

Yukon Environmental and Socio-economic Assessment Act

Decision Document

This document meets the decision bodies' requirements as set out in the *Yukon Environmental & Socio-economic Assessment Act*.

Decision Bodies for this Project

Yukon government

Project

Project Name Wye Lake Trail Enhancements **YESAB File** 2024-0143

Proponent Name Town of Watson Lake

Project Description

Project Summary:

The purpose of the project is to enhance the existing Wye Lake trail located within the municipality of Watson Lake, within the Territories of the Liard First Nation and the Ross River Dena Council. Project activities will take place from May to October over three consecutive construction seasons and start as early as spring/summer 2025 through fall 2030 at the latest.

Project Activities:

- Heavy equipment use
 - o All machinery will work above the high-water mark; no machinery will be stored overnight within 30 m of any surface water
 - o All machinery will be cleared of vegetation and soil before being moved to or off the project area to prevent the spread of invasive species
 - o If heavy machinery is required, only light low ground pressure (tracked) machinery will be permitted to operate in wetland areas while constructing project boardwalks
- Construction fencing of active construction areas '
- Fencing and signage of construction laydown area
- Improving trails (2 500 m) and six entry point trails (combined length of 200 m)
 - o Clearing between 1 600 m² and 2 800 m² to achieve an average width of 3 m
 - Re-route trail where necessary
 - Clearing outside the main bird nesting period of May 3 to August 20 for the area; if clearing required during this time, a qualified person will check for active nests and if any are found, buffers will be put in place until the young have fledged
 - Only trees required to be cleared for the trail route will be cleared; all other mature trees will remain in place
 - o Up to 1 200 m of constructed/improved boardwalk
 - Boardwalks to be elevated above grade using posts or dunnage to minimize disturbance to riparian areas, lessen compaction of the riparian forest floor, and prevent visitors from stepping off boardwalks and into sensitive riparian areas
 - Areas of the south shore may also include rip rap placed in the waterbody to shore up areas where boardwalk is unfeasible and paving is required
 - Only clean rip rap with non-ARD/ML potential will be used
 - Rip rap will be placed individually into the lake (not end-dumped)
 - All wood products used for boardwalk construction will adhere to the best management practices for the use of preserved wood in aquatic and sensitive environments
 - o Construction and improvement of up to 1 600 m of packed earth and gravel trails and access point trails
 - Approximately 900 m³ of granular material from an approved/permitted off-site source (non-ARD)

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and non-metal leaching) applied to the area to be paved

Trail surfaces to be built to accessible grade and covered with asphalt, pavement, or a similar surface

- Instream works during construction of boardwalk along south shore of Wye Lake
 - o Turbidity curtains installed around in-water work areas prior to the placement of rip rap in the waterbody
 - o Water quality during instream works to adhere to CCME Canadian Water Quality Guidelines for the Protection of Aquatic Life
 - o Instream works to be monitored by a Qualified Environmental Professional
 - o Instream works will adhere to the Preferred Practices for Works Affecting Yukon Water guidelines
- Upgrading timber footbridges, viewing platforms, and other infrastructure
- Additional improvements to the park including:
 - o Two trailhead kiosks with maps
 - o Formalize trailheads and entry points
 - o Replacement of the existing outhouse with an accessible outhouse
 - o Upgrade bench and seating areas
 - o New picnic area
 - o Upgrade waste and recycling areas
 - o Upgrade interpretive signage
 - o New bicycle racks
- On-site re-fueling and fuel storage
 - o Pick-up truck with a mounted tidy tank; jerry cans transported via UTVs for re-fueling equipment on site
 - o All re-fueling activities occur over containment trays (drip pans)
 - o All stationary machinery will have containment trays placed under them
 - o Spill response plan to be prepared by the contractor and approved by the Proponent
 - o Spill kits to be available on-site
 - o Fuel will be removed from site daily
- Other
 - o Should heritage resources or archaeological sites be encountered, work shall stop immediately and the heritage branch of Liard First Nation and the Department of Tourism and Culture, Heritage Resources branch will be contacted to address the findings and provide guidance on next steps
 - o A QEP will be present for all in-water work and for works overlapping wetlands in the north and west areas of Wye Lake Park; duties will include surveying for the presence of Western Toad and ensuring project works do not kill or injure any Western Toad
 - o Project activities will be paused if Western Toads are observed or tadpoles are encountered in the wetland ponds found throughout the project area; all observations of Western Toads will be reported to the Yukon Conservation Data Center
 - o Riparian areas to be impacted by project activities will be surveyed by a qualified ecologist/botanist prior to the start of project activities to investigate for the presence of Slender Naiad
 - o If Slender Naiad is observed to overlap with the footprint of the improved boardwalks, a dialogue will be initiated between the Proponent, the Yukon Conservation Data Centre, and Environment Yukon to determine the most suitable route for the improved boardwalk to minimize potential disturbance or destruction of this plant
 - o The Proponent will conduct a fish habitat assessment for Wye Lake in the winter/spring (of 2025) and if warranted, acceptable avoidance and mitigation measures will be established during the process of a request for project review or Fisheries Act Authorization application with DFO
 - o Excavated materials and debris will be disposed of above the high-water mark of Wye Lake and located such that they do not enter the waterbody

Decision Bodies for this Project

Consolidated Decision

Not Applicable

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First Nations Consultation

Liard First Nation

Ross River Dena Council

A. Consultation under YESAA section 74 Yes

Liard First Nation (LFN) and Ross River Dena Council (RRDC) have been consulted with on the project in relation to their asserted indigenous rights. Initial consultation and follow up consultation have occurred. Draft decision document to be shared once published.

B. First Nations Consultation - General

Standard notifications were sent from YESAB's Online Registry to Ross River Dena Council (RRDC), Liard First Nation (LFN), Kwadacha Nation (KN) and Dease River First Nation (DRFN) notifying about the project and encouraging participation in the assessment.

On January 16, 2025 LFN submitted comments to YESAB's Online Registry, which highlighted a need for broader First Nation Heritage Resource inclusions in the Proponents consultation. The Evaluation Report recognizes the value of the intangible resources described by LFN and has instructions for remedy of this issue required of the Proponent. Those are described in length in Section 7.

On March 4, 2025, CS sent initial consultation letters via email to LFN, RRDC, KN and DRFN notifying them of the project, encouraging participation in the assessment and requesting feedback/concerns related to the potential adverse impacts to treaty and asserted indigenous rights. No comments were collected.

On April 14, 2025, CS sent further consultation letters via email to LFN, RRDC, KN and DRFN notifying them of the recommendations from YESAB. No comments were collected.

YESAB Recommendation

Under s. 56(1)(b) of the *Yukon Environmental and Socio-economic Assessment Act*, the Watson Lake Designated Office recommends to the Decision Bodies that the Project be allowed to proceed, subject to specified terms and conditions. The Designated Office determined that the Project will have significant adverse environmental and socio-economic effects in or outside Yukon that can be mitigated by those terms and conditions.

Decision

Pursuant to section 75 and 80, the Yukon government has considered the assessment of this project and:

- ☒ Accepts the recommendation and the terms and conditions as follows:
- ☐ Rejects the recommendation and the terms and conditions as follows for the reason(s) specified:
- ☐ Varies the recommendation and the terms and conditions as follows for the reason(s) specified:

Rationale for Decision

In making their decision, the Decision Body (Yukon Government) has, in accordance with section 74(1) of YESAA, given full and fair consideration to the scientific information, traditional knowledge, and other information provided with the Evaluation Report. The Decision Body is of the opinion the Evaluation Report satisfactorily details the environmental impacts of the project and any views and information submitted by the public, government agencies and First Nations.

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Term	Term &	Status	Reason
1	YESAB: A heritage resources impact assessment shall be completed within the project area in advance of land altering activities. The Proponent should contact YG Tourism and Culture to learn the location of the known archaeological site and the areas of elevated potential to determine whether activities are proposed specifically in these areas.	Agree	--
2	YESAB: The Proponent shall avoid clearing of big/old growth trees during the roosting period for Little Brown Myotis to the greatest extent possible. If clearing of big/old trees will occur during the roosting period (approximately April through September), the Proponent shall contact the Government of Yukon - Conservation Data Centre and/or Environment and Climate Change Canada for details on how to recognize roosting trees and avoid effects to this species.	Agree	--

Date

Project Recommendation 2025-03-28

Recommendation Received From

Designated Office - Watson Lake

Authority

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

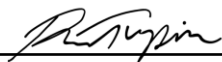
Name Rebecca Turpin

Position a/Assistant Deputy Minister

Phone 867-332-2420

Email rebecca.turpin@yukon.ca

Signature



Date 2025.05.07

Original
Signed by Community Services

Distribution

Project Proponent	Yes
Other Decision Bodies	No
Major Projects Yukon, Executive	Yes
YESAB Designated Office	Yes
YESAB Executive Committee	No

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Yukon Surface Rights Board

No

Yukon Water Board

Yes

Land Use Planning Commission

Independent Regulatory Agency

Other Body/Person as Required