



February 21st, 2017

Yukon Environment and Socio-Economic Assessment Board
Mayo Designated Office
PO Box 297
Mayo, Yukon
Y0B 1M0

Attn: YESAB Mayo Designated Office

**Re: All Season Access Development to the Rau Property
ATAC Resources
YESAB Project Number 2016-0129**

To Whom It May Concern:

The Yukon Conservation Society (YCS) is a grassroots environmental non-profit organization, established in 1968. Through a broad program of conservation education, input into public policy, and participating in project review processes, we strive to ensure that the Yukon's natural resources are managed wisely, and that development is informed by environmental considerations.

One of our areas of focus is mining, and mining projects. YCS believes that mining in the Yukon should occur only in places where such activities are ecologically and culturally acceptable. As such, YCS is concerned about this proposed access road occurring in a region where little to no local planning has been done to determine if this project is acceptable.

The Yukon Conservation Society (YCS) has the following comments to make on the above referenced project.

Alternatives to the project

The proponent of this project is still at the exploration stage of the Rau deposit. It is the opinion of YCS that an all-season road is not required for exploration. Equipment and supplies can either be flown in or a winter road can be used.

Yes, climate change will shorten the length of time the road can be used, but surely with appropriate planning the needed equipment and supplies can be trucked in on a winter road and stored on-site over the summer months. This would negate the need for an all-season road. This in turn would eliminate the environmental impact of an all season road.

YCS respectfully requests that YESAB recommend against the all season road given that there are alternative options.

Cumulative Impacts

Should an all-season road be developed into the Rau area, the cumulative impacts could be huge. First is the impact on fish habitat (due to the number of stream crossings, see section below on Salmon) and animals. Roads cause habitat fragmentation in that animals tend to avoid them (either due to noise or fear of predation).

Further, roads tend to create more roads. More roads mean even more habitat fragmentation. While it is premature to anticipate future development along this project route, or at the Rau site itself, it is highly likely that roads leading off this particular proposed one to access other mineral sites will occur. Look at the network of trails that have developed in the Dawson mining district to service the numerous mining operations. This must not happen in the Rau district without some form of land-use planning being done.

Once roads have been established it is almost impossible to get rid of them. YCS is unaware of any road or trail in the Yukon that has been intentionally closed and remediated thus preventing further motorized vehicular access to a region.

YCS respectfully requests that YESAB recommend against the all season road given the negative impacts on fish and animals due to cumulative impacts and habitat fragmentation.

Land Use Planning

YCS notes with concern that it would appear no land-use planning, even on a small local scale, appears to have been done in this region. Without land use planning it is hard to quantify what other values apart from mining are at stake in this region. This includes trapping, outfitting, tourism, and subsistence harvesting. All these activities could be at risk should this project proceed.

YCS respectfully requests that YESAB recommend against the all season road until such time as land use planning along the project route has occurred.

Effectiveness of Gating Roads

YESAB document 2016-0129-060-1, *Memo From Technical Expert Regarding Wildlife and Proposed Project* – Page 44, states in part the following:

Gating the ATAC road may or may not reduce this impact – it may be possible for ATVs, snowmobiles, and even 4x4s to circumvent the three gates. The effectiveness of the gates in excluding public traffic will depend on where it is located to limit the potential for vehicles to bypass the gates, whether it is manned to limit to potential for unauthorized removal of the gates (there are many pieces of machinery in the area that could be used), and how well the gates are maintained.

Should this project proceed, a staffed gate would be required to ensure it is not circumvented. A good example of this system is the staffed gate for the Kudz Ze Kayah project mine site just off the Robert Campbell Highway.

YCS respectfully requests that, should this project proceed, YESAB recommend that the road be gated and that the gate be staffed.

Salmon

This project could, although this has yet to be definitely determined, have negative impacts on salmon habitat. YESAB Document 2016-0129-060-1, *Memo From Technical Expert Regarding Wildlife and Proposed Project* – Page 24, states in part the following:

1.3 Chinook Salmon

Young Chinook salmon were recorded through inventory near the mouths of two tributaries of the Beaver River (ATAC road baseline data). The tributaries are crossed by the ATAC road. The salmon were likely using the streams as rearing habitat for one or two years after the fall in which eggs were laid, and it is possible that spawning occurred in the tributaries as well as the Beaver River. Further inventory would be required to understand what other streams affected by the ATAC road may support salmon, and what potential impacts on salmon the road may have.

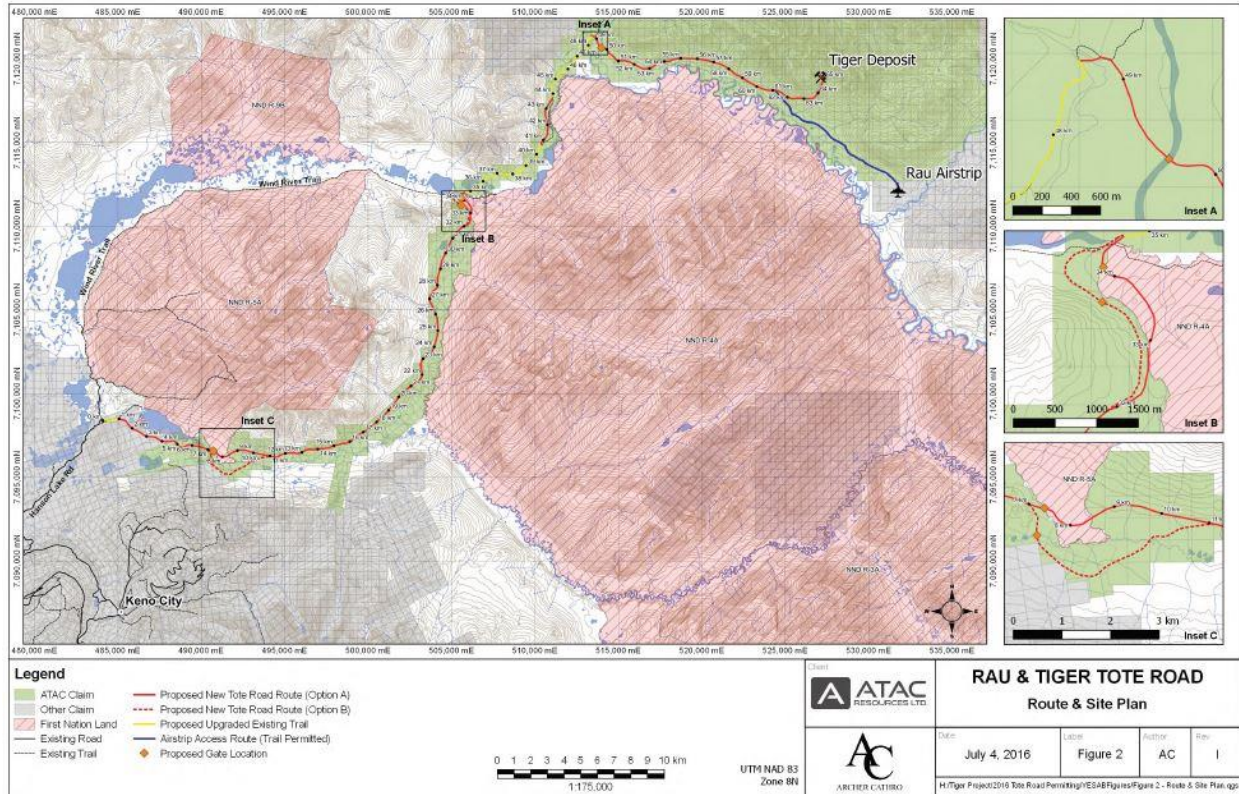
Given the multitude of culverts and bridges that will impact this watershed it is critical that the impact of this project on salmon habitat be better defined. To give an idea of the number of culverts and bridges refer to YESAB 2016-0129-060-1, *Memo From Technical Expert Regarding Wildlife and Proposed Project* – Page 27, which states in part:

There are 73 identified stream crossing sites for the ATAC road, with 47 planned culverts and bridges. The remaining streams (26) are stated to be assumed to not be fish bearing streams and are planned as armoured fords. However, as noted above, many of the streams have not been assessed on the ground.

YCS respectfully recommends that a full assessment of the impacts on salmon habitat of all the culverts and bridges be done prior to this assessment being continued.

Using Mining Claims for Roads

According to YESAB document 2016-0129-031-1 *Project Maps*, the map on page 6 of 9 shows how the proponent has staked the proposed all-season access route. Below is a screen shot of the staking:



This is not the intent of mineral staking. Staking a claim does entitle the stakeholder to the following, as per the Yukon Quartz Mining Act:

Right to acquire mineral claims

12 Any individual eighteen years of age or over may enter, locate, prospect, and mine for minerals on

(a) any vacant territorial lands; and

(b) any lands in respect of which the right to enter, prospect, and mine for minerals is under the administration and control of the Commissioner. S.Y. 2003, c.14, s.12

A road located atop a fifty kilometre thin stretch of mineral claims has nothing to do with minerals. It is an inappropriate use of the staking provisions within the Yukon’s Quartz Mining Act.

Staking is not intended to secure surface road rights. YCS notes that this issue is partially addressed in YESAB document 2016-0129-052-1 *EMR Letter*, where reference is made to acquiring a Land Use Permit under the Yukon Territorial Lands Act.

YCS respectfully suggests that YESAB remind the proponent that the intent of mineral staking is to search for minerals, not provide a road right-of-way.

Conclusion

YCS respectfully suggests that YESAB recommend against this project proceeding for the following reasons:

- There are alternative options to an all season road.
- Negative impacts on fish and animals due to cumulative impacts and habitat fragmentation.
- A full assessment of the impacts on salmon habitat of all the culverts and bridges has not been completed prior to this assessment.
- Land-use planning has not occurred.

Should the project proceed (and YCS is not in support of it proceeding) the following actions should be implemented:

- A staffed gate should be added to the road.
- The proponent must be informed that the intent of mineral staking is to search for minerals, not provide a road right-of-way.

Should you have any questions, please contact the undersigned.

Yours truly

A handwritten signature in black ink, appearing to read "Lewis Rifkind". The signature is written in a cursive, flowing style.

Lewis Rifkind
Mining Analyst
Yukon Conservation Society
Tel: 867-668-5678
Email: mining@yukonconservation.org