



Report on the 2018 Resource Roads Public Engagement Survey Results

Prepared by the
Yukon Bureau of Statistics
for the
Department of Energy, Mines and Resources, Government of Yukon

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Background

The Department of Energy, Mines and Resources (EMR), Government of Yukon, conducted an open, online public engagement survey to collect public input on regulations that govern various aspects of resource roads in the territory. The survey covered a broad range of topics, from defining what a resource road is to managing shared use of resource roads and the closure and decommissioning of resource roads.

The Yukon Bureau of Statistics (YBS) hosted the survey questionnaire online, and EMR advertised the survey on their Land Management webpage and directed readers to the survey link on the Engage Yukon website (engageyukon.ca).

The survey was open to the public from May 25th, 2018 and July 23rd, 2018. A total of 183 respondents completed the questionnaire in this time period. Ninety-four percent of respondents identified themselves as Yukon residents, and 86.3% stated they completed the survey on behalf of themselves while 11.5% stated they were completing the survey on behalf of an organization (a business, non-government organization, or a government).

This report focuses on key results from the public engagement survey. Detailed frequency tables can be found in the appendix.

Survey Results

A. Resource Roads vs. Public Roads

Respondents were first asked if they agreed with the proposal to define a resource road as “a temporary, non-public road (including an ice or winter road) that primarily provides access for industry users to mineral, coal, oil and gas, and aggregate resources, but may include temporary non-public roads that lead to other natural resources (as determined by the Minister).” Almost half (49%) of respondents agreed with this proposal, while 39% disagreed. Eleven percent of respondents had a neutral opinion on the proposed definition (Figure 1).

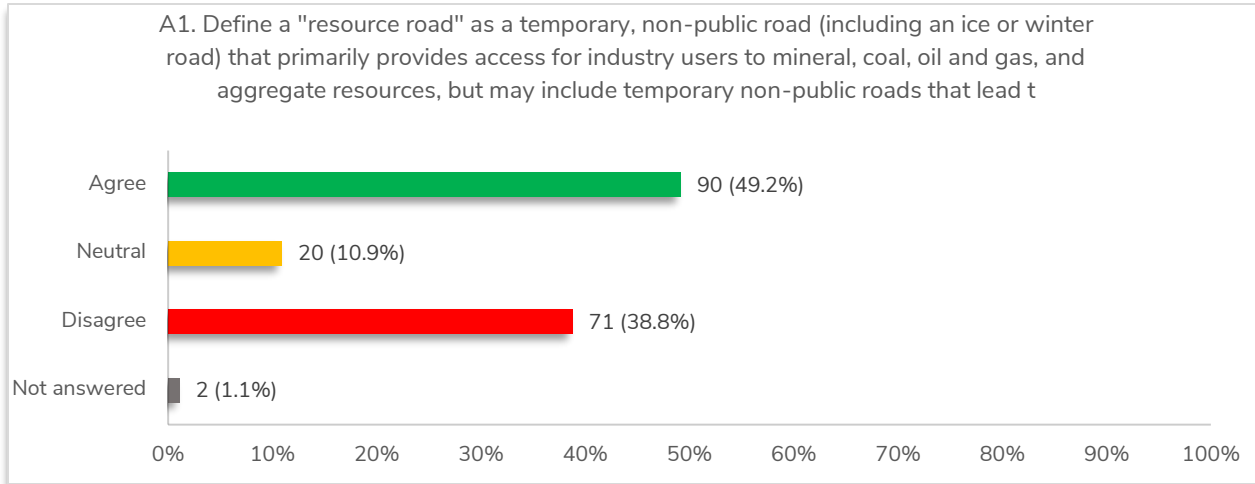


Figure 1 - Distribution of responses to "A1. Define a "resource road" as a temporary, non-public road (including an ice or winter road) that primarily provides access for industry users to mineral, coal, oil and gas, and aggregate resources, but may include temporary non-public roads that lead to other natural resources (as determined by the Minister)."

Next, respondents were asked if they agreed with a proposal to allow for the transfer of an existing road to a resource road. About one-third (32%) of respondents agreed with this proposal, while fifty-seven percent disagreed with this proposal (Figure 2).

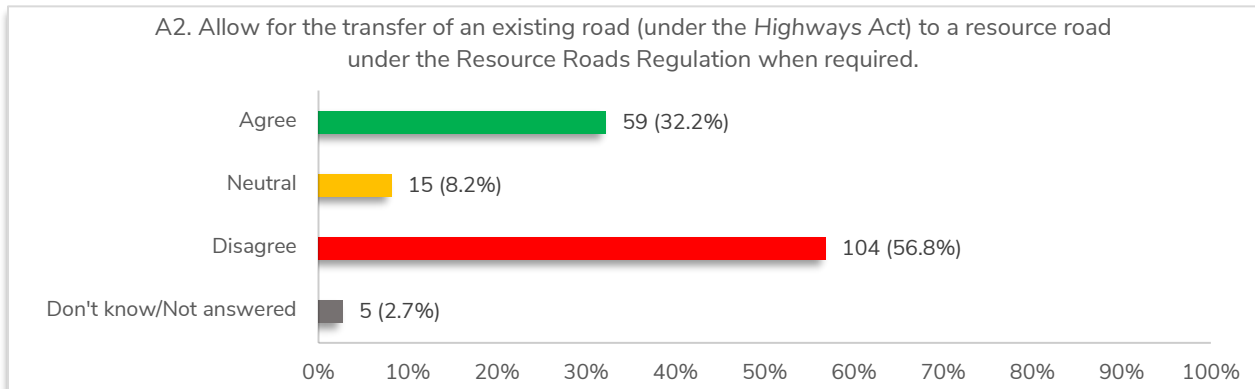


Figure 2 - Distribution of responses to "A2. Allow for the transfer of an existing road (under the *Highways Act*) to a resource road under the Resource Roads Regulation when required."

The last question in this section asked respondents if they agreed with a proposal to require a formal public review prior to changing the status of a road either from a public road to a resource road or from a resource road to a public road. More than three-quarters (77.0%) of respondents agreed with this proposal (Figure 3).

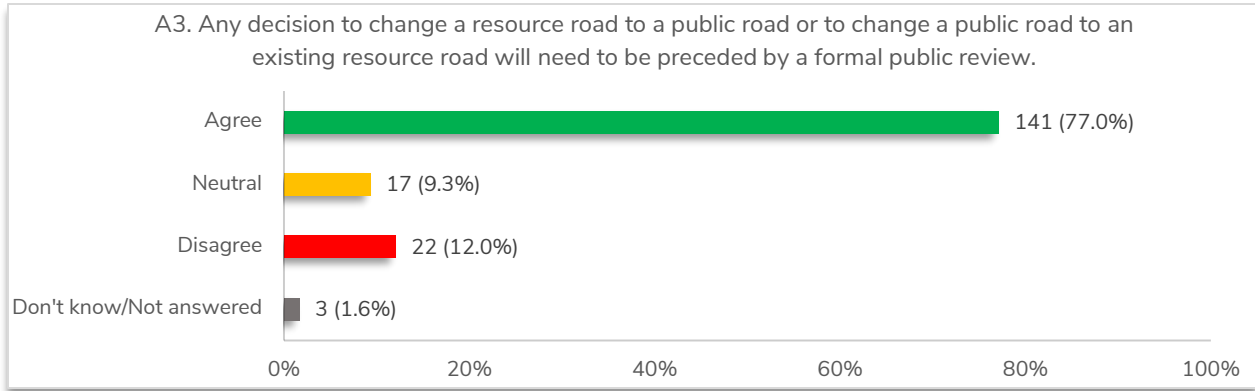


Figure 3 – Distribution of responses to “A3. Any decision to change a resource road to a public road or to change a public road to an existing resource road will need to be preceded by a formal public review.”

B. Controlling Access

In this section, respondents were asked if they agreed with a proposal to restrict access to resource roads to permit holders. Thirty-eight percent of respondents agreed with this proposal, while 55% disagreed (Figure 4).

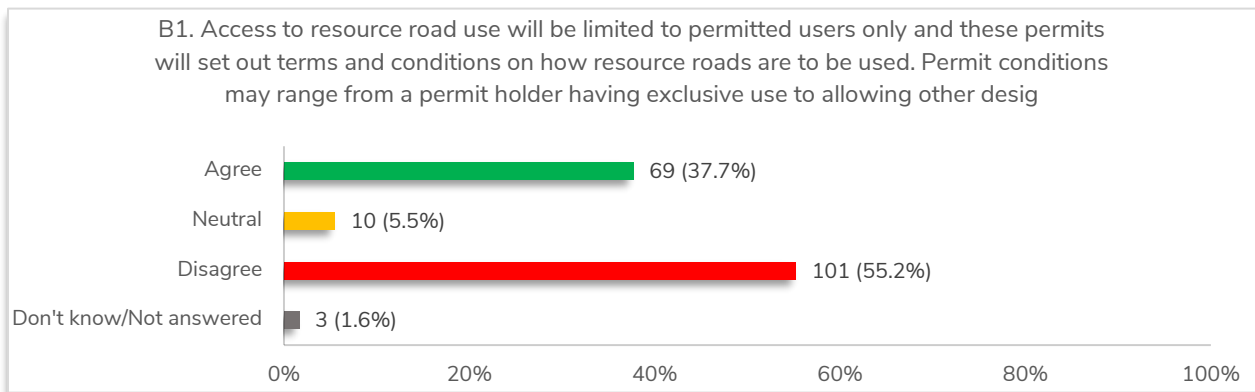


Figure 4 - Distribution of responses to "B1. Access to resource road use will be limited to permitted users only and these permits will set out terms and conditions on how resource roads are to be used. Permit conditions may range from a permit holder having exclusive use to allowing other designated, authorized users to share the road."

C. Managing Shared Use of Resource Roads

When asked if they agreed with a proposal to enable the development of multi-use agreements between resource road users, almost 68% of respondents agreed. About 21% of respondents disagreed with the proposal (Figure 5).

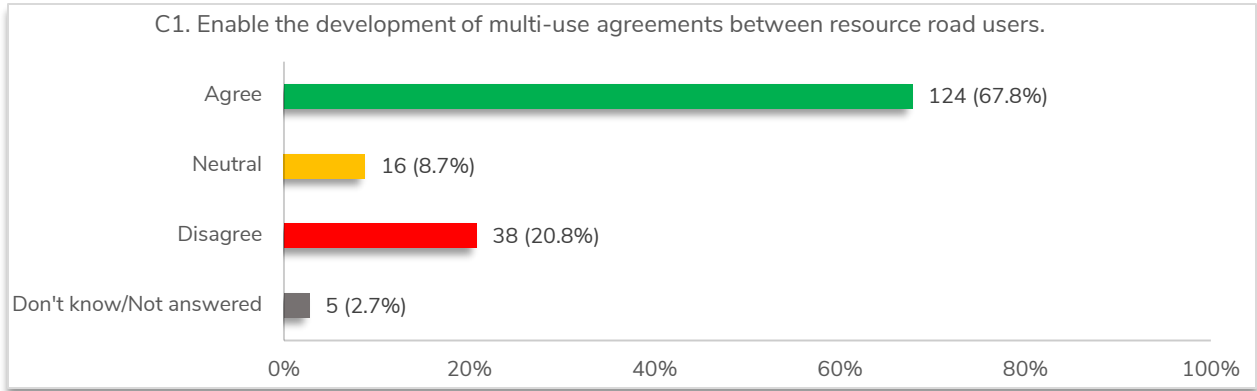


Figure 5 - Distribution of responses to "C1. Enable the development of multi-use agreements between resource road users."

Respondents were next asked if they agreed with authorizing the regulator to set terms and conditions for shared use if permit holders could not come to a shared-use agreement on their own. Opinions were split on this topic — 44% of respondents agreed and 40% disagreed. Another 12% of respondents expressed a neutral opinion (Figure 6).

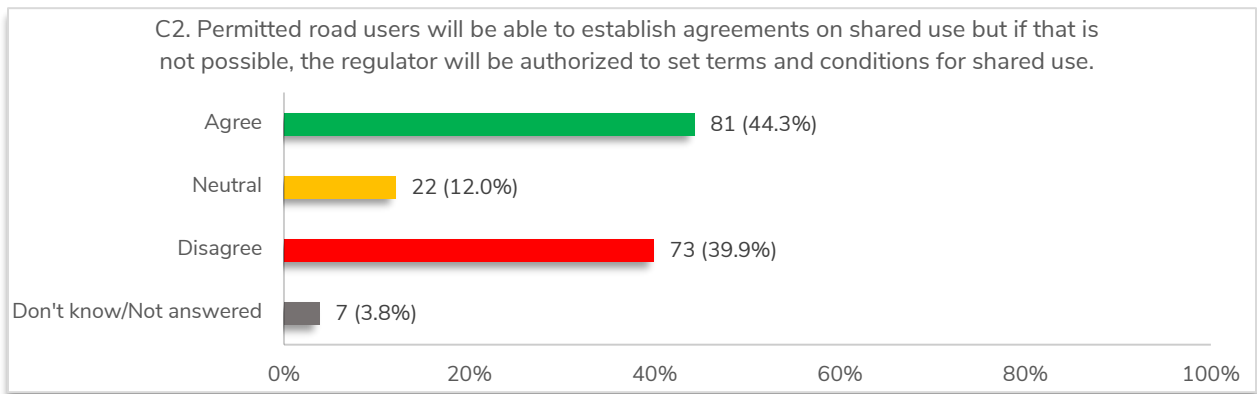


Figure 6 - Distribution of responses to "C2. Permitted road users will be able to establish agreements on shared use but if that is not possible, the regulator will be authorized to set terms and conditions for shared use."

The last question in this section asked respondents if they agreed with a proposal that would require proponents to produce an access management plan to obtain a resource road permit. Fifty-four percent of respondents agreed with this proposal, while 33% disagreed (Figure 7).

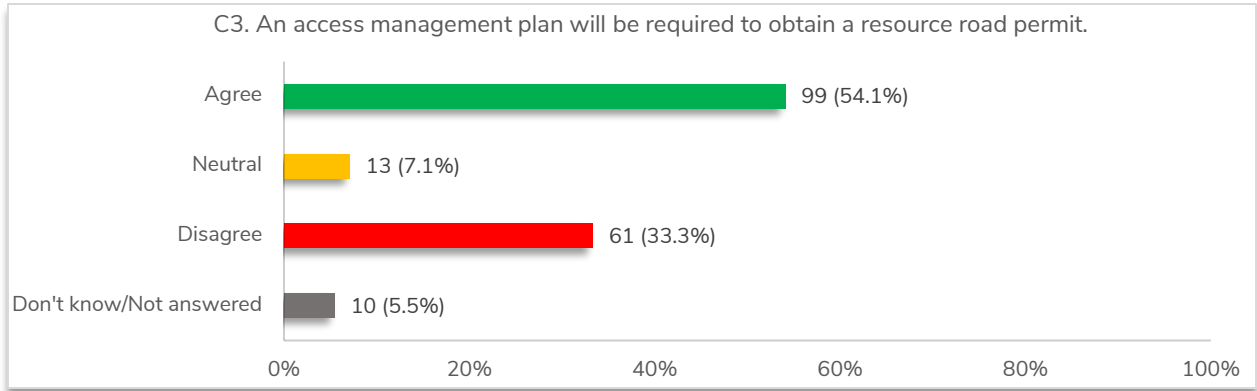


Figure 7 - Distribution of responses to "C3. An access management plan will be required to obtain a resource road permit."

D. Who is Responsible for a Resource Road?

In this section, respondents were first asked if they agreed with a proposal to allow a resource road permit to be transferred from one entity to another. Almost 60% of respondents agreed with this proposal and about 21% disagreed (Figure 8).

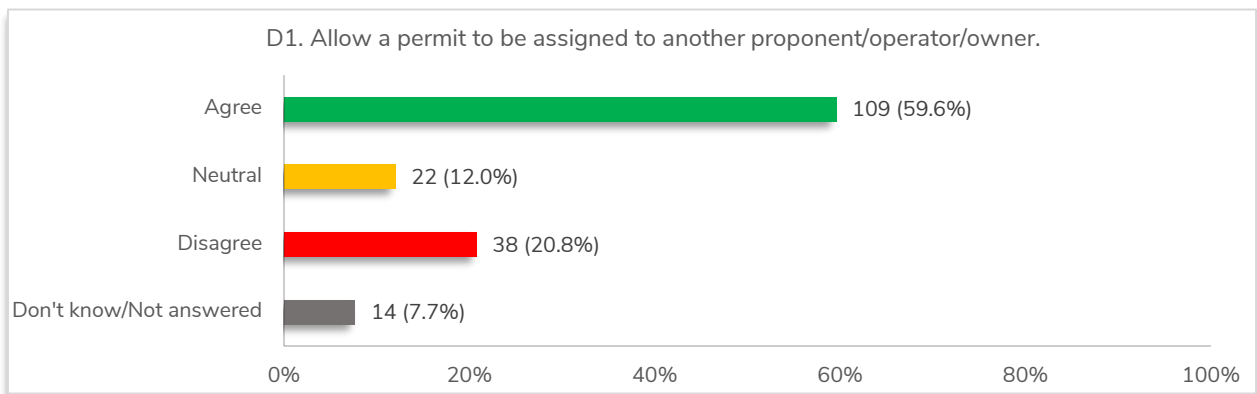


Figure 8 - Distribution of responses to "D1. Allow a permit to be assigned to another proponent/operator/owner."

Respondents were next asked if they agreed with the proposal to allow the responsibility for a resource road to be transferred from one entity to another. About two-thirds of respondents agreed with this proposal, while one-fifth of respondents disagreed (Figure 9).

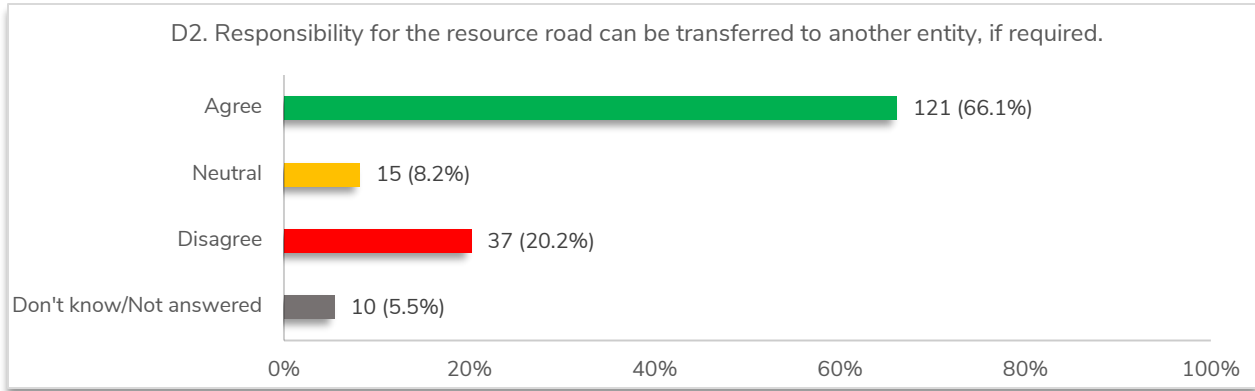


Figure 9 - Distribution of responses to "D2. Responsibility for the resource road can be transferred to another entity, if required."

E. Road Standards

The one question in this section asked respondents if they agreed with a proposal to establish formal road standards for all phases of resource road development. Sixty percent of respondents agreed with this proposal and 31% disagreed (Figure 10).

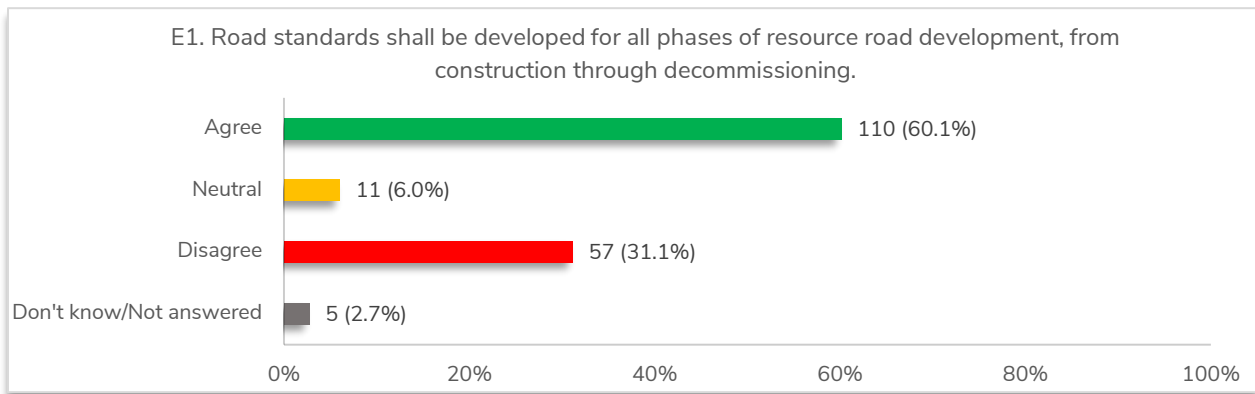


Figure 10 - Distribution of responses to "E1. Road standards shall be developed for all phases of resource road development, from construction through decommissioning."

F. Closure and Decommissioning of Resource Roads and Security

The first question in this section asked respondents if they agreed with the proposal to require that entities seeking to build a resource road to produce a closure and decommissioning plan in order to obtain a resource road permit. Fifty-seven percent of respondents agreed with this proposal, while 29% expressed their disagreement (Figure 11).

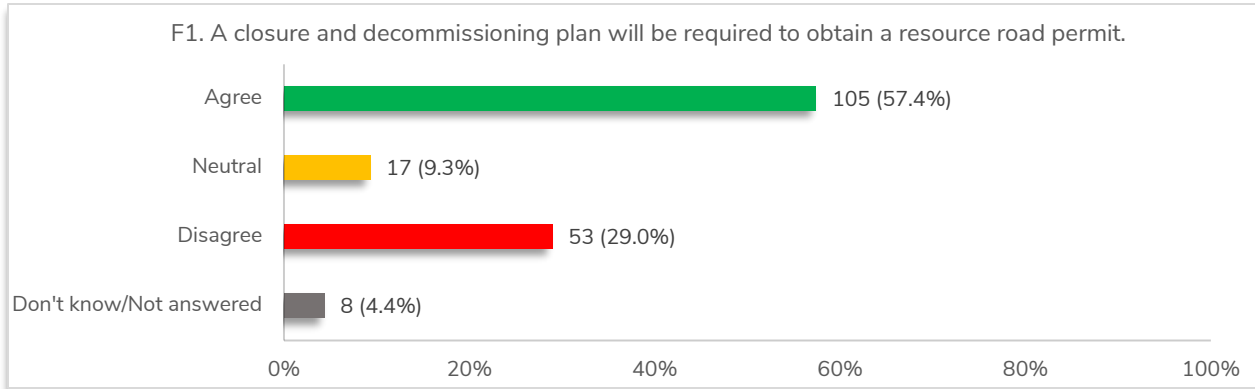


Figure 11 - Distribution of responses to "F1. A closure and decommissioning plan will be required to obtain a resource road permit."

Respondents were next asked if they agreed with a proposal to allow for progressive closure or reclamation requirements. Similar to the distribution of responses to the previous proposal, 57% agreed with this proposal and 29% disagreed (Figure 12).

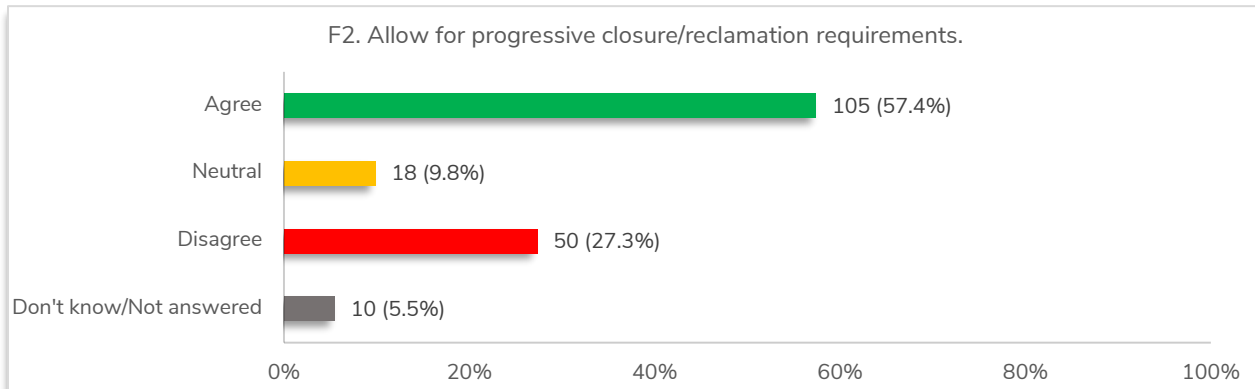


Figure 12 - Distribution of responses to "F2. Allow for progressive closure/reclamation requirements."

Lastly, respondents were asked if they agreed with the proposal that entities seeking to obtain a resource road permit will be required to provide a financial security sufficient to cover the costs of decommissioning and reclamation. Fifty-four percent of respondents agreed with this proposal, while 34% expressed their disagreement (Figure 13).

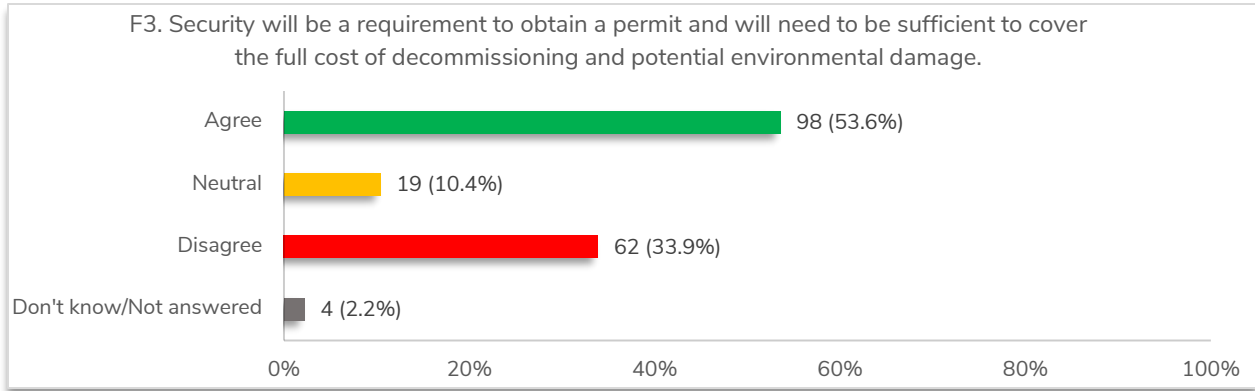


Figure 13 - Distribution of responses to "F3. Security will be a requirement to obtain a permit and will need to be sufficient to cover the full cost of decommissioning and potential environmental damage."

G. How will the Permitting Work?

Current legislation requires that resource road permits expire after a maximum of three years. The first question respondents were asked in this section is if they agreed with a proposal to allow resource road permits to be valid for the entire duration of extraction activities. Fifty-nine percent of respondents agreed with the proposal and 28% disagreed (Figure 14).

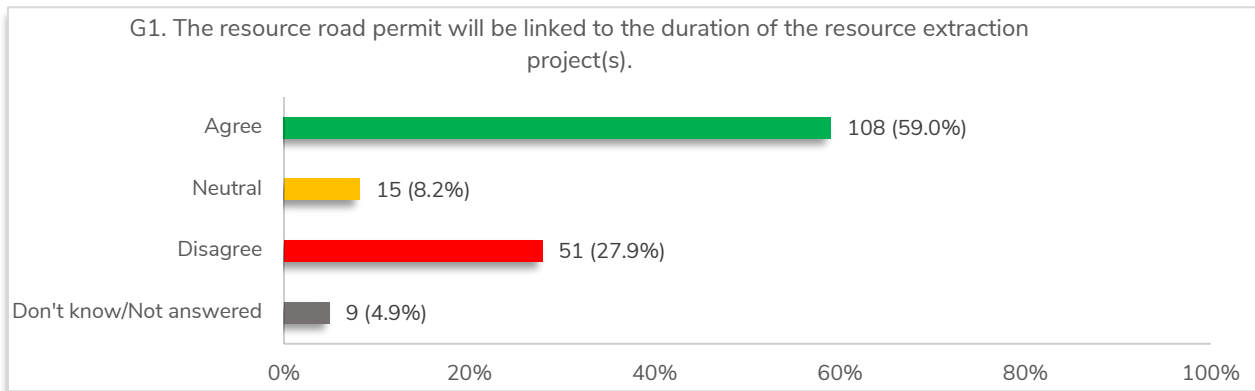


Figure 14 - Distribution of responses to "G1. The resource road permit will be linked to the duration of the resource extraction project(s)."

Respondents were next asked if they agreed with a proposal to allow permits to include terms and conditions aimed at addressing the mitigation of environmental and socioeconomic impacts. Sixty-two percent of respondents agreed with this proposal (Figure 15).

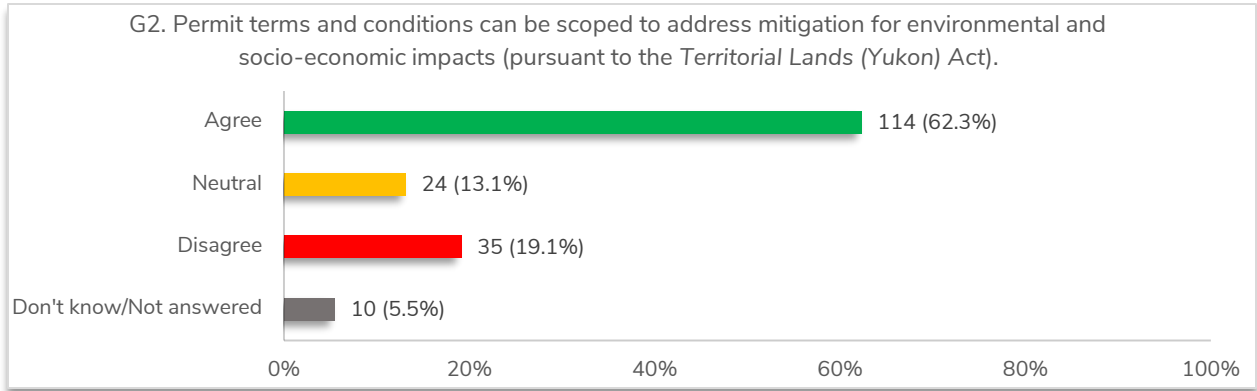


Figure 15 - Distribution of responses to "G2. Permit terms and conditions can be scoped to address mitigation for environmental and socio-economic impacts (pursuant to the *Territorial Lands (Yukon) Act*)."

Lastly, respondents were asked if they agreed with the proposal to align resource road permit terms and conditions with the approved land and resource management plans. Seventy-one percent of respondents agreed with this proposal (Figure 16).

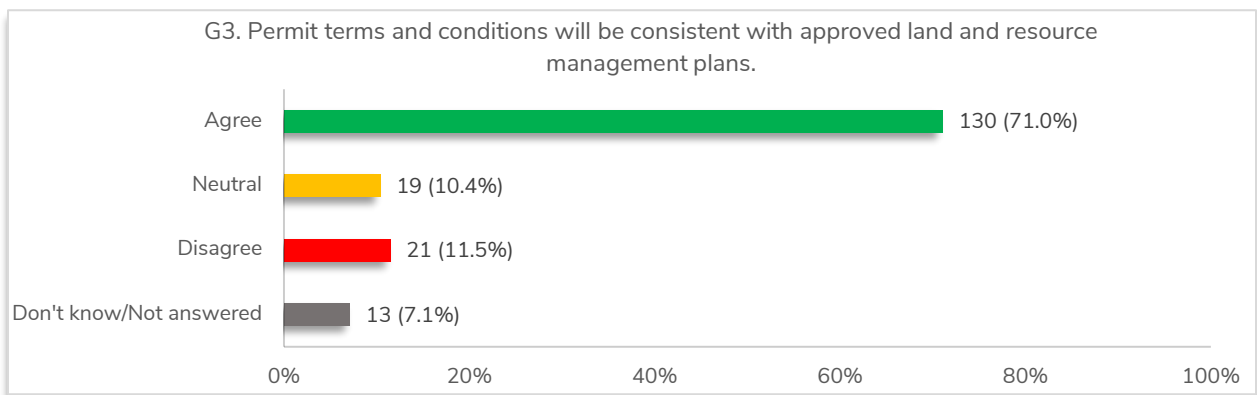


Figure 16 - Distribution of responses to "G3. Permit terms and conditions will be consistent with approved land and resource management plans."

H. Compliance and Enforcement

In this section, respondents were first asked if they agreed with a proposal to increase the range of tools available to ensure compliance with the laws governing use of a resource road. Fifty-five percent of respondents agreed with this proposal, while 28% disagreed (Figure 17).

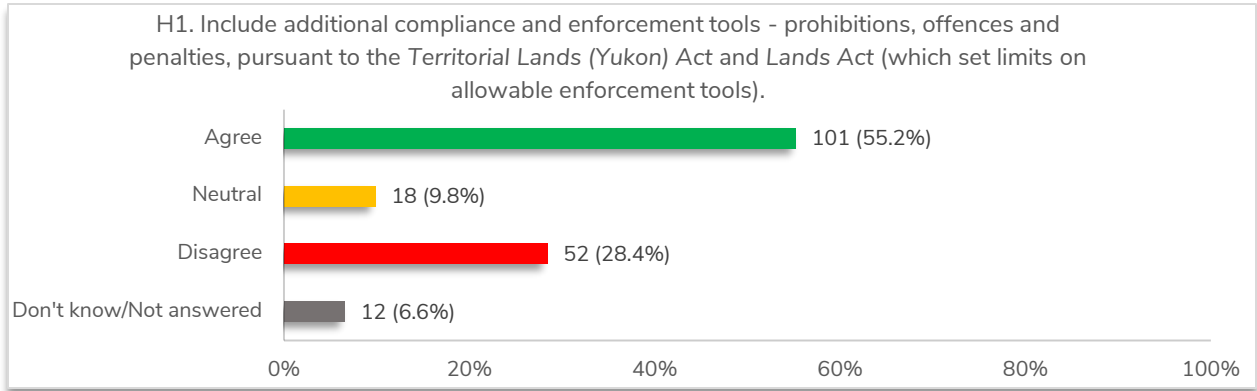


Figure 17 - Distribution of responses to "H1. Include additional compliance and enforcement tools - prohibitions, offences and penalties, pursuant to the Territorial Lands (Yukon) Act and Lands Act (which set limits on allowable enforcement tools)."

Respondents were next asked if they agreed with a proposal to allow tickets to be issued for offenses regarding the use of resource roads. Forty-Eight percent of respondents agreed with this proposal, while 27% expressed their disagreement (Figure 18).

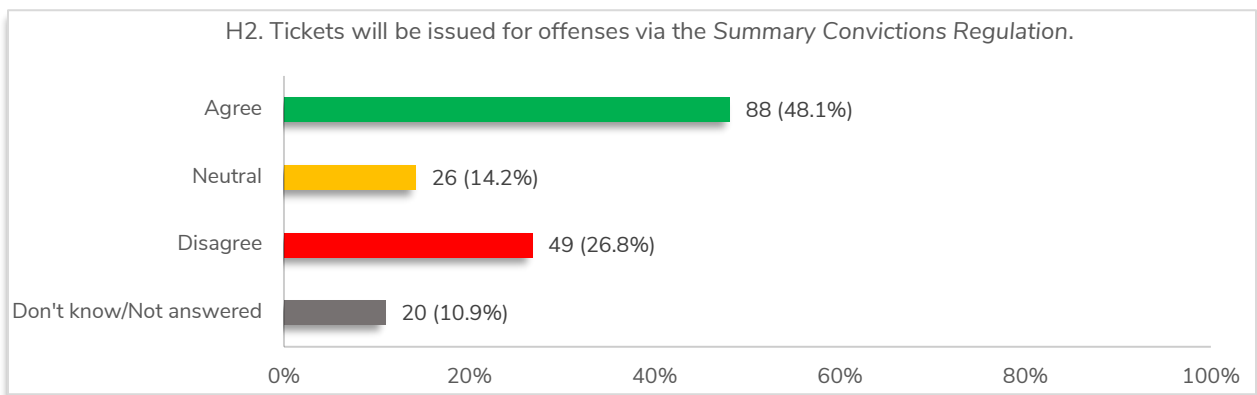


Figure 18 - Distribution of responses to "H2. Tickets will be issued for offenses via the Summary Convictions Regulation."

Finally, respondents were asked if they agreed with a proposal to allow for the amendment, suspension, or cancellation of resource road permits. Almost two-thirds of respondents (65%) agreed with this proposal (Figure 19).

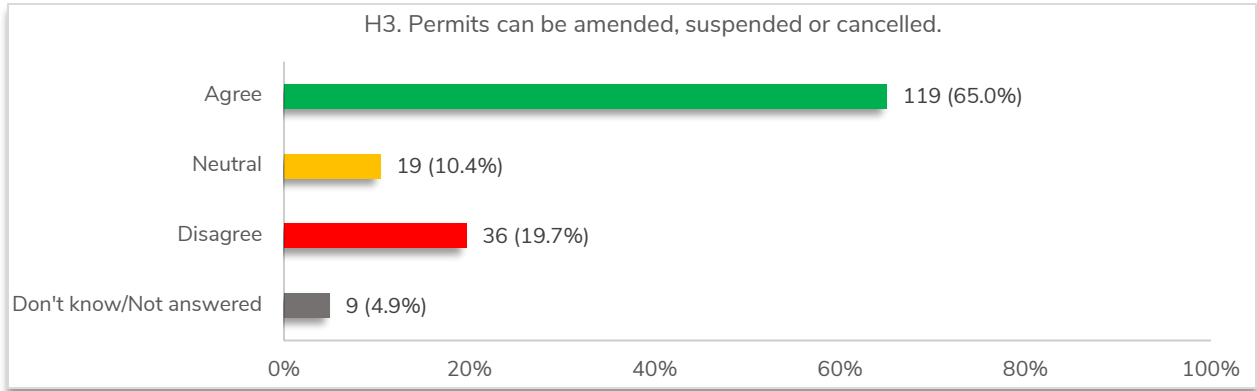


Figure 19 - Distribution of responses to "H3. Permits can be amended, suspended or cancelled."

I. Fees — Land and Road

Respondents were asked if they agreed with the proposal to adopt the same fee structure as is currently enshrined in the *Land Use Regulation* but allowing for the fees to be prorated over the entire life of the resource road permit. Forty-six percent of respondents agreed with this proposal, while 31% disagreed with this proposal. A further 14% expressed a neutral opinion (Figure 20).

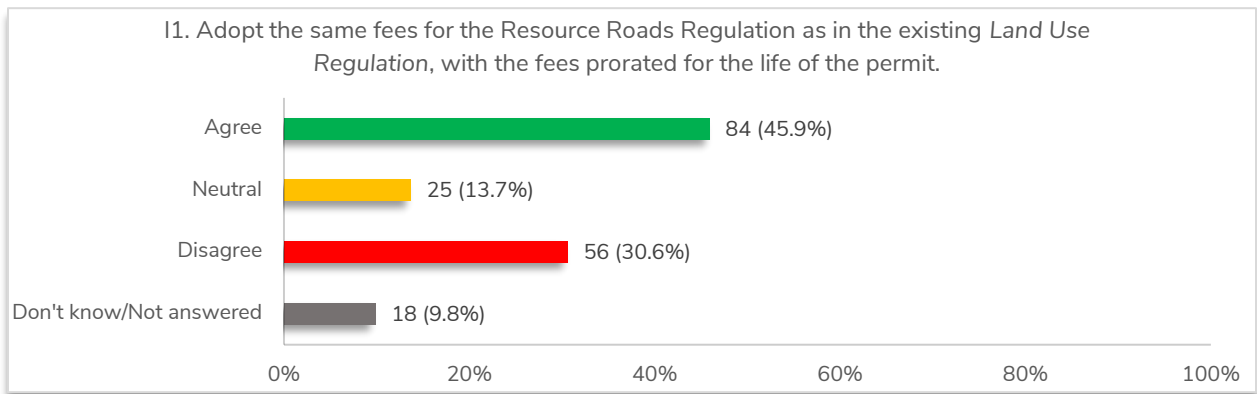


Figure 20 - Distribution of responses to "I1. Adopt the same fees for the Resource Roads Regulation as in the existing Land Use Regulation, with the fees prorated for the life of the permit."

J. Compliance and Enforcement

The first proposal respondents were asked about in this section is to replace the *Land Use Regulation* and the *Mining Land Use Regulations* with the Resource Road Regulation for the purposes of governing resource roads. Forty percent of responses agreed with this proposal, while 27% disagreed and 17% expressed a neutral opinion (Figure 21).

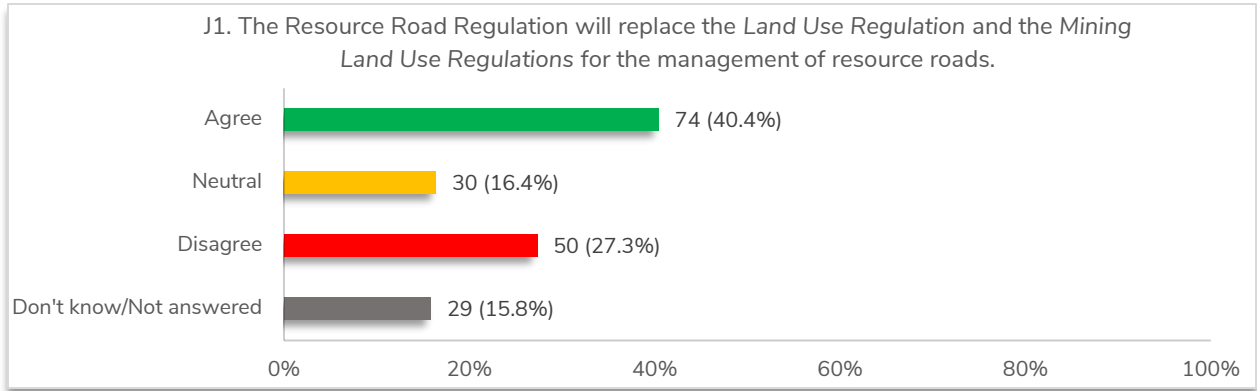


Figure 21 - Distribution of responses to "J1. The Resource Road Regulation will replace the Land Use Regulation and the Mining Land Use Regulations for the management of resource roads."

Next, respondents were asked whether or not they agreed with a proposal that would subject resource roads permitted under current regulations to be subject to the new regulatory framework once their current permits expired. Forty-seven percent of respondents agreed with this proposal, 33% disagreed, and 11% expressed a neutral opinion (Figure 22).

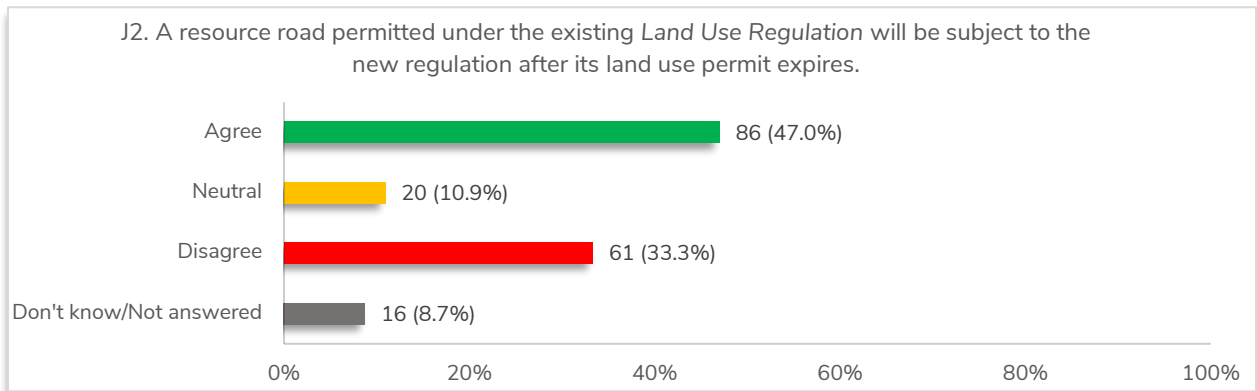


Figure 22 - Distribution of responses to "J2. A resource road permitted under the existing Land Use Regulation will be subject to the new regulation after its land use permit expires."

Finally, respondents were asked if they agreed with a proposal to exclude resource roads from being subject to the *Highways Act*. Just over half of respondents (51%) agreed with this proposal (Figure 23).

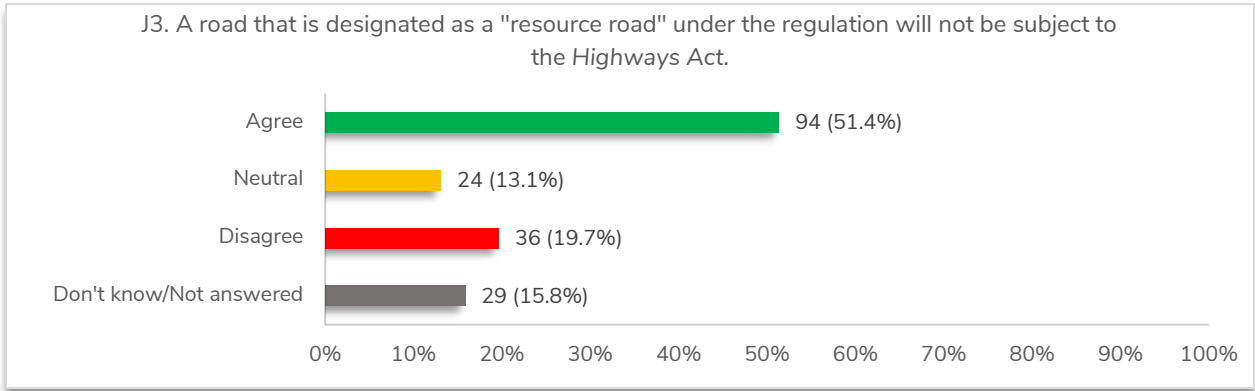


Figure 23 - Distribution of responses to "J3. A road that is designated as a "resource road" under the regulation will not be subject to the *Highways Act*."

Appendix: Detailed survey results

Table 1: A1. Define a "resource road" as a temporary, non-public road (including an ice or winter road) that primarily provides access for industry users to mineral, coal, oil and gas, and aggregate resources, but may include temporary non-public roads that lead to other natural resources (as determined by the Minister).

	Frequency	Percent
Agree	90	49.2%
Neutral	20	10.9%
Disagree	71	38.8%
Not answered	2	1.1%
Grand Total	183	100.0%

Table 2: A2. Allow for the transfer of an existing road (under the *Highways Act*) to a resource road under the Resource Roads Regulation when required.

	Frequency	Percent
Agree	59	32.2%
Neutral	15	8.2%
Disagree	104	56.8%
Don't know/Not answered	5	2.7%
Grand Total	183	100.0%

Table 3: A3. Any decision to change a resource road to a public road or to change a public road to an existing resource road will need to be preceded by a formal public review.

	Frequency	Percent
Agree	141	77.0%
Neutral	17	9.3%
Disagree	22	12.0%
Don't know/Not answered	3	1.6%
Grand Total	183	100.0%

Table 4: B1. Access to resource road use will be limited to permitted users only and these permits will set out terms and conditions on how resource roads are to be used. Permit conditions may range from a permit holder having exclusive use to allowing other designated, authorized users to share the road.

	Frequency	Percent
Agree	69	37.7%
Neutral	10	5.5%
Disagree	101	55.2%
Don't know/Not answered	3	1.6%
Grand Total	183	100.0%

Appendix: Detailed survey results

Table 5: C1. Enable the development of multi-use agreements between resource road users.	Frequency	Percent
Agree	124	67.8%
Neutral	16	8.7%
Disagree	38	20.8%
Don't know/Not answered	5	2.7%
Grand Total	183	100.0%

Table 6: C2. Permitted road users will be able to establish agreements on shared use but if that is not possible, the regulator will be authorized to set terms and conditions for shared use.

	Frequency	Percent
Agree	81	44.3%
Neutral	22	12.0%
Disagree	73	39.9%
Don't know/Not answered	7	3.8%
Grand Total	183	100.0%

Table 7: C3. An access management plan will be required to obtain a resource road permit.

	Frequency	Percent
Agree	99	54.1%
Neutral	13	7.1%
Disagree	61	33.3%
Don't know/Not answered	10	5.5%
Grand Total	183	100.0%

Table 8: D1. Allow a permit to be assigned to another proponent/operator/owner.

	Frequency	Percent
Agree	109	59.6%
Neutral	22	12.0%
Disagree	38	20.8%
Don't know/Not answered	14	7.7%
Grand Total	183	100.0%

Table 9: D2. Responsibility for the resource road can be transferred to another entity, if required.²

	Frequency	Percent
Agree	121	66.1%
Neutral	15	8.2%
Disagree	37	20.2%
Don't know/Not answered	10	5.5%
Grand Total	183	100.0%

Appendix: Detailed survey results

Table 10: E1. Road standards shall be developed for all phases of resource road development, from construction through decommissioning.

	Frequency	Percent
Agree	110	60.1%
Neutral	11	6.0%
Disagree	57	31.1%
Don't know/Not answered	5	2.7%
Grand Total	183	100.0%

Table 11: F1. A closure and decommissioning plan will be required to obtain a resource road permit.

	Frequency	Percent
Agree	105	57.4%
Neutral	17	9.3%
Disagree	53	29.0%
Don't know/Not answered	8	4.4%
Grand Total	183	100.0%

Table 12: F2. Allow for progressive closure/reclamation requirements.

	Frequency	Percent
Agree	105	57.4%
Neutral	18	9.8%
Disagree	50	27.3%
Don't know/Not answered	10	5.5%
Grand Total	183	100.0%

Table 13: F3. Security will be a requirement to obtain a permit and will need to be sufficient to cover the full cost of decommissioning and potential environmental damage.

	Frequency	Percent
Agree	98	53.6%
Neutral	19	10.4%
Disagree	62	33.9%
Don't know/Not answered	4	2.2%
Grand Total	183	100.0%

Table 14: G1. The resource road permit will be linked to the duration of the resource extraction project(s).

	Frequency	Percent
Agree	108	59.0%
Neutral	15	8.2%
Disagree	51	27.9%
Don't know/Not answered	9	4.9%
Grand Total	183	100.0%

Appendix: Detailed survey results

Table 15: G2. Permit terms and conditions can be scoped to address mitigation for environmental and socio-economic impacts (pursuant to the *Territorial Lands (Yukon) Act*).

	Frequency	Percent
Agree	114	62.3%
Neutral	24	13.1%
Disagree	35	19.1%
Don't know/Not answered	10	5.5%
Grand Total	183	100.0%

Table 16: G3. Permit terms and conditions will be consistent with approved land and resource management plans.

	Frequency	Percent
Agree	130	71.0%
Neutral	19	10.4%
Disagree	21	11.5%
Don't know/Not answered	13	7.1%
Grand Total	183	100.0%

Table 17: H1. Include additional compliance and enforcement tools - prohibitions, offences and penalties, pursuant to the *Territorial Lands (Yukon) Act* and *Lands Act* (which set limits on allowable enforcement tools).

	Frequency	Percent
Agree	101	55.2%
Neutral	18	9.8%
Disagree	52	28.4%
Don't know/Not answered	12	6.6%
Grand Total	183	100.0%

Table 18: H2. Tickets will be issued for offenses via the *Summary Convictions Regulation*.

	Frequency	Percent
Agree	88	48.1%
Neutral	26	14.2%
Disagree	49	26.8%
Don't know/Not answered	20	10.9%
Grand Total	183	100.0%

Table 19: H3. Permits can be amended, suspended or cancelled.

	Frequency	Percent
Agree	119	65.0%
Neutral	19	10.4%
Disagree	36	19.7%
Don't know/Not answered	9	4.9%
Grand Total	183	100.0%

Appendix: Detailed survey results

Table 20: I1. Adopt the same fees for the Resource Roads Regulation as in the existing *Land Use Regulation*, with the fees prorated for the life of the permit.

	Frequency	Percent
Agree	84	45.9%
Neutral	25	13.7%
Disagree	56	30.6%
Don't know/Not answered	18	9.8%
Grand Total	183	100.0%

Table 21: J1. The Resource Road Regulation will replace the *Land Use Regulation* and the *Mining Land Use Regulations* for the management of resource roads.

	Frequency	Percent
Agree	74	40.4%
Neutral	30	16.4%
Disagree	50	27.3%
Don't know/Not answered	29	15.8%
Grand Total	183	100.0%

Table 22: J2. A resource road permitted under the existing *Land Use Regulation* will be subject to the new regulation after its land use permit expires.

	Frequency	Percent
Agree	86	47.0%
Neutral	20	10.9%
Disagree	61	33.3%
Don't know/Not answered	16	8.7%
Grand Total	183	100.0%

Table 23: J3. A road that is designated as a "resource road" under the regulation will not be subject to the *Highways Act*.

	Frequency	Percent
Agree	94	51.4%
Neutral	24	13.1%
Disagree	36	19.7%
Don't know/Not answered	29	15.8%
Grand Total	183	100.0%

Table 24: L1. Are you representing an organization?

	Frequency	Percent
Yes	21	11.5%
No	158	86.3%
Not answered	4	2.2%
Grand Total	183	100.0%

Appendix: Detailed survey results

Table 25: L2. What type of organization are you representing?	Frequency	Percent
Business/corporation	13	7.1%
First Nation	2	1.1%
Non-government organization	3	1.6%
Territorial government	3	1.6%
Not an organization/Not answered	162	88.5%
Grand Total	183	100.0%

Table 26: L3. Are you a Yukon resident?	Frequency	Percent
Yes	172	94.0%
No	6	3.3%
Not answered	5	2.7%
Grand Total	183	100.0%

Table 27: L4. Which community do you live in?	Frequency	Percent
Whitehorse	101	55.2%
Other Yukon Communities	46	25.1%
Dawson City	20	10.9%
Not answered/non-Yukon resident	16	8.7%
Grand Total	183	100.0%