



# Yukon Chamber of Mines

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## MEMO

**TO:** Deana Lemke, Secretary, Yukon Protected Areas Strategy Advisory Committee  
 cc. Joy Waters, Chair, Steering Committee  
 Jesse Duke, Economic Development representative, Steering Committee  
 Eric Fairclough, Minister of Renewable Resources

**FROM:** Yukon Chamber of Mines  
 Land Access Committee

**RE:** **YUKON PROTECTED AREAS,  
 DRAFT SUMMARY REPORT, FEBRUARY WORKSHOP**

*Deana  
 thought these  
 might also be  
 of interest  
 Jesse*

We have reviewed the draft report and wish to bring to your attention the following issues and comments which were made at the various sessions which do not show up in the draft report. We hope that these will be included in the final report in order to ensure that it more accurately reflects the discussions which went on.

### 1. VISION

#### **Why are we doing a Protected Areas Strategy?**

The following comments were made by members of the mining industry and should be included in the report:

Why are we protecting specific areas when most of the Yukon is still pristine wilderness?

The entire Yukon is already protected under existing legislation and regulations or regulations which are soon to come into force (Yukon Waters Act, Canada Environmental Assessment Act, Mining Land Use Regulations, Transportation of Hazardous Goods Act, etc. etc.)

Large areas, representing a significant percentage of the land area of the Yukon, are already withdrawn from any mining activity

Development and resource extraction sustain our quality of life and need to continue

There is no documentation of the 23 ecoregions, how they were created, what values distinguish one from the other or why they were differentiated (except in a CPAWS/Yukon Conservation Society publication)

In order to attract investment in the Yukon, the Yukon must be perceived by outsiders as being open to development (not just mining development). Creation of large new park areas will, and already has sent the message that the Yukon is not interested in attracting investment.

#### **What kind of areas should a completed protected area network include?**

Several mining industry members participated in the Vision sessions of the workshop. During that session there was agreement that the word "network" should not be used when describing protected areas. It should be removed from the title of this section of the report and should not be included in the Vision Statement.

Use of the word "network" was again proposed during the plenary sessions following the break-out sessions, but there it reflects the desire of a single individual, not the consensus of the group which worked on developing the statement.

The draft report also states that it is intended to protect "substantial natural resource areas". There was no agreement on the protection of "substantial" areas. Neither was this term ever used in the discussions in the plenary sessions. The term seems to have been added by the facilitator or others who drafted this report. It should be removed from the final report.

The creation of buffer zones along rivers and roads was not discussed in the Vision break-out group. Neither was this brought up in the plenary sessions only as a possible example of a buffer in the general introductory statement of Doug Urquhart. These comments should not be included as kinds of areas to be protected as a result of this workshop.

### **What principles should guide our decisions on protected areas?**

It must again be stressed that the private sector sees the protection of large areas of land as an indication of governmental disinterest in investment and development. Although this will have the most impact on mining, other industries may expect to be impacted as well.

### **Vision Statement**

Again, the use of the word "network" was not the desire of the Vision break-out group and it should be deleted. A great deal of effort was made by this group to develop a consensus on the Vision Statement and their efforts should not be trivialized.

## **2. PROCESS**

The use of acronyms in this section (i.e. TT) is very confusing.

Our major concern is the identification of stakeholders, including the owners of mineral claims, are relegated to being Ancillary members of committees developing protected areas. All members of the Core Group are government employees, or government contractors, who are being paid with public funds to participate, yet those who have the biggest stake in the outcome are excluded.

## **3. INTERIM PROTECTION**

### **2. Key Questions/Concerns**

The section on mining industry concerns indicates that duplication of process was a key industry concern. Mining industry representatives who participated were confused by this remark and do not remember its being discussed in these sessions. This reference should be removed.

However, remarks made by the President of the Chamber of Mines, to the effect that at this point the Yukon Chamber of Mines cannot support **any interim protection** at least until the specifics of the areas being proposed for protection and the justification for these proposals have been presented. These key remarks that the mining industry does not support the withdrawal of lands from access by the industry must be included in the final report.

Also it should be noted that the industry is concerned about the history of land withdrawals for interim protection. It is our experience that these become permanent or at least very long term (in the tens of years, i.e. North Yukon) and are often expanded as the study proceeds. Although these remarks may not have been made in the break-out session, they were stated several times during the plenary sessions.

### 3. Solutions

The use of simple map notation on mining claim maps and other maps of the Lands Branches was brought up in the plenary sessions as well as in the break-out group. This very important possible solution to the problem of interim protection should be mentioned.

During the plenary sessions at the end of the workshop, Juri Peepre ultimately advocated that map notation should be used to identify areas of interest and that withdrawal should happen only after the study area of greatest interest has been determined.

### 4. Additional Comments/Concerns expressed by Industrial Interests:

The remarks regarding British Columbia are not adequately explained. It is the opinion of mining industry participants that the process used in B.C. is not being accurately presented by workshop leaders and Renewable Resource employees and consultants. The industry in B.C. was most unhappy about the CORE process used there and the Yukon mining industry would be upset if this example is followed. This development of protected areas has been one of the prime causes of a major decline in exploration spending in B.C. and will have similar negative impacts on the Yukon economy.

In particular, many in the mining industry are concerned that areas of high mineral potential will be targeted for protection.

Also it should be included here, that it seems to those of us who are part of the Yukon's mining industry, that we are the single group being targeted by development of this strategy and who will be excluded from protected areas. Much of the discussion indicated that many workshop participants felt that all other types of activities, including commercial development and business operations, should continue to have access to and use of the protected areas.

If the purpose of protection is to protect wildlife or ecosystems or other biological concerns, then at least some areas should be withdrawn from all human activity.

Several times during the workshop the point was made that mining and exploration must be allowed to proceed unfettered in the buffers and corridors. If it can be justified that mining activity cannot be allowed, then these areas should be considered core areas or whatever other term is used to describe full fledged parks.

### 4. TYPES OF PROTECTED AREAS

The comments presented at the final plenary session as representing the work of this break-out group were only those developed in the last hour or so of the session. During this time, the discussion was limited by the facilitator to desired values to protect within Core Areas, Buffers and Corridors. At no time during the entire session was there any real discussion of what types of protected areas should be established. It seemed to have been assumed by the facilitator that the types of protected areas, as outlined in the discussion paper and report of the previous workshop, were already established.

The comments recorded are only some of those thrown out by the participants, with highly variable and often opposing opinions and perspectives. They do not fairly represent the range of opinions or comments made by all those present, as many of the pro-development remarks are omitted. They do not in any way represent consensus or a compromise position developed amongst the participants as there was no attempt made to do so. Some type of disclaimer pointing out these results of the group should be made in the final report.

Specific areas of some discussion, noted below should also be included.

In particular the issue of commercial use of protected areas was discussed at some length but does not appear in the summary. In response to the general question: "**What types of protected areas should be considered?**", a mining industry representative pointed out that the desires of an individual or group to see certain areas "protected" in order that a commercial business venture could be established within the protected area should not be one of the types of or reasons for protection. This means that areas should not be protected by a government-initiated and publicly-funded program such as this **Protected Areas Strategy** to allow for the commercial development of areas for river-rafting, or hiking or other business activities. If there is a desire on the part of eco-tourism operators to acquire exclusive use of areas to pursue their commercial activities, it should not be done at public expense.

This led to a heated discussion on what types of activities should be allowed in protected areas. The point was made by several participants, that some areas may be identified which should be protected from any type of human activity, including recreational use, hunting, fishing, trapping etc. The report should include this important issue.

Hunting and trapping within protected areas was also brought up as a concern by several participants. Although some such rights may be guaranteed to Yukon First Nations under the Land Claims agreements, one participant was very vocal in his desire to see that any continuation of such privileges within protected areas, not be based on ethnicity, but rather that it be open to all, or not to anyone.

It was also proposed that the existing criteria for establishing national parks, national wildlife refuges, etc. be used as criteria for at least some types of protected areas.

It was brought up repeatedly by government biologists, YFN members and others in the group that there is a totally inadequate information base for identifying key areas for protection. Information gathering must be a key component of the process of protecting areas. This very important point must be stressed in the report.

## **5. ACTION PLAN**

We wish to make a few comments on the Action Plan. It seems to indicate a rather complex bureaucratic process is being established. Renewable Resource employees and those who may benefit from contract work while the strategy is being implemented seem to be proposing a lengthy job which will guarantee them work for years to come. Every biologist and researcher wishes to see their particular area of interest studied, providing research funds from this project.

The entire Strategy, if it proceeds as is currently being proposed by workshop leaders, and those from whom they take advice, will be an enormous drain on the public purse, while at the same time severely restricting the territory's opportunities for economic development.

We hope that these remarks will assist in the completion of a report which fairly portrays what went on at the workshop.

Thanking you very much for your efforts, I remain

Sincerely,



Carl Schulze  
Chair,  
Yukon Chamber of Mines, Land Access Committee