DISCLAIMER

Nothing in the Government of Yukon Land Use and Land Applications Best Management Practices for Heritage Resources document, references, etc., shall be construed as waiving compliance with regulatory requirements imposed by law. It remains the responsibility of the land user to ensure that the measures adopted in the specific instance are appropriate to the situation and satisfy all legal requirements within the jurisdiction. Legal requirements may be imposed by territorial, First Nation, municipal or federal regulatory bodies. The land user is responsible for verifying whether authorizations or approvals are required by contacting the appropriate government or agency.

Specific best management practices (BMPs) for specific problems cannot be given since solutions will, of necessity, be site and issue specific. Narrative BMPs are given indicating the type of measure which may be useful.

By their very nature BMPs change over time as new scientific research and innovation offers “better” options and new, or different practices. However the goals and objectives behind the BMP recommendations remain valid. New versions of this and other BMP documents may become available from time to time as time and resources permit and new information is incorporated so please check our website (www.tc.gov.yk.ca/bmp.html) to ensure you are working with the most recent edition.

Any comments, questions, or suggestions regarding the content of this document may be directed to:

Yukon Archaeology
Heritage Resources - Cultural Services Branch
Tourism and Culture, Box 2703
Government of Yukon
Whitehorse, Yukon Y1A 2C6
Phone: 867-667-5983 Fax: 867-667-5377
Heritage.Resources@gov.yk.ca

All photographs are courtesy of Government of Yukon except as otherwise noted.
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1. Introduction

The intent of this document is:

• to provide the reader with a better understanding of Yukon’s heritage resources;
• to outline the objectives to be met by the application of mitigation to heritage resources protection;
• to provide context and rationale to the mitigation recommendations; and
• to describe a range of best practices that may assist in meeting the stated objectives.

Best Management Practices proposed in this document are intended to be applied proactively in advance of planned activity as well as through the course of an activity as a way to help manage potential effects of activities and development on heritage resources.

2. Objectives

• Protect heritage resources and historic burial sites outside of known cemeteries;
• Minimize the effects of land use or land development activities on heritage resources;
• Provide information and assistance for land users and applicants for Yukon lands to address heritage resource protection;
• Ensure that land applicants and land users and their contractors are aware of heritage resources in their project area;
• Provide clear guidelines in the event of accidental discovery of heritage resources or burial sites;
• Facilitate reporting of undocumented heritage resources that may be encountered by land users or by members of the public.

Heritage resources include historical, archaeological and palaeontological sites and objects. Abandoned objects older than 45 years may be considered heritage resources and protected for their historic value.
3. Heritage Resource Protection and Management: Context and Rationale

In Yukon, heritage resources (also referred to as historic resources) are objects or features that are the evidence of past human presence on the landscape. Heritage resources or historic resources include historic, archaeological or palaeontological sites and objects. Historic sites generally preserve elements of built heritage dating from early gold rush times to the Alaska Highway construction era. Archaeological sites and objects may be historic in age or may date to before European contact. Archaeological resources may be found on or under the ground surface, and most often consist of the remains of ancient camps, hearths, stone tools and debris from making stone tools. Heritage or historic resources exist throughout the Yukon landscape in all terrains including mountain tops, and even underwater. Remains of built heritage, in many instances, are fragile due to their age and composition, which is frequently wood or other organic materials. Archaeological remains that date to the historic period or that are thousands of years old are often buried in only a few centimetres of soil. Even minor disturbance of the ground surface can impact on archaeological sites. All heritage resources are vulnerable to looting or unauthorized collection and increased activity in a previously isolated area may see the loss of irreplaceable objects that are part of Yukon’s history.
Palaeontological resources are the fossil and other remains of extinct or historic plants and animals. These include tusks of woolly mammoths; bones of ancient horse; bison and other ice age fauna as well as fossil remains and traces of plants; vertebrate and invertebrate animals. Because much of central and northern Yukon were unglaciated during the ice ages, the frozen organic-rich sediments in these regions preserve some of the most important North American remains of Pleistocene species such as mammoth, horse, and bison. Yukon’s bedrock also contains fossils, from dinosaur bones and footprints, to leaf impressions and trilobites.

Inventories of historic resources are lacking for many regions of the Yukon. Many remote areas have never been surveyed and historic resources are not well documented. Land use activities in remote regions may inadvertently impact on historic resources. Land users can assist in heritage protection by becoming informed about heritage resource identification and by implementing site avoidance and buffering when heritage resources are encountered to help preserve the evidence of Yukon’s history. By adopting heritage resources “Best Management Practices” land users and the public can assist in the protection and appreciation of Yukon’s rich heritage.

3. Potential Impacts to Heritage Resources as a Result of Land Use and Land Development Activities

REMOTE AREA ACCESS
Unauthorized collection of historic, archaeological or palaeontological resources or disturbance of man-made stone or wood features is a concern when access to a remote area is increased. Activities related to access or other development may result in increased use in more remote areas in Yukon. Previously undisturbed heritage sites may be inadvertently damaged by human activity or may become the focus of ‘souvenir collecting’. High latitude and alpine and subalpine areas where little or no soil development has occurred are particularly vulnerable to impact. Traces of past human activity may include stone tent rings, stone hunting blinds and meat caches, and the remains of camps or lookout where stone tools and chips remain on the ground surface where there were deposited thousands of years ago. Although generally deeply buried, bones of ice age animals may be exposed from time to time in eroding permafrost banks or may be washed up on point bars along rivers in unglaciated northern Yukon.
BRUSHING/CLEARING AND LINE CUTTING
Brushing or hand clearing of vegetation in previously undisturbed areas may impact surface or built heritage such as brush camps, old tent frames, traps and snares and burial sites (particularly where the markers or fences have collapsed). Mechanical brushing will also displace historic or archaeological objects on or just under the ground surface. Brushing and clearing are activities that may precede other development activities or may be carried out in connection with fire suppression or fire smarting, or access maintenance.

CAMPS
Depending on their scale, remote camps and related infrastructure will likely result in subsurface ground disturbance. Preparation of a camp site by clearing and/or ground levelling will potentially impact built heritage features or surface traces of human activity as well. Camps particularly have the potential to impact archaeological and historic sites as the basic features of a good camp site—proximity to water, access, level ground and good drainage—have not changed over time and good locations will tend to be re-used over decades, hundreds or even thousands of years.

LINEAR ACCESS (WINTER)
Although generally low impact, new linear access such as roads or trails constructed for winter use have the potential to impact fragile built heritage such as brush camps and traps and snares that may be concealed beneath a layer of snow. Occasionally, winter roads require ground work to address grade issues: particularly where ground work occurs at stream crossings, this may impact both historic and archaeological resources.

LINEAR ACCESS (ALL-SEASON)
Development of all-season roads may substantially impact both above ground and buried (archaeological and palaeontological) heritage resources. Impacts increase relative to the extent of the construction and depending on whether construction is located in a sensitive zone (riparian zones and alpine sites, for example). Linear heritage features, such as traditional or historic trails, could be significantly impacted by multiple crossings, or continuous construction along the route.
Left: All-season access impacting historic mining features
Bottom left: Old foot trail
Below: Winter trail
Bottom right: Remains of a historic cabin

Opposite page:
Top: Stone knife and flakes exposed on the ground surface in a subalpine site
Centre: Frame of an old canvas-covered canoe cached on a lake shore
Bottom left: Boiler and steam points at an historic placer mining camp
Bottom right: Ice age fossil bones at a placer mine in the Klondike
4. Identifying Heritage Resources

Heritage resources are defined in the Yukon Historic Resources Act as “historic resources” and include historical, archaeological and palaeontological sites and objects. Historic resources are abandoned sites and objects of greater than 45 years in antiquity. Cabins, caches, brush camps, and other man-made structures, features or objects are the most readily recognized historic resources. Historic burials are protected under the Historic Resources Act as well.

Archaeological resources may be historic in age or may date to before European contact. Prehistoric archaeological resources may be found on or under the ground surface, and generally consist of the remains of ancient camps, hearths, stone tools and debris resulting from making and using stone tools.

Palaeontological resources are fossil and other remains of extinct or prehistoric plants and animals. These include bones of mammoth, horse, bison and other ice age fauna as well as fossil remains and traces of plants, vertebrate and invertebrate animals. The Government of Yukon publication Handbook for the Identification of Heritage Sites and Features can assist in identifying heritage features and sites on the land, contributing to their preservation and protection (www.tc.gov.yk.ca/pdf/Heritage_Handbook_2007.pdf).
4. Identifying Areas of Heritage Potential

Many best practices recommend avoiding or reducing impacts to areas of high heritage potential. What are areas of “heritage potential” and how can they be recognized? Areas of heritage potential are places where there is a likelihood that archaeological or palaeontological sites or resources will be encountered. In terms of archaeological sites, areas of heritage potential are often places that people would consider a good camp site, or a game lookout; or a good spot to net fish or gather berries. Elevated, flat, well-drained, close to water, and with a good view are often key elements to identifying areas of heritage potential.

To date, mapping of heritage potential has been completed for the Klondike and Mayo Mining Districts (comprising major portions of the Klondike Plateau and Yukon Plateau North ecoregions) and is available by contacting the Yukon Archaeology Office. Outside of these regions, landscape features with high heritage potential can be mapped for a specific project area as needed, with the use of high resolution orthophotos. Archaeologists undertake the systematic mapping of areas of heritage potential by looking at known patterns of prehistoric and historic land use for a region and identifying certain terrain types and landscape features as likely locations for camps, travel routes or as strategic resource areas. Data used in mapping heritage potential include previous archaeological survey reports; archival and ethnographic sources; traditional land use information; wildlife, fish and other resource information; and digital map data which provide information on ecology, landforms, elevation and drainage.

Areas in proximity to water bodies, such as lake and river terraces and dry ground near wetlands; prominent lookout situations on terraces, ridges and knolls; and combinations of these landscape zones are considered generally to be of high heritage potential. Depending on the region, other high potential localities may include shorelines of pro-glacial and neo-glacial lakes, meltwater channels, ancient river terraces and abandoned drainages: both ancient landscapes and possibly different prey species such as bison, elk and musk-ox, must be factored into reconstruction of past land use patterns.

Heritage resources in high latitude and alpine and subalpine areas where little or no soil development has occurred are particularly vulnerable to disturbance. Traces of human activity may include stone tent rings, stone hunting blinds and meat caches, and remains of camps where stone tools and chips have remained on the ground surface for thousands of years. Disturbance of stone features and trampling of artifacts is a concern in these areas.

Areas of high potential for palaeontological resources correspond in large part to the unglaciated regions of northern and central Yukon. In these regions, frozen silts and loess deposits have preserved exceptional
evidence of ice age animals and environments. As these sediments are exposed, either through the action of modern rivers or as a result of mining activities, well preserved bone and plant materials may be found that may date between 10,000 and 200,000 years old or older. Of greater antiquity are fossils of invertebrate animals (e.g., shells, trilobites), vertebrates (e.g., fish), and plant impressions that may be discovered in bedrock throughout the Yukon, especially in alpine areas with abundant outcrops.

5. Legislative and Regulatory Protection for Heritage Resources

Although this document is intended to recommend a range of best management practices advice it is important that the regulatory requirements relating to heritage resources management and protection are also understood by land users and applicants for Yukon land. Heritage resources are protected from disturbance under the Yukon Historic Resources Act. The Government of Yukon is responsible for managing heritage resources on non-settlement land and outside of national parks and nationalhistoriac sites. On First Nations settlement land, heritage resources are owned and managed by the First Nation. No one may search for, investigate, excavate, disturb or otherwise alter a historic site on Yukon lands except in accordance with a permit under the Yukon Archaeological Sites Regulation. No objects may be removed from a historic site without a permit under the Yukon Archaeological Sites Regulation. Permits are issued only to qualified researchers (usually professional archaeologists).
Land Use
Temporary use of territorial (Yukon) lands is regulated by the Land Use Regulations pursuant to the *Territorial Lands (Yukon) Act*. Activities such as trail/access construction or use, establishment of camps, brushing/clearing, use of heavy machinery or fuel storage above certain thresholds, require a Land Use Permit and are reviewed under the *Yukon Environmental and Socio-economic Assessment Act* (YESAA). As part of the YESAA review, a proponent may be required to provide adequate information to allow the evaluation of the likelihood and significance of adverse effects of the project on heritage resources, and identify proposed mitigation measures. The Yukon Archaeology office can assist providing information on heritage resources for a project.

Specific Provisions in the Land Use Regulations protecting Heritage Resources:

9. No permittee shall, unless expressly authorized in their permit or expressly authorized in writing by an inspector,
   (a) conduct a land use operation within 30 m of a known monument or a known or suspected archaeological site or burial ground;

15. Where, in the course of a land use operation, a suspected archaeological site or burial ground is unearthed or otherwise discovered, the permittee shall immediately
   (a) suspend the land use operation on the site; and
   (b) notify the engineer or an inspector of the location of the site and the nature of any unearthed materials, structures, or artifacts.

Land Applications and Agricultural Applications
The disposition of territorial (Yukon) lands is governed by the *Yukon Lands Act* and *Territorial Lands (Yukon) Act*.

Rural residential subdivisions, agricultural subdivisions or cottage lots planned by Government of Yukon are assessed by the Yukon Archaeology office in advance of development to address the protection of any heritage resources that may be present in these locations.

Applications made by the public for rural residential land (spot land applications), rural lot expansions or agricultural land are sent to the Yukon Archaeology office for review to identify any heritage resources concerns. Because archaeological inspections can only be carried out in frost-free conditions, inspections are
limited to the summer months. Applicants should be aware that this may delay the processing of applications. Once the inspection of the parcel is completed and if heritage resources are found to be present, recommendations will be made to the Land Management or the Agriculture Branch to reconfigure the parcel to exclude these resources. If avoidance of the heritage site is not possible through parcel reconfiguration, recommendations will be made to relocate the parcel. The Yukon Environmental and Socio-economic Assessment Board requires a heritage resources assessment report prepared by the Yukon Archaeology office for all land and agricultural applications entering the YESAA review process (www.yesab.ca/wp/wp-content/uploads/2013/04/Completing-a-Land-Disposition-Project-Proposal-PRINT.pdf).
6.0 Best Management Practices

What are Best Practices?

- A range of practices that can reduce the time, intensity or duration of the footprint on the land base – not usually prescriptive;
- Innovative, creative and responsive measures or approaches intended to deal with unique cultural, economic, ecological and geographical sensitivities;
- Planning tools or strategies that increase the chances of meeting the long-term goals and objectives of each project;
- Selected on the basis of unique, site specific conditions that reflect natural background conditions and political, social, economic, and technical feasibility;
- Objective driven; risk and results based; and promote a flexible approach to government, affected party and industry cooperation;
- Not standards which are measured or evaluated for compliance purposes nor intended to provide guidance about what is or is not an appropriate land use for a particular region; and
- Should not be regarded as either exhaustive or restrictive. Additional or different information for a particular project may be required.

The Purpose of Best Management Practices:

- Ensure the protection of heritage resources is accommodated in the design and planning of development projects;
- Help guide developers, stakeholders and regulators in determining the appropriate way to carry out exploration and development activities to address heritage resource protection;
- Contribute to the establishment of viable and economic renewable and non-renewable resource industries;
- Conserve biodiversity and protect the essential characteristics and functions of the environment; and
- Promote a better understanding of responsible environmental stewardship and sensitivity to community interests in renewable and non-renewable resource exploration and development in Yukon.
**LAND USE AND LAND APPLICATIONS BMP FOR HERITAGE RESOURCES**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Recommended Actions</th>
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| General and project planning | • Obtain information on the location of heritage sites (historical, archaeological and palaeontological) and historic grave sites in the project area from Government of Yukon (and First Nations if project is on settlement lands).  
                          • Be aware of areas of heritage potential in the project area (see Section 3.1); build this knowledge into project planning.  
                          • Heritage sites are to be avoided and buffered from any disturbance. A minimum 30 m buffer is required by law but there may be circumstances in which this buffer should be increased. If the full extent of a heritage site is not known, or if a burial is discovered, larger buffers are recommended.  
                          • The *Historic Resources Act* requires that newly discovered heritage sites and objects be reported to the minister responsible for heritage (or to the First Nation if found on settlement lands).  
                          • Human remains found outside of a recognized burial site must be reported first to the RCMP. Please refer to *Guidelines Respecting the Discovery of Human Remains and First Nation Burial Sites in the Yukon* for additional information ([www.tc.gov.yk.ca/pdf/respecting_guidelines_her_1999_08.pdf](http://www.tc.gov.yk.ca/pdf/respecting_guidelines_her_1999_08.pdf)). |
                          • Heritage sites are to be avoided and buffered from any disturbance. A minimum 30 m buffer required by regulation may be increased depending on the sensitivity of the site to disturbance, or uncertainty around the extent of the site. |
# Land Use and Land Applications BMP for Heritage Resources

<table>
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<th>Activity</th>
<th>Recommended Actions</th>
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| **Brushing/clearing and line cutting** | - Newly discovered heritage sites should be reported to the Yukon Archaeology office.  
- Should heritage resources be discovered in the course of project activities, operations at that location must cease and the Yukon Archaeology office must be informed of the location and nature of the site.  
- Human remains found outside of a recognized burial site must be reported first to the RCMP. Please refer to *Guidelines Respecting the Discovery of Human Remains and First Nation Burial Sites in the Yukon* for additional information (www.tc.gov.yk.ca/pdf/respecting_guidelines_her_1999_08.pdf) |
| **Camps**                         | - Where possible, locate camps in existing clearings or former camp sites. Please be aware that historically cleared areas and camps may in fact contain significant heritage potential if they have not previously been assessed.  
- Locate camps where they can be accessed by existing road and trail networks. Be aware that historic trails and roads may contain heritage resources. In addition, it is important to recognize that a site that is now naturally recovered or partially reclaimed may not be appropriate for re-use. Many of the roads and trails constructed in the past were built with little regard for appropriate siting guidelines and a proponent may be better off siting a camp or road using appropriate guidelines and engineering specifications that may not have been in place when the feature was originally constructed.  
- Locate camps and associated facilities at ideally 100+ m from water bodies. A majority of heritage sites are located within 100 m of water.  
- Reconnoitre area of new clearings to ensure that no heritage sites or features are present. Brushing and tree clearing should avoid ground disturbance as much as possible to protect any buried heritage resources.  
- If possible, practice ‘no-trace’ camping to avoid impacting heritage resources as well as the environment ([www.environmentyukon.gov.yk.ca/camping/leavenotrace.php](http://www.environmentyukon.gov.yk.ca/camping/leavenotrace.php)) |
| **Linear access (winter)**        | - Obtain information on the location of heritage sites (historical, archaeological and palaeontological) and historic grave sites in the project area from Government of Yukon, and First Nations to assist in avoiding sensitive areas when planning road route.  
- Use existing access and trails whenever possible. However, old foot trail routes are likely to have in association old camps, burials and other cultural remains that may be impacted by winter road construction. Avoid placing winter roads on old foot trails. Information on the location of historic and traditional trails may be available from First Nations or Yukon government who have mapped many of the trails.  
- If possible, avoid areas of excessive grade which require ground preparation. |
<table>
<thead>
<tr>
<th>Activity</th>
<th>Recommended Actions</th>
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<tbody>
<tr>
<td>Linear access (all-season)</td>
<td>• Use existing access whenever possible and appropriate.</td>
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<tr>
<td></td>
<td>• It should be noted that historical access trails that have now recovered or revegetated should not be considered as ‘existing access’. It may be that these trails were originally constructed without adequate consideration of appropriate routing and sensitivities including the presence of heritage values.</td>
</tr>
<tr>
<td></td>
<td>• Reconnoitre all access and trail routes and airstrip locations to ensure surface heritage sites and features (camps, caches, graves) are not impacted. Government of Yukon publication Handbook for the Identification of Heritage Sites and Features can assist in identifying heritage features and sites on the land (<a href="http://www.tc.gov.yk.ca/pdf/Heritage_Handbook_2007.pdf">www.tc.gov.yk.ca/pdf/Heritage_Handbook_2007.pdf</a>)</td>
</tr>
<tr>
<td></td>
<td>• When possible, situate access roads and trails and airstrips 100 m away from streams, rivers and other water bodies, and 30 – 60 m back from the edge of terraces, ridges and other elevated land forms as these are areas of high heritage potential.</td>
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<tr>
<td></td>
<td>• Stream crossings should be minimized: stream banks and terraces are known to be areas of high heritage potential.</td>
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<tr>
<td></td>
<td>• Side-slope construction minimizes the likelihood of impacting heritage resources.</td>
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<tr>
<td></td>
<td>• Plan to undertake a heritage resource impact assessment in advance of significant access development (+ 2 km) or airstrip construction. Heritage assessment ideally should be part of route/location planning. Contact the Yukon Archaeology office for assistance in identifying areas of concern and assessment scope.</td>
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</table>
7. Obtaining Information about Archaeological, Palaeontological and Historic Sites

Information on the location of known heritage sites and resources can be obtained from the Yukon Archaeology office and from First Nations heritage offices. Coordinates provided for some sites may not be precise, however, particularly for sites identified prior to the development of precision GPS technology. In some instances, coordinates may map up to 200 m from actual site location. Site locations are provided as point data, usually marked at the centre of a site. Sites vary in extent and size however, and information regarding this is located in the site record. Particular care must be taken if activities are planned in the vicinity of a heritage site. Development activities are not permitted within 30 metres of a known or suspected archaeological or historic site or a burial site.
8. Reporting

Historic and Archaeological Sites

If a historic or archaeological site or resource is discovered, work at this location must be halted and the site marked or flagged and buffered from any further disturbance by at least 30 metres.

Generally, for newly discovered sites and resources, the following information is recorded:

- GPS location: latitude/longitude or UTM coordinates and NAD (27 or 83).
- Estimate of site or feature extent (area).
- Brief description of setting and access to assist others in locating the site.
- Brief description of site features (e.g., cabin with collapsed cache and scatter of household items).
- Photographs.

Report heritage sites and features to:

YUKON ARCHAEOLOGY OFFICE
Heritage Resources Unit - Cultural Services Branch
Department of Tourism and Culture
Government of Yukon
Box 2703,
Whitehorse, Yukon Y1A 2C6
Phone: 867-667-5983 or toll-free 1-800-661-0408
Email: Heritage.Resources@gov.yk.ca
Palaeontological Resources

In the event that fossil bone and tusk is uncovered, collect as much of the animal as can be located and preserved try to verify whether it is a single intact skeleton or whether multiple animals are represented. In the event that a single intact skeleton is found, or mummified remains which preserve the hide of flesh of the animal, avoid further disturbance as these finds are of considerable scientific importance. Protect or remove the remains (with intact surrounding sediments) until they can be collected and conserved by the Yukon Palaeontology office.

Report palaeontological resources to:

YUKON PALAEONTOLOGY OFFICE
Heritage Resources Unit - Cultural Services Branch
Department of Tourism and Culture
Government of Yukon
Box 2703, Whitehorse, Yukon Y1A 2C6
Phone: 867-667-8089
or toll-free 1-800-661-0408
Email: Heritage.Resources@gov.yk.ca

Above: Fossil woolly mammoth tusks and a bison skull and ribs recovered by placer miners in the Klondike gold fields
Top: Hunting blind constructed of large boulders at an alpine hunting site
Mammoth molar tooth (above) and leg bone (left) recovered by placer miners in the Klondike gold fields

Opposite page:
Top right: Soil sampling trench
Lower right: Fossil locality under study on the Crow River in northern Yukon
9. References: Legislation, Policy and Standards for Heritage Site Conservation and Management

Government of Yukon Links

Heritage Resources Unit – Archaeology Program:
www.tc.gov.yk.ca/archaeology.html

Heritage Resources Unit – Palaeontology Program:
www.tc.gov.yk.ca/palaeontology.html

Historic Sites Unit:
www.tc.gov.yk.ca/historicsites.html

Policy and Guidelines

Guidelines Respecting the Discovery of Human Remains and First Nation Burial Sites in the Yukon:


Parks Canada - Standards and Guidelines for the Conservation of Historic Places in Canada
www.historicplaces.ca/en/pages/standards-normes

Government of British Columbia Archaeological Impact Assessment Guidelines
www.for.gov.bc.ca/archaeology/docs/impact_assessment_guidelines/index.htm

Legislation

Yukon First Nation Umbrella Final Agreement

Historic Resources Act

Archaeological Sites Regulation

Yukon Environment and Socio-economic Assessment Act
www.yesab.ca

Territorial Lands (Yukon) Act – Land Use Regulation