



Tourism and Culture
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HERITAGE RESOURCES
DEPARTMENT OF TOURISM AND CULTURE

Position Statement
Historic Resources Impact Assessment and Mitigation Requirements Related to Land
Altering Developments

Objectives

In order to fulfil the government of Yukon's commitment to preserve and protect historic resources as identified in the Yukon First Nation Umbrella Final Agreement and the Yukon Historic Resources Act the Government of Yukon, Department of Tourism and Culture has identified the following objectives:

1. To avoid unnecessary impacts to all historic resources sites;
2. To preserve the most important historic resource sites wherever technically and economically feasible.
3. To promote the recovery of information and specimens of value from those historic resource sites which cannot be preserved.

In order to meet the above objectives, the following shall be considered to be the allocation of responsibilities:

Responsibilities

1. The developer shall be responsible for the conduct of sufficiently detailed studies in the planning stage to enable the preparation of an historic resource impact assessment report, and for the production of such a report.
2. The Heritage Resources Unit of the Department of Tourism and Culture will be responsible for the technical and professional review of historical resource impact assessments and the preparation of review statements concurring with, rejecting or requesting a modification to such recommendations relative to historic resource sites which cannot be avoided by the development because of technical or economic limitations.
3. The developer is responsible for the conduct of all mitigative measures deemed appropriate at historical resource sites which cannot be avoided by the development because of technical or economic limitations.

4. Where the Heritage Resources Unit and the developer cannot agree on appropriate mitigative measures (as above), the Minister of Tourism and Culture will be responsible for the final decision as to appropriate mitigative measures to be undertaken in situations where historical resource sites cannot be avoided by a development because of technical or economic limitations.
5. The responsibilities of the developer will be the same for both government and private agencies.

In order to meet the respective responsibilities, the following shall be considered to be the normal procedures for implementation:

Implementation

1. At the planning stage of any major development; and well prior to the commencement of any ground surface disturbance, an inventory of the historic resources to be affected by the development will be prepared by the developer, utilizing information obtained from archival sources when available and field reconnaissance when necessary.
2. On the basis of this inventory the developer will prepare a historic resources impact assessment report which details the nature and location of each historic resource site, the potential effect of the development on each historic resource site, and the proposed mitigative measures to be undertaken by the developer to minimize the loss of historic resources relative to each site that cannot be avoided by the development because of technical and or economic limitations.
3. The historic resources impact assessment report will be reviewed by the Heritage Resources Unit, Department of Tourism and Culture, prior to the commencement of land surface disturbance by the development. The Heritage Resources Unit will accept reject or request modifications to the report and its recommendations as appropriate.
4. The development will be permitted to proceed in accordance with the recommendations of an acceptable historic resource impact assessment report, provided such mitigative measures as are deemed necessary are carried out in advance of any possible modification, damage or destruction of the said historic resource.

A Note on Policies Governing the Provision of Core and Special Services by the Heritage Resources Unit

Cost/Funding Responsibilities

Core Heritage Resources Unit services are defined as those which produce goods, services, or information for the public generally. The costs of core services are covered through normal departmental appropriations provided by legislature. Special services are those which are not supplied to the general public; they are designed to provide goods, services or information required by particular clients. The costs of providing special services are charged to the users of these services.

The Yukon Government's Heritage Resources Unit operates a number of core historic resource programmes that provide a range of research, data generation and regulatory services which are pertinent to historic resource management in the Yukon. However, the core programmes generally do

not provide a level of service or information on specific locales and potential development impacts at the level of detail required in the planning or regulation of individual development projects. Where it is not feasible to have private sector interests produce the knowledge, data or service needed for particular development projects the Historic Resources Unit of the Department of Tourism and Culture will, at the user's cost, undertake special programmes to meet these requirements.

In the case of resource development projects in the Yukon, the Heritage Resources Unit, Department of Tourism and Culture provides the following position to define the financial responsibilities of both government and industry with respect to the regulation of these projects. The principal elements of this position are as follows:

1. Through its core programmes, the Heritage Resources Unit, Department of Tourism and Culture, is responsible for bearing the costs of:
 - Past and ongoing baseline studies
 - Administrative review;
 - Routine government surveillance
 - Routine monitoring

 2. Industry is responsible for bearing the costs of:
 - Studies, specific to an individual project, which are conducted by government as a special service;
 - Provision of information that industry is required to supply to the responsible department for its environmental impact statements under the Canadian Environmental Assessment Act/Yukon Environmental Assessment Act, including costs of research that industry must buy from government if not available elsewhere;
 - Inspection and reporting by industry to comply with government surveillance requirements;
 - Studies specific to a class of similar projects;
 - Extraordinary costs of government surveillance.

 3. Government and industry are to share the cost of accelerated baseline studies, the incremental costs caused by acceleration being charged to industry.
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