

# Walk Softly

Newsletter of the  
Yukon Conservation Society  
Fall 2014



**Inside: • Casino Gambling • Getting Energy • Celebrating Karen**



THE YUKON BERINGIA INTERPRETIVE CENTRE PRESENTS



# Communicating Climate Change Adaptation

a film & lecture series

## Keynote speakers include:

- Oct 2** **Marie-Pierre Lardeau**  
Indigenous Health Adaptation to Climate  
Change Project Leader, McGill University
- Oct 5\*** **James Raffan**  
Writer, Speaker, Geographer and  
ED of the Canadian Canoe Museum
- Oct 29\*** **Dr. Thomas Pedersen**  
Pacific Institute for Climate Solutions,  
University of Victoria
- Nov 6** **Pat Mooney**  
Executive Director, ETC Group  
co-presented with YDEC

## Films

- Sep 25** **Inuit Knowledge & Climate  
Change**
- Oct 23** **Climate Change in Atlantic  
Canada**  
with Dr. Ian Mauro (via Skype)
- Nov 27** **Burning Ice**  
with Joyce Majjski and Jane Isakson

## Plus Yukon government Climate Change Adaptation Project lectures:

- Sep 25 CCAP Project Overview  
Oct 9 Michael Templeton & Kam Davies  
Nov 13 Richard Janowicz & Bronwyn Benkert  
Nov 20 Nadele Flynn & Del Meidinger  
Dec 4 Dr. Allan Carroll & Dr Scott Green

**Thursdays, starting September 25**

\* except Sunday, October 5th  
and Wednesday, October 29th  
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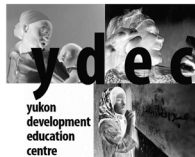
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# Casino Mine: The Biggest Gamble with the Yukon's Environment Yet

The Casino Mine is a proposed large (by Yukon standards) copper-silver-gold-molybdenum project located roughly due west of Pelly Crossing and due south of Dawson City.

Operating over a planned lifespan of twenty-two years, it would process approximately 120,000 tonnes per day (or 43.8 million tonnes per year) of copper and gold ore. It is anticipated to produce 5.72 million ounces of gold, 30.26 million ounces of silver, 3.58 billion pounds of copper, and 325 million pounds of molybdenum.

It would be built about sixteen kilometres from the Yukon River on a stream called Canadian Creek, which in turn drains into Britannia Creek and then the Yukon River. Thanks to a quirk in the landscape the majority of the project site actually drains into Casino Creek. This in turn drains into Dip Creek, the Klotassin River, the Donjek River, the White River and finally to the Yukon River, a journey of two hundred kilometres.

Access to the Casino Mine would be via the Freegold Road and then a yet to-be-built road from Carmacks. This road would go through the range of the Klaza caribou herd. Total length of the road from Carmacks to the project site is about two hundred kilometres.

There would be a massive open pit, and perhaps more disturbing a huge tailings pond. Pond is not really the appropriate term, as it would be a massive dam. However, tailings pond is the technical term that is used.

This tailings pond would have to contain all the waste rock, process tailings, and process water from the project. The amount of this material is estimated at 947 million tonnes of tailings and 658 million tonnes of potentially reactive waste rock and overburden materials.

To put it in perspective the volume of material in the Mount Polley tailings pond was about 80 million cubic metres. The Mount Polley tailings pond failure happened on Aug. 4 in central British Columbia. It released twenty-five million cubic metres of contaminated sand and water into lakes, creeks and rivers in the region. A very rough comparison is that one million tonnes of tailings and waste rock is about 400,000 cubic metres. The Casino Mine tailings pond could be eight times the volume of the Mount Polley tailings pond.

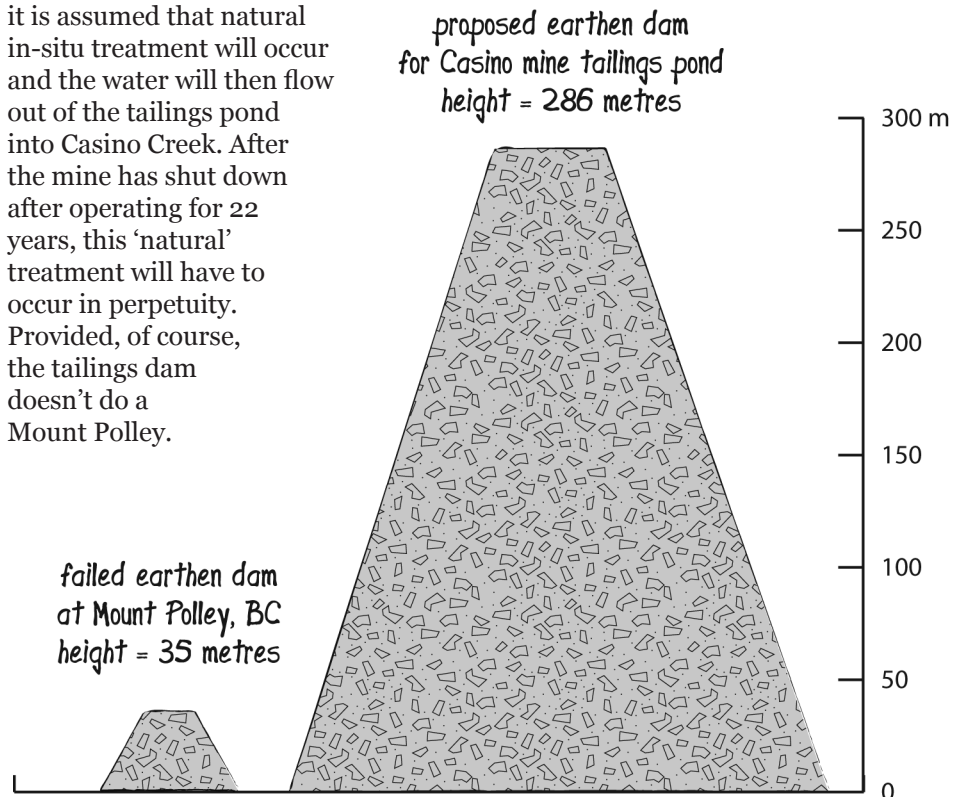
The Casino tailings pond would all be contained behind an earthen dam, very similar in concept to the Mount Polley one which was about thirty-five metres high. Except the Casino earthen dam would, at its deepest point, be 286 metres high. Let's repeat that...286 metres high.

The closure plan consists of letting the open pit fill up with water, letting that water then flow into the tailings pond. Over time, it is assumed that natural in-situ treatment will occur and the water will then flow out of the tailings pond into Casino Creek. After the mine has shut down after operating for 22 years, this 'natural' treatment will have to occur in perpetuity. Provided, of course, the tailings dam doesn't do a Mount Polley.

The mine would require 150 MW of power. Liquefied natural gas ("LNG") will be trucked to the site to meet this demand. The entire Yukon hydro grid only provides about 77 MW of power, and that's at peak capacity. This mine will consume twice the capacity of Aishihik, Mayo and the Whitehorse Rapids hydro generating output combined. The greenhouse gases from that 150 MW of LNG is going to put the Yukon's emissions through the roof.

As this project currently stands, the Yukon Conservation Society is utterly opposed to it. The very name of the project, Casino, is apt given the unthinkable gamble we will be taking with the Yukon's environment should we allow the mine to proceed.

*Lewis Rifkind, YCS Mining Analyst*





### Walk Softly

is published by the Yukon Conservation Society for members and subscribers. Memberships and information about the Society can be obtained by contacting the YCS office.

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We welcome newsletter submissions and letters to the editor. Deadlines for submissions are Feb 1, May 1, Aug 1, and Nov 1. Views expressed in **Walk Softly** are not necessarily those of the Society.

Publications Mail Agreement number 4154991  
Changes of address or undeliverable copies should be sent to YCS at 302 Hawkins St., Whitehorse, Yukon Y1A 1X6

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## Editorial

by Christina Macdonald

### Yukon people mobilized!

Yukon people, and particularly YCS members, have never been shy about making their voices heard. The oil and gas industry knows this well.

A few years ago, Yukon Government Oil and Gas Branch revealed that a company had expressed interest in exploring for oil and gas in the Whitehorse Trough, between Teslin and Carmacks.

During the public review period of this oil and gas disposition process, there was massive mobilization: public meetings were packed, citizen groups formed, people paid for ads in the papers and nearly 1,000 people wrote comments to government in opposition. As a result, Yukon government announced a moratorium on oil and gas exploration in the Whitehorse Trough until the end of their mandate in 2016.

Not long after, Northern Cross Yukon applied to drill two exploratory wells in the Eagle Plain Basin in northern Yukon. The Yukon Environmental and Socio-economic Assessment Board (YESAB) asked Northern Cross what activities might be involved within five years. Northern Cross responded that it might "stimulate" the wells using hydraulic fracturing or fracking.

Public outcry was again swift and furious. Fracking was the lightning rod. It was clear that a territory-wide public discussion on fracking needed to happen before this controversial activity could be proposed.

Northern Cross removed fracking from its assessment.

And the Yukon government put in place a temporary fracking moratorium and struck the Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing, a 6-member committee composed of representatives from the three Yukon political parties. Over the last year, the committee has heard from experts and the public. The final public input sessions will be held in late September and the deadline for comment submissions is the end of September. Then the Select Committee must fulfill their mandate: report to the Legislative Assembly on the risks and benefits of hydraulic fracturing and whether allowing use of this technique is in the public interest.

A similar process has just concluded in Nova Scotia with an independent panel reaching the conclusion that "Hydraulic fracturing should not proceed at the present time in Nova Scotia". At a news conference following the release of this recommendation, Energy Minister, Andrew Younger, was quoted: "There is not a community in this province ... where there's a large number of people pushing to allow hydraulic



fracturing. The resources belong to the people of Nova Scotia and they get to decide how they are harnessed.”

The same holds true for the Yukon. In public hearings hosted by the Select Committee to date, most if not all people who spoke have made it clear that fracking is not in the public interest and should not be allowed.

The Whitehorse Trough moratorium expires in just over a year. The defacto fracking moratorium could expire even sooner depending on the Select Committee’s recommendation and government’s decision.

I know that Yukon people will once again rally to ensure their voices are heard loud and clear in the final month leading up to the deadline for public input to the Select Committee. Why do they take the time? Because we have so much here worth protecting, and accordingly, so much to lose.

## Celebrating Karen!

Thanks to all who attended Karen’s party on June 5, 2014. It was a classic YCS celebration with good friends, delicious food and lots of laughs. Many who attended spoke to the crowd of their deep appreciation for Karen’s work at YCS over her fifteen years as Forestry Coordinator and Executive Director – not only her many successes in protecting land, wildlife and water in the Yukon, but also the role she played in building the YCS family. At the party, Karen was presented with the Wilburforce Foundation Conservation Leadership Award in recognition of her exceptional leadership in the conservation movement. Others recipients include Karsten Heuer, Juri Peepre and Ric Careless.

After some downtime, Karen will be back in the saddle, putting her formidable skills to use in the Peel Campaign as an independent contractor, and other environmental causes.



Photo credits: Lee Carruthers



## Peel Campaign Update – July 2014 Court Case

On January 27, 2014, the Yukon Conservation Society along with the First Nation of Nacho Nyak Dun, Tr'ondëk Hwëch'in and Canadian Parks and Wilderness Society Yukon Chapter (CPAWS Yukon) announced the launch of our legal action to force the Government of Yukon to implement the Peel Watershed Planning Commission's Final Recommended Plan. In July 2014, represented by renowned lawyer, Thomas Berger, we made good on that promise.

From July 7-10, 2014, this landmark constitutional case was argued in Yukon Supreme Court in Whitehorse. Over the course of these four days, the presiding judge, Justice Ronald Veale, heard arguments from both sides.

Berger argued that the very detailed land use planning process legislated through the Umbrella Final Agreement (UFA) was not followed by Yukon government. Government did not provide sufficiently detailed input to the Peel Planning Commission, government consulted about designations that the Commission had no opportunity to provide input into, and government then proceeded to adopt a plan that the Commission had no role in producing.

Berger spoke to the importance of the UFA as a modern day treaty. He cited considerable case law that demonstrated that land claims treaties will not accomplish their purpose if they are interpreted ungenerously. The words of an Act must be read in the entire context, including the intent of the framers of the Act, which argues against the narrow interpretation brought by Yukon government that it has unfettered jurisdiction over public lands.

Berger spoke at great length about the point in the consultation process where Yukon government departed from the UFA process. He said that government did adhere to the process required by Chapter 11 of the UFA until after the Commission issued its Final Recommended Plan and the Commission was shut down. It was only after the Commission disbanded that government went “off the rails” by bringing forth its new concepts during consultations with affected First Nations and the public. Government should have consulted about the Final Recommended Plan and government's earlier proposed changes to it\*. Government had no authority under the UFA process to introduce new options, and ultimately to adopt a wholly new plan at the tail end of the process.

Jeff Langlois, legal council for the Gwichin Tribal Council who intervened in the case, also presented his arguments. Mr. Langlois explained the importance of the Gwichin lands in Yukon to the Gwichin people, as well as their rights on Yukon lands under their Transboundary Agreement. Mr. Langlois supported our position and spoke at some length about the purpose of the treaties being to foster reconciliation.

Yukon Government, represented by Mr. John Hunter, presented their defence. He argued that the affected First Nations didn't follow the process in UFA Chapter 11 when they provided input to the Planning Commission for both First Nation settlement land and non-settlement land. Rather, he argued, they should have only provided input for settlement land. Government retains the right to make final decisions in regards to non-settlement lands within the Peel Watershed, which account for 97% of the watershed, and as a result, Yukon government was entitled to reject the Final Recommended Plan at the end of the process, just as First Nations would be entitled to make the final decision on their settlement land.

In the concluding hours of the court hearing, Mr. Berger asked Judge Veale to declare that the Commission's Final Recommended Plan is the approved plan for the Peel watershed. He also offered an alternate remedy that would have the same result. This remedy would send Yukon government back to the point where it departed from the UFA process – after the Final Recommended Plan was released by the Commission – and require government to consult upon only the Final Recommended Plan and the proposed modifications that government presented properly in 2011. Government's new plan, or components of it, would not be allowed to be part of the consultations.

\* *Early in the process, a letter was submitted to the Peel Planning Commission that detailed the Yukon Government's proposed modifications to the Recommended Plan. Five modifications were proposed, three of which were addressed by the Commission, and two of which were too vague and generalized for the Commission to deal with. These two modifications spoke to the need for more balance and increased access, and Mr. Berger noted, were more expressions of preference than modifications.*





Photo Credit: Jannik Schou

*Left to right: Christina Macdonald (YCS), Karen Baltgailis (YCS), Chief Ed Champion (Nacho Nyak Dun First Nation), Thomas Berger (legal council), Margaret Rosling (legal council), Trica Riley (legal council), Chief Eddie Taylor (Tr'ondëk Hwëch'in First Nation), Gill Cracknell (CPAWS Yukon)*

Under this remedy the court would declare that no further modifications can be proposed after the Final Recommended Plan is produced, and government cannot reject the Final Recommended Plan after opting to modify it earlier in the process. This would result in government having no other option than to approve the Final Recommended Plan.

Mr. Berger concluded eloquently that Yukon government signed the UFA, agreed to Chapter 11, agreed to establish the Peel planning process, nominated Commission members, and participated fully until after receiving the Final Recommended Plan. But now government seeks to obstruct the legal process. First Nations and Yukoners should not be left with a blank page unsigned by Yukon government, which is what Yukon government has reduced the UFA to. The courts must defend the rights of Yukon people.

Throughout the four day hearing, both Courtroom 1, where the case was physically taking place, and Courtroom 3, where the court was video-streaming the proceedings live, were standing room only. Outside of the courtroom, CPAWS Yukon and members of the public organized supporting events including a silent vigil on the front steps of the Yukon Law Courts, attended by hundreds of members of the public. On the final day of the hearing, an evening event “Voices of the Peel, together today for our children tomorrow” brought people together in a powerful celebration of the Peel and all the work that has been done to help ensure it is protected.

*- Christina Macdonald*

*For detailed summaries of the arguments presented during the July court hearing as well as interviews, please see the Peel blog here: [peelwatershedtrial.wordpress.com/](http://peelwatershedtrial.wordpress.com/)*

**News Flash!** There is no timeline on a decision by Judge Veale. However, Judge Veale has asked for a continued hearing to learn more on the subject of the remedies, we the plaintiffs, are seeking. This will consist of a one day hearing on October 24, 2014 in the Yukon Supreme Court, Whitehorse.

## Draft Independent Power Production policy – another bad fracking plan

Further implementation of the industrial agenda is the government's draft Independent Power Production (IPP) policy. This policy includes natural gas as an eligible energy source, which defeats the purpose of IPPs to reduce our reliance on fossil fuels and all the negative consequences resulting from that dependence.

Over the summer, YCS and others submitted strong comments on the flawed draft. We eagerly await a policy that will not result in the acceleration of climate change and a justification to turn the Yukon into a fracking wasteland.

You can find our full comments here:

[http://www.yukonconservation.org/energy\\_climate\\_change.htm](http://www.yukonconservation.org/energy_climate_change.htm)

An Independent Power Production policy is an opportunity to encourage communities, First Nations and businesses to produce renewable energy for the Yukon's electrical grid and for isolated diesel communities.

However, the draft policy provides no incentives for independent power producers to develop electricity from clean, renewable sources. Instead, it encourages the development of a Yukon fossil fuel industry by making natural gas an eligible energy source for independent power producers to sell to the Yukon electrical grid and to isolated off grid communities. The policy explicitly calls for "the replacement of imported diesel fuel with Yukon's oil and gas resources."

Greenhouse gas emissions from natural gas are at least as intensive as from diesel. And since most of the Yukon's gas is in shale formations, the draft policy indirectly opens the door to fracking in the territory.

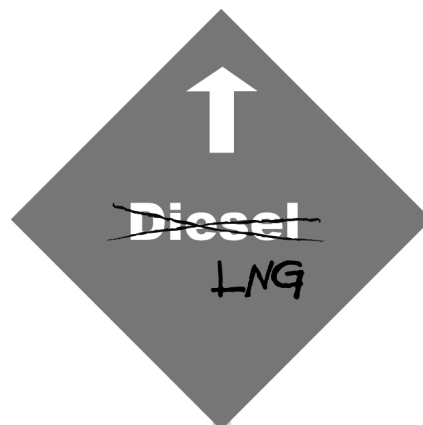
The draft IPP policy would commit us to purchasing natural gas generated electricity from sources like large mines with surplus LNG electrical generation capacity, allowing dirty electricity to displace existing renewable energy on our grid, and blocking potential future renewable energy projects. This would not create energy security or a sustainable energy future, but a dangerous dependence on a finite resource that is destabilizing the climate and destroying water resources and habitat.

The draft IPP policy highlights the contradictions in the 2009 Energy Strategy for Yukon, which includes positive aspects promoting energy efficiency, conservation and renewable energy, but also blatant promotion of oil and gas development and consumption that negates everything good in the document.

The Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing is still deliberating whether fracking should be allowed in the Yukon. From the Yukon Conservation Society's participation in that process, learning from experts and hearing from people in Yukon communities, we are confident that the only sensible recommendation by the Committee to government is that fracking should not be allowed here.

But that is not reflected in this IPP policy, which clearly is designed to increase markets for fossil fuels in our electrical system which would justify fracking in the Yukon.

- Anne Middler



*This path:*

- continued dependence on finite resources
- increased climate change
- destroyed water resources and habitat



*Let's work for our future!*

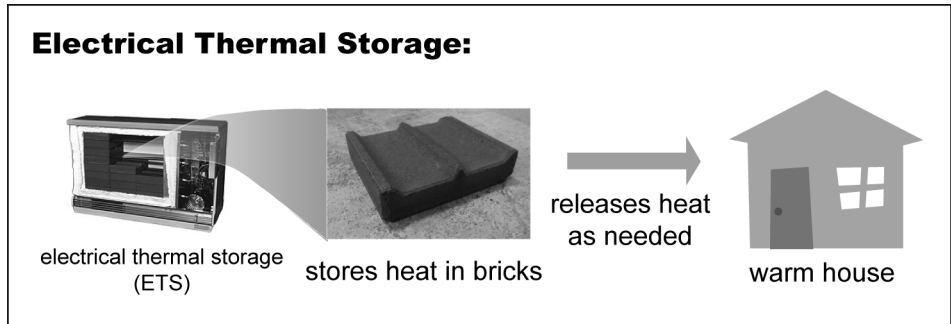


# Electric Thermal Storage workshop inspires Yukon Energy Solutions

Back in May, YCS was busy coordinating the workshop: Electric Thermal Storage (ETS) – Space Heating with Renewable Energy that brought experts on wind, ETS and smart grid technology from across North America to Whitehorse.

The two-day workshop was well attended by our utilities, government bureaucrats, businesses, ENGOs and consumers who learned about this proven technology that maximizes renewable energy and reduces fossil fuel consumption. ETS is widely used in Europe and North America.

Particularly inspiring was Greg Gaudet, Direct of Municipal Services in Summerside, PEI. He shared his community’s remarkable experience with a municipal-owned wind energy project and how they created innovative programs to sell that wind energy for space heating using ETS to get residents off heating oil.



Once the presentations from guest speakers concluded, local energy experts and members of the public broke into smaller facilitated groups for discussion. These groups identified opportunities, barriers and next steps to implementing ETS in the Yukon.

The results were strikingly similar and positive and included:

- re-visiting the mandate of the Yukon Utilities Board to incorporate environmental considerations instead of only economics;
- pilot projects that link wind energy with time of use management;
- strengthening the Yukon’s Energy Strategy and Climate Change Action Plan; and
- improving communication between government, utilities and consumers through an arms-length body.

To view all nine workshop presentations and to read the final report, visit

[http://www.yukonconservation.org/energy\\_climate\\_change.htm](http://www.yukonconservation.org/energy_climate_change.htm)

Fundraising, planning, coordinating and executing this workshop was a huge task and a rewarding experience for YCS. We look forward to doing more of this in the future.

## A Big Thank You to Sally Wright and JP Pinarud for their vision and work on this workshop.

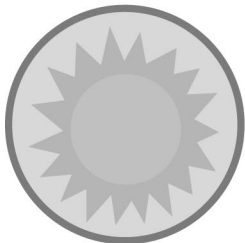
YCS believes ETS, especially when partnered with wind energy, is a viable alternative to Liquefied Natural Gas (LNG). For this reason, we decided to hold the workshop while the YESAB and Yukon Utilities Board (YUB) were investigating alternatives to YEC’s LNG project as part of their assessments.

During the evening public presentation after the second day of the ETS workshop, an email from the YUB flashed on my phone screen: it had just released its incredible recommendation to government to approve the LNG project with no conditions. Read more about this on the next page...

- Anne Middler



hydro



solar



wind

## Despite Speaking Truth to Power, LNG proceeds

Coming down Robert Service Way is difficult. Construction of Yukon Energy Corporation (YEC)'s LNG facility is well underway, despite overwhelming public opposition at every step of its planning.

YCS thanks everyone who participated in the YESAB and Yukon Utilities Board (YUB) processes by speaking at meetings and submitting written comments.

The LNG project had strong political support, as it is another project that is "Moving Forward" the agenda to develop a market for fossil fuels and to promote oil and gas development in the Yukon.

At the deadline of the last *Walk Softly* issue, YCS was cautiously optimistic and waiting for the YUB's recommendation to government on this project. We got word during the ETS workshop and needless to say, it wasn't what we wanted.

The YESAB decision was a major disappointment in that it chose not to consider in its assessment the LNG fuel. It did not consider the upstream impacts of fracking and liquefaction, and the fact that Yukon fracked gas was clearly a desired fuel source to eventually power this facility. In our opinion, YESAB's refusal to consider the LNG source in its assessment went against provisions in its own Act that state these things shall be considered.

After a very rushed and weak draft screening report, YESAB's final screening report finally addressed significant public safety issues with the proposed LNG facility due to its location in proximity to schools, the hospital, the airport, the territory's primary electrical infrastructure, residential neighbourhoods and a main access in and out of downtown Whitehorse (Robert Service Way).

But the real risks to public safety, in addition to the climate change and fracking consequences of this terrible project, were not enough for the powers-that-be to make the right decision. The Yukon Government granted the Yukon Energy Corporation the certificates it needed to break ground.

YCS understood that should this project proceed it would become a barrier to a sustainable energy future for the Yukon, so we made the LNG fight a priority. We took a risk in hiring a lawyer to represent John Maissan and YCS together in the YUB proceeding. John Maissan of Leading Edge Projects Inc has an uncommon understanding of the Yukon's electrical system. He is a retired engineer who worked for YEC in the past and is a regular intervener in YUB proceedings. He has always been generous with his time and expertise, and for maximum efficiency and effect, we were fortunate that he agreed to join forces in a legally represented joint intervention with YCS.

During the hearing, on a subjective technicality, the YUB disallowed evidence we wanted to present that called into question Yukon Energy's entire economic justification for the project. YEC supported their cost savings claims with a short-term fuel comparison of diesel and natural gas from the Energy Information Agency. Our graphs from the same Agency showed that the historical trend in diesel and natural gas prices did not support the current cost difference on which YEC is risking our energy future.

Despite that blow during the oral hearing, we still presented strong arguments to erode YEC's incredulous claims that this project would be good for the environment and would save ratepayers money.

It was immaterial though. The YUB was clearly intent on pushing this project through.

To add insult to injury, the YUB did not honour our cost claim. We submitted our notarized time records and lawyer's invoice, but the YUB "awarded" us a fraction of what it cost us to participate.

This punitive decision appears to be an attempt to shut us down, or at the very least discourage any future challenge of the business as usual status quo. We applied for a review and variance of the cost award. Even if the YUB does not change its mind on the cost award, thanks to your support, YCS is able to cover our costs.

During this and past YUB proceedings, YCS has consistently tried to bring the environment and sustainability into decisions about energy. The reality is that the YUB interprets its mandate narrowly and does not have a progressive definition of "prudent".

Our efforts with the YUB to date have had little impact on decisions. This has been frustrating and compromises our resilience.

The positive side though, is that our participation in YUB processes sheds light on some inconvenient realities, and engages and inspires Yukon people to take a stand for a sustainable energy future.

- Anne Middler

*JP Pinard, David Austin,  
John Maissan, Anne  
Middler & Sally Wright  
prepare for the YUB  
hearing on Yukon Energy's  
proposed LNG project.*

## Last days of the Fracking Committee

By the time you read this, the event that YCS hosted with the Council of Canadians: **From Experience: Risks and Benefits of Fracking - Fractured Land highlights and discussion**, will have passed.

It was another dizzying coordination effort to bring Damien Gillis and Caleb Behn to Whitehorse, Dawson City and Watson Lake. They will have shown selections from their forthcoming film *Fractured Land* to help get people primed and inspired to participate in the last opportunity to say “no” to fracking to the Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing.

The Select Committee will have held the last of its public hearings in Haines Junction, Carcross and Whitehorse. If you’re reading this after September 30, the period for the public to submit written comments to the Select Committee will too have passed.

We thank everyone for participating in this important process. The Select Committee process was a hard fought victory that we feel has been worthwhile. We have benefited from listening to all the experts who presented to the public and Committee during the two rounds of public proceedings.

From what YCS heard from the experts, and from the tremendous public opposition to fracking at the community hearings, the only sensible recommendation to government that the Select Committee can make is that fracking should not be permitted in the Yukon.

The Government of Nova Scotia also recently concluded an examination of the risks and benefits of hydraulic fracturing in a similar way to Yukon, with one important difference: instead of a Select Committee of MLAs, it formed an Expert Committee led by an academic. This meant they had the capacity to analyze the information they received in a way that might be difficult for politicians, no matter how dedicated, to accomplish.

Reading the comments from Yukon people and the testimony of all experts (except the industry skills), it is clear that an objective conclusion will have to be that Yukon should also institute a ban on fracking.

The Nova Scotia government listened to the people, will ours?

The Select Committee will make its recommendation during the fall sitting.

- Anne Middler

*Photo credit: Sally Wright*





## YCS Office Facelift

Our office received a lot of love this summer!

Peter Heebink volunteered his time to repair some siding on our building. He did this in preparation of the exterior painting job. Did you see the new colours on our office yet? Shailyn Drukis, Ella Parker, Aven Knutson and Nigel Sinclair-Eckert of Y2C2 (a youth summer employment opportunity with Yukon's department of Environment) and Anton Spudic spent a few sunny days around the office and made it look bright again. We love our new green door! When the paint was dry, Ernie Berken cleaned our office windows, cleaned our eaves troughs and fixed a drainpipe.

Previous attempts by others were unsuccessful, but JP Pinard and Luc Pinard were able to cut off an ancient, broken bike from YCS bike rack.

Tanya Handley helped us to repair a small leak at our hot water tank. And Sue Smirfitt made sure that our yard looked pretty throughout the summer.

Our office and yard looks so much nicer due to your work. Thanks so much to everyone who helped out!!

*Former YCS Trail Guide, Shailyn Drukis, paints up a storm.*



*Heidi Hehn starting a new piece (photo: Ben Derochie)*

## Miles Canyon in Art

The Yukon Conservation Society was lucky to receive funding from the Art Fund, which made it possible to organize a two-day art event on the trails around Miles Canyon. This event, "Miles Canyon in Art" took place on July 25 & 26. During the day five local Yukon artists created original pieces of art; Marie-Hélène Comeau, Blair Thorson, Amber Church, Deanna Bailey, and Heidi Hehn demonstrated their artistic skills at different locations along the trails. Despite some rainy mornings, many people attended the event. They had a chance to ask the artists questions about the creative process, and inquire how the beautiful environment inspired them to create new works. People who stayed long enough, could see a piece of art evolve from blank canvas to finished work.

On August 6, we hosted an opening reception for the art exhibition at RahRah Gallery Café. This evening was well attended by the many art lovers in Whitehorse. All of August people had a chance to stop by RahRah Gallery to admire the art works, while sipping a cup of coffee. We hope you had a chance to be part of Miles Canyon on Art!

## Environmental Assessment Changes Coming

The Senate of Canada is currently considering legislation that will change the Yukon Environmental and Socio-economic Assessment Act (YESAA). It's referred to as Bill S-6.

It would appear that the changes proposed have been done without any consultation with the Yukon public or environmental groups. In spite of this, the changes will radically alter how and when environmental assessments occur. This article attempts to summarise some of the big changes of concern.

Under Bill S-6 a new environmental assessment of a project or existing project will not be required when an authorization is renewed or amended unless, in the opinion of a decision body for the project, there is a significant change to the original project that would otherwise be subject to an assessment.

Given that the decision body tends to be the Yukon Government's department of Energy Mines and Resources, a very pro-project oriented department, one suspects that projects would be assessed once and then major expansions (such as a mine developing further open pits, or an oil company drilling more wells within its existing lease area) would not undergo environmental assessments.

The timelines for environmental assessment are going to be shortened. Currently, the clock starts ticking once all the documentation submitted by the project proponent has been reviewed and is deemed adequate. Bill S-6 starts the clock as soon as documentation is submitted by the proponent, without waiting for an adequacy review.

Another proposed change is that the federal minister may, after consultation with the YESAA Board, give written policy directions that are binding on the Board with respect to the exercise or performance of any of its powers, duties or functions under YESAA. This seems to be undoing the concept of devolution, whereby responsible government was transferred to the Yukon Territorial Legislature, and away from Ottawa.

Oddly enough, one of the other changes does the exact opposite of receiving orders from Ottawa. It is proposed that the federal minister may delegate, in writing, to the Yukon territorial minister all or any of the federal minister's powers, duties or functions under YESAA.

This goes against the concept of where YESAA came from, which was the Umbrella Final Agreement. The UFA has always been seen as a tripartite agreement between Yukon First Nations, the Yukon Government and the Federal Government. This could mean that the Federal Government is abandoning its constitutionally entrenched responsibilities under the Umbrella Final Agreement by delegating Federal obligations to the Yukon Government.

Bill S-6 can be read online at <http://www.yesab.ca/2014/06/yesaa-legislative-amendments-bill-s-6/>.

- Lewis Rifkind

## MONTY ALFORD, a pioneer in many fields

Monty touched many people over the years. I was one of them. I attended his courses in survival skills and techniques, although I never had the opportunity to take part in his winter snow camping course.

Like other people, I benefited from the knowledge in his several books: *Winter Wise* and *Wilderness Survival Guide*. These put his expertise in the hands of many rather than the fortunate few who attended his courses.

In a lighter vein were the two books *Yukon Water Doctor* and *The Raven and the Mountaineer*. The former includes an incredible tale of luck when the float plane he was in "landed" on a ridge in bad weather.

Monty was a reference source when I sought information on the mountains and routes in the Kluane Range. He was generous with his advice and knowledge.

Many years ago Monty and I and another hiker set off to climb Mt. Hoge. Reaching Burwash Creek and finding it high, we were treated to an explanation of moving water dynamics and safety. We retired to Monty's cabin at Pine Lake where he challenged us to find food for a meal on the land. Luckily we didn't have to depend on our gleanings, which were sparse, for the evening meal.

Always aware of the value of the land and water, Monty was one of the early members of the YCS Board. His respect for all things and people was the foundation of his gentleness and strength.

He will be missed by many, me among them.

- Mary Whitley

## Generating electricity on the grid

Our solar photovoltaic (PV) system started generating electricity on August 20, 2014. YES! Sheila and I had wanted to do this personal carbon off-set project for some time, so I (John) attended the Energy Solutions Centre's (ESC) Solar Design and Installation workshop in February. Shortly afterwards the Yukon government's Micro-Generation Program was rolled out and the planning began in earnest. The Micro-Generation Program allows Yukoners to "offset their electrical consumption by connecting renewable energy technologies to their homes or businesses while remaining connected to Yukon's electrical distribution system. Any excess energy produced by their renewable energy systems and not used within the building can be exported to the grid for compensation."

The roof was measured up carefully after it was clear of snow and possible solar module layouts were sketched up. How much could physically be put up there? Did we want them flat on the roof or tilted up at a steeper angle? Could we get a system that would allow for easy adjustment of array tilt for seasonal adjustments? How much shading from the surrounding taller houses would we experience? Would the snow be shed from the solar modules? Was the roof strong enough to support the added weight? These were all questions that we had to deal with – I love this stuff!

*For more information on Yukon government's Micro-Generation Program see here: [www.energy.gov.yk.ca/microgeneration.html](http://www.energy.gov.yk.ca/microgeneration.html)*

In the end, with the assistance of Sow's Ear Renewable Energy (Cory Gordon), we decided to install 20 modules, with individual micro-inverters, giving us exactly 5 kW of capacity (we could have put on 28 modules flat on the roof). We installed them at 22 and 28 degree tilts to our roof (5:12 pitch) to give us 8 modules (2 kW) at a 45 degree tilt and 8 at 50 degrees. Four modules (1 kW) are tilted at only about 28 degrees so as not to block a neighbour's view of Mt. Sumanik over the peak of our roof (while we see how these perform).

The intent of the steeper angles is two-fold: first to get optimum annual production (about 50 degrees gives the highest annual output) and second to help the snow slide off in winter (power production in winter is particularly important for our Yukon grid). We also raised the bottom end of our arrays up off the roof an extra 6 inches (total 1 foot) so that the wind has somewhere to blow and the snow has somewhere to go. And we bought a web based monitoring system so that we could watch the performance of each individual module.

ESC did a shading analysis of our roof to give us an accurate estimate of shading losses, and we strengthened our roof trusses to try to make sure our retirement home does not collapse. So now we sit and (occasionally) look at the new ATCO Electric meter to see how much we have exported to the grid. For the two week period of August 24 to September 7 we produced 189.6 kWh, used 61.6 kWh of that production directly, and "exported" 128 kWh to the grid. Over the course of a year we should see an average of just over 400 kWh per month of electrical energy produced by our solar system (we use about 525 kWh per month).

I can't begin to tell you how much fun this project was (well I can but it would take 10 pages and 12 diagrams for a summary), but since a picture is better than 1000 words (or diagrams), just take a look at this!

*- John Maissan*





## We are all responsible for the deaths of conflict bears

This summer we lost a sow and her two cubs forever from the Yukon. Many of us know parts of the well-publicized (and criticized) story. For those who don't, it's an all too familiar tale.

It started when a young sow with her two cubs were frequenting the neighborhoods of Copper Ridge & Granger in Whitehorse. She was sighted often on Hamilton Blvd, eating dandelions with her two cubs alongside her. She eventually moved on from natural food items and quickly learned about the unsecured garbage and compost carts each household has in this area – progressing into a well known 'garbage bear'. She was captured, along with her cubs, and relocated across the Yukon River in early July. It was hoped that this would buy her the time it would take for the berries to ripen, and it was assumed that she would not risk crossing the river with such small cubs. With good intention a YouTube video was posted documenting her release. It quickly went viral on social media sites. Unfortunately, she did return, and was quick to access garbage and other attractants once again. She was misidentified as a young, sub-adult male and shot by a Conservation Officer (CO) after she was unable to be deterred from a yard on July 15 – less than two weeks following her relocation. Only after the bear was examined was it clear that a mistake had been made, and a search launched for the missing cubs. These cubs were recovered and cared for at the Yukon Wildlife Preserve before being sent to the Calgary Zoo in August.

People were quick to blame the Conservation officers for shooting the sow and orphaning the cubs, but amidst the finger pointing and mistakes that were made the ultimate lesson was this: this bear did not need to die, but it was not the bullet that killed her. It was us – the people living, working and recreating in Whitehorse.

We are just as responsible for the loss of these three bears from the Yukon. Our garbage, compost and other attractants that lead to bears becoming food conditioned and habituated are the root cause why this bear (and so many like her) are being killed every single year. These animals undergo a change in their natural behaviors and lose their wariness of people, making them a safety risk to themselves and to us. It's not the CO's nor the bear's fault that we don't keep our yards clean – and even those of us who do are not off the hook. We should be looking beyond ourselves to our neighbours, family members and friends and encouraging them to do the same. We can't afford to be bystanders any longer and placing the blame on others will not solve this problem or prevent it from happening again.

Many critics have claimed the sow and her cubs would've survived had they been relocated further away initially, or recovered and relocated once more. This bear's story should highlight the issues surrounding relocation. It is not a guarantee that the bear(s) will survive the move (particularly cubs), and more often than not the bears end up returning or repeating the behaviors in the future.

Others criticize the government and city, saying that they should be providing bear-proof bins to Whitehorse residents. While we agree that everyone should be storing their garbage/compost in certified containers or enclosures, we also know that providing residents with bear-proof bins is only the first step.

For the past two years WildWise Yukon has been conducting a pilot project where we have retrofitted City of Whitehorse garbage/compost carts with certified bear-resistant locking devices. Participants had to volunteer to be a part of our study, and our two pilot areas are in the same neighbourhoods where this sow's sad story played out. In a recent survey of the residents participating in our study it was shown

that only 20% of them were still using their bins properly one year after installation without reminders to do so or use of some other kind of education/outreach. No mechanical failures were present to explain what we saw. It was indicative of a choice. A choice that can be made with or without wildlife in mind, regardless of whether or not you have a bear-proof garbage can.

Yukoners must choose to make the decision every single day, to do our part to be wildwise, and keep wildlife from accessing garbage, compost and other attractants at our homes. Whether this is taking down your bird feeders during bear season, or taking the extra 30 seconds to lock your bear-proof garbage can, or putting your cans inside a locked garage or shed – it all involves you choosing to take that extra step.

Fall is a critical time for bears. As the last of the berries succumb to the frost, bears will range farther and do whatever they must to obtain the calories they need to survive hibernation and the coming winter, and in doing so may venture closer to our homes and communities. Ensuring that they do not obtain their food from our yards, businesses and homes will be key to their survival.

If we can do this we will begin to tackle the true cause of death for conflict bears like this sow, and her two orphaned cubs and protect other bears from their fate. We know that the majority of Yukoners love the natural world and its inhabitants – will you do your part and take action this fall to help make the Yukon a safer, healthier place for bears and people?

For more information on obtaining bear-resistant locks for your garbage/compost cart or for other ways you can step up for bears and be wildwise visit [www.wildwise.ca](http://www.wildwise.ca).

- Carmen Smith (Project Coordinator)

## Northern Cross Yukon Multi Well Exploration proposal update

As we heard this summer, Northern Cross Yukon (NCY), a wholly owned subsidiary of the Chinese National Overseas Oil Company, is proposing to drill up to 20 new wells in Northern Yukon's Eagle Plain, at approximately km 325 on the Dempster, about 100 miles south west of Old Crow, which is where they conducted a 3D seismic survey last winter.

The proposal is currently before YESAB at the "Adequacy Review" stage. This means that YESAB, helped by a contractor, is wading through the very large pile of documents provided by NCY to figure out if NCY has included all of its activities and all of their effects and all of their mitigations.

Recently, YESAB has sent a long list of further questions back to NCY. NCY must respond to these additional questions and there may be additional back and forth. Once NCY and YESAB have finalized the proposal, there will be a public comments period.

YCS has been following the process closely and has accumulated a list of questions and concerns which we will be raising as soon as the "Seeking Views and Information" period begins. If our concerns resonate with YESAB, the proposal could return to adequacy review.

What this means is that it is unlikely that NCY will be drilling this winter.

### So what are NCY hoping to do?

It must be understood that various companies have been exploring the Eagle Plain basin since the 1950s and so far, no one has found any technically recoverable, at current prices, reserves of oil or gas. No one doubts that there is petroleum buried beneath the taiga, but finding out if there is any likelihood of commercial extraction is the goal of this project.

NCY proposes to start the project by drilling ten wells at locations indicated by their previous exploration- this somewhat depends on the final analysis of the 3D seismic work from last winter (the analysis has yet to be completed). If they find hydrocarbons at a well, they want to be able to drill second wells nearby, for a total of up to 20 wells, to confirm the results.

Assuming petroleum is discovered, they want to conduct what is called Extensive Flow Testing. Essentially, this means pumping oil (and/or gas) out until the rate of flow starts to decrease. For example, if the flow starts at 100 barrels a day on January first and is flowing at 90 barrels a day the following January, they can infer that they can pump from this well for ten years and with the results of the second well, better estimate the potential of the spot targeted.

If everything goes according to NCY's plan, there shall be, in a couple of years, a proposal to develop a producing field with dozens of wells and a network of all season roads, ideally a refinery, an upgraded Dempster Highway, maybe a pipeline and a transformation of the Eagle Plain from "unproductive" taiga to something more resembling the oil patch in Alberta or B.C.

### What about fracking?

NCY has not included any direct reference to fracking in their proposal, but the geology is still not fully understood, hence the exploration, so they are hedging their bets. This proposal speaks to conventional drilling with the rig they have in place.

However, should the geology warrant, they want to bring up a horizontal drilling capable rig for the secondary wells. So they do not say they want to frack, but they do propose to drill wells designed for fracking, should the current fracking review come out in favour of fracking. It is, to paraphrase Mackenzie King, "Fracking if necessary, but not necessarily fracking".

Clearly, YCS does not think this is a good idea.

### What are YCS's major concerns?

First off, as we have said elsewhere, developing a fossil fuel industry is not compatible with a Yukon moving towards renewables. Illogically, the inconsistency of the project with Yukon's **Climate Change** Action Plan will probably not be assessed at this stage.

Oil and Gas exploration and production make a lot of **waste**. Waste in the form of polluted water needs to be properly disposed of. Additionally, the contents of the drill hole, called drill cuttings, need to be disposed of. These cuttings can contain grease and other oily waste. Depending on the nature of the rock, drill cuttings can be acid generating, and, as we shall see, can even be radioactive. We shall be carefully scrutinizing NCY's plans on how to deal with their waste - Will they be putting it into ponds and piles? Do they plan to truck it south? EMR is mulling the idea of commissioning a re-injection well near Watson Lake.

Oil and Gas exploration and production uses a lot of **water**. This could be a big problem for NCY. Eagle Plain is relatively arid and many of the streams freeze solid in winter. There has been very little work done to understand how much surface water is present and almost nothing is known about ground water. The testing that has been done focused mostly on quantity and there are big gaps in understanding water quality. For example, the ground water NCY found at their camp is highly mineralized; it is not used for drinking, as originally intended, in their camp. Data cited dates back to work Gerry Whitley did in the 1970s. Gerry is an authoritative source, but the 1970s was a long time ago!

A big issue that is not properly addressed is that of **radioactivity**. The industry uses a delightfully benign sounding term for radioactivity: NORM or Naturally Occurring Radioactive Material. Shale oil and gas formations contain considerable radioactivity; the process that forms shale tends to concentrate radioactivity. There has been little testing for NORM in Eagle Plain, and no mitigation proposed.

Extended flow-testing results in increased **traffic**. This will affect other users of the highways and the structure of the roads themselves. The policy of YG is to cover the costs incurred by industry when they damage public roads, as the hundreds of extra heavy loads trundling back and forth between Eagle Plain and B.C. will certainly do.

This project will extend the industrial **footprint** on Eagle Plain. There will be about 27 kilometers of all season roads, up to 20 drill pads and associated infrastructure. This pales in comparison to the projected effect of a successful project. YESAB must consider the cumulative effects of the project, including likely future impacts. For example, the Porcupine Caribou herd spends on average every second winter in the area. The project could continue for decades - what will the long-term effect of the oil industry be on the herd? Will the herd avoid the drilling zone? NCY tells us they went to lengths to make their seismic lines less likely to become hunting corridors for predators. We are concerned that all season roads will provide, well, highways for predators.

YCS will raise these and other points and continue to keep you informed as the project progresses.

- Sebastian Jones

## Yes, you can shop at YCS!

**Support the Peel,  
drink more coffee!**

YCS now carries Bean North Watershed Wakeup coffee. A delicious blend! \$17 – all proceeds go to the Peel legal case.



Yukon Conservation Society organic cotton shirts – short sleeve and long sleeve! Kids & adult sizes available \$20-\$30

We also carry a variety of books and Yukon made art. Next time you're shopping for a gift, stop by our office!

### The Yukon Environmental Training Fund

The goal of the Yukon Environmental Training Fund is to support training, retraining, upgrading and improving of occupational skills of those employed by Yukon's environmental groups or individuals working on environmental issues and activities in the Yukon.

Training opportunities offered to assist Yukoners with securing immediate employment or keeping Yukoners up to speed in the Yukon non-profit conservation sector have been funded in past years. Individuals can be successful in obtaining funding if the training makes them immediately employable in the Yukon non-profit conservation sector or if they're currently working in the Yukon non-profit conservation sector and like to benefit from training to stay current in their field.

**The Yukon Environmental Training Fund is available for you!**

Check our website [yukonconservation.org](http://yukonconservation.org) for more information about this Fund and whether your training project is eligible for funding or contact Judith at YCS 668-5678.



## Another Summer, Another Great Season of Guided Hikes

One of my rules about life is to only do work I believe is worthwhile, something I can be entirely passionate about and that I deeply value. We have all worked jobs before that we simply did for the paycheck. Life continues, but something seems to be lacking.

Having just spent the summer working for the Yukon Conservation Society as their Trail Guide Coordinator, I can unreservedly attest to the importance of passionate employment over everything else. This position was an incredibly rewarding and enriching opportunity that few ever have the privilege of having. Essentially, I was being paid to enthusiastically teach others about topics I am personally interested in anyways. You may call me young and naïve, but work never ever felt like work!

This past season was another incredibly successful one. The numbers of visitors remained steady, and we received numerous compliments throughout the season about the quality of the hikes and our interpreters. YCS was fortunate to have employed two phenomenal local trail guides - Shyloh van Delft and Markie-May Gray Bailie. They are the true stars of this summer; I simply kept things running smoothly in the background.

In the past few years I worked as an interpreter, and I can honestly state that Shyloh and Markie are among the best interpreters I have ever had the pleasure of working with. They were remarkably passionate and professional about everything, always curious to learn more, and absolutely wonderful at guiding the public around Miles Canyon and Canyon City! Both brought individual specializations and qualities to the program that made it truly exceptional this year. Shyloh was always identifying nearby birds and astonishing everyone by reciting entire Robert Service poems by memory. Markie was always eager to show and identify all the plants in the area, including what yummy plants we could eat. The truly remarkable fact is that this was both their first time being interpreters, but by the end of the summer they mastered the art of inspiring others. And they were superb at it!

The guided hikes program continues to be incredibly cherished by visitors and the local Whitehorse community; about a third of our participants this year were Yukoners! Everyone involved and engaged with YCS are part of something truly wonderful by continuing to support this program. We were always receiving compliments about the value of providing free natural interpretation about the Whitehorse area.

Thank you to those who helped us along the way this year, you without question helped made it another incredibly successful year. It is rare to find a community like this with so many resourceful individuals that are eager to help provide support in any way they could. We really do appreciate all the help you provided.

You folks are awesome. Continue the great work.

*by Ben Derochie*



*Baby raven on one of the hikes (photos: Ben Derochie)*

*Markie and Shyloh enjoying a warm summer day.*





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*Memberships are activated on day of receipt and good for 1 year, and include a subscription to the Walk Softly newsletter. Both donations and memberships are tax-deductible.*

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**Thank You Volunteers!**

*The Yukon Conservation Society wouldn't be the vibrant, active organization it is without your help!*

Computer maintenance, back-ups and support: Joshua Hunt

Membership Database Support: Mary Amerongen

Recycling: Raven Recycling


Communications: Tanya Handley, Lewis Rifkind, Mary Amerongen

Yard clean up: Sue Smirfitt

Building Maintenance: Shailyn Drukis, Ella Parker, Aven Knutson and Nigel Sinclair-Eckert (Y2C2 Crew), Anton Spudic, Tanya Handley, Peter Heebink, Ernie Berken, JP Pinard and Luc Pinard

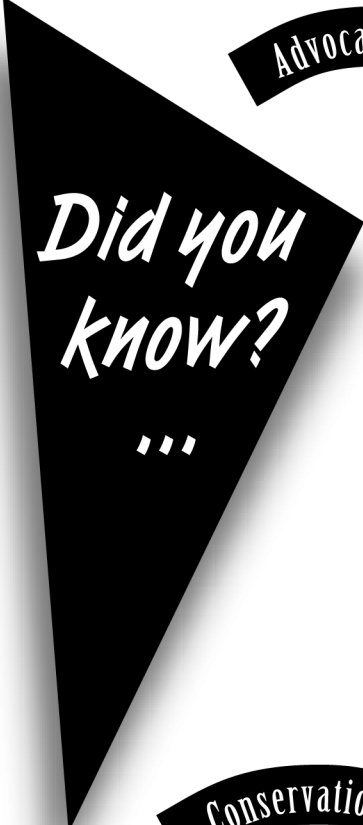




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Did you know?

...

**We love our our volunteers!** At YCS, we love our membership and our volunteers. We currently have a few tasks waiting for eager volunteers. Please contact us if you're interested in ...

- Helping us to revamp our website
- Compiling environmental events for the weekly Yukon Enviro e-list mailing

**YCS has a basement office space for rent.** The office can be furnished or unfurnished and is good for single, trustworthy individuals - \$475/month. Price includes 1 parking space, electricity, heat, high-speed cable internet, shared kitchen, boardroom and bathroom. Phone/fax/copier are available for additional fees. Available immediately.

Call us at 668-5678 or [ycoffice@yco.yk.ca](mailto:ycoffice@yco.yk.ca).



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