawson Plan.

For example, the Peel final plan uses the Final Agreements (FAs) definition of sustainable development: *Beneficial socio-economic change that does not undermine the ecological and social systems upon which communities and societies are dependent.* (Chapter 1, Final Agreements) and adopts sustainable development as a core principle. In adopting this principle, the Dawson Planning Commission can set



the understanding that the ecosystem is the basis for a sustainable society and a sustainable economy.

Similarly, the Peel Plan's definitions of three types of activities and their relative sustainability are useful:

1. *That which is sustainable indefinitely if properly managed. Trapping, fisheries, hunting and tourism are examples.*
2. *That which is not sustainable, but which ecosystems can tolerate or recover from. Some kinds of mining and oil and gas development are examples. Best management practices and effective restoration make this possible in some, but not all areas.*
3. *That which is not sustainable, and causes irreparable or unacceptable impacts on ecosystem integrity or communities and social systems. For example, some sensitive ecosystems, such as peatlands, cannot be restored in less than decades or even centuries.*

Currently, there is significant mining exploration and development taking place in the Dawson Region; while there may have been more people involved during the Klondike era, modern tools and equipment and techniques have given us greatly expanded ability to impact land compared to the foot slogging Argonauts of yore.

The nature of mining is for short-lived operations; once the deposits are exhausted, activity ceases but the aftereffects can linger indefinitely. According to the 2008 Faro Mine Closure Plan, that mine will be undergoing remediation and monitoring for hundreds of years. The experience we have gained at Faro, Clinton Creek, Mount Nansen and the Klondike Valley show that mining forever alters the landscape. There are inevitably also changes to wildlife and human activities. It is reasonable to suppose that there will be long term remediation and monitoring needed at new mine sites in the Dawson region.

Overland access (i.e. roads and trails) is generally required for a deposit to be viable. Roads, however, mean access for more than the immediate mining operation; other people will inevitably use the roads and people have impacts, whether it is hunting or developing land for other uses. A road built for a superior deposit can enable other, more marginal deposits to become viable; while a benefit from a purely economic development perspective, this makes assessing the environmental impacts of a road more complicated. Roads also directly affect fauna; wolves and other predators use roads equally well to access resources. The footprint of a road is much larger than its physical area and typically extends further temporally and spatially than expected.



While part of the Planning Region has already been impacted by placer mining and may be considered as either industrial or post industrial, in the rest of the Region the human footprint is relatively modest: one small town, three highways and a few camps and a farm or two comprise the physical infrastructure. Again the total footprint of these activities is greater than their physical size. There are however, still extensive areas that are almost untouched except for limited trapping, hunting, and gathering. **These areas should have a higher level of protection** compared to already impacted areas.

Beringia

The planning region encompasses the largest Canadian portion of Beringia. Beringia is the land that escaped glaciation during the last ice ages, and can be thought of as the oldest ecosystem in Canada. This special area supports many rare and endemic species including SARA-listed species such as Spiked Saxifrage (*Micanthres spicata*), which are acutely sensitive to disturbance. **The Plan should ensure that this unique landscape is preserved.**

Yukon River

A very special feature of the Dawson Region is the Yukon River; it is of importance as a pre-contact and historic transportation route and to this day supports fishing, commercial and residential river traffic as well as recreational travelers. These are important economic drivers and are sustainable if properly managed. The river is also ecologically important; the lush lowlands and islands of the valley bottom provide ideal moose nurseries, the riparian cliffs provide valuable habitat for nesting raptors and Dall sheep, the most extensive stands of large trees in the planning region offer habitat for old growth dependent species such as woodpeckers and caribou. The deep permafrost free soils support the most productive agricultural land in the Yukon.

Perhaps the most important reason to afford the Yukon River corridor special status is its role in supporting salmon.

The Yukon River has provided an access corridor to spawning salmon, which need clear water upstream gravels and a downstream, nurturing travel way for returning fry since at least the most recent ice age and quite likely before, during interglacial periods.

The biggest and most travelled of these salmon species are the Chinook who in two months and a half of upstream swimming, without eating, reach the upper Beaver River and the upper Nisutlin River.



This amounts to over 3000 kilometres of upstream navigating and in the case of upper Beaver River navigating up through Fraser Falls, at high water!

Swimming upstream they have provided subsistence and commercial support to many Indigenous and non-Indigenous cultures along the way but also to Grizzly and Black bears, Wolves, Bald Eagles and Ravens.

They also deliver needed upstream marine derived nutrients to local vegetation and benthic organisms critical to emergent salmon success and the ecosystem as a whole.

Swimming downstream and in the ocean they may support as many as 50 different species from River Otters, to King Fishers, Mergansers, gulls, cranes and a host of ocean predators including Orca whales.

All salmon species need additional and critical attention for their survival.

Of utmost importance are the present, high quality riparian conditions of all waters these fish live in, from the mouth of the river and back to the ocean.

There are also numerous culturally important sites, indeed, the inclusion of Tr'ondëk -Klondike as a candidate for UNESCO world heritage status would partially depend on the existence of a management plan for the Yukon River¹.

Downstream of Dawson, the land to the north of and adjacent to the Yukon River affords some of the most spectacular and accessible viewsapes anywhere in the Yukon.

For these ecological, cultural, social and economic reasons, **a Yukon River Corridor should be established as a Special Management Area (SMA).**

Protected Areas

YCS agrees with E.O. Wilson² that at least half of earth should be set aside for nature. Allowing natural process to proceed over most of the landscape maintains resilience against climate change, preserves an intact suite of species and fosters a sustainable, tourism based economy; at least 50% of the Yukon should be protected. YCS is of the

¹ <https://whc.unesco.org/en/tentativelists/6255/>

² <https://www.smithsonianmag.com/science-nature/can-world-really-set-aside-half-planet-wildlife-180952379/?no-ist>



opinion that the precedents set in the North Yukon and Peel Regional Land Use Plans should be followed in the Dawson region, and that **a minimum of half the planning region should be set aside for conservation purposes. Some of the mechanisms to achieve this include** parks, SMAs, Indigenous Protected and Conserved Areas or equivalent instruments. There are also opportunities to advance conservation through land designations that recognize the working landscape. When applied, these designations improve conservation outcomes while recognizing industrial outputs.

There are places where the Ogilvie Mountains tower directly from the banks of the Yukon, sheep, moose and caribou may be seen and major salmon spawning streams flow in from the north. Despite some limited mineral staking and exploration, most of this land is in a relatively natural state. It is the only home in the world to the unique-to-the-Yukon Ogilvie Mountain Lemming; it is the site of some of the best quality Dall sheep lambing habitat in North Central Yukon and is in the range of both the 40 Mile and Porcupine Caribou herds. For these (and many other) reasons, the **area of land north of the Yukon River north of Dawson deserves a high level of protection. Areas adjacent to Tr'ondëk Hwëch'in settlement lands and the established Parks (Tombstone Territorial Park, Fishing Branch and Yukon Charley National Wildlife Area in Alaska) should receive an even higher level of protection.** Other places that would make good candidates include wetlands supporting migrating birds, particularly in the Tintina Trench and in the south west of the planning region near Wellesley lakes. The area west of the Dempster highway in the Klondike watershed adjacent to the protected areas in the Peel watershed are mostly intact and support healthy suites of wildlife and would also make a good candidate conservation area.

A Conservation Direction

Significant portions of the Planning Region have an anthropogenic footprint, largely, but not entirely, related to mining and associated roads. Several large mines are either under development or in advanced exploration.

The Plan should, while acknowledging and managing development, **maintain the wilderness character of most of the planning region.**

Considering the level of development already undertaken in the region, and to manage future development, YCS believes that a **threshold approach**, similar to that used in the North Yukon plan, to managing impacts should be considered.

Some parts of the industrial landscape are already highly impacted (e.g. lower Klondike, Indian and Sixty Mile Rivers), and should be zoned such that properly



managed non-sustainable activities would be acceptable, with a larger disturbance threshold. Areas with less industrial impact (e.g. White River, South Klondike, Indian River) should be managed more carefully, with a smaller disturbance threshold.

The Forty Mile River, which thus far has a low to moderate level of disturbance, is managed as a Wild and Scenic River in Alaska, at the very minimum; **it should be managed equivalently, perhaps, given its historic significance, as a Canadian Heritage River, in Canada.**

A considerable number of mineral claims have been staked in the planning region. History has shown that staked land leads to land use planning challenges as the staking can influence the planning process. For this reason, the Planning Commission should recommend that **the region be withdrawn from staking** while the Plan is under development. At the very least, once an area is identified as a candidate area for protection, it should be withdrawn from mineral staking and exploration. The absence of a land withdrawal in the Peel region during its planning phase led to significant difficulties regarding compensation for mining claims that were rendered too difficult to develop given the accepted land use plan.

Some of the most important salmon spawning streams in the territory flow into the Yukon in the Dawson Region, they are: Coal Creek, the Fifteen Mile, the Twelve Mile/ Chandindu and the Klondike Rivers. In recent years, high-powered jet boats have been used to facilitate hunting on these rivers. The use of jets over shallow spawning substrate is detrimental to salmon redds and therefore the Dawson Land Use Plan should recommend that **the use of jet boats on these rivers be restricted**. The destruction of fish or fish habitat is of course regulated under the *Fisheries Act*.

Large mining operations will need access to their properties and operations other than by fixed or rotary winged aircraft. The Commission should consider **recommending the use of river barges rather than roads where feasible**. The impacts of roads are far reaching and tend to attract additional users. Rivers, while they can be grievously injured by poorly managed traffic; have better restoration capacity given their dynamic nature, than land-based disturbances. The plan would need to examine potential riverine and riparian impacts from barging, and propose actions to avoid harmful impacts.

Summary of Recommendations

- Employ a precautionary approach to development decisions
- Undeveloped and intact areas should be afforded a high level of protection
- The Plan should preserve the unique characteristics of Beringia



- The Yukon River Corridor should be specially managed as one unit
- At least half of the planning region should be set aside for purposes of conservation
- The land north of the Yukon River north of Dawson should receive a high level of protection.
- Areas adjacent to Tr'ondëk Hwëch'in settlement lands and established Parks should receive the highest level of protection
- Maintain the wilderness character of much of the Planning Region
- Use a threshold approach to managing the areal and temporal footprint of development
- The 40 Mile river should become a Canadian Heritage River.
- Withdraw the Planning Region from mineral staking while planning is underway
- Restrict the use of jet boats on salmon spawning rivers.
- Where possible, river barges could be used rather than roads to access mines

Thank you for considering this submission,

Sincerely,

Sebastian Jones
Wildlife analyst