

Kelvin.Leary

From: Erik.Val
Sent: Saturday, October 23, 2010 2:35 PM
To: Kelvin.Leary; Allan.Koprowsky; Ed.VanRanden; Dan.Lindsey
Cc: Karen.Clyde; Tim.Sellars; Dan.Paleczny
Subject: Review of First Nation, Public and Stakeholder Comments on the Recommended Peel Watershed Regional Land Use Plan

Hi All

Because initially a "what we heard" document to summarize comments on the recommended was not contemplated, Parks started to prepare the attached document. Subsequently EMR decided to prepare such a document but it is unclear when this will be available. So with that in mind, Parks has completed the attached to assist the Department in understanding the public reaction to the recommended plan.

Any questions related to the analysis can be forward to Dan P.

Thanks.....Erik

**SUMMARY OF PUBLIC INPUT ON
THE PEEL WATERSHED RECOMMENDED LAND USE PLAN**

(October 21, 2010)

This report summarizes public feedback from the consultation efforts regarding the Recommended Peel Watershed Regional Land Use Plan. This summary was compiled by Parks Branch to assist the Department in responding to the Plan. This report was prepared because initially a "what we heard" document was not contemplated but is now anticipated from EMR.

This report is comprised of:

- Overall Response
- Summary of Responses to Key Theme Questions
- Table of Public Feedback
- Appendix 1: Methodology
- Appendix 2: Highlights from Submission by Wildlife Conservation Society
- Appendix 3: Highlights from Submission by Canadian Parks & Wilderness Society

OVERALL RESPONSE

There were a total of 897 responses by 228 registered individuals and organizations. This consisted of 173 letters or submissions, 113 web based responses to the formal questionnaire prepared by the parties, and 65 clearly stated positions taken by individuals and organizations at 8 public meetings (collected from the official transcripts).

Although the responses covered a full spectrum of perspectives, the overwhelming majority (79%) of respondents expressed a desire to see 100% protection of the entire watershed. An additional 9% were supportive of the Commission's recommendation for approximately 80% protection. Most of the remaining respondents either: a) desired unfettered access for mineral and oil & gas exploration and development (7%), or b) called for the parties to reject the plan, but did not state whether they envisioned some areas of the planning region would be off-limits to mineral and oil & gas interests (4%). A small portion (1%) recommended that the percentage of protected areas should be less than the recommended 80%.

The table below summarizes the detailed responses by source:

	100% Protection	80% Protection	Less than 80%	No Protection	Reject the Plan
Web Responses	84	22	1	6	0
Letters / Submissions					
Private Citizens	119	3	1	11	4
Organizations	11	6	2	6	10
Community Consultations					
Old Crow	1	0	0	0	0
Dawson City	13	0	1	0	0
Whitehorse	14	0	0	2	0
Inuvik	2	0	0	0	0
Ft. McPherson	18	0	0	0	0
Tsiigehtchic	4	0	0	0	0
Aklavik	0	0	0	0	0
Mayo	10	0	0	0	0
TOTAL*	276	31	5	25	14
PERCENTAGE	78.6%	8.8%	1.4%	7.1%	3.99%

* Total does not include: a) petition of 843 signatures calling for 100% protection; b) 139 "postcards" calling for 100% protection; and c) 27 "postcards" calling for full access for industry in the planning region.

SUMMARY OF DETAILED RESPONSES TO KEY THEME QUESTIONS IN THE FORMAL QUESTIONNAIRE

Theme 2: Conservation

1. Do these categories of emphasis (designations) make sense to you? If not, what categories would you propose? (33 respondents)
 - There should just be one SMA/Protected Area category for the entire planning region. (18)
 - Agree with the categories. (10)
 - There shouldn't be any categories or restricted access in the planning region. (1)
 - Protection is fragmented in the Peel Plateau. It should be contiguous. (1)
 - Change all SMAs to "Protected Areas" with subtitles that reflect the emphases. (1)
 - The IMA designation is vague, in terms of minimizing impacts and explaining how the activities are compatible. (1)
2. What land use activities and uses do you see as appropriate within the LMUs? (38 respondents)
 - First Nations traditional / subsistence practices (15)
 - Wilderness tourism / recreation (24)
 - Big game outfitting (10)
 - Hunting & Fishing (8)
 - Air access only (3)
 - All activities are appropriate (3)
 - Science & Monitoring (3)
 - Dempster access only (2)

- The PWPC identified all appropriate activities. (1)
3. *Are there areas in the region where you feel both industrial (e.g. mining) and non-industrial (e.g. wilderness tourism) land uses are compatible? If so, where? (43 respondents)*
- No. They are not compatible. (36)
 - Yes. Everywhere. (5)
 - Yes. In IMAs. (1)
 - Yes. In the Dempster Corridor. (1)
4. *How can this Land Use Plan guide the management of both traditional uses and other land uses? (29 respondents)*
- Consultation & communication with First Nations. (8)
 - Formal status as a protected area. (7)
 - Regular review and revision of the plan. (2)
 - Co-management structure. (1)
 - Ecological sustainability as primary objective. (1)
 - Equal access for everyone. (1)
 - Setting priority use in areas. (1)
 - Timing windows for activities. (1)

Theme 3: Areas Proposed to be Withdrawn from New Oil and Gas and Mineral Development

1. *Would you change any of the areas that the Recommended Plan designates as either Special Management Areas or Integrated Management Areas? If so, how? (38 respondents)*
- Make all of the LMUs SMAs. (21)
 - Leave LMUs open to road and air access. (6)
 - Plan's designations are fine. (3)
 - Allow road access in IMAs only. (1)
 - Only restrict road access in sensitive areas. (1)
 - Change IMA #5 to an SMA. (1)
2. *Are there areas within the region you feel should be withdrawn from new mineral or oil and gas activities? (48 respondents)*
- All areas should be withdrawn from new mineral & oil/gas activities. (31)
 - No areas should be withdrawn. (4)
 - Places of special concern or sensitivity (i.e. archaeological sites, mineral licks) (4)
 - There should be no mining in river valleys. (1)

- The lower Wind, Snake and Bonnet Plume should be withdrawn. (1)
 - Plan's recommendations are fine as they are. (1)
3. *If so, where do you think these areas should be? (18 respondents)*
- All of the planning region. (13)
 - In SMAs (1)
 - In First Nations' important sites (1)
 - Specific sensitive sites (1)
4. *Why do you feel these areas should be withdrawn from new mineral or oil and gas activities? (29 comments)*
- Mineral and oil & gas activities result in immitigable, irreclaimable damage to the land and water. (11)
 - Mineral and oil & gas activities are incompatible with wilderness values. (8)
 - They result in an expanded footprint. (3)
 - They are not sustainable. (3)
 - Tax payers are left to clean up the mess. (3)
 - There isn't enough monitoring/enforcement of regulations by government. (1)
 - It removes options for future generations. (1)

Theme 4: Conservation Principles

1. *Do you agree with the conservation principles and values in the plan?(29 respondents)*
- Yes (28)
 - No (1)
2. *Do you feel that some principles and values may have been overlooked, and require further consideration? (16 respondents)*
- No. The principles look fine. (9)
 - Historical and archaeological factors (1)
 - Jobs (1)
 - Planning for future generations (1)
 - Water quality
 - Air quality
 - Biodiversity that can adapt/withstand climate change (1)
 - Education and Research (1)
 - All principles need to be revisited with a democratic & balanced approach (1)
3. *Should conservation principles and values be the paramount consideration in land use planning for the Peel Watershed? Please explain the reasons for your answer. (33 respondents)*
- Yes (31)

- No (2)

Theme 5: Surface Access in the Region

1. *Are there some areas in the region where permanent roads could be allowed? If so, where? (45 respondents)*

- Nowhere, other than Dempster corridor (40)
- Anywhere (3)
- In the IMAs (1)
- Depends – consult with First Nations (1)

2. *Are there areas that should remain roadless? If so, where? (40 respondents)*

- All of the planning region should remain roadless (except for Dempster Highway) (34)
- Everywhere but IMAs (3)
- The Snake, Bonnet Plume, Wind, Hart & Blackstone watersheds should remain roadless (2)
- Nothing should remain roadless (1)

3. *Do you agree that the Wind River corridor should "no longer be recognized as an access corridor"? Why or why not? (43 respondents)*

- Agree (38)
- Disagree (5)

4. *Where permitted, should access roads be available for public use, or gated and controlled? (38 respondents)*

- Roads should be gated and controlled / "roads shouldn't be permitted at all" (31)
- Roads should be open to the public (6)
- Gated and controlled in Protected Areas only (1)

Theme 6: Zoning and Landscape Management Unit Configuration

1. *Do you feel that the number of Landscape Management Units proposed is reasonable? If no, are there too many, or too few? (16 respondents)*

- Just one LMU (Protected Area) is needed. (6)
- Doesn't matter. (2)
- They are reasonable number. (2)
- Too many. (2)
- LMUs are not needed. (1)

2. *Are there any LMUs you feel should be bigger or smaller? (7 respondents)*

- The planning region should be a single SMA. (3)
- Peel Plateau should be smaller. (1)
- No, they're fine. (1)
- Remove all LMUs. (1)
- Protection SMA should be larger. (1)

3. *Are there any LMU boundaries that you feel should be changed? (7 respondents)*

- Remove all LMUs. (1)
- Hart, Wind, Bonnet Plume & Snake watersheds should be a contiguous SMA. (1)
- Replace all IMAs with SMAs (1)
- Increase LMU M to encompass all of IMA 5. (1)
- Increase LMU A to encompass all of IMA 1. (1)
- Narrow IMA 2. (1)
- Reduce the proportion of SMAs. (1)

4. *Do you want to share any alternative suggestions for zoning or configuration? (6 respondents)*

- "It is unlikely that each LMU designated as an SMA should get unique legal designation under legislation. There is reason to amalgamate some adjacent LMUs in a single legal land designation (e.g., Territorial Park; Wilderness Management Area), but the Recommended Plan's identification of resource emphasis could be maintained and acknowledged within the subsequent management of the larger legally designated SMA. An example might be the joining of small LMUs such as Hungry Lakes and Chappie Lakes within a bigger SMA. The final plan could recognize this possibility." *D. Reid*
- Remove all zoning and allow access. (2)
- Remove zoning and protect the entire watershed. (1)
- "Ecological integrity should be the first priority in all areas."
- Remove IMAs and redesignate as SMAs.

Theme 7: Usability of the Recommended Peel Watershed Land Use Plan

1. *Did you find the full version of the Recommended Peel Watershed Regional Land Use Plan easy to read and interpret? (12 respondents)*

- It was fine. (6)
- It was difficult to read. (3)
- Fine for land managers, difficult for the public. (1)

2. *Would you find a shorter plan more or less useful than the current full-length Recommended Plan? (10 respondents)*
- Current level of details is needed for planners/managers. Summary document was fine for the public. (9)
 - Entire document should be scrapped. (1)
3. *Did you find the Summary Plan easy to read and interpret? (12 respondents)*
- Easy to read & interpret (10)
 - More detail needed (2) (e.g. more on permitted vs. non-permitted activities)
4. *Additional comments*
- "The Recommended Plan includes some detail for implementation, but defers much detail to a future Implementation Strategy. I think an Implementation Strategy should be part of the Final Plan. This section lacks some specific direction as to which agency will take the responsibility for implementation of each of the key Tasks. What is the role of the Yukon Land Use Planning Council in implementation, and, if none (as implied in the Recommended Plan), why not? Is there an inter-departmental implementation group (seems necessary given the shared jurisdictions influenced by many Plan outcomes).

The implementation section recommends development of single contiguous SMA (with overarching legal designation) for all SMAs within each emphasis class (e.g., heritage, fish and wildlife, etc.). This seems logically impossible, because many of the LMUs are not geographically contiguous. It seems administratively too onerous in that widely separated LMUs are difficult to jointly establish, monitor and manage. If amalgamation of LMUs is required (which I think it is), it makes more sense to amalgamate geographically adjacent SMUs in one legally designated entity, within which a management plan can deal with the different management emphases of the land base as outlined in the Plan." *D Reid*
 - "One issue that might be worth looking at is to provide examples of similar or even identical examples of land-use for the different management areas. When reference is made to a territorial park, an example that could be given is Tombstone Park (even though it is outside the planning area, it allows the public an example they are probably familiar with). Similarly, when reference is made to an all-season access road, an example that could be given is the Tungsten or Canol Roads." *Somebody from Yukon.*

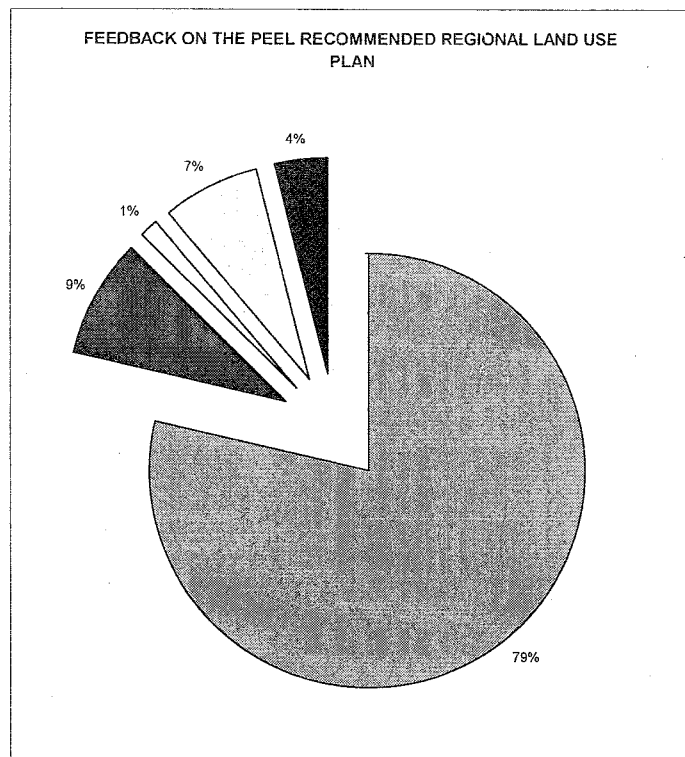
PUBLIC FEEDBACK FOR RECOMMENDED PEEL REGIONAL LAND USE PLAN

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Organizations that submitted letters included:

- Association of Mineral Exploration BC
- ATAC Resources
- Black Feather
- Canadian Association of Petroleum Producers
- Canadian Parks and Wilderness Society
- Canadian Wildlife Service
- Capstone Mining Corporation
- Chevron Canada Ltd.
- Dawson Chamber of Commerce
- Ducks Unlimited Canada
- First Nation of the Nacho Nyak Dun
- Frances Lake Wilderness Lodge
- Gwich'in Renewable Resources Board
- Gwich'in Tribal Council
- Klondike Placer Miners' Assoc.
- Logan Resources Ltd.
- Mega Uranium Ltd.
- Mining Association of BC
- Minto Exploration Ltd.
- National Outdoor Leadership School
- New Era Engineering Corp.
- Northern Cross (Yukon) Ltd.
- Paddle Canada
- Pitchblack Resources Ltd.
- Prospectors and Developers Association of Canada
- Skookum Technology
- Tetlit Gwich'in Elders' Council
- Tetlit Gwich'in Youth Council
- Tr'ondëk Hwëch'in Han
- Wildlife Conservation Society
- Wolverine Minerals Corp.
- Yukon Chamber of Commerce
- Yukon Chamber of Mines
- Yukon Conservation Society
- Yukon Eduventures
- Yukon Fish & Game Association
- Yukon Mineral Advisory Board
- Yukon New Democratic Party
- Yukon Prospector's Association



APPENDIX 1. METHODOLOGY

Methodology – Summary of Responses to Key Theme Questions

Responses have been grouped and tallied by common responses. The number of responses may not match the total number of responses if a response was irrelevant to the question, or impossible to interpret. In some rare cases, there are more responses in the bullets than in the “Total Comments” for a question; this is due to respondents providing multiple answers to a question.

Methodology – Table of Public Feedback

The summary below and the attached table are a quantified estimate of the compiled responses to the questionnaire, and from the public consultation sessions held in the various communities in the Yukon and NWT. This represents the data posted on the consultation website, as of October 7th, 2010.

Website Responses

The totals in the first row of the table are based on public feedback to the online questionnaire. There were a total of 897 responses by 228 registered individuals. By sifting through the responses – and avoiding duplication of individuals – it was possible to determine the sentiments of most individuals, with respect to their desire to see 100%, 80%, less than 80%, or no protection for the entire Peel watershed. An assumption was made that individuals who expressed a desire to see the entire watershed remain road/trail accessible would therefore not want to see any protected areas in the planning region.

Written Submissions

There were approximately 173 written submissions to the Parties, which were scanned and posted on the website. The table divides these submissions into private individuals and organizations. In a very small number of cases (perhaps half a dozen instances), there may be some duplication of individuals who provided responses to the website questions and also submitted a letter. Given that some responses and submissions were anonymous, there is the possibility that some of those were also duplicates. Unlike the responses to the online questionnaire, among the written submissions, there were 13 individuals or organizations that did not express an explicit opinion regarding a desirable proportion of protection, but they requested that the Parties reject the recommended plan.

Community Consultations

Statistics under this category were gathered from the official transcripts from each of the community consultations, reflected in the individual opinions expressed during the “open mic” portion of the meeting. On occasion, individuals spoke at one or more of the public consultation sessions, or also submitted a letter. They were only counted once.

APPENDIX 2: HIGHLIGHTS FROM SUBMISSION BY WILDLIFE CONSERVATION SOCIETY

- WCS supports the Recommended Plan for the following reasons:
 - Consistent with vision of the four First Nations.
 - Recognizes need for large protected areas for meaningful protection of northern ecosystems.
 - Applies watershed boundaries to delineate many LMUs to conserve & manage clean water.
 - Supports and maintains current set of very valuable ecosystem services in the watershed – subsistence harvesting, clean water & air, and carbon storage and sequestration.
 - Strongly limits human activities that would put the current economic and wilderness values of the watershed at risk.
 - Acknowledges and maintains the central role of Peel watershed in Yukon's international and national reputation as a valuable tourist destination because of its wilderness and wildlife.
 - Supports and maintains the current economically-proven activities on this land-base, including guide-outfitting, wilderness tourism & tripping.
 - Acknowledges the potential economic value of proven mineral resources and establishes a measured mechanism for potential future development of such resources if and when technological tools allow un-roaded access and economic conditions change to actually make development viable.
 - Recognizes that a plan needs to be reviewed periodically.

Recommended Changes to the Plan:

- Free entry staking system means that mineral resources and their economic value are given priority rights and value over all other resources on the land base. It also assumes that economic values associated with resources in the ground are more important values than other values held by members of society at large. The great strength of the Recommended Plan is that it rejects the continuation of the free entry system of mineral staking.
- WCS recommends that the Yukon Government establish a policy of expropriation and compensation for mineral claims on lands where society favours uses other than mineral development, and implements this policy in a Final Peel Watershed Plan.
- WCS recommends acceptance of the proposed land designations, and recommend that the Final Plan take the next steps of suggesting appropriate amalgamations of these LMUs and a final legal land designation for each amalgamated unit.
- An Implementation Plan is essential, and should be an integral part of the Final Plan, not a stand-alone document.
- If the PWPC staff and YLUPC are not responsible for implementation, then the Plan needs to explicitly acknowledge that fact and put in place another body to

move the Final Plan and its recommendations forward until these recommendations become part of the established business of government agencies.

- The selection of appropriate land designations and the recommended groupings of LMUs into a single designation be accomplished, as far as possible, within the Final Plan.
- Geographic adjacency, and not similar resource designation, should be the criterion for amalgamating LMUs into a larger legal unit. Examples: 1. Hungry Lakes & Chappie Lakes joined to the Wind/Bonnet Plume SMA in a final protection designation; 2. amalgamation of North and South Richardson LMUs, along with the Vittrekwa River LMU in one larger protected area.
- WCS supports the need for annual monitoring and public reporting of Plan implementation and compliance, and recommend that a somewhat more independent body – the YLUPC – be charged with this responsibility.

APPENDIX 3. HIGHLIGHTS FROM CPAWS'S RESPONSE TO QUESTIONNAIRE

Overview

- CPAWS supports the overall direction of the recommended plan.
- CPAWS supports a conservation and protection strategy that includes 100% of the Peel Watershed.
- CPAWS has concerns that the plan allows for industrial development in ecologically sensitive or culturally important areas – i.e. Peel River lowlands and Blackstone Uplands.

Conservation Focus

- SMAs as primary tool for conservation and land use management makes sense.
- Plan could be improved with a simpler approach to designations since the landscape, wildlife and cultural conservation objectives for many tributary watersheds would be similar.
- Three principles should guide the management of uses: a) maintenance of wilderness values, b) maintenance of ecological (and cultural) integrity, and c) the precautionary principle.

Areas Proposed to be Withdrawn from New Oil and Gas and Mineral Development

- The entire Peel watershed should be withdrawn from new mineral and oil and gas activities and designated as a SMA or mosaic of SMAs.
- Support the retirement of all existing mining claims or oil and gas interests.
- The Blackstone Uplands are one of the most ecologically and beautiful regions of the Yukon, with an assemblage of landscape, vegetation and wildlife features not found elsewhere in the Peel watershed. The landscape is also an economic asset for tourism.

Conservation Principles

- CPAWS agrees with the principles – the challenge lies in ensuring these principles are applied consistently in the designation of LMUs throughout the watershed.
- The precautionary principle should be an overarching guide to assessing land use zones and activities.
- If conservation is not paramount, there is little reason to plan.

Surface Access

- CPAWS supports the recommended restrictions on surface access as described in the plan.
- Roads are not compatible with the maintenance of wilderness values, the conservation of intact predator-prey ecosystems, or wilderness tourism.
- There is no such thing as a permanent Wind River "access corridor" – land use permits are and have been required on a case-by-case basis for use of a winter route along the Wind River.

Zoning

- The number of LMUs is not unreasonable for on-the-ground management activities, but there is room to consider consolidating those units recommended for higher or highest levels of protection.

- The confusion and complexity of the LMUs arises as management plans are developed for each SMA.
- The tributary rivers from the Hart, east to the Snake, would be more practical to manage as one SMA with one type of protection designation such as territorial park.
- CPAWS does not support the IMA designations for any of the LMUs. They should be incorporated into conservation-oriented LMUs.

Vicki.McCollum

From: Dan.Paleczny
Sent: Friday, October 15, 2010 3:10 PM
To: Erik.Val
Cc: Brian.Johnston
Subject: FW: Peel - Summary of Public Response

Erik,

When we initially embarked on this, it wasn't clear if EMR were going to provide a summary. It now appears that EMR will do one. This may change your view/intents. Notwithstanding that, here's the summary.

Dan

-----Original Message-----

From: Brian.Johnston
Sent: Friday, October 15, 2010 1:55 PM
To: Dan.Paleczny
Subject: Peel - Summary of Public Response

summary
already
included
in scan

Dan,

Attached is the revised and up-to-date version of the Peel report. There is no longer any outstanding data, as far as I can tell. The table is complete.

Brian

Brian Johnston
Park Planner
Yukon Parks Branch
V-4
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