

Summary of Findings
Step 1: Information Gathering
Yukon Oil and Gas Rights Disposition #4

Oil and Gas Management Branch

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Executive Summary

In 2002 the oil and gas rights disposition process was modified to accommodate the request of Land Claim bodies to be provided the opportunity to contribute information in the initial stages of the disposition process. In the previous three disposition processes, this first step consisted of a strictly internal process of identifying ecological and cultural values.

For the first time, other informed sources were invited to contribute information to the disposition process. This report:

- Notes how information gathering was conducted and who participated in the process
- Outlines the methodology for assessing the input received
- Summarizes the input received.

The Key findings of Step 1 are the following:

- Seven Key Issue Areas were identified where there were numerous overlapping values, a high density of interests or a high number of planning processes recommending provisions for protection.
- A Technical Review Committee with expertise in biology, heritage resources, the tourism industry and oil & gas engineering met to determine if mitigative measures could address the concerns in the Key Issue Areas. The consensus of the Technical Committee was that mitigative measures were sufficient for protection for the majority of the identified values. Some committee members continued to have concerns regarding territorially significant wetlands and the Snake River.

As a result, when boundaries for the proposed Call for Nomination were determined, several areas were removed and others were identified as “Areas of Special Consideration”.

The Whitehorse Trough was removed from the disposition process in response to concerns expressed by the Little Salmon Carmacks First Nation regarding their capacity to participate effectively in the process.

Summary of Findings – Step 1: Information Gathering Yukon Oil and Gas Rights Disposition # 4

A. Introduction

In 2002 the oil and gas rights disposition process was modified to accommodate the request of Land Claim bodies to be provided the opportunity to contribute information in the initial stages of the disposition process. In the previous three disposition processes, this first step consisted of a strictly internal process of identifying ecological and cultural values.

For the first time, other informed sources were invited to contribute information to the disposition process. This summary:

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- Outlines the methodology for assessing the input received
- Summarizes the input received

B. Timetable and Entities Involved

The Oil and Gas Management Branch initiated Step 1 – Information Gathering, of the disposition process in September, 2002. First Nations, Renewable Resources Councils, Federal Government Departments, Non-Government Organizations and YTG Departments were all invited to participate based on their knowledge of ecological and other significant values.

During September and October meetings were held with YTG Departments, Federal Departments, Renewable Resources Councils, the Fish and Wildlife Management Board, NGOs, Little Salmon Carmacks First Nation, Vuntut Gwitchin First Nation and Tr'ondek Hwech'in First Nation. Due to the territorial election, trips to the communities were put on hold and Step 1 was delayed.

The process reinitiated in January 2003 with meetings between the Minister of Energy, Mines and Resources (EMR) and each of the affected First Nations (Little Salmon Carmacks, Vuntut Gwitchin, Tr'ondek Hwech'in, Nacho Nyak Dun, Champagne and Aishihik, Selkirk and the Gwich'in Tribal Council). Step 1 concluded February 28th, the deadline for submitting information.

C. Input Received

Although the majority of the information was provided by YTG departments, the information gathering process was very successful in engaging a diversity of people in the early stage of the disposition process (see Appendix 1). All participants in the

process were pleased to have the opportunity to participate and comment during Step 1.

Many First Nations have a considerable amount of information that has never been digitized. As this information becomes available in digital format, it will be added to future disposition processes.

The information that was received was compiled into a single Geographic Information System (G.I.S.) file (see Significant Values map). The file included the point/line/polygon location and values including name of source, source category, date provided, time of year with which value is associated, related publications, and other related fields. The G.I.S. database will be maintained for future disposition processes.

D. Methodology for Screening Information

The methodology for screening information received during the information gathering stage is described in Appendix 2. The screening process resulted in the recommendations for the Call for Nomination boundaries and a full list of potential mitigative measures which would address the values and concerns identified. The following six steps were involved in the process:

1. Each value submitted to the Oil and Gas Management Branch was analysed separately to determine what kind of mitigative measures could be recommended to address the concerns surrounding the values identified.
2. Five maps outlining the values using overlaid polygons were produced.
3. The maps were reviewed and “key issue areas” were identified.
4. Maps of Key Issue Areas were developed depicting polygons themed by the season of use. They include a unique identifier, which can be cross-referenced to a print-out detailing notes for each polygon.
5. A Technical Review Committee was established to review the Key Issue Areas map.
6. Technical Review Committee recommendations were submitted to the Oil and Gas Management Branch. The Branch, together with the Department of Environment, reviewed the Technical Committee recommendations, resource assessment information, government interests and recommendations (tourism, heritage and environment) and economic values in the region.
7. The Oil and Gas Management Branch submitted a summary of the findings of Step 1: Information Gathering and recommendations for the Call for Nomination boundaries to the Minister of Energy, Mines and Resources.

8. The Minister reviewed the information and the proposed boundaries, and decided to proceed with Step 2 – Government to Government Consultation.

E. Mitigative Measures

Mitigative measures are actions which can be taken by industry to minimize or eliminate the impact that its activities will have on ecological and cultural values. Through this year's disposition process, options for mitigative measures were identified for each ecological, cultural, tourism or other value.

A table of mitigative measures was developed drawing from practices in other jurisdictions, known best practices followed by industry, Canadian guidelines, and reports with recommendations for minimizing impacts (The table "Significant Values and Mitigative Measures Options" is posted on the website www.yukonoilandgas.com as a separate file). The list of options will be used to guide the licensing of activities.

The adoption of mitigative measures can be complicated since a recommendation for one wildlife species may not necessarily work for other wildlife species. As a result, the table of mitigative measures has been screened by the appropriate wildlife biologists for their input. Generally speaking, there are six general categories to which the listed mitigative measures apply:

1. Complete avoidance of site/area (archeological sites, heritage sites, raptor nests, sheep lambing habitat, wetland habitat, etc...)
2. Seasonal avoidance of an area (sheep rutting, moose rutting, tourism corridors, migration corridors, etc...)
3. Minimization of impact (use of low-impact seismic technology, meandering seismic lines, heliportable drill access, noise reduction, etc...)
4. Prohibition of activities (No hunting or fishing by company personnel, no use of access routes by public, etc...)
5. Monitoring for Wildlife/Habitat (Company staff or specially hired environmental or wildlife monitors hired to watch for the presence of wildlife species and sensitive habitat)
6. Advanced studies/consultation (Studies to identify wildlife habitat, wetlands, etc...)

F. Key Issue Areas Reviewed

The Technical Committee reviewed seven areas that were identified through the analysis of submitted information (See Appendix 3: Map of Key Issue Areas). All of

these areas are located in the North Yukon. Information provided for the Whitehorse Trough did not identify any areas meeting the criteria for a Key Issue Area.

The following information on each Key Issue Area is the result of Technical Committee discussions related to the values in each area.

Area 1 - The Dempster Highway/Ogilvie River

This area was found to have several overlapping values including tourism, caribou wintering range, sheep migratory corridor, riparian corridor, moose habitat, grizzly habitat and general year-round sheep habitat. In the technical review of this area and each of these values, there was consensus that the mitigative measures identified would address the concerns associated with these values. This area has not been included in the Call for Nominations.

Area 2 - The Whitefish Wetlands

These wetlands have been described as wetlands of territorial significance and have been identified through a series of past planning processes as recommended for protection. The majority of these wetlands will not be included in the Call for Nominations as they are Category A lands belonging to the Vuntut Gwitchin First Nation. Members of the Technical Committee were concerned that mitigative measures identified may not address all the concerns associated with impacts of development. This area has not been included in the Call for Nominations.

Area 3 - The Richardson Mountains

This area is key habitat for sheep lambing, sheep wintering, raptor nesting and caribou wintering. Both caribou and sheep are dependent on the south facing slopes of these mountains during the winter months. During high snow fall years, sheep and caribou rely on these areas which do not get a high snow build up. For the most part, the mitigative measures that were identified address the concerns of the values in this area. In particular, the avoidance by industry of key habitat was seen as important. The importance of the habitat in the Richardson Mountains to wildlife species was emphasized. This area has not been included in the Call for Nominations.

Area 4 - The Turner Lake Wetlands

These wetlands have been described as wetlands of territorial significance and have been identified through a series of past planning processes as an option for protection. Some members of the Technical Committee were not convinced that the mitigative measures identified would address all the concerns associated with impacts of development on wetland habitat and the diversity of species reliant on wetlands. This concern was heightened due to the fact that rights have already been issued in the area. Parts of this area have been removed from the Call for

Nominations and the remaining parts have been identified as an “Area of Special Consideration”.

Area 5 - The Snake River

This area resulted in the highest density of identified ecological and cultural values. It is considered by the wilderness tourism industry to have the highest value and is also habitat to moose, raptors, sheep and caribou. It also includes wetland habitat. The Technical Committee was satisfied with the mitigative measures identified for each individual value. However, the Committee believes that the mitigative measures would not address the overall value of the area, the level of importance that the area had for tourism or the overlap of values. This area has not been included in the Call for Nominations.

Area 6 - The Bonnet Plume River

This river has been identified as a Canadian Heritage River based on its cultural and ecological values. The area includes habitat for raptors, sheep, wintering caribou and is also an important wilderness tourism corridor. For the most part, it was felt that mitigative measures would address the concerns related to the ecological and cultural values in the area. This area has not been included in the Call for Nominations.

Area 7- The Tabor Lakes Wetlands

These wetlands have been identified as wetlands of territorial significance and have also been identified through a series of past planning processes as an option for protection. Concerns similar to those mentioned under the Turner Lakes Wetlands were expressed. This area has been identified in the Call for Nominations as an “Area of Special Consideration”.

G. Decisions Respecting Call for Nominations Boundaries

Based on the information gathered, the review by the Technical Committee, information on oil and gas potential and past government decisions regarding economic development in North Yukon and the Whitehorse Trough, the Oil and Gas Management Branch made recommendations to the Minister of Energy, Mines and Resources.

The Minister discussed the options with First Nations during the Government to Government Consultations which were completed in February 2004. The boundaries for the Call for Nominations announced by the Yukon government on March 8, 2004 reflect the information collected during Step 1 and the concerns and issues raised during consultations with First Nations.

This designation of “Area of Special Consideration” is intended to alert potential nominators that these areas may be subject to additional regulatory terms and conditions. In these areas, prior to the commencement of activity, the proponent may be required to draw up site specific environmental protection plans. These plans would describe the necessary procedures the operator would take to minimize any environmental impacts to sensitive fish and mammal habitats, birds or other species in the region.

Appendix 1: List of Organizations Submitting Input

Information Source	Type of Information
1) YTG Department of Environment	Key habitat areas Wetlands of significance Past YPAS information Mineral licks
2) YTG Heritage	Cultural sites Archeological sites
3) YTG Tourism	Wilderness tourism Outfitting info
4) Department of Fisheries and Oceans Canada	Recommended approach with mitigative measures
5) Environment Canada	Caribou Migratory birds Wetlands
6) First Nations	All effected First Nations reviewed the data and many were able to validate the data. Several had un-digitized data that will be incorporated in the future.
7) Renewable Resources Councils	Some Renewable Resources Councils were able to provide local knowledge with respect to ecological values.
8) CPAWS	Canadian Heritage River System CWS Arctic Ecology Map Series CPAWS document on Snake, Wind, Bonnet Plume CPAWS document on Eagle Plains Gwichin interim Land Use Plan Mackenzie Delta – Beaufort Sea Regional Land Use Plan Peel River Watershed Advisory Committee recommendations
9) Caribou Commons	Wilderness Tourism Wildlife values
10) Ducks Unlimited	Waterfowl Wetlands
11) Porcupine Caribou Management Board	No information submitted this year
12) Wilderness Tourism Association of the Yukon	Wilderness Tourism Corridors Lakes used for tourism Recommendations for mitigative measures
13) Yukon Conservation Society	No information submitted this year
14) Yukon Fish and Game Association	No information submitted this year
15) Yukon Trapper's Association	No information submitted this year
16) Yukon Outfitter's Association	No information submitted this year
17) Yukon Salmon Committee	No information submitted this year

Appendix 2: Screening Information Gathering Results

Step 1 – Information Gathering of the Oil and Gas Rights Disposition Process results in data gathered from various sources in order to identify areas of high importance or concern.

The data includes all information gathered during past disposition processes and the Information Gathering Step of the present disposition process. This information is compiled and analyzed to insure that mitigative measures are capable of addressing the potential impacts of oil and gas development.

Information includes:

- Wildlife Key Habitat (Environment Department)
- Wildlife Observations (Outfitters, Caribou Commons and other stakeholders)
- Heritage Data (YTG Heritage)
- Riparian Corridors (Applied Ecosystems Management)
- Tourism Activities (YTG Tourism, Wilderness Tourism Association)
- Wetlands (Ducks Unlimited, Environment Canada and YTG Environment)
- Landscape Features (various stakeholders) – caves, canyons, etc.
- Other features identified through community and First Nation consultation.

The following outlines the methodology for screening the results gathering

STEP 1:

Each value submitted to the Oil and Gas Management Branch is analyzed separately to determine what kind of mitigative measures can be recommended to address the concerns surrounding the values identified.

STEP 2:

Maps (available at the Oil and Gas Management Branch for viewing) are produced at 1:250,000 for Peel Plateau, Eagle Plains and North Whitehorse Trough. For each region, a series of five maps are produced:

Map 1: All polygons and points overlaid and themed by season and by type:

- Wildlife
- Cultural
- Landscape
- Tourism/Recreation

Map 2: All polygons overlaid and assigned an un-weighted value based upon the density of polygons at any one location.

Map 3: All Polygons colour-coded according to whether the information source is scientific, traditional knowledge or from an advocacy group.

Map 4: Polygons including the following values: mineral licks; significant wetlands, riparian corridors, and low snow fall areas used by caribou during high snow fall years.

Map 5: Polygons representing areas identified for protection or special management through previous planning processes, overlaid and assigned an unweighted value based upon the density of polygons at any one location.

STEP 3:

The maps are reviewed. “Key Issue Areas” are identified based upon the following criteria:

Map 1: An area is shown as having multiple significant values throughout all 4 seasons.

Map 2: An area is shown to have a significant number (4) of overlapping polygons.

Map 3: Values in an area that have been identified by both the scientific community and local experts or local advocates.

Map 4: An area has one of the following features: Caribou wintering grounds, riparian corridor, territorially significant wetlands, mineral lick

Map 5: Through a number (at least 3) of different planning processes and initiatives, an area has been recommended for protection or for special management.

STEP 4:

Maps of Key Issue Areas is developed depicting polygons themed by the season of use including a unique identifier, which can be cross-referenced to a print-out detailing notes for each polygon.

STEP 5:

A Technical Review Committee is established to review the Key Issue map. The committee is composed of representatives from the Departments of Environment, Tourism, Heritage, the Canadian Wildlife Service and the Oil and Gas Management Branch, depending on the values represented in the Key Issue Areas. The Branch notifies the respective Departments who each appoint someone to the committee.

The committee reviews the Key Issue Areas and attempts to reach consensus regarding recommendations for each Key Issue Area. Recommendations are submitted to the Oil and Gas Management Branch.

The recommendation options for each Key Issue Area are

- A statement that no special mitigative measures necessary
- A description of recommended mitigative measures

- A statement that mitigative measures will not address concerns

STEP 6:

The recommendations of the Technical Review Committee are submitted to the Oil & Gas Management Branch for consideration. The Branch reviews the Technical Committee recommendations together with resource assessment information, government interests and recommendations (tourism, heritage and environment) and economic values in the region. The Department of the Environment is involved with the review. The result of this review is a set of recommendations for Call for Nomination boundaries and a full list of potential mitigative measures, which addresses the values and concerns identified.

STEP 7:

A recommendation is submitted to the Minister on whether and how to proceed with the Call for Nominations. The Minister reviews all submitted information and makes a decision respecting whether and how to proceed with the Call for Nominations.

Appendix 3: Map of Key Issue Areas

