

Yukon Mineral Development Strategy
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To: Math'ieya Alatini, Doug Eaton, Angus Robertson (YMDS Panel)

Dear YMDS panel,

I am grateful for the opportunity to participate in these consultations. I believe that you have a chance to help define a brighter future for the Yukon – one where the economy serves people and nature, not the other way around. I encourage you to be bold and visionary with your recommendations, as this is not an opportunity that is likely to come around again.

I thank you for thoughtfulness and consideration throughout the process and humbly provide my recommendations:

[Recommendation 1: Complete detailed analysis of the economic costs and benefits of mining](#)

It has long been assumed that mining has an overall positive economic impact on the Yukon. Each year, on budget day, the Government touts the contribution to GDP that comes from mining. Unfortunately, it only tells part of the story.

We do not know how much of the revenue generated from mining stays in the Yukon – to benefit the Yukon economy – and how much leaves to other jurisdictions; for reasons such as salary being paid to fly-in/fly-out workers, or revenue moving to companies and shareholders outside of the territory.

We also do not have a clear indication of how much tax-payer revenue is being spent each year to support industry. This may be money spent on the cleanup of abandoned mines, subsidised mining infrastructure and roads (e.g. the resource gateway project and enhanced power generation), regulation, promotion and enforcement.

Given the unique impacts that mining has on the Yukon's environment and people, and the fact that it is permanently removing resources, its benefit to the community should be uniquely scrutinized.

Therefore, each year, Yukon Government should release a fulsome economic analysis of the full costs and benefits of mining. This would allow the public and decision makers to make informed decisions on how the benefits and costs should be balanced.

Recommendation 2: End free-entry staking

Someone once said to me that “free-entry staking is the ultimate expression of terra nullius”, and it’s stuck with me ever since. That is the colonial concept that all the land in Canada was unoccupied and therefore unused. It’s the idea that the best possible use of the land is always to be occupied and “improved”.

I think it is time for the Yukon to follow the lead of almost every other advanced economy in the world by designing a modern system that does not ignore millennia of stewardship by First Nations Peoples and which understands the importance of preserving nature.

The fact that we still have a free-entry staking system means that land use planning can not be completed in a fulsome ways. Planners need to consider the impact that existing claims have on any given land management unit, and have to consistently worry about the unintended financial consequences of protecting landscapes. And if claims are allowed to supersede the constitutionally protected land use planning process, the very legality of free entry staking must be questioned.

Additionally, free-entry staking effectively makes it impossible to fully implement the highest levels of protection for landscapes, as defined in the Parks & Land Certainty Act. This is because there is no (inexpensive) mechanism to force existing claims to lapse, and the existence of claims is not compatible with the definition of Ecological Reserves.

Ending free-entry staking would also, somewhat counterintuitively, open up more of the territory to mining. A new process that involves First Nations at every stage of the conversation would help create certainty for proponents, who would know at the earliest stages of a project whether there was community support. This would mean no more situations where projects are delayed indefinitely, like the ATAC project in the Beaver River Watershed.

At this time, nearly 10 per cent of the Yukon has been staked, but there are only a handful of operating hard-rock mines. In many cases, this is because the people who “own” the claim don’t have the resources or time to develop it. A system with more turnover could result in more projects moving forward.

Free-entry staking effectively allows a system that benefits a concentrated group of people to supersede the needs and rights of First Nations people, nature and the Yukon public more broadly. It is time for it to end.

Recommendation 3: Separate mining regulation, promotion and enforcement

Energy, Mines & Resources (EMR) is currently responsible for promoting, regulating and enforcing mining in the Yukon. This is an inherent conflict – the metaphorical fox guarding the hen house. Over the years I have heard several stories of regulators being sidelined, or

pressured to overlook environmental breaches, by colleagues who are worried about how it would effect their ability to promote the industry.

Enforcement, specifically, should be transferred to a new arms-length office that is independent from the elected government. It could be combined with enforcement of other industries such as tourism to ensure that it is cost-effective.

Additionally, it should support a process that allows for the training and hiring of First Nations citizens, to act as enforcement officers in their own communities. This would give power back to the First Nations.

By separating and fully funding these functions, the community can feel confident that mining in the Yukon is being held to the highest standards.

[Recommendation 4: Complete land use planning before making decisions about transformative projects](#)

Land use planning is designed to lay out a broad vision for the land, and can settle the big questions around roads and other mining developments. Land should not be transformed until land use plans are in place. This includes transformative projects such as large mines, new roads and railways.

[Recommendation 5: Update the Quartz Mining Act and Placer Mining Act](#)

Our existing laws are largely untouched since the early 20th century. The Yukon needs 21st century mining laws that are updated to 21st century values, and which conform to the Final Agreements.

These recommendations are the ones I consider most critical, but I also fully endorse the full list of recommendations submitted by Randi Newton and Dr. Kate Nowak of CPAWS Yukon (where I am Executive Director), the Yukon Conservation Society, Carcross Tagish First Nation and the joint submission of the Northern First Nations.

Once again, I thank you for taking the time to consider my perspective and I look forward to the conclusion of your project.

Respectfully,



Chris Rider