

**YESAA Triggered - YG LAND APPLICATION REPORT**  
**Updated to 8 November 2011**

**GENERAL**

Application Number	2009-2360
Name	<b>YUKON FISH AND GAME ASSOCIATION</b>
Application Type	Institutional
Date Review Completed	
DO Application Number (YESAB)	2011-0096

**LOCATION**

NTS Map #	105D08	
Geographic Location Name	Near Km 1346 Alaska Highway	
Latitude and Longitude	60° 21' N 134° 05' W	
Watershed and Drainage Region		
Nearest Community(s)	Name: Whitehorse	Distance from project: km
	Name:	Distance from project: km
First Nation Traditional Territory(s)	Carcross Tagish First Nation, Kwanlin Dun First Nation & Ta'an Kwach'an Council	
Surrounding Land Status	Vacant	

**APPLICANT'S REASON FOR APPLICATION AND SIZE:** Applicant is applying for 3.0 hectares, more or less, for Non-Profit Land Application.

The Yukon Fish and Game Association is a registered Non-Profit Association, in good standing with Yukon Corporate Affairs, established since 1945. The Yukon Fish and Game Association is a charitable conservation group dedicated to conservation of wildlife and wildlife habitat and outdoor education throughout the Yukon Territory.

The Yukon Fish and Game Association provides outdoor education programs for the public throughout the year. For more than 21 years we have annually provided a free outdoor education camp for Yukon youth 13 to 16 years of age. For many years we have also been providing a Yukon Outdoor Woman program for outdoor education activities. Both programs offer activities in camping, outdoor survival, hunting, fishing and trapping education. The youth program also provides basic canoe instruction, hiking, tenting, horseback riding, climbing, and other Yukon outdoor skills.

The outdoor programs promote wise use of the Yukon's wilderness and encourage participation in a healthy outdoor lifestyle, that also educates about outdoor activity ethics and respect for fish, wildlife and lands.

The Yukon Fish and Game Association has been looking for the last 15 years for a suitable parcel of land to lease close to outdoor opportunities that would enable greater year-round activities for outdoor education, that is a reasonable driving distance from Whitehorse for instructors and in close geographic proximity to hiking, riding and water activities.

The implementation of Yukon First Nation Land Claims closer to Whitehorse has enabled the Association to better look at lands suitable to our needs. The location applied for is approximately 45 driving minutes from Whitehorse and is near a small that is not as actively used as other nearby larger lakes. The location has an existing, well built Alaska Highway access and a usable public access that goes to the east end of the lake.

Our intention for the site is for an Outdoor Education camp. Currently our camps are run out of Vista Outdoor Learning Centre with canoeing activities at Chadburn Lake, horseback riding near Spirit Lake, fly fishing at Louise Lake, climbing at Takhini Hot Springs, hiking and trapping education at Alec Van Bibber's trapline at Shaneinbaw Lake, north of Champagne.

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The area generally near Jake's Corners could be suitable for many year-round outdoor education activities, including winter camping/survival education.

If approved, any development at the site will be carried over time, possible two to three years, by volunteers to clear tent areas and construct a picnic shelter area, as well as a trail from the existing lake access road to the camping area.

Toilet pits are anticipated to be hand dug, if possible, with toilets constructed off site and hauled in. The intention is to keep the site in as much of a natural state as possible and only construct facilities needed to carry out seasonal outdoor recreation and education activities. Hiking activities could be possible nearby with the White Mountain trail for goat viewing.

The Yukon Fish and Game Association recognizes the area is in the Southern Lakes Caribou Recovery area. Winter habitat and seasonal migratory routes are important for area caribou and other wildlife – all part of education for wildlife conservation.

Photographs of the access from the Alaska Highway, the existing access road to the lake, and the general location are attached with the Site Sketch.

The parcel is situated near km 1346.6 of the Alaska Highway, approximately 4.9 kilometres west of Jake's Corner, on the south side of the highway.

The Yukon Fish and Game Association wishes to apply for a reduction in the annual lease costs for the three hectares applied for, in keeping with current Institution/Non-Profit Land Application Policy.

This is the first application for land, for education purposes, for Yukon's longest established conservation organization.

In addition to application for a lease, the Yukon Fish and Game Association is interested in knowing the possible purchase price for three hectares applied for, in case we can afford purchase of the lands at some point.

**APPLICATION SKETCH DATED SEPTEMBER 29, 2009 (LAND MANAGEMENT BRANCH) IS ATTACHED TO THIS REPORT**

**SUMMARY OF RESPONSES TO DISTRIBUTION:**

<b>Lands – Client Services:</b>
<b>Natural Resources Officer INSPECTION COMMENTS – Southern Lakes District (Whitehorse):</b>

*Date Received: October 19, 2010*

**Existing Improvements:** No improvements within application area.

**Soil:** Sandy silt

**Vegetation Cover:** The dominate tree species is Spruce with poplar mix with a small component of pine on the upper exposed western hill-side, adjacent to the lake.

**Terrain:** Application area is primarily flat.

**Water bodies:** Unnamed lake 100 meters west of application area.

**Exposure:**

**Erosion or possible permafrost:** Erosion- Nil  
Permafrost- Nil.

**Access Roads:** Access into application area is at Km 1346.6 Alaska hwy and down an existing trail.

**Suitable for Building foundation:** Area appears suitable for a foundation.

**Suitable for Septic:** Area appears suitable for a septic field

**Distance to Water Supply:** 100 meters to a unnamed lake

**Subject to Flooding:** Nil.

**Environmentally Sensitive Areas:** The application area is situated between "Area #14 Tagish Lake" and "Area #9 Judas Creek" designated Woodland Caribou wintering range area's, as defined by Yukon Environment. The Southern Lakes Caribou Recovery Program was started in 1993 to help build and sustain Woodland Caribou in the region.

**If roads in area, any maintained YTG:**

**Distance to nearest community:**

**Distance to Power:** Nil

**Garbage Disposal:** Nil

**General Comments:** The area of the application and surrounding area appears to be very active in recreation uses and in a small degree mining activities. The access trail off the Alaska hwy leading to the large unnamed lake is well traveled with evidence of fishing, camping and fuelwood cutting. Also observed was evidence of bears and a large number of nesting cavities of birds within the older poplar trees.

The application area is situated between "Area #14 Tagish Lake" and "Area #9 Judas Creek" Woodland Caribou wintering range area's, as defined by Yukon Environment. The Southern Lakes Caribou Recovery Program was started in 1993 to help build and sustain Woodland Caribou in the region and to mitigate Human impact within and outside the core habitat area's.. If further clarification is required please contact Shawn Taylor, Regional Biologist for the Southern Lakes District at 667-8640.

Also observed was the overlapping mining claims within the area adjacent to the unnamed lake and surrounding area, however this overlap does not necessarily indicate a conflict of interests. If further clarification is required please contact Glenna Southwick Mining Recorder for the Whitehorse District at 456-3823.



Red lines indicate location of boundary of application, as viewed from Unnamed Lake.  
(Photo as shown in YFGA application)



GPS location – 60° 20' 55.0" x 134° 05' 06.5"  
Access trail leading to unnamed lake

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View from south-west corner looking north  
GPS location - 60° 21' 03.1" x 134° 04' 56.5"  
(Photo as shown in YFGA application)



View from North-west corner looking south  
GPS location - 60° 21' 08.9" x 134° 05' 04.8"  
(Photo as shown in YFGA application)



North-west corner looking east, away from unnamed lake.

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North-east corner looking south



Corner #3 as per the attached map of application looking south



Claim post within Application area.

**Overlapping claims** do not necessarily indicate conflicting interests.  
(See Mining Map)

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**Land Claims Implementation Secretariat:** Received by (method) on Date:

**Property Assessments:** Received by mail on October 15, 2010:  
No RETP concerns as Licence of Occupation only.

**Planning/Land Development:** Received by email on September 26, 2011:

Land Planner:

- There is no local area plan or area development regulation for this area.
- As this is an application for a long term lease (30 years) the boundaries of the lease should be surveyed by an Canada Land Surveyor and the Plan of Survey should be registered at the Land Titles Office.
- Subdivision Approval would be required prior to surveying the land
- From the information provided the site appears suitable for the intended purpose
- The parcel boundary must not impede public access to the un-named lake

**Building Safety:** Received by email on September 22, 2011:

**Building Camps**

A permit may be required for the installation of small, short term, low occupancy, temporary, re-locatable camp within Yukon. Please contact the Building Safety Branch at 867-667-5741 for more information.

**Land Use:** Received by email on September 26, 2011:

Applicant may require a land use permit for trail construction.

Received by email on October 7, 2010:

Depending on the development of the current access, they may need to enlarge for safety reasons (access, egress of emergency vehicles)

They will need a Land use Permit and a YESAA app for the “driveway” from current access to their proposed lot.

**Environment:** Received by email on September 30, 2011:

Environment Yukon and the partners of the Southern Lakes Wildlife Coordinating Committee have been diligent in recommending that development not occur in key caribou habitat given that the caribou recovery program is in place. This proposed application is situated in core winter range for the Carcross Caribou herd and the area is identified as a key wildlife area. Development of this site, as for others in the core winter range, may contribute to cumulative effects in the area and limit the recovery of the Carcross caribou herd.

This area lies within the 55% kernel for Carcross caribou winter range, and offers critical caribou winter forage habitat. Further development will likely decrease the availability of important lichens as winter forage, as well as decrease the mobility of caribou between important forage areas.

**Valued Ecosystem Components:**

1. Carcross Caribou Herd: **within 55% winter range kernel**

The proposed project occurs within the winter range of the Carcross woodland caribou herd. Radio telemetry data from Environment Yukon shows that this site lies within the 55% kernel of available caribou data. The 85% kernel was described as a core winter range for the Carcross caribou herd (Florkiewicz et al, 2007). The 55% kernel area therefore represents a denser core of habitat use by caribou and is even more critical. The area contains lichen habitats, such as open pine and open needleleaf areas, which are important feeding areas for caribou during winter.

**Potential for adverse effects:**

Carcross Caribou Herd

A recovery program for Southern Lakes woodland caribou herds (which include the Carcross, Ibex and Atlin herds) was initiated in 1992, and remains in effect (<http://www.yfwcm.ca/mgmtplans/slcrp/goals.php>). The

recovery program is delivered in partnership with six First Nations, Council for Yukon First Nations, and the governments of Yukon, British Columbia, and Canada. A Southern Lakes Caribou herd action plan was developed in 1994, as a living document to guide caribou recovery. Since 1994, the Southern Lakes Caribou herd has been surveyed extensively, including radio-collaring and habitat mapping as part of the recovery strategy. The Southern Lakes caribou are still recovering and development within their range (particularly winter range) can cause further stress to the herd. Caribou can be excluded directly from important forage areas and can be excluded indirectly through disturbance associated with development. Development near important range can increase the zone of influence in which caribou avoid areas because of disturbance.

Land dispositions and/or developments within the winter range of the Southern Lakes caribou are likely to diminish the value of key habitats. For context and reference, key areas are used by wildlife for critical, seasonal life functions and are recognized as being of high environmental value. Winter range is key habitat for woodland caribou and is used traditionally year after year. As winter progresses caribou become particularly vulnerable. Deep, hard packed snow interferes with feeding, makes traveling difficult, and under certain conditions can inhibit escape from predators. Snow conditions become more unfavorable for woodland caribou as winter progresses. In response, they move along traditional routes or migration corridors to forests where snow conditions are less severe and where lichens, their primary food, are more readily available.

Caribou require extensive space and a variety of habitats, and undertake traditional movements, presumably as a strategy to minimize predation, exploit seasonal pastures, and avoid deep snow. Over most of their range, caribou subsist on lichens in the winter and are therefore associated with forests that support a relatively high biomass of lichens. In part because this staple winter food is slow growing, and fragile to physical disturbances, caribou habitat is considered sensitive to a wide range of disturbances. At present, the quantity of open pine lichen habitat required to sustain the Southern Lakes caribou population is at a threshold where additional losses from development within the caribou range represents a significant risk to the population, and may cause significant negative impacts to the Carcross caribou herd.

The increased access and activity associated with a residential development increases the disturbance to caribou may have a negative impact on the Carcross herd. Caribou are more sensitive to disturbance than moose, and disturbances created by increased road use and associated off-road vehicle use (near an ATV access route) on the road and in the area around the road (for example during moose hunting activities) will be additive pressures on a caribou herd that currently has a fragmented range and has already experienced heavy development throughout its range.

Environment Yukon continues to work collaboratively with CTFN and the 8 other partners of the Southern Lakes Wildlife Coordinating Committee (SLWCC) to meet the goals of the Southern Lakes Caribou Recovery plan. One of the primary objectives described in the recommendations developed by the SLWCC are to ensure caribou habitat receives the highest possible protection for existing and historic winter ranges.

For more information about caribou management in the Southern Lakes region, refer to the Southern Lakes Wildlife Coordinating Committee website (<http://www.yfwcm.ca/slwcc/>).

### **Cumulative Effects**

Rural sprawl and other developments continue to impact important fish and wildlife habitat in the Southern Lakes in the absence of regional planning. As human populations and development increase near Whitehorse, more caribou habitat will be impacted, disturbances will increase and fewer options to maintain intact habitats available to caribou will exist. These future constraints highlight the need to minimize development within core winter caribou range areas.

The allowance of this application would contribute to additional cumulative impacts to the Carcross caribou winter range and set a precedent for further development in critical range.

### **Recommended Mitigation:**

- Environment Yukon does not support development within caribou winter habitat and recommends the applicant explore alternative locations where wildlife impacts can be effectively mitigated.

<p><b>Tourism:</b> Received by (method) on Date:</p>
<p><b>Heritage Resources:</b> Received by (method) on Date:</p>
<p><b>Highways:</b> Received by email on Date: September 22, 2011  H&amp;PW has reviewed this application and has the following comments.   The existing access onto the Alaska Highway has no access permit. Applicant is to apply for access permit to legitimize the existing access. If existing access is substandard it will require upgrading. If the access has insufficient site distances or has other safety concerns it may have to be relocated to satisfy deficiencies.</p>
<p><b>Forestry:</b> Received by (method) on Date:</p>
<p><b>Mineral Resources:</b> Received by email on September 20, 2011:  This project appears to overlap good-standing quartz mineral claims (MEX).</p>
<p><b>Agriculture:</b> Received by (method) on Date:</p>
<p><b>Department of Fisheries and Oceans:</b> Received by (method) on Date:</p>
<p><b>Environmental Health:</b> Received by email on September 26, 2011:  Proponent states that they plan to establish a year round facility for outdoor education. This activity may have socio-economic effects which affect human health, specifically, cumulative effects with regards to sewage disposal.   - Non-Discretionary Requirements –   1) Sewage disposal system must be installed and used in accordance with the <i>Sewage Disposal Systems Regulation</i>.   - Permits and Authorizations Required -   1) Under the <i>Sewage Disposal Systems Regulation</i>: 1) Permit to Install a Sewage Disposal System; and 2) Authorization to Use a Sewage Disposal System.   - Omissions by Proponent -   None.   - Special Considerations -   None</p>
<p><b>Municipalities (if any):</b> N/A</p>
<p><b>Carcross Tagish First Nations:</b> Received by email on February 1, 2011:   <b>Re: Land Application #2009-2360, near Km 1346 Alaska Highway, &amp; near an unnamed lake, Quad 105D08</b>   The Carcross Tagish Renewable Resources Council (CTRRC) met on January 10, 2011. The above noted application was discussed and Council determined they do not support the application.</p>

Representatives from Carcross Tagish First Nation's Land Use Team also attended the Council meeting to participate in the discussions. They indicated they share the concerns of the CTRRC.

As was communicated in an earlier letter, Council would like to highlight the fact that the land in question is within the Southern Lakes Caribou Wintering Area and therefore of utmost importance to the Carcross Tagish First Nation (CTFN) and the CTRRC.

We feel that the extent of proposed development of the site is far too invasive. In particular, winter camping and survival education activities and related infrastructure in this area and could negatively impact the habitat and wintering caribou herd. We also have concerns that subsequent to the proposed "camp" activities, the land would be used for purposes beyond the original intention.

The CTRRC however, does commend and support the efforts of the Yukon Fish and Game Association to facilitate educational opportunities, especially for Yukon youth. During the course of our January 10th discussions Council members shared their awareness of the outdoor education camps that YF&GA is reputed to have held in conjunction with other First Nations near Haines Junction. It was advocated that the CTFN could be an excellent and approachable partner for a similar venture in the Southern Lakes area. CTFN member, Bill Barrett, Jr. indicated that there are likely several sites on CTFN land that would be appropriate for outdoor camps.

In closing, we would like to suggest that the proponents contact the Carcross Tagish First Nation to discuss options for jointly developing an Outdoor Education Program. If you have any questions or require further information, please contact us.

Yours truly,

Ken Reeder, Co-Chair

c. Bill Barrett, Jr. Lands Manager  
Carcross Tagish First Nation, Heritage and Natural Resources

**Kwanlin Dun First Nations:** *Received by (method) on Date:*

**Ta'an Kwach'an Council:** *Received by email on December 14, 2010:*

The Kwanlin Dun First Nation appreciates this opportunity to comment on the above-cited land application. The information we received regarding YG land application 2010-2360 (presented in the package attached to your memo of October 5, 2010) raised no concerns.

**Marsh Lake Renewable Resource Council:** *Received by email on December 3, 2010:*

The Carcross Tagish Renewable Resource Council (CTRRC) is in receipt of your letter and information package regarding the above noted land application from the Yukon Fish and Game Association (YFGA).

At this time we would like to highlight the fact that the land in question is within the Southern Lakes Caribou Wintering Area and therefore of utmost importance to the Carcross Tagish First Nation (CTFN) and the CTRRC.

We note that the deadline for comments is December 5, 2010. At this time, the Council requests an extension to this deadline.

As you are likely aware, the CTRRC represent the interest of the residents of Carcross, Tagish, Marsh Lake and Mt. Lorne. While the background information provided to the YFGA does describe their intended usage of the land, the Council feels it is in the best interests of all parties to reserve comment until a representative of the Yukon Fish and Game Association is available to attend a meeting of the CTRRC. Council members feel they would be better able to assess potential implications, and subsequently provide informed and meaningful comments if they have an opportunity to hear firsthand from the YFGA, ask questions and discuss the details of the proposed land usage.

Thanks you for your consideration of our request for an extension to the deadline for comments.
<b>Yukon Electrical Company Ltd:</b> <i>Received by (method) on Date:</i>
<b>Yukon Energy Corp:</b> <i>Received by email on October 21, 2010:</i> Yukon Energy Corporation has no concerns or comments regarding the above land application.
<b>Neighbours:</b> Received by email on November 4, 2010: (File: 2800-45-105D08/092360)  To whom it may concern  Hello, my name is Alexander Goepfel. It has come to my attention that there is a proposal for the Yukon Fish and Game Association to build a educational and camping facility on a unnamed lake near Jack's Corner. I am concerned about this proposal for a couple of reasons. I am very familiar with this lake and it holds unique value to me. It is an area that is heavily used by caribou. As well it is frequented by moose, wolves and bears. It provides a pristine habitat for water fowl including loons. This lake was a great area for fishing white fish and pike. However, the fishing is not as plentiful as it was in the past. This is where my concern stems from. Due to its relative easy access from the Alaska Highway it has been fished a lot. I support Yukon Fish and Game Association to have education facility, but I wish it were not in this place. The habitat is pristine and untainted by extensive use by people. If it is overused, what is lost cannot be retained.  My other concern relates to the locals who live nearby. There are people who have applied to lease land in the surrounding area. Out of all the cases I can think of, all of them were declined due to the recovery program for Southern Lakes Caribou herd. It would not be fare if Yukon Fish and Game Association were to be granted this parcel of land while other people were decline due to the recovery program. Besides, the Southern Lakes Caribou herd requires as much wild habitat as possible to ensure the survival of this herd for future generations.  Thank you for reading my email.  Alex
<b>Trappers:</b> <i>Received by (method) on Date:</i> #300 Ken Reeder
<b>Big Game Outfitter:</b> N/A
<b>Quartz Claim Holder:</b> <i>Received by mail on November 2, 2010:</i> #YB46672 & 72; 77 to 79 Marvin Sherman: I have claims on your land application and have had since 94. The road I put in but your trail showing is not correct. Marvin Sherman

**DECISION:**

**INTERIM DECISION LETTER SENT TO CLIENT:**  
***(No IDL where application denied)***

**FINAL DECISION LETTER SENT TO CLIENT:**