



August 20, 2025

Ms. Elizabeth MacDonald
Vice-Chair
Yukon Salmon Sub-Committee
c/o Taylor Bradley
< ex.dir@yssc.ca >

Dear Ms. MacDonald,

Thank you for your correspondence of June 4, 2025, regarding the Yukon Salmon Sub-Committee's (YSSC) recommendations on the Mayo Generating Station (MGS) licence renewal, provided pursuant to authorities defined within section 16.7.17.12 of the Yukon First Nation Final Agreements.

I share the YSSC's concerns regarding the historically low abundance of Yukon River Chinook salmon. I understand how vitally important Yukon salmon are for people and the ecosystem, and I recognize the YSSC members' passion for Yukon salmon, as well as your commitment to the Yukon people. I also appreciate the time you have taken to share your recommendations to better protect fish and fish habitat in relation to the MGS.

The operation of the MGS is currently being assessed pursuant to the *Yukon Environmental and Socio-economic Assessment Act* (YESAA). The topics identified in your letter—fish passage, water levels, spawning habitat, and Chinook salmon restoration—are the focus of consultation between Fisheries and Oceans Canada (DFO), Transport Canada, the Government of Yukon, and the First Nation of Na-Cho Nyäk Dun (FNNND) as a component of the decision-making process associated with the YESAA assessment.

Please see below my responses to each of the YSSC's recommendations, presented in the order identified within your correspondence:

- 1. Ensure timely, proper, and appropriate measures are enacted to allow Chinook to migrate from the Mayo River to Mayo Lake and from Mayo Lake to Mayo River throughout the year for both adult and juvenile life stages.**

The original construction of the Wareham Dam in the 1950s created a complete and impassable barrier to fish passage. The project currently proposed is the continued operation of the MGS for the next five years. In the project proposal, the Proponent recognized that the FNNND has a key interest in having fish passage restored at the dam. However, the Proponent also notes that there are knowledge gaps that need to be addressed, and they are committed to working with the FNNND to address these gaps prior to the next environmental assessment.

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In its recommendation for this project, the Yukon Environmental and Socio-economic Assessment Board (YESAB) considered the Proponent's plan for determining the feasibility of upstream fish passage at Wareham Dam. The Department, in consultation with the FNNND and the other decision bodies for this project, is now giving full and fair consideration to the scientific information, traditional knowledge, and other information provided with the YESAB's recommendation on this topic. This includes the YSSC's February 17, 2025, letter to the YESAB, attached for reference.

- 2. Include the requirement to ensure sufficient water flow and ramping protocols to all sections of the Mayo River to support salmon through their entire freshwater life cycle.**

It is the Department's position that fish stranding and mortality from flow management and ramping events can be avoided or mitigated through the implementation of appropriate mitigation measures. These actions and activities are the responsibility of the facility operator and could be incorporated into conditions within a *Fisheries Act* authorization, should the outcome of the YESAA process allow the project to proceed.

- 3. Include the requirement for consultation with the First Nation Na-Cho Nyäk Dun on all of the above.**

The Department is consulting with the FNNND on all elements of the project affecting salmon.

- 4. Fish Passage at the Mayo Lake Control Structure fishway must be designed for juvenile and adult Chinook salmon.**

The Mayo Lake Control Structure is located 35 kilometres upstream from Wareham Lake. Currently, the structure's condition indicates it requires replacement, and the Yukon Energy Corporation has committed to designing the replacement in a manner that will effectively facilitate fish passage. It is the Department's position that any replacement structure will need to allow safe passage for both adult and juvenile fish.

- 5. Fish Passage at Wareham Dam should be carefully designed to enable migration of adult and juvenile Chinook salmon.**

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In its recommendation for this project, the YESAB considered the Proponent's plan for determining the feasibility of upstream fish passage at Wareham Dam. The Department, in consultation with the FNNND and the other decision bodies for this project, is now giving full and fair consideration to the scientific information, traditional knowledge, and other information provided with the YESAB's recommendation on this topic. This includes the YSSC's February 17, 2025, letter to YESAB.

- 6. Determine water levels needed to ensure Chinook juveniles can rear and eggs can incubate in Mayo River. Once levels are determined, they must be maintained throughout the year and sufficient ramping protocols must be established to avoid stranding.**

It is the Department's position that fish stranding and mortality from flow management and flow ramping events can be avoided or mitigated through the implementation of appropriate mitigation measures. These actions and activities are the responsibility of the facility operator and could be incorporated into conditions during the regulatory review process under the *Fisheries Act* authorization process, should the outcome of the YESAA process allow the project to proceed.

- 7. Determine if there are spawning dunes located in other areas of the Mayo River drainage, particularly in the tributaries upstream of Mayo Lake.**

Should the outcome of the YESAA process allow the project to proceed, the Department expects to receive an application for a *Fisheries Act* authorization for the operation of the MGS from the Yukon Energy Corporation. The Department recognizes the importance of identifying highly valued spawning habitat, including spawning dunes within the system. The results of these surveys and studies would be required to be included in the application for a *Fisheries Act* authorization.

- 8. Develop a Chinook restoration plan with the First Nation of Na-Cho Nyäk Dun.**

The Department is committed to working collaboratively with the FNNND to explore options to restore the Chinook salmon population in the Mayo River.

Upon consideration of the information presented, and in accordance with section 16.8.4 of the Yukon First Nation Final Agreements, I have set aside the YSSC's recommendations for the following reasons:

The YSSC's February 17, 2025, recommendations to the YESAA Board, which are very similar to those provided by the YSSC to me on June 4, 2025, are being carefully considered in the YESAA evaluation process. This process remains ongoing, and the Department cannot predetermine aspects of that decision, including mitigation measures. The Department has a responsibility to consult with the other decision bodies—Transport Canada, the Government of Yukon, and the FNNND—prior to making a decision on these topics.

Thank you for writing. The Department remains interested in working collaboratively with all parties to explore options to restore the Chinook salmon population in the Mayo River.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Joanne Thompson', with a stylized, flowing script.

The Honourable Joanne Thompson, P.C., M.P.

Attachment