

Standard Terms or Conditions to be Applied to Permitted Development Activities in the Peel Planning Region

Set out below are statements of terms and conditions which are intended to guide decision makers with the interpretation and application of the Peel Watershed Regional Land Use Plan (PWRLUP). Any that are relevant to a proposed industrial activity will inform conformity checks, assist assessment and regulation, and be translated into and included as terms and conditions, in any authorizations (i.e. permits) that are granted.

These statements stem directly from the approved PWRLUP (page number references are provided). Where there is any discrepancy between these statements and the PWRLUP, the PWRLUP will take precedence. Some statements include components of standard operating conditions.

Reclamation (Class 1 Activities)

Class 1 activities as defined by regulation are achievable within 12 months. Where any of the following aspects of reclamation take longer than 12 months, reclamation efforts are to be monitored and enforced as required, until PWRLUP reclamation standards are achieved.

1. All forested and shrubby areas disturbed by activities must be reclaimed so that the area is covered by native species of woody vegetation (trees and shrubs) at least 1.5 metres in height, such that over time the areas are returned to their natural state¹. Page 46
2. All areas mostly covered with vegetation less than 1.5 metres tall which are disturbed by mineral activities must be reclaimed so that the area is covered with native species roughly the same height and composition as the surrounding dominant vegetation, such that over time the areas are returned to their natural state. Page 46
3. All reasonable care must be taken in carrying out exploration activities near or adjacent to a water body to prevent sediment from entering a water body, unless otherwise permitted by law. Areas disturbed by activities must be prepared to recover such that runoff and/or sediment loading levels in water bodies return to pre-activity levels. Page 9, 46
4. All areas disturbed by activities must be re-sloped and contoured so that the area approximately matches the original contours. Page 44, 46

¹ As defined Page 46 PWRLUP

5. All debris and materials brought on site must be removed and disposed of when the program ceases. All solid waste, including debris, equipment, barrels, drums, and scrap metal, must be safely stored on the site of the exploration program while the program is carried out and must be disposed of in accordance with the applicable regulations (e.g. *Solid Waste, Special Waste*) when the program ceases. Page 44, 46
6. All vegetated areas disturbed by exploration activities, including fuel and waste storage areas, clearings, corridors, temporary trails, camps and supporting infrastructure, and trenches and drill sites, must be left in a condition conducive to re-vegetation by native plant species or other species adaptable to the local environment to encourage re-vegetation comparable to similar, naturally occurring, environments in the area, such that all areas disturbed by activities are prepared to fully recover to their pre-disturbance state over time. Page 44, 46
7. The proponent must provide spatial information for newly created access in order to monitor cumulative effects indicator levels. Page 42, 47
8. The operator shall dismantle and remove any structure erected as part of a Class 1 exploration program within the duration of the Class 1 term and camps must be kept clean and tidy. Page 21, 47
9. (Mineral) activities must comply with any applicable government wilderness tourism management plans². Page 69

Reclamation (Classes 2-4 Activities)

Reclamation Activities in the Peel are based upon the principle of full reclamation. Page 49

10. All forested and shrubby areas disturbed by activities must be reclaimed so that the area is covered by native species of woody vegetation (trees and shrubs) at least 1.5 metres in height, such that over time the areas are returned to their natural state. Page 46
11. All areas mostly covered with vegetation less than 1.5 metres tall disturbed by activities must be reclaimed so that the area is covered with native species roughly the same height and composition as the surrounding dominant vegetation, such that over time the areas are returned to their natural state. Page 46
12. All reasonable care must be taken in carrying out exploration activities near or adjacent to a water body to prevent sediment from entering a water body, unless otherwise permitted by law All areas disturbed by activities must be reclaimed so that runoff and/or sediment loading levels in nearby water bodies return to pre-activity levels. Page 9, 46
13. All areas disturbed by activities must be re-sloped and contoured so that the area approximately matches the original contours. Page 44, 46

² At the time of writing, there are no such plans.

14. All debris and materials brought on site must be removed and disposed of when the program ceases. All solid waste, including debris, equipment, barrels, drums, and scrap metal, must be safely stored on the site of the exploration program while the program is carried out and must be disposed of in accordance with the Solid Waste Regulation when the program ceases. All debris and materials brought on site must be removed and disposed of when the program ceases. Page 44, 46
15. All vegetated areas disturbed by exploration activities, including fuel and waste storage areas, clearings, corridors, temporary trails, camps and supporting infrastructure, and trenches and drill sites, must be left in a condition conducive to re-vegetation by native plant species or other species adaptable to the local environment to encourage re-vegetation comparable to similar, naturally occurring, environments in the area, such that all areas disturbed by activities are prepared to fully recover to their pre-disturbance state over time. Page 44, 46
16. Mineral activities must comply with any applicable government wilderness tourism management plans³. Page 69

Wildlife and terrestrial habitat

17. New road and trail routes must avoid concentrated seasonal use areas and significant habitats. Page 49
18. New roads and trails must not use or cross seasonal migration corridors. Page 49
19. No activity is allowed within sensitive sheep habitats and key areas. A buffer may need to be established based on the location and activities proposed in the project. Page 49
20. No activity is allowed within Porcupine Caribou range during the winter period (December 1 to March 31). Page 49
21. No activity is allowed in concentrated woodland caribou use key areas (i.e. rutting and winter). A buffer may need to be established based on the location and activities proposed in the project. Page 49
22. No activity is allowed within any other significant wildlife⁴ habitats during known important biological periods⁵. Page 49
23. All activities must be carried out to reduce disturbances such as noise, smell and light. Page 49

Water and aquatic habitats

24. All activities must be carried out to minimize surface and vegetation disturbance in riparian areas. Page 51
25. All activities in the vicinity of wetlands and wetland complexes must be carried out in winter (December 1 to March 31). Page 51

³ At the time of writing, there are no such plans.

⁴ Wildlife key area maps available with some data for caribou, sheep, and raptors, a little bit of data for moose. Data collection and gap analysis is ongoing.

⁵ *Important biological periods* are species dependent. Denning is important for wolves, bear, and lynx; calving is important for moose and barren ground caribou.

26. Any all-season infrastructure must be located a minimum of 100 m from wetlands and lakes (i.e., 100 m from ordinary high water marks). Page 51
27. Significant levels of water may not be drawn in winter (December 1 to March 31) from sensitive over-wintering fish habitat. Page 51
28. Large-scale industrial and/or infrastructure projects must not be carried out within Major River Corridors (defined as the Ogilvie, Blackstone, Hart, Wind, Bonnet Plume, Snake and Peel Rivers). Page 51
29. No gravel may be removed from stream beds. Page 51
30. Activities must not be carried out in known sensitive over-wintering and spawning areas. A buffer may need to be established based on the location and activities proposed in the project. Page 51
31. All activities must be carried out to avoid or minimize stream crossings. Where stream crossings are required, proper structures (such as bridges) that can be easily removed, must be used and removed, as per reclamation requirements. Page 51
32. Activities must not block fish migration routes. Page 51
33. Overwintering and spawning locations of important fish species must be confirmed prior to any new major development⁶. Page 51

Heritage and cultural resources and values, and traditional land use practices

34. All activities must be carried out to avoid or minimize land use impacts near heritage and historic resources⁷. Page 53
35. No activities are allowed in important subsistence harvesting and current community use areas.⁸ Page 53
36. No activities are allowed in significant heritage and current community use areas, during important seasonal use periods (i.e., utilize timing windows). Page 53
37. Work camps must be situated near areas of resource production and away from identified heritage routes, historic sites, and current community use areas.⁹ Additional buffer may need to be considered beyond current regulatory requirements. Page 53

⁶ Some information can be found Map 3, PWRLUP; depending on proposed project activities and scale, additional information may be required.

⁷ There are recognized shortcomings in YG definitions of heritage historic and cultural resources.

⁸ Some important subsistence harvesting and current community use areas are identified on Map 4 of Appendix A to the PWRLUP. However, there are gaps in that information. Best available information should be used as it is available.

⁹ Some heritage routes, historic sites and current community use areas are identified on Map 4 of Appendix A to the PWRLUP. However, there are gaps in that information. Best available information should be used as it is available.

38. All work must stop immediately if heritage or cultural values¹⁰ are encountered, in order to assess their significance and determine appropriate mitigations. Page 53
39. Where impacts to identified heritage and cultural sites and resources may occur, immediately stop work to assess significance. (YG). Page 53

Access

40. (As per [off-road vehicles management area regulations](#)), off-road vehicles must not be used except on the Hart River Trail and existing trails adjacent to the Dempster Highway, within licensed camps and immediately adjacent to existing facilities. Page 62
41. (As per [off-road vehicles management area regulations](#)), off-road vehicles must not be used in wetlands or/and alpine areas in spring, summer, fall (i.e. when ground is not frozen and covered with suitable depth of snow). Page 62
42. In areas where permitted, utilize low impact seismic (lines) and winter roads. Page 49

Boreal Caribou habitat

43. No activities are allowed in Boreal caribou habitat. An appropriate buffer should be established based on the location and activities proposed in the project. Page 48

Collection of baseline data

Where they do not exist, collection of adequate baseline data will be required. This may be scaled according to the magnitude of proposed activities. Refer to PWRLUP Adequate Baseline Data Evaluation Report for guidance on what level of baseline data is appropriate.

44. Adequate baseline data on wildlife and terrestrial habitats must be collected before any development activities, including exploration, can begin. Page 48
45. Adequate baseline data on fish, water bird, aquatic habitat and water quality must be collected prior to any development activities can begin. Page 51
46. Confirm overwintering and spawning locations of important fish species, with initial priority on the IMA, prior to any new major developments occurring. Page 51

¹⁰ There are recognized shortcomings in YG definitions of heritage historic and cultural resources.

47. Conduct survey of wetlands, including relevant indicators of wetland health, with initial emphasis on the IMA, prior to any new major developments. Page 51
48. Adequate baseline data on heritage and historic resources must be collected before any development activities, including exploration, can begin. Page 55
49. Document existing surface disturbances before any development activities, including exploration, begins. Page 47

Uranium activity

50. Any uranium activities must comply with any applicable government policy and operating guidelines. Page 66 Note: Policy development is required.

Coal bed methane activity

51. Any coal bed methane activities must comply with any applicable government policy and operating guidelines. Page 67 Note: Policy development is required.

Wilderness tourism

52. Mineral staking and development activities must comply with any applicable wildlife viewing management guidelines along Dempster highway. Page 69

Access in Relation to Integrated Management Areas

53. Where possible, activities should use air access. Where air access is not possible, use winter roads or trails, ice roads and other temporary routes. Page 63, 64
54. Any all-season access routes (roads or railways) must be fully reclaimed upon project completion. Page 58, 63
55. Adequate bonding must be provided for new roads to ensure that full reclamation is achieved. Page 63, 69
56. New roads or other surface transportation features must be managed and reclaimed such that public access is not possible. Page 63

Access in Relation to Conservation Areas

57. No new surface access, including roads, is permitted outside of existing dispositions. Page 36, 63
58. No new airstrips may be built outside of existing dispositions. Page 64
59. Within existing dispositions, Page 58, 63
 - i. if possible, use winter roads or trails, ice roads and other temporary routes;

- ii. any all-season access routes (roads or railways) must be fully reclaimed upon project completion;
 - iii. adequate bonding must be provided for new roads to ensure that full reclamation is achieved; and
 - iv. public access to new roads and surface transportation features must be prevented.
60. The Wind River Trail must not be used to support any industrial land use activity, including mining exploration activities. Page 61
61. Air access must comply with any applicable air access management plan. Page 64

Appendix

The following are components of the Implementation Plan that relate to several terms or conditions above:

1. Contaminated sites must be remediated – Page 52
2. Support collection of information on abundance, distribution, habitat use and movement of Boreal caribou – Page 48
3. Support and expand current programs for the Major River Corridors – Page 51
4. Support benthic invertebrate community and water chemistry monitoring – Page 51
5. Support collection of information on abundance, distribution, habitat use and movement of Boreal caribou – Page 48
6. Record number of parties and people arriving at common land locations – Page 64
7. Assess ecological and social impacts of motorized watercraft use on lakes and rivers – Page 65
8. Document land use patterns of trappers (e.g., cabins and trails) – Page 72
9. Document land use patterns of big game outfitters (e.g., cabins and trails) – Page 74
10. Facilitate economic opportunities and activities that result in benefits to surrounding communities, affected First Nations, and Yukon as a whole – Page 57
11. Provide land use certainty and minimize land use conflicts throughout the region – Page 57
12. Maintain future land use options by adopting a cautious but flexible approach to land and resource decision-making - Page 57
13. Develop Heritage and historic resource education materials – Page 55
14. Establish two National Historic Sites within LMU # 14 – Page 55
15. Research and use traditional names wherever possible – Page 55
16. Ensure that activities are monitored and maintained below cumulative effects thresholds. Determine what role proponent plays in this – Page 47