



Fact Sheet 7

Timber on mining claims

This fact sheet provides information on the cutting and use of trees related to mining in Yukon. If you require further information, please contact your local Compliance Monitoring and Inspections office or the Forest Management Branch.

Can I cut or clear trees on my claim for mining purposes?

In some cases, yes. Both the *Quartz Mining Act* and *Placer Mining Act* allow you to cut down or clear trees to aid in mining operations on your claim, but there are limitations. For example, timber on placer claims located on First Nations Settlement Land cannot be used for mining-related purposes without permission from the First Nation. This kind of timber harvesting is incidental to the mining activity and is different than harvesting trees for personal use, commercial use or sale. Timber harvesting must be consistent with your class 1 notification or mining land use approvals and the conditions of either the *Quartz or Placer Mining Land Use Regulations*.

Refer to Fact Sheet 6 for more information about this and other types of incidental timber harvesting. Refer to the Energy, Mines and Resources interpretive bulletin: timber resources on placer claims located on Settlement Land, for more information about timber located on claims on Settlement Land.

As a claim holder, do I have the exclusive right to the timber on my claim(s)?

No. You do not have the exclusive right to the timber on your claim. In staking a claim, you have the right to use timber for mining-related purposes on your claim to directly support mineral exploration, development or reclamation. Mining legislation does not confer rights to surface resources such as trees, and the Government of Yukon retains rights to the timber on mineral claims on public land, while First Nations retain the rights to timber on mineral claims on Settlement Land.

Am I able to remove or sell wood I've harvested incidentally?

Yes. Standard operating conditions contained in mining land use regulations require a claim holder to salvage and stockpile timber suitable for sale when it is economically feasible to do so. For example, incidentally harvested timber can be used or sold for firewood, lumber production or cabin logs.

If you are salvaging or removing timber harvested from your mining operation on public lands, you require a forest resources permit that transfers ownership

Government of Yukon Yukon.ca

Energy Mines and Resources

Forest Management Branch
Mile 918 Alaska Highway
Ph: (867) 456-3999
Toll-free: 1-800-661-0408 local 3999
Email: forestry@yukon.ca

Land Management Branch Land Use
Ph: (867) 667-5215
Toll-free: 1-800-661-0408 local 5215
• Land Use Permits

Compliance Monitoring and Inspections
Dawson
Ph: (867) 993-5468
Haines Junction
Ph: (867) 634-2256

Mayo
Ph: (867) 996-2343
Carmacks
Ph: (867) 863-5271
Whitehorse
Ph: (867) 456-3877

Teslin
Ph: (867) 390-2531
Watson Lake
Ph: (867) 536-7335
Ross River
Ph: (867) 969-2243

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of the timber to you from the Government of Yukon under the *Forest Resources Act*. For timber on mineral claims located on Settlement Land, salvage is required and if you want to remove the timber, you must have permission from the First Nation.

You can get a forest resources permit from your local Compliance Monitoring and Inspections office or the Forest Management Branch. There is no application fee for a forest resources permit, but if you are awarded rights to the timber, stumpage fees will apply.

Can other people harvest timber on my mineral claim?

In some cases, yes. For example, the Forest Management Branch may develop a timber harvest plan that overlaps your mineral claim. Under the timber harvest plan, a harvesting permit can be issued within the overlapping area to other people or businesses, giving them rights to the timber.

Please note that public notice and planning are required prior to developing a timber harvest plan. If your claim is part of an overlapping area, you'll be notified directly by the mining recorder before a permit for timber harvesting is issued. You'll also be asked for details about any timber on your claim that you require for mining-related purposes.

Can I stake a claim or operate where a timber harvest permit has been issued?

Yes. However, if your claim overlaps an area where a forest resources permit or cutting permit has been issued, you may be limited to when you cut or clear. Also, you might have to cut the trees in a way that maintains the integrity of the timber.

The Forest Management Branch and the district mining recorder will work with you and the other party before any timber harvesting starts. The goal is that all parties work together cooperatively on the claim. If you plan

to use any timber on your claim for mining-related activities, you will need to provide those details to the district mining recorder, such as the species and amount of timber required, where it's located on your claim, and when the timber will be used for mining purposes.

If I have a land use permit to clear and develop a site such as a road leading to my mineral claim, do I have the right of ownership to the wood I cut?

No. The trees remain the property of the Government of Yukon unless you are issued a forest resources permit transferring ownership to you and allowing you to remove the timber from the site. If you do not obtain a permit, or require assistance with disposal of unwanted timber on the claim, the Compliance Monitoring and Inspections office will try to ensure the utilization and/or the fair and equitable disposal of salvage timber. This is usually done by issuing timber rights to a commercial forest industry client and/or to the public for personal use.

A note on compliance and enforcement in Yukon forests

Compliance and enforcement are a significant part of managing Yukon forests for their long-term health and to ensure that we can continue to realize the many benefits forests provide. As a forest user, it is your responsibility to ensure you are complying with applicable laws, regulations and any terms and conditions outlined in licences and permits. For more information about your responsibilities and possible penalties for non-compliance, read Fact Sheet 5, contact your local Compliance Monitoring and Inspections office, or the Forest Management Branch.

Community Services
Corporate Affairs
Ph: (867) 667-5314
Toll-free: 1-800-661-0408
local 5314

- Business Registration

Highways and Public Works
Transportation
Maintenance Branch
Ph: (867) 667-5644
Toll-free: 1-800-661-0408
local 5644

- Access Permits

Other Agencies

Yukon Workers' Compensation Health and Safety Board
Ph: (867) 667-5645
Toll-free: 1-800-661-0443

Yukon Environmental and Socio-economic Assessment Board
Ph: (867) 668-6420
Toll-free: 1-866-322-4040

City of Whitehorse
Ph: (867) 668-8346
• Harvesting Fuelwood
• Business Licence