



August 14, 2026

Re: Project QZ20-068 – Kudz Ze Kayah

To the Yukon Water Board,

CPAWS Yukon is pleased to share our comments to the Yukon Water Board regarding the Type A license requested in Project QZ20-068 – Kudz Ze Kayah submitted by BMC Minerals.

The Kudz Ze Kayah project is a large and technically complex that will impact the health and wellbeing of lands, waters, wildlife, and people who have long lasting economic, cultural, and social relationships to this area. The Yukon Water Board should, therefore, ensure that its licensing process provides an adequate avenue for all those impacted to share their vision.

CPAWS Yukon is concerned with the unusually short public comment period provided to the public for this large-scale high-impact project. The Yukon Water Board should extend the public comment period, and include an in-person public hearing, in order to achieve meaningful public consultations, particularly when a project this size would have such long-term impacts.

Many of those impacts would have direct consequences to water, wildlife, and landscapes. As these landscapes endure the impacts of climate change and increased development, the project proponents must ensure:

- A robust mitigation strategy for impacts to fish spawning habitat, fish migration routes, and cumulative impacts to ecosystems that considers climate change
- Robust mitigation strategy to prevent Acid Rock Drainage and metal leaching that is acceptable to Kaska Nations and all Yukoners, not just industry standards
- Enhanced water modelling information around waste rock and contamination risks

These measures must align not only with water quality and water health but with the health of the landscape at large.

Ross River Dena Council has recently declared the Finlayson caribou herd a living ecological person with inherent rights. Not only do we agree with this declaration, and its intent of giving legal rights to the well-being of the Finlayson caribou herd, CPAWS Yukon has continued significant concerns of the impacts of the Zudz Ze Kayah mine on the herd.

Recently a study of Northern Mountain caribou in the Yukon was published that found; *“Caribou avoided areas in their range with the most surface disturbance and access, and the effect of disturbance was unique to each season and increased over time. Roads, trails and mining and exploration features were the greatest sources of landscape change that contributed to changes in caribou distribution”* <https://ualberta.scholaris.ca/items/c2591947->

[7bc7-4f91-b9e1-b2f5a7f9aac8](#) *“These multiple lines of evidence demonstrate human development has influenced the Clear Creek and Klaza caribou herds, and indicate Northern Mountain caribou require improved management of industrial activity, access and cumulative effects within herd ranges.”*

Water cannot be considered separate from the ecosystems that fish and wildlife live in and depend on, like salmon and caribou, as well as moose and many others keystone species. It also needs to be noted that access given by this water license also allows for further road and industrial disturbance, which are known to impact caribou and salmon.

Given the on going damage and immense challenges facing salmon populations, it is more critical than ever to ensure that waterways and watersheds are kept pristine and intact as Yukoners work together to support the return of the salmon. The scale of this Type A water license puts those efforts in jeopardy, especially given this entire region does not have a long-term land-plan, and on that point is in the beginning of that very process right now with the work being done on the feasibility study for the RRDC Indigenous Protected and Conserved Area planning.

It is well-known that salmon from this region are under dire threat and that all levels of governments and citizens across the Yukon are working to help the population recover. As Ross River Rena Council, Liard First Nation, Yukon Conservation Society and others have shared, and as this recent study also points to, the proposed activities involved in operating a mine in this location would negatively impact the Finlayson herd, already formally listed as a Species of Concern under the Species at Risk Act.

As the Yukon Water Board considers this license, it must also consider how the project could take lessons learned and make improvements on other projects that have become economic and environmental liabilities. The recent Eagle Gold disaster as well as the abandoned Faro Mine are clear demonstrations that licensing projects at this scale must require stringent standards for water health, and overall ecosystem health and that the two are not mutually exclusive.

It is CPAWS Yukon’s recommendation that the Yukon Water Board:

- Extend the public comment period to provide adequate time for meaningful consultations,
 - Hold a public hearing in affected communities such as Ross River,
 - Require further data and information on key mitigation measures such as plans for underground workings, reclamation, contamination to the environment, and plans for waste rock,
 - Ensure the license has robust and enforceable environmental thresholds that exceed those of industry standards, as those have shown to be inadequate
 - Ensure that water-management strategies and decisions consider cumulative impacts to other ecosystems such as caribou,
-

- Ensure the project gains the consent of the Kaska people and Yukoners. Consultations do not automatically provide consent, it must be built through addressing the many concerns provided by impacted people and communities

This project will have long-lasting impacts to people, culture, and landscapes. It demands time, care, and the voices of all those affected to be represented before any approvals.
