

Yukon Environmental & Socioeconomic Assessment Act Decision Document

This document meets the Yukon government's requirements as a Decision Body as set out in the *Yukon Environmental & Socioeconomic Assessment Act*

Decision Document Issued By

YG Decision Body:	Territorial Minister, as authorized under section 7, to Director, Minerals Resources Branch, Department of Energy, Mines, and Resources
Federal Decision Body(ies):	<i>[where applicable]</i>
First Nation Decision Body(ies):	<i>[where applicable]</i>

Project

Project Name : Darrell Carey		YESAA File Number: 2009-0125
Proponent Name:	Slinky Mine – Dome Road	
<p>Project Description: The principal activity is a Class 4 placer mining program on the upper benches of the Klondike River, specifically, the Midnight Dome Road area. The proposed mining project is on 19 claims (plus additional water acquisition claims) and located within the municipality of Dawson City. Activities are proposed to occur between April and October annually for ten years.</p> <p>Principal Activities Use of heavy equipment Obtaining water – 5000m³/day Depositing a waste in water Constructing and using out-of-stream reservoirs including use of existing dredge ponds Constructing and using out-of-stream settling facilities including use of existing dredge ponds Mechanical stripping of overburden – up to 40,000m³/year Processing material (sluicing) – estimated 20,000m³/year Exploration Activities – Auger Drilling and mechanical trenching Reclamation and Decommissioning activities Designated Office Evaluation Report: Slinky Placer Mine-Dome Road: 2009-0125 .</p> <p>Accessory Activities Use of existing roads and trails Relocating 500m section of Dome Road Storage and handling of Fuel Relocation and use of a 4 person Camp Disposal of wastes through sewage disposal tank and Quigley Solid Waste Facility</p>		

Other Decision Bodies

Other Decision Body	<i>[list decision bodies consulted, where applicable]</i>
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Consultation:	
Consolidated Decision Document:	<input type="checkbox"/> N/A <input type="checkbox"/> No <input type="checkbox"/> Yes <i>[list the decision bodies whose decision documents were consolidated, where applicable]</i>

Non-Self Governing First Nations

Non-self governing First Nation Consultation:	<i>[list First Nation consulted, where applicable]</i>
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Decision

<input type="checkbox"/>	<p>Pursuant to YESAA s. 75, 76 and 80, the Yukon government has given full and fair consideration to the assessment related to this project, in addition to the assessment for project 2009-0200 (Dawson Dome Gravel Pit Subdivision). Based upon this consideration, Yukon Government rejects the recommendation from the Dawson Designated Office that, pursuant to section 56(1)(c) of the <i>Yukon Environmental and Socio-economic Assessment Act</i>, the proposed project not proceed on the basis of potentially significant effects which cannot be mitigated.</p> <p>Rationale:</p> <p>The evaluation report made this determination based upon the potential effects to community values (i.e. lifestyle and livelihood). While the Decision Body recognizes that this project may affect certain community values (e.g. existing trails) the effect to these values is not considered significant given the magnitude and reversibility of those potential effects. The Decision Body does not accept that this project will reduce property values in the surrounding area given that the project has been in operation for a number of years and property values throughout the Town of the City of Dawson have been on the rise. It is the view of the Decision Body that an effect is defined as the difference between a future state with the project versus that without the project, and includes a consideration of the existing baseline. It is important to note that the current baseline in the area includes the operation of this placer mine, which the assessment did not seem to fully account for when considering the manner in which this operation affects those residents in the surrounding area.</p> <p>The Decision Body has decided to allow the project to proceed subject to specified terms and conditions, since it has been determined that the project will have significant adverse environmental or socio-economic effects in the Yukon that can be mitigated by those terms and conditions.</p>
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Yukon government accepts the following terms and conditions:

- 1. The proponent shall restrict the use of heavy equipment to active mining areas and to designated access routes.***
- 2. The proponent shall make best efforts to avoid the disruption of areas in a state of reclamation from previous mining operation.***
- 3. The Proponent shall post notice at the entrance of the Dome Road (and Klondike Highway) notifying (travelers) they are entering an active mine site including the use of heavy equipment alongside and on Dome Road.***
- 4. The Proponent shall provide notice to residents of the Dome Subdivisions of road construction plans including timeframes and (detour) plans.***
- 5. When excavating in areas adjacent to Dome Road, the proponent shall install barriers alongside Dome Road. Barriers must be capable of stopping traffic.***
- 6. When excavating mine cuts and trenches anywhere within the project areas (B, C and D) the proponent shall install highly visible fencing and signage around the perimeter of excavation notifying the public of (danger).***
- 7. Trenches shall be backfilled or sloped at one end to avoid entrapment of wildlife.***

Yukon government varies the following terms and conditions:

- 8. The Proponent shall provide the Municipality professionally engineered road construction plans designed to construct (the) dome Road (to) a standard equal to or greater than the current condition.***

To:

If the Dome Road is rebuilt or relocated, it must be built to a standard equal to or better than the current condition, as approved by the appropriate municipal or territorial authorities.

Rationale:

This rewording focuses on the final design standard rather than just the plans for construction.

- 9. The Proponent shall not conduct mining activities within 100m of the boundary of the former Dawson Dome Dump and current Land Treatment Plant.***

	<p>To: Any material removed from within 100 m of the boundary of the former dump must be redeposited within that same radius, unless it is tested and found not to be contaminated. Furthermore, the proponent should be aware that disturbing contaminated material may make the proponent a responsible party with respect to that contaminated material. The proponent may then be liable for a portion of the remediation costs if restoration of the site is ever required.</p> <p>Rationale: This approach ensures that the concern of contaminants reporting to water is mitigated while still allowing for operations.</p> <p>10. Any heritage resources located by the applicant while working within Tr'ondëk Hwëch'in traditional territory shall be reported (to) the Tr'ondëk Hwëch'in Heritage Department at 993-7100. Information regarding the location of these resources should include, for example, GPS coordinates and descriptive location, photographs, etc.</p> <p>To: Any heritage resources located by the applicant while working within Tr'ondëk Hwëch'in settlement land shall be reported to the Tr'ondëk Hwëch'in Heritage Department at 993-7100. Any heritage resources located while working on Commissioners Land shall be reported to the Yukon Government's Heritage Branch. Information regarding the location of these resources should include, for example, GPS coordinates and descriptive location, photographs, etc.</p> <p>Rationale: When heritage resources are discovered on Commissioners Land, it is only required that formal notice to be provided to the Yukon Government. It should be noted however that Yukon Government has a policy of notifying First Nations whenever such resources are discovered within their Traditional Territory. The discovery of heritage resources on settlement land falls under the authority of the First Nation.</p> <p>11. The Proponent shall conduct a slope and soil stability assessment through the use of professional engineers to determine that he integrity of the hillside will not be further compromised by the proposed project.</p> <p>To: The proponent's settling ponds will be restricted to areas "A" and "C."</p> <p>Rationale: If the proposed settling ponds are not built in the area of concern, the integrity of the hillside will not be an issue.</p> <p>12. The proponent shall close Mary McLeod Road to through traffic during times of road construction.</p>
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	<p>To:</p> <p>The proponent shall close Mary McLeod Road to through traffic at the time of decommissioning the old section of Dome road and commissioning the new section of Dome road.</p> <p>Rationale:</p> <p>Construction of the re-aligned section of Dome road will have no effect on traffic until it is commissioned. Therefore, there is no need to close Mary McLeod road for the full construction period.</p> <p><u>Yukon government rejects the following terms and conditions:</u></p> <p><i>13. The Proponent shall arrange for a comprehensive site assessment of the old Dome Road Dump as outlined in the Contaminated Sites Regulation establishing the presence or absence of contaminants and any contaminants found should be delineated before mining (activities) take place within the affected area.</i></p> <p>Rationale:</p> <p>The proposed placer operation and the old waste disposal facility are unrelated, and it is not appropriate to expect that the viability of the placer operation be subject to studies at the former waste facility which were not required when it closed.</p> <p><i>14. In Area D, the proponent shall not clear vegetation during the migratory bird breeding season (May 1 to July 31).</i></p> <p><i>15. In area C, the proponent shall conduct a pre clearing survey with the guidance of an avian wildlife expert.</i></p> <p><i>16. In areas D and C, if any SARA or COSEWIC listed species are found to be present; evidenced by active nests (incl. tree cavities a 10-metre vegetation buffer zone should be maintained around nests.</i></p> <p>Rationale:</p> <p>The Migratory Birds Convention Act (1994) and associated Regulations Respecting the Protection of Migratory Birds already prohibit the unauthorized destruction of migratory bird nests. Given this legislation requires complete protection, further requirements on the proponent are unnecessary.</p> <p><i>17. The proponent shall include in seasonal and final reclamation plans the importation of soil to containing native seed (to stock areas) devoid of vegetation to support re-seeding and transplanting.</i></p> <p>Rationale:</p> <p>The onus is on the proponent is to return the locale to its former usefulness and the area that would need any soil imported is a gravel pit. It would be unreasonable to expect the proponent to turn a gravel pit into a fully re-vegetated</p>
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- YESAB Designated Office [location] _____
- YESAB Executive Committee [when applicable] _____
- Minister Environment (Canada) [when applicable] _____
- Yukon Surface Rights Board [when applicable] _____
- Yukon Water Board [when applicable] _____
- Land Use Planning Commission: [when applicable] _____
- Independent Regulatory Agency [when applicable] _____
- Other Body/Person as Required [list] _____