

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Wednesday, November 21, 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 the Be The Change movement and Stand Up Against Bullying Week**

**Hon. Mr. Kent:** I rise in this House today on behalf of the government caucus to pay tribute to the Sea of Pink event, which will be happening on Friday in schools and communities across the Yukon.

In 2007, a grade 9 student in Nova Scotia wore a pink polo shirt on his first day of school. He was called a homosexual, ridiculed and threatened with violence. This story might have ended there, as it does with many acts of bullying, if not for two grade 12 students who had had enough. Their Sea of Pink campaign started small with an e-mail campaign and dozens of discount T-shirts being handed out to peers, and it grew, with bullies drowned out by a wave of support from hundreds of others at the school who chose to wear pink on that day. It grew further into an international phenomenon proving that a bit of teamwork can defeat a lot of apathy and indifference. This movement is still growing today.

This year, people across the territory will be joining millions of others around the world wearing pink in solidarity against bullying in schools, families and workplaces. Yukon schools have chosen November 23 as the day to celebrate Sea of Pink because it is also International Stand Up Against Bullying Day and falls on the last day of International Anti-Bullying Week.

Organizers and participants of Sea of Pink hope that their efforts will send a loud, non-confrontational message of resistance to bullies; identify themselves to victims as a source of support willing to help; draw attention to the effects of bullying and stimulate passive bystanders into action.

The powerful message of Sea of Pink has also spread beyond our schools.

I would like to take this opportunity to recognize various organizations and members of the Yukon community who also take part in and promote Sea of Pink. I encourage all the members of this House to show support for this cause, to become educated about the importance of anti-bullying advocacy and perhaps consider joining the movement by wearing pink on Friday.

**Ms. White:** I rise on behalf of the Official Opposition to pay tribute to bullying awareness week. Bullying awareness

week is an opportunity for people at the grassroots level and communities around the world to get involved in this issue, not by waiting for someone else to do something, but rather, for us to work together on preventing bullying in our communities through education and awareness.

Bullying is a learned behaviour that rewards the aggressor with recognition and status. It is often the result of low self-esteem and can lead to increasing levels of depression and escalating levels of aggressive and violent behaviour in both the victim and the victimizer. It must be stopped when it is initiated or it grows.

Often violence such as beatings, rapes, harassment and psychological and economic control begins with a child witnessing that same behaviour within the family, in the community or in groups that they belong to. When this child grows toward adulthood, the learned pattern that violence is acceptable can already be well-established. He or she thinks bullying is simply a form of acceptable violence to get their way.

We usually think of bullying as being a schoolyard phenomenon. Children use teasing, peer pressure and physical assault to intimidate others. Rituals in sport are seen as a rite-of-passage for young athletes who want to be part of a team.

Bullying such as hazing is meant as a way to build a team and to encourage bonding between its members. But activity expected of someone joining a group that humiliates, degrades, abuses or endangers them is teaching the abusers and the abused that this type of behaviour is acceptable and even expected. This kind of bullying has lifelong consequences for both the person doing the bullying and the receiver of the bullying. It's not something any of us should want for our children.

Workplace bullying is another example of everyday violence — the kind of violence where an employee is threatened, injured, isolated or put in reasonable fear of injury if he or she does not comply with the demand or group attitude either from fellow employees or even the employer. Many times the threat is implied that he or she will be dismissed from their employment if a certain action is not done.

The intimidation of workplace bullying has far-reaching effects. If the employee survives either physical or emotional violence, they are still subject to the stress that comes from having been violated. This stress has a long-lasting effect on the employee and coworkers. It creates a culture of fear in the workplace. Others wonder if they might be next. It causes disruption in the workplace with high employee turnover, absences, stress-related illnesses and loss of productivity.

Research has shown that approximately 15 percent of a given population in a school or workplace are directly involved with bullying. That leaves 85 percent as potential bystanders, or the silent majority. Students all over the Yukon are taking the following pledge and showing their support by wearing pink on Friday: "Today I have an obligation. No longer will I be silent if you need help. Silence is participation. I refuse to participate in the problem. We're all different, but we all deserve respect. If you need help, come to me. If I think you need help, I'm getting involved. I've got your back!!"

Bullying is never acceptable. A silent witness to bullying is as responsible for the hurt caused as the bully. If we can, we must respond in a timely and proactive fashion to disclosures of bullying whenever and wherever we are aware of it.

Bullying awareness week is not about what others could or should be doing, but rather what we can do. In the words of the Karen Mueller, author of *Bully at Ambush Corner*: "Often the right path is the one that may be hardest for you to follow. But the hard path is also the one that will make you grow as a human being."

**Mr. Silver:** I rise today on behalf of the Liberal caucus in recognition of the Be The Change movement and Sea of Pink Day.

This week brings to the forefront the devastating consequences of bullying and affirms that this destructive behaviour must be stopped. Bullying is an issue that touches all people, Mr. Speaker, directly and indirectly, regardless of age, culture, gender, religion or nationality. It is a pattern of aggressive behaviour with negative intent, directed from one person to another, or from one group to another.

Bullying can happen in the workplace, in the schools and in the home. It is also rampant in our on-line lives and in the on-line lives of our students.

Bullying, harassment, discrimination, and intimidation are methods of misusing power. It is pervasive, learned behaviour where aggression gives the aggressor recognition and status. Bullying must be stopped when it is first initiated, otherwise it perpetuates itself and grows. Research has shown us that approximately 15 percent of any given population in the school or workplace is directly involved with bullying. That leaves 85 percent as potential bystanders, or the silent majority. People who bully love an audience. People who stand back and do nothing make bullying worse, especially if they support or cheer the person who is the bully. Don't be a bystander; speak up and stand out. Bullying will stop if someone steps in and says something.

The Sea of Pink Day began in the fall of 2007 when a grade 9 student from the great Province of Nova Scotia was verbally harassed and bullied for wearing a pink T-shirt on his first day of school. Two grade 12 students heard about the bully's actions and decided to make a stand. They turned the tide against the bully and went on-line and emailed classmates to get them on board with their anti-bullying cause. They called it "Sea of Pink". It became a positive support movement and has now become a national movement against bullying.

We would like to pay tribute to and congratulate the many students, schools and teachers involved in the anti-bullying and the Be The Change movement and the Sea of Pink Day. When a large group of people stand up against bullying, bullies lose all their power. These students are already a powerful force for positive change and an inspiration to their peers, their schools and their community. We must continue to encourage our youth to be the change they want to see in the world. Creating change comes down to three simple actions: notice, choose and act.

Notice when people are being unfair or unkind; choose what you're going to accept and what you're not going to accept; and act upon it. I would encourage anyone to take the pledge to end bullying, which states, "I believe that everybody has the right to live in a community where they feel safe, included, valued and accepted regardless of differences. I pledge to be respectful of others and stand up against bullying whenever and wherever I see it."

### In recognition of Restorative Justice Week

**Hon. Mr. Nixon:** I rise on behalf of this House today in recognition of Restorative Justice Week. Restorative Justice Week offers us the opportunity to reflect on the efforts made to find alternative ways to deal with harm caused by crime. The annual celebration of Restorative Justice Week was originally initiated in 1996 by the Correctional Service of Canada and has since expanded throughout Canada and around the world.

Restorative justice is a process that seeks to repair the harm caused by crime by bringing together the community, victims and offenders to find solutions.

Restorative justice processes recognize that offenders harm victims, communities and themselves. It's an approach that focuses on repairing and healing the harm caused by crime. It is grounded in values such as respect, inclusion, healing and compassion and it promotes community accountability and responsibility and responds to the needs of First Nation communities.

The theme for Restorative Justice Week 2012, which runs this year from November 18 to 25, is "Diverse Needs; Unique Responses". This theme recognizes that restorative justice is an approach that addresses the various needs of people impacted by crime and conflict that are created when a person has been harmed or treated unfairly. Restorative justice processes in response to crime and conflict are highly adaptable to different people, environments, and systems as the identified needs of the people involved help formulate the unique response that can contribute to a person's sense of safety, justice and well-being.

Yukon Department of Justice supports eight community justice projects, in partnership with Justice Canada's Aboriginal Justice Strategy and First Nations.

Through locally developed responses, Yukon restorative and community-based justice is responding to human needs in our communities on a daily basis. These responses are reflected through the ongoing work of community justice to acknowledge the needs of victims, offenders and community. The Carcross-Tagish First Nation offers pre- and post-charge diversion, court supports, *Gladue* report submissions, circle sentencing, court order follow-up and support, sentence advisory, probation assistance, reintegration planning and support.

The Carcross-Tagish First Nation Family Council continues to be the link between the justice system and community restitution. The Champagne and Aishihik and Haines Junction Community Justice Committee promotes community healing; facilitates justice at a community level; develops positive relationships within the community; educates the community about justice alternatives that exist; demonstrates accountability to the community regarding justice matters; and establishes a pro-

active approach to healing with the long-term community well-being.

The Kwanlin Dun First Nation Social Justice department works to provide a comprehensive range of justice, corrections, child welfare and land-based healing-related programs and services to the citizens of Kwanlin Dun First Nation and others who reside on their traditional lands.

The Liard First Nation Justice department, or Dena Keh, is based on a committee/council approach responding to community needs. There are three levels of referrals in the Dena Keh system: community referrals, RCMP referrals for pre-charge and Crown referrals for post-charge. The Liard First Nation Justice department supports victims, offenders, family supporters and the community willingness to participate in the offender's acceptance of responsibility within the cultural values of the Kaska First Nation people. These include circle sentencing, family group conferencing, court support, follow up and reintegration.

The Ross River Dena Council offers community-based justice in Ross River. The justice committee and the health and social program department support alternative traditional restorative justice within the present court system for their citizens. Working together, Ross River Dena Council reduces offender relapse and offender accountability to the community.

The Teslin Tlingit Council Peacemaker diversion project is a combination of traditional Tlingit justice that shares other cultural beliefs with emphasis on acting on personal values; drawing upon mental, spiritual, emotional and physical dimensions of conflict; building better relationships through mutual respect and understanding, with the understanding that the victim is central in the process, creating shared responsibility for designing and running Peacemaker diversion. Peacemaker diversion aims to provide a greater benefit to the victim, society and the offender. It is intended to repair harm.

The Tr'ondëk Hwëch'in assumed community restorative project responsibility this year from the Dawson Community Group Conferencing Society. The justice committee and the staff are currently implementing the project while providing a high standard of service to their citizens and clients in the Dawson area. The Vuntut Gwitchin First Nation community justice committee oversees the work of the justice coordinator in delivering youth programming, court support, probation diversion and promoting community awareness about the community justice project. The coordinator provides assistance to both victims and offenders in assessing resource service and liaison between community members and the various justice agencies outside of Old Crow.

As a government, we are proud to be working on solutions that are based on restorative philosophy and to be working to ensure that the positive impacts of restorative justice processes in the Yukon are being felt. Through the *Correctional Redevelopment Strategic Plan*, and the *Victims of Crime Strategy*, we are working to promote healing and to offer support to victims and families while holding offenders accountable and encouraging healing and reintegration.

As individuals, we all have a role in creating safe and healthy communities beginning with how we deal with conflict.

What can we do as caring citizens to promote restorative justice approaches in our lives and in our communities? How do we work better together for positive outcomes? Many of us work hard to support restorative and respectful processes in our families, relationships and workplaces. It's hard work, Mr. Speaker, but the results are clear: more productive and healthier relationships, less bullying and victimization, and stronger and safer communities.

At this time I would like to sincerely thank the individuals in the Yukon who are involved in restorative and community justice for their hard work and dedication in seeking local solutions to resolve conflict.

These include First Nation officials, members of community justice committees, community justice coordinators, government and government officials, families, elders, youth and individuals who take part in restorative justice. Thank you for the important work that you do in our community and for our great territory.

### In recognition of National Housing Day

**Hon. Mr. Kent:** I rise today to pay tribute to National Housing Day, which occurs later this week. National Housing Day commemorates the 1998 declaration by the Big City Mayors' Caucus that homelessness in Canada had reached crisis proportions. A profound amount of work is being undertaken to improve the housing situation for the homeless in all parts of the country and beyond. Yukon Housing Corporation plays a key role in providing affordable social housing for low-income Yukoners and seniors who wish to live independently.

In August of this past year, the Housing Corporation announced a new 34-unit seniors complex that will be constructed on the Alexander Street property in downtown Whitehorse. Canada Mortgage and Housing Corporation, or the CMHC, is Canada's national housing agency and one of Yukon Housing Corporation's key partners in addressing housing in the territory. CMHC is a tremendous resource for a wide variety of housing issues and we are grateful for their continued professional relationship with the Government of Yukon.

When the federal government announced its economic action plan, or CEAP, to stimulate economic growth, the Government of Yukon seized the opportunity to create new social housing projects to address some of Yukon's critical housing concerns and to create meaningful employment for Yukon workers. The funding was in the amount of \$51,290,000, announced in May of 2009. Yukon's contribution was \$2,186,000, making the total economic stimulus program for housing \$53,477,000. Over 350 existing social housing units throughout the territory were repaired and upgraded using this funding.

Successful housing development approaches can become best practices for others to emulate in their local areas. One of the most notable of these is Habitat for Humanity, which has grown into an international force since its inception in 1976. Built on the idea of partnership housing, Habitat for Humanity volunteers give a hand up to those in need by working side by side with them to build safe, comfortable and affordable houses. Habitat for Humanity Yukon now boasts four com-

pleted housing projects, and more are being planned for the future. Yukon Housing Corporation has an operating agreement with Habitat for Humanity to provide the first mortgages of the Habitat homes so that the organization maintains its operating capital in order to continue to build new homes.

Additionally, the Department of Community Services has provided a number of building lots, including lots in the current and future phases of the Whistle Bend subdivision. As the minister responsible for the Yukon Housing Corporation, tomorrow, on National Housing Day, I would like to pay tribute to all those persons who continue their very good work seeking solutions to improve housing for all Canadians.

**Ms. White:** I rise on behalf of the Official Opposition and the Third Party to recognize tomorrow, November 22, as National Housing Day. What does home mean to you? Is it the heart of the city or in a rural setting? Is it permanent or is it temporary? Is it bricks and mortar or so much more? Regardless of your idea of home, everyone needs a place to live with a safe and adequate roof over their heads. Housing is a human right.

November 22 is National Housing Day. Between 150,000 and 300,000 people are homeless in Canada and millions more are living in inadequate or unaffordable housing. Yet Canada is the only major industrialized country without a national housing program. Aboriginal peoples, racialized communities, people with disabilities, women, seniors and other marginalized groups are disproportionately affected by housing insecurity.

Homelessness has reached crisis levels. The failure to respond to the homelessness crisis is in violation of international commitments, including the *Universal Declaration of Human Rights*. It also violates the *Canadian Charter of Rights and Freedoms*, and specifically section 7, which guarantees the right to life, liberty and security of the person. It is estimated that 100 people are homeless in Whitehorse alone. How many more struggle to find shelter in the communities?

Given the scope of the problem and our resources, the solution requires a much larger and integrated strategy. All levels of government acknowledge that adequate housing impacts the health of their constituents, communities and country. In order to truly effect change we encourage all levels of Canadian government to collaborate to make housing a national priority. We look forward to the day when we have a home for everyone.

### Speaker's statement

**Speaker:** Before we continue I'd like to remind visitors in the gallery that this is not a social event. If you want to have a conversation with each other, please step outside of the gallery and do so. If you're in here, please take your seat and pay attention to the proceedings. Thank you.

### In recognition of Canada Music Week

**Hon. Mr. Nixon:** I'm pleased to rise today to pay tribute to Yukon musicians on the occasion of Canada Music Week, which runs from November 18 to 24.

The aims of Canada Music Week are to bring the attention of the public, through various means, the importance of Canadian music, to support composers and performers of Canadian

music, to introduce contemporary music to young Canadians and stimulate a keener appreciation and understanding of this music and to encourage music educators to widen their knowledge and experience of Canadian works.

Canadian Music Week is dedicated to music in its fullest sense. Since 1967, particular focus has been on the Canadian cultural content. Thousands of Canadians experience Canada Music Week festivities each year in their communities. Here in Yukon, we're fortunate to have a strong and diverse music community that enjoys a good deal of local and national support. Musicians are inspired by Yukon's wild places, colourful history and unique way of life. This is reflected in the original work of songwriters and composers. We are proud to support our musicians as they bring music of Yukon to diverse and appreciative audiences in Yukon and across Canada.

Yukon government also recognizes the important role that the board and members of the Yukon Registered Music Teachers Association have in introducing contemporary music to young Yukoners. Through their membership in the Canadian Federation of Music Teachers Association, the Yukon Registered Music Teachers Association ensures Yukon's voice is heard on the Canadian music scene.

We are also proud to work with Yukon's music teachers in order to create a vibrant Yukon music industry. We have some of the best and most committed teachers in the world. We appreciate their dedication and commitment to inspiring and teaching our young people.

My son Kyle takes guitar lessons from Rob Hunter, and I can tell you that Kyle has benefited greatly from Rob's dedication to teaching young people. Some of our teachers have taught generations of musicians and some have recently arrived. We appreciate their commitment to such an important foundation of the music community. We appreciate the many arts organizations that are dedicated to educating musicians, creating and maintaining festivals and concerts and presenting top-notch music programs to the public.

These organizations, supported by an army of volunteers, board leadership, appreciative audiences and legions of artists contribute to our quality of life and to our economy. They make Yukon a great place to live and raise families.

From time to time we hear about a Yukon artist who has won national acclaim through an award or nomination. This reflects on the talent and drive of our musicians and the value that we as Yukoners place on them. So I'd like to say that as Minister of Tourism and Culture, we are proud to have established funding programs that support the music sector to flourish.

I'd like to say a word about the music of Yukon First Nations. For generations, Yukon First Nations people marked occasions with drumming, dancing and singing. These songs were created, cherished and adapted over the years. There is a rebirth of these songs, and today our celebrations and community events include performances by our First Nations musicians.

Yukon musicians and their support systems contribute to our labour force. They help diversify the economy and they generate community pride. The Yukon music industry is di-

verse and eclectic. Audiences enjoy jazz, folk, classical, rap, instrumental, choir and blues.

On Saturday night at the Yukon Arts Centre, the Yukon Women in Music will perform a special concert to release a new CD called, "Song Rise". The recording celebrates the work of 15 musicians. The group has been touring Yukon, entertaining and inspiring audiences. I urge the House to attend this concert and reflect on how fortunate we are to enjoy such a vibrant music scene here in Yukon.

Thank you specifically to a couple of constituents in my riding of Porter Creek South who have also contributed to the Yukon music scene: Deb Peters, who worked so hard on the Western Country Music Awards hosted in Whitehorse just last year, and her son Graeme Peters, who is an incredible musician and in the band Speed Control. Thank you.

**Mr. Barr:** It is with great pleasure today that I rise on behalf of the Official Opposition, the Third Party and the Independent member to pay tribute to Canada Music Week, which this year is November 18 to 24. A good friend of mine, John Layman, a local music lover, master calligrapher and supporter of the arts, shared with me a quote from the ancient Greek philosopher Plato, and I quote: "Music is a moral law. It gives soul to the universe, wings to the mind, flight to the imagination, and charm and gaiety to life and to everything."

I would like to say further that Canada Music Week began in 1960 in order to commemorate the 25<sup>th</sup> anniversary of the Canadian Federation of Music Teachers Association, or CFMTA. This organization is committed to the promotion of professionalism and professional development of its membership. It provides leadership and music education and promotes high standards of education through exploring instructional techniques, refining professional practices and broadening teachers, both as educators and as individuals.

The CFMTA website offers resources for teachers and students, educational articles, videos of artists, interviews, lectures and discussion forums. CFMTA offers and presents to members a certificate of recognition for professional achievement. The objectives of Canadian Music Week are to help us become aware of the importance of Canadian music, to support Canadian composers and performers, to introduce contemporary music to young Canadians and to stimulate a keener appreciation and understanding of this music. It also serves to encourage music educators to widen their knowledge and experience of Canadian works.

The accreditation of grades 10 to 12 is given for passing music examinations through the Royal Conservatory of Music and Conservatory of Canada.

Music education in our schools is often set aside for what is considered more practical or academic training. It's a shame, because music is a basic human need and is a powerful attraction to us. It is transforming, touching all of us deeply. Music is communication act. It crosses all boundaries.

I would like to also acknowledge that without the hand-clappers and the people listening out there and dancing to the music, many of us, including the Member for Klondike and me, who have played a few tunes in our lives, would be standing

there kind of alone. Music is reciprocal, and without the energy — I'll just say no more about that. It lifts us up — all of us.

I encourage everyone here in this House to sing in the shower tomorrow morning. It will do you good. I partake in that myself once in awhile.

Locally, there is the Rotary Music Festival in Whitehorse and the various music festivals in communities, such as the nationally known Dawson City Music Festival, Frostbite Music Festival, Atlin Arts and Music Festival, Kluane Mountain Bluegrass Festival. All of the volunteers here have nothing to be ashamed of, as we present our local music that, as has been mentioned, plays to international audiences not only at the local festivals, but on tours to international festivals. We can only be proud. I think of the old dog road musicians who first came here years ago, who have cultivated not only their musical careers, but have passed it on to our kids and now our kids' kids.

These guys and women fell in love with the Yukon, as did those in the gold rush. Music continues to be a part of our lives. I can't go without saying some of the local folks — Rusty and Bill Reid, Joe Loutchan, Hank Karr — those folks were here before some of us. We can't forget where we came from in music. I just applaud the musicians and the folks sitting around their kitchen tables and the families who enjoy that kind of time. It's something that saved my life.

#### **In recognition of Yukon Geological Survey 20<sup>th</sup> anniversary**

**Hon. Mr. Cathers:** I rise today on behalf of the Assembly to pay tribute to the Yukon Geological Survey on the occasion of their 20<sup>th</sup> anniversary. Twenty years ago, the Yukon government committed to establishing local geological expertise and hired its first full-time geologist to undertake systematic geological survey-style mapping in the territory. Although responsibility for mineral and petroleum resource management was still a federal responsibility at that time, the federal and territorial offices coordinated their activities and worked to deliver a single integrated Yukon geologist program.

Since devolution, the Yukon Geological Survey has been part of the Department of Energy, Mines and Resources and has provided geoscience and technical information to support the department's mandate of responsible resource development and they have provided good technical information to the public.

Today the knowledge generated by the survey contributes to the economic growth and well-being of all Yukoners. Geologic maps improve the effectiveness of resource exploration, studies of surficial materials help to support infrastructure development and mitigate against geological hazards such as flooding and landslides. Monitoring of permafrost contributes to climate change research. The survey's outreach activities contribute to the professional development of our teachers and provide awareness of the geological processes that continue to shape our territory.

I have had the opportunity on a few occasions to visit our geologists in the field and see first-hand their commitment and enthusiasm for their work. One of these occasions was this summer when my colleagues — the Minister of Environment and the Minister of Education along with me — were able to

visit geologists in the field doing work in the Rakla area. Once again, we appreciated their knowledge and the excellent job they do at explaining technical subjects to people who are geologists by trade and providing a good explanation to us of both what was there and how they knew what was there.

The commitment to excellence by the Yukon Geological Survey has been recognized by the Fraser Institute, which ranks the Yukon Geological Survey as one of the top in the world.

I invite all members to join me in congratulating the Yukon Geological Survey for 20 years of service, and I look forward to the discoveries and achievements to be made by our staff during the next 20 years.

### In recognition of Air North's millionth customer

**Mr. Elias:** I rise on behalf of the Assembly to congratulate Air North, Yukon's airline, on achieving a very important milestone in our territory today at approximately 8:00 a.m. Ten years ago, Air North began offering regularly scheduled services between Whitehorse, Edmonton, Calgary and Vancouver on two newly acquired Boeing 737s. This morning, on Flight 505 from Whitehorse to Vancouver, Air North welcomed its one-millionth Boeing passenger aboard. We'll call her Wendy from Vancouver, British Columbia. This is just one part of what is a remarkable coming-of-age story for Yukon's airline this year. Not only is it the 10<sup>th</sup> anniversary of their Boeing 737 service, it's also the company's 35<sup>th</sup> anniversary.

On February 1, 1977, Air North was founded by Joe Sparling and Tom Wood. Just to add some context here, that was three months before the original *Star Wars* movie was released. Joe and Tom initially served the mining industry as a charter service. They initiated scheduled services, both within the Yukon and between Yukon and Alaska in the mid-1980s.

Since Air North introduced its scheduled Boeing service 10 years ago it has increased the number of passengers flying in and out of the Yukon by 75 percent. What's more remarkable is that they have lowered fares by 25 percent. It is important to recognize — as this House so often celebrates the overall economic success of the Yukon — that Air North represents almost four percent of the territory's GDP.

In 2000, through the Vuntut Development Corporation the Vuntut Gwitchin First Nation made an important strategic investment in Air North. Our community recognizes the value that Air North represents not just to Old Crow but to the Yukon as a whole. Obviously, in the absence of an all-weather road, Old Crow is dependent on air travel to move our citizens and visitors and cargo in and out of the community, but the Vuntut Gwitchin First Nation also recognized that even though a road connects the Yukon with the rest of the world, air transportation is critical to the continued success of the territory overall. We felt it was absolutely essential that the Yukon has its own airline to assure that success and, indeed, Yukon's airline is Air North.

It is with a special pride that the citizens of Old Crow and all Yukoners alike celebrate Air North's landmark accomplishment today; one million passengers — that's an awful lot of cheesecake. I'd like to say congratulations and mahsi' cho for the many years of service and for bringing the world and its wealth to our territory.

In closing, I'd also like to wish Air North many more years and decades of continued success. I will look forward to celebrating a million more passengers who will be visitors to our territory experiencing its grandeur as well as loyal Yukoners whose continued support make the airline a resounding success.

**Hon. Mr. Dixon:** I'd like to rise on behalf of the government to congratulate Air North, Yukon's airline, on this significant achievement — a milestone of their one millionth customer aboard their Boeing jets. I had the pleasure of dropping off my partner Brittany at the airport this morning and she was on the same flight as Wendy, whom the member opposite mentioned. I know that she had a chance to partake in some of the celebratory cake that was offered to all those flying on Air North's flight today.

While a million passengers is a significant achievement, we are very excited about what lies in the future for Air North, Yukon's airline. We know that, over the past year, they've taken a number of steps to diversify their business and their revenue streams, stepping away from just specifically passenger traffic and into other sources of revenue like fuel sales and groups as diverse as the WHL teams and the CFL teams. The Calgary Stampeders are playing in the Grey Cup next weekend. So while we certainly recognize the tremendous achievement of one million passengers, we look forward to seeing what lies in the future for Air North and wish them nothing but the most sincere congratulations on this remarkable milestone.

**Speaker:** Are there any other tributes?  
Introduction of visitors.

### INTRODUCTION OF VISITORS

**Mr. Elias:** I ask all members to join me in welcoming Richard Wyman, the president of Northern Cross (Yukon) and former planning team member of the Fishing Branch protected area in north Yukon, David Thompson, Chief Executive Officer of Northern Cross (Yukon) and Greg Charlie, manager of government and community relations for Northern Cross (Yukon) and former co-chair of the Fishing Branch Local Planning Team in north Yukon. Welcome.

*Applause*

**Speaker:** Are there any returns or documents for tabling?

### TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Graham:** I have for tabling the Whitehorse General Hospital campus strategic facilities plan and master plan.

**Hon. Mr. Nixon:** I have for tabling today the *Yukon Heritage Resources Board April 1, 2011-March 31, 2012 Annual Report*.

I also have for tabling the *Yukon Arts Centre 2011-2012 Annual Report*.

I also have for tabling the *Yukon Geographical Place Names Board 2011-2012 Annual Report*.

I have for tabling the Yukon Government 2013 Vacation Planner.

I have for tabling the *Crime Prevention and Victim Services Trust Fund 2011/2012 Annual Report*.

I have for tabling the book published by the Friends of the Yukon Archives Society. It's a very interesting history of the Yukon archives entitled: *For the Record: Yukon Archives, 1972-2012*.

**Speaker:** Are there any other returns or documents for tabling?

Are there reports of committees?

Are there any petitions to be presented?

## PETITIONS

### Petition No. 7

**Mr. Tredger:** I have for presentation the following petition. It has been signed by 1,806 persons.

The petition of the undersigned shows:

THAT, as there are significant concerns about negative effects of hydraulic fracturing related to oil and gas exploration and extraction on environmental interests and related social and economic interests in the Yukon; and

THAT, as there are significant concerns about negative effects of coal-bed methane exploration and extraction on environmental interests and related social and economic interests in the Yukon;

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the Government of Yukon to introduce to the Legislative Assembly legislation to:

(a) ban the use of hydraulic fracturing for the exploration or extraction of oil and gas resources; and

(b) ban the exploration or extraction of coal-bed methane;

AND to implement an immediate moratorium on:

(a) the use of hydraulic fracturing for the exploration or extraction of oil and gas resources; and

(b) the exploration or extraction of coal-bed methane.

**Speaker:** Are there any other petitions for presentation?

Are there any bills to be introduced?

Are there any notices of motion?

## NOTICES OF MOTION

**Mr. Hassard:** I give notice of the following motion:

THAT this House urges the Government of Yukon to work with Yukon College, the Mine Training Association and the mining and exploration industries to train and develop a skilled workforce made up of Yukon residents to help meet the current and future needs of the mining and resource sectors, and to use the centre for northern innovation in mining as the vehicle to deliver the mining and industrial training.

**Hon. Mr. Cathers:** I give notice of the following motion:

THAT the membership of the Standing Committee on Statutory Instruments as established by Motion No. 8 in the First Session of the 33<sup>rd</sup> Legislative Assembly, be amended by:

- (1) rescinding the appointment of Darius Elias; and
- (2) appointing Sandy Silver to the committee.

I give notice of the following motion:

THAT the Standing Committee on Public Accounts, as established by Motion No. 7 in the First Session of the 33<sup>rd</sup> Legislative Assembly, be amended by:

- (1) rescinding the appointment of Darius Elias; and
- (2) appointing Sandy Silver to the committee.

I give notice of the following motion:

THAT the membership of the Standing Committee on Appointments to Major Government Boards and Committees, as established by Motion No. 4 in the first session of the 33<sup>rd</sup> Legislative Assembly, be amended by appointing the Hon. Scott Kent and Sandy Silver to the committee.

**Mr. Tredger:** I give notice to the following motion:

THAT this House urges the Yukon government to introduce a green energy strategy that:

- (1) includes legislation to increase conservation and meets future demands by developing alternative energy sources such as geothermal, wind and solar;
- (2) provides energy options focused on conservation and renewable energy for new off-grid industrial users; and
- (3) provides support for demonstration projects.

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

THAT this House urges the Government of Yukon to bring forward an independent power producer policy (IPP), as requested by the Yukon mining industry, without any further delay.

**Speaker:** Is there a statement by a minister?

## Speaker's statement

**Speaker:** Order please. Before proceeding with Question Period, the Chair will give a statement regarding the kinds of questions that may be asked during Question Period about committee business.

During yesterday's Question Period the Member for Riverdale South asked questions regarding the Select Committee on Whistle-blower Protection. The minister responsible for the Public Service Commission answered those questions.

Guideline 4 of the *Guidelines for Oral Question Period* says, "A question must relate to a matter within the administrative responsibility of the Government of Yukon." The activities of standing, select and special committees of the Yukon Legislative Assembly do not fall within the administrative responsibility of the Government of Yukon. All committee matters, including their membership and activities, are fully within the control of the Legislative Assembly and the committees themselves.

Guideline 13 says, “A question is out of order if it seeks information from the Chair of a Committee about proceedings in a Committee that has not yet made its report to the House, but is in order if it asks only if the Committee has considered a certain matter, when the Committee will next meet, or when a Committee report will be tabled in the House.”

It is in order, therefore, for members to raise questions about committee business. However, these questions must be answered by the Chair of the Committee, not a minister. Also, the range of questions that can be asked, as outlined in Guideline 13, is specific and limited.

I thank the members for their attention.

We will proceed at this time to Question Period.

## QUESTION PERIOD

### Question re: *Oil and Gas Act* amendments

**Ms. Hanson:** Mr. Speaker, this government has tried to ram through decisions that have long-term impacts for Yukoners, our land and our water. The Yukon Party’s approach divides our community. The government’s failure to respect the Peel consultation process and their forcing of amendments to the *Yukon Oil and Gas Act* is disappointing. The brief 2009 summer consultation on the *Yukon Oil and Gas Act* did not meaningfully engage Yukoners with respect to the future of this industry nor, as the pressure to allow fracking in the Yukon increases, did it address legitimate concerns about water and the environment.

While silencing Yukoners’ concerns, the government identified the *Oil and Gas Act* as a priority and continued with its behind-closed-door approach. The result: conflict and division. This is not respectful; it’s not good government.

Will the government do the right thing — withdraw the amendments to the *Oil and Gas Act* and commit to open consultation with all Yukoners about the potential benefits of, and necessary safeguards for, oil and gas development in the Yukon?

**Hon. Mr. Cathers:** Really, one of the things that has led to the current polarization of debate is the manner in which the NDP engage within this House and in public in characterizing issues. In the case of the *Oil and Gas Act*, if the members were being accurate in their reflection of what is there, they would see in fact that most of the amendments put forward before this House are administrative in nature.

The substantive amendment to section 13 was consulted on in 2009, as were all other amendments, with the sole exception of one that is an enabling clause that allows the government to develop regulations pertaining to the storage of liquefied natural gas, and that is time-sensitive because both utilities are looking at developing that as a cheaper alternative for power production than diesel. We do intend to consult on those regulations themselves — it is only an enabling clause that is in place — and there are other sections of the act that, in fact, strengthen our ability to responsibly regulate the existing activities that are going on, including the work being done by Northern Cross in the Eagle Plains area.

**Ms. Hanson:** As the minister opposite demonstrates, rather than listen to and consider the legitimate concerns of

Yukoners, this government minimizes and marginalizes them. The Yukon Geological Survey report released this week, titled *Scoping study of unconventional oil and gas potential, Yukon*, indicates there is significant potential for oil and gas extraction in Yukon. The time for an active and open discussion about all aspects of Yukon’s oil and gas industry is now. The minister has dismissed Yukoners’ concerns by saying it would be years down the road, but that vague timeline contradicts his own departmental documents. The minister is busy engaging industry about work that could happen very soon while, at the same time, he dismisses Yukoners’ questions.

Why is the government afraid to engage with Yukoners to consider their legitimate concerns and to work with them to develop the necessary social licence for oil and gas development in Yukon?

**Hon. Mr. Cathers:** Once again, as we have seen consistently, the Leader of the NDP is wrong. She is wrong, wrong and wrong again. The member consistently provides a degree of rhetoric on topics that does not connect well with what is actually there.

Mr. Speaker, I would again remind the member that the amendments to the *Oil and Gas Act* — most of them, in fact — strengthen our ability to regulate the industry, including strengthening the provisions for holding previous developers liable for any problems that may be found after the fact.

I would point out, in the case of the geological survey work that was done, as the member knows, that was commissioned prior to my time as minister. That was released to the public. The member also knows very well that, when the application for areas within the Whitehorse Trough came up earlier this year, the government listened to the public. During the 2011 election campaign, the Yukon Party talked about oil and gas development in north Yukon and southeast Yukon.

We did not talk about the Whitehorse Trough or have a position on it, since we did not expect interest in the area. We listened to the public, and we heard from them. We are eager to engage with the public because the Leader of the NDP provides a characterization of events that has no connection to the facts.

### Question re: *Peel watershed land use plan*

**Ms. White:** The government likes to toot its own horn when it comes to the current Peel consultation process. This isn’t justified. They say the current consultation is meant to bring people together and be non-confrontational, yet on Monday the Minister of Environment implied in this House that people who oppose his government’s plans are radicals. They can’t have it both ways. Either they support meaningful public consultation that allows people to express their honest opinions, even if they oppose the government’s narrow agenda, or they don’t. Why is this government trying to silence critics of its proposals to open up the Peel to massive development by calling them radicals and holding public consultation that doesn’t allow for discussion?

**Hon. Mr. Dixon:** I have to correct the member opposite in her assertions around the consultation process that’s underway currently. Of course we’re eager to hear from all Yukoners about their opinions and input — from a variety of Yukoners across the territory. We’re hosting a number of public



meetings in affected communities, and we have a very interactive website, which we've unveiled recently to solicit input from Yukoners across the territory.

As I've said a number of times, we're very interested in soliciting constructive, thoughtful input from Yukoners, and we hope that Yukoners provide that to us through the number of forums and discussion venues that are available.

**Ms. White:** When you go on to the current consultation website and enter information, there is no way to see it publicly. That does not lead to a trustful relationship with citizens.

In the government's public relations materials the Blackstone and Ogilvie rivers have mysteriously disappeared. Colours that meant protection on the original maps mean development on the new maps. The final recommended plan from the Peel Watershed Planning Commission is buried. Few people believe the government is truly interested in their opinions.

How does the minister intend to repair the public trust that has been broken by the government's phony approach to consultation on the Peel?

#### Speaker's statement

**Speaker:** I ask the gentleman who insists on standing — I'm finding it disruptive. If that continues I'll have to ask you to leave, please.

**Hon. Mr. Cathers:** What we see again from the NDP is a degree of rhetoric on these issues that could certainly lead to public misunderstanding of what the facts are. The member knows very well that, during the 2011 election campaign, the Yukon Party was clear about the fact that we did not think the commission's document was the best plan for the area.

We committed to seeking modifications to be what we believe is more fair and balanced. We have and will continue to follow all our obligations under the process, including the commission's plan in the documents included with the potential modifications that we have proposed. We've made it clear that we're seeking thoughtful and constructive input on this approach, and what the members consistently fail to reflect in their comments is the fact that our middle-of-the-road approach is aimed at being fair to both mining and tourism, and it provides that by limiting the maximum footprint of activity in restricted-use wilderness areas and by protecting river corridors from staking or any surface dispositions of a permanent nature. This would protect 99.8 percent of each and every land management unit designated as a restricted-use wilderness area; it would protect the river corridors and, in addition, protected areas would provide even greater protection to those existing values and interests.

**Ms. White:** The minister's opinions on the NDP are well known, and they're wrong; they're wrong; they're wrong. The fact is that the government participated in the Peel planning process for almost seven years, then at the eleventh hour the government decided it didn't like the rules or the plan that resulted. Now, instead of consulting on the final recommended plan, the government is promoting its narrow vision for development over all other values. Before Yukoners visit the government's PR website, they should consider visiting

[www.protectpeel.ca](http://www.protectpeel.ca) for the straight goods, then with some good information they could visit the government website or attend the public event and try to make their voices heard.

Would the minister agree that an informed discussion is a good discussion — that opinions of First Nations and conservationists are relevant to the Peel issue and encourage people to visit [www.protectpeel.ca](http://www.protectpeel.ca) as well as the government site?

**Hon. Mr. Cathers:** Mr. Speaker, the member for the NDP stood up and said that the government's plan promotes development over all other values. That statement is absolutely incorrect. The member has had ample opportunity to become aware of the fact that what we have proposed is an approach that would manage the actual environmental impacts and effects of all users in an equitable manner while providing greater protection for the existing users of the area, especially including wilderness tourism and big game outfitters.

We know that the NDP have a very negative view of the mining industry. They don't like to acknowledge the fact that a lot of Yukoners have made their living out of exploration, including within the Peel area. Mineral exploration spending in the Peel region averaged \$6 million per year from 2000 to 2008 and, in contrast, according to the Peel commission, wilderness tourism's total value over a six-year period was \$3.67 million. So again, in fact, more Yukoners have been engaged in mineral exploration in that area and derived their income from that area than did wilderness tourism.

But we believe that everyone's livelihood matters, whether they be in mining exploration, wilderness tourism, big-game outfitting or other elements of the economy, and this government will stand firmly committed to being fair to everyone, regardless of their livelihood.

#### Question re: Land claims, outstanding

**Mr. Silver:** I have a question for the Premier on land claims negotiations. Eleven out of 14 Yukon First Nations have signed final and self-government agreements. Three remain, and those are the White River, Liard First Nation and the Ross River Dena Council. They remain unsigned. Let me quote from the Yukon government's website: "The ultimate goal of Yukon is for settlement of the land claims of the remaining three Yukon First Nations through a tripartite negotiation process involving Canada and the First Nations."

The last negotiations with these three unsigned First Nations occurred almost a decade ago. Before any discussion could begin, the Government of Canada would have to put forward a new mandate for negotiations. Has the Premier asked the federal Minister of Aboriginal Affairs to put in place a new mandate for negotiations and, if not, why not?

**Hon. Mr. Pasloski:** The member opposite is correct in his statement in saying that there is no mandate to negotiate on behalf of the federal government, but what is also in play here is that the three First Nations who do not have self-government agreements have clearly articulated and stated publicly many times that they have no interest in a self-government agreement.

**Mr. Silver:** I can only guess as to why that is. It has been a decade since the Government of Yukon, the Government of Canada and the Kaska sat in a room and tried to nego-

tiate a final agreement. All three parties have an interest in working together in southeast Yukon; they just don't agree on how to get there.

We've suggested a different way forward from the current course of action being taken by the Yukon government. We believe the current approach with respect to oil and gas development, for example, will only lead to court action. We support negotiation over litigation and always will. Governments' record in court with First Nations over natural resources in this country is poor. Governments usually lose, and court processes create lasting animosities and divisions. Sitting across the table is better than sitting in front of a judge.

Will the Premier agree to approach his federal counterpart, the Minister of Aboriginal Affairs and Northern Development, and try to get a new mandate to restart land claim negotiations with the Kaska?

**Hon. Mr. Pasloski:** This government spends millions of dollars every year with all First Nations over and above their obligations to those First Nations. With regard to the Liard Basin and the Kaska we have spent 10 years and millions of dollars trying to come to an agreement with them with regard to that area.

We believe that Yukon resources belong to all Yukoners and we will continue to work with the Liard First Nation to try to reach an economic agreement, but we certainly also feel that it is important to treat all First Nations equally. We will continue to ensure that not only do we consult and accommodate where we have to, but that we continuously go over and above that.

**Mr. Silver:** Ten years and \$2 million — we're talking about economic benefits to all Yukoners that are in the hundreds of millions of dollars. This isn't just about oil and gas; this is about seeing final agreements in place in the southeast and also in the White River area. This is never going to happen unless the parties return to the negotiation tables. It has been a decade since these discussions took place and we think the time has come to try again.

We understand the government's frustration with not being able to proceed with development of oil and gas in the southeast. However, the approach that they are taking is the wrong one. It would lead to more confrontation and to court action. Instead of rolling the dice that the government will win in court, it's time for the Premier to try and take negotiations back to the table. If the Premier can't convince Ottawa to restart land claim negotiations, can he negotiate on a bilateral basis with the Kaska?

Will the Premier agree to try to restart negotiations with the Kaska, instead of a veto against the *Oil and Gas Act*?

**Hon. Mr. Pasloski:** It is the responsibility of the federal government and Aboriginal Affairs and Northern Development to have those talks with them. As we have stated and as the Member for Klondike has mentioned, we stand committed to support First Nations if they want to go down a path of self-government. Clearly, as I have stated, the three First Nations that do not have modern-day treaties have stated emphatically they have no interest in such an agreement at this time. I guess I want to ask the question: In terms of economic development,

within the Liard Basin and southeast Yukon, is the Liberal Party supporting a veto versus treating all First Nations equally?

#### **Question re: Hydraulic fracturing**

**Mr. Elias:** The oil and gas industry is heavily regulated in the Yukon. We have the *Oil and Gas Act* and its 189 pages of regulations; then there is the *Environment Act* and the *Waters Act*, along with its independent administrative tribunal, the Water Board; the federal *Fisheries Act*; and the *Yukon Environmental and Socio-economic Assessment Act* must also be satisfied. Bringing all this together are the First Nation final agreements, with section 14.8.1 — the constitutionally protected hammer that can effectively overrule all of the aforementioned legislation and regulations.

Even considering all of this legislation, these regulations and administrative bodies, hydraulic fracturing presents some unique risks. Can the minister assure Yukoners that we have a sufficient legislative and regulatory framework to evaluate, assess and administer oil and gas licences that involve hydraulic fracturing in our territory?

**Hon. Mr. Cathers:** I thank the Member for Vuntut Gwitchin for the question. We do have a very comprehensive set of regulations, as the member noted. We have also heard from — notably, a joint letter from the Yukon Conservation Society and Northern Cross (Yukon) about areas where they believe there needs to be a better job done based on the experience from this summer of clarifying how the process works, both within government and to the public. We had, in fact, as recently as this morning, a meeting with them. We're interested in looking at where government needs to better clarify to people in the assessment process how that process works. I certainly won't rule out that we might end up with regulatory amendments as a result of that, but we do have the ability — the regulations are very enabling, in that they provide us the ability within a permit to provide a lot of strict conditions already, so some of that — the power is there and our staff are confident that does exist.

I believe my time is almost up for this response, but to the Member for Vuntut Gwitchin, we certainly appreciate the importance of this situation. As he knows, there is not currently an application for hydraulic fracturing use in north Yukon and, at the request of Vuntut Gwitchin, we have committed that if there were to be a request in future, we would consult with them prior to considering issuing any approval.

**Mr. Elias:** There is obviously a lot of public interest in the practice of hydraulic fracturing right now in our territory. It's incumbent upon us as public representatives to foster an informed and intelligent discussion that is frank, honest and open to public input. Yukoners want the truth about what hydraulic fracturing is, when it might occur in our territory and how it might impact us.

The Minister of Energy, Mines and Resources has made it abundantly clear that fracking will not occur in the Yukon in the immediate future, and I take his word on that, but looking into the future, it seems likely that oil and gas companies will consider fracking in the Yukon to be a viable method for extracting gas at some point.

Will the minister, as soon as practical, facilitate a series of objective and open public discussions on the issue of hydraulic fracturing so our Yukoners can be as informed as possible on this issue?

**Hon. Mr. Cathers:** I thank the Member for Vuntut Gwitchin for his question. The simple answer is yes, we're interested in doing that.

We have heard the requests, including a joint request from Northern Cross and Yukon Conservation Society, and although there are certainly some differences of viewpoint there, they were able to agree on some things, including the need for informed public dialogue. There are very diverse views on this subject, including people who are confident that hydraulic fracturing is both safe and appropriate to do, and people who are very concerned about what they have heard about potential concerns from other areas. We think a starting point is a focus on outcomes and figuring out — including working with stakeholders and Vuntut Gwitchin First Nation — about how best to foster an informed public dialogue of the subject.

In the case, again, of north Yukon — which is the only case where someone has permits and might look to do hydraulic fracturing — we have heard clarity from the company they're not currently planning to do so. Yukon government has worked with the Vuntut Gwitchin First Nation on issuing a joint decision document on their recent application, and along with that that we have made the commitment to Vuntut Gwitchin First Nation that Yukon government will consult with VGFN prior to issuing any approvals, permits or licensing for future applications for fracturing.

**Mr. Elias:** I appreciate those Yukoners who are raising public awareness about this important issue because it shows that they care about our territory. Looking on the bright side of this issue, as a jurisdiction, we find ourselves in a good place, in my opinion. We have a combination of foresight and time on our side. We are aware that hydraulic fracturing may come in time, but not immediately. This gives us an excellent opportunity to prepare for what seems inevitable. We can work together to establish a legislative and regulatory climate that promises opportunities and fair treatment to businesses that might want to employ hydraulic fracturing, but it also protects the best interests of all Yukoners and our environment.

What is the minister prepared to do to ensure the Yukon is ready and capable to accept or reject individual proposals for the use of hydraulic fracturing in our territory?

**Hon. Mr. Cathers:** I'd like to thank the Member for Vuntut Gwitchin for that question. I know that this subject and the potential of this is something that he, in representing his community — and the Vuntut Gwitchin First Nation is the other local government in the area — sees that there is potential benefit to citizens from oil and gas activity occurring, but I think that he and the Vuntut Gwitchin First Nation share a similar perspective to the Yukon government on this issue: want to see economic benefits to Yukon citizens, but we also are very much focused on ensuring that until and unless we are confident that something can safely occur and that human health and the environment can be fully protected by the terms of any licence and by any technically equipment in place, there

should never be any authorizations or permits issued which allow an activity to occur.

At this point, what I would say in answer to some of the member's questions is we think that there is a need for more dialogue and discussion about how to best work with others to facilitate an informed public dialogue on matters, including hydraulic fracturing and oil and gas in general. We haven't made a definitive decision on how that would proceed, but we're very interested in hearing members' suggestions.

#### **Question re: Renewable energy strategy**

**Mr. Tredger:** This afternoon's debate will be focused specifically on fracking, but it is part of a bigger, longer story — a story we are not hearing from this Yukon Party government. How did we get to this point where liquid natural gas is being promoting as the best option to meet our energy needs? The conclusion that liquid natural gas, or LNG, is the best solution is based on some limitations: failure to implement demand-side management effectively; suppression of information about renewables like wind energy; and spinning LNG as an improvement on diesel, which it is not if measured over its entire life cycle.

LNG is being labelled as a transition fuel, but to what and when? What renewable source or sources of power is this government committed to develop in order to reduce and eventually replace our reliance on greenhouse gas-emitting fossil fuels?

**Hon. Mr. Dixon:** I thank the member opposite for the question. It is indeed a very valid one. As he knows, and as the members of this Legislature know, we had the pleasure earlier this year of releasing our *Climate Change Action Plan* progress report which, under the electricity sector, makes a number of commitments for government to undertake.

With regard to those targets, one of them is reducing, by 2020, our emissions intensity of on-grid diesel power generation by 20 percent and, by 2016, reducing on-grid electrical energy use through demand-side management programs by five gigawatt hours. To meet those targets, we've committed to a number of actions, including replacing existing on-grid diesel generation with a lower carbon technology, determining the feasibility of biomass in the territory, completing and implementing a demand-side management plan, continuing to implement energy efficiency programs through the Energy Solutions Centre, and completing a net metering policy, as well as an independent power producer policy.

We're very open to any type of new generation technology that presents itself, and we have a number of different programming opportunities and funding opportunities to meet those demands.

I would point to the strategic industries fund in the Department of Economic Development as one that has in the past funded renewable energy projects and certainly will do that in the future.

So we have a very good plan, Mr. Speaker, when it comes to the development and encouragement of renewable energy. I look forward to discussing this more.

**Mr. Tredger:** The NDP says it's time to get past the transition phase. Let's build the alternatives to get off fossil

fuels altogether. The need for reliable, affordable, sustainable and renewable power is what we all have in common. There is a wealth of information and resources this government is either ignoring or neglecting in its rush to expedite the development of oil and gas. Individual Yukoners and businesses have been waiting to get on with creating a green, sustainable and renewable future.

When will the government implement a green energy strategy for the Yukon, including all necessary policies and legislation to enable individuals and industry to make the shift away from fossil fuel dependence?

**Hon. Mr. Dixon:** We have a strategy. It's not so limited as the member opposite is requesting; it's much broader and it's focused on mitigating the growth of greenhouse gas emissions in the territory.

We have factored it down across four different sectors — transportation, electricity, industrial operations and buildings. We have a number of actions under each of those sectors, which we are taking action on currently. When it comes to a reduction of greenhouse gas emissions, when we look around the world — and certainly to our southern neighbours — we have seen a dramatic decrease this year in greenhouse gas emissions in the United States as a result of the transfer to natural gas from coal. We don't have any coal plants going in the territory, but we do have a significant amount of diesel, which as members know is a relatively high greenhouse gas-emitting fuel. So if we are able to transfer away from those — and one option, of course, is natural gas — we would expect to see dramatic decreases in our greenhouse gas emissions growth.

As I've said, we're not just focused on that. We're focused on a broad range of different energy options for Yukon. I think some of the work that has been done so far by the Climate Change Secretariat has been phenomenal.

#### **Question re: Lobbying legislation**

**Ms. Stick:** Most provincial jurisdictions and the Government of Canada have lobbying legislation. Much of Canada recognizes the four overarching principles of lobbying. First, these principles recognize the fact that we live in a democratic society where free and open access to government is an important matter of public interest. The second principle states lobbying public office holders is a legitimate activity. Third, it is desirable that public office holders and the public be able to know who is engaged in lobbying activities. Finally, the system for registering paid lobbyists should not impede free and open access to government.

When will the Premier commit to introducing lobbying legislation that would in fact strengthen our democratic society where free and open access to government is of public interest?

**Hon. Mr. Pasloski:** As I've stated in this House before, this government has and will continue to speak to everybody. In a jurisdiction as small as this we constantly, as members of this caucus and specifically Cabinet ministers, are walking around this town or buying milk or we're engaged in many activities in support of many different organizations throughout this community and throughout this territory and while we do so we continue to hear from people all the time. I have to ask the members opposite: Are we going to now create a registry

where everybody needs to register as a lobbyist every time they have the courage, as they should, to speak to members of the government caucus or specifically to members of Cabinet?

**Ms. Stick:** I'm glad the Premier has said that we all lobby in one way or another in our small jurisdiction. We do and should talk to people on the street and in the grocery stores, but let me explain what a lobbyist is. In legislation in other jurisdictions, a lobbyist is defined as a person who lobbies on behalf of clients for pay. There are in-house corporate lobbyists who are employees paid by corporations or profit or non-profit organizations, who are paid to communicate directly or arrange meetings with public office holders — they're paid. It is not, as the Premier suggested, that a lobbyist is anyone we speak to on the street.

Will the Premier consider lobbying legislation that protects the public and keeps government open and accountable?

**Hon. Mr. Pasloski:** We could talk for a considerable amount of time about asking questions as to who would be applicable and who wouldn't. For example, all the NGOs that are funded by the government, would they then have to be registered as lobbyists? What about school councils, which are paid for doing their work, the great work they do on behalf of the students of their school and also representing the parents? What about the Anti-Poverty Coalition? What about FASSY? What about the Salvation Army? What about the outfitters? What about municipalities? Would their paid employees be lobbyists and need to also be registered?

Mr. Speaker, this government will continue to listen to Yukoners to ensure that we hear what the pulse is and ensure that we know what the priorities are and we'll continue to work for all Yukoners.

**Ms. Stick:** The answers we're hearing are troubling. It's apparent that this Premier is not clear on lobbying or lobbyist legislation. We're not trying to invent the wheel here. There is lobbying and lobbyist legislation across this country and in the federal government. I would invite the Premier, if he is interested, to participate in a joint briefing on what lobbying and lobbyist legislation could look at and ask if he would be interested in that.

**Hon. Mr. Pasloski:** There are so many individuals; there are so many groups out there who do represent and are salaried. We speak to them on a regular basis and we will continue to do that. We will continue to be accountable for all of the decisions that we do make. We continue to work with all organizations — those that have paid employees and even those times when we get somebody who calls us and says that there is a streetlight or a highway light that is out and then of course, we listen to that as well.

We'll continue to work with all of these groups — Kaushee's Place, Many Rivers, Autism Yukon, Hospice, Challenge — all of these people are out there: they're organizations with paid employees and I can't think that each time that we have the opportunity to do good work with these organizations that we need to continue to ensure that they reach some registry. Again, this is another example of the NDP motto of legislation and regulation for everything.

**Speaker:** The time for Question Period has now elapsed. We will now proceed with Orders of the Day.

## ORDERS OF THE DAY

### OPPOSITION PRIVATE MEMBERS' BUSINESS

#### MOTIONS OTHER THAN GOVERNMENT MOTIONS

##### Motion No. 275 — *adjourned debate*

**Clerk:** Motion No. 275, standing in the name of Mr. Tredger; adjourned debate, Mr. Tredger.

**Mr. Tredger:** Thank you. I am honoured to rise to continue to speak to Motion No. 275:

THAT this House urges Government of Yukon to:

- (1) implement an immediate moratorium;
- (2) conduct a full and rigorous scientific review; and
- (3) conduct a public consultation on the effects and desirability of hydraulic fracturing, also known as “fracking”, before any regulatory approvals or permitting is allowed in Yukon.

This topic engenders a lot of emotions and a lot of concern. As the Member for Vuntut Gwitchin said, we’re in a very fortunate spot in that we are able to debate this before fracturing happens. It’s important that everyone come in and consider what is at stake and what it means to us.

Sometimes — I shouldn’t say sometimes — always elders’ words guide us. I can remember being at a meeting with an elder near Carmacks, and somebody said to her, “How can you not want oil and gas production when you drive a truck, and you heat your car or your house?”. She sort of chuckled and said, “How can you drive a truck if you don’t have clean air and clean water?”

I think that’s the essence of what we’re looking at. Before we move any further, we need to consider the costs as well as the benefits. We need open, informed discussion where people can come together, share ideas, learn from one another and make an informed discussion for this territory.

The NDP believes, as do many Yukoners believe, that we can build a prosperous economy that benefits everyone without destroying the environment. We understand and embrace the role of a responsible, competitive resource extraction industry in our territory and its contributions to our economy. We also take the role of government as steward of our environment and our natural resources very seriously.

There is no doubt that the government plays an important role in creating attractive business environment in the territory. Yet this role as economic facilitator must not come second to that of an environmental steward. As we all know, economic opportunities in the resource sector come and go. They are subject to inevitable fluctuation in world commodity prices. Today, liquid natural gas may be cheap. We know it’s going to fluctuate. We also know that when our resources are gone, they are gone forever.

Our one environment is home to people, animals and plants, has sustained us all these years and is forever. The elders tell us we are part of the land and part of the water. Yukoners know that our wilderness is unique. We and all living be-

ings in the Yukon depend on the land, the water and the air to sustain us.

Yukon First Nations have depended on this environment since time immemorial. They are an important part of our identity and our deep attachments to the Yukon’s vast sprawling landscape. From the Southern Lakes to the North Slope, it is all an important part of us and our history.

The First Nations have shown us the way. They’ve shown us and shared their stories and told us about the importance of our land and where we are from, the importance of cooperating, collaborating and living together, learning from our experiences, growing from our experiences and sharing our experiences. Our children, our children’s children and future generations will all depend on our environment to sustain them. We must not sacrifice our irreplaceable environment in the name of making a quick buck. What we enjoy today should also be a vital part of our legacy for future generations.

The government’s reluctance to engage Yukoners on this important issue, to allow Yukoners’ voices to be heard, is disconcerting.

By denying calls for public discussion on fracking on the grounds that no fracking is currently proposed suggests a peculiar approach to governing. Instead of addressing the issue of fracking head on, this government seems to be burrowing its collective head in the sand. They say that since there is no fracking plan for tomorrow, we shouldn’t bother discussing it today. This strikes me as incredibly shortsighted and counterproductive. As long as we continue to deny that fracking is on the horizon while most Yukoners and industry see it coming, members of the public will continue to be concerned and mistrust and doubt in the government will continue to grow. This isn’t in anyone’s best interest. The way to embrace and engage the industry is to ensure through public discussions, public participation, through rigorous scientific examination of both the pros and the cons, the positives and the negatives of industrial extraction that Yukoners will have the benefit of that extraction and the benefit of their land.

This is the way to cease the polarization. This is the way to engage Yukoners and to engage the industry and have productive and valuable resources.

As I said, contrary to what some of my honourable colleagues across the floor might have Yukoners believe, the NDP has a long and proud history of supporting and promoting responsible resource extraction and development. We know oil and gas development is coming to the Yukon. The question is, how should that industry operate in our territory? How do Yukoners who would like to take advantage of economic opportunities from this industry, yet are unsure if they will be left bearing certain costs — how do we want this to develop?

The issue before us today is about Yukoners having a say. It’s about Yukoners having an informed say. It’s about sitting down and talking about it in an informed way and sharing ideas. It’s not being told one thing or another.

First Nations often operate on consensus, and many of our Yukon institutions do as well. I’ve been at a table or in a room and watched consensus form. It comes from a give and take and comes from a respect. It comes from a deep understanding

of humans — people who want to be involved who care and who love their land.

Hydraulic fracturing is a powerful tool. There is no doubt about that. The technology has opened up new areas for development, new areas for growth. But in doing so, by experimenting on the land throughout North America, we have opened up huge areas for concern. We have never used this technology in the Yukon. Many members of the public are very concerned and very sceptical of this technology. Yet they call for an open and frank discussion.

Is it wrong for the public to want to be consulted on a technology and extraction process that has been directly linked to human-created earthquake activity? Is it wrong for the public to want to be consulted on risks to our rivers, waterways, lakes and groundwater supplies, when we see our neighbours to the south where billions upon billions litres of water are being taken out of the system? Is it wrong to ask companies and governments what chemicals and potential toxins are hidden in the fracking mix — a mix, I might add, that is hidden because laws allow the ingredients to be treated as business secrets and kept from the public?

We in this Legislature have a trust with the public, a trust that must always inform our decision-making. The public expects that trust to be honoured. In this case, honouring that trust means that we as a Legislative Assembly must ensure that Yukoners are heard and given an opportunity to participate in what may become one of the defining moments in our history.

It is of that trust that I speak today. The issues surrounding hydraulic fracturing, or “fracking”, fall into a number of areas. I will speak to several of them: the precautionary principle; human health impacts related to gas extraction and production methods; emergency events, such as well blow-outs and pipeline breaks; truck spillages and accidents on our highways; chemicals used in drilling and well stimulation techniques; chemicals in drilling waste and the related issues of on-site and off-site waste management; air quality issues; transportation and disposal activities; land reclamation activities; general quality of life issues; climate change, earthquakes and seismic activity caused by fracking; impacts on water — surface and groundwater, waste water and drilling mud; fracking fluids and their often secret chemical mix of carcinogens and toxins and, of course, the environmental impacts, including the effects on fish, wildlife and habitat, and especially the cost to our water system.

However, when we and many other Yukoners look at fracking, we are not only speaking about the application of a specific method of extracting non-conventional gas reserves, we are talking about the impact on our health and the environment that a major industrialization of, let’s say Watson Lake, would have on that community. This is also known as a “boom town effect”, a topic I will return to later.

But first, Mr. Speaker, for the record, fracking — also called “hydrofracking” or officially “horizontal drilling coupled with multi-stage hydraulic fracturing” — is a relatively new process of gas extraction. Here’s a step-by-step look: A well is drilled vertically to the desired depth, then turns 90 degrees and continues horizontally for several thousand feet into the shale

believed to contain the trapped natural gas. In the Horn River Basin, they’re drilling between 12 and 16 of these wells to one pad. A mix of water, sand and various chemicals is pumped into the well at incredibly high pressure to create fissures in the shale, through which the gas can escape. I’ve heard it referred to as “shattering the earth.” Natural gas escapes through the fissures and is drawn back up the well to the surface, where it is processed, refined and shipped to market. Waste water — also called “flow back water” or “produced water” — returns to the surface after the fracking is completed.

This contaminated waste water, between 10 percent and 80 percent of the original volume, is then stored on-site until it can be treated or disposed of, and a long-term storage solution is often by deep injection in oil and gas waste wells. This will create a particular problem in the Yukon, as we have no way of disposing of the chemically-treated water, and it will entail trucking it to a waste-water facility to be processed.

Fracking is fundamentally different from traditional gas extraction methods and has only reached this level of sophistication in the last decade. Fracking wells go thousands of feet deeper than traditional wells. They will go to where the shale gas formations are, and we are not sure how deep they will be going in the Yukon. Fracking requires between two and five million gallons of local freshwater per well — up to 100 times more than traditional extraction methods. I might add here that, as I said earlier, between 12 and 16 wells to a pad — over 10,000 have been done in the Horn River Basin in northeastern B.C. — 10,000 at five million gallons of water per well.

Fracking utilizes fracking fluid, a mix of water, sand and a cocktail of toxic chemicals. While companies performing fracking have resisted disclosure of the exact contents of the fracking fluid by claiming that this information is proprietary, studies of fracking waste indicate that the fluid contains formaldehyde and acetic, citric and boric acids, among hundreds of other chemical contaminants and carcinogens, like benzene. This technique has an environmental impact that has been unprecedented — the most dangerous impacts on people and ecosystems are widely unknown because of the long infiltration periods of toxins and the limited amount of research done today.

Recently, the U.S. shale gas subcommittee of the Secretary of Energy Advisory Board has raised the alarm of growing public concern and opposition and the negative impacts that hydraulic fracturing can have on the environment and people. The board reported in August 2011 that there are serious environmental impacts underlying public concerns and these adverse environmental impacts need to be prevented, reduced and, where possible, eliminated as soon as possible.

Absent effective control, public opposition will grow, thus putting continued production at risk. Moreover, with anticipated increase in U.S. hydraulically fractured wells, if effective environmental action is not taken today, the potential environmental consequences will grow to a point that the country will be faced with a more serious problem. The report goes on to discuss many of the issues I am raising today. This is not fear-mongering. Even the U.S. government is concerned about the

environmental, social, and health impacts of fracking and the consequences to the oil and gas industry.

I'll speak for a moment about the precautionary principle. There is a principle that underlines most discussions and analysis around the environment, human health, and the impacts we create, and that is the precautionary principle. In short, the precautionary principle states that if an action or policy has a suspected risk of causing environmental or public harm, in the absence of scientific consensus that the action or policy is harmful, the burden of proof that it is not harmful falls on those taking the action.

In other words, the onus of proof that something is not harmful lies with the person or company or government that wants to do the action. They are the ones who we need to demonstrate that it is safe.

During the public consultation on oil and gas exploration in the Whitehorse Trough, one of the fundamental questions asked repeatedly by Yukoners of government was of the safety of hydraulic fracturing. The Yukon government has provided no demonstrable proof that fracking is benign or harmless to human health or the environment. As I will discuss later, there is uncertainty within the Yukon government over the potential impacts that hydraulic fracturing may have on Yukon's hydro-sphere, our water system. In addition, hydraulic fracturing has not been used north of 60 and the effects of climate change on the region's hydrology and environment have not been investigated.

Today I will lay out a range of issues that are of concern to Yukoners, Canadians and people around the globe. Many of the issues and concerns raised by members of the scientific community and the public have not been refuted and thus the precautionary principle applies. It will be up to this government and to the industry to demonstrate to Yukoners that fracking is safe before any activity is permitted. The precautionary principle puts the onus on the government and the industry.

We have seen here in the Yukon a disturbing trend of dismissing and even disparaging those who say, "Wait a minute here. We have reasonable, rational, scientifically grounded concerns about fracking. We think they are worthy of public discussion."

We believe these issues are worthy of public discussion as well, as do many Yukoners, and we're not alone.

The Canadian Association of Energy and Pipeline Landowner Associations noted in their recent report, *A Revolution Underground: A Sneak Peak*, that, "Throughout the United States and Canada, a growing number of farmers, ranchers, landowners, and others are claiming that hydraulic fracturing and related processes are the cause of health and environmental impacts ranging in severity from headaches and skin rashes to contaminated water and dead cattle to neurological disorders, tumours, radioactive wastes, and earthquakes. The oil and gas industry's response has been to deny even the possibility that hydraulic fracturing is to blame, and to dismiss as ignorant those who would stand in the way of unconventional gas development."

The report goes on to cite the comments of Chesapeake Energy's CEO, Aubrey McClendon, at an industry meeting in

January, and I quote: "The low level of intelligence some people have about the [hydraulic fracturing] issue is disturbing. If you're against fracking, you're against natural gas." It is that type of simplistic logic, avoidance and disparaging comments that undermine reasoned debate and the making of good public policy — policy that is in the best interests of the public and that balances economic development with other important values.

A report in a recent *Scientific Solutions* looked at the impacts of drilling on air and water quality and on domestic animals as sentinels to monitor impacts to human health. The report concludes by noting, and I quote: "Without rigorous scientific studies, the gas drilling boom sweeping the world will remain an uncontrolled health experiment on an enormous scale."

My concern for the Yukon is that much of our area is unpopulated and far from the scrutinizing eye of local farmers. We will be dependent on traditional knowledge, people who are on the land, to let us know subsequent results unless we put proper regulations in place.

Recently, B.C. asked their chief of health to do a risk assessment on health in the Fort Nelson area because of growing concern as people have realized exactly what has been loosed upon their neighbourhood. They have delivered on phase 1 of a human health risk assessment entitled, *Identifying Health Concerns relating to oil & gas development in northeastern B.C.: human health risk assessment — phase 1 report*.

This project contains three phases with the aim of, and I quote: "...identify, explore and assess concerns about human health risks relating to oil and gas development in British Columbia."

The three phases of the B.C. human health risk assessment are: Phase 1: public engagement to inform the scope of terms of reference and identify concerns relating to oil and gas development. Phase 2: a human health risk assessment based on findings from phase 1 and a comprehensive scientific review of evidence. Phase 3: reporting of findings to the province, stakeholders and the public.

B.C.'s northeast is already being fracked, and this is the government's response to legitimate concerns raised by residents of the region. Belated, maybe, but at least that government is bringing issues to the table.

I would like to take a few more minutes to note some of the more germane passages in this B.C. report. I ask the members opposite to remember that this portion of the project report speaks to process issues. These process issues, as shown in the report, are vital to ensure the trust of the public and the public's ability to meaningfully participate.

In the B.C. report, the authors said it was, and I quote: "...noteworthy that concerns identified in Phase 1 [of the assessment] relate to different aspects of oil and gas development, including gas extraction and production methods, emergency events such as well blowouts and pipeline breaks, chemicals used in drilling and well stimulation techniques, chemicals in drilling waste, air quality issues, on-site and off-site waste management, transportation and disposal activities, and land reclamation activities."

The report also notes that, and I quote: "...one of the most common issues raised was hydraulic fracturing and the perception that this activity could lead to seismic activity, water quality issues, or the potential to trigger sour gas releases." The B.C. report also identified the concern of British Columbians of being adequately involved in the process, and I quote: "...the overall concern of many respondents was uncertainty and not being fully informed of the nature and extent of possible long-term health effects on individuals and communities within close proximity of oil and gas operations. Many believe their health and the health of their families and friends has been adversely affected in the future by an increase in oil and gas activity. Some are frustrated by this situation and want help in having their concerns resolved by the regulator ... the provincial government, and organizations such as the Northern Health Authority and the oil and gas companies. There appears to be an opportunity here for all concerned to work together in subsequent phases of this project."

What this report shows us is that people have legitimate concerns. They wish an opportunity to have their voices heard. They want to have dialogue. They want to have the information before them, and they want the process to be open and transparent. These are some of the values we have been trying to communicate to the members opposite, and it is my hope that they will endorse this motion.

We know this government wants to slam the door on public access to information so they can operate in secret. Despite this, surely the members opposite can recognize the legitimate concerns of Yukoners who want a say on a new industry that could change the landscape and our lives forever. These concerns deserve to be heard and discussed. There should be no fear of frank and open discussion. That is an essential part of the Yukon; that is part of why we love the Yukon — our ability, as a small group of people, to come together and work toward consensus.

Contrary to what the minister opposite has said, this is not fear-mongering. Instead, well-informed, scientifically grounded public discussion of issues like this should be a real routine function in a healthy democracy. When a government doesn't listen to citizens, it gives the impression it doesn't care; it gives the impression it has something to hide. The only side creating fear and suspicion is the government side. Good, responsible governments embrace public calls for serious discussion on issues that matter. They don't shy away from them.

With this motion, the NDP is calling on the government to engage the public and stakeholders in developing a public consultation process. This would include scope, terms of reference and mechanisms to be used, and timelines; conduct open and transparent public consultation, including full and adequate consultation with all First Nation governments; conduct a full and rigorous scientific review, including a review of all scientific literature; and human health risk assessments or health impact assessments and an immediate moratorium on any fracking in the Yukon to allow time for a truly open, transparent and informed public discussion. What we are proposing is not radical. It is not risky. It is just good public policy and good democratic policy.

I'd like to turn now to a recent report, entitled *Chief Medical Officer of Health's Recommendation Concerning Shale Gas Development in New Brunswick*. The opening paragraph of the report puts a succinct argument for having a health impact assessment before major projects are approved. Dr. Eilish Cleary notes, and I quote: "While large-scale development of a shale gas industry in New Brunswick may offer an economic growth opportunity for the province, it will be important to ensure that the overall health gains are greater than the losses. Economic status of individuals and communities can be an important determinant of their health, however ..." — GDP is not all — "... there are many other factors resulting from industry development that can have strong negative impacts. Unless proper controls are put in place, there is a risk of spoiling any benefits from economic gains through adverse health outcomes."

The report states not only that those proper controls should be put in place, but also that they, and I quote: "need to be put in place prior to further development as current infrastructure, capacity, processes and legislation are not adequate to meet these needs."

I would submit that Yukon's current infrastructure, capacity, processes and legislation are not adequate to meet the need of targeted and strategic actions aimed at prevention and mitigation of negative health impacts.

The New Brunswick report also notes that attention needs to be paid to protecting the environment for those for whom, and I quote: "the environment plays a particularly strong foundation to their health such as First Nations peoples."

Another area of concern that was noted by the New Brunswick report is the boomtown effect. Dr. Cleary notes, and I quote: "This effect occurs when a rapid change in population, industrialization and economic prosperity also leads to a host of social ills that impact community health. These can include increased rates of crime, drug and alcohol abuse, sexually transmitted infections, and domestic violence; inadequate supply and quality of housing; increased cost of living; increased community dissatisfaction; increased mental health and social services case loads; increased hospital admissions; insufficient infrastructure; and insufficient capacity in public services, including policing, local government, social services, and health care."

Especially relevant to Yukon is Dr. Cleary's following observation: "Boomtown Effect is thought to be more intense for small communities with a traditional way of life that did not previously involve the industrial sector responsible for the boom."

It should also be noted here that industry calculations indicate a failure of between one out of 50 to one out of 200 wells. A recent Alberta report indicated a failure rate of five to 15 percent.

We are talking here about casing failures and leakage of methane gas. To put this into more perspective, just south of the Yukon, adjacent to the Liard Basin that we know this government wants to throw open to oil and gas activity, is B.C.'s Horn River Basin and its more than 10,000 wells with thousands more planned.



If the industry numbers are reliable, then there may be as many as 50 to 200 wells that fail there in a given year and release toxic substances into the atmosphere.

Failed wells release not only natural gas, but also fracking fluids with their mix of toxins and carcinogens, as well as any other naturally occurring elements, like radium, that are picked up from underground.

These failures can affect our water, our health, our fish, our wildlife, our plants, our rivers, our lakes, our streams and the environment. That's a two-percent failure rate. When you're drilling, the number of wells that are being drilled — would you jump in a plane if the pilot had a two-percent failure rate? I don't think so.

Environment Yukon's interim state of the environment report states that, and I quote: "the Intergovernmental Panel on climate Change, a scientific body established to collect and synthesize the world's best research on climate change, considers global climate change to be the most significant threat this world's environment faces today."

In a letter published in the peer reviewed journal, *Climate Change*, 2011 by Robert W. Howarth, Renee Santoro and Anthony Ingraffea, the authors evaluated the greenhouse gas footprint of natural gas obtained by high-volume hydraulic fracturing from shale formations, focusing on methane emissions. The authors found, and I quote: "Natural gas is composed largely of methane, and 3.6 percent to 7.9 percent of the methane from shale-gas production escapes to the atmosphere in venting and leaks over the lifetime of a well."

The report further notes: "These methane emissions are at least 30 percent more than and perhaps more than twice as great as those from conventional gas. The higher emissions from shale gas occur at the time wells are hydraulically fractured... Methane is a powerful greenhouse gas, with a global warming potential that is far greater than that of carbon dioxide, particularly over the time horizon of the first few decades following emission... The footprint for shale gas is greater than that for conventional gas or oil when viewed on any time horizon, but particularly so over 20 years."

Today's debate is a discussion focused specifically on fracking, but it is part of a bigger, longer story. How did we get to this point where liquid natural gas is being promoted as the best option to meet our energy needs? In short, it's our failure to implement demand-side management effectively and this government's failure to meaningfully pursue renewable energy resources.

In Yukon's *Climate Change Action Plan*, the goal to be carbon neutral by 2020 is for Government of Yukon operations only. There are no territory-wide greenhouse gas reduction targets or plans to tackle emissions from industry. To suggest that fracked natural gas is a green energy is not true.

When calculated on its full cycle — from exploration to extraction, including the huge fuel and energy costs, to transportation, natural gas falls far short of that green moniker and in some cases can have a worse net environmental impact than diesel. That's especially true in the Yukon, Mr. Speaker, where we must truck up thousands of truckloads of fracturing sand and chemicals to serve the wells.

Right now I would like to turn to the underground elements that can be brought up to the surface by fracking. These include radioactive and other harmful elements. Once fracturing occurs, a portion of the injected water flows back to the surface. This water is called "backflow" or "waste water". The volume of waste water varies between 15 and 90 percent of the injected water, depending on the rock formation. The process of hydraulic fracturing happens in average depths of 2,100 metres in the Marcellus Shale but drilling can occur as deep as 4,500 metres. According to Yukon geologists, no baseline data about the rock formation in these locations will be available until drilling is conducted.

One well can produce close to four million litres of waste water that is laced with highly-corrosive salts, carcinogens and naturally occurring radioactive elements. Other toxic materials are added to the wastewater by chemicals in the injected fluids, as well as radioactive tracers. These radioactive tracers have a short half-life and are therefore not a great environmental concern. However, a significant concern is deep in the earth, where naturally occurring radioactive elements occur.

A limited amount of international research has been done and the focus of one of the safety reports is radiation projection and management of radioactive waste in the oil and gas industry. According to the reports, the produced wastewater from drilling contains uranium isotopes from the U-238 decay series. The only acceptable disposal method for these types of pollutants is containment in authorized waste disposal facilities. Discharge into seepage ponds is not a viable option. "Mix-bury-cover" is not a viable option.

The law firm of Willms & Shier writes in their Shale Gas issue newsletter of December 2011: "As energy companies rush to exploit these largely untapped resources — and governments struggle to put the appropriate regulatory safeguards in place — a number of environmental cautions are being raised. Chief among these is the heavy demand for fresh water that such extraction typically requires, coupled with worries about air and water pollution, elevated greenhouse gas emissions, and even increased seismic activities."

In the Yukon we don't have any territorial legislation or even policies to address long-term radioactive waste storage in the territory. The *Nuclear Safety and Control Act* is federal legislation and has not been mirrored in territorial legislation. The federal metal mining effluent regulations — MMER — which are used for water quality regulation in the mining industry, cannot be used for long-term storage facilities or water testing for hydraulic fracturing. The effects of radioactive products are long term and prehistoric tests are used in the MMER. A good example is the 24-hour testing on 100 rainbow trout in an aquarium in Vancouver. Water samples are sent from the Yukon to Vancouver and if more than 50 trout die in 24 hours, the pollutant is classified as toxic. For less than 100 trout, the substance is benign. This kind of testing is not a scientifically accepted method for detecting the effects of radioactive pollution — less than 50, I should have said there.

Transport of contaminated water and sand to storage facilities would put an immense strain on our infrastructure. The amount of truck traffic connected with waste water and sand

transport would cause significant damage to our highways, especially on the Alaska Highway, on the Stewart-Cassiar Highway and significantly on the Dempster Highway. During the summer tourist season, traffic would be affected on these roads and on our rivers.

Many of the chemicals and additives used in fracking fluids are not public knowledge. Canadian laws protect these copyright and proprietary interests and therefore keep them secret — secret from you, from me and from the public. Veils of secrecy do not encourage public trust, especially from a government with a track record of putting the interests of big corporate profits ahead of the public interest.

As noted in the March 28, 2012 —

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

#### Point of order

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

**Hon. Mr. Cathers:** It has been ruled on many times in this House that the members cannot do indirectly what they cannot do directly. The Member for Mayo-Tatchun was clearly implying that this government was putting corporate interests ahead of others, and the member knows that is not the case. I'd ask you to direct him to retract that.

**Deputy Speaker:** House Leader for the NDP, on the point of order.

**Ms. Stick:** On the point of order, I heard my colleague provide his opinion on the actions of the government, and I would respectfully suggest that this is a dispute between members and not a valid point of order.

#### Deputy Speaker's ruling

**Deputy Speaker:** On the point of order, there is no point of order. This is a dispute between members. However, I'm going to remind the members that if you wish to use strong language, the odds are everyone else will.

Mr. Tredger, you have the floor.

**Mr. Tredger:** As noted in the March 28, 2012 issue of the *Atlantic*, Pennsylvania passed a law that allows doctors to — quote: “access information about fracking chemicals used in natural gas extraction, but they won't be able to share it with their patients.” In this example, a U.S. state is ordering doctors not to inform their patients about possible toxic and carcinogenic chemicals from nearby fracking that may be affecting their health. Will this approach to denying people health information spread to other jurisdictions? I hope not. What it shows is how governments can become too beholden to industry and not put the public interest first. Another insidious aspect of the secrecy regarding fracking is found in Pennsylvania's *State Journal* from April and May of this year — quote: “People living in communities where the gas industry operates have important first-hand knowledge of the impacts of gas development. But, time and again, these people are silenced by industry-mandated non-disclosure agreements in lawsuits, as well as leases,” said Simona Perry, a research scientist at Rensselaer Polytechnic Institute.

“As their neighbours struggle to contend with these impacts, they are unable to share their knowledge. Whole communities are impacted as a result.”

In British Columbia, there is now a frack chemical registry open to the public, but a company can still invoke Canadian laws to block access and keep their recipes secret.

Mr. Speaker, I would like to conclude this section with a quote from a Department of Energy, Mines and Resources ministerial briefing note dated November 30, 2012. As an aside, I note that we received this information under the *Access to Information and Protection of Privacy Act* that the government is currently trying to gut. Soon information like this will be locked away from the public view — but I digress.

The note indicated, and I quote: “concern over water thickening agents is a fundamental public concern.” The Yukon government has not addressed this fundamental public concern.

Mr. Speaker, when I was at the Whitehorse oil and gas discussions in Carmacks, the idea of seismic activity came up. As many of us know, Carmacks is in a very seismic, unstable area, as is much of the Yukon. Hydraulic fracturing has been conclusively linked to what is called “induced seismic activity” or in laypersons' words “human-caused earthquakes” in the United States and in the United Kingdom.

One of the most disturbing things about this impact is not that some of the companies in question readily admit to this causation, but these earthquakes are happening in areas with limited or inactive seismic systems — Oklahoma, the United Kingdom, Ohio, and even in the nearby Horn River Basin in B.C. I will reference only a few of the recent reports in this area, all of which link hydraulic fracturing with human-caused earthquakes.

The Examination of Possibly Induced Seismicity from Hydraulic Fracturing in the Eola Field, Garvin County, Oklahoma, from the Oklahoma Geological Survey, 2012; Preese Hall Shale Gas Fracturing: Review and Recommendations for Induced Seismic Mitigation from the Department of Energy and Climate Change, Government of the United Kingdom, 2012; Preliminary Report on the Northstar 1 Class II Injection Well and the Seismic Events in the Youngstown, Ohio, Area from the Ohio Department of Natural Resources, 2012; Induced Seismicity in the UK and its Relevance to Hydraulic Stimulation for Exploration for Shale Gas by Professor Peter Styles of Keele University and Dr. Brian Baptie of the British Geological Survey, 2012; Investigation of Observed Seismicity in the Horn River Basin from the BC Oil and Gas Commission, August 2012.

In Canada, the University of Calgary is undertaking a study of hydraulic fracking and earthquakes — not in the Pacific Ring of Fire or some other high earthquake zone, but in Alberta. The Yukon is criss-crossed with active and inactive seismic systems. There is no research on the potential effects of hydraulic fracturing and seismic activity in the Yukon. Although most of the earthquakes referenced above were on the low scale, hydraulic fracturing has not generally been done in an active seismic zone like the Yukon.

Again I will reiterate that during the Whitehorse Trough oil and gas dispositions, people of Carmacks expressed their

concerns regarding seismic activity in their area and this needs to be addressed.

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

## INTRODUCTION OF VISITORS

**Speaker:** Hon. Premier, on a point of order.

**Hon. Mr. Pasloski:** I just would like to take the opportunity to say that my incredible wife Tammie has joined us in the gallery today, so I'd like to welcome her.

**Mr. Tredger:** Thank you, Mr. Speaker, and welcome, Tammie.

Mr. Speaker, the Minister of Environment recently said in this House, and I quote: "Generating a better understanding of Yukon's water resources and especially our groundwater resources that we currently know so little about ... will be an important function of a water strategy for Yukon."

It seems that the Minister of Environment understands there are too many unknowns, too little data and too little analysis when it comes to our precious water.

A December 2011 internal review by Environment Yukon of information proposed for the Department of Energy, Mines and Resources' webpage on fracking states, and I quote: "Under the question 'Is fracking dangerous for the environment?', the potential threats of both leaving the water in the ground as well as removing contaminated wastewater are not addressed in-depth. After the mixture of sand, chemicals and water is pumped into the ground, depending on the project 20-85 percent of the water stays in the ground and the remainder is removed as wastewater. For the portion of the mixture that remains in the ground, this water may not be of immediate concern because of the depth that fracking takes place at. However, the long-term consequences of this still remain unclear and need to be further investigated."

I would like to add there too that one of the lessons we learned in dealing with pollution was that putting a higher smokestack up only spreads the pollution further. Pumping the waste water from our cities further into the ocean only polluted the whole ocean.

Pumping waste water down into our earth without knowing the consequences may cause problems for future generations, because by the very act of fracking, we are encouraging that gas and that water to migrate. It will migrate, and it will migrate up. It may take five years; it may take 50 years; it may take 500 years. But as we learned, to our detriment, with air pollution and with the pollution of our oceans, this too may come back to haunt us. I note this is another example of a document that will soon be out of reach if the Yukon Party's attack on access to information laws continue.

But back to my point — hydraulic fracturing requires 4 million to 40 million litres of water per well. This is an immense amount of water. As I discussed, much of that water may be lost deep underground forever.

The water that is recovered is highly toxic and may contain radioactive elements. In some cases, this water cannot even be safely treated, so it is disposed of back into the hydrosphere — the water bodies, the water tables and aquifers we rely on. Hy-

draulic fracturing and the industry around it have been linked to pollution of groundwater, aquifers, creeks, streams, rivers, lakes and other water bodies in many jurisdictions. Significant research and investigations have been undertaken, and are continuing, in the United States.

Last Sunday, while listening to CBC, they were interviewing some people from Fort Nelson, who have lived on the Nelson River. They lack baseline data because the fracking industry moved in before they had complete data, but traditional knowledge talks about people going to the muskeg and picking berries, dipping their teapot into the berries and making a fire and building some tea, and eating their berries and harvesting. The woman I heard lamented the fact that the muskeg was drying up and the water was unfit to drink.

In Pavillion, Wyoming, for example, hydraulic fracturing occurred in gas production wells at a depth as shallow as 372 metres below the ground surface. Overlying the gas field, there is an aquifer in a formation where water wells are excavated to depths of 15 metres to 230 metres or more. These wells are the principal source of domestic, municipal and agricultural water in the area of Pavillion. Groundwater contamination has been found in this area. A U.S. EPA draft report concluded that the data indicated likely impact to the groundwater, which can be explained by hydraulic fracturing. The same report concluded that the observed contamination was linked to inadequate vertical well-casing lengths and a lack of well integrity. That's critical.

The industry has not yet managed to improve the well integrity on the corner, the 90-degree turn that the wells go down. Consequently, fracturing wells leak far more methane than the conventional wells. A very thorough report is *Water Pollution Risk Associated with Natural Gas Extraction from the Marcellus Shale*. In this study the researchers found, "...even in the best case scenario, an individual well would potentially release at least 200 [cubic metres] of contaminated fluids."

The authors identified five ways in which fracking could contaminate water supplies: transportation spills, well-casing leaks, leaks through fractured rock, drilling site discharge and waste-water disposal. The highest potential contamination risk was from waste water disposal because while some well operators recycle and reuse frack fluids, three quarters do not due to the cost of separation and filtration. I quote: "Instead, the used hydraulic fracturing fluid is transported to a wastewater treatment facility and discharged to streams".

Some companies have found a cost-effective way to deal with contaminated waste water is to re-inject it back into the ground at depths where it is completely lost to the hydrosphere, but this water is likely lost for good. However, there remains the possibility of the toxins and carcinogens being transported back into the hydrosphere through natural process and through recently fracked rock formations. That is the migration I was speaking of earlier.

In its May 2009 fact sheet titled, *Water Resources and Natural Gas Production from the Marcellus Shale*, the U.S. Geological Survey noted: "While the technology of drilling directional boreholes, and the use of sophisticated hydraulic fracturing processes to extract gas resources have improved

over the last few decades, the knowledge of how this might affect water resources has not kept pace.”

A few other relevant reports on the potential toxicity of hydraulic fracturing are *Shale Gas in British Columbia: Risks to B.C.’s Water Resources*, by Karen Campbell and Mike Horne, published by the Pembina Institute in September 2011 and *Chemicals Used in Hydraulic Fracturing*, from the United States House of Representatives Committee on Energy and Commerce, Minority Staff, dated April 2011.

In addition, *Business Week* reported in November 2008 on a U.S. Environmental Protection Agency report that noted fracturing fluids migrated unpredictably through rock layers in half the cases studied and that injected fluids are likely to be transported by groundwater. More recent research has shown that the injected frack fluids — also known as stimulation fluids — have travelled underground as far as 900 metres from a natural gas well.

Hydraulic fracturing uses a huge volume of water mixed with sand and chemicals to break up rock formations and to release the natural gas. This water has to be supplied by surface, groundwater, recycled water or brought to the site with water trucks. Investigations have shown that the average well in the Marcellus Shale uses 19 million litres of water with a flow back of 60-percent wastewater. These numbers are site specific, though it can be stated with certainty that copious amounts of water are necessary to apply this technique and that a large amount of water is lost from the hydrosphere as it is left deep underground.

Our water flow in the Yukon, especially in the northern part of the sub-Arctic and Antarctic regions, is subject to great seasonal fluctuations. A good example of this and one of the few examples was the research conducted by Gerry Whitley on the Snake River in the Peel watershed. During the spring the water flow of this river is 600 cubic metres per second and in the winter flow decreases to zero. If water from these northern rivers is used for hydraulic fracturing, waterways and wetlands could be damaged and underground water reservoirs could be depleted. Surface and subsurface water is connected in a steady exchange cycle that is widely unknown today. In the Yukon little or no baseline data concerning the size and location of aquifers is currently available, with the exception of areas close to Whitehorse.

As noted in a report by William Koop, dated June 17, 2010: “Water source availability is the key concern and strategic hurdle of all the fracking gas companies.”

In some cases to avoid the use of potable water, companies are using municipal wastewater. Shell Canada this year paid \$9.75 million for Dawson Creek’s treated sewage. While at one level this may seem like an excellent plan, it is fundamentally flawed because most of that water will then be lost deep underground and thus removed from the hydrosphere. It is lost. It is no longer part of our water chain. It may migrate to the surface, contaminated, in five years, 50 years or 500 years or, if we’re lucky, 5,000 years.

This House and the general public may not be aware but B.C.’s Oil and Gas Commission just lifted some water restrictions for oil and gas companies in the Horn Basin. Why is this

important? The B.C. Oil and Gas Commission put water restrictions in place because the oil and gas companies that frack were using so much water the water tables, river and creek levels and wells were being depleted.

Some of these water restrictions remain in place, Mr. Speaker, as some water levels continue to be lower than normal. The massive use of water for fracking exacerbated a very dry summer in B.C.’s northeast and contributed to drought conditions for local farmers and ranchers.

Grand Chief Stewart Philip of the Union of B.C. Indian Chiefs said in a recent news release, and I quote: “First Nations are increasingly alarmed that ... government and industry are making decision after decision with very real long-term impacts on our land and our communities in a regulatory and scientific vacuum. It is offensive to our rights as First Nations and it demonstrates a total disregard to the single most important resource that we all share. Water is our most precious natural resource. We have a duty to our communities and to future generations to ensure our waters will sustain and nourish them.”

I would also add: that it is true of all Yukoners.

Mr. Speaker, this is not a matter that any government should take lightly, especially in the Yukon where chapter 14 of the *Umbrella Final Agreement* reads, and I quote: “The objective of this chapter is to maintain the water of the Yukon in a natural condition while providing for sustainable use.”

This is important because fracking can result in the permanent loss to the hydrosphere of up to 80 percent of the water used as it remains deep underground. Such a practice does not seem sustainable. In addition, chapter 14 of the UFA charges the government with, and I quote: “protection of water supplies from contamination and degradation.”

It is unclear to me how the government would hope to balance this massive use of water for fracking, the permanent loss of water, and the contamination of the water that is recovered from fracking with its obligations to maintain the water of the Yukon in a natural condition while providing for sustainable use and to protect water supplies from contamination and degradation.

Recently, Northern Cross (Yukon) Limited proposed a system of “mix-and-bury-cover” at a site along the Dempster Highway for the disposal of drill cuttings and fluids resulting from hydraulic fracturing for exploration purposes. A U.S. Environmental Protection Agency document recently stated, and I quote: “drilling muds are known to contain a wide variety of chemicals that might impact drinking water resources. This concern is not unique to hydraulic fracturing and may be important for oil and gas drilling in general.”

Although Northern Cross has withdrawn the fracking portion of their proposal, it is worth noting that this is an inadequate solution to deal with wastes that may be highly toxic, radioactive and that may contain carcinogens.

Although the percentage of chemical additives is only about .5 percent of the total volume pumped into the ground, the authors of the U.S. Geological Survey document titled, *Water Resources and Natural Gas Production from the Marcellus Shale*, that I referenced earlier state: “... the quantity of fluid

used in these hydrofracs is so large that the additives in a three million gallon hydrofrac job, for example, would result in about 15,000 gallons of chemicals in the waste.”

To again reference Environment Yukon’s December 2011 internal review of the content for the Department of Energy, Mines and Resources’ webpage on hydraulic fracturing, I quote: “As for the wastewater, in the United States there are some documents being produced that indicate that hydraulic fracturing wastewater is polluted consisting of highly corrosive salts, carcinogens like benzene and radioactive elements like radium and uranium. This wastewater is deposited at treatment facilities. Although this appears to be a good approach, the wastewater treatment facilities are not necessarily designed to treat it. According to a study by the EPA, the level of radioactivity in the water is at a higher level than federal regulators say is safe to handle. This wastewater that is released back into the hydrosphere (usually lakes and rivers) may be of concern, particularly because these toxic chemicals will enter the food chain through fishing or farming.”

A 2012 report for the European Commission noted, “Wells also produce cuttings which need to be properly handled. For example, a vertical well with surface, intermediate and production casing drilled to a total depth of 2,100 metres produces approximately 120 cubic metres of cuttings, while a horizontally drilled well with the same casing program to the same target depth with an example 1,200 metre lateral section produces a total volume of approximately 170 cubic metres of cuttings (i.e., about 40 percent more)... It is important to ensure proper storage and disposal of cuttings.”

I refer also to the Horn River basin again — 10,000 wells. The introduction of wide scale shale gas extraction would result in a significant increase in the quantities of potentially contaminated material requiring storage, handling, treatment and disposal. Depending on the nature of shales in Europe, this material may have elevated levels of radioactivity.”

The United States Forest Service reported on a study last year in the Journal of Environmental Quality where 150 trees were sprayed with chemical-laced waste-water resulting from natural gas drilling. The result was, and I quote: “...patch of national forest in West Virginia suffered quick and serious loss of vegetation after it was sprayed with the hydraulic fracturing fluids”.

Several states in the United States allow for disposal of drilling fluids on land and issue permits for this.

Mr. Speaker, recently the Premier received a joint letter from the Yukon Conservation Society and Northern Cross (Yukon) Ltd. This letter is a result of two important citizen events. The first was Yukoners coming together to oppose oil and gas development in the Whitehorse Trough. Granted, this is only for another four years, but the people came together and said no, we need more information. To their credit, in this case the government listened. The other event was Northern Cross’ suggestion that it might want to frack in its Eagle Plains exploratory drilling program. This prompted many Yukoners to call on YSAB to assess and halt any attempts at fracking.

So, it is in this context that Northern Cross removed any reference to fracking in its Eagle Plains plan and spoke with the

Yukon Conservation Society about moving the issue forward together.

Both parties seem to recognize the intense interest Yukoners have in the development of oil and gas resources in the territory and about the practice of fracking. Toward this end, these two groups have come together to ask the Premier for a meeting in which they want to discuss several issues, including an open public consultation process. I hope the Premier’s repeated reference to this letter means he is open to such a public consultation process. Thousands of Yukoners, who want their voices heard in an open and transparent setting, are waiting.

Numerous jurisdictions around the world have implemented moratoria or outright bans on hydraulic fracturing. These include, but are not limited to Quebec and Nova Scotia; New Jersey and Vermont in the United States; France, Bulgaria and parts of Germany and Austria, as well as Donegal and Sligo Counties in Ireland; and Karoo in South Africa.

In addition, there are numerous smaller jurisdictions that have declared moratoria on hydraulic fracturing. For example, the Delaware River Basin Commission declared a moratorium on the gas wells in the Delaware River region.

The Minister of Energy, Mines and Resources likes to incorrectly attribute a “no moratorium” comment to New Brunswick’s chief medical officer of health when he should know full well it was made by a Professor Laprairie of New Brunswick’s utility commission. That being said, Professor Laprairie did note that there are serious concerns about the environmental and health effects of hydraulic fracturing.

What the minister should also know is that —

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

#### Point of order

**Speaker:** Government House Leader, on a point of order.

**Hon. Mr. Cathers:** The Member for Mayo-Tatchun just claimed I attributed something to someone that I did not, in fact, do.

**Ms. Stick:** On the point of order, to allow me to appropriately respond, Mr. Speaker, could you or the member please clarify which Standing Order has allegedly been breached?

#### Speaker’s ruling

**Speaker:** There is no point of order. This is a dispute between members. Member for Mayo-Tatchun, please continue.

**Mr. Tredger:** Thank you. As I said, Professor Laprairie did note there are serious concerns about the environmental and health effects of hydraulic fracturing. What the minister should also know is that New Brunswick is not interested in a moratorium because they are ready to allow fracking as early as next year. They are well along in the process. So, in the New Brunswick example, economic pressures have trumped good public policy. Across the Atlantic, a report commissioned this year by the German Environment Ministry called on the German government to — quote: “ban hydraulic fracturing, or fracking, near drinking water reservoirs and mineral springs

and require developers to conduct environmental impact studies”.

The German Environment Minister said, and I quote: “The study’s results and recommendations are a major step forward in the discussion about fracking... All concerns must be alleviated before fracking is used.” In addition, the European Union has begun to examine the effects and impacts of hydraulic fracturing and the EU is exploring the possibility of a moratorium.

So, Mr. Speaker, this government need not fear if it listens to Yukoners and brings forward a moratorium — the Yukon will be in good company.

When the Minister of Energy, Mines and Resources proclaims to this House that fracking is not going to happen tomorrow, he is more or less correct. Northern Cross (Yukon), of course, did float a trial balloon of exploratory fracking this summer. Public opinion and concerns from the First Nation governments appear to have resulted in Northern Cross pulling back from this position. The reality is that significant fracking, exploratory or industrial, is not happening in the Yukon tomorrow, but several companies are already lining up with bullish statements for the stock market and investors.

An example of fracking is from the Houston-based Apache Corp., which has secured 174,000 hectares of land in the Horn River Basin. They also have interests and have made a major discovery in the Liard Basin, just to the south of our border. Last spring, in the Horn River Basin, Apache Corp. completed an exploratory fracking process. Apache fracked 16 deep, horizontal natural gas wells around the clock for 111 days, for a total of 274 fracks. According to Apache’s information, they used 5.6 million barrels of water and 111 million pounds of frack sand. Apache provided no information on the number, types and amounts of stimulation fluids used. These stimulation fluids, by the way, are toxins and carcinogenic materials that companies use and are kept largely hidden from the public by laws.

To return to the amount of water, that means 5.6 million barrels of water is the equivalent of 890,303 cubic metres. This is a huge amount of water. When one considers a permanent loss of water deep underground of 60 to 90 percent for just exploratory fracking, this is unacceptable and not sustainable.

Just after they finished, Encana conducted another frack — the largest then in the world — of about 1.5 times the Apache frack. The size and scope of the fracking being done is growing exponentially. As it grows exponentially the effects on our water system and our environment are also growing exponentially. Apache Corporation has touted the B.C. portion of the Liard Basin as the best unconventional gas reservoir in North America. These claims have not been completely verified, but the Horn Basin immediately to the east in B.C. is one of the most fracked areas in North America.

For example, just recently, Nexen applied to withdraw two billion litres of water per year out of the lake near Fort Nelson. The Apache Corporation discovered, while on the B.C. side of the border, that the Liard River basin extends on both sides of the border. Fracking and the fracturing industry want to come to the Yukon.

Even closer to home, we have EFL Overseas purchasing a controlling interest in the Kotaneelee gas project in southeast Yukon near Watson Lake and in the Kaska traditional territory. This project seeks to exploit shale gas plays through fracking and covers about 12,000 hectares in the Yukon. In their press release, EFL Overseas stated, and I quote: “Increasing our working interest to 54 percent allows us to drive forward development plans and offer our shareholders a greater potential upside.”

EFL Overseas goes on to state that they are interested in, quote: “pursuing additional interests at Kotaneelee and the surrounding area.”

By way of interest, I noticed that in the supplementary budget, the conventional gas in Kotaneelee is rapidly running out. If EFL plans to expand, they will expand through fracking. Let me be clear: both Apache Corporation and EFL Overseas want to frack the Liard Basin. Apache has already begun this process because they are in B.C., but it’s the same geological formation in Yukon and the interest is there. EFL Overseas won’t be fracking tomorrow, but they sure want to in the near future.

This is the information that the Minister of Energy, Mines and Resources should be well-aware of: a briefing note from the Oil and Gas branch to the Deputy Minister Oversight Committee stated, and I quote: “lease holders in the Kotaneelee gas field are currently in negotiations that may result in the sale of some or all portions of their interests. The proposed new lease holder has ambitious and immediate plans should they successfully negotiate acquisition of the Kotaneelee interests and assets.”

The note further explains that the prospective owners have suggested, and I quote: “the existing B-38 well ... as the venue to target the “Flett” formation to test the shale gas potential in that zone...”

Finally, the briefing informs the minister, and I quote: “these activities could be completed by the first quarter of 2013.”

The minister has previously said in the Legislature that any fracking activity is years away. This information confirms that the keen interest of the industry, combined with the concerns of thousands of Yukoners, demonstrates the clear need for a moratorium and an immediate perusal of regulations.

Regardless of the government’s predisposition toward industrial development, regardless of the cost and ahead of all other values, I hope that I have laid out a compelling argument today — an argument based on science, research, the views of Yukoners and the facts on the ground.

It is incumbent upon the government, as steward of our resources, to hear this argument and accept it in good faith, with which it has been delivered. I hope the government recognizes that it speaks truth for many Yukoners. A good government, with good leadership qualities would take this government seriously and act. Addressing the impacts of the oil and gas industry in general, and of fracking, in particular, requires forethought, planning, public engagement and follow-through. We are a small jurisdiction, and there are many capacity challenges, but we cannot drop the ball on this one. The health and

well-being of Yukoners and our environment count on it, as does our potential economic prosperity. The Willms & Shier article I referred to previously notes, and I quote: “The rush to stake a claim in the shale gas development across Canada by some of the biggest players in the natural gas industry has left federal and provincial regulators playing catch-up and produced a patchwork of regulations and policies to govern the industry.”

There are too many real unknowns for this territory to open up the doors to fracking. Instead of playing catch-up, we have an opportunity.

Let us put in place a moratorium, engage Yukoners and First Nation governments, and conduct the kind of rigorous assessment that Yukoners want.

Professor Laprairie, who conducted a study for the Government of New Brunswick, reflected in his report that — and I quote: “During my tour of New Brunswick, I became convinced that a rational, science-based process and structured dialogue is needed to properly determine whether there is a viable shale gas industry in New Brunswick and if that economic potential can be realized in a safe manner...The path forward that I have outlined here is based on experience I have gained in other similar roles and I encourage all parties in New Brunswick to renew their efforts to establish a working process that facilitates discourse and that will help citizens make an informed choice.”

Mr. Speaker, taking into account the precautionary principle, the complexity of hydrology, waste water, and drilling mud, and cuttings disposal, and taking into account climate change, the lack of a thorough understanding of northern ecosystems, the potential negative impacts of human and environmental health, I ask this House today to unanimously urge the Government of Yukon to: (1) implement an immediate moratorium; (2) conduct a full and rigorous scientific review; and (3) conduct a public consultation on the effects and desirability of hydraulic fracturing, also known as fracking, before any regulatory approvals or permitting is allowed in the Yukon.

Thank you, Mr. Speaker.

**Hon. Mr. Cathers:** Well, first of all, I'd like to thank the member for the two-hour speech he gave us on this topic. This is —

### Speaker's statement

**Speaker:** Order please. The applause from the members is their own — it's their House. Visitors in the gallery are here to observe, not to participate in the discussion at all. That includes applauding and showing appreciation for one side over the other.

**Hon. Mr. Cathers:** In beginning my response to this, there are a few things I have to point out. The consistent representations we hear from the NDP that do not accurately reflect the facts are very frustrating for this government and me.

I have to begin my response by reminding the NDP and the Member for Mayo-Tatchun of their record on the Whitehorse Trough when, as I indicated from the start, government had received a request that we were surprised to receive. We indi-

cated that, as far as we were concerned, there were three options we would consider during the review, which included public consultation — and that mainly being to issue all of the areas, none of the areas, or some of the areas. The members, the NDP consistently in this House and outside, stated something different and caused a lot of unnecessary public concern. NDP members inside this House and outside repeatedly insisted and declared that government had already made up its mind and they knew that government had already decided and was pushing forward with what they referred to as “government plans” to develop the Whitehorse Trough when they had ample opportunity to have been made aware of the fact that such statements were grossly incorrect.

I'm going to begin by reading briefly from what I said in response to Petition No. 3 presented to the Legislative Assembly on March 29 and which I responded to on April 16.

What I noted in responding to the petition is that, “...when the Yukon government received the request for postings, the request came as a surprise, and we had not decided whether or not any oil and gas rights for exploration would be issued in the Whitehorse Trough area. The process for review of a request for postings is set out by regulations under the *Oil and Gas Act* and it gives companies the ability to nominate areas, after which government does a technical review and a 60-day public consultation.

“Following that technical review and public consultation, the government needs to decide whether to allow bids in all of the areas, some of the areas, or none of the areas. As I indicated at the beginning of February, all three options were being considered by the government and were out for both technical review and public feedback.”

Again, as I said on April 16: “Public consultation is now complete. What we heard is that there are a lot of Yukoners who have concerns and questions about oil and gas exploration and development in the Whitehorse Trough at this time. The government is going to consider the many questions and issues that were raised.”

Then again, in responding to that petition, Mr. Speaker, I stated the following: “In the 2011 election campaign, the Yukon Party talked about oil and gas development in north Yukon and southeast Yukon. We did not talk about the Whitehorse Trough or have a position on it, since we did not expect interest in the area. The possibility of oil and gas development in the Whitehorse Trough was not and is not part of our plans for meeting the energy needs of Yukoners during this mandate.”

Again, the record is very clear on how the government responded on that and will show that we did exactly what I said we would do on the first day of public consultation on the Whitehorse Trough area: consider all three options for the unexpected request. We had not stated a position on that and had not campaigned on that. However, what I must draw members' attention to is that we did, in the 2011 election campaign, talk about oil and gas development in north Yukon and southeast Yukon. We talked about developing Yukon's natural gas opportunities as part of our approach to meeting Yukon's energy needs and we were elected on that basis.

What we have stated a number of times is the fact that in any type of activity — and particularly in this specific case — if any oil and gas activities are to be permitted or licences issued, our expectation and direction, and the direction we provided to officials, is that until and unless we are fully confident that activities can be responsibly regulated and we are fully confident that human health and safety and the environment can be fully protected, no permits, licences or authorization should be issued.

What the NDP either don't understand or choose not to recognize is that not declaring a moratorium on something doesn't mean automatically that the activity will be allowed. They seem to see it as either a yes or no, a red light or a green light. That is not in keeping with this government's position, and it's not in keeping with modern environmental assessment and permitting processes for oil and gas or any number of resource development and management processes and permitting.

So, again, let me state emphatically that from the government's perspective, not declaring a moratorium on something does not necessarily mean an activity will be allowed. It speaks to the expectation that an activity will be reviewed on the basis of science and on public input through due processes. In this case, and I'm speaking generally about all oil and gas development — in the case of oil and gas development, the permitting process and the licensing process — both for the wells and other activities which may occur around them — do have to go through the Yukon Environment and Socio-economic Assessment Board process.

There is opportunity for both scientific review and public input, and I have to emphasize the fact that saying that you might be prepared to permit something if it could be responsibly and fully demonstrated that something could safely occur is a far cry from saying that you would allow that activity to occur. Considering science is not the same as indicating that something will be allowed to proceed regardless of the science — which is the picture that the NDP consistently paints.

I'd like to move briefly to what we received recently — the joint letter signed by Northern Cross (Yukon) and the Yukon Conservation Society regarding the oil and gas process, particularly flowing out of what happened during the review by YESAB of Northern Cross' Eagle Plains exploration drilling project, YESAA project 2012-0140.

While it should be noted that Northern Cross and the Yukon Conservation Society do have differences of opinion on what should occur and what can and should be allowed to take place, we really welcome the fact that they came together and came up with two areas of agreement. Notably — and I'll quote from the letter that has been tabled in this House: "There is confusion about the YESAB process, the roles and responsibility of assessors and regulators and what oil and gas activities trigger YESAB assessments ..." and "There is a need for the public to be engaged in an open and informed discussion about the oil and gas industry, including the benefits and risks of various oil and gas activities, such as hydraulic fracture stimulation and how Yukon's regulations govern those activities."

They also identified that they think there should logically be reviews at different stages in oil and gas, particularly that

YESAB assessments and regulatory reviews should be required at each stage of oil and gas development, exploration/appraisal, production and abandonment/reclamation.

So first of all, in speaking to this, what I'd like to note is that we welcome this joint approach. The Premier, the Minister of Environment and I met with Northern Cross and with the Yukon Conservation Society this morning. We appreciate the time that they took to further explain their perspective and some of their ideas for how an informed dialogue could take place. We will certainly give full consideration to their ideas and think that it is a positive step forward in moving toward what we hope will be a discussion based on outcomes rather than a debate —

Is the heckling from the Leader of the NDP part of this debate or not?

What I would again point out is that we appreciate the work that has been done, the concerns they've identified, and certainly with one thing that should be noted with the YESAA legislation which, properly speaking, is the *Yukon Environmental and Socio-economic Assessment Act* out of which the more commonly known acronym, YESAB, refers to the board that is empowered under that act. That legislation took effect after devolution, and so the processes that occur under it have been a relatively recent experience and they have been, in some cases, land applications, power line permits — both personal and large — and in the case of driveway construction, for example — or I think I mentioned land applications — agricultural applications, mining applications. There are a number of things where there is quite a bit of experience from the assessors and the regulators in dealing with permitting, whereas oil and gas activities have not had much activity recently in the Yukon.

What is forgotten is that, in fact, the Yukon was once much more active in terms of oil and gas exploration that occurred particularly in north Yukon. The wells in the Kotaneelee field — the two wells that existed — previously owned by Devon and have been transferred — are wells that were among the best producing natural gas wells in North America and provided a significant amount of revenue to the public, including \$10.46 million that was shared with First Nations who have completed final agreements. For clarification, that \$10.46 million is the amount that went to First Nations. That has provided significant benefit to Yukon citizens, Yukon government and Yukon society.

I should point out, contrary to what the Member for Mayo-Tatchun asserted, drilling more wells in the Kotaneelee area, should that occur at some point in future, does not guarantee that those wells would not be conventional wells. I will not state that it's impossible that someone could have their preferred method be fracturing. That would depend upon the application and such an application would be subject to an assessment.

Another thing that should be noted that was not clearly understood within the review of the recent project by Northern Cross (Yukon) and the exploration wells is that any process that uses large amounts of water, which would include multi-stage hydraulic fracturing, triggers the *Waters Act* and triggers



that licensing process under the jurisdiction of the Water Board — and that is regardless of whether it is a mining claim, irrigation for a farm or an application to use water in an oil and gas context. There are triggers set out in the *Waters Act* that go through that process under the jurisdiction of that board. That is something some may have deliberately not noted during the review in the summer and I think, in some cases, there was a genuine misunderstanding or lack of awareness that that was the case.

Again in reference to what we heard from Northern Cross and the Yukon Conservation Society, we think the points they've made do require additional consideration by government. We agree that there could have been a better job of clearly explaining what activities trigger what assessments and that it's incumbent upon government and YESAB to work together to ensure that there's a clear understanding of roles and responsibilities, as well as the ability to explain that to affected parties, stakeholders and the general public who wish to gain an understanding of that.

So to that end, we are very much receptive to their request that we look at figuring out what would be involved in having an informed dialogue on matters pertaining to the regulation of oil and gas activities.

One thing this government finds very frustrating and frankly offensive to hear from the NDP is the characterization that they consistently use of accusing the government of putting resource development ahead of other activities.

If the members actually pay attention to what we're saying and what we're doing, we've made it clear that we believe that everyone's livelihood matters and that responsible Yukon economy does include resource usage, whether it be usage of personal firewood, or picking of berries for subsistence purposes, or hunting wildlife, or milling Yukon logs to build houses in the Yukon, or whether it be the use of our mineral resources to provide jobs for people and provide benefit to the Yukon economy or the responsible development of oil and gas. Our focus is on responsibly managing those activities and their potential environmental effects and ensuring that the right steps are taken to protect public health and to protect the environment, including water, air and so on.

But I do have to point out to the members of the NDP that when they argue — and when the Member for Mayo-Tatchun says that government should move away from oil and gas dependence and places — he asserted that if a demand-side management program were developed that that would eliminate the need for liquefied natural gas as a component of electrical supply — and the member is quite incorrect in that assertion.

The demand — the increase in usage of energy has been driven not just by industrial customers, but by the fact that people are themselves often and typically using more energy per person through things like laptops and 60-inch plasma TVs and the tendency of people to leave computers on, to have their cellphones on, and so on and so on. Typically speaking, the average consumer is using more energy than they would have in previous decades. I would suggest to the members of the NDP — in particular, the Member for Mayo-Tatchun — that

they might want to start by looking at their own activities in that area.

The government and the utilities have taken steps on demand-side management. The government has for years now offered the good energy rebate program, which is offered under my Department of Energy, Mines and Resources, through the Energy Solutions Centre. I don't have the statistics right at hand of the reduction of kilowatt hours of usage that have resulted from giving people rebates to encourage the purchase of more energy-efficient appliances, but it is quite significant. That is something we have continued to support, and that has also covered things like outboard motors to encourage people to move to engines that do not belch clouds of black smoke. This is one component of reducing energy consumption, but I do have to point out that anyone who uses oil and gas — anyone who uses energy — should consider their own activities. I'm not saying that they should not profess an opinion or profess a concern on the activities of others or the policies of government, but I would encourage people to begin, first and foremost, with personal responsibility. What the members are suggesting, as we've heard from the NDP and from some people who have expressed in columns in the paper concern about the biggest problem with the use of the development of natural gas being — as some have put it — the fact that it continues our addiction to the use of non-renewable resources.

If those people are continuing to consume significant amounts of non-renewable resources, it's hard not to see that behaviour as being a bit hypocritical. There are people who, for reasons of principle — in most cases, religious principle — have chosen not to use elements of modern technology, like Old Order Mennonites and Amish people. If you look in southern Ontario, it's a relatively small area but, in the area around Elmira and St. Jacobs, where I have family, it is not an uncommon sight to see Old Order Mennonites with a horse and buggy along the side of the road. They have chosen not to use fossil fuels out of personal principle. While that is not my choice, I have great respect for somebody who follows through on their convictions.

I have to point out a few other examples and the point of one reason why developing and responsibly managing oil and gas activity in your own country may be better for the global environment and for human rights.

Canada protects the rights of women workers, indigenous people and other minorities, including gays and lesbians. In contrast, many other oil-producing countries and regimes such as Saudi Arabia, Iran, Nigeria, Venezuela, and Sudan oppress their citizens. Some of these countries that we purchase a significant portion of our oil and gas from are even known sponsors of terrorism. While work continues on alternative renewable sources of energy, Canadians' lifestyle and economy depend on oil and gas. Until people personally make a choice to shift away from that usage, they are continuing to contribute to that worldwide problem.

Mr. Speaker, in speaking to Motion No. 275, I appreciate their concerns about management of oil and gas activities and we are very interested in ensuring that there is an informed dialogue. But what I'm trying to get across to the members of

the NDP is that, as long as they're saying they don't believe the activity can occur safely, but they're perfectly okay with it happening in somebody else's backyard, they should really consider seriously the role that they themselves are playing in causing the activities described by the Member for Mayo-Tatchun and other examples such as the ones I just spoke to.

The top oil-producing countries in the world are, in order: Saudi Arabia, the United States, Russia, China, Iran, Canada — at number six — United Arab Emirates, Mexico, Brazil and Kuwait. All of the non-renewable resources that we import, all of the oil we import from overseas, emit carbon and other emissions while it is being brought over. As I just spoke to, there are other human and environmental consequences in these jurisdictions that take place as well. Whenever resource development is occurring, there are times when it may be better to ensure that it is done right in your own backyard, as global citizens, than to inflict the impacts of that on someone in a Third World country where they genuinely don't care about responsible protection of the environment and responsible protection of their citizens.

Top world oil net exporters 2011: Saudi Arabia, followed by Russia, followed by United Arab Emirates, Kuwait, Nigeria, Iran, Iraq, Norway, Angola, Venezuela, Algeria, Qatar, Kazakhstan, Canada at 14, and Mexico.

Another point in the global context that I need to make is the fact that, if you look around the world, the world economy is in trouble. There are many areas where people are very concerned about how they're going to feed their families. That includes countries that for years have been very comfortable First World countries, like countries in the European Union. In fact, even in the United States, if members listen to the news they'll be aware that there are very deep problems with the recession, and jurisdictions around the world are becoming increasingly concerned about remaining competitive to attract investment and to ensure their economies, in most cases, do not take a further downturn. In the case of those of us like the Yukon, who actually have economies in good shape, we have to consider the messages we send to the investment community, particularly since, though the NDP fail to recognize it, the Yukon's economy has a history of only doing well when responsible resource development and responsible exploration are a part of the activities that are going on.

As I pointed out to the members earlier on in Question Period, in the Peel area, which the members like to characterize as something only used by wilderness tourism, the annual spending from 2000 to 2008 on mineral exploration in those years was \$6 million per year, or \$48 million over that time period.

Over a six-year period, as reported by the Peel planning commission, the combined total of all river-based wilderness tourism in a six-year period from 2001 to 2006 was \$3.67 million, or roughly \$600,000 per year. Our point — which we have consistently emphasized and will continue to do so — is that we believe that mining, tourism and big game outfitting are all important parts of the overall Yukon economy and we recognize how many Yukoners depend on their livelihoods or a portion of their income from all of those activities. We are focused on managing them responsibly, on protecting the envi-

ronment responsibly and, where there are conflicts between various user groups, on working with those groups to try to find solutions that are respectful to their various needs and the livelihoods of all concerned.

So another thing that I need to point out is that, as I've mentioned before in this House, the Yukon's GDP increase has been doing very well in recent years. Last year we led Canada in growth in gross domestic product with 6.5 percent increase, and the Conference Board of Canada expects that will continue in future years — but that is based on assumptions they have made about the permitting of projects, including new mines. So what we are focused on doing is taking the regulatory tools we have, working with YESAB, the Water Board and others that are involved in this, ensuring that we continue to focus on making our processes work better and continue to protect the environment.

An example of what this means in the mining sector in terms of change in activities is, in previous years, the practice used to be that the federal government would simply permit a mine without the requirement for appropriate security. The Yukon government is now holding tens of millions of dollars in security for hardrock mining activities that are going on right now. In the case of Yukon Zinc, we hold security for the reclamation of the road into that mine site once that mine concludes its operation.

I do have to point out that, in contrast to what we hear from the NDP, what we really appreciated hearing recently is the worldwide survey of people's happiness. As you know, Canada came second on the list in terms of overall happiness around the world and the Yukon led Canada in that area. So we believe that most Yukon citizens are happier having a strong economy than having a party such as the NDP, whose approach would be to slam the brakes on the economy and head for the ditch. Declaring moratoriums on everything is not a responsible way to continue to ensure that people are investing in the territory and that Yukoners have jobs as a result of that.

There are a couple of other areas I'd like to touch on. One is, in talking about chemicals used in hydraulic fracturing, what the members fail to note is that there are many other products that we use that have a consequence. The Member for Mayo-Tatchun cited demand side management as the solution to all problems. One of the most common tools used to reduce electric consumption — fluorescent light bulbs — themselves create an environmental issue and has led to federal and provincial discussion around extended producer responsibility because of the mercury that's in those light bulbs. A number of the chemicals to which the member refers are probably present in the member's own house, including formaldehyde, which is likely in the walls and perhaps in the building materials.

But what I want to say just in overall context is that a number of jurisdictions that have declared moratoriums on it while they were doing reviews have done reviews and are coming to the stage of lifting those moratoriums or declaring that they're being removed. We have not declared any moratorium with regard to this activity, but neither have we decided that it would be allowed because, as I've consistently reminded the member, this is not an imminent prospect. I think the Member

for Mayo-Tatchun was unfair to Northern Cross in his characterization that they floated a trial balloon in terms of proposing to do hydraulic fracturing in north Yukon because, in fact, they were initially advised by YESAB that, if they thought they ever might want to apply to do it, they needed to include it in the project application. So they were following the advice of YESAB and that is something that is one of the areas that we acknowledge as a part where the process can be improved, because it's not fair to that company to have the Official Opposition stand up and hurl accusations at them as a result of confusion within the regulatory process, where in future we need to ensure that the Yukon government and YESAB have worked together to better clarify, both to proponents and to their own staff, what activities require what assessments.

I have to emphasize that — contrary to the NDP's position that they see it as either a yes or a no or a red light or a green light — we believe that modern environmental assessment and permitting mean assessing proposed activities on the basis of science, and that includes, in reviewing that, that if a proponent cannot meet the test of demonstrating that the activity can safely occur, permits don't get issued for that activity. Contrary to what the NDP says, we have not decided to allow fracking nor are we promoting it.

The member of the NDP talks about 10,000 oil wells in an area. There is a big difference between having zero wells in an area or having an area such as Kotaneelee that has two wells or in the case of north Yukon, there are exploration wells but no producing wells there yet. There is a big difference between zero and 10,000. That doesn't mean, because one well is permitted or 10 wells are permitted, that 10,000 will have to be permitted. The public and the government do have control over that.

The member referred to environmental contamination that has occurred from the oil and gas industry, but contrary to what the member said, that contamination is not necessarily linked to hydraulic fracturing. We have heard from other jurisdictions, including the Environmental Protection Agency in the United States, and what we've received from New Brunswick. We've had discussions with both at a technical level. I've spoken to the minister, as well, on this.

The work that everyone is doing so far suggests that it probably can be allowed safely and that the major issues are improper casing of wells and discharging waste water at ground, which the Member for Mayo-Tatchun referred to — that is a practice which is absolutely unacceptable and would not be legal in the Yukon.

Another example is that in some of the cases where fracturing has been an issue, there is evidence to show that fracturing done at too low a depth can have an impact on water tables. That's why we've said we would never allow it at shallow depths.

Again what has to be emphasized to the members — simply because you haven't declared that you would never look at the science of something does not mean that an activity would be permitted. Just the same, I may point out, as in the case of the Peel watershed where the Member for Mayo-Tatchun said he'd really hate to see a movie about it called "A Road Runs

Through It" when in fact the Dempster Highway has been there for longer than I've been alive and longer than some other members of this House have been alive. I hope the NDP is not taking the position of wanting to rip up the Dempster Highway, because I think Inuvik and Tuktoyaktuk would have a problem with that.

I would point out that as far as the Peel region goes, there has never been a prohibition on people applying to put roads in the area. The last time someone applied to upgrade an existing road, they were not approved. By the way, the same goes for Tombstone Park, where there's no prohibition on putting in roads, but because of the high environmental values identified within the park management plan, when the owner of claims within the area applied to put a winter road in, it was not approved.

We really can't agree to the wording presented by the Member for Mayo-Tatchun, but we do think that there is the opportunity to amend the motion to make it more positive, including seizing the opportunity created by the opening of dialogue between Northern Cross and Yukon Conservation Society who have said — I'm looking for the right line here — "Because we represent two perceived sides of a polarized spectrum, we believe we can help to encourage and support the public dialogue."

Prior to moving an amendment, the last thing I would note is, in fact, in the case of the recent application by Northern Cross to develop exploration wells in north Yukon, not only was that recommended for approval by YESAB, but this week, the Yukon government and Vuntut Gwitchin First Nation government jointly issued the decision document on that matter, because there is an overlap between the two governments. Again, that was a collaborative process that involved us jointly agreeing to issue a decision document recommending it go ahead with mitigations.

As I indicated earlier in this House, one of the things the Vuntut Gwitchin First Nation asked for is our assurance that if, at some point, Northern Cross were to apply to do hydraulic fracturing in north Yukon, we would commit to consulting with the Vuntut Gwitchin First Nation, fully considering their opinion and we gladly gave that commitment.

*Amendment proposed*

**Hon. Mr. Cathers:** Accordingly, I move that Motion No. 275 be amended by:

(1) deleting the words "implement an immediate moratorium" in clause (1), and replacing them with the words "respond positively to the joint request by the Yukon Conservation Society and Northern Cross (Yukon) for the Yukon government to work with the Yukon Environmental and Socio-economic Assessment Board to improve clarity around assessment for oil and gas projects;"

(2) adding the words "of any proposed oil and gas project at each of the following stages of oil and gas development, exploration, production and reclamation;" after the word "review" in clause (2); and

(3) deleting the words "conduct a public consultation on the effects and desirability and replacing them with the words

“work with the Vuntut Gwitchin First Nation and stakeholders to facilitate an informed public dialogue about the oil and gas industry, including risks and benefits” in clause (3); and

(4) deleting the words “is allowed” in clause (3) and replacing them with the words “allows the use of this activity.”

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

#### Point of order

**Speaker:** Member for Riverdale South, on a point of order.

**Ms. Stick:** I would ask that this amendment be ruled out of order as it completely changes the intent of the original motion.

**Speaker:** Once I have a copy of the amendment and I get to see it in full context, I will make a ruling on that.

#### Speaker's ruling

**Speaker:** On the point of order raised by the Member for Riverdale South, to constitute an inappropriate amendment it would have to be a direct negative, which could be resolved through the vote. This amendment is in order as it presents a different perspective for the House to look at.

It reads:

It has been moved by the Minister of Energy, Mines and Resources

THAT Motion No. 275 be amended by:

(1) deleting the words “implement an immediate moratorium” in clause (1), and replacing them with the words “respond positively to the joint request by the Yukon Conservation Society and Northern Cross (Yukon) for the Yukon government to work with the Yukon Environmental and Socio-economic Assessment Board to improve clarity around assessment for oil and gas projects;”

(2) adding the words “of any proposed oil and gas project at each of the following stages of oil and gas development, exploration, production and reclamation;” after the word “review” in clause (2); and

(3) deleting the words “conduct a public consultation on the effects and desirability and replacing them with the words “work with the Vuntut Gwitchin First Nation and stakeholders to facilitate an informed public dialogue about the oil and gas industry, including risks and benefits” in clause (3); and

(4) deleting the words “is allowed” in clause (3) and replacing them with the words “allows the use of this activity.”

**Hon. Mr. Cathers:** I'm going to speak very briefly to the amendment. Again, as I noted in my comments on the main motion, we see the joint request by the Yukon Conservation Society and Northern Cross as a positive step. We acknowledge that there is room for improvement and that there should be an open and informed discussion about the oil and gas industry, including benefits and risks of various oil and gas industry activities, including hydraulic fracture stimulation.

For members who may not have seen it, or for those who may be listening, I will read the motion as it would read if the amendment passed this House.

This House urges the Government of Yukon to:

(1) respond positively to the joint request by the Yukon Conservation Society and Northern Cross (Yukon) for the Yukon government to work with YESAB to improve clarity around assessment for oil and gas projects;

(2) conduct a full and scientific review of any proposed oil and gas project at each of the following stages of oil and gas development: exploration, production and reclamation; and

(3) work with the Vuntut Gwitchin First Nation and stakeholders to facilitate an informed public dialogue about the oil and gas industry, including risks and benefits of hydraulic fracturing, also known as fracking, before any regulatory approvals or permitting allows the use of this activity in the Yukon.

So, again, I suspect that the NDP will not respond positively to this because we're not supporting one of their many requests for moratoriums on everything that moves. I hope the Independent member and member of the Liberal Party and Yukoners who are concerned about oil and gas activities and who have real questions, concerns and a desire to be involved in public discussion about this industry before significant activities occur in the Yukon will see this as positive, because the amendment, again, does speak to urging the government to work with Vuntut Gwitchin First Nation as a First Nation that has activity going on in their territory and has demonstrated and indicated an interest in working with the Yukon government to ensure that any activity that occurs is done in a way that respects the needs of their citizens and their commitment — our shared commitment — to environmental protection.

The amendment to the motion would commit to working with Vuntut Gwitchin and other stakeholders — which we would envision including the Yukon Conservation Society and Northern Cross and potentially other stakeholders as well — in facilitating that informed dialogue and working together to discuss what that might look like and what is the best way to get a discussion that is focused on outcomes of science and a good discussion of the risks and benefits of oil and gas activity and whether action is needed to make any adjustments on the government's part, or YESAB's part, to better regulate this activity, or whether certain activities should not be allowed.

So, with that, I will look forward to hearing from other members.

**Mr. Tredger:** In speaking to the amendment, the amendment as proposed completely changes the intent of the motion and it does a couple of things. It takes the Yukon people out of the motion. Once again, this government is attempting to divide. He speaks of talking to some but not all. He has taken out the need for open public accountability. He has made it specific and, therefore, destroyed the integrity of the motion. The motion spoke to all Yukoners and the need for all Yukoners to be involved. The minister's answer speaks to only a few.

We know that oil and gas is coming to the Yukon and we know that it will affect all of the Yukon. The question posed by my motion was this: How should that industry operate in our territory? How do all Yukoners who want to take advantage of economic opportunities benefit from this industry? The minister opposite talks about open and public consultation, yet he

wants a closed consultation between an industry and an interest group —

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

#### Point of order

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

**Hon. Mr. Cathers:** The Member for Mayo-Tatchun just contravened section 19(g), which speaks to imputing false or unavowed motives to another member. The member just stated that I wanted a closed discussion involving only an industry group. That is not only imputing motives, which I have not avowed and do not exist, but in fact, is also contrary to the amendment that seeks to inform the public dialogue and involve everyone.

**Speaker:** Member for Riverdale South, on the point of order.

**Ms. Stick:** On the point of order, I heard my colleague give his own personal opinion and it was an assessment. I believe that this is just a dispute between members.

#### Speaker's ruling

**Speaker:** There is no point of order. It is a dispute between members, but I would caution every member here to use their words carefully and cautiously. We're in a very sensitive subject area for both sides of the House. Also, at the present time, members must keep their comments relevant to the motion or the amendment to the motion.

**Mr. Tredger:** In light of that, I will also correct an earlier statement I made. I may have inadvertently blamed Northern Cross for floating a trial balloon. It was the regulatory system on the advice from the Yukon government that caused the confusion. My apologies. It may be interpreted as an affront to Northern Cross or to YESAB.

Once again, I ask the minister opposite: Is it wrong for the Yukon public to want to be consulted on this technology — an extraction process that has been directly linked to human-created earthquake activity? Is it wrong for the public to want to be consulted on risks to our rivers, our waterways, our lakes, our creeks, our streams and our water supplies?

Is it wrong to ask companies and industry to work with this government and with all Yukon people and with all Yukon First Nations to participate in a public consultation process that will affect each and every one of us? I thought I had been very clear when I was presenting the motion that the intent was to involve all Yukon public. The minister may not have been listening.

The public expects that trust to be honoured and trust in this case means that we as the Legislative Assembly must ensure that all Yukoners are heard and all Yukoners are given an opportunity to participate in what may become one of the defining moments in our territory. When I speak of the trust, I speak of the trust that is engendered by the Legislature and the need for all Yukoners to have a say, the need for all Yukoners to know that the precautionary principle must be applied and for them to be convinced, not when some segment of the minis-

ter's choosing decides to sit down and talk about it; not when some people think it's time to talk, but now.

It's important that we all do it and we all do it now. This isn't a game; it's not a football game; this is our lives; this is our environment; this is our economy. We're not here for fun and games. We're talking about human health and the impacts on people in the Watson Lake area and the people in Teslin and the people in Old Crow and the people in Dawson City. We're talking about traffic that will be going up and down our highways and how we are going to mitigate that. We're talking about chemicals; we're talking about a process that shatters the very earth under our feet and the NDP is standing here and asking — pleading with this government — please let us have a full and public consultation and let us give our citizens assurances that there will be no fracking until that is done.

I talked about air quality issues. Air quality issues are not limited to one part or another part. If you're going to consult on air quality issues, you need to consult with all Yukoners. I talked about transportation and disposal activities — again, it's important that all Yukoners are consulted and involved in that.

I don't know that this government understands consultation. Consultation is the opportunity for all Yukoners to come together to look at the information that's presented, to build consensus, to hear from our neighbours, to hear from the industry, to hear from our scientists and together, as we discuss it, as we go about it, we gather consensus. Consultation is not sending a letter of ultimatum after a period of silence for five years, saying do it within the next two weeks. Consultation is not when you have some information sharing and call it consultation, saying, "Well, we can't have consultation because people are afraid." That's why there is the opportunity to consult on the Internet. That's why people are able to set up times to meet with their politicians and with their MLAs.

Consultation means: sitting down in a room with people; talking to people; sharing their ideas; building that consensus; listening to the elders; beginning with a prayer, much like we do in the Legislature; asking everyone to come with their ideas, to come with their thoughts, to come with their hopes and with their fears and talk together until we can resolve them. That's what consultation is and this amendment changes the whole integrity of it. I understand that the Yukon Party may not be ready to put everything on the table.

They may not be ready to talk in a frank, open and honest manner, but Yukoners are. I had a petition today that 1,806 people have signed and more are signing as we sit here, saying, "We are concerned. We need a moratorium. We need to understand what is happening to our territory or what could happen." When I look at the implications that this amendment implies, when we have such a serious matter to consider, it concerns me because government governs with the trust of the people. Government means representing everyone, whether they're in your riding or in another riding, whether they voted for you or not, whether they made campaign donations to your party or to another party.

When we are in government, we are held to a higher standard and we need to tread very lightly when we take the trust of people for granted. I heard characterization of some consulta-

tion processes in the oil and gas as “fear-mongering” and “divisive.” Mr. Speaker, I attended a meeting in Carmacks that was very respectful. People were concerned; they raised their issues. The elders spoke about how important the land was. They spoke about how important the rivers were. The Little Salmon-Carmacks First Nation is known as the “big river people.” That’s how important water is to them. I think they wouldn’t be happy to see this amendment.

I think the elders would be upset that they are being cut out by deals being made without them.

The most dangerous impacts on people and the ecosystems caused by fracturing are unknown — widely unknown because of the relative newness of this and the ever-increasing scope and drive coming from this. More and more people are being concerned.

When I was crafting this motion I limited it to the people of the Yukon, but you know what, Mr. Speaker? This practice affects more than the people in the Yukon. This affects all northern Canadians. This affects all Canadians. In fact, the whole world is being affected by fracking — it has become that extensive. Jurisdictions around the world are questioning. The people are waking up on farms in Alberta and trout streams in America. We are in a fortunate position in the Yukon, but we only have one chance to get it right. We only have one opportunity to involve all Yukoners.

My fear is that Yukoners are losing trust in our government. My fear is that people are saying, “Where’s the consultation?” As I mentioned in my earlier remarks, this is one of the most critical and seminal times in Yukon’s history. This is a time for Yukoners to come together, assured that decisions won’t be made until they have had an opportunity to have a full and complete discussion and had the opportunity to look at the benefits and the concerns.

You know, we need to listen to people — people who have reasonable, rational, scientifically grounded concerns about fracking; people who think they are worth a public discussion; people who are getting a little bit tired of being shuffled to the side; people who live in the Yukon because they love it; people who have been taught and grown up to believe in a democracy; people who hope, work for, and sit on boards and committees to make Yukon a better place and to participate in our democracy. The whole intent of my motion was to put a moratorium on fracking until it can be proven to be safe. That assurance is what Yukon people want.

I talked about the precautionary principle — the onus is upon the government and those industries who want to participate to show and prove beyond a doubt that it is safe. Yukoners want to participate. The intent of this amendment is to cut out the Yukon public consultation process and to narrow the scope of my motion.

I believe in that motion. I brought it forward. It reflects the views of my constituents and many, many Yukoners. They want to be safe; they want a full, informed, scientifically based discussion; and they want to know that their best interests — the interests of their children and their children’s children — are being looked after.

Again I will say, “Be careful. Be careful. Be careful.” It’s incumbent upon this government to hold a full and public consultation that involves all Yukoners in the process and that proves to all that we have a trustworthy government. I oppose the amendment, and I will oppose it continuously. Thank you.

**Mr. Elias:** I feel an obligation to get on my feet today and speak to the amendment because I have heard a lot of things that have been said about my riding and about the Vuntut Gwitchin people and about the Vuntut Gwitchin First Nation. My elders would be upset too if I didn’t get on my feet today because there is an aspect about this debate that hasn’t been spoken of and that the general public needs to know.

When people talk about hydraulic fracturing, every single party in this Legislative Assembly had a chance to forensically deal with this and consult Yukoners and they chose not to. They chose not to. They chose not to, and now I have to stand on the floor of the House today and go over a history lesson about the waters that flow in my riding and the blood, sweat and tears, and people’s lives, and the sacrifice that has gone on in north Yukon with regard to protecting the number one issue, which is water.

In their first contact with government officials 63 years ago, elders of my First Nation said, “We want to protect our watersheds.” I’m going to go over them briefly: 4,345 square kilometres in Vuntut National Park is protected for all time in the highest law that this Government of Canada has in the Constitution — for all time.

Every drip of water that flows past our community from the Old Crow River watershed is protected. North of the Porcupine and Bell is still withdrawn in the Constitution of Canada.

I’ll move on to another watershed that’s 19,000 square kilometres wide, and that’s the Old Crow Flats protected area that was protected in 2006 on August 14. Vuntut National Park was protected in 1995. I was at that table. I was part of that planning team. I was part of the planning team for the Old Crow Flats Special Management Area. I was part of the planning team for the 7,744 square miles of category A settlement land that the Vuntut Gwitchin First Nation has surface and subsurface rights and lawmaking authority over. Vuntut Gwitchin has already made laws with regard to its fish and wildlife and water that nobody has talked about here. Many of our elders have passed away and given me — the youth: “When you speak about water, it’s the number one issue.”

I’m going to move on to Ni’iinlii Njik, Fishing Branch: 6,700 square kilometres of the headwaters of the Porcupine River that flow past our community of Old Crow. It was protected in December 1999. It took the Vuntut Gwitchin people 63 years to protect that watershed. That wasn’t even mentioned here today.

I’m going to move on and say that 37,789 square kilometres of watershed has been protected in my riding. When we talk about First Nation final agreements and public consultation — I put a motion forward the other day so that we can ensure the most informed decision possible or that Yukoners can de-

velop the most defensible opinion possible, so that we can talk about it.

I know that the First Nation that I'm a citizen of wants to know that every well that is drilled has government-to-government consultation done because we are not ignorant of the risks of each well. We've been given the mandate to watch this very closely.

I was on the premises with the Premier, the Environment minister and Chief Joe Linklater twice this summer to see an operational oil well that's going on in my territory because I have the mandate to watch this really closely — really closely — because the years of sacrifice and sweat and blood and tears to protect our number-one priority resource — water — will not be compromised.

All of the agreements that I mentioned today in Question Period — with the Yukon territorial government acts; the federal acts; now the First Nation pieces of legislation — were set up as part of what we live day by day by day by day under the First Nation self-government agreement. Our people in Old Crow agreed to abide by this. We're not going to breach this agreement because it took too long to agree to.

I referenced a chapter that no one else has mentioned here; it's under chapter 14.8.0, which says: "Protection of Quantity, Quality and Rate of Flow of Water."

Clause 14.8.1 says, "Subject to the rights of Water users authorized in accordance with this chapter and Laws of General Application, a Yukon First Nation has the right to have Water which is on or flowing through or adjacent to its Settlement Land remain substantially unaltered as to quantity, quality and rate of flow, including seasonal rate of flow."

That agreement that we agreed to is protected under the Constitution of this country. None of all the other pieces of legislation, territorial or federal, has that distinction and so when we have this debate here, when I see the progress of this debate going on in our territory and when I see the Whitehorse Trough, where 90 percent of this territory's electorate live — 90 percent — when I hear ring-tones of electioneering in the same sentence as my riding and the Vuntut Gwitchin people, I take issue with that. All governments had the chance to look at this issue forensically and they chose not to. Everyone in here, ask themselves why.

This is an emotional issue and I took some time to provide some history here because it's important, because we need to look at this issue in an educated way, in a systematic way and that's why I called upon the Minister of Energy, Mines and Resources to lead this effort for Yukoners, because this is not a good place to start. This is not a good place to start. It needs to start with the people out there and I salute each and every one of the Yukoners who brought this issue forward. I salute you because you care about our territory. We all care about our territory, but we have to do this in a good way.

The late Joe Kikavichik made the best water speech I've ever heard in my entire life. He talked about water, about how bumblebees use it, right up to the biggest animal and all parts in between. That's why it's the number one priority. Without it, everything else is unhealthy.

Every one of the Gwich'in names that I mentioned today has a water connotation to it, from the salmon that spawn at Fishing Branch in Vuntut National Park, to the hundreds of thousands of migratory waterfowl that come to the Old Crow Flats to breed, molt and have their young. For thousands of years this has been going on.

I appreciate the words that have been said here today from the Member for Mayo-Tatchun, the Member for Lake Laberge — thank you — but let's not do this in a divisive way; let's do this in a united way. That's what's happening here; that's the road that we're going down here. That's not the example that we want to set for those little youngsters who are learning about our territory in school and about something as important as water. Do it in a good way — a way that can be respectful and that 20 years down the road each and every one of you can stand up and say, "We did something good about water during our time, when Yukoners were looking to us for leadership."

**Ms. Hanson:** I stand to oppose this amendment because, in effect, this amendment — as my colleague from Mayo-Tatchun said — expressly changes the whole intent and purpose of the motion, and the very impassioned speech from the Member for Vuntut Gwitchin — I echo it.

This is about the whole Yukon and not being divisive.

With respect, when we tabled the motion this afternoon, and when the Member for Mayo-Tatchun spoke to it, it was not about Yukon Conservation Society or Northern Cross or YESAB. It was about the issues that are encompassed with respect to the need for all Yukoners to have the opportunity to engage in a full and rigorous discussion and review based on evidence. It's not the intention of the New Democratic Party to get involved in the process that the minister opposite and the Premier have reflected. It's great to see the Premier and the Minister of Energy, Mines and Resources engaging with Yukon Conservation Society and with Northern Cross to recognize that they have created some internal confusion with respect to process and how that might work out.

But I do believe, and I look at the joint letter — they also talked about a need for the public to be engaged in open and informed discussion. That's the essence of this motion that we spoke to. So I would urge the minister — if he wants to bring forward the motion, as he has suggested, as an amended motion — he could make that motion on his own, but it's fundamentally different — fundamentally different from the motion that was brought forward by the Member for Mayo-Tatchun. So I have no choice but to oppose this amendment.

**Mr. Silver:** Mr. Speaker, we have heard some very compelling arguments here today — absolutely. We see a divide as to the future of liquefied natural gas. Is it a short-term solution for our energy needs? It seems the mining industry believes so; it seems that Yukon Energy does as well. I'm still very concerned as to what the long-term solution is, and it seems that everyone is still very divided on this.

As for the specific motion and the amendment and how that goes — and please, to the members of the Official Opposition here, I say this with all due respect — I believe the NDP

may be a little bit too focused on their original motion to see the successes for their cause that we have actually witnessed here today. I had a pretty good idea today that the Yukon Party was not going to support the original motion, and I guess I'm not really alone on this side of the House with that thought, but today I saw huge steps forward on this issue.

Today alone, the nature of the fracking debate in the Yukon has changed dramatically. The Minister of Energy, Mines and Resources and the government announced for the first time that I'm aware of that this government is open to new regulations regarding fracking. I believe the minister said regulatory amendments are possible in response to the Member for Vuntut Gwitchin's question in Question Period today. The minister also admitted that there was some confusion in the current regulatory process — again, this is the first time that the minister has admitted to this.

We also heard him admit that there was a need for a better job in explaining oil and gas development to Yukoners in general. Again, this is the first time that I've heard this from the government. The minister also committed to holding public discussions on this entire issue — this is new ground for the government and it also represents progress. Northern Cross and the Yukon Conservation Society also deserve some credit for getting together in a certain direction.

We've heard a lot of political speak here today. This day and this motion was an education in politics. This amendment, in my opinion, is a common ground, one that I really did not believe we would be seeing today. It is a start that we need to take politics out of the debate and we need to involve Yukoners and educate the general public. I believe that's what the Member for Vuntut Gwitchin was talking about in his very impassioned speech.

It may not be the original intent of the motion and I agree with the NDP on that, and I do also applaud the Member for Mayo-Tatchun for his work and for his passion on this issue, but it is a commitment that we have not heard from this government before, and for that reason alone I do support this amendment.

**Ms. Stick:** I cannot support this amendment as proposed by the member opposite because I feel that it does change the intent. I listened to the Member for Klondike talking about what he heard today in Question Period and those things were said, but it's not enough. I think the amendment that is proposed takes some of that information back and just the intent of changing so much of what was in the first proposed motion by the Member for Mayo-Tatchun — they're not the same. They're not the same. The intent's not the same.

It's a motion, I believe, that the member opposite should bring forward in the House at another time as a totally separate motion, and that would be fine, but it changes the intent. It changes what was meant to be something for all Yukoners to look at. It's what we've been hearing. It's what people who come into our office talk about. We weren't saying never frack. We weren't saying never to oil and gas. We asked for a moratorium.

This one says nothing about moratoriums or waiting or looking. It's not the same, and I feel strongly that the intent of it has been totally taken out of context and something else put in its place. I cannot and will not support this amendment.

**Ms. White:** On the amendment, I think the fact that the petition was filed today with 1,806 signatures, knowing that that is far more than the members of the Vuntut Gwitchin First Nation; knowing that our original motion asked for the people of the Yukon — the 35,000 or so — be able to sit down around a table and have this discussion about this very large, crazy industry that is knocking at our door with this technique that has proven so unsafe in so many other places. We have eight people who have sat here for four and a half hours because they want a chance to be able to talk about this. This changes that; this takes away their voice. Those 1,800 people who signed that petition — they want their voices heard. The eight people who are sitting in the House — they want their voices heard. So, as it stands, the Member for Klondike is right — there was some advancement today. There was. But this motion does not make that similar advancement; this is a different creature altogether. So I will not be supporting this amendment to the motion.

**Mr. Barr:** I would also like to stand and say I will not be supporting this amendment to this motion. It does derail from the people who would like to come out here with the government officials, sit down in the same room — it excludes that opportunity.

I know that the Member for Klondike — and I've heard the minister opposite state that there is progress or there is a willingness to do this, but doing something and saying something are two different things.

When I think about the consultation on the Peel and how this has changed direction — this is a government that is asking us to trust that, as we move forward — “Yeah, okay, now we'll talk.” Well, I just don't really think I believe that. Therefore, when trust is broken, trust is earned back. I think that in earning back trust, it's fair to say, “Yeah, we're changing our directions here, and we'll change our direction here, so we will put a moratorium to build back the trust. There will be certainty that we will sit down and talk with all Yukoners.” More than 1,800 Yukoners signed this who want the chance to participate and who do not feel heard. Yes, there was —

**Speaker:** Order please. The hour being 5:30, the House stands adjourned until 1:00 p.m. tomorrow.

*Debate on Motion No. 275 and the amendment accordingly adjourned*

*The House adjourned at 5:30 p.m.*



**The following Sessional Papers were tabled November 21, 2012:**

33-1-54

Yukon Heritage Resources Board April 1, 2011- March 31, 2012 Annual Report (Nixon)

33-1-55

Yukon Arts Centre 2011-2012 Annual Report (Nixon)

33-1-56

Crime Prevention and Victim Services Trust Fund 2011/2012 Annual Report (Nixon)

**The following document was filed November 21, 2012:**

33-1-29

Whitehorse General Hospital Campus, Strategic Facilities Plan and Master Plan, Phase 2 Report (dated September 27, 2012) Submitted by Stantec Architecture Ltd. (Graham)

33-1-30

Yukon Geographical Place Names Board 2011-2012 Annual Report (Nixon)