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GET THIS ONLINE!
Login at www.yesab.ca/registry to fill out and submit your project proposal online.

September 2012
Introduction

This Guide is intended to accompany the Project Proposal Form: Land Dispositions (Form) which is designed to collect the information the Yukon Environmental and Socio-economic Assessment Board (YESAB) requires to conduct an environmental and socio-economic assessment. The Project Proposal Form: Land Dispositions applies to proposed agriculture developments, rural residential land applications, quarries and land use permits.

This Guide describes why YESAB requests the information in the Form, how it will be used, and includes examples of how to complete the Form. Section numbering and titles in the Guide correspond to the sections of the same number and title in the Form. The Guide includes appendices with a summary of the heritage information requirements for land application proposals, a flow chart of the Designated Office evaluation process, assessment district boundaries under the Yukon Environmental and Socio-economic Assessment Act (YESAA), a map of Yukon First Nation traditional territories and settlement areas of Inuvialuit and Tetlit Gwich’in, useful contact information and information on the various federal, territorial, and First Nation regulator processes. Words in dark orange bold indicate that a definition has been included in the glossary.

If you require further assistance completing the Form please contact a YESAB Designated Office; contact information is provided in Appendix E.

Checklist

The checklist on page one of the Form indicates which sections of the Form must be completed for each project type and any additional information that must be provided at the time of submission. Complete the checklist prior to submitting your proposal to a Designated Office to ensure that your proposal is complete.

Part 1:
Proponent Contact Information

The information collected in Part 1: Proponent Contact Information is used to identify:

- the proponent,
- the contact person or agent, and
- the manner in which the contact person may be reached.

Completing Part 1:
Proponent Contact Information

- **Proponent (Name or Company Name):**
  If you are proposing to conduct the activities as an individual write your name here.
  If a company is proposing to conduct the activities write the company’s name here.

- **Project Title:**
  Provide a title for the project. Titles should be descriptive of the proposed activity and location features, such as a watershed or mountain.

Example: Bear Creek Rural Residential Land Development

- **Proponent Mailing Address:**
  Provide your mailing address if you are the proponent or the company’s mailing address if a company is the proponent.

- **Contact Person (for the assessment):**
  Provide the name of the person YESAB can contact about the proposed project. Using the check boxes, indicate whether the contact person is an agent, such as a consultant, or the proponent.

- **Phone Number/Preferred Method of Contact for Assessment:**
  Provide the contact person’s phone numbers and their preferred method of contact. YESAB will use the method of contact indicated to send notices and other documents relating to the proposed project.

Part 2:
Requirement for an Evaluation Under YESAA

Part 2 is intended to help proponents identify the activity(s) in the proposed project which trigger an assessment under Schedule 1 of the Assessable Activities, Exceptions and Executive Committee Projects Regulations. The activities which commonly trigger an assessment for land disposition projects are listed in Part 2 of the Form. Proponents should be aware that this list is not exhaustive; there may be other activities in the proposed project that trigger an assessment.
If you are unsure which activities trigger an assessment contact the Government of Yukon, Department of Energy, Mines and Resources – Land Management or Agriculture Branch, or the applicable First Nation. For a complete copy of Schedule 1 of the *Assessable Activities, Exceptions and Executive Committee Projects Regulations* visit www.laws-lois.justice.gc.ca/eng/regulations/SOR-2005-379/index.html or contact a Designated Office.

**Completing Part 2:**
**Requirement for an Evaluation Under YESAA**

Indicate by checking yes or no whether the activity listed in the table is applicable to your project proposal. If you believe that other activities may be applicable, please list them under “Other”.

**Part 3:**
**Project Location Information**

Part 3 identifies the location of the proposed project to YESAB. With this information, YESAB can determine who may be affected by the project, who must be notified of the project, and any land use plans to be considered during the assessment. Visit the YESAB Geolocator at http://geolocator.yesab.ca/ or the YESAB website at www.yesab.ca for further assistance.

**Completing Part 3:**
**Project Location Information**

1. **Indicate the coordinates for the proposed project and attach a map of the corresponding location to the project proposal form.**

   Assessors use the project coordinates to confirm the proposed project location. Coordinates can be provided in either Universal Transverse Mercator (UTM) or latitude and longitude formats. Attaching a map of the proposed project location provides assessors, regulators and interested parties with additional location details.

   - **Datum:** Provide the map datum, if available.
   - **UTM Zone:** If you have provided project coordinates in UTM format please include the UTM zone.
   - **NTS Map Sheet Number(s):** Provide the NTS map sheet number which includes the project location. This information can be found using the YESAB Geolocator.

   *Example:* Map Sheet# 115P

2. **Common or Traditional Location Name:** Provide the name commonly or traditionally used to refer to the project location or the surrounding area. Often times the common or traditional name will refer to a significant feature in the immediate area.

3. **Legal Description (if surveyed):** If the project location is surveyed, provide the legal description of the property.

   *Example:* Lot 2110, Quad 105E/3, Plan 70355, CLSR, 88210 LTO

4. **Is the proposed project located within the Yukon North Slope (Inuvialuit Settlement Region)?**

   Projects that may occur within the Yukon North Slope must consider the need to protect the rights of the Inuvialuit provided under the Inuvialuit Final Agreement. A map of Yukon First Nation traditional territories and settlement areas of Inuvialuit and Tetlit Gwich’in is provided in Appendix D.

5. **The proposed project will be located on non-settlement land or Yukon First Nation settlement land. (Check all that apply). For projects occurring**
on settlement land indicate whether the land is Category A and/or B settlement land.

Settlement land refers to First Nation settlement land under a Final Agreement. Identifying whether a project will be located on settlement land indicates to the assessor that the respective First Nation may be a Decision Body. Visit http://geolocator.yesab.ca/ to locate settlement land parcels.

6. Will the proposed project be located within the boundaries of a Yukon community?

Indicate whether the proposed project is within the boundaries of a Yukon community. Assessors use this information to determine the potential of others using the project area and the potential project effects to a community.

7. Identify the nearest community(s) to the proposed project location.

Identify the nearest community(s) to the proposed project. Assessors use this information to assist in identifying other potential users of the project area and the potential project effects to a community.

8. Is there a regional land use plan in effect at the location of your proposed project?

This question refers to a completed regional land use plan. If there is a regional land use plan in effect at the location of the proposed project, the assessor must consider the plan and whether the project conforms to the plan. If you are uncertain whether there is a regional land use plan in effect at the location of your proposed project, contact the Yukon Land Use Planning Council (www.planyukon.ca).

9. Please identify any Area Development Regulations, Local Area Plans, and/or Resource Management Plans in effect at the location of the proposed project.

Identifying whether there are Area Development Regulations, Local Area Plans or Resource Management Plans in effect provides additional information on whether your proposed project is consistent with the zoning for that particular area. Visit www.emr.gov.yk.ca/lands/local_area_plans.html for information on Local Area Plans.

10. a. List the nearest waterbodies/watercourses to the project area and their distance in metres from the proposed project location.

It is important when conducting an evaluation to understand the type of waterbodies and watercourses near the project area and their distance to the project. This information is used to determine the project’s potential effects to the waterbodies and watercourses as well as fish and wildlife species in the area.

10 b. Indicate if the distances provided above are map-based or if they have been measured on the ground.

Please indicate whether distances from waterbodies were measured by yourself, someone else, or from a map. Providing the correct distances will allow for a more accurate assessment of the project and will ensure that the all the appropriate regulators are notified.

10 c. Indicate whether the proposed project is located near Special Management or Conservation Waters.

Please indicate whether your project is located in proximity to a lake or river identified as Special Management Waters or Conservation Waters by either the current Yukon Fishing Regulations Summary and/or Government of Yukon’s Rural Residential Land Application Policy. These waters have been identified to have public value including environmental, recreational and aesthetic values. Consult the current Yukon Fishing Regulations Summary for the list of Special Management Waters and Conservation Waters and/or contact Government of Yukon, Department of Environment.

Part 4:
Regulator and Authorization Information

Determining which authorizations are required to undertake the project and contacting the relevant regulators will enable proponents to identify assessment and permitting process information at the onset of the project. When contacting regulators, be sure to provide a list of all activities proposed. If an activity is not included in the proposal another assessment may be required before it can be undertaken.

Regulatory application forms ask proponents to provide details on the proposed project. The information provided in the application forms provides the majority of information required by the Designated Office to understand the proposed project. Providing copies of the application forms to the Designated Office can reduce the need for information requests during an assessment, thereby shortening the assessment period.
Completing Part 4: Regulator and Authorization Information

It is recommended that proponents provide copies of every authorization application applicable to the proposed project (i.e. a copy of the application for every box checked “Yes” under the “Required” column). Proponents are encouraged to contact the regulators responsible for issuing the authorizations to determine if an authorization is required for the proposed activities. Attaching these documents to the project proposal will ensure that the Designated Office has the information required to begin the assessment, will reduce the number of information requests issued to proponents, and reduce the duplication of information between regulatory applications and the YESAB Project Proposal Form: Land Dispositions.

Proponents who submit their project proposal without attaching the relevant applications will likely receive an information request asking for either copies of the documents or answers to a list of questions based on those documents. An information request will delay the assessment until the requested information is provided to the Designated Office. Refer to Appendix F for information on certain regulatory processes.

Part 5: Project Purpose and Alternatives

Identifying the project purpose and any alternatives is a requirement for proponents under YESAA. Part 5 offers proponents the opportunity to describe the project purpose and other ways of carrying it out (i.e. alternatives).

Completing Part 5: Project Purpose and Alternatives

Section A: Project Purpose
Example (Agricultural): The purpose of the project is to grow hay to supply our existing farm. There is currently no local supply hay for the community.

Example (Rural Residential): The purpose of the project is to build a primary residence for myself at the proposed location.

Section B: Project Alternatives
This section offers proponents the opportunity to describe alternatives to the project and alternative ways of undertaking the project. When preparing a land disposition application proponents may walk the land and determine the best possible access route(s), where to place buildings and why, etc. Proponents are asked to describe why certain options were preferred or rejected and to identify the factors that were considered.

Describing alternative ways of meeting the need for the project helps provide a rationale for the proposed project; however, this may not apply in all cases. For example, the only alternative to building a retirement home is to not build one. However, an alternative to a forage development proposal could be to import forage from elsewhere.

Describing alternative locations that were considered helps assessors understand why the proposed location was selected and why other locations were excluded from further consideration.

Example: Flat Creek and Rock Creek were both considered as possible project locations. Rock Creek was decided upon as the optimal location due to its proximity to Dawson City and access to services. We have two school-aged children who are actively involved in team sports and after school programs. Living closer to town will permit our children to continue this lifestyle and enhance their social skills.

Identifying alternative means that were considered for carrying out the project allows assessors to understand the planning and rationale for selecting the proposed means and why other means were excluded from further consideration.

Example: We considered access on the northwestern side of the proposed development versus access on the southeastern side. It was decided that access on the northwestern side of the property would be optimal since it provides direct access to the highway. Accessing the property from the southeastern side would require regular use and maintenance of an old mining road.

Part 6: Project Description

Part 6 is crucial for understanding the details of the proposed project. Ensure information is complete and attach maps or photos when available. If an answer is provided in an attached form please indicate the document name and page number (e.g. Please see page 3 of the attached Heritage Report). For further assistance in completing this section contact the Designated Office.

Completing Part 6: Project Description

Section A: Timing of Activities
This section allows proponents to identify the various components or stages of a project, as well as the timing for
each activity. This will help assessors in determining which activities should be included in the assessment (i.e. the scope of the project). Identifying the timing for each activity will help assessors determine what potential effects might occur, and for how long. Note: A description of maintenance and decommissioning activities will not apply to a project where the proponent is seeking title to a parcel of land.

**Example:** I plan to start construction of my residence the first spring after approval of my application. It will take me two years to complete construction. In year one, I will clear trees and shrubs (over two weeks in April) for building an access road to the property and where I plan to build my house. I will also level the ground at these locations (May) and begin construction of my house (May-October). In summer and fall of year two (May-October), I will complete construction of the house, install a septic field, connect to power and telephone, and move in.

**Section B: Activities on or Adjacent to Settlement Land**

If project activities will occur on a First Nation’s settlement land, it is very likely the First Nation is a Decision Body for your project and you will need an authorization or permission from the First Nation prior to undertaking the activities.

Activities occurring on or adjacent to settlement land may negatively impact that settlement land and possibly other First Nation rights or interests. For example, a fuel spill occurring on or adjacent to settlement land can result in soil contamination and harm vegetation. This, in turn, could negatively affect the ability of the First Nation to harvest plants in the area of the spill.

When discussing the proposed project with affected First Nations, you may want to inquire about what the current and planned future uses of the settlement land parcel are, and consider how your project may affect those uses.

**Section C: Proposed Developments**

Questions 3 to 8 request additional information regarding project details that further assists assessors in identifying the scope of your project and the potential impact the proposed activities will have, including any impacts that may occur off the main project site.

**Note:** Clearing of vegetation on non-settlement land may require a permit under the Forest Resources Act. Contact Government of Yukon, Forest Management Branch, for more information.

**Section D: Equipment and Fuel Use**

Question 9 requests that proponents identify the types of equipment that will be used to undertake project activities and whether fuel will be used and stored on site throughout the project lifecycle. This information enables the assessor to understand the potential effects associated with these activities, namely: noise associated with the use of heavy equipment; the risk of contamination of ground and water from fuel use/storage, and potential effects to health and safety from heavy equipment use and contamination.

**Section E: Activities Related to Water Use**

Questions 10 to 12 relate to the proximity of the proposed activities to a waterbody or watercourse. This information is required to ensure that those authorities responsible for regulating activities in or near waterbodies are notified of the proposed project.

This information helps the assessor and interested persons understand the physical properties and ecology of the waterbody or watercourse. It also assists the assessor in identifying potential effects and can be helpful to persons interested in the assessment in providing informed and meaningful comments.

**Section F: Decommissioning and Reclamation**

Question 13 asks proponents to describe how the proposed project will be decommissioned or reclaimed upon completion. The information provided will enable the assessor to determine the duration of project activities. This question may not be applicable to all projects, such as rural residential or agriculture development proposals.

---

<table>
<thead>
<tr>
<th>7. In the table below, please describe the proposed earth moving and land clearing activities (e.g. grading, leveling). Check those clearing activities that are not applicable.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Reason for Earth Moving/Clearing</strong></td>
</tr>
<tr>
<td>Dwellings and other buildings</td>
</tr>
<tr>
<td>Access</td>
</tr>
</tbody>
</table>

**Example: Proposed Developments (question 7)**
Part 7:
Agricultural Developments

Part 7 applies to agriculture projects only. Providing this information allows the assessor to better identify the potential effects associated with the use of pesticides, herbicides and/or fertilizers.

<table>
<thead>
<tr>
<th>1. Does the proposed project include the use of pesticides, herbicides and/or fertilizers?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes (If yes, please complete the table below.)</td>
</tr>
<tr>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of Product</th>
<th>Application Rate</th>
<th>Application Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fertilizer, NPKS 30-20-10-5</td>
<td>0.5 lbs/acre</td>
<td>Once annually</td>
</tr>
</tbody>
</table>

Example: information regarding the use of pesticides, herbicides and/or fertilizers.

Part 8:
Quarries

Part 8 applies to quarry projects only. Providing the information requested in this section will allow assessors to better understand how aggregates will be extracted, stored and transported, as well as identifying the potential effects associated with these activities.

If a quarry project involves the use of explosives, you may require a permit from the Government of Yukon and/or from Natural Resources Canada. Contact these regulators for more information (see Appendix E).

Question 7 requests information relating to the potential of excavated areas or stockpiled materials to generate acid rock drainage (ARD) and/or to leach metals (ML) when that material comes in contact with water (surface water and/or groundwater). Contaminated seepage from excavated areas or stockpiled materials can pollute soils, surface and groundwater resources, and can harm vegetation. Geochemical testing of the rock at the site will assist in identifying its ARD/ML potential and will allow for the identification of potential effects and appropriate mitigation measures.

Completing Part 9:
Environmental and Socio-economic Conditions

Section A: Environmental Conditions

These questions provide assessors with the information to better understand how your project may affect the environment within and around the project area. In order to do so, a physical description of the site and the identification of any wildlife or important environmental features are required. This description should come from your own experience at the site or from information that you have collected through discussions with others who may know the site well. Local and traditional knowledge about an area forms an important component of the assessment process. Sample responses have been included below.

Examples:
- The project location is hilly and covered with willows. The highway runs along the south side of the property. There are residential homes on either side and across the road from the proposed location. There are no waterbodies within the project area.
- There is a narrow trail used by moose that runs adjacent to shoreline of the river located approximately 2 km from the southern parcel boundary.
- The river valley adjacent to my proposed parcel is known to be an important breeding area for golden eagles. I will contact Government of Yukon, Department of Environment for more information.

When preparing a project proposal proponents should consider potential effects to wildlife and wildlife habitat. Government of Yukon has established Wildlife Key Areas which identify locations used by wildlife for important, seasonal life functions (www.env.gov.yk.ca/wildlifebiodiversity/wildlife_key_areas.php). Proponents should indicate whether the proposed project...
overlaps with a Wildlife Key Area by contacting Government of Yukon, Department of Environment. If there is an overlap, proponents should discuss wildlife matters with Government of Yukon, Department of Environment and provide details of any conversations in the project proposal.

Section B: Socio-economic Conditions
Section B is asking proponents to describe how the proposed project location is currently used by others. This information allows assessors to better understand how your project may affect other people and services in the area.

Contacting Government of Yukon, Heritage Branch
To determine the heritage resource potential of the area contact Government of Yukon, Department of Tourism and Culture – Heritage Branch; see Appendix E for contact information. Refer to Appendix A YESAB Heritage Information Requirements for Land Application Proposal to ensure that you have provided the necessary information with respect to heritage resources in your YESAB Project Proposal Form: Land Dispositions.

Contacting Yukon First Nations
Contacting affected First Nations helps you and the assessor identify the potential for heritage resources in the proposed project area, traditional uses of the project area and any concerns associated with the proposed project. Information collected in a conversation with the First Nation(s) affected by the proposed project will be useful during the assessment and will assist you in completing Part 10 Proponent Considerations. Refer to Appendix E for First Nation contact information.

Proponents should also consider the location of settlement land parcels in relation to the proposed project location. For projects located on a First Nation’s settlement land, the First Nation will have a regulatory role in relation to the project.

Questions to consider when contacting affected (or potentially affected) First Nations:
• Are there any known heritage resources at or in the vicinity of the proposed project location?
• What are the traditional and current uses of the proposed project location?
• What, if any, are the First Nation’s concerns regarding the proposed project?

Information relating to settlement lands can be obtained from the YESAB Geolocator (http://geolocator.yesab.ca/) and from the First Nation(s) whose traditional territory(s) the project falls within.

Contacting Registered Trapping and Outfitting Concession Holders and Wilderness Tourism Operators
Identifying and contacting registered trapping and outfitting concession holders, and wilderness tourism operators helps identify potential concerns associated with the proposed project. Information collected in conversations with trappers, outfitters and wilderness tourism operators will be useful during the assessment and will assist you in completing Part 10 Proponent Considerations. When providing details of contact please respect the privacy of the individuals contacted. Do not provide names or personal contact details in the Form. For information on contacting trappers contact Government of Yukon, Department of Environment. For information on contacting outfitters contact Government of Yukon, Department of Environment or visit www.yukonoutfitters.net. For information on contacting wilderness tourism operators contact Government of Yukon, Department of Tourism and Culture, Tourism Branch.

Questions to consider when contacting trappers, outfitters and wilderness tourism operators:
• What, if any, are the concerns with the proposed project?
• How have the above-mentioned concerns been addressed/mitigated?

Part 10: Proponent Considerations
Under YESAA s. 50(2)(a), when preparing a proposal the proponent is required to take into consideration:
• all stages of the project or existing project;
• the significance of any environmental or socio-economic effects of the project, including effects of malfunctions or accidents;
• alternatives to the project, or alternative ways of undertaking or operating it, that would avoid or minimize any significant adverse environmental or socio-economic effects; and
• mitigative measures and measures to compensate for any significant adverse environmental or socio-economic effects.

Part 10 of the Form is designed to help the proponent meet the requirements of s.50(2)(a) by identifying the effects common to many land disposition projects.

There are six values listed that are most commonly considered in relation to land disposition projects. These values are listed as subheadings (A-F) in Part 10: Proponent Considerations of the Form. The question asks whether the proposed project will have an effect on the values identified. Identifying potential effects of the proposed project activities provides the proponent with an opportunity to consider the significance of the effect. Note that this list of potentially affected values is not exhaustive; some values may not be identified in the Form. Please add
any values that may be affected by your project that are not included in Part 10 in the blank space provided.

Identifying potential effects of the proposed project activities provides the proponent with an opportunity to consider the significance of the effect.

The Form asks you to demonstrate how you plan to eliminate, reduce or control those effects. This can be accomplished in a number of ways but is usually by project design, mitigation or an alternative way of operating.

Completing Part 10: Proponent Considerations

Responses to Part 10 should consider all proposed activities, the potential impacts (effects) of those activities and how those impacts will be mitigated.

Section A: Wildlife and Wildlife Habitat

1. Potential Effect: loss or alteration of wildlife habitat

The following activities may result in the loss or alteration of wildlife habitat (depending on the species). The loss or alteration of habitat may occur directly (e.g. removal of vegetation or nests) or through avoidance and fragmentation.

Indicate whether the activities listed are included in the proposed project and provide a mitigation for the potential loss of alteration of habitat resulting from those activities.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
<th>Mitigation: Please describe measures you intend to apply to eliminate, reduce or control habitat loss or alteration for animals such as birds, small fur-bearers, large mammals, etc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearing of vegetation</td>
<td>☒</td>
<td>☐</td>
<td>Clearing will be kept to a minimum</td>
</tr>
<tr>
<td>Construction and use of linear features:</td>
<td></td>
<td></td>
<td>We will be constructing a driveway and will select the shortest route possible to reduce linear disturbances</td>
</tr>
</tbody>
</table>

| Trails                           | ☒   | ☐   |
| Roads                            | ☒   | ☐   |
| Utility right-of-way              | ☒   | ☐   |
| Building construction             | ☒   | ☐   |
| Installation of fencing           | ☒   | ☐   |

While the previous section required you to describe your proposed project, Part 10 asks you to consider any or all potential effects of your proposed project. Check all applicable activities proposed and describe measures (if any) you intend to apply to avoid or reduce adverse effects. Please note that the lists provided are not exhaustive; there may be additional project effects that are not listed depending on the details of the proposed project. Project activities and effects tend to be interchangeable with other values. Part 10 has been designed to enable proponents to consider potential effects on these values independently.

If you have demonstrated consideration of potential effects and mitigative measures in another document please identify the document name and page number.

The following are examples that will help illustrate how to complete Part 10.
2. **Potential Effect:** loss, direct injury and/or mortality of wildlife

The following activities may injure wildlife and/or result in mortality; for instance, clearing and stripping of the vegetative mat may destroy nests with eggs or wildlife may ingest lethal doses of contaminants they become attracted to. Similarly, wildlife, such as bears, may be attracted to waste and fuel stored on site, resulting in potentially lethal human-wildlife conflicts.

Indicate whether the activities listed are included in the proposed project and provide a mitigation for injury and/or mortality of wildlife resulting from those activities.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
<th>Mitigation: Please describe measures you intend to apply to eliminate, reduce or control loss, injury or death for species such as birds, small furbearers, large mammals, etc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearing of timber, brush and vegetative mat</td>
<td>☐</td>
<td>☐</td>
<td>Trees and brush will be cleared during the winter months when birds are not nesting.</td>
</tr>
<tr>
<td>Storage and use of petroleum products</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Onsite storage of wastes:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kitchen wastes</td>
<td>☐</td>
<td>☐</td>
<td>Kitchen waste will be stored in bear proof containers and locked in a shed. Waste will be removed on a weekly basis to an approved disposal facility.</td>
</tr>
<tr>
<td>Other domestic garbage</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Waste petroleum products</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
</tbody>
</table>

Section B: Heritage Resources

Damage to, or removal of, a physical object that is considered to be a heritage resource would result in the loss or alteration of a heritage resource. In some cases, the introduction of an access route (road, trail, line or corridor) could increase access to an area that has a heritage **value** associated with a place of special historical or cultural meaning. Heritage resources are not limited to physical objects.

3. **Potential Effect:** damage or loss of a heritage resource (tangible)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
<th>Mitigation: Please describe measures you intend to apply to eliminate, reduce or control damage to or loss of physical heritage resources.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearing and stripping of timber, brush and vegetative mat</td>
<td>☐</td>
<td>☐</td>
<td>If heritage resources are discovered, we will stop work and immediately contact the Government of Yukon and the First Nation for advice.</td>
</tr>
<tr>
<td>Blasting</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
</tbody>
</table>
### Section C: Soil and Vegetation

#### 5. Potential Effect: *loss of vegetation*

The following activities may remove completely or alter the type of vegetation in an area. The loss of vegetation may occur directly (e.g. removal of timber and brush) or through the removal of soil and water, which support growth of vegetation. Indicate whether the activities listed are included in the proposed project and provide a mitigation for the potential loss of vegetation resulting from those activities.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearing and stripping of timber, brush and vegetative mat</td>
<td>✗</td>
<td>✓</td>
<td>Clearing will be minimized The vegetative mat will be stockpiled and spread along the route upon reclamation to promote natural re-vegetation.</td>
</tr>
</tbody>
</table>

Development of:

- Trails |
  - No

- Roads |
  - No

- Utility right-of-way |
  - No

#### 6. Potential Effect: *contamination*

The following activities may contaminate soil and other parts of the environment, likely through an accident or malfunction. Contamination may not only result in a loss of soil but also affects the ability to produce vegetation and may limit biodiversity. Indicate whether the activities listed are included in the proposed project and provide a mitigation for potential contamination resulting from those activities.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use of motorized equipment</td>
<td>✗</td>
<td>✓</td>
<td>A spill response plan has been developed (see attached document). A spill kit will be available on site at all times.</td>
</tr>
<tr>
<td>Disposal of special or solid wastes</td>
<td>✗</td>
<td>✓</td>
<td>Same as above.</td>
</tr>
<tr>
<td>Transfer and use of petroleum products</td>
<td>✗</td>
<td>✓</td>
<td>Same as above.</td>
</tr>
<tr>
<td>Use of fertilizers, pesticides, herbicides</td>
<td>✗</td>
<td>✓</td>
<td>Same as above.</td>
</tr>
</tbody>
</table>
Section D: Interests of Others

Other users such as First Nation citizens exercising traditional and cultural pursuits, trappers, outfitters, residents, hunters, and forest harvesters may all use proposed project area. These users could be adversely affected by, for example:

- having limited or no access to the proposed project area;
- through loss of natural resources, and;
- noise disturbances.

Additionally, with very limited exceptions, the construction of any dwelling will restrict hunting and trapping within a one kilometre radius around the dwelling(s).

Indicate whether the activities listed are included in the proposed project and provide a mitigation for the potential change in use of the area resulting from those activities.

### 7. Potential Effect: change in use of the area by others

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearing of timber, brush and vegetative mat</td>
<td>☐</td>
<td>☐</td>
<td>Please describe measures you intend to apply to eliminate, reduce or control others having to adapt their uses of an area.</td>
</tr>
<tr>
<td>Permanent alienation of land</td>
<td>☐</td>
<td>☐</td>
<td>No mitigation. However the parcel selected is not frequently used by others.</td>
</tr>
<tr>
<td>Construction of access roads or trails</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
</tbody>
</table>

Section E: Aquatic Resources

### 8. Potential Effect: reduction, loss or alteration of water

The following activities may alter the quantity or access to water. Reduction, loss or alteration of water has the greater potential to affect other values such as fish, vegetation, other users, etc.

Indicate whether the activities listed are included in the proposed project and provide a mitigation for potential reduction, loss or alteration of water resulting from those activities.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
<th>Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Withdrawal of water from a watercourse or waterbody</td>
<td>☐</td>
<td>☐</td>
<td>Water use will be minimal. Pump will be appropriately screened to avoid harming fish.</td>
</tr>
<tr>
<td>Watercourse training</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Retaining the flow or quantity of water flowing</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
</tbody>
</table>
## Section F: Public Health and Safety

### 10. Potential Effect: compromised health, injury and/or mortality of operators and the public

Certain project activities may put workers or the public in a position of risk to their health or safety. Environmental conditions, location and use of the area by others are factors that should also be considered.

Indicate whether the activity(s) listed are included in the proposed project and provide a mitigation for the potential compromised health, injury and/or mortality of operators and the public from those activities.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Yes</th>
<th>No</th>
<th>Mitigation: Please describe measures you intend to apply to eliminate, reduce or control the potential for compromised health, injury or death of operators and the public.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use of heavy equipment</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Storage and use of hazardous materials</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Use of explosives</td>
<td>☐</td>
<td>☐</td>
<td>Operators will be trained in the proper use and storage of explosives. Nearby residents will be notified in advance of blasting activities.</td>
</tr>
<tr>
<td>Alteration to existing roads or trails</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Construction of access roads or trails onto/from a highway or frequently used public road</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>Operating in a remote location inaccessible or not easily accessible by emergency aid</td>
<td>☐</td>
<td>☐</td>
<td></td>
</tr>
</tbody>
</table>

### Part 11:

**Acknowledgment and Certification**

The submission of a project proposal begins an evaluation process under the *Yukon Environmental and Socio-economic Assessment Act* (YESAA). Your signature verifies that you are aware that the information is being submitted to start an evaluation under YESAA and that the information submitted will be available to the public. Furthermore, your signature verifies that the information you have provided is true and correct to the best of your knowledge.
Glossary

**adequacy review:** This is the first stage in the Designated Office Evaluation Process. This stage begins on the day a project proposal is submitted to a Designated Office and ends eight (business) days after the proposal is submitted, or up to 29 (consecutive) days after the proposal is submitted if the adequacy review stage is extended. The Designated Office reviews all proposal information provided during adequacy review and determines if the information is adequate to commence an assessment. If the information is not adequate an information request is issued.

**adversely (adverse):** Creating unfavourable, undesirable, or harmful effects.

**agent:** The person or company representing the proponent for the purposes of the assessment.

**alternative:** The various technically and economically feasible ways, other than the proposed way, for a project to be undertaken or carried out. Examples include other project locations, different routes and methods of development, and alternative methods for undertaking or mitigating the project. For example, there may be more than one alternative method to access a project area such as winter ground access, all season ground access or air supported access. Each has its merits and drawbacks but all should be given consideration and that consideration should be described or shown. There may be six alternatives but through the elimination process two are identified, those could be the alternatives proposed. However, we still want to see the rationale used for the elimination process.

**authorization:** A licence, permit or other form of approval that is used or given by:

a. the Governor in Council, a government agency, an independent regulatory agency or a municipal government, or
b. a first nation under its final agreement or a first nation law (YESAA s. 2(1)).

copies:** This is highlighted to stress that the Designated Office does not accept the original regulator application forms, those go to the applicable regulator.

**effect:** There are two types of effects to be considered during an environmental and socio-economic assessment, direct and indirect. A direct effect is the result of an action or activity which occurs at the same time and place as the action or activity. An indirect effect is the result of an action or activity which occurs after the action or activity and in a different place.

**information request:** An information request is a document issued by a Designated Office to the proponent either during the adequacy review or after the review information stage. An information request consists of a set of questions for the proponent; answers will provide the Designated Office with supplementary information required to assess the proposed project. Proponents normally have up to 180 days to respond to an information request that is issued during the adequacy stage and up to 28 days if the information request was issued during the reviewing information stage.

**land disposition:** In relation to Commissioner’s Lands or ‘lands administered by the Government of Yukon’, a project is considered to require a disposition of land when the proponent has or will be applying under the Lands Act or Territorial Lands (Yukon) Act to obtain:

a. title to the lands;
b. a lease of the lands; or
c. a grant of right-of-way or easement in respect of the lands.

In relation to settlement lands, a project is considered to require a disposition of land when the proponent has or will be applying to the First Nation to obtain:

a. an interest in the lands similar or equivalent to title;
b. a lease of the lands; or
c. a grant of right-of-way or easement in respect of the lands (YESAB Operational Policy No: 2011-01).

**mitigative measures (mitigation):** Measures for the elimination, reduction or control of adverse environmental and socio-economic effects (YESAA s. 2(1)).

**proponent:** Generally the person or body that proposes to undertake the project.

**seeking views and information:** The terminology in YESAA for the public comment period stage of a project undergoing an assessment. The seeking views and information stage occurs after the adequacy review.

**significance (significant):** The importance of an effect on a value. Some examples of how (direct or indirect) effects can be characterized include:

- consideration of whether the effects are felt at a local, regional or territorial level (scale);
- whether the effects only occur during certain stages of the project (timing);
- whether the effects are felt in the short term, long term, continuously or intermittently (duration); or
- the extent of the effect and whether it can be reduced, eliminated or controlled (magnitude).

**value:** These are parts of either an environmental or socio-economic system that are considered important or valuable. Water quality for instance is normally considered important because it provides habitat for fish, whether fish are located within or downstream of the project area.

**waterbody:** General term that refers to ponds, bays, lakes, marine areas, etc.

**watercourse:** General term that refers to riverine systems such as creeks, brooks, streams, rivers, etc.
Appendix A

YESAB Heritage Resource Information Requirements for Land Application Proposals

The information in Appendix A provides general information about the YESAB Heritage Resource Information Requirements for Land Application Proposals Policy (Heritage Policy). For a copy of the complete Heritage Policy please visit www.yesab.ca or contact a Designated Office (see Appendix E for contact information). As indicated in the Form’s checklist all agriculture development and rural residential land application proposals must include a heritage resource assessment.

In August, 2011 YESAB implemented the Heritage Policy. The purpose of this policy is to specify the heritage information requirements for certain project proposals – namely those that require a disposition of land in order to be undertaken.

In relation to Commissioner’s Lands or ‘lands administered by the Government of Yukon’, a project is considered to require a disposition of land when the proponent has or will be applying under the Lands Act or Territorial Lands (Yukon) Act to obtain:

1. title to the lands;
2. a lease of the lands; or
3. a grant of right-of-way or easement in respect of the lands.

In relation to settlement lands, a project is considered to require a disposition of land when the proponent has or will be applying to the First Nation to obtain:

1. an interest in the lands similar or equivalent to title;
2. a lease of the lands; or
3. a grant of right-of-way or easement in respect of the lands.

Proposals that include land applications for residential and agricultural development are the most common proposals assessed under YESAA that require a disposition of land in order to be undertaken.

Projects requiring a disposition of land to be undertaken often include activities that may have longer term or even permanent effects on heritage resources. To ensure that the effects of a proposed project on heritage resources are identified and properly assessed, YESAB requires a “heritage resource assessment” to be included with any proposal for a project requiring a disposition of land.

The heritage resource assessment required under the Heritage Policy is comprised of two stages:

1. An “overview assessment”, which is mandatory for all project proposals requiring a disposition of land in order to be undertaken.
2. A “site assessment”, which is only required if the outcome of the overview assessment indicates that a site assessment is necessary or advisable.

The First Nation(s) in whose traditional territory the project is located may know of past or existing uses of the area and/or of heritage resources. This information may be in the form of traditional knowledge and oral history. It may contain information about known cultural and aesthetic values of the area. YESAB recommends contacting applicable First Nations to seek their input as part of an overview assessment.

Government of Yukon, Heritage Branch may also know of past or existing uses of the area and/or of heritage resources. YESAB recommends contacting Government of Yukon, Heritage Branch for information on heritage resource potential at the proposed project location as part of an overview assessment.

As per the Heritage Policy, please provide a heritage resource assessment report for the area that identifies the information detailed below:

1. The name and qualifications of the person that undertook the heritage resource assessment.
2. A description of the project site identifying boundaries of the study area.
3. A description of the methods used in data acquisition, recording and analysis, including those used in field, archival and laboratory investigations.
4. State predictions about the kinds and number of heritage resources to be expected, the likelihood of the discovery of heritage resources and the potential significance of heritage resource values in the area.
5. A description interpretation in general terms of heritage resources found.
6. A description of proposed mitigations to minimize the effect of the project activities on the heritage resources identified.
7. An interpretation of the significance of potential adverse effects this project may have on potential heritage resources.
Appendix B
Designated Office Evaluation Process Flow Chart
Appendix C
Assessment District Boundaries Under YESAA
Appendix D
Traditional Territories of Yukon First Nations and Settlement Areas of Inuvialuit and Tetlit Gwich’in
Appendix E
First Nation, Regulator and YESAB Contact Information

YUKON FIRST NATIONS

**Carcross Tagish First Nation**
Box 130
Carcross, Yukon Y0B 1B0
Telephone: (867) 821-4251
Fax: (867) 821-4802
www.ctfn.ca

**Champagne and Aishihik First Nations**
Box 5310
Haines Junction, Yukon Y0B 1L0
Telephone: (867) 634-4200
Fax: (867) 634-2108
www.cafn.ca

**First Nation of Na-cho Nyak Dun**
Box 220
Mayo, Yukon Y0B 1M0
Telephone: (867) 996-2265
Fax: (867) 996-2267
www.nndfn.com

**Gwich’in Tribal Council**
Box 1509
Inuvik, Northwest Territories X0E 0T0
Telephone: (867) 777-7900
Fax: (867) 777-7919
www.gwichin.nt.ca

**Kluane First Nation**
Box 20
Burwash Landing, Yukon Y0B 1V0
Telephone: (867) 841-4274
Fax: (867) 841-5900
www.kfn.ca

**Kwanlin Dün First Nation**
35 McIntyre Drive
Whitehorse, Yukon Y1A 5A5
Telephone: (867) 633-7800
Fax: (867) 668-5057
www.kwanlin dun.com

**Inuvialuit Development Corporation**
107 MacKenzie Road, Bag Service #7
Inuvik, NT X0E 0T0
Telephone: (867) 777-2419
Fax: (867) 777-3256
www.idc.inuvialuit.com

**Liard First Nation**
Box 328
Watson Lake, Yukon Y0A 1C0
Telephone: (867) 536-5200
Fax: (867) 536-2332

**Little Salmon/Carmacks First Nation**
Box 135
Carmacks, Yukon Y0B 1C0
Telephone: (867) 863-5576
Fax: (867) 863-5710
www.lscfn.ca

**Ross River Dena Council**
General Delivery
Ross River, Yukon Y0B 1S0
Telephone: (867) 969-2278
Fax: (867) 969-2405
www.rdc.ca

**Selkirk First Nation**
Box 40
Pelly Crossing, Yukon Y0B 1P0
Telephone: (867) 537-3331
Fax: (867) 537-3902
www.selkirkfn.com

**Ta’an Kwäch’än Council**
117 Industrial Road
Whitehorse, Yukon Y1A 2T8
Telephone: (867) 668-3613
Fax: (867) 667-4295
www.taan.ca

**Teslin Tlingit Council**
Box 133
Teslin, Yukon Y0A 1B0
Telephone: (867) 390-2532
Fax: (867) 390-2204
www.ttc-teslin.com

**Tr’ondëk Hwëch’in**
Box 599
Dawson City, Yukon Y0B 1G0
Telephone: (867) 993-7100
Fax: (867) 993-6553
www.trondek.ca

**Vuntut Gwitchin First Nation**
Box 94
Old Crow, Yukon Y0B 1A0
Telephone: (867) 862-7802
Fax: (867) 862-7806

**White River First Nation**
General Delivery
Beaver Creek, Yukon Y0B 1A0
Telephone: (867) 862-7802
Fax: (867) 862-7806

GOVERNMENT OF CANADA

**Fisheries and Oceans Canada**
100 - 419 Range Road
Whitehorse, Yukon Y1A 3V1
Telephone: (867) 393-6722
Fax: (867) 393-6738
www.dfo-mpo.gc.ca

**Transport Canada**
Box 8550, 3-344 Edmonton Street
Winnipeg, MB R3C 0P6
Telephone: (204) 983-4357
Email: pnrean-pnreen@tc.gc.ca

**YUKON WATER BOARD**

**Transport Canada**
Suite 106-419 Range Road
Whitehorse, Yukon Y1A 3V1
Telephone: (867) 456-3980
Fax: (867) 456-3890
Email: ywb@yukonwaterboard.ca
www.yukonwaterboard.ca
GOVERNMENT OF YUKON

Community Services – Wildland Fire Management
91790 Alaska Highway
Whitehorse, Yukon Y1A 5X7
Telephone: (867) 456-3845
Toll free (in Yukon): 1-800-661-0408 ext 3845
Fax: (867) 667-3191
www.community.gov.yk.ca/firemanagement

Environment
10 Burns Road
Whitehorse, Yukon
Telephone: (867) 667-5652
Toll free (in Yukon): 1-800-661-0408 ext 5652
Fax: (867) 393-7197
Email: environment.yukon@gov.yk.ca
www.env.gov.yk.ca

Energy, Mines and Resources – Land Use Branch
320-300 Main Street
Whitehorse, Yukon
Telephone: (867) 667-5215
Toll free (in Yukon): 1-800-661-0408 ext 5215
Fax: (867) 667-3214
Email: land.use@gov.yk.ca
www.emr.gov.yk.ca/lands

Health and Social Services – Environmental Health Services
2 Hospital Road
Whitehorse, Yukon Y1A 3H8
Telephone: (867) 667-8391
Toll free (in Yukon): 1-800-661-0408 ext 8391
Fax: (867) 667-8322
Email: environmental.health@gov.yk.ca
www.hss.gov.yk.ca/environmental.php

Highways and Public Works – Transportation Maintenance
Box 2703
Whitehorse, YT Y1A 2C6
Telephone: (867) 667-5644
Toll free (in Yukon): 1-800-661-0408 ext 5644
Fax: (867) 667-3648
Email: highways@gov.yk.ca
www.hpw.gov.yk.ca/trans

Tourism and Culture – Cultural Services Branch, Heritage Resources
100 Hanson Street
Box 2703
Whitehorse, Yukon Y1A 2C6
Telephone: (867) 667-3053
Toll free (in Yukon): 1-800-661-0408 ext 3053
Fax: (867) 667-3546
www.tc.gov.yk.ca/heritage_resources.html

Tourism and Culture – Tourism Branch
100 Hanson Street
Box 2703
Whitehorse, Yukon Y1A 2C6
Telephone: (867) 667-3845
Toll free (in Yukon): 1-800-661-0408 ext 3845
Fax: (867) 667-3846
Email: tourism@gov.yk.ca
www.tc.gov.yk.ca/travel

YUKON ENVIRONMENTAL AND SOCIO-ECONOMIC ASSESSMENT BOARD

Head Office
Suite 200-309 Strickland Street
Whitehorse, Yukon Y1A 2J9
Telephone: (867) 668-6420
Toll Free: 1-866-322-4040
Fax: (867) 668-6425
Email: yesab@yesab.ca

Dawson City Designated Office
Bag 6050
Dawson City, Yukon Y0B 1G0
Telephone: (867) 993-4040
Toll Free: 1-866-322-4040
Fax: (867) 993-4049
Email: dawson.do@yesab.ca

Haines Junction Designated Office
Box 2126
Haines Junction, Y0B 1L0
Telephone: (867) 634-4040
Toll Free: 1-866-322-4040
Fax: (867) 634-4049
Email: hainesjunction.do@yesab.ca

Mayo Designated Office
Box 297
Mayo, Y0B 1M0
Telephone: (867) 996-4040
Toll Free: 1-866-322-4040
Fax: (867) 996-4049
Email: mayo.do@yesab.ca

Teslin Designated Office
Box 137
Teslin, Y0A 1B0
Telephone: (867) 390-4040
Toll Free: 1-866-322-4040
Fax: (867) 390-4049
Email: teslin.do@yesab.ca

Watson Lake Designated Office
Box 294
Watson Lake, Y0A 1C0
Telephone: (867) 536-4040
Toll Free: 1-866-322-4040
Fax: (867) 536-4049
Email: watsonlake.do@yesab.ca

Whitehorse Designated Office
Suite 203-309 Strickland Street
Whitehorse, Y1A 2J9
Telephone: (867) 456-3200
Toll Free: 1-866-322-4040
Fax: (867) 456-3209
Email: whitehorse.do@yesab.ca

www.yesab.ca
Appendix F
Regulator Information

Kwanlin Dün First Nation Information Sheet for Proponents of Projects - Sheet 1 of 2

About KWANLIN DUN FIRST NATION
Citizens of Kwanlin Dün First Nation (KDFN) include people of Southern Tutchone, Tagish and Tlingit descent. The KDFN Traditional Territory encompasses the headwaters of the Yukon River. KDFN is the largest land holder in the City of Whitehorse, the capital of the Yukon, and has a significant quantity of rural settlement land throughout the Traditional Territory.

The Lands, Resources and Claims Implementation (LRCI) Department monitors and responds to development assessment proposals and is responsible for administering, managing and planning for our lands. Legislation, regulations and policy are in development.

Early engagement with stakeholders can prevent the miscommunication which may lead to project delays.

Why contact us?
Authorization
Your project may require KDFN authorization if it involves Settlement Land. Settlement Land is mapped here [http://www.kwanlindun.com/lands_resources](http://www.kwanlindun.com/lands_resources). If you need help please figuring this out, contact us (see below). Authorization forms may be obtained from the LRCI Department.

Engagement and communication
If your project does not require an authorization, it may still be advisable to contact KDFN. We encourage proponents to make contact early in the planning process for projects in or adjacent to our Traditional Territory.

What does the Final Agreement mean with respect to land and water?
By virtue of the Final Agreement (2005), KDFN has a vested interest in the lands and waters throughout the Traditional Territory and has numerous ‘Treaty Rights’ associated with those lands and waters.
In the face of proposed development activities throughout the Traditional Territory, KDFN expects protection for the following:

- The right to have water substantially unaltered as to quantity, quality or rate of flow, including seasonal rate of flow. (Chapter 14)
- The right to have Heritage Resources managed such that development impacts are identified and mitigated (Chapter 13)
- The right to avoidance or mitigation of disturbance to wildlife and habitat (Chapter 16)
- The right to exercise subsistence harvesting rights (Chapter 16)
- The right to manage and/or harvest fish, wildlife and their habitats according to the principle of conservation (Chapter 16)
- The right to control access onto or through Settlement Land (most often for resource interests vested after 2005) (Chapters 6, 17, 18).
- The right to timely and adequate participation in assessment (i.e. engagement at all stages of project planning and development) (Chapter 12)

**CATEGORY A or B**

Within the Traditional Territory we have specific rights with respect to Settlement Lands. On Category A Settlement Land, KDFN has the rights to all surface and subsurface resources. KDFN is a Decision Body for any proposed activities, deemed assessable through YESAA. KDFN would issue authorizations subsequent to any affirmative decision.

On Category B Settlement Land, KDFN has the rights to surface resources only. Should proposed activities disturb or use subsurface resources, KDFN is a Decision Body and would authorize activities subsequent to any affirmative decision.

**Contact**

KDFN administration 633-7800
Director of Lands 633-7822
Lands Manager 633-7849
GIS technician 633-7859
Transport Canada Information Sheet

Residential and Agricultural Lands Projects Subject to the
Yukon Environmental and Socio-economic Assessment Act (YESAA)

Transport Canada - Navigable Waters Protection (NWP) Program
Transport Canada’s NWP Program administers and enforces the Navigable Waters Protection (NWP) Act. The NWP Act ensures a balance between the public right to navigate safely and the need to build works in, on, under, through or across navigable waters. Ensuring that appropriate safety warning lights and markers are used and maintained is an important part of regulating the construction of these works. Since agricultural and residential development activities may impact the safe navigation of a water body, you may need to apply to the NWP Program for “Approval” if part of your work is subject to the NWP Act.

Water intakes and water crossings associated with these land disposition projects may be subject to the NWP Act.

- **Water intakes**: water drawn from rivers and streams for irrigation, household use, etc.

- **Water crossings**: Road infrastructure - upgrades to existing bridges and culverts, or the construction of new bridges and culverts. Utilities – work on lines, cables or pipes that cross a navigable waterway.

**Does my project require an application to the NWP Program? Ask yourself:**

**Will works/activities take place in, on, over, under, through or across a navigable water?**

**Yes**: Application required, see questions below. **No**: See questions below.

**I don’t think the waterway is navigable; do I still need to apply?**

If you believe the water body affected by your project is non-navigable, and should not require an application for Approval under the NWP Act, you can self-assess against the NWP Program’s minor waters criteria. If the waterway meets the minor waters criteria, you do not need to apply to the NWP Program for Approval. Refer to our [Minor Waters User Guide](#).

Notify Transport Canada’s Environmental Assessment North division with your YESAA file number if the waterway meets the minor waters criteria.

**My project is small; do I still need to apply?**

The NWP Program has a list of minor works that do not require an application for Approval under the NWP Act; some water intake structures are considered to be minor works. To learn if your works or activities are minor works, refer to our “minor works” publications.

Notify Transport Canada’s Environmental Assessment North division with your YESAA file number if your work is a minor work.
Where can I learn more about NWP Act requirements?

Questions - Email the NWP Program office or call (780) 495-8215 for questions about NWP Act requirements, how to apply the Minor Works and Waters Order, or how to follow the NWP Act application process.

Applications - Contact the NWP Program office for current copies of the NWP Act Application Form and Guide.

Submit NWP Act applications to Transport Canada/ Navigable Waters Protection Program, Canada Place, 1100 - 9700 Jasper Avenue, Edmonton, AB, T5J 4E6.

Before the NWP Program can determine whether we need to issue an Approval, Transport Canada has to determine the navigability of the waterway that may be affected. We may need to conduct a site visit to make this determination and site visits can only be completed in open-water season.

You will receive a letter, with your file number, indicating when the NWP Program has received a complete application. Submit a copy of this letter with your YESAA application/project proposal.

More Information - The NWP Program website.

Where can I learn more about Transport Canada’s role in the YESAA process?

Please direct your questions about Transport Canada’s role in the Yukon Environmental and Socio-economic Assessment Act process to our Environmental Assessment Management North division by email or by phone (204) 983-4357.

Do I need to consult with aboriginal peoples to get an NWP Act Approval?

Transport Canada may have a Duty to Consult aboriginal peoples when issuing NWP Act Approvals. Transport Canada supports the whole of government approach to aboriginal consultation and will rely, as much as possible, on the YESAA process to meet our consultation requirements.

If you think your project may need an NWP Act Approval, we encourage you to:

• Conduct your own aboriginal engagement activities before you apply for NWP Act Approval.
  o Provide aboriginal groups with information about any NWP Act applications you plan to submit.
  o Note any concerns that aboriginal groups may have and try to address these concerns.

• Submit information on both the concerns and any steps you took to address them, directly to Transport Canada with your NWP Act application.

If you have questions about the Duty to Consult and NWP Act Approvals, email our Aboriginal Consultation unit.