

CPAWS Yukon
101-301 Hawkins St.
Whitehorse, YT
Y1A 1X5



CPAWS Yukon's comments on the Draft Official Community Plan.

Dear Ms. Simard,

CPAWS Yukon is pleased to provide comments on the City of Whitehorse's Draft Official Community Plan. CPAWS Yukon is based in Whitehorse, with a supporter base of over a thousand Whitehorse residents. Our mission is to conserve the Yukon's land, water, and wildlife for current and future generations. Many of the places and wildlife that CPAWS Yukon works to protect are in distant corners of the Yukon, hundreds and hundreds of kilometres from our headquarters in downtown Whitehorse. But one place we work on is very close to home for our organization and our supporters: McIntyre Creek/Chasàn Chùà.

The creek is one of Whitehorse's most biologically abundant places, home to moose, caribou, lynx, bears, wolves, and over one hundred bird species. It is loved by countless residents and visitors alike—a place for walking and running, connecting with the outdoors, and discovering new birds and plants. These lands are the homeland of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council; Indigenous connections to the creek go back countless generations.

We are very pleased to support the City's plans to work with Kwanlin Dün First Nation, Ta'an Kwäch'än Council, Yukon University and Yukon Government to formally protect McIntyre Creek/Chasàn Chùà. We are, however, in opposition to the development of a new road or "transportation corridor" through the creek. We detail these positions later in these comments.

In 2021, CPAWS Yukon conducted a wildlife study in McIntyre Creek/ Chasàn Chùà using remote cameras, acoustic recorders, and winter track surveys. We documented fourteen mammal species, fifty-four bird species and one amphibian species. We are continuing to analyze the data from that study to tease out how existing roads and human activity influence different species. We will share the final report with the City later this summer. Initial results from our camera survey are discussed later in this letter. Our study reminded us time and again how much excellent wildlife habitat exists throughout McIntyre Creek/Chasàn Chùà and why the creek is loved by so many. The Official Community Plan is a chance to safeguard the ecological and cultural values associated with McIntyre Creek/Chasàn Chùà, and we hope the City of Whitehorse makes good use of this opportunity.

Thank you,

Malkolm Boothroyd and Maegan Elliott

1. CPAWS Yukon supports a park in McIntyre Creek/Chasàn Chùà.

The Draft OCP pledges the City will “engage with the Government of Yukon, affected First Nations, and Yukon University to establish McIntyre Creek Park.” CPAWS backs these efforts. We are aware of jurisdictional and land title issues that the City will have to address through this process, and know that there is still much work ahead. Providing that a protected area designation for McIntyre Creek/Chasàn Chùà is supported by the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council, CPAWS Yukon will enthusiastically support creating a park. We encourage the City to engage with the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council about possible co-management models for a future park.

CPAWS Yukon also applauds the City's decision to include the land previously allocated for Porter Creek D within the proposed park's boundaries. Porter Creek D would have bulldozed habitat used by moose, deer, coyotes and pine marten and encroached upon other sections of the creek that are already hemmed in between multiple subdivisions. We support the City's objective of offsetting Porter Creek D with housing developments in less sensitive areas.

The Draft OCP's commitment to establishing a park and shelving Porter Creek D gives CPAWS Yukon optimism over the future of the McIntyre Creek/Chasàn Chùà. Over the last decade there has been a steady encroachment of development in and around the creek corridor, like Raven's Ridge and Whistle Bend. Designating McIntyre Creek/Chasàn Chùà as a park would insulate the creek against many of these development pressures and give time and space for proactive work to safeguard the ecological and cultural values of the creek over the long term.

One example of this proactive work is management planning. The Draft OCP includes the directive to undertake management planning in a future McIntyre Creek/Chasàn Chùà Park, and CPAWS Yukon fully supports this. Management planning can address in detail issues that are important to preserving the ecological integrity of the creek. For instance, an issue that needs to be addressed is off-road vehicle (ORV) use. CPAWS Yukon staff have observed ORV tracks cutting through the wetlands in McIntyre Marsh, in one case passing within a few metres of a nesting bird. The City could designate open and closed ORV areas within McIntyre Creek/Chasàn Chùà in alignment with the Government of Yukon's new ORV regulations. Other issues that could be addressed through management planning include designating on-leash dog areas in important habitats for ground nesting birds, setting thresholds on linear developments (e.g. roads, trails, cut lines) within the park and managing invasive species. We also urge the City to consider habitat connectivity between McIntyre Creek/Chasàn Chùà and the lands on the other side of the Yukon River. These areas could be constrained by future development within the North Growth Area.

2. CPAWS Yukon opposes a “transportation corridor” through McIntyre Creek/Chasàn Chùà.

The proximity of McIntyre Creek/Chasàn Chùà to many Whitehorse neighbourhoods makes it an easy place to explore. This proximity also carries threats. Much of the creek is hemmed in by

subdivisions, and roads crisscross the creek's lower portion. The last decade has seen the development of Raven's Ridge immediately adjacent to McIntyre Creek/Chasàn Chùà, and for many years, the prospect of Porter Creek D also loomed over the creek. The Draft OCP would take Porter Creek D off the table but leave the door open to another major development: a transportation corridor to link Mountainview Drive to the Alaska Highway.

Pressure for more development in the lands surrounding McIntyre Creek/Chasàn Chùà will only continue as Whitehorse's population grows. Maintaining the creek's ecological integrity, wild character, and recreational and cultural values in the face of growing development pressures will be a key challenge for the City of Whitehorse to navigate over the coming decades.

The proposed transportation corridor from Mountainview Drive to Kopper King would cut through the section of the creek behind Yukon University. This section of the creek contains many walking and biking trails and is a popular exploration spot for many Whitehorse residents due to its proximity to Porter Creek and Takhini. A major road through this area would likely damage the recreational value of the creek. A new road would also change the character of the creek. Much of the land that the transportation corridor would cut through is moderately distant (>500 metres) from other major roads. Building a new road would substantially shrink the amount of roadless green space in this part of the creek, limiting the spaces where people can walk without hearing vehicle noises, or worrying about their dog running into traffic.

CPAWS Yukon is also concerned about the potential ecological impacts of a new major road. Still, these effects are difficult to predict. In 2021 we undertook a wildlife study of McIntyre Creek/Chasàn Chùà, in part to see the impact of roads and other developments on wildlife distributions. The preliminary results from our study show that in most cases, existing roads do not have a statistically significant impact on wildlife distributions. There were a few exceptions: our wildlife camera data showed that moose avoided areas with high road densities, while deer tended to favour these habitats. The distribution of coyotes, lynx, snowshoe hares, red squirrels and pine marten seemed largely unaffected by existing roads within the creek corridor. The only black bears, grizzly bears and wolves we recorded were all in areas with few roads, but there were too few observations of these large predators to show any statistically significant trends. Still, it is possible that wolves and bears are avoiding heavily roaded areas. Studies from elsewhere in North America show that roads can hinder wildlife movements, especially among

large, wide-ranging mammals like caribou, grizzly bears and wolverines^{1,2,3,4}. Research from BC shows that grizzly bears there tend to avoid habitats with 0.6 km of roads/ km²⁵.

We will share the final report from our wildlife study when it is completed, likely this summer. Our preliminary results suggest that the existing levels of roads are within levels that many species can tolerate. This is further validation that there is excellent wildlife habitat throughout McIntyre Creek/Chasàn Chùà. Still, we can't predict the impacts of a new road, or the expansion of the Alaska Highway or Mountainview Drive. There is a danger that these developments could push linear disturbance levels in Lower McIntyre Creek/Chasàn Chùà beyond thresholds that certain species can tolerate. CPAWS Yukon firmly believes that building a road through the creek is not a risk worth taking, and that transportation solutions should be found elsewhere.

CPAWS Yukon opposes the transportation corridor through McIntyre Creek/Chasàn Chùà and urges the City to update the OCP to take this option off the table. If the City is unwilling to rule out a road through McIntyre Creek/Chasàn Chùà at this time, then at the very least CPAWS Yukon urges the City to defer any formal road construction proposal until after management planning has been completed for a future park in McIntyre Creek/Chasàn Chùà.

3. Whitehorse should prioritize sustainable transportation solutions.

CPAWS Yukon has not seen a detailed concept for a possible road through McIntyre Creek/Chasàn Chùà. Whitehorse has yet to release its city-wide transportation study and, without these details, it is difficult to provide specific comments on how a proposed road would fit into Whitehorse's future transportation strategy. Instead, we will provide our high-level thoughts on roads and transportation.

The City of Whitehorse declared a climate emergency in 2019. Climate change needs to be a key factor in decisions the City makes, and reducing emissions from transportation is one of the key ways the City of Whitehorse can contribute to tackling climate change. The Draft OCP does not include measurable climate change targets, but Our Clean Future, the territorial government's climate plan, aims for a 30% reduction in transportation emissions by 2030, and aims to reduce single-passenger vehicle trips within Whitehorse. For the most part, the Draft OCP emphasizes active transportation, public transit and community planning and design to solve the City's transportation challenges. The Draft OCP also sets out a transportation

¹ Shepard, D. B., Kuhns, A. R., Dreslik, M. J., & Phillips, C. A. (2008). Roads as barriers to animal movement in fragmented landscapes. *Animal Conservation*, 11(4), 288-296.

² Dyer, S. J., O'Neill, J. P., Wasel, S. M., & Boutin, S. (2002). Quantifying barrier effects of roads and seismic lines on movements of female woodland caribou in northeastern Alberta. *Canadian Journal of Zoology*, 80(5), 839-845.

³ Sawaya, M. A., Clevenger, A. P., & Schwartz, M. K. (2019). Demographic fragmentation of a protected wolverine population bisected by a major transportation corridor. *Biological Conservation*, 236, 616-625.

⁴ Proctor, M. F., McLellan, B. N., Strobeck, C., & Barclay, R. M. (2005). Genetic analysis reveals demographic fragmentation of grizzly bears yielding vulnerably small populations. *Proceedings of the Royal Society B: Biological Sciences*, 272(1579), 2409-2416.

⁵ Lamb, C. T., Mowat, G., Reid, A., Smit, L., Proctor, M., McLellan, B. N., ... & Boutin, S. (2018). Effects of habitat quality and access management on the density of a recovering grizzly bear population. *Journal of Applied Ecology*, 55(3), 1406-1417.

hierarchy to guide the upgrading and development of transportation infrastructure: with walking and cycling at the top of the priority list, and driving at the very bottom.

Building a major new road through McIntyre Creek/Chasàn Chùà would be at odds with the transportation vision laid out in the rest of the OCP. Building a new road would incentivize continued car travel and set the City—and the Yukon—back in their efforts to cut greenhouse gas emissions. Instead of building a new road, the City of Whitehorse should look for other solutions that cut greenhouse gas emissions and reduce traffic congestion entering and leaving Whitehorse from the north. One option would be an express bus route from Whistlebend to Downtown, with frequent, dependable service through peak hours. The City could also consider adding a counterflow lane or bus and carpool lane to Mountainview Drive in Marwell. This could help to alleviate congestion, while not requiring the City to acquire as much new land as it would to add two new lanes.

Broadly speaking, the Draft OCP prioritizes development in sustainably-minded ways: increasing density in the downtown core, supporting active and public transit, and building Complete Communities with more amenities available locally. CPAWS Yukon believes that the approaches that the OCP has already identified are enough to solve the challenges that a road through McIntyre Creek/Chasàn Chùà purports to address. We urge the City of Whitehorse to take a new road through the creek off the table.

4. There should be better protections for McIntyre Marsh and other riparian areas.

One of the most biologically abundant areas of McIntyre Creek/Chasàn Chùà is McIntyre Marsh, near the intersection of the Copper Haul Road and the Fish Lake Road. The marsh is one of Whitehorse's best birdwatching destinations, where over 130 bird species have been observed. Unfortunately McIntyre Marsh is afforded very little protection under the Draft Official Community Plan. The marsh falls outside the boundaries of the conceptual park in McIntyre Creek/Chasàn Chùà, and is instead a Future Planning Area. McIntyre Marsh is also not designated as an "Environmentally Sensitive Area," meaning there are little safeguards against off-road vehicle and snow machine use within the wetland. As noted earlier, CPAWS Yukon has observed signs of irresponsible off-road vehicle use within the wetland in the past. We urge the City to expand the conceptual park boundaries to include McIntyre Marsh, as well as to designate the marsh as an Environmentally Sensitive Area. More broadly, CPAWS Yukon recommends the City designate all lands within the 30 metre riparian setback as Environmentally Sensitive Areas, which would give the City stronger management and enforcement tools for motorized access in these habitats.

5. The City of Whitehorse should consider naming a new park Chasàn Chùà.

Over the past two years, CPAWS Yukon has been working to incorporate McIntyre Creek's Southern Tutchone name—Chasàn Chùà—into our communication about the creek. Chasàn Chùà translates to Copper Creek. The name speaks to the abundance of the metal in the lands surrounding the creek and foreshadows the rush of copper mining that shaped the early years

of Whitehorse. The name Chasàn Chùà also alludes to the sheer length of time that people have lived around the creek. There are archaeological records of copper tools being used around the creek as far back as eight thousand years ago. Of course, CPAWS Yukon cannot claim to grasp the fullness of the meanings imbued within the name Chasàn Chùà. Contrast that to the name McIntyre Creek. This name honours John McIntyre, an Ontarian who came to the Yukon in 1898 by way of California and Alaska. It was McIntyre who staked the Copper King claim in 1898. He died in 1902, having spent only four years in the Yukon. In addition to McIntyre Creek, John McIntyre also has a mountain named after him.

CPAWS Yukon supports decolonizing place names. We encourage the City to engage with the Kwanlin Dün First Nation, the Ta'an Kwäch'än Council and the Yukon Geographical Place Names Board about ways to give greater prominence to the creek's original name. The establishment and naming of a new park around McIntyre Creek/Chasàn Chùà would be an opportunity to dispense with the creek's colonial name altogether. While we present renaming the park as an option, the ultimate decision should clearly lie with Kwanlin Dün First Nation and the Ta'an Kwäch'än Council. We encourage the City to make this decision collaboratively with the two First Nations.

6. The City is not asking residents for their opinions on a potential road through McIntyre Creek/Chasàn Chùà.

CPAWS Yukon finds it problematic that the companion survey to the OCP does not ask respondents for their views on building a road through McIntyre Creek/Chasàn Chùà. The only dedicated question asks respondents whether they support including the land allocated for Porter Creek D within a future park. Whether or not to build a road through the creek will be a critical decision in the future of McIntyre Creek/Chasàn Chùà, and the City should have structured the OCP survey to make it easier for respondents to comment on the road. As it stands, the only way for respondents to share their views on a possible road is by writing in the survey's optional text box.