

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Monday, April 23, 2012 — 1:00 p.m.**

**Speaker:** I will now call the House to order. We will proceed at this time with prayers.

*Prayers*

**DAILY ROUTINE**

**Speaker:** We will proceed at this time with the Order Paper.

Tributes.

**TRIBUTES**

**In recognition of National Victims of Crime Awareness Week**

**Hon. Mr. Nixon:** Mr. Speaker, I rise today to pay tribute to National Victims of Crime Awareness Week taking place across Canada from April 22 to 28. This week raises awareness of victim issues and the services and laws in place to help victims and their families.

“Moving Forward,” the theme for this year, encourages us to move forward in compassion and respect for victims, ensuring a voice for victims in our criminal justice system and improving our services to victims. Addressing victim issues requires the support and dedication of the whole community and our Victim Services workers will be holding community events throughout Yukon this week to recognize the local contributions, both big and small.

Many agencies have come together to take a collaborative approach to make a difference in the lives of victims. In Whitehorse, the RCMP, Health and Social Services, the Public Prosecution Service of Canada, women’s groups and First Nations have contributed to the Domestic Violence Treatment Option Court, to the Community Wellness Court, to the *Victims of Crime Strategy* advisory committee, to the domestic violence and sexual assault framework committee, to the sexual assault response committee, and to *Links*, a multi-disciplinary team to coordinate approaches for child and youth victims or witnesses of crime.

Our Victim Services unit is most grateful to Latitude Wireless for their support in creating a safety option for Yukoners with their emergency cellphone campaign. This was launched at the Victims of Crime Awareness Week last year.

In April of last year, Yukoners generally donated over 100 cell phones to the initiative. Latitude Wireless collected and refurbished the donated phones and, as a result, Victim Services was able to distribute over 50 emergency cellphones to victims of crime as part of their safety planning. Latitude continues to partner with Victim Services for the next phase of this initiative.

I would like to make a special mention of the work underway to enhance our day-to-day collaboration with others in rural communities. For example, in Dawson City, the RCMP has furnished an interview room to be child-friendly and comfortable for victims and witnesses. In Watson Lake, many

agencies are committed to working together to support victims of crime. Many communities have embraced the opportunity to learn more about the impacts of vicarious trauma and compassion, fatigue, and are committed to providing support to their front-line service providers.

Victim Services workers appreciate these ongoing partnerships and the strong working relationships that are being developed. I would like to take a moment today to recognize the value of these collaborations. Without our partners these projects would not have the depth and community relevance needed to achieve results for victims.

Awareness events are taking place in several communities. We are hosting events in Ross River, Mayo, Watson Lake and Dawson to show appreciation to our partners. The Watson Lake event is being held at the new Community Justice public safety offices and courtroom. Information for victims about their rights under the new *Victims of Crime Act* and about Victim Services will be available at these events.

We are moving into the third year of our five-year *Victims of Crime Strategy* and have made significant progress in several areas, in part due to the commitment and cooperation from our community partnerships. Their dedication has ensured that victims have increased access to information and a more effective voice in the criminal justice and corrections system. Building on this momentum will help us move forward and continue to make meaningful change for victims of crime.

**Ms. Moorcroft:** I rise on behalf of the Official Opposition to pay tribute to National Victims of Crime Awareness Week.

There was a time in the history of the world, and not always that long ago, when victims of crime or their families were the only ones who could rectify a wrong done to them. Simple justice was equated with revenge. Vigilante groups would be formed to make amends for crimes upon victims. Unfortunately, this has not been totally eliminated in some cultures.

With the development of courts and jails, the victims of crime were often overlooked as an important element in the complex legal system and procedures. The concerns of victims of crime finally emerged in Canada a few decades ago. Initially, police officers who were injured in the course of their duties were given compensation as victims of crime. Programs were later expanded to give limited compensation to other eligible victims of violent crime. Today, victim impact statements are a common part of many court procedures. The point of view of the victim of a criminal act can be an important consideration in sentencing.

Victims of crime principles are further involved in restorative justice programs, where the focus is between the victim of a crime and the instigator who harmed them. Since it is necessary to face the person charged, it is important in restorative justice circles to provide full support to the victims. Women victims of violence who must face their assaulter need special consideration, which is unfortunately not always provided.

Even in courts where restorative justice is not available, there are often few charges and fewer convictions in cases

where women are victims of violence. Many women believe there is little point in pursuing a charge when they have been sexually assaulted because of the inadequate or indifferent responses of the criminal justice system to them as victims.

The passage of the Yukon's *Victims of Crime Act* is a first step, where access to information and services to victims are assured; however, in situations where a woman has acted in self-defence, they are sometimes charged themselves with assault. In that case, the assaulter is also considered a victim and has access to information that may be detrimental to the woman. Cases such as these must be treated with sensitivity and awareness of the implications of applying the word of the law. Consideration of primary aggressor legislation for Yukon may offer more support to victims of violent crime.

The continuation and expansion of funding for projects, such as sexual and common assault awareness, advocacy and services for victims and public education on the availability of programs for victims is vital to real support for victims of crime. We look to the future development of greater support for them.

The concept of righting the wrongs done to victims continues to be an important consideration in the courts and their services.

There are challenges in balancing the rights of the accused and the rights of victims and providing adequate financial resources for victim services, whether they are in government or in non-government organizations, and in the delivery of services in rural Yukon. We trust that government will meet these challenges with positive responses for victims of crime. Thank you, Mr. Speaker.

**Mr. Elias:** I rise on behalf of the Liberal caucus to pay tribute to National Victims of Crime Awareness Week from April 22 to 28. The theme for 2012 is "Moving Forward". This is an opportunity to raise awareness about victim issues and the programs, services and laws that are in place to help victims of crime and their families. Victims of crime have rights. There is a Victims' Bill of Rights and the *Victims of Crime Act*. These rights include the right to information about the justice system, the right to express their view, the right to have their property returned when it is no longer needed as evidence, and the right to have their needs considered when victim programs and services are developed.

The Victims' Bill of Rights also includes three basic rights: the right to be treated with courtesy, caring and respect; the right to privacy; and the right to expect that the justice system will do what it can to reduce their inconvenience and protect them from intimidation and retaliation. Being a victim of crime can be a life-altering experience. How the victim chooses to move forward after being victimized will be unique to the person and the situation.

All victims deserve to be treated with compassion and respect for their dignity as they move forward on their journey toward healing. We would like to thank Victim Services and the professionals, volunteers and front-line workers who help victims of crime move forward as they try to help rebuild their lives. Thank you.

### In recognition of Arts and Culture Week

**Hon. Mr. Nixon:** I rise to pay tribute to Arts and Culture Week.

As members of this House will know, British Columbia has proclaimed this as Arts and Culture Week. We congratulate them for recognizing the important contributions this sector makes. Perhaps it is our majestic mountains and rivers; perhaps it is our awe-inspiring wildlife; perhaps it is our profound community spirit — whatever it is, Mr. Speaker, Yukon brings out the artist in people.

Yukon has a strong and vibrant arts and culture community. I want to acknowledge the performing, visual and literary arts in Yukon. It is a real privilege to be here to share with this House some of the great work we have happening.

In speaking with visitors during the Fulda events, I was reminded several times of the stories of Jack London and Robert Service. Yukon has a rich history of inspiring literary arts indeed.

Government of Yukon appreciates the contribution that artists and craftspeople make to Yukon, both economically and culturally. Our government is proud to support this community through an array of funding programs that provide supports to artists, art organizations and facilities. The arts and culture flourish in Yukon for the benefit of all Yukoners and of all Yukon artists. To achieve this we have an array of funding programs to support individuals, arts organizations, collectives and facilities.

Just three weeks ago we shared the results of Yukon's arts fund, which strengthens community spirit. A wide range of community arts-related projects received support from Yukon's arts fund. The department is also involved in managing the Yukon art collection's resources.

I have come to appreciate the richness of Yukon's collections as they have showcased various works in different Yukon buildings. In March, I announced that the permanent art collection's acquisitions feature tradition and innovation. Artists explore themes of history, tradition, imagination and add new acquisitions to the permanent art collection. Yukon has a disproportionately high number of artists per capita whose creative expressions enrich all of our lives in Yukon.

Not only do we enjoy wide public participation, but artists contribute to a flourishing tourism industry. In speaking with the tourism industry representatives and my officials, it is clear that our guests choose to come to Yukon not only for the incredible natural environment, but also to experience our cultural resources. Museums, galleries and cultural centres continue to draw visitors wishing to learn more. In addition to local opportunities, Yukon artists are making their mark in festivals, exhibitions, concert halls and venues throughout the world. Our government is proud to help showcase Yukon talent outside of Yukon.

In March, we provided funding to help artists find new audiences through the Yukon's touring art fund. This fund supports public presentations of Yukon artists to Outside audiences. Breakdancing group Groundwork Sessions, musicians Kim Barlow and Sarah MacDougall, and snow sculptors Don

Watt and Mike Lane have also received support through the touring artist fund.

Our government is proud of our Yukon artists. We are proud to support them and to help them share their talent, not only to Yukoners, but to the world.

**Mr. Barr:** I rise on behalf of the Official Opposition to pay tribute to Arts and Culture Week in our territory. Yukon culture is enriched by our glorious environment and the ancient traditions of our First Nations, as well as the history of the Klondike Gold Rush.

I am especially excited about the revitalization of aboriginal culture. It was not that long ago that a potlatch was against the law. In residential schools, it was prohibited to speak your language and you were punished if you did so. I would like to offer homage to the elders who kept these intact and now pass on the drums, songs and dance to the young and the old and share it with us once again.

The Yukon Territory has the good fortune of having a population that is involved in all aspects of arts and culture. We have writers in all genres, including playwrights and poets. We enjoy the wide range of visual artists who enhance our public buildings and galleries, as well as our homes. We have musicians who give us the joy of sound from classical to jazz, to popular music and hillbilly and country, and they fill us with the joy of sound continually. There is also First Nation singing. Modern traditional dance is found in many communities.

Arts and culture are available to Yukoners and visitors alike at events throughout the year in all parts of the territory. To name just a few: there are plays at the Guild Hall — and, I might add, the Homegrown Festival is just coming up; check it out — the Dawson City Music Festival — I thought the Member for Klondike might like that — paintings in several galleries and readings by writers. The Klondike Institute of Art and Culture in Dawson City contributes to the development of new ideas in the arts and to the benefit of all. Also, the Northern Cultural Expressions Society consists of young, up-and-coming artists who are now known worldwide.

When you think of it, there are also the tourists who come to our territory. Arts in the Park will be starting up again at LaPage Park. That's a free, daily, rain-or-shine, under the tent, which features all kinds — right across the board — of musicians, singer-songwriters from all genres and visual artists. I have noticed that the tourists who come are amazed that they can sit down and have lunch, as do people from the offices. They get to go there and just have a break with our local arts and cultural festivities.

The policy of enhancing our arts and cultural programs and projects through government funding and support is one that should be recognized and protected. The many festivals and other means of expression of appreciation for our beautiful territory are not only an intellectual pursuit, they expand the experiences that tourists will have while they are here, as I mentioned, and they therefore play an important economic part as well. Millions of dollars pass between hands as a result of the arts and cultural sector here in the territory. Without the

Yukon's unique arts and culture from our artists and writers, we would be badly off indeed.

I would like to end by saying that arts and culture grounds us, helping us to unite as one, respect all in creation, and be in touch with our souls. Thank you.

**Mr. Silver:** I rise today on behalf of the Liberal caucus to pay tribute to Arts and Culture Week, 2012.

Arts and culture are a proud part of our Yukon heritage and bode well for our tourism industry — music, films, media arts, dance, books, theatre and visual arts are a proud and daily part of our lives and have a lasting impact. Our museums throughout the territory offer the historic and cultural background of each and every community.

The Yukon Arts Ed-Venture program is used by artists to bring music, art and drama into the elementary schools to engage students in learning. We have the Adäka cultural festival, which brings First Nation artists together with artists from around the world to share and celebrate their creativity and culture. The Yukon International Storytelling Festival draws local, national and international performers in an exchange of cultural sharing.

During the summer months, Whitehorse offers Arts in the Park, which is a lunchtime concert series by local artists that takes place in LaPage Park in downtown Whitehorse. The historic Klondike Gold Rush is a destination for many tourists when they arrive in Dawson City, and they are pleasantly surprised to see and participate in our thriving arts and culture society and scene. The Dawson City Arts Society, the Klondike Institute of Art and Culture, the Dawson City Music Festival, Yukon School of Visual Arts, the Klondike Visitors Association and the Tr'ondëk Hwëch'in Cultural Centre and heritage department all provide wonderful insight, and they are each partially responsible for the rich social fabric that exists in our community.

We as a multicultural society have many strong and vibrant artists from many cultures living in the Yukon and sharing their talents, cultures and traditions with us. We would like to thank many of these artists in all of their genres for sharing their talents with us. Thank you, Mr. Speaker.

**Speaker:** Introduction of visitors.

Are there any returns or documents for tabling?

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motion?

## NOTICES OF MOTION

**Ms. White:** I rise to give notice of the following motion:

THAT this House urges the Yukon government to uphold the *Environment Act* and address persistent issues of non-compliance with the law as evidenced by:

(1) their failure to bring forward state of the environment reports;

(2) their failure to name members to the Yukon Council on the Economy and the Environment;

(3) their failure to bring forward a new Yukon conservation strategy; and

(4) their failure to address problems of efficiency and consistency around regulations and practices involving air emissions, recycling waste, storage tanks and other issues raised by the Government Audit Services.

**Mr. Silver:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the minister responsible for the Yukon Housing Corporation to investigate options to assist prospective home builders to bridge the gap between the lower appraisal values, based on existing homes and the actual cost to build, by guaranteeing the gap that private banks will not lend based on the appraisal, but that home-builders otherwise have the income and stability to qualify for.

**Mr. Elias:** I rise to give notice of the following motion:

THAT this House urges the Minister of Community Services to partner with the community of Old Crow to address current housing constraints by developing a new subdivision with service lots ready for new home construction.

**Speaker:** Is there a statement by a minister?  
This then brings us to Question Period.

## QUESTION PERIOD

### Question re: YESAB recommendations

**Mr. Tredger:** This fall will mark seven years that we have been living under the *Yukon Environmental and Socio-economic Assessment Act*, commonly called YESAA. YESAA was agreed to by First Nations, the Yukon government and the federal government and came forward in response to settling land claims. YESAA's job is to protect the environment and social integrity of the Yukon while fostering responsible development.

Since November 2005, YESAB has assessed 1,433 projects. The bulk of these projects — 1,122 in fact — were recommended by YESAB to proceed with certain terms and conditions. However, of those 1,122 — 65 percent of those projects — the Yukon government further changed or varied the terms and conditions.

Can the minister explain why this government changes or varies the terms and conditions on such a large number of YESAB decisions?

**Hon. Mr. Cathers:** I would point out to the member that in fact those matters are dealt with by officials at the departmental level and that some of the areas relate to a learning process on the part of the assessors hired by the Yukon Environmental and Socio-economic Assessment Board. Some of the recommendations that are made in some cases do not line up with the regulatory authority, so some of those adjustments are relatively minor in nature to reflect the regulatory authority — whether it is the Department of Energy, Mines and Resource,

Department of Environment or Executive Council Office — of some of the common decision bodies under YESAB. They must, of course, reflect what they have the legal authority to do.

**Mr. Tredger:** The draft report on the five-year review of YESAA says, “due to regulatory and institutional gaps, it is not clear that the YESAA process is fully managing potentially adverse impacts to all environmental components in an integrated manner”. With anticipated increased activity in extractive industries and more projects going before it, it is extremely important that YESAB's credibility is not undermined. That is why the government needs to explain the high number of variances it issues. This number rises. The government has taken exception and varied 88 percent of quartz exploration projects that have come from YESAB with terms and conditions.

Can the minister explain what accounts for the even higher number of times his department varies YESAB's terms and conditions when it comes to quartz exploration projects?

**Hon. Mr. Cathers:** Mr. Speaker, I did answer the member's question before. These matters are dealt with by officials at the department level. The designated decision bodies are set out under the structure that is put in place to implement YESAA. When there are variances done by whichever department is the decision body, that is based on a sound reason. In some of the cases, some of the recommendations that have been made by YESAB in the past by different designated offices do not line up with the regulatory authorities and the legislation that exists, because all recommendations are subject to the Yukon's legislation when Yukon is the decision body.

Again, I have confidence; this government has confidence in the staff of departments. We have consistently seen the NDP stand here in the House and express a lack of confidence in the staff of certain departments, including the Department of Energy, Mines and Resources.

**Some Hon. Member:** (Inaudible)

### Point of order

**Speaker:** The Member for Mayo-Tatchun, on a point of order.

**Mr. Tredger:** The member opposite is imputing motives. We did not bring up anything to do with the department. We are talking about ministerial responsibility.

**Speaker:** Minister of Energy, Mines and Resources, on the point of order.

**Hon. Mr. Cathers:** On the point of order, Mr. Speaker, I am referring to NDP's past comments in this House on matters within departmental authority. I believe it is a dispute between members.

### Speaker's ruling

**Speaker:** This is a dispute between members.

**Hon. Mr. Cathers:** What I would note in conclusion is that the NDP has consistently stood in this House and talked about matters and decisions that are made at the departmental level, testing that is done at the departmental level, and the NDP has expressed a lack of confidence in the work that is done by staff. This government has confidence in them.

**Mr. Tredger:** Yukoners are getting more familiar with YESAA and many participate in the process, attend meetings and provide comments to help improve projects. But what if a project's proponent fails to live up to the expectations in the assessment decision? There have been some cases where that is what happens.

Will the minister tell this House how the government is providing oversight and ensuring that projects comply with YESAB terms and conditions and final decision documents?

**Hon. Mr. Cathers:** Again, what I would point out to the member is that YESAB makes recommendations to the relevant decision body. In most cases, that is individual departments within the Yukon government.

For projects on First Nation land, a First Nation would be the decision body. Those terms, of course, have to be implemented in accordance with applicable legislation. YESAA, the federal legislation, does set out the terms for how they do the assessments but the actual authority to implement the recommendations and the terms and conditions of the approval are done by the relevant regulatory body, which in most cases is a Yukon government department. The decisions, authorizations and the permit terms and conditions must be in accordance with Yukon legislation as a result. Again, we have confidence in the work that is done by staff of all departments. It is unfortunate the NDP consistently come here and express a different opinion about staff abilities.

#### Question re: Legislation updates

**Ms. Moorcroft:** In this sitting, the government has presented legislative amendments to the *Financial Administration Act*, the *Business Law Act*, the *Liquor Act*, the *Child Care Act*, the *Condominium Act* and *Land Titles Act*.

How does the Minister of Justice decide which Yukon laws will be reviewed, updated or amended and does he have a schedule for tackling some of Yukon's more archaic laws?

**Hon. Mr. Cathers:** Mr. Speaker, it is really surprising to hear this type of question coming from the Member for Copperbelt South. The member, from her previous experience in an NDP government, should be aware that the decisions about legislation come from Cabinet approval and Cabinet authority, that there are a number of elements that feed into this, including public concerns, operational issues, departmental recommendations, and of course, commitments made by a party in its election platform. Those are a number of the factors. It's really surprising that the member doesn't know that.

**Ms. Moorcroft:** I guess the minister was so surprised that he decided to speak out and answer for the Minister of Justice.

Our *Coroners Act* has seen little change since it came into effect in 1976, and there are many concerns with this archaic bill. The government has the power to appoint or remove the chief coroner at any time, hindering the independence of the position. Our law uses the passive "may" instead of the active "shall" when it comes to conducting inquests into deaths under certain circumstances. There is no provision for government to order an inquest in the public interest.

The offences, fines and penalties are not up to date. For example, section 30 says that a person who willfully destroys,

removes or alters a coroner's investigation scene could receive a fine not exceeding \$500.

There is no right of the family of the deceased to appeal a coroner's decision to not hold an inquest. Is the *Coroner's Act* on this government's radar as a law that needs to be reviewed and rewritten?

**Hon. Mr. Cathers:** If the member has specific concerns as she has identified here in this House, I would encourage her to write a letter to the minister responsible and identify those specific issues. We certainly take comments, including from the members opposite, when issues are identified. A decision about whether or not to review a certain piece of legislation is certainly not going to be made alone by one minister outside of the Cabinet process, on the floor of the House in a period of 60 seconds listening to the members of the opposition. I would encourage the member to write a letter to the minister responsible outlining her specific concerns.

**Ms. Moorcroft:** I did indicate to the minister and his officials when we were up on the Justice debate that I would be inquiring about the outdated *Coroners Act*. The coroner has a high-profile job and deserves to be backed up by legislation and regulations that are effective and appropriate.

When it comes to modernizing the *Coroners Act*, we need look no further than neighbours in western Canada. Most provinces have dispensed with lay persons adjudicating causes of death and have moved to a system where a pathologist medical examiner is required to investigate certain classes of deaths. A judge then presides over the inquiry, where the medical examiner presents findings, and the judge makes orders, not recommendations, to prevent similar deaths in future.

B.C.'s 2007 *Coroners Act* provides the minister with the authority to order the coroner to hold an inquest if in the minister's estimation it is necessary or desirable in the public interest. When will the Yukon public see the legislative and regulatory changes that will bring our completely outdated *Coroners Act* into the 21<sup>st</sup> century?

**Hon. Mr. Cathers:** I would point out to the Member for Copperbelt South that, as I said before, government takes suggestions about legislation and legislative amendments from a number of sources. That can include the public, it can include stakeholder groups, it can include operational matters that emerge. It certainly includes department recommendations. It certainly includes any platform commitments that are made. In fact, we also will consider suggestions that come from members of the opposition and consider them on their merits or lack thereof. But certainly, the decision is not going to be made within 60 seconds in Question Period. Again, I would encourage the member to make a more fulsome submission outlining her concerns to the minister responsible and the government will, of course, give due consideration to how much of an issue this is. In large part, it would be based on the actual need that exists or the lack thereof, rather than on the member's interpretation about the respective age of the piece of legislation.

There are many pieces of legislation across the country that have been in place for decades or 100 years that, in some cases, work quite well. The legislation should be reviewed on how well it works, not on when the stamp was put on it.

**Question re: Education, post-secondary funding**

**Mr. Silver:** Post-secondary education can be very expensive, with a year attending an Outside university running from \$20,000 to \$25,000. Yukon students receive Yukon excellence awards for earning an 80 percent or higher in mandatory exams in grade 9 through grade 12. The grant money can then be applied when they attend post-secondary institutions. These exams include grade 9 math and English, grade 10 math and science, grade 11 socials and grade 12 subjects with standardized provincial exams. Except for English, it is no longer mandatory to take those departmental grade 12 exams, and in fact they have been phased out completely. Can the Minister of Education please tell us how many exams are no longer taken and how much money is consequently no longer awarded to these students?

**Hon. Mr. Kent:** I thank the member opposite for the question. He is correct in his assessment of the provincial exams and the Yukon achievement tests that contribute toward the Yukon excellence awards. I believe that these awards were actually reinstated by the Yukon Party government shortly after taking office in 2002.

I can tell members of the House that \$166,000 is currently budgeted for 2012-13. Last year, we awarded slightly over \$154,000 for awards that were previously earned and expended \$167,000 for awards earned last year. For the last full school year, for which we have statistics, we processed 121 applications. Those numbers will, of course, go down with the number of mandatory exams now going down, but we will consider options to expend the excess resources.

**Mr. Silver:** I appreciate the answer, seeing as this money does add up. Making 80 percent on a grade 9 Yukon achievement test can earn \$200. The same performance on grade 10 exams earns \$300 each and 80 percent on a grade 11 social studies exam is worth \$400. The big money has always been the grade 12 exams, where students can earn \$500 per score. Now that English is the only grade 12 departmental exam, thousands of dollars in grants earmarked for rewarding excellence in academics can no longer be accessed.

Would the minister consider awarding the grade 12 Yukon excellence awards based on 80 percent of the final course mark, instead of 80 percent on the phased-out exam, so that the high performing students don't miss out on thousands of dollars for their education?

**Hon. Mr. Kent:** Again, as I mentioned in my previous answer, we did process 121 applications for the 2010-11 school year and a significant investment was made by the Yukon Party government in the continuing education of Yukon students. The changes in British Columbia have necessitated the changes here in the Yukon. We are considering options. I haven't had the opportunity to discuss those options with department officials, but as soon as I do, we will certainly make those public.

**Mr. Silver:** In the past, students have been able to earn significant amounts for their post-secondary education by performing well on these mandatory exams. If a student did well in grades 9 through 11, they could earn \$1,400 for their post-secondary education. If they went on to take five grade 12 courses and did well on the associated standardized tests, they

could earn another \$2,500, leaving for their post-secondary education with just under \$4,000 in Yukon excellence awards in their pockets. That's enough to cover the first year's tuition and books. Without those standardized grade 12 exams — all but English are no longer offered — that drops to just under \$2,000 for school. That is roughly the cost of tuition and books for one class and one month of living in residence.

Will the minister find a way that these high-achieving students can still get the full financial benefit for their hard work?

**Hon. Mr. Kent:** Again, there will, of course, be additional resources available this year because of the reduction in the number of mandatory exams. Those changes, again, were precipitated by changes in British Columbia, and we do follow their curriculum. Again, I look forward to exploring the options as to what we can do with those resources. I think that one of the more exciting things that was introduced just prior to Christmas was the dual credit program at Yukon College. We are now able to have grade 12 students take a full university transfer course. Hopefully, it is initiatives like that and exploring options for what to do with additional resources that will help Yukon students when they are attending post-secondary institutions.

**Question re: Education, post-secondary funding**

**Mr. Silver:** I will stick with the topic of government grants and post-secondary education. After all, education isn't getting any cheaper for our young students. If we want an educated and engaged future workforce and population, it is in the Yukon's best interest to help out its students. The Yukon grant is available to students based on a combination of their residence in the Yukon, their parents' residence in the Yukon and their attendance at a Yukon high school.

The government will pay out about \$4.1 million in Yukon grants to approximately 780 students this year. Can the minister tell us, when was the Yukon grant amount last reviewed, and when was it most recently increased?

**Hon. Mr. Kent:** I'm not sure when the last total review of the base was done, Mr. Speaker, but I can mention that the government continues to show support by indexing the Yukon grant and the student training allowances to the annual rate of inflation. When one looks at the budget documents that are currently being discussed in this House, again, the numbers mentioned by the member opposite — \$4.133 million is the total value of Yukon grants. There were 780 awarded for an average amount of \$5,300. If we compare that to the main estimates for 2011-12, it was slightly under \$4 million, and an average amount of \$5,025. So there has been a \$275 increase in the amount of the student grant.

**Mr. Silver:** We're looking at inflation rates for these increases. One can only look at the current topics in the national news as far as increases in tuition to see that this is a bigger problem. It has been some time since the Yukon grant amount has been considerably increased to reflect that. The grant is widely subsidized too.

As mentioned earlier, nearly 800 students will use it to fund their education this year alone. The average amount awarded is \$5,300. We estimate the cost to Yukoners to attend university is around \$20,000 to \$25,000 per year. That means

that the Yukon grant covers 20 to 25 percent of expenses. Many students make up the difference by taking out student loans. A heavy student loan burden after graduation can delay our young people as they enter the next phase of their adult lives — buying a home, affording a mortgage, starting a family. If there are no immediate plans to increase the base Yukon grant to reflect the current rates in tuitions, will the minister consider increasing other grant options for our post-secondary students?

**Hon. Mr. Kent:** Again, Mr. Speaker, I will lay out the bigger picture when it comes to post-secondary education and all that the government provides. There's the Yukon grant, the student training allowance, Canada's student loan program, the Yukon excellence awards that were referenced in his previous question, and also significant investments that we've made at Yukon College over the past number of years, including a licensed practical nurse program offered right here at Yukon College and the fact that we're going to be exploring models to look at the best way to turn Yukon College into a university, even though they do currently have university degree-granting privileges.

**Mr. Silver:** The amount of the Yukon grant contains a travel component for students. The average annual grant paid is \$5,300 per student with \$1,800 of that for travel. Coming home for the summer can be a great option for students and for our labour force. Students can live at home, save money for school that they would otherwise pay in rent outside of the Yukon. Our local businesses and government offices get the short-term benefit of summer staff that is local, eager and educated. In the long term, our young people are encouraged to return to the Yukon after their education, bringing that local work experience and their new skills back into the labour force.

Given the value to both students and the larger community of having them spend their summer employment in the Yukon, will the minister consider adjusting the grant to further encourage students' return?

**Hon. Mr. Kent:** I think there are a number of initiatives underway by the Yukon government currently. Certainly the work in revitalizing the Yukon economy and the jobs and opportunities that are available in the private sector for students coming back and the young entrepreneurs that we've read about recently in northern publications is tremendous. But there are also government programs. The student training and employment program — or the STEP program — offers a summer wage subsidy to Yukon employers who provide opportunities for Yukon post-secondary students, and the summer career placement program provides a wage subsidy to employers who can provide summer positions for students and youth while focusing on local priorities.

It is those types of initiatives combined with a very strong and vibrant private sector that are giving our students the opportunity to return here in the summertime, find employment, find high-paying jobs, and save up for their following school year.

**Question re: Literacy programs**

**Mr. Tredger:** Literacy is of critical importance to our students. For 15 years, the Reading Recovery program has been

an important component of Yukon's early literacy strategy. It is an evidence-based, effective, early-literacy intervention, and dramatically reduces the number of children with reading and writing difficulties. Reading Recovery identifies the lowest achieving children early and provides an individually designed series of lessons. Many of these children make accelerated progress and quickly catch up to their peers. Teachers and parents have spoken passionately and eloquently of the success of the program.

Can the Minister of Education share his long-term plans for Reading Recovery and ensure the House that the benefits of Reading Recovery will continue to be available to schools in the coming years?

**Hon. Mr. Kent:** Of course, literacy is something that is very important not only to this government but to me personally. We have seen a \$200,000 investment recently in the Family Literacy Centre to continue funding for that organization for the next year. At the same time, we also investigate long-term solutions to their funding. We have made a commitment to invest in the Imagination Library, which provides a book a month, and is again run through the Yukon Literacy Coalition. There is a book a month for children from birth to when they enter the school year. So there are a number of initiatives, including Reading Recovery, as students move through the school system, which are extremely important to this government, and we continue to invest in them.

**Mr. Tredger:** Reading Recovery is a well-researched, evidence-based and effective program. It relies on the ongoing training of Reading Recovery teachers. This training must be done on a regular basis as teachers move on to new positions. In addition, the related professional development opportunities are of benefit to all staff. It is important that all schools have a trained Reading Recovery teacher. This requires long-term planning and continuous training. It has come to my attention that there will not be a Reading Recovery cohort for the coming school year.

Can the minister assure us that the present situation is a one-year hiatus and that training will resume the following year, in 2013-14?

**Hon. Mr. Kent:** When it comes to Reading Recovery and literacy initiatives, there are significant investments allowed for in the staffing allocation formula. For this upcoming fall we see 0.5 positions or one full-time equivalent in almost every rural school as well as 0.5 to 1.5 FTEs throughout the urban elementary schools when it comes to Reading Recovery and literacy initiatives.

Again, those investments are continuing to be made and I look forward to working on a number of different literacy initiatives with our partners in education — the NGOs and the teachers and each individual school — as we move throughout the upcoming year.

**Mr. Tredger:** In order to ensure the long-term viability of Reading Recovery, we need planning and we need training. The Reading Recovery program relies heavily on the training of Reading Recovery teachers. This initial training is very intensive. It is most feasible that this occurs in the Yukon. For

15 years we have had a working system that allows local teachers to apply and to participate.

Trained teacher-leaders are a critical component of this system. These teachers must travel Outside and receive intensive training for one year. They then return to train teachers locally. Next year would be an ideal time to train a new teacher-leader.

Will the minister share with Yukon teachers and parents his plan to ensure that there are teacher-leaders being trained and thus ensure the continuation of the Reading Recovery program?

**Hon. Mr. Kent:** Mr. Speaker, again, I have witnessed, first-hand, the value of Reading Recovery on the number of school visits that I have been able to take prior to the spring sitting of the Legislature. When it comes to literacy initiatives, the support that this government gives to a number of literary initiatives is very well-documented. Again, I will reiterate the support for the Yukon Literacy Coalition's Family Literacy Centre located at the Canada Games Centre. A significant investment is made by the Minister of Community Services in libraries around the Yukon. A tremendous amount is going into literacy. Again, I outline the number of FTEs we have assigned for this upcoming fall to deal with this at the school level.

#### **Question re: McIntyre Creek protection**

**Ms. White:** Mr. Speaker, the photo essay about McIntyre Creek that ran in the *Yukon News* recently reminds us that some things are invaluable. Some of the lands in the public trust are indeed priceless. We carry childhood memories for a lifetime. I remember each and every frog I caught and released in McIntyre Creek. Even before I knew there was such a thing as experiential education, I learned much from hours and days spent playing in those wetlands right in the heart of our city, free and accessible to all people. It is hard to imagine a better, more accessible location for experiential learning than the vibrant ecosystem of McIntyre Creek; be it for biological sciences, arts or year-round physical education, it is one of the best classrooms imaginable.

Mr. Speaker, does the government recognize the value of McIntyre Creek for experiential learning?

**Hon. Mr. Kent:** There are a number of experiential learning initiatives that are undertaken throughout the Yukon, of course, including the recently concluded bison hunt, as well as the bridge-building competition that was held recently at Porter Creek Secondary. So there are a number of experiential learning initiatives: the Old Crow initiative and the Southern Tutchone initiative that's being run by Champagne and Aishihik First Nations. Of course, there are tremendous opportunities for experiential learning, not only throughout the Whitehorse community, but throughout the Yukon. So I think those values exist on a larger scale, no matter where we're talking about.

**Ms. White:** That was a good reference of not including McIntyre Creek.

Good development requires a long-range vision and plans that meaningfully address conflicting values and land use demands. The City of Edmonton, for example, had the vision to protect green space along the North Saskatchewan River and along the creeks that flow into it. That planning foresight has

endured to enrich generations of Edmonton residents and visitors alike. Here in Whitehorse, spaces the city has developed for public use, like the Millennium Trail and the Black Street stairs, are well-used and enjoyed year-round. Generations of Yukoners similarly seek out McIntyre Creek to enrich their lives.

Does this government recognize the educational, recreational and environmental value McIntyre Creek brings to our "Larger Than Life" wilderness city?

**Hon. Mr. Kent:** In my previous answer, I did mention that there are experiential learning opportunities, not only in the community of Whitehorse but throughout the Yukon. I believe that McIntyre Creek is located within the community of Whitehorse. So I'm not sure what the member opposite was talking about in her response, but again, we have tremendous green-space that's located throughout the community of Whitehorse. The Minister of Health and Social Services, a former city councillor here in Whitehorse, has told me that up to 80 percent of the land within the city is designated as green space and I think it's tremendous. We're always five minutes from most of our doors to our favourite fishing hole or other types of outdoor activities.

So, there's a tremendous amount of experiential learning that can take place throughout Whitehorse and throughout the Yukon as a whole, including on Aishihik Lake, where there was a recent bison hunt, or again, the examples of the work in Old Crow or with the Champagne and Aishihik First Nations.

**Ms. White:** There is no denying that the City of Whitehorse is the lead when it comes to McIntyre Creek, as it resides within the municipal boundaries. First Nations, resident associations and Yukon College all have roles to play, as well. No one is suggesting that the Yukon government should meddle in municipal affairs or that voices of other stakeholders should be silenced. It is a simple matter of fact that the Yukon government is the primary landholder in the territory. As a landholder, the Yukon government has an obligation to protect and promote the interests of Yukoners by engaging in the development process, even when ultimate decision-making authority might rest elsewhere.

Will the government use its influence as the primary landholder to engage with the city and other stakeholders to ensure educational, recreational and environmental values are considered in the planning for the future of McIntyre Creek?

**Hon. Ms. Taylor:** I want to thank the member opposite for raising this important question.

As the member opposite has just alluded, the Government of Yukon has had a long-standing land development protocol in place with the City of Whitehorse, which maps out the respective responsibilities of each government when it comes to land planning and land use within the City of Whitehorse confines.

The City of Whitehorse is responsible for the planning, design, consultation, approvals for land development within the city limits. Of course, the Government of Yukon is then responsible for certainly adhering to land development and the sale of the completed lots.

When it comes to respective land designations, that is also by the official community plan for the City of Whitehorse that



was approved in 2010, which speaks to land use designations falling within the purview of the city. As I mentioned in my response to the petition, that the member opposites also tabled, that includes future development, use of land, as well as environmental matters within municipal boundaries. This government will continue to work with all respective parties when it comes to land use planning throughout the territory and continue to meet our obligations as set out with the land development protocol.

**Speaker:** Time for Question Period has now elapsed. We will proceed to Orders of the Day.

## ORDERS OF THE DAY

**Hon. Mr. Cathers:** I move that the Speaker do now leave the Chair and that the House resolve into the Committee of the Whole.

**Speaker:** It has been moved by the Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Ms. McLeod):** Order. The Committee of the Whole will now come to order. The matter before the Committee is Bill No. 6, *First Appropriation Act, 2012-13*. We are going to continue general debate on Vote 52, Department of Environment.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for 15 minutes.

*Recess*

**Chair:** Order. Committee of the Whole will now come to order.

### Bill No. 6: *First Appropriation Act, 2012-13* — continued

#### Department of Environment — continued

**Chair:** The matter before the Committee is Bill No. 6, *First Appropriation Act, 2012-13*. Today we are going to continue with general debate on Vote 52, Department of Environment. The Hon. Mr. Dixon has the floor, with 15 minutes and three seconds remaining.

**Hon. Mr. Dixon:** Thank you very much, Madam Chair. When we ended last week, we were going through some of the initiatives that are being outlined for this year through our 2012-13 budget. So I wanted to take the chance to highlight some of those again for members opposite, in anticipation of additional questions that I'm sure we'll receive throughout today from both parties opposite.

In terms of the Fish and Wildlife branch, I wanted to highlight that this will be the first year of the new, coordinated approach to establishing base inventories and assessing possible

cumulative effects of the recent mineral exploration and development work on Yukon's freshwater fish, wildlife and habitats. The assessment of cumulative effects is required under the *Yukon Environmental and Socio-economic Assessment Act*.

The actions needed to obtain the cumulative assessments are strongly supported by affected First Nations, as well as the agencies responsible for environmental assessment and land disposition requests. These agencies use the environmental assessment process on a project-by-project basis. We now require plans, data collection programs and policies to understand the cumulative effects on regions undergoing increased industrial activity.

I recall last week we touched on some areas in the Member for Mayo-Tatchun's riding specifically, as well as a number of other ones. This new coordinated initiative will utilize resources of the department's Fish and Wildlife, Water Resources and Environmental Programs branches.

One of the largest areas to look at is the White Gold district, as we discussed last week, where the Water Resources branch will be installing two new water-monitoring stations. This will help us collect baseline data on existing industrial impacts on waterways, so that we can anticipate the impact of this new activity. As I said, the Fish and Wildlife branch will carry out a moose survey through the western lower Stewart River and northeastern White River moose management units, and a second moose survey through the upper Stewart watershed along the Beaver and Rackla rivers. These will help us get baseline information on moose densities, population composition and distribution so that we can determine changes in moose population associated with future mining and access development in the White River area south of Dawson in the Rau and Rackla area east of Mayo.

We will also be sharing the results of those surveys with the respective RRCs, which are the Mayo Renewable Resource Council and the Selkirk Renewable Resource Council. Also, we will undertake a ground survey of a small population of Dall sheep in the White River district.

At this point, little is known about these sheep in particular, how they move along the rivers. Given their small size and relative isolation, these groups may be at greater risk of disturbance. As we've discussed, baseline information about group size, group connectivity, and movement routes is needed and could be used to mitigate potential impacts of development on these sheep.

There was, in fact, a relatively comprehensive sheep population and habitat study in the late 1980s, and results of an aerial survey in 2007 suggested that the habitat selection by the sheep will help us determine what has to be done to avoid impacts by mining activity. The Ketz River mining project is about to undergo an adequacy review with the stated intent of reopening the Ketz mine. The current information is needed to inform that process.

Two other survey projects not connected to the cumulative effects initiatives are in anticipation of more traffic on the North Canol Road due to increased mineral exploration activities. The first is a moose survey in response to other local concerns about increased hunting traffic in the area. The other is to

determine the current population of the small resident goat population in the Itsi Range south of Ross River.

The goat survey will be available for industry and resource managers to evaluate the potential effects of development on goats in that area.

Another issue that I wanted to highlight — and it was discussed a bit last week — is the development of our water strategy. As I said, water is a significant issue and a high priority within the Yukon government, and the Yukon Water Resources branch is the lead agency for developing the water strategy. It will include the six government departments. As well, we will be conducting, as I said last week, targeted stakeholder consultations later this fall, which will then be followed by public consultation. We anticipate that the targeted stakeholder consultations will inform the process and the scope of what we will be taking to the public.

It is our hope, of course, that the water strategy will provide long-term direction for economically and environmentally responsible development, management and use of water in Yukon, and establish principles to guide future decision-making. It is our intention to use the water charter, developed by the Council of the Federation to guide the delivery of water management programs across Canada in the respective jurisdictions that adopted it.

That of course will also inform our water strategy. The water charter's goals are to reduce consumption, increase efficiency, protect water quality and adapt to the effects of climate change on water. I should also say that we are very proud that two years of research, discussions and web development has resulted in the [www.yukonwater](http://www.yukonwater) website, which I do enjoy highlighting for members. I think it's a great resource and I encourage members to visit that site and review the extensive data that is available on it. It has been up and running during this past fiscal year. It's a single-source web portal that helps individuals, industry, governments, non-governmental organizations and regulatory agencies get the information they need on everything to do with water in the Yukon. The site lists over 1,300 locations around the territory where water is being monitored or was studied in the past, and provides details on how water is used for mining, agriculture, fisheries, forestry and oil and gas. Information is also provided on the federal, territorial, municipal and First Nation governments and their role in water management as well the regulatory agencies that review water use in the territory.

Another important initiative in our budget for this year is the investment we are making in our conservation officers in the territory. Of course, these folks are the ones who deal with wildlife issues and the issues of hunters and those out using the land on a day-to-day basis, on a first-hand, on-the-ground basis. So we have a lot of respect for what they do and a lot of faith in their ability to act in the public's interest when it comes to wildlife and managing wildlife.

We are, as I mentioned before, staffing one new conservation officer position in Carmacks as of last year, in response to requests from area residents. This year, we will be adding another half-time field position to the branch to increase our field presence and meet growing demands for our services. Of

course, as I've noted, the largest capital budget this year is the planning and design for the new Watson Lake regional office building to replace the 1960 structure, which we built for the Conservation Officer Services branch in Watson Lake. As I've noted before, that building is in much need of replacement. It's quite — I used the word "dilapidated" last week. I think that's a fair term to use again.

When we invest in our buildings like we're doing here, not only are we improving the ability of our staff to do the good work they need to do, but it improves our ability to recruit new staff. Staffing in communities is always an issue — finding folks who are either in the community already, or are willing to move to a community to perform these important services. So I anticipate that having a new building that doesn't leak and actually has air conditioning in the summer will help us recruit staff to Watson Lake.

The new building, when completed in 2013-14, will house two conservation officers, as well as the offices for the Fish and Wildlife branch, regional biologists, as well as the seasonal Parks branch staff. So we try to get as much usage out of this facility as we can by sharing among the different branches of the Department of Environment.

We are also implementing a succession planning initiative for our First Nations conservation liaison officer, and we'll be recruiting for a three-year term First Nations liaison training position in the branch for this year.

We'll be looking at two new Internet-based services that are being developed by the Conservation Officer Services branch. The first is a pilot project to help Whitehorse residents learn how to reduce their conflicts with bears in the summer by improving the public's access to information about bears in their neighbourhoods. The second is to work on the logistics for an Internet-based hunter education and ethics development course to remove barriers to participation and enable hunters to take the hunter education and ethics development course on their own schedule from anywhere in the territory.

Within the Parks branch, the popularity of Tombstone Territorial Park continues to draw interest from Yukon residents here at home, as well as Canadian residents visiting the Yukon and visitors from outside of Canada. As I noted before, in terms of statistics, we saw a 25-percent increase in the number of visitors in Tombstone, where visitations went from 10,000 in 2010 to 12,500 in 2011. This increasing demand means we have to come up with new and innovative ways of helping a wide range of people to enjoy the Tombstone experience.

We are working on introducing, on a pilot basis, an on-line registration system for people who want to book their back-country Tombstone Park camping spot in advance. If this is a successful project, we will look at expanding that service in the future in other areas.

We are considering in 2012 — also on a pilot basis — offering two group camping sites at the Tombstone Mountain campground for commercial wilderness tourism operators to use exclusively in order to support their businesses. As it stands now, our existing park campgrounds are occupied 100 percent of the time from the beginning of July to the end of August.

I wanted to also reiterate the very positive, back-and-forth conversation we had last week with, I believe, the Member for Riverdale South, about the need for improving existing campsites, as well as expanding them and identifying potential new sites. I think something Yukoners will be happy to hear is that work is underway in this field. As more and more people come to the Yukon Territory from Outside, they want to come up here to experience the Yukon way of life and that, of course, includes experiencing Yukon's phenomenal wilderness and nature. Oftentimes, folks will do that by visiting any of the numerous territorial parks, which the Department of Environment is happy to manage.

As I was saying, the existing parks — while there are some in the Whitehorse area which are extremely well-used, there are parks throughout the territory that actually see relatively little usage. So those are areas where we could reconsider the resources we devote to them, in light of the need to divert resources to the potential of new campgrounds or expanded, existing campgrounds.

When we closed off discussion on Thursday, I believe we were discussing the Yukon government's environmental liabilities and remediation program and the number of contaminated sites that the site assessment and remediation unit manages on behalf of the Yukon government. But seeing my time, I'll leave that for any questions that others across the floor may have, and I look forward to hearing the questions from the members opposite. Thank you, Madam Chair.

**Ms. Hanson:** I thank the minister for his comments. I would like to just raise a couple of questions based on the debate last week — it caught my attention on three areas that I'll focus on this afternoon.

In the reply to questions from the Member for Takhini-Kopper King with respect to amendments and requirements to revise or review the Yukon *Environment Act*, the minister acknowledged that there are some inconsistencies and/or outdated provisions that make it difficult for the Department of Environment — I'm quoting here — “to continue to operate appropriately.” He then goes on to say that there really were no plans with respect to changes or amendments to that legislation. I would ask the minister for clarification. I am really hoping that he can help to “square the circle” on this one, because it doesn't jive with the comments made by this government at all in past debates.

When we were in debate on the Environment department last year, the minister's predecessor indicated that the department is aware of the need to update the *Environment Act*. In March 2009, the Department of Environment commissioned a third party evaluation of the act. The report looked specifically at the impact of legislative and administrative changes and how these — since 1992 — and how these have affected the *Environment Act*. It is clear that the *Environment Act* requires updating to reflect the results of devolution and the passing of the Yukon *Environmental and Socio-economic Assessment Act* and many of the Yukon First Nation final agreements. The department is developing a workplan outlining the suggested steps for undergoing an official review and the revisions of the act.

My question for the minister is this: Has that workplan now been completed, and is it available for review? What is the timeline for that review?

**Hon. Mr. Dixon:** As I said last week, we are aware that there are a number of provisions in the *Environment Act* that are a bit dated. They don't reflect, in some cases, the final agreements, devolution, the YESAA act referenced by the member opposite. So there are, indeed, challenges, but I think this actually came up today in Question Period, where government is required, of course, to base its decision on which legislation to modernize and which legislation to amend, based on a number of important inputs. Those, of course, include priorities raised by the government in its platform, as well as recommendations made by the department.

I would anticipate that an *Environment Act* based on — how do I put this? — how outdated it is, I suppose, is something that we would be looking at over the next several years as something that we should consider revising. But, of course, as we noted before, this territory is chock full of old pieces of legislation, some dating back over 100 years. Of course, all of those need to be, at some point, considered by government. I'd say that we would consider the *Environment Act* among all of our other pieces of legislation. I would say that it is something that I think we would be looking at doing in the next several years.

**Ms. Hanson:** So, I take it from that answer, then, that we are not going to get a copy of the workplan that was drafted and money expended for a third party to actually do that evaluation and determine the key actions that should be taken to move forward on a legislative initiative around the *Environment Act* — that that's not going to be done.

I'll move to the species at risk then, in response to questions last week and discussion on this matter — essentially, the upshot of which being that the minister indicated that this was something that has sort of gone on the back burner, notwithstanding that there may be an issue — we'll rely on federal legislation.

The previous minister — this is why I'm raising this because this is the same government that has been in place for the last almost 10 years, and so these issues didn't just appear overnight.

The departmental audit has noted these shortcomings and to inconsistencies with respect to the legislation and movement on them. So at that time, when the review was done in 2007, there was a discussion and the department indicated it expected that the proposed legislation will be redrafted over the coming year. There was, as the minister indicated, a series of consultations. Prior to this one here, the minister indicated that “The Yukon government” — this is last year — “is committed to finalizing the Yukon species at risk act to maintain and enhance Yukon's natural environment for present and future generations.” Laudable goals, Madam Chair.

“Environment Yukon is carefully considering all comments from two years of extensive consultation with aboriginal governments, wildlife management bodies and stakeholders. The final details of how the act will affect aboriginal treaty rights and concerns were addressed” — not for future, but

“during working meetings with First Nations, Inuvialuit and renewable resource councils.” The important piece is “Changes to the draft act resulting from those discussions will be concluded shortly.” Last week we were told that there has not really been any work done. In fact, the government has been doing work.

I guess my question to the minister is this: Really, what will it take to actually get some movement to take the product of those extensive consultations and move forward as the previous Yukon Party minister talked about in terms of the importance of this act to maintain and enhance Yukon’s natural environment for present and future generations that is an objective of this minister? He has the responsibility to tell this House how he will achieve that.

**Hon. Mr. Dixon:** I would remind the member opposite that nine other of my colleagues and I were elected for the first time, at least this time around, in November of last year. I’m not going to comment on what a previous minister said or didn’t say, but I would say that there are a number of mechanisms for identifying and managing species at risk in Yukon. There is, of course, the Committee on the Status of Endangered Wildlife in Canada, with which we work very closely. It’s a national committee and Yukon has a member on that committee that evaluates the status of all wildlife species in Canada and identifies those most at risk. COSEWIC, as it’s known, places species at risk on a continuum of classifications and categories that I listed last week, which I won’t list again.

There is the Convention on International Trade in Endangered Species — CITES — that governs the cross-border movement of animal parts from species of international concern, and of course there is the Yukon *Wildlife Act*, which lists several species as specially protected.

In response to the member opposite’s question, I would say that we believe that there are sufficient legislative and permitting provisions that collectively can address concerns related to species at risk in Yukon. As I noted to the member’s colleague last week, there are a number of jurisdictions that have species at risk legislation, and there have been a number of developments and changes across Canada related to species at risk. Many jurisdictions are revisiting their legislation and associated planning processes to meet the challenges of transboundary, national and international coordination, as well as the timelines and expectations within their own jurisdictions.

Given these considerations, the Yukon government is not moving forward immediately with a Yukon species at risk act to avoid similar challenges encountered by others, and to learn from their experiences and revisions to current legislation. We have, right now, the tools to manage species at risk. We have been doing that quite well over the years. I gave the member from Takhini a good example of that with the little brown bats that were recently identified by COSEWIC as a species of concern. Because Environment Yukon has been monitoring little brown bat populations in Yukon since 2004, we are able to provide useful, current information to the committee and develop a useful management plan for this species in Yukon. There are methods and processes available to manage species at risk in Yukon currently.

With regard to moving forward with the potential of a species at risk act, it is something that we have obviously considered numerous times over the years, but it is something that, for the reasons I just listed, we are not considering moving forward on immediately. We want to ensure that we learn from the experiences of other jurisdictions that have undertaken these sorts of processes of developing legislation and have now gone back and revisited those pieces of legislation. We want to take a step back; we understand through our contact with the federal government that there is the possibility that the federal government might be considering their own legislation. That is something we would also want to keep a close eye on in order to determine what plans they have to amend their own legislation. I think that that addresses the issues raised by the member opposite.

**Ms. Hanson:** I guess, given that response, I should perhaps be hopeful that the minister opposite doesn’t engage in any major review of the *Environment Act*. I would be concerned at that stage, because the current preamble to this act talks about his responsibility as minister. It talks about recognizing that the resources of the Yukon are the common heritage of the people of the Yukon, including generations yet to come, recognizing that a healthful environment is indispensable to health and human life and that every individual in the Yukon — including this minister — has a right to a healthful environment.

It also goes on to talk about the Government of Yukon as a trustee of the public trust. It is responsible for the collective interests of the people of the Yukon and the quality of the natural environment. Yes, I can recognize that there are species-specific initiatives that are going on. It is one thing to talk about little brown bats and bigger brown caribou, but there are many species at risk that we don’t see. They don’t speak; they don’t make noises. They are more like the plant life of this territory. Each one of those that is diminished or removed because of a lack of action diminishes this territory and diminishes the minister’s ability to deliver on his responsibilities and accountability as the Minister of Environment.

We will continue to raise the importance of the issues of the objectives of the *Environment Act*. It had brilliant foresight when it was drafted — as a result of much consultation with Yukoners. The importance of species at risk legislation has been documented, and the failure to deliver on this by this government over the last number of years.

I want to come back to an important element. I will be asking the minister for clarification. In the give and take of the conversations, we sometimes don’t quite get out what we intended to. So in response to a question with respect to the Yukon Council on the Economy and the Environment, the minister spoke about that and said, “In many ways, the realities of devolution and the establishment of YESAA have really taken over the responsibility of the assessment process for projects in the Yukon.” He goes on to say, “Those are the sorts of things we want to address in the review of the act.” I just wanted to point out to the minister that, in fact, the responsibilities — when we talk about the Yukon Council on the Economy and the Environment, this is really an important element of the

whole issue of sustainable development in this territory. I'll just remind the minister opposite that regarding the Yukon Council on the Economy and the Environment, this Yukon Party government, again, is breaking its own law in terms of not reporting on it or having disbanded it.

The purpose of the Council on the Economy and the Environment under the legislation is to encourage sustainable development in the Yukon. It was to undertake and encourage public discussion of the economy and the environment and their interrelationship, and that's the absolute crux of what we're dealing with in the territory at this moment. It was to review policies of the Government of Yukon and evaluate their implementation in relation to the objectives of the *Environment Act*, to conduct research on the economy and the environment, and to promote public awareness of the importance of sustainable development.

Last year, on February 9, members of the 32<sup>nd</sup> Legislative Assembly had the privilege to receive the Governor General in this House. It truly was a privilege when the Governor General, The Rt. Hon. David Johnston, addressed this Legislative Assembly and spoke from the Speaker's Chair. He remarked, in his opening comments, that it was so good to be back in the Yukon. He remarked that he was the "founding chair of the National Round Table on the Environment and the Economy." He said that his first time in the Yukon, he attended meetings that were held in Haines Junction, at which the notion of sustainable development was developed — the whole notion of sustainable development as something that should be guiding how we balance economic and environmental development in our country.

He was part of the movement to get sustainable development placed in all federal legislation. That's why we had and have in our environment legislation a Yukon Council on the Economy and the Environment. The Governor General said — and this is kind of a sad irony — and I quote: "The concept of sustainable development, in a sense, had its birth right here in Yukon". He went on to say that he couldn't think of a more appropriate place for something like sustainable development to have its birth.

I guess my question is this: What has happened since? We have a federal government in Ottawa that is shutting down the national roundtable, for which the annual budget is the same cost as the federal government's financial contribution to commemorate the Calgary Stampede. In the Yukon, we have a territorial government that is violating our *Environment Act* by not maintaining our sustainable development council, the Yukon Council on the Economy and the Environment.

We already heard last week and again today that the minister has no specific timelines regarding the *Environment Act* or species at risk.

He said that the *Environment Act* is, in many places, outdated and he basically said — I think a misunderstanding of what the Yukon Council on the Economy and Environment was intended to do. I get the impression that he believes it's outdated too. So my question: Does he feel sustainable development is outdated?

**Hon. Mr. Dixon:** There were a number of issues the member opposite raised here. The first and most unfortunate one is the lack of, I think, respect for a very important species in the Yukon, the little brown bat. The member opposite seems to dismiss the concerns about the little brown bat in the Yukon and, of course, it's a very important species and one that shouldn't be mocked. I know it isn't the cutest animal and perhaps — you know, it has gotten a bit of a bad name lately as a result of some vampire movies, et cetera, but it's one that we shouldn't ignore.

To respond to a number of her other comments about species that can't speak for themselves, I am not aware of any animals in Yukon that can speak for themselves. But there are a number of non-mammal species that are protected, as well as other flora and fauna.

In response to her comments about the council mentioned in the act — many bodies established through the land claims process advise government on environmental management. Those include renewable resource councils, the Fish and Wildlife Management Board and a number of other bodies like that. Since becoming minister, I have made a point of trying to develop a very positive relationship with the Fish and Wildlife Management Board. I look forward to visiting communities throughout the Yukon to meet with their local RRCs to develop that relationship as well.

When it comes to sustainable development — actually, this is not an issue really for the Department of Environment; it's in the Department of Economic Development. That department supports the growth of an economy that will provide for Yukoners today and tomorrow. Sustainable economic development is a concept used by the department at both the strategic and operational levels. This includes working with our partners, both internal and external, to achieve the best outcomes for Yukon, now and into the future. If the member opposite would take the time to read some of the departmental planning documents from the Department of Economic Development, she would see in the *Pathways to Prosperity* document a quote that I'll read: "Growth planning will provide a critical component as we explore government and stakeholder roles in enabling sustainable economic development."

As well, from the department's strategic plan, I'll quote: "Sustainable diversification of the economy will require capturing external wealth, in large part through increasing the numbers of strategic projects and activities. This wealth will come from diverse sources, including mining, tourism, research and innovation and the film and sound industries." So we see sustainable development infused in departmental planning documents in the Department of Economic Development. I don't want to spend too much time on this, because I'm sure members opposite have legitimate Department of Environment questions that they would like to get to.

I would conclude by saying that of course sustainable development, sustainable economic development, is something that we consider very significantly on this side of the House. It's infused in our planning documents in the Department of Economic Development, and it is something that we take very seriously. Thank you.

**Ms. Hanson:** Madam Chair, the question was to the Minister of Environment. He has now just demonstrated that he does not understand that the *Environment Act* speaks to sustainable development and his obligations and responsibilities for sustainable development. There is a definition of “sustainable development” in the *Environment Act*. I would urge the minister to be familiar with his portfolio. We are speaking today on Environment.

“Sustainable development” means development that meets present needs without compromising the ability to meet the needs of future generations. That’s why we need a robust *Environment Act*; that’s why we need a minister who champions the balance of sustainable development — the challenge of the balance that is required. That’s why the Yukon Council on the Economy and Environment — the objectives that I read into the record — was established in 1991, Madam Chair. So it’s unfortunate the minister doesn’t take this role seriously. It is very, very important. It’s important under the legislation as it stands today, and he is obliged to uphold this law in its entirety. He is accountable to this Legislative Assembly for this piece of legislation and its implementation in all aspects. So, as the Official Opposition, we will look to the minister to demonstrate that he actually seriously is cognizant of his obligations and responsibilities. We will work with him to help him understand them more clearly. With that, Madam Chair, I am disappointed in the responses we got today, because it really kind of shocked me. But we will move forward.

I believe the interim Leader of the Third Party has a number of general questions before we move to line-by-line debate.

**Hon. Mr. Dixon:** I just want to reiterate my disappointment in the member opposite for the concern for the little brown bat.

**Mr. Elias:** I would just like to begin by saying today that I have been listening to the debate over the last couple of days. I apologize to the minister and his staff if I am a little bit repetitious — sorry — today on Vote 52, the Department of Environment general debate. It is also once again a pleasure to engage the minister on such an important topic. I do have a number of questions that I hope were not asked in the last couple of days.

I was going to save this one, but I will just get right into it. We are only one-tenth of the way through a billion dollar-plus budget that I believe we have actually cleared the lines for. I think we only have about 10 actual sitting days left, so I will try to be as expeditious as I can.

I will begin on the topic of the modernization of the *Environment Act*. I will take this from a little different perspective. I will start with the Yukon Party platform.

It has been a platform of the Yukon Party government — I believe it said “pristine environment”. When something like that is put forward to Yukoners, I think it is very important to start to let Yukoners know that, yes, there are issues with the *Environment Act* and the fish and wildlife acts — and the multitude of regulations, I might add — that are outdated and need to be modernized in today’s world of self-governing First Nations, devolution, the various final agreements and dealing with changing times, because if someone out there gets a ticket for

fishing with the wrong lure or something under the *Environment Act* or the fish and wildlife acts, and the law is being followed by any person in those pieces of legislation, it breeds contempt for the law when the government doesn’t follow its own legislation in crossing the t’s and dotting the i’s. I think that in reviewing these types of legislation and making solid pieces of legislation to bring it up to today’s times should be a priority.

I think that Yukoners expect the minister to champion the priority of renewing the *Environment Act* and the *Wildlife Act* and the associated regulations at the Cabinet table, and letting Yukoners know more definitively that, yes, within the mandate, this will get done as a priority for legislative consultation. Some of those clauses within the *Environment Act* are becoming relic clauses and need to be addressed.

I think that there is an opportunity here for a new minister who just got elected to champion these issues and to let Yukoners know that he is championing them. In section 47 of the *Environment Act*, it does not say “the Government of the Yukon may”; it does not say “the Government of Yukon, whenever it feels like it, report publicly on the state of the environment report”; it says, “The Government of Yukon shall ...”

I will go back to the *Umbrella Final Agreement* — if the expectations are for the other parties, federal government, Yukon First Nations, renewable resources councils, Yukon Fish and Wildlife Management Board, when it says “shall” in that agreement, the expectations are exponentially higher that they are going to fulfill that obligation.

I think the same holds true for territorial legislation. So I think this is something that can be a shining light for the minister. I encourage him to provide more of a definitive answer to Yukoners with regard to the modernization of this type of legislation. I don’t see anything but a win-win situation here. More of a definitive answer with regard to that would go a long, long way.

I’ll leave that alone. I have some questions with regard to the minister’s responsibilities under the UFA, chapter 16, and the First Nation individual final agreements and it’s about statistics here. I can see some value to this over the implementation of not only chapter 16 but other chapters within the *Umbrella Final Agreement*. It’s with regard to the recommendations from the Yukon Salmon Sub-Committee, the renewable resources councils and the Yukon Fish and Wildlife Management Board. I’m wondering if the minister has any statistics with regard to the recommendations or the decisions that he’s responsible for — the number of recommendations or decisions that he accepted, that he varied, or that he set aside — I shouldn’t say “he”; I should say “the department” — or that he replaced the recommended decision altogether.

I think those are important, and if we find a way to categorize that, it’s going to bode well for the efficiency of the renewable resources councils and the Yukon Fish and Wildlife Management Board and the Yukon Salmon Sub-Committee in the future.

I’ve said this before and I’ll say it again: over the years that I have watched the operations and direction of especially the renewable resources councils, they are being rendered ineffec-

tive, not because of the inner workings of the individual renewable resources councils, but it's just the way that the governance structure is being implemented. If we are going to strengthen the claims agreements and our responsibilities as a public government in those, I think these kinds of statistics are going to go well, because this agreement is not going away any time soon. That's a couple of questions.

I do have some species at risk questions. I'll just go ahead and say anyway — the little brown bat. How do I take an angle on this? Maybe I'll just ask a general question: If the minister is able to provide useful and current information to COSEWIC fairly quickly, and hasn't reported to Yukoners through his obligations under section 47 of the *Environment Act* for reporting on the Yukon state of the environment report — I believe it was four years ago since we've actually had one. Can the minister provide an update with regard to the status of species at risk in the Yukon? If I heard him correctly, he said that the little brown bat got dropped down to species of special concern and on the minister's own website, it's still under the endangered species list. So I'm not sure about that.

But there is also the northern long-eared bat. There are some plants, some birds, the barn swallow, the Canadian warbler, the common nighthawk, the olive-sided flycatcher and the red knot. Some wood bison reporting could happen. I understand there are a lot of unknowns with regard to our wood bison population. There's the woodland caribou — the boreal population. If the minister could update Yukoners with specifically the endangered species at risk in the Yukon, we can alleviate some of the concern. Maybe I'll just begin with those three questions.

**Hon. Mr. Dixon:** I'll start with the question about the statistics on the recommendations from the various boards. I don't have that here. Those recommendations were made, starting about the mid-1990s. It would require some significant time and effort put in by staff to collect that data. If the member wanted to perhaps write me a letter or something like that and initiate a case work, we can get staff to develop that body of statistics for him. That would be possible; I certainly don't have it here in the House today, though, unfortunately.

With regard to the species at risk question, it sounds like he is looking for a list, I guess, which I believe he noted was on-line.

Allow me to correct myself — the two species of bats occurring in Yukon have been assessed as endangered — so he is correct in that — across Canada by COSEWIC, and these species will likely be added to the federal *Species at Risk Act*.

In terms of the importance of bats, of course bats are an important component of Yukon's biodiversity. They are the primary regulator of night-flying insects, including mosquitoes. The problem that has arisen resulting in their decline has been white-nose syndrome, which is an emerging disease affecting bat populations across North America. It is native to Europe and believed to have been transported to North America on the clothing of spelunkers, or those who climb in caves. White-nose syndrome affects bats during their winter hibernation. A white fungus forms on the nose and it is believed that the annoyance of the fungus awakens bats, and they burn up critical

energy reserves. As a result, they starve to death after being awakened.

In terms of others species at risk, there is a quite list on which that the Department of Environment works with its federal counterparts. As I said, they do include the little brown bat and the northern long-eared bat, but also a number of plants, birds, mammals, fish and amphibians. I won't list them all here, but they are available on-line.

So the statistics and the species at risk — I think I've covered the bases there, Madam Chair.

**Mr. Elias:** I'll move forward. I thank the minister for the response. This was also touched on over the last couple of days in the debate, but I think it can go into a little bit greater depth about the species management plan for *canis lupus*, the wolf conservation and management plan review. Last year during this time, there was a committee struck and over a period of four months they conducted community meetings throughout the territory with regard to the wolf management plan, to renew the *Yukon Wolf Conservation and Management Plan* that was dated August 31, 1992 and to receive recommendations that were made to the Yukon Fish and Wildlife Management Board and to the minister himself.

Can the minister give a progress report as to what stage the *Yukon Wolf Conservation and Management Plan* is in the territory? That's one question.

In the community discussions there seems to be some discrepancy between what the Department of Environment feels the population of wolves is in the territory compared to the various communities throughout the Yukon. Some communities feel that there are a lot more wolves out there than what the Department of Environment is suggesting — that there's up to 5,000 wolves in the territory. I've been to a couple of these meetings. Especially when people's pets go missing or when they come close to communities or actually live in the communities during the winter — which is of concern when hunters and trappers are seeing a larger number of moose and caribou kills out on the land — it becomes a concern.

I haven't seen a status report on the development of the *Yukon Wolf Conservation and Management Plan* review process. If the minister could provide the House with an update on that, it would be great.

**Hon. Mr. Dixon:** I would be happy to provide an update for the member opposite. As he mentioned, we have been reviewing the 1992 plan and updating it and working with the Fish and Wildlife Management Board to do so. The Fish and Wildlife Management Board has really put in a considerable amount of time and effort. Several of the members have spent a lot of time and resources on it. It is something that has been a very collaborative process between government and the Yukon Fish and Wildlife Management Board.

It is our view that the process followed by Environment Yukon and the Fish and Wildlife Management Board, for both the review of the 1992 plan and the development of the 2011 plan, respects the final agreements and the roles and authorities for public management of the non-subsistence species of territorial interest.

The joint review committee, which had representation from the Fish and Wildlife Management Board, as well as the Government of Yukon, identified and communicated numerous opportunities for First Nation engagement, participation and input throughout the planning process that began in February 2011, including a workshop, community meetings, an extension to further support First Nation participation in the plan review in September 2011, and a further consultation period in January and February 2012.

Also, as a result of this, or a kind of a side effect of it, a First Nation land and resource directors forum has been established, which I think will be an effective forum for Environment Yukon staff to address future management planning processes, including First Nation engagement. It is just a chance for the technical staff of First Nations and Environment Yukon to touch base on a number of issues.

The current status of the plan, I would say, is at its penultimate stage. It is very close to being completed. The collaborative working relationship between the board — advanced public management interests on species of territorial interest — and is similar to the existing collaboration with the board in addressing public input on any proposed amendments to Yukon's *Wildlife Act* regulations.

To address the member's point about local concerns perhaps being different or diverging from the understanding that Environment Yukon might have — one of the components of the plan is to provide additional scope and ability for local renewable resources councils to provide additional input into things like harvest management and issues like that, where they have the local knowledge and the local understanding of their own populations in their own areas — their own traditional territories, which I think is incredibly important — making sure that the folks on the ground dealing with, in this case, wolves, on a day-to-day basis. In some cases, communities interact with wolves probably more than they'd like to. So we want to make sure that we provide opportunity to listen to those folks and take their input very seriously.

So I hope that answers the member's question. To reiterate, the plan is at its penultimate stage and will be completed very soon, I imagine. Thank you.

**Mr. Elias:** I appreciate the comments from the minister. Again, I'll move on. Something else does come to mind when the minister asks me to write a letter with regard to the statistics about the recommendations from the renewable resource councils and the Yukon Fish and Wildlife Management Board and the Yukon Salmon Sub-Committee. With his responsibilities under the *Umbrella Final Agreement*, if it's going to take significant time and effort, we have to start somewhere, because I do see value in these types of statistics as they develop over time. So, consider the debate on the floor of the House today a request to develop these, because it also says in chapter 16 of the *Umbrella Final Agreement* that the minister provide written reasons. Those are also of historical value. So, if we can begin to develop this type of — I see it as a table — decisions that are made, whether the minister under his responsibilities may accept, set aside or replace the recommendations, or bury the recommendations within the responsibilities under

chapter 16. They could become very valuable in the years to come.

I'll move forward. The winter tick issue still comes up in my travels throughout the territory with people asking if there is an update with regard to this. Have there been any hides submitted to the Department of Environment that are infested with the winter tick? I would assume that the department would immediately publicize this and deal with this if that is so or if that were found to be true. I don't want to be an alarmist, but this winter tick in the south has decimated ungulate populations because of their emaciation — where their hair falls out, anyway. We don't want this to happen to our ungulate populations here in the territory. I know there has been some management effort from the department over the years, treating elk populations throughout southern Yukon to ensure that these winter ticks don't go into the wild populations.

So if the minister can give me a quick update on the management efforts and some of the data with regard to this nasty little tick, then it would be great for Yukoners to get updated on whether or not the Department of Environment is aware of any wildlife species — whether they be moose or caribou, all of the harvested ungulates in the territory — has the winter tick been noticed on their hides?

**Hon. Mr. Dixon:** To respond to that question, the Department of Environment continues to monitor hides; they have since 2007. There have not been any infested hides; there have been a very, very small number of ticks found. The threshold that they typically go with is 50,000 ticks on a hide would be a level of concern and the numbers that they have seen, in the very few cases they have seen any, have been very small, single- and double-digits — it is very small. Not a number that is of concern.

To respond to the member opposite's request for that information, it is available on our website. So there is information about winter tick surveys and monitoring available on-line. I think that's it.

**Mr. Elias:** The Department of Environment has a huge and expensive website and navigating through it to find a specific answer is sometimes time-consuming and difficult. I thank the minister for providing those answers.

With regard to the species of bison and elk, this is a question from the general public. They've been on the introduced species legislation in the territory for quite some time now. The question that was posed to me and I couldn't answer was, is there a point in time when the introduced species are no longer considered introduced and that they fall under the laws of general application like native species wildlife? If not, why not? Are they going to stay on the introduced species list forever? The main concern is with regard to wood bison and what some consider the obvious difference in population estimates with regard to the general public and hunters and the Department of Environment.

I think there was a solution presented: why don't we put these two species off the introduced list and on the laws of general application list in order for Yukoners to access the harvesting privileges as they were a native population?



Another question that I have been made aware of is with regard to the regional biologist in the Kluane region. I understand that the position is vacant. I looked through the budget and there doesn't seem to be any FTE cuts with regard to that. So the regional biologist position is, as I understand, vacant. I am just wondering if that was a cut. What precipitated that vacancy in what I consider to be a very important position? Hopefully, this wasn't a resource management directive, a budget cut or a centralization of the resources in Whitehorse. I would just like some clarification on those two questions.

**Hon. Mr. Dixon:** I will respond quickly to the last question raised. It is a personnel issue that I won't be commenting on further. My understanding is that an individual resigned and that the position will be staffed as soon as possible. Other than that, the details are something I don't get into when it comes to personnel matters.

When it comes to the introduced species, I would say that there are no plans to move them out of their existing legislative classification. They are introduced species as defined by the land claim agreement as a transplanted population. To change that could potentially require revisiting the land claims agreements, which is something that we won't be considering immediately. We do manage both those populations under their existing management plans and, as it currently stands, they are not considered subsistence species under the First Nation land claims. Removing them from introduced species and introducing them as some other classification would require the consideration of land claims, as well, so there are some challenges associated with that.

I would say that there are no plans currently to remove bison or elk from the introduced species legislation and transfer them to another type of legislation.

**Mr. Elias:** I thank the minister for his response, because when Yukoners come to me to ask the Environment minister a question, it's good to hear some answers.

Now, just over to special management areas within the territory and the management plans that encompass them — I believe we have — I lost count. The basic question is with regard to the special management areas under the land claim: Are there any special management areas being negotiated in the territory? If so, is there a timeline for them to be announced, and where in the territory are they?

**Hon. Mr. Dixon:** All of the SMAs we have currently are identified in the land claims. They're identified in each specific land claim. There are no active negotiations ongoing for others. However, additional protected areas can be identified through the regional land use planning process, as was done in north Yukon.

**Mr. Elias:** I guess the same question holds true for habitat protection areas or — well, I guess I won't assume that. I'll ask it. There are a number of habitat protection areas throughout the Yukon. I believe the last time I asked this question — and I believe the Member for Takhini-Kopper King also mentioned this — was around Kusawa Lake and around the north Alaska Highway. I'm not sure what the designation is going to be within the *North Yukon Regional Land Use Plan*. I understand that was still under negotiation as well. So the same

question for the habitat protection areas in the territory: Is the minister aware of any imminent announcements with regard to new habitat protection areas in the territory and, if so, where? What is the timeline for the implementation and negotiations to be completed?

**Hon. Mr. Dixon:** I think the member is talking about management plans for special management areas, rather than special management areas themselves. The special management areas themselves are identified in the land claim. When it comes to management planning, there is some work undergoing with First Nations, as it is in terms of developing those plans.

He asked specifically about the Kusawa management planning, and I'll say that we are working with the affected First Nations about what their role in park management will be. Discussions are nearing completion regarding a management committee that will help oversee the implementation of the park management plan. Park planning for both Kusawa and Agay Mene will be able to resume in the near future, when the terms of reference are finalized. Similar committees are already established for Tombstone and Fishing Branch parks. When it comes to habitat protection areas, they are usually identified through the land claim. However, we do have one case, where we identified one that is outside the land claim, which is the Devil's Elbow and Big Island, developed in collaboration with the Na Cho Nyäk Dun First Nation.

**Mr. Elias:** I'll start with a species-specific question here, and it regards the caribou population within the territory. The last time I believe we had this discussion, there was some ongoing management with the Chisana caribou herd and a lot of work has to be done. I believe they're on the special concern list as well, if my memory serves me correctly. Can the minister give a brief update on the status of population estimates? I believe there are 17 caribou herds throughout the territory — if they're stable; if they're in decline; if they're on the increase. What is the status of the caribou herds that we have that use the Yukon as their range, especially the Chisana herd? I understand that over the years there have been some pretty significant management actions to help protect that herd, so what is the update on our caribou populations in the territory?

**Hon. Mr. Dixon:** With regard to the specific herds, I don't have the specific numbers on the Chisana herd itself, but I can report to the member that we understand the population to be stable. As he knows very well, the Porcupine caribou herd has surprised many with the number we saw as a result of the aerial survey. If he would like more detailed reports on population in terms of specifics, I don't have those here today, but I could certainly get back to him with the details.

**Mr. Elias:** Hence the need for the state of the environment report. It would be good to have those kinds of numbers to see whether or not the charismatic megaphone that we have throughout the territory is in good shape — not necessarily just around high interest areas for resource extraction. I haven't seen those numbers for a long, long time. It would be important for Yukoners to understand the state of the species.

The next topic is about our northern Arctic Ocean coastline and our responsibilities in north Yukon at tidewater, our part-

nerships with the Inuvialuit and some Arctic offshore oil issues and the participation of the minister's department. There has been on the Alaskan side some wording of some leases and there has been some work last year that the National Energy Board was doing with regard to offshore drilling off our coast. At present, I believe British Petroleum and ConocoPhillips and — I think it might be Exxon — but I could stand corrected on that — have already been awarded offshore drilling leases close to our tidewaters.

There is a saying emanating from that: If we drill in the Arctic, we spill in the Arctic. Does the minister have any level of participation in a working group, or is participating in the National Energy Board discussions with regard to coordination of those leases, and the potential of spills and the issues with our marine ecosystems, not to mention Herschel Island — a national park up there — and north of the Porcupine and Bell issues as well.

I have not heard any updates about the spill-response capabilities of our territory or if we are going to be participating at all. This could largely be a federal issue, but I still think that we have a role to play in representing our citizenry here in the territory. There is a whole slew of questions around this — the socio-economic impacts, the increase of tankers that are going to be entering our shallow waters.

I got a call this spring asking if we have any responsibility of protecting the beluga whale shallows where they give birth on the Yukon's north coast and if we have any jurisdiction over the protection of the calving grounds of the beluga whale populations. They're just right offshore and I don't know how far or if we do have jurisdiction into the Arctic Ocean.

The last time I got up — is that we do, because we have Herschel Island out there, but I'm not exactly sure. So maybe the minister could provide some clarification on that. Hopefully, the minister is involved in a dialogue with Ottawa with regard to what happens off our Arctic north shore. It also has sovereignty-related issues as well. It's basically about the input that the department has had with regard to the specific issue about offshore oil and gas exploration and development off our territory's northern tidewater.

**Chair:** Before the member speaks, would the members like a short break?

**All Hon. Members:** Agreed.

**Chair:** Committee of the Whole will recess for 10 minutes.

*Recess*

**Chair:** Order. Committee of the Whole will now come to order. Mr. Dixon has the floor.

**Hon. Mr. Dixon:** We were discussing the Yukon's role in the offshore — both in terms of population and spill response. I'll start with the emergency preparedness and spill response. Officials in the Department of Energy, Mines and Resources in the Oil and Gas branch represent government in discussions with the federal government on the development of those procedures. Of course, the regulation of that, of course, is a federal area, both in terms of the regulatory ability to manage

oil and gas on the offshore as well as marine species populations. The member opposite mentioned beluga whales. The Minister of Highways and Public Works has a beluga whale, for illustrative purposes, on his tie, which is relevant, I think.

**Some Hon. Member:** (Inaudible)

**Hon. Mr. Dixon:** I stand corrected — a humpback. There is some role for the Yukon government, though, in the environmental screening process, as a result of the *Inuvialuit Final Agreement*. So there is some role there, but primarily the responsibility is a federal one. I would also add that our neighbours to the west, the Alaskans, have a number of areas of expertise when it comes to offshore oil and gas, including emergency preparedness and spill response.

I had a chance to learn a little bit about that through the PNWER forum, which does consider the topic of spill response of oil and gas under the auspices of Economic Development. I had a chance to receive an update from — I can't remember the gentleman's name or title, but he was with the Coast Guard in Alaska and was in charge of developing their procedures for spill response in the event that a spill would occur offshore. So there is some sharing of knowledge between Alaska and Yukon, and there is a voice for Yukon in the federal management of those waters.

The marine protected animals are also under federal jurisdiction, so we don't have a management role with those populations. I think that covers the ground, in terms of the questions raised by the member opposite.

**Mr. Elias:** I believe my next question has been addressed on the floor of the House today. There is another angle I would like to ask the minister about. It's about the audit last year — I believe it was maybe late 2010 — with regard to the report on the Yukon government's performance under the *Environment Act*. There was some pretty detailed language in the report. The report said that, "there remained unresolved deficiencies that detracted from the principles of efficiency and fairness". There is another quote saying, "within a tolerable standard of efficiency, accuracy, consistency and completeness". That's basically with the environmental responsibilities in the *Environment Act*.

It laid out a bunch of recommendations with regard to a number of areas: the state of the environment report; the changing of the actual legislation; policy review; Energy, Mines and Resources formalizing a risk-based approach; monitoring and issuing of permits; demonstrating that conservation is part of the purchasing policies; and the list goes on and on. I'm sorry, again, if I'm making the minister be repetitive here, but could he give an update to the House with regard to how his department is responding to the 2010 audit? I haven't heard an update in some time with regard to where he's at with this.

**Hon. Mr. Dixon:** I would say, in terms of the progress that has been made since that, a number of changes and progress have been made on the recommendations. I point to the budgetary practices around environmental liabilities. It's something that we addressed and continue to address going forward in terms of how we budget those liabilities both at the stage before they've been assessed and after they've been assessed. Using some finance terms, ensuring we book the liability ap-

propriately was something that was raised. That's something we've addressed since then, as a result. There is a whole suite of issues on which we've made progress as a result. I'm not sure of the specifics on which ones the member opposite's interested in. But one of the things that has been discussed in this House today already and has been discussed previously is some of the legislative issues with the current act. Those would be issues we would consider in a review of the act, which we have discussed at length today.

**Mr. Elias:** It was signed on January 20, 2011. It has as representing the Government of Yukon the former Minister of Environment. The late John Edzerza signed the joint letter of understanding on the Peel watershed regional land use planning process.

In that agreement, there were a lot of commitments that were to be followed by the parties in good faith. In general, I would just like to know how the Minister of Environment is participating in good faith and fulfilling the responsibilities and commitments made under the joint letter of understanding on the Peel watershed regional land use planning process. Can he give Yukoners an update on how he is fulfilling those objectives and principles and fulfilling the time frames, the plan review, consultation, and final approval? If the minister can elaborate on how he is assisting and finding a balance to protect the Peel region, I'm sure Yukoners would be enlightened to hear from their Environment minister on that specific question.

**Hon. Mr. Dixon:** With regard to the LOU referenced by the member opposite, there were a number of timelines and milestone dates set out in that agreement, or in that letter of understanding, and First Nations themselves have acknowledged they won't be able to meet those dates as a result of the general election that occurred where all members of this House were elected. As a result, when it comes to the determination of timing for consultation — and the Minister of Energy, Mines and Resources, Mines and Resources would be able to answer that, I am sure, in the departmental debate — but I do know from listening to him in the House that he will have to engage with the senior liaison committee to determine the timelines for consultation and next steps. So any further questions about the process of the regional land use planning or the specific *Peel Watershed Regional Land Use Plan* I will defer to the Minister of Energy, Mines and Resources.

In terms of the department throughout the process so far, the Department of Environment has been very involved in providing information and data to the commission and sharing it amongst other departments in government. As all of my colleagues I am sure will agree, we look forward to completing a land use plan for the Peel region and, hopefully, completing that process as soon as possible. The end result, of course, should be one that protects the environment and respects all sectors of the economy.

**Mr. Elias:** I guess I'll have to wait for the Department of Energy, Mines and Resources to be called for Committee of the Whole to get into greater detail.

I don't have many more questions until we get into line-by-line, Madam Chair. I just have a couple of specific ones

about Dall sheep and the new rules that have been established. I believe there have been some hunting rule changes in southern Yukon with regard to some Dall sheep — it might be near the Ibex Mountain area. Maybe the minister can enlighten me, because I have lost my notes. I want to know why these rules changed. Were there recommendations from the Yukon Fish and Wildlife Management Board? Were they recommendations from local renewable resource councils? How did the minister come to these decisions about rezoning? Was it because of additional access? What were the reasons behind the minister's decision to actually change the hunting rules with regard to — it looks like it was in the Kusawa area. I'm looking at my scribbles here — if the minister can elaborate on how he came about making these decisions for new hunting restrictions with regard to Dall sheep in the area.

**Hon. Mr. Dixon:** I believe I have the information the member is looking for. In the subzones between Fish Lake and Kusawa, we introduced a permit hunt and that was the result of reduced populations of sheep in that area. So we were moving to restrict the harvest level to manage that population.

Those recommendations came from departmental staff, based on the scientific data available to them.

**Mr. Elias:** Okay. I was hoping I was right in my assumption that it was those sheep populations. I have actually flown with a number of pilots over that area for some years now. Even the airline float plane pilots have shown me the displacement of those sheep populations. They have actually come and gone. We're talking about hundreds of sheep here that used to exist on the southwest of Fish Lake, but are no longer there in that number. But they do come back periodically, apparently. So I'm just wondering if that was the population we were talking about. There is a lot of new access to those sheep populations over the years that does make a difference.

I guess my final question is about chronic wasting disease in the territory and the risk it poses to our wildlife. That will be my last question for today in general debate. I think we have exhausted a lot of time over the last couple of days.

It would be interesting to go into line-by-line here. Again, I want to thank each and every employee with the Department of Environment for the good work that they do. I encourage the minister to heed opposition members' recommendations in his new responsibilities as Environment minister. If I can help the minister in any way to achieve his departmental goals, I would be more than willing. I look forward to going into line-by-line, and I appreciate the debate today with the Minister of Environment. I think that's all I have today, Madam Chair. Thank you.

**Hon. Mr. Dixon:** I'll respond now to the member opposite's question about chronic wasting disease. It's an issue that is a concern for many Yukoners. It has been raised by a number of individuals and organizations with me before, including the Yukon Fish and Game Association.

Chronic wasting disease is spreading unchecked wherever it occurs in the wild and other areas of Canada. It is a progressive, degenerative, fatal disease with no cure. It affects white-tail deer, mule deer, elk, moose and potentially caribou. Only

specific parts of the animal are at high risk for disease transmission, and edible meat and trophy portions aren't affected.

The Yukon Fish and Wildlife Management Board recommended that government amend the regulation to restrict the import or possession of cervid parts. To implement the board's recommendation, Environment Yukon is conducting further consultation as a part of the government's legal obligations. We are working with our First Nation counterparts to determine how best to do this. In fact, I believe acting or Deputy Chief Danny Cresswell is in my office right now waiting for me to conclude to discuss this very matter.

So, working with the First Nations on this issue, for the member opposite — it's a very important issue, as I said.

Also, this is an issue where having a strong chief veterinary officer and a well-supported chief veterinary officer — which is a program that the government initiated in 2009 under the comprehensive animal health program — becomes very important. So it's good to have that expert advice of someone like a chief veterinary officer to provide that information. As I said, we're currently conducting some consultations with the First Nation to decide how to reduce the risk of introducing CWD to Yukon. I think that's about it.

**Chair:** Is there any further general debate? We're going to move into line-by-line examination in the Department of Environment, Vote 52, starting on page 10-7.

***On General Management***

***On Operation and Maintenance Expenditures***

*On Deputy Minister's Office*

*Deputy Minister's Office in the amount of \$424,000 agreed to*

to

***General Management Total Expenditures in the amount of \$424,000 agreed to***

***On Corporate Services***

***On Operation and Maintenance Expenditures***

*On Assistant Deputy Minister's Office*

*Assistant Deputy Minister's Office in the amount of \$875,000 agreed to*

*On Communications*

**Mr. Elias:** Can I get a breakdown of this line item, please?

**Hon. Mr. Dixon:** These dollars provide for the communication of the department's programs and activities to the general public and relevant stakeholders. The small increase is a result of the collective agreement and long-term disability benefit cost increases.

**Mr. Elias:** Can the minister comment on whether or not any of these communications had to do with the Peel River watershed?

**Hon. Mr. Dixon:** The primary delivery of issues around land use planning are done through the Department of Energy, Mines and Resources. These dollars are for our communications staff and the website, which the member opposite is all too familiar with.

**Ms. White:** Under the said communications budget, is there any part that is print advertising?

**Hon. Mr. Dixon:** There would be a small amount for print advertising, but individual branches do their own —

through their own funds, they do their own respective print advertising, including the development of brochures, and hunting and angling brochures. The Department of Environment puts out a number of different brochures for public consumption.

**Ms. White:** Are those printed or designed in the territory?

**Hon. Mr. Dixon:** Yes.

*Communications in the amount of \$294,000 agreed to*

*On Financial Services*

*Financial Services in the amount of \$444,000 agreed to*

*On Information Management and Technology*

*Information Management and Technology in the amount of \$1,103,000 agreed to*

*On Client Services*

*Client Services in the amount of \$1,086,000 agreed to*

*On Policy and Planning*

*Policy and Planning in the amount of \$1,051,000 agreed to*

to

*On Claims Implementation and Aboriginal Affairs*

*Claims Implementation and Aboriginal Affairs in the amount of \$361,000 agreed to*

*On Inuvialuit Final Agreement (IFA)*

*Inuvialuit Final Agreement (IFA) in the amount of \$1,017,000 agreed to*

*On Human Resources*

*Human Resources in the amount of \$413,000 agreed to*

*On Climate Change Secretariat*

*On Climate Change Secretariat*

**Mr. Elias:** It seems there has been a pretty substantial decrease in this line item under Climate Change Secretariat. Can the minister provide some explanation for this line item, please?

**Hon. Mr. Dixon:** The decrease is due to the completion of the Northern Climate ExChange community adaptation project and a slight offset as a result of personnel — for managers' salary increases — collective agreement increases and long-term disability benefits. The northern strategy community adaptation planning project had some federal dollars, obviously, from the northern strategy, which explains this decrease. Those three projects that were done under that program were the Dawson adaptation project, the Whitehorse adaptation project and the Mayo adaptation project, which just wrapped up at the end of March. The final report and other documents associated with these projects have been completed and are now being printed. A limited amount of information is available on-line currently.

**Mr. Elias:** Is the report going to be tabled in the House before the end of the sitting? Can we expect to see the level of detail that was mentioned in the northern strategy projects in those three communities before the end of the sitting?

**Hon. Mr. Dixon:** Well, for the Dawson adaptation project and the Whitehorse adaptation project, those are available on-line. They are still processing the Mayo adaptation project, I believe, so it is not entirely available yet. So [www.taiga.net/nce/adaptations/Whitehorse.html](http://www.taiga.net/nce/adaptations/Whitehorse.html) is the Whitehorse one, and I'm sure from there one can link to the Dawson one as well, but they are available publicly.

*Climate Change Secretariat in the amount of \$649,000 agreed to*

**Corporate Services Operation and Maintenance Expenditures in the amount of \$7,293,000 agreed to**

**On Capital Expenditures**

*On Information Systems, Equipment and Furniture — Yukon Environment Information System*

**Ms. White:** Can I please get a breakdown of that number?

**Hon. Mr. Dixon:** The ongoing project provides for systems development, expenditures and support of the Yukon environment information system, YEIS, a managed, integrated system for organizing and distributing the department's data and information. Planned expenditures of \$155,000 in 2012-13 will be used for ongoing development of systems, applications, and related activities based on departmental priorities. It is estimated this project will create an additional 30 person-weeks of private sector consulting and contracting work.

*Information Systems, Equipment and Furniture — Yukon Environment Information System in the amount of \$155,000 agreed to*

*On Information Systems, Equipment and Furniture — Information Technology Equipment and Systems*

**Ms. White:** Can I also get a breakdown on that number?

**Hon. Mr. Dixon:** Okay. \$64,000 is for computer workstations; \$39,000 is for network infrastructure; \$100,000 for environmental licensing, administration and monitoring systems. For those specifically — the computer workstations — this ongoing capital project provides for the purchase of standard hardware and software to replace or upgrade computer equipment that is no longer adequate to meet program requirements and to provide computer hardware and software for new programs.

Planned expenditures in 2012-13 include \$32,000 for workstation replacement; \$17,000 for laptops/notebook replacement; \$6,000 for monitor replacement and \$9,000 for other related hardware.

In the network infrastructure column, this supports the department computer network, including certain hardware required for connectivity with YG's corporate network architecture managed by the Department of Highways and Public Works, Information and Communications Technology division.

Planned expenditures in 2012-13 include enhancements to departmental printing and network capabilities; replacing one large format colour printer used for resource mapping; purchase of a backup tape drive to support the large server purchased in 2011-12; and the addition of hard drives and other hardware components.

In the final piece I mentioned, the environment licensing administration monitoring system — this project provides for expenditures to develop the environmental licensing administration and monitoring system to replace several existing mainframe-based licensed harvest, revenue and enforcement systems and better integrate various smaller systems used to administer other licence types. The 2012-13 project involves working with ICT and consultants to replace the RRCO and

another system — with an acronym I won't read — with new systems and move all other data and scripts from the government mainframe computer to PCSAS. It is estimated that this project will create additional 20 person-weeks of private sector consulting and contracting.

*Information Systems, Equipment and Furniture — Information Technology Equipment and Systems in the amount of \$203,000 agreed to*

*On Information Systems, Equipment and Furniture — Operational Equipment*

**Mr. Elias:** Can the minister provide a breakdown for this line item, please?

**Hon. Mr. Dixon:** This ongoing capital project provides for the purchase of new and replacement operational equipment, as required, as replacement of existing departmental equipment is required at the end of its useful life; and acquisition of additional equipment is required to meet expanding needs and program delivery requirements. This budget of \$300,000 will be used to purchase and replace equipment as required, based on a detailed, five-year departmental equipment plan. Around \$121,000 will be spent on new equipment and \$179,000 to replace older, worn out or obsolete equipment.

**Mr. Elias:** What is the equipment being replaced?

**Hon. Mr. Dixon:** Any of the equipment used by staff includes boats, four-wheelers, trailers — I don't have the specific details of this particular one, but typically when a piece of equipment becomes unsafe to use, we replace it in the interest of safety for our staff.

**Ms. White:** Is that equipment purchased locally?

**Hon. Mr. Dixon:** Whatever is available locally is purchased locally.

*Information Systems, Equipment and Furniture — Operational Equipment in the amount of \$300,000 agreed to*

*On Lands and Facilities — Capital Maintenance and Upgrades*

*Lands and Facilities — Capital Maintenance and Upgrades in the amount of \$202,000 agreed to*

*On Lands and Facilities — Watson Lake Conservation Office*

**Mr. Elias:** Is this line item referring to the new conservation office building that's deemed — I forgot the word today — that the honourable minister used — derelict, dilapidated, time-to-tear-it down. Is this what this line item is talking about?

**Hon. Mr. Dixon:** Yes, the purpose of this project is to demolish the existing conservation officer services building and the current fish and wildlife management trailer and replace them with a new structure that integrates conservation officer services and fish and wildlife into one building.

The current structures are in very poor condition due to age and deferred maintenance and do not provide adequate space or facilities for the number of employees who occupy the space. Planning and design of the new facility is estimated at \$137,000. It will be completed in the 2012-13 fiscal year with the construction phase slated for completion during 2013-14 fiscal year.

Successful completion of this project will ensure a safe and healthy work environment for existing Watson Lake staff. It will facilitate efficient and effective management of district operations. It will help to provide improved service to the public and will help retain professional staff.

*Lands and Facilities — Watson Lake Conservation Office in the amount of \$137,000 agreed to*

*On Lands and Facilities — Carmacks District Office Addition*

*Lands and Facilities — Carmacks District Office Addition in the amount of \$32,000 agreed to*

*On Lands and Facilities — Prior Years' Projects*

*Lands and Facilities — Prior Years' Projects in the amount of nil cleared*

*On Claims Implementation and Aboriginal Affairs — Prior Years' Projects*

*Claims Implementation and Aboriginal Affairs — Prior Years' Projects in the amount of nil cleared*

*Corporate Services Capital Expenditures in the amount of \$1,029,000 agreed to*

*Corporate Services Total Expenditures in the amount of \$8,322,000 agreed to*

*On Environmental Sustainability*

*On Operation and Maintenance Expenditures*

*On Assistant Deputy Minister's Office*

**Ms. White:** Can I have a breakdown on the number of personnel in the office, please?

**Hon. Mr. Dixon:** This provides for the office of the ADM, so that includes all Animal Health, Fish and Wildlife, Parks, Conservation Officer Services, Water Resources and Environmental Programs. As for the number of FTEs in the department, I believe it's four staff.

*Assistant Deputy Minister's Office in the amount of \$450,000 agreed to*

*On Animal Health*

**Ms. White:** Can I please also have the number of personnel within that department?

**Hon. Mr. Dixon:** It's three total.

*Animal Health in the amount of \$453,000 agreed to*

*On Fish and Wildlife*

**Ms. White:** Can I also get the personnel number in that department, please?

**Hon. Mr. Dixon:** I'll have to get back to the member opposite with that number.

**Mr. Elias:** Can I get a breakdown of this expenditure in the line item of Fish and Wildlife, please?

**Hon. Mr. Dixon:** This provides for the management of Yukon's fish and wildlife population and resource management inventories and is comprised of the directorates: species management, fisheries management, regional and harvest section, habitat and planning section, biodiversity, wildlife viewing and NatureServe Yukon section. You will see an increase here due to manager's salary and collective agreement increases, long-term disability benefits increases, fuel cost increases and increased funding for the new cumulative effects assessment project, which we have discussed at length here too, which totals \$154,000. There has also been an increase to trans-

fer payments for a three-year agreement with Parks Canada for Porcupine caribou satellite monitoring.

These increases are also offset by a reduction of \$56,000 for the completion of the placer mining fish habitat study.

*Fish and Wildlife in the amount of \$7,248,000 agreed to*  
*On Parks*

**Ms. White:** Can I get the number of personnel — full-time equivalents, as well as contract?

**Hon. Mr. Dixon:** With all of these, I'll have to get back to the member opposite with FTE breakdowns.

**Ms. White:** I look forward to getting those numbers during the general debate of the budget. The Premier said that his ministers would have all those answers, so I look forward to them. Thank you.

**Hon. Mr. Dixon:** Having the individual branch breakdowns isn't a priority for budget debate. Typically, we discuss the budget and the programming therein.

*Parks in the amount of \$3,814,000 agreed to*

*On Environmental Programs*

**Mr. Elias:** Can I get a breakdown from the minister on this line item, please?

**Hon. Mr. Dixon:** This provides for the management protection of Yukon's environment through the directorate's standards, approvals, monitoring and compliance, and environmental affairs section. An increase of \$53,000 is due to manager salary increases, collective agreement increases, and long-term disability benefits increases.

*Environmental Programs in the amount of \$1,944,000 agreed to*

*On Water Resources*

**Ms. White:** Can I please get a breakdown on this line item?

**Hon. Mr. Dixon:** The Water Resources branch provides for management of the territory's water resources in accordance with government policy and objectives through the directorate: hydrology, water inspections and water quality unit. We will see and increase for manager salary, collective agreement, long-term disability benefit and cost increases. Additional funding was provided to offset rising fuel costs and some amounts were provided to meet program support requirements for snow surveys and flood forecasting.

*Water Resources in the amount of \$2,205,000 agreed to*

*On Conservation Officer Services*

**Mr. Elias:** Can I get a breakdown, please?

**Hon. Mr. Dixon:** This amount covers conservation officer services. So it provides for conservation officer services throughout the territory, management and development of compliance programs and enforcement legislation and delivery of public education and youth conservation programs.

**Mr. Elias:** Can the minister elaborate on how many conservation officers we have in the territory?

**Hon. Mr. Dixon:** There are 14.

*Conservation Officer Services in the amount of \$4,178,000 agreed to*

*Total Operation and Maintenance Expenditures in the amount of \$20,292,000 agreed to*

*On Capital Expenditures*

*On Fish and Wildlife Management — White Gold Baseline Study — Equipment*

**Ms. White:** Can I please get a more — can I know what the \$60,000 is used for, please?

**Hon. Mr. Dixon:** I did explain this in my opening comments, but the purpose of this budget is to purchase new equipment to install robust water-quality/quantity stations in two important receiving water streams in the White Gold district to complement cumulative effects watershed assessments work in this highly active region. Thistle Creek and Scroggie Creek — I believe — are the two creeks. Currently the department has no available equipment to monitor this activity and plans to purchase the required equipment at the beginning of the fiscal year. By having the equipment and stations in place, a better understanding of existing industrial impacts on waterways in the mining exploration area will be gained.

*Fish and Wildlife Management — White Gold Baseline Study — Equipment in the amount of \$60,000 agreed to*

*On Parks — Five Fingers Rapids Recreational Site*

**Ms. Hanson:** Could I get a clarification? Does this \$93,000 represent the cost increase, in terms of estimates over what was forecast in 2011-12, and is this a one-time project?

**Hon. Mr. Dixon:** Once again, as I said in my opening comments, this is a one-time project to replace the existing stairways and viewing decks located at the Five Fingers Rapids recreational site. Phase 1 of this capital project was completed last year, as the member noted, and this year, phase 2 is ongoing. An engineering consultant performed an assessment of the facilities, and the existing structures have been deemed unsafe for public use. The stairway and landings were constructed 25 years ago and have had minimal maintenance. A number of repairs and upgrades need to be done in order to meet outstanding code issues. These repairs will be done as soon as reasonably possible before tourist traffic begins. Successful completion of this project will ensure a safe environment for visiting tourists and the general public.

*Parks — Five Fingers Rapids Recreational Site in the amount of \$93,000 agreed to*

*On Parks — Prior Years' Projects*

*Parks — Prior Year's Projects in the amount of nil cleared*

*Environmental Sustainability Capital Expenditures in the amount of \$153,000 agreed to*

*Environmental Sustainability Total Expenditures in the amount of \$20,445,000 agreed to*

**Ms. Hanson:** Madam Chair, I would just like to place on the record that we will get a confirmation of the numbers requested from the minister with respect to personnel.

**Chair:** I believe that is already on the record. If the member has further questions of the minister, Ms. Hanson, when it's time for general debate, you can put those questions to the minister.

*On Environmental Liabilities and Remediation*

**Chair:** Is there any general debate?

*On Operation and Maintenance Expenditures*

*On Remediation Expenditures*

**Mr. Tredger:** Could I get a breakdown of that?

**Hon. Mr. Dixon:** Let's see if I can find my list of contaminated sites. The site assessment and remediation unit is responsible for the investigation, assessment, remediation and administration of YG contaminated sites, including the Marwell tar pit. Activities of the SARU branch include interdepartmental coordination, project and site management and procurement. The 2012-13 budget includes \$310,000 for three full-time staff; \$400,000 for assessment contracts, with the remaining \$112,000 for travel communications and other support costs.

As I have explained at great length, there are a number of sites throughout the Yukon that are on our books as contaminated sites, and we process those and attempt to remediate them and reduce our government's liability. The projects that are provided for this budget year are the Klondike River highway maintenance camp, the former Dawson highway yard, Haines Junction environment compound, the Del Van Gorder School in Faro and, of course, the Marwell tar pit, as a part of the work done under the agreement with Canada.

**Ms. Moorcroft:** The estimate for 2011-12 was \$1,987,000 for the remediation expenditure. In the current year budget, that is considerably reduced. \$785,000 is estimated for the current year. Can the minister explain why this reduction is estimated?

**Hon. Mr. Dixon:** I believe that the significant expenditure in the previous year was a result of the work being done on the Klondike Highway maintenance camp. That was a contaminated site that was quite contaminated and indeed turned out to be even more contaminated than we had thought. The spill had, in its shape in the ground, moved a considerable distance more than we had anticipated, so there was a significant cost allocated in that year to work on that site. The continuation of that project is ongoing this year, with an additional \$420,000 for the Klondike Highway maintenance camp. It is our hope that at the conclusion of this season, that site will be stable and we will be able to move on to all the other sites that we have to deal with.

*Remediation Expenditures in the amount of \$785,000 agreed to*

*On Site Assessment and Remediation*

**Mr. Elias:** Can the Minister of Environment explain to the House why his department is taking the lead on remediation of sites that should be in the Department of Highways and Public Works? It seems to be highway camps in areas that are being remediated. If one department is actually doing the contamination, why on our green earth would it be the Environment minister taking the lead on this? Wouldn't it be the responsibility of the Minister of Highways and Public Works to actually take the lead on this? Yet the expenditure is in the Department of Environment, which could be used to do a lot of other good things like develop an environment act, for one?

Can the minister please elaborate on why his department is taking the lead on remediating the Highways and Public Works areas within the Yukon?

**Hon. Mr. Dixon:** The Department of Environment takes the responsibility for historic contaminated sites. If a department, for instance Highways and Public Works, were to

create a new contaminated site today, they would be responsible for the cleanup and payment of that. If Yukon Housing Corporation were to have an overflow of their fuel tank in Dawson, for instance, they would be responsible for that cleanup as well. These are historic sites that were managed previously. The past practices for highway camps in the war years and the years after that were not excellent practices. They involved spilling oil as a dust suppressant in highway yards and, as a result, the historic legacy is contaminated sites which the Department of Environment manages corporately on behalf of the entire government.

**Mr. Elias:** So, let me make this clear here. The Minister of Environment is responsible for the remediation of sites that are how old — 50 years old, 60 years old?

Is there a cut-off time for the actual department to do its own remediation of contaminated sites?

**Hon. Mr. Dixon:** Of course, this idea that the Department of Environment would take the central corporate role is something that came out of the Auditor General's recommendation to have a centralized approach to dealing with historic contaminated sites. I stand to be corrected, but I think 2009 is the sort of unofficial date of when the Auditor General had its report. So the sites that were contaminated before 2009 the Department of Environment manages. Now, going forward, any new contaminated sites that occur are the responsibility of either given department — if it's government or the proponent if it's a non-government organization.

**Ms. Hanson:** I was following along and getting the rationale for the Department of Environment, but reference was made to the historic aspect of it, and then I looked to the explanatory notes on page 10-15.

It just compounds, then, the confusion in his reference earlier to some fact that might have occurred with an Auditor General's report. So I can see where in 2010-11 — it was — maybe that was the historic figure fixed at \$7.6 million, but suddenly it jumps with the accrued liabilities. Can the minister explain the difference for me? I am just trying to understand how it goes; if that was historic and suddenly we have \$5 million or \$6 million more?

**Hon. Mr. Dixon:** I do appreciate the question. It is a relatively complicated matter of booking these environmental liabilities. The reason it increases is that when we do an assessment of a site, at the first stage we don't know what — we can take our best guess at what the cost is going to be to remediate it. Once we do the first phase of assessment work, we determine a better characterization of the spill or the contamination, so we understand to a fuller extent how much it is going to cost to remediate, ultimately. So, to give an example: if site A we know is contaminated, we give our best guess at the early stage as to what it is going to cost to clean up. We then conduct the phase-1 assessment in which there is some on-the-ground work done in which we characterize the spill. At that point, it is very likely that the cost would go up once we understand how much work has to be done. In some cases, it could go down, but that hasn't been the case in my experience so far.

Once we know the extent of the spill, we can better assess the value or the cost that it would take to remediate that site.

This process has been driven largely by the recommendations of the Auditor General and has changed over the last couple of years as a result of those recommendations provided by the Auditor General.

*Site Assessment and Remediation in the amount of \$822,000 agreed to*

***Environmental Liabilities and Remediation Total Expenditures in the amount of \$1,607,000 agreed to***

*On Revenues*

*Revenues cleared*

*On Government Transfers*

*Government Transfers cleared*

*On Changes in Tangible Capital Assets and Amortization*

*Changes in Tangible Capital Assets and Amortization cleared*

*On Restricted Fund Conservation*

**Mr. Elias:** Pursuant to Standing Order 14(3), I request unanimous consent of Committee of the Whole to deem all lines in Vote 52, Department of Environment, cleared and carried as required.

**Chair:** Mr. Elias, I don't think you will find that is necessary, as this is our last question, but thank you for your kind consideration. Perhaps we can use your creativity on the next one.

*Restricted Fund Conservation cleared*

***Department of Environment agreed to***

**Chair:** We're going to resume debate on Vote 3, Department of Education. Committee of the Whole will recess for 10 minutes.

*Recess*

**Chair:** Committee of the Whole will now come to order.

**Department of Education — continued**

**Chair:** We're going to resume general debate on Vote 3, Department of Education. Mr. Tredger has the floor.

**Mr. Tredger:** Thank you, Madam Chair, and thank you to the department officials for coming again at the end of their day. I appreciate it and appreciate their answers or their help with the minister.

I'd like to start by taking a look at violence in the schools and violence in the classrooms. Safe schools have been a priority for teachers and for this government for quite some time. We've been hearing quite a bit about bullying over the last number of years. There have been a number of responses to it. I would just like to hear from the minister what system-wide systems are in place? How are they being evaluated? Are there any specific plans for future endeavours? Are parents in local communities involved in the planning?

**Hon. Mr. Kent:** Before I answer the member's question, I'd like to just take a brief moment to address a question that came up earlier today with respect to Reading Recovery and why 2012 is not an intake year.



Reading Recovery training is on a two-year cycle and that means the teachers are trained every second year and not every year. This coming year is not an intake year, and that is why there is no cohort plan for the upcoming year of 2012. This has always been the case, and this does not represent a change of practice for this year. There was a cohort training in the fall of 2009 and 2011, and the next planned cohort will enter the training in the fall of 2013 and then 2015, et cetera. That is in response to a question raised by the Member for Mayo-Tatchun during Question Period today.

With respect to bullying, I'll just draw members' attention to page 19 of the 2010-11 academic year annual report tabled earlier in this sitting. It's with respect to the health behaviour study. I know I answered some questions from the Member for Klondike last week on this issue. Again, the study that was done in partnership with the Department of Health and Social Services and my department — the health behaviour in school age children survey was conducted by the Yukon Bureau of Statistics, on behalf of Queen's University and our two government departments. One of the concerns identified was bullying.

Bullying is a major area of concern for students in Yukon across age levels, grades and genders. Over 50 percent of students report having been bullied in the past couple of months, while lower rates of students being bullied once a week or more is still alarmingly high. It certainly seems that bullying prevention programs, especially the programs targeted to individual groups and their likely experience of bullying, deserve continued support by schools and communities.

Again, the results that we received from this health behaviour study will help guide health promotion programming and curriculum development, selection and school policy. Members from both sides of the House are familiar with a number of initiatives and tributes that we have heard on the floor of this Assembly regarding Be the Change and the day a couple of weeks ago where we wore the pink shirts — those types of initiatives.

I really have to thank and commend the various schools for taking on those initiatives. I know that I attended a number of events prior to Christmas at F.H. Collins and Porter Creek and other schools where anti-bullying programs are being offered at the school level.

**Mr. Tredger:** Again, what I am looking for is specific and targetable strategies — something that is measurable.

The minister mentioned Be the Change and the Challenge program, to which, by the way, I would like to send accolades to the people involved. From anecdotal information, it has been getting very positive reviews from teachers, parents and support staff. Has there been any data collected or any systemic way of evaluating the program in terms of its effectiveness? What is being done to support that program? What I see is that it's being driven by very involved and committed teachers, staff and parents. I would ask what supports are needed to make it more sustainable? It seems to be working. What's making it tick? If we can get some identifiable measures and get them working, why or how can we get it working in other

schools and what would it take to replicate that program in other schools in the system?

**Hon. Mr. Kent:** With respect to Challenge day, the program was developed in the United States and was designed with the goal of helping students increase their personal power and self-esteem, to shift the peer pressure into positive peer support and to eliminate the acceptability of teasing, violence and all forms of oppression. The evaluation of that program is underway now. It was introduced into F.H. Collins in 2005. Since that time Porter Creek Secondary School has embraced the program as well.

There have been some concerns registered by the F.H. Collins School Council about the program. Again, a comprehensive survey has been launched to gather information from students, parents and staff to ascertain the attitudes toward the program so decisions can be made as to the future of the program and how we may change it to better reflect what the schools and councils and each school community is really looking for — again, with an eye to expand this Challenge day at some point out to other schools beyond F. H. Collins and Porter Creek.

**Mr. Tredger:** In June of 2007, the Yukon Teachers Association commissioned a report called, *How Safe are Our Educators?* In it, it was found that the majority of teachers and students had witnessed violent incidents from attack with a weapon, spitting, kicking, rudeness, and threats of violence toward staff. This led to increased stress, increased emotional and physical stress. Some teachers were leaving their positions. It certainly was affecting — or is affecting — classrooms and the teaching and learning environment. The report from YTA also indicated that there was severe under-reporting for a number of reasons.

At that time, both the YTA and the department agreed that documentation and reporting of incidents and forms should be developed, and then they could be responded to and an action plan developed, including ideas for safety response, for improved communication and the improved working and safety conditions and, consequently, improved learning conditions, relating to workplace wellness.

Can the minister tell me if there is such a reporting as a first step? Are incidents being reported, and what is being done with that?

**Hon. Mr. Kent:** The department has done some work with the Yukon Teachers Association with respect to that, but I have not personally had the opportunity to review that report. If I could just beg the member's indulgence, I will have to get back to him with specifics as to what has been done and what we look to do on a go-forward basis.

**Mr. Tredger:** Thank you to the minister opposite. One of the results of that — other than affecting the learning — is that the disability costs for the Yukon government continue to rise dramatically.

The costs are escalating. The increasing stress leave and time away from classrooms is continuing to pile up. Can the minister tell me if they are also working with YTA, with principals and other involved parties on specific plans to address the rising disability costs?

**Hon. Mr. Kent:** For all employees across the government — I believe the Public Service Commission is looking at those types of issues. So, again, I don't mean to pass the buck to my colleague, but I believe her department of the Public Service Commission has yet to be debated, so we will welcome questions for her regarding that at that time.

**Mr. Tredger:** A very small percentage of the children in our schools are at risk and are being seen by many different departments — by the Department of Health and Social Services, by Justice, as well as by Education.

Is there a formal collaboration with other departments involved with at-risk students that would lead to more productive solutions to family and community problems, probably involving a principal and local officials?

**Hon. Mr. Kent:** We do have an advisory committee that deals with special programs, which, I believe, are some of the programs the member opposite is talking about. Cross-departmental cooperation occurs as well as cooperation on that committee with other NGOs. Perhaps it's not really at-risk youth, but having spoken with the Minister of Health and Social Services about a parents advisory committee with respect to some of the learning disabilities and challenges such as autism and those types of issues, he has committed, I believe, to initiating that as well. So again, there is work underway at the Department of Education through the special programs advisory committee and further work that has been committed to by the Minister of Health and Social Services and me.

**Mr. Tredger:** I would ask that the minister ensure that principals and local counsellors know how to access the multi-departmental committee.

At one point, counsellors were recommended for all schools and trained counsellors are often dealing with pretty severe situations that some of our children have been subjected to, from violence, from neglect, from bullying. Training and communication is critical, and I must commend the department for working with sets and starting to establish that and providing a base for these people. I believe that counsellors should be available for families of at-risk students and their families for school concerns such as absenteeism, bullying, trauma, implementing psychologists' recommendations for career and personal counselling, and to interact with local parent groups, school councils and First Nation supports. Has there been any attempt to ensure that each school in our territory would have a trained counsellor?

**Hon. Mr. Kent:** When it comes to the staffing allocation that is handled through staffing allocation at the department level.

I would have to get back to the member opposite as to which schools actually have counsellors. I will go through my notes on staffing allocation and get back to the member opposite with respect to which schools have counsellors and which ones do not.

**Mr. Tredger:** Attendance has been an issue, as we have known for quite some time. The minister opposite has referred to preparing a comprehensive action plan on that. My question would be: When would we expect that?

**Hon. Mr. Kent:** With respect to attendance, I think, again, I've said on the floor of the House that it's the responsibility of many. It's the responsibility of the entire school community, essentially, where it's not only the department's job to build relevant and engaging curriculum, which I think we're doing through a number of the experiential learning and the trades and technology, as well as the traditional academic stream and the dual credit programs — those types of initiatives. But, again, we have to engage the parents and we have to engage the students. I know that there is an awful lot of talk about this.

I have to thank the F.H. Collins School Council for bringing this forward. Of course, it is something that was of concern to me and I have been working on it. They brought a significant amount of publicity to the problem.

During Question Period some time ago, I was able to speak to the attendance issues we have seen in schools, ranging from a low, in 2010-11, of nine days missed in an urban or Whitehorse-based elementary school, to a high of 64 days missed in a rural high school, and then everything in-between. It's certainly an issue. I have talked about resurrecting the student advisory committee to assist with the types of incentives that it would take — whether it's bursaries or other incentives — to get students to attend school, and engaging parents through school councils and looking for other means.

I have asked the department to identify an official to coordinate all the information flow, and I expect to begin to roll out action plans in time for the next school year.

**Mr. Tredger:** Yes, it is a multi-faceted problem; hence the need for a comprehensive plan with specific targets and goals. I'm glad to hear the progress that the minister is making on that.

Early childhood support — in many communities, the daycare is critical to language and literacy. It's an opportunity for Education to work with Health and Social Services and other agencies that are currently providing early childhood support by integrating the daycares and the schools, certainly in terms of personnel and support. One suggestion from one of my communities is that it was an opportunity to have a First Nation language nest in the daycare. So there are many opportunities around that. We all recognize and know how critical early childhood practices are to literacy. So I would encourage the minister to think about how schools and daycares can support one another and ask that they come up with a comprehensive strategy around that to promote literacy in the territory.

**Hon. Mr. Kent:** Again, as I've said a number of times, literacy is important to the department. It's important to our government and it's important to me personally. I know there are a number of initiatives — the Family Literacy Centre, the Yukon Imagination Library that provides a book a month to children from birth to five years old. My niece is part of that program currently and I'm sure that will carry over to my nephew once he reaches five years old. Some of the early intervention initiatives — the member identified the responsibility of Health and Social Services in this and the partnership that I depend on, working with the Health and Social Services de-

partment, working together to promote that early childhood development.

Yukon educators are working to identify children for early intervention using a number of strategies, including school-based screening and data collection for kindergarten and grade 1; information sharing with the Child Development Centre; ongoing training for teachers in the areas of formative assessment and differentiated literacy instruction; and, of course, utilizing the Reading Recovery methodology that has garnered some attention here today.

**Mr. Tredger:** Many schools are served by the Food for Learning program and I commend the department and the minister for continuing to support that program. I am wondering if there has been any thought to expand that program to include nutritional activities, things like how to run a household, and making sample menu plans. How to cook meals and stuff like that are more and more involved — like a fuller integration of the Food for Learning program which already is doing some very, very good things — but to expand that so that all schools are able to benefit from a nutritional program. It is an opportunity waiting and it would take a little development between the department and Food for Learning, but it certainly could take advantage of an NGO and achieve some success.

**Hon. Mr. Kent:** I believe some of the schools, through their school growth planning have already initiated those types of programs. Again, I would echo the member's comments on the importance of the Food for Learning program. I know one of the proponents presented last week, just prior to the start of the school councils' spring meeting. Again, one of the issues identified in the health behaviour study was eating patterns and that not all groups in Yukon eat as well as other groups.

Boys tend to make poorer food choices than girls and rural students make poorer choices than urban students. While the rural-urban difference may be explicable through the cost and availability of healthy foods, the gender difference is almost assuredly affected by gender attitudes toward healthy food. More than 25 percent of Yukon students say they go to bed hungry because of lack of food, with the percentages particularly high for boys in rural areas.

I would agree with the member opposite that we need to look at what is being done through the Food For Learning and support those schools, through their school growth planning, that want to provide the type of programming that he was speaking of in his question.

**Mr. Tredger:** Just a quick question on Gadzoosdaa residence: How is it determined who gets priority with rural students coming to town? Has it been full? With increased programming in town around specialty programs, skills programs, and Wood Street programs, has any thought been given to expanding Gadzoosdaa?

I would be remiss if I didn't congratulate the staff for the support that has been given to the many students from rural communities who live at the Gadzoosdaa residence. It has been quite a success, and it is something we may want to expand.

**Hon. Mr. Kent:** Madam Chair, just to go quickly back to the member's previous question, Food for Learning —

I believe the former Minister of Health and Social Services expanded the budget during his time by \$50,000 to \$94,000, so he more than doubled that budget under his watch. Thank you and congratulations to him for recognizing that need and making those budgetary expansions.

With respect to the Gadzoosdaa residence, it is my understanding that there is no wait-list for that residence right now. The priority essentially goes more to those communities that don't offer grades 10, 11 and 12, such as Teslin, Old Crow and Ross River.

Again, the CHAOS program, for instance, is something that is attracting more and more students from out of town, but we also talked last week about possibly giving students going to Old Crow or Ross River the option of attending high school in Dawson City.

So, with those options, that's where our accommodation subsidy will come into place when it comes to providing accommodations for those students.

**Mr. Tredger:** Another success story is the Teen Parent Centre. Again, I must congratulate the staff involved there. Have there been any evaluations of the programming in terms of measuring success and what is working? Is the need growing? Are there any plans for the future? Will they be looking at a new facility when a new high school is built? Are there any plans or thought of how to accommodate out-of-town students? A number of students from rural communities might make avail of that. Even if it was a visiting and sharing of information back and forth, it would be a real boon to children who have children in communities.

**Hon. Mr. Kent:** With respect to the Teen Parent Centre, I, too, think it's a great program. I was able to go over for a tour of that facility when I was touring F.H. Collins prior to the sitting starting.

Subsequent to that, I have arranged a meeting with the board of directors which will be taking place this week, Thursday evening. I am sure there are a number of issues that they would like to discuss and I look forward to those discussions and, again, reporting back to the Legislature should there be any significant changes to what we are doing. We are not planning on making any changes to the facility or to the programming right away. Again, I think it is a tremendous success, the type of work that is going on over there, and I do commend not only the board of directors but the staff who works at that facility.

Madam Chair, seeing the time, I move that we report progress.

**Chair:** It has been moved by Mr. Kent that the Chair report progress.

*Motion agreed to*

**Hon. Mr. Cathers:** I move that the Speaker do now resume the Chair.

**Chair:** It has been moved by Mr. Cathers that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will call the House to order.

May the House have a report from the Chair of Committee of the Whole?

**Chair's report**

**Ms. McLeod:** Mr. Speaker, Committee of the Whole has considered Bill No. 6, entitled *First Appropriation Act, 2012-13*, and directed me to report progress.

**Speaker:** You have heard the report of the Chair of Committee of the Whole. Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

**Hon. Mr. Cathers:** Mr. Speaker, I move that the House do now adjourn.

**Speaker:** It has been moved by the Government House Leader that the House do now adjourn.

*Motion agreed to*

**Speaker:** This House stands adjourned until 1:00 p.m. tomorrow.

*The House adjourned at 5:25 p.m.*