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## Whitehorse Daily Star (/)

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### Rejection disappoints placer mine proponent

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By **Palak Mangat** on **June 1, 2018**

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A proposal for a placer mine in the Marsh Lake area has once again been recommended to not go forward by the territory's assessment board, over the impacts it could have on wildlife around the area.

Judas Creek was the site of the proposed mine, which would have begun operations next month to September for a period of five years.

It sits about 70 kilometres south of Whitehorse, and flows through the traditional territories of the Kwanlin Dün First Nation and Carcross Tagish First Nation, as well as the asserted traditional territory of the Taku River Tlingit First Nation.

An evaluation report dated May 27 showed that the Teslin branch of the Yukon Environmental and Socio-economic Assessment Board (YESAB) recommended that the territorial government not give the project a green light.

It goes on to note that while the government accepted the recommendation, it “did not mean that mining activity could not occur in the area provided that suitable mitigation would be identified and incorporated into the project design.”

But even with mining activity not entirely out of the picture, the project’s proposer says he was left discouraged and “won’t even bother doing another application.”

Nicolai Goeppel is listed as the proponent on the plan. He told the Star this week he spent more than a decade “of hard work, time, and money into the ground over there, to find something that nobody has found before.”

The father to a baby girl born last weekend, Goeppel said he had been hopeful this time around.

“There should be a no-development policy in the area” if the region is essentially deemed off-limits, he continued.

Goeppel said that this year’s report seemed like a “copy and paste” of the rejection the board handed down in 2015.

Initially angry, then disappointed, he said he saw it as a missed opportunity.

“It would have actually been a beautiful example of how placer mines could operate,” Goeppel said.

Not being allowed to develop a small placer mine like the one proposed, he wondered: “What chance is there for any hard-rock mining?”

But after looking down at his newborn, Goeppel said he was inspired to examine alternatives to see what advice he could offer the board from the perspective of a person bringing a project forward.

“I just had the greatest experience of my life,” he said, noting he’s happy to have had time to reflect on the rejection.

Admitting that supporting a family may be more difficult now, Goeppel said he feels for other proponents. He doesn’t want them to go through a similar experience of investing a lot of time and effort only for their proposals to be rejected.

“There’s so much we can do with this, it’s a great learning opportunity for young people wanting to get in this business,” he said.

The public comment period saw submissions from residents of Marsh Lake and the Taku River Tlingit First Nation, among others. One of the submissions was by the Yukon Conservation Society.

Lewis Rifkind, a mining analyst with the society, said a significant reason for the rejection was that caribou in the area are already at risk.

“This herd has been hammered off for a variety of reasons: urban sprawl and urban roads,” he said, adding that their habitats have already been negatively impacted.

That’s why “hanging on to what we’ve got left” is important. “And unfortunately, mining is one of those activities that’s not compatible,” he continued.

A spokesperson for the board said that if Goeppel were to take another stab at it, he’d have to submit a proposal to restart the process.

“We don’t assess the same project twice, so he would have to submit a new project,” said Rob Yeomans. He is a communications officer with the board, and added that this proposal was “a scaled-down version” of Goeppel’s 2015 proposal.

Still, though, the board was unable to find any preventative measures.

“Our assessors found that it would result in direct and functional habitat loss along the migration corridor,” Yeomans said.

He continued that while YESAB usually looks for mitigative measures to prevent adverse effects, “in this case we couldn’t come up with any that would limit, reduce or control the effects to caribou herds.”

Meanwhile, Rifkind noted that the process for proponents could be improved.

“If we really want to protect caribou, we shouldn’t allow any developments in these areas,” he said.

That could mean access for ATV owners and hikers is limited, but it would require a management plan “that we don’t really have” right now, he said.

That’s something Goepfel said he hopes will be considered, as taking legal action against the board or government should be people’s last resort.

“It’s ridiculous; if you want to make a point you usually have to involve a lawyer,” he said. “It doesn’t seem right.”

The designation of an area as being off limits for development or exploration proposals would go a long way in saving proponents headaches, Rifkind and Goepfel both noted.

“You can’t let individuals and companies invest thousands of dollars with no guarantee that you’ll be able to work or develop in the area,” Goepfel said, likening it to “playing a rigged game.”

“Maybe we have to have some sort of planning regime,” Rifkind wondered, as a step in the right direction.

He added that that would be up to various levels of government to set up.

This isn’t a foreign idea either, he noted – it’s been done before.

The North Yukon Land Use Plan is a product of five years’ worth of work by the Vuntut Gwitchin and territorial governments, and recommended a number of protected areas.

Adopting a similar approach to more urban areas around Whitehorse could be helpful, Rifkind said.

“They do talk about how much linear disturbance you can have within a square kilometre region,” he said, noting that it’s just one way to address some concerns brought up in comment submissions to YESAB.

Meanwhile, Goepfel said he hopes the overall attitude toward mining will be more encouraging for future generations.

“I love the Yukon,” he said, noting he was born and raised in the territory. “I have roots now that have just been planted here, and I want to share this with them.”

The government has 30 days to issue a decision to YESAB's recommendation. They may reject, accept, or vary the recommendations made by the board.