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May 7, 2001

Mr. Darius Kassi and Mr. Joe Binger
Co-Chairs, Vuntut Planning Commission
General Delivery
Old Crow, Yukon,
Y0B 1N0

Dear Sirs:

Re: Compilation of Land Use Issues

As you know, Section 7 of the General Te Commissions requires each of the Parties Commission for inclusion in the Precise T that the Yukon Government has identified issues are not listed in order of priority.

1. Tourism

The North Yukon region has good potenti visitors drawn by the unique and pristine 1 growth in the wilderness/eco tourism indu for continued growth. Over the past two y VGFN citizens interested in pursuing tour are also working with a local Steering Co Tourism Plan for this region.

Specific Issues the Commission may war

- Consideration of tourism values and
- How tourism development can occu interfering with traditional activities, for the Vuntut Gwitchin First Nation.
- The measures to maintain the lands on visitors' experiences.

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Anna
Pls review - get input from Lois. SS work.
Comments to Bill by end of next week
May 25
Thanks!
RA

Anna:

Here is the compilation of land use issues for the North Yukon Land Use Planning for you to review. I believe this is the final ^{VTG} review before ~~we~~ we send the list to the Commission.

Please send me your comments by May 24.

Thanks

Suea.

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Mr. Darius Kassi and Mr. Joe Binger
Co-Chairs, Vuntut Planning Commission
General Delivery
Old Crow, Yukon,
Y0B 1N0

Dear Sirs:

Re: Compilation of Land Use Issues - North Yukon Land Use Planning Region

As you know, Section 7 of the General Terms of Reference for the North Yukon Planning Commissions requires each of the Parties to provide a detailed list of issues to the Commission for inclusion in the Precise Terms of Reference. Outlined below is a list of issues that the Yukon Government has identified for this planning region. Please note that these issues are not listed in order of priority.

1. Tourism

The North Yukon region has good potential to attract a limited and managed number of visitors drawn by the unique and pristine features of the area. There has been significant growth in the wilderness/eco tourism industry here and this sector continues to show potential for continued growth. Over the past two years the Department of Tourism has worked with VGFN citizens interested in pursuing tourism opportunities in their traditional territory. They are also working with a local Steering Committee and other community members to prepare a Tourism Plan for this region.

Specific Issues the Commission may want to consider are:

- Consideration of tourism values and potential in light of other development interests.
- How tourism development can occur in a sustainable manner, while respecting and not interfering with traditional activities, and generating economic and employment benefits for the Vuntut Gwitchin First Nation.
- The measures to maintain the landscape and minimize the impact of any development on visitors' experiences.

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Jan
Pls review - get input from Lois SS with.
Comments to Bill by end of next week
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2. Heritage Resources in the Northern Yukon Planning Region

The North Yukon Planning Region is part of unglaciated Eastern Beringia. There is potential for exceptional preservation of evidence of past human occupations, fauna and paleoenvironments relating to the Ice Age history of the Yukon. The frozen silts of the major lake basins in northern Yukon are acknowledged to contain the best preserved record of Pleistocene megafauna in North America. One of the oldest dated archaeological sites in North America, Bluefish Caves, is located in the North Yukon Planning Region. High densities of archaeological sites in the eastern Richardson Mountains and Barn and British Mountain foothills likely relate to caribou interception activities spanning thousands of years. Significant resources relating to more recent history in the planning region include ten documented caribou fences, a further three/four are reported. Information is being assembled at present on traditional history and sites of legendary importance. Recent place name research identified the upper Ogilvie River/Miner River region as "Tukudh Homeland" (Upper Porcupine River Gwich'in), indicating the potential of this region for heritage resources. Under the Vuntut Gwitchin Final Agreement, Rampart House and LaPierre House are Heritage Sites jointly managed with the Government of Yukon.

Heritage resources are protected and managed under the Archaeological Sites Regulations (Yukon Act), the Yukon Historic Resources Act, and Chapter 13 of the Yukon First Nations Umbrella Final Agreement.

Specific issues the Commission may want to consider are:

- Adequacy of existing information/inventories on heritage resources for planning purposes.
- Consideration of heritage values and potential in the light of other development interests.
- Incorporation into the Regional Plan of heritage resource management concerns, including the promotion of awareness of requirements for resource assessment in response to proposed developments.

3. Subsistence Economy

Subsistence activities are an integral part of the economy and lifestyle of the people in this area. Subsistence activities include such things as the harvesting, processing, distribution and exchange of local resources such as fish, game, plants, berries, and timber, primarily for domestic consumption. They are also closely associated with such activities as trapping, commercial fishing, and handicraft production, which produce items for sale as well as exchange.

Specific issues the Commission may want to consider are:

- How competition between the various uses of subsistence resources can be best managed.
- Impact and cumulative effect of various land uses on subsistence lifestyles.

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4. Settlement and Local Area Planning

The plan should provide recommendations for the pattern and sequence of future growth and identify general areas for municipal expansion, future growth nodes for cottaging, rural residential, commercial, industrial land or mixtures of these classes of land and/or other development in the region.

Specific issues the Commission may want to consider are:

- The plan should determine whether additional planning at a more detailed level would be of value for particular areas (i.e. local area planning and zoning).
- Ad hoc Dempster Highway development (cabins) impact on the landscape. The Regional Plan should consider identifying and designating areas for permanent or temporary structures and day use activities. Providing designated locations for development helps manage visitor activity and minimize damage to the environment and landscape.
- The plan should provide recommendations for livable communities (An example of this is the "Ahwanee principles" which may be found at: www.sustainable.doe.gov/landuse/luahwane.shtml)

5. Transportation and Community Services

The plan should examine issues related to existing infrastructure which provides community and transportation services within the area. There should also be some examination of the need for future municipal type services such as solid waste disposal sites, sewage lagoons, potable water sources, firehalls, etc.

Specific issues the Commission may want to consider are:

- Potential future road access to Old Crow.
- Management of the Dempster Highway corridor including right of access to road building and maintenance materials (borrow pits, gravel quarries, rip rap sources). A utility corridor should also be protected along the Dempster Highway for possible future development. It should include 200 by 200 meter sites by any settlement or developed area for potential substation sites.
- Telecommunications, electrification.
- The need to preserve the ability to provide reasonable ground access to any location if necessary.
- Access to resources within the planning region.
- Private roads, private airstrips and the Tuttle Airstrip.
- Access to future tidewater port (i.e. Shingle Point, King Point).

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6. Renewable Energy

Five large-scale potential hydro projects have been identified in the region. Three sites are on the Porcupine River, two are on the Bell River and all are larger than 100 MW. There is no baseline information on small-scale wind or hydro renewable energy in the region and there is very limited hydrology information. Currently there are only two hydrometric sites; one at Old Crow and one on the Porcupine River near the border. In addition, renewable energy options for Old Crow need to be reviewed.

Specific issues the Commission may want to consider are:

- Future energy requirements for the region and the Yukon.
- The ability to reduce the area's reliance on diesel generated electricity and the move towards development and use of renewable forms of energy is an important long-term consideration.
- The lack of resource assessment of potential renewable energy sites.
- The commitments of governments to reduce greenhouse gas emissions should be considered in relation to any energy related options for the area.

7. Forestry

Due to its sub-Arctic location, significant forest growth is found only on the alluvial soils in the major river valleys. The forest resource of the area is limited, and for this reason it is valuable to the community of Old Crow. This resource is used as the major source of heating in Old Crow. Wood is also used for rough construction purposes. Yukon Forest Resources has some preliminary forest cover mapping for the Old Crow area and inventory collection is ongoing.

Specific issues the Commission may want to consider are:

- Examination of the existing use of timber resources within the area (i.e. fuelwood, building materials).
- Potential impacts of any harvesting activities on habitats, soils, water quality and other non-timber values.
- Fire protection measures including possible locations to apply fire smart strategies.

8. Mining

Mineral commodities are hidden, and cannot be counted like wildlife or trees. Due to the remoteness of the North Yukon Planning area, the area has been under explored. Any land use planning initiative must take into account the potential for finding undiscovered mineral deposits. Substantial baseline geological data will be required for the government to complete an appropriate assessment of mineral potential in this region.

The *Yukon Quartz Mining Land Use Regulations* (MLUR), under the *Yukon Quartz Mining Act*, have been in effect since December, 1998. These regulations ensure that environmental effects of disturbances caused by mineral exploration and development activities are minimized. MLUR also ensures proponents comply with the requirements of the *Canadian Environmental Assessment Act*.

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Specific issues the Commission may want to consider are:

- Mineral potential mapping should be completed to minimize land use conflicts and promote sustainable development.
- Geoscience data required to develop mineral potential maps in North Yukon is either antiquated or non-existent. Sufficient lead-time of at least a year is required to collect and compile the information and complete either regional or detailed mineral assessments.
- Access to highways, roads, winter roads and airstrips is critical for mineral exploration and development.
- Current mineral and environmental legislation. *MLUR, G3 Mining Act*
- Areas of special habitat or extra sensitivity should be identified and considered in relation to any future development that may be proposed.
- Mineral exploration and development has had a profound impact *does it?* on the economy of Yukon. There is a significant interest in seeing a positive investment climate created to ensure that ongoing development of mineral resources is achieved.
- It is our understanding that the withdrawal order affecting a portion of the planning region was put in place as an interim measure to permit the structure and processes established through the IFA to come into effect. This would include the Environmental Impact Screening Committee and Review Board, Wildlife Advisory Council and its development of a Conservation Management Plan for the Yukon North Slope. As these are now in place, the appropriateness of maintaining the withdrawal order should be considered.

Much more specific not our issue

Spell out what would bring the positive investment climate

State: NYK interim protected lands almost 50% of planning area

9. Oil and Gas Development

A large portion of the planning area is located within the Eagle Plains basin, one of only two Yukon areas with discovered hydrocarbon reserves. In addition, this area contains significant undiscovered oil and gas potential. Petroleum resource assessments have been completed for Yukon. They are based on current knowledge and outline where oil and gas are likely to be found.

The Yukon Oil and Gas Regime is being developed jointly with the territorial government and Yukon First Nations. It embodies legislation, regulations and processes to manage the industry's development which addresses the environment as well as conservation of our oil and gas resources. This approach of orderly development complements traditional land use planning methods.

There is a significant interest in seeing a positive investment climate created for the development of oil and gas resources in northern Yukon. This includes:

- Conducting oil and gas dispositions on a regular basis (i.e. annually).
- Providing a suitable land base from within which investment prospects can be selected by industry. Companies acquire the necessary land base to justify exploration and development costs over many successive land rights issuances.

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If petroleum demands remain high, future oil and gas development of northern Yukon is expected to affect the local and regional economy by providing direct government revenues (such as taxes, rentals and royalties) as well as training, employment and business opportunities for all Yukon people.

Specific issues that the Commission may wish to examine in relation to these potential developments include:

- Areas of oil and gas potential make up only a small percentage of Yukon Territory and are limited by specific geological parameters. Consequently, the petroleum potential of this region needs to be considered within this context.
- Infrastructure and transportation pipelines, such as feeder lines and the Dempster Lateral Pipeline Option, are necessary for oil and gas industry development. Consideration must be given to access to oil and gas resources by road and/or pipeline.
- It is important that areas of special habitat or extra sensitivity are identified and considered in relation to any future development that may be proposed. For example, salmon spawning waterways or viewsapes from the Dempster Highway may be subject to extra care during operations. Specific strategies should be developed to address operations in extra care areas. These will provide certainty to industry and ensure work will proceed appropriately in these areas.

10. Fish and Wildlife

Wildlife (General)

Wildlife populations require sufficient high quality habitat in order to be sustained. The Wildlife Key Area (WKA) inventory contains mapped key areas at a scale of 1:250,000 for species of management interest to the Dept. of Renewable Resources. Key areas are defined for each species and are intended to represent those habitat areas that are required for critical seasonal life functions. The WKA inventory is a compilation of existing information based mainly on reports and surveys done by biologists. The planning region has not been intensively surveyed due to remoteness and general lack of management issues.

Specific issues the Commission may want to consider:

- Information in the WKA is incomplete and may be outdated. Therefore, some areas of significance to wildlife may not be identified.
- The scale of the WKA may not be sufficiently detailed, depending on the scale used for planning.
- Ensure wildlife populations and their habitats are sustained in the region.
- Permafrost is prevalent in the planning region. Activities that disturb the permafrost can cause severe alterations to the landscape. These changes may degrade habitat values to wildlife.

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Porcupine Caribou Herd

The Porcupine caribou herd is a significant component of northern ecosystems and therefore has been a very well studied wildlife population. The planning region comprises mainly the winter range of the herd. Habitat use of the winter range is not very well known relative to other key areas, such as those used for calving.

Specific issues the Commission may want to consider:

- Range use patterns of the Porcupine Caribou Herd are not well known in the planning region.
- Caribou use of important winter habitats and movement corridors will need to be protected in order to maintain the population.

Freshwater Fish

In the past 25 years, there has been little inventory of freshwater fish done in the North Yukon, except for some surveys in rivers and streams associated with the Dempster Highway. Previous work was done in relation to the Foothills Pipeline proposal. Fisheries inventory has been limited due to the lack of lakes in the region and to few management concerns.

Specific issues the Commission may want to consider:

- Increasing development activity may require more inventory of fish resources so that appropriate measures can be taken to prevent over harvest and protect important habitats.

Wetlands and Rivers

Wetlands and river/stream valleys (also known as riparian areas) tend to be more productive than upland areas, and therefore tend to have higher than average wildlife habitat values. Wetlands and riparian areas also tend to be more sensitive to disturbance.

Specific issues the Commission may want to consider:

- Key wetlands need to be identified and their habitat values protected.
- Potential development that impacts on riparian areas must be sensitive to wildlife habitat values.

Access

Access can have many effects on fish and wildlife. One positive effect is that harvest pressure can be dispersed more widely throughout a region with well-developed access. There is less likelihood then of localized over-harvest. Overall though, access effects on fish and wildlife tend to be negative because the associated development activities usually result in habitat loss or degradation and disturbance to the animals.

Specific issues the Commission may want to consider:

- Consideration must be given to the effect that any planned new access could have on fish and wildlife and their habitats.

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11. Yukon Protected Areas Strategy

The intent of the Yukon Protected Areas Strategy (YPAS) is to set aside a network of protected areas to help maintain biodiversity in the Yukon. Goal 1 protected areas form the core of the network. They do not permit development, and are selected to represent the natural values of the Yukon's 23 ecoregions. Goal 2 areas, which may permit development, are managed as special places outside of the core areas.

YPAS commits to coordinating protected areas planning with regional land use planning. The Strategy states that in regions where both regional land use planning and protected areas planning are in progress, the YPAS staff will work with the Yukon Land Use Planning Council and the established Regional Land Use Planning Commission at the outset to determine the best way to coordinate the initiatives, avoid the duplication of work and ensure timely progress.

Specific methods to coordinate these processes will be dealt with on a region by region basis. In most cases, it is expected that the Local Planning Teams (LPTs) will lead the protected area planning process and provide recommendations to the Regional Land Use Planning Commissions and governments regarding Goal 1 protected areas proposals. YPAS provides for Commissions to be invited to appoint one or more members to sit on the LPT to ensure coordination. [Please note that recent recommendations by the Public Advisory Committee in the YPAS Review are under consideration and may affect appointments to the LPTs]. The specific roles to be assumed by the LPTs and Commissions will be specified in their Terms of Reference.

The North Yukon planning area includes 5 of the Yukon's 23 ecoregions. Ivavik and Vuntut National Parks protect three of these (British-Richardson Mountains, Old Crow Basin, Old Crow Flats) and the Fishing Branch Wilderness Preserve protects the fourth (North Ogilvie Mountains) and a small portion of the fifth (Eagle Plains) ecoregions. In 1999, a Northeast Yukon LPT was established to identify a core protected area for Eagle Plains and the southern portion of the British-Richardson Mountain ecoregions. The LPT met once but was put on hold until the first YPAS project was completed and implementation procedures reviewed.

Meanwhile, a preliminary analysis of natural values for Eagle Plains has been prepared to assist the LPT. It suggests that high conservation values are located in the vicinity of the Eagle River/Dempster Highway/Arctic Circle. Other values such as traditional/cultural, oil and gas and minerals will also be considered in the Goal 1 planning process. Further direction on this project is expected following completion of the YPAS implementation review process.

Specific issues the Commission may want to consider:

- What other broad conservation issues need to be considered in the region – and how could they help to buffer and/or link core areas?
- How will the commission address competing industry/development and conservation/protection interests?
- What process should be used to ensure coordination of the YPAS and LUP processes?

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12. Process related Issues

There are a number of planning related activities underway in this area that have been initiated by various governments and/or mandated bodies under the VGFN Final Agreement. These include Fish & Wildlife management planning, YPAS related planning, Vuntut National Park Plan, Special Management Area planning, Oil and Gas Disposition and Licensing processes, Tourism planning etc. In the early stages of the regional land use planning process, the Commission should become familiar with these processes and determine how it should be involved from a regional land use planning perspective and ensure ongoing coordination with these activities. It is anticipated that the Commission will use the upcoming "Opportunities and Challenges" workshops as an opportunity to become more familiar with these planning processes. In addition, our staff would also be willing to meet with the Commission if necessary to discuss any of the processes the Yukon Government is involved in.

It is recognized that the Commission will need to determine what issues should or shouldn't be addressed within the regional plan and to what level of detail. The Vuntut Gwitchin First Nation Final Agreement and the General Terms of Reference for the planning process set out the minimum requirements for the types of issues the Commission must deal with. In other cases, the Commission may determine through the planning process that some issues should be dealt with in another layer of planning (i.e. Local Area Plan).

We have received the Commission's letter inviting us to attend the upcoming workshops in June which are designed to seek public, stakeholder and government input on the opportunities, challenges and interests within the planning region. A number of Yukon Government departments have already expressed an interest in providing a presentation to the Commission on some of the items mentioned in this letter. We will forward you a complete list of these suggested presentations once it has been finalized.

We look forward to working with you as the planning process proceeds.

Sincerely,

Bill Oppen
Deputy Minister, Renewable Resources

- c. Hugh Monaghan, Vuntut Gwitchin First Nation
Roger Horner, DIAND, Canada
Lesley Cabott, Chair, Yukon Land Use Planning Council