

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 Assistant Deputy Minister Community Development Division, Community Services
Federal Decision Body(ies):	<i>Not applicable</i>
First Nation Decision Body(ies):	<i>Not applicable</i>

Project

Project Name : Remedial Breakwater Maintenance – Marsh Lake Area	YESAA File Number: 2006-0137
Proponent Name:	McClintock Contracting
<p>Project Description: The principle purpose of this project is to place blast rock, oversize rock and gabions to maintain breakwater at various locations along Marsh Lake to preserve properties from erosion. The work will be carried out under contract by property owners.</p> <p>Project activities include:</p> <ul style="list-style-type: none"> • Work done around Army Beach area, government campground and public use areas as well as private residence areas including Army Beach, McClintock River, McClintock Bay, Grayling Place, Old Constabulary and Judas Creek. • Material required for breakwater varies from lot to lot. If existing breakwater is low, it could take 4-5 truckloads at 5m³. If there is no breakwater, it could take 10 or more truck loads at 5m³. • Use of existing public access roads to foreshore. • Blast rock source is from an existing quarry at km 1375 on the Alaska Highway. Oversize rocks for gabions are by-products from other quarries. • All work will be completed in the dry and if possible, on the ice. 	

Other Decision Bodies

Other Decision Body Consultation:	<i>Not applicable</i>
Consolidated Decision Document:	<input checked="" 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>Not applicable</i>
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Decision

Pursuant to YESAA s. 75, 76 and 80, the Yukon government has considered the assessment of this project and:	
<input type="checkbox"/>	a) Yukon government accepts the following recommendation (inserted below)
<input type="checkbox"/>	b) Yukon government rejects the following recommendation (inserted below) for the following reason(s):
<input checked="" type="checkbox"/>	<p>c) Yukon government varies the following recommendation (inserted below) as follows for the reason(s) specified:</p> <p>Pursuant to section 56(1)(b) of the <i>Yukon Environmental and Socio-Economic Assessment Act</i>, it is recommended that the project be allowed to proceed, subject to specified terms and conditions, as the Designated Office has determined that the project will have significant adverse environmental effects or socio-economic effects in or outside Yukon that can be mitigated by those terms and conditions.</p> <p>The proponent shall comply with the following terms and conditions which remain unchanged from the evaluation report:</p> <ol style="list-style-type: none"> 1. The proponent shall not in any circumstance deposit or allow the deposition of any deleterious substances (including but not limited to fuels, lubricants, hydraulics and coolants) of any type into any waters, or in any place under any conditions where the deleterious substances may enter any water. 2. The proponent shall have a Spill Contingency Plan in place to provide for response to and clean-up of any spills or leaks of deleterious substances. 3. The proponent shall ensure that all works are completed in the dry and if possible, on ice. 4. The proponent shall ensure that blast rock, oversize rock, gabions and any other materials brought to the site and placed on the shoreline is free of sediment. 5. The proponent shall ensure that wildlife and wildlife habitat is not needlessly disturbed during breakwater construction and maintenance. 6. The proponent shall conduct work using heavy equipment during the day only. 7. The proponent shall not restrict public access to Marsh Lake waterfront for any extended period of time. <p>Additional term and condition:</p> <ol style="list-style-type: none"> 8. The proponent shall provide a detailed list of specific sites where maintenance work is required and the amount of work required at each site prior to undertaking any maintenance activities. <p>Reason: This condition is added to ensure that adequate site-specific information is obtained prior to work being undertaken, potential impacts have been adequately mitigated and, if required, a water license is obtained.</p>

Dates

Project Recommendation Issued: June 1, 2006	Decision Document Issued: June 16, 2006
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Recommendation Received From

Designated Office	<input checked="" type="checkbox"/>	Location: Whitehorse
Executive Committee	<input type="checkbox"/>	
Panel	<input type="checkbox"/>	a) Panel of the YESAB
	<input type="checkbox"/>	b) CEEA Panel
	<input type="checkbox"/>	c) Joint Panel (YESAB and other assessment body)

Authority

By signing below, the Yukon government has exercised its authority as per YESAA s. 75 or s. 76 to issue a decision document on this project.

Name: Eric Magnuson

Position: Assistant Deputy Minister,
Community Development Division

Signature: _____
(original signed by Pat Molloy, A/ADM)

Date: June 16, 2006

Copies Forwarded to (as required by YESAA s. 81)):

- Other Decision Bodies _____
- Project Proponent McClintock Contracting
- DAP Branch, Executive Council Office _____
- YESAB Designated Office Whitehorse
- YESAB Executive Committee _____
- Minister Environment (Canada) _____
- Yukon Surface Rights Board _____
- Yukon Water Board _____
- Land Use Planning Commission: _____
- Independent Regulatory Agency _____
- Other Body/Person as Required _____