

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, December 12, 2013 — 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 Potluck Food Co-op

**Ms. Hanson:** I am pleased to have the opportunity today to pay tribute on behalf of the Legislative Assembly to the volunteers and community members who have established the Potluck Food Co-op in Whitehorse.

The co-op sector has deep roots in Canada. In the late 19<sup>th</sup> century, farmers in Quebec, Ontario and Atlantic Canada developed cooperative creameries and cheese factories to meet the needs of the growing dairy industry. Alphonse Desjardins founded Canada's first caisse populaire, or credit union, in Lévis, Quebec, in 1900. In the first decade of the 20<sup>th</sup> century, farmers in western Canada organized cooperatives in an effort to market their products. Co-ops and credit unions provide consumers with a distinct, values-based and community-owned and community-controlled alternative.

Unlike the private sector or the voluntary sector, all cooperatives around the world are guided by the same seven principles. They are: voluntary and open membership; democratic member control; member economic participation; autonomy and independence; education, training and information; cooperation among cooperatives; and concern for community. It should be no surprise to learn that the co-op movement has really taken hold in Yukon.

In February 2009, a group of dedicated Yukon foodies got together to think of a better way to provide healthy, ethical and responsible food for their families. As individuals, they all wanted to reduce their carbon footprint and had individually been working hard to find organic or sustainably grown food products from local and regional suppliers. They also wanted to increase food security in Yukon and support local farmers and producers. They knew that if they could provide a guaranteed market for local goods, farmers would grow more food. That in turn would result in healthier and economically stronger communities.

Frustrated by all the hard work they were doing individually, they asked themselves if there was a better way, and so the idea of a food cooperative for Whitehorse came to life. Their vision was to create a space where making sustainable food choices is as simple as placing an on-line order. Now the vision has become a reality, and they recently hired a retail manager, Karin Voogd, and the on-line store opened on November 28, 2013.

Twice a month, co-op members can log on to the store at [www.potluckcoop.com](http://www.potluckcoop.com), choose the items they'd like to purchase and pay for their groceries through a simple PayPal transaction. A week later the products will arrive in Whitehorse, they will be sorted, and customers can pick up their groceries from the co-op's retail space, a little building that is on Fifth Avenue between Wood Street and Jarvis Street. It has been donated by John Streicker and his partner Susan Walton.

In the first order, the co-op was able to offer various dry goods and baking supplies, as well as local and regional fruit and vegetables, poultry and some special local treats like kale chips and birch syrup. It expects the product line to grow as it develops relationships with more local and regional producers and suppliers, and as it purchases vital equipment like freezers and coolers.

To participate in the co-op, Yukoners must purchase a one-time \$250 membership. This not only gives them the ability to buy organic and sustainable food grown as close to home as possible, but, as partner owners in the business, they can help set the future policies and direction of the Potluck Food Co-op.

There is also an opportunity for members to provide loans to the co-op. This allows them to receive a reasonable rate of return while investing in something they believe in.

By becoming members, Yukoners are voting with their food dollars. They are helping local farmers earn a fair wage for their work, they are building community, and they are investing in healthy food that nurtures their bodies.

Today I invite members of the Legislative Assembly to salute the members of the Potluck Co-op who are present here in the public gallery. They are Stephanie Whitehead; Bernd Hoeschele; Janet Patterson, who is the Potluck Co-op's communication whiz; and Julie Frisch, who very kindly delivered my first food order to me today as I was unable to make it on Tuesday. Thank you very much, Julie.

**Speaker:** Introduction of visitors.  
 Are there any returns or documents for tabling?

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Cathers:** I have two documents for tabling today. The first is a press release from Yukon College, entitled Second Offering of Primary Care Paramedic Program to run in January.

The second is an e-mail from the president of Yukon College to the Deputy Minister of Community Services, dated yesterday, confirming that \$23,000 from Community Services will allow the college to reverse the decision to cancel the Primary Care Paramedic program.

**Speaker:** Are there any reports of committees?  
 Are there any petitions to be presented?  
 Are there any bills to be introduced?  
 Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT it is the opinion of this House that Canada should continue to assert sovereignty over its Arctic land and ocean areas, including the North Pole.

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

THAT this House urges the Government of Yukon to build on the findings of the 2009 report, "In From the Margins: A Call to Action on Poverty, Housing and Homelessness" by the Standing Senate Committee on Social Affairs, Science and Technology co-chairs, Art Eggleton and Hugh Segal, and the recommendations from the Conference Board of Canada to produce a green paper that:

- (1) includes the costs and benefits of current income support practices;
- (2) identifies options to reduce and eliminate poverty, including a basic annual income incorporating a negative income tax; and
- (3) includes a detailed assessment of completed pilot projects undertaken in New Brunswick and Manitoba exploring the benefits of a base income.

I also give notice of the following motion:

THAT this House urges the Government of Canada to ensure that Canada Post maintains door-to-door service to the one-third of Canadians who currently receive this important public service.

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

THAT this House urges the Government of Yukon to ensure widespread access to automated external defibrillators, or AEDs, particularly in public locations by:

- (1) providing sustainable funding to support implementation and maintenance of public access to AED programs that include AED and CPR training;
- (2) ensuring AED programs are incorporated into comprehensive emergency response plans in government buildings such as conference and community centres, work site and other public locations; and
- (3) incorporating CPR and AED training into high school curricula.

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

THAT this House urges the Government of Yukon to increase accountability and transparency by calling for debate Bill No. 66, *Act to Amend the Placer Mining Act and the Quartz Mining Act*, to deal with the issues that this bill raises for Yukoners, First Nation governments, and the mining industry.

I give notice of the following motion:

THAT this House urges the Government of Yukon to explain why there is no further funding available for the 2013-14 tourism cooperative marketing fund trade and consumer shows.

I also give notice of the following motion for the production of papers:

THAT this House do urge the return of any and all records regarding the tourism cooperative marketing fund trade and consumer shows for the 2013-14 fiscal year.

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

## QUESTION PERIOD

### Question re: Canada Pension Plan

**Ms. Hanson:** Earlier this week the Deputy Premier refused to say whether the Yukon Finance minister will join other provinces and territories attending next week's Finance ministers meeting and call upon the federal Finance minister to take action to strengthen the Canada Pension Plan.

It has been clear for some time that a Canada Pension Plan enhancement is needed to make saving for retirement affordable and secure for a growing number of middle-income Canadians without adequate pension coverage. Despite strong public support for a strengthened Canada Pension Plan from across the country, the Harper government has refused to take action.

Will the Yukon Premier be delivering a clear message to the federal Finance minister and be calling upon the federal government to support an expanded, secure and affordable Canada Pension Plan?

**Hon. Ms. Taylor:** The member opposite would allude to it as if there is nothing being done on this particular front. In fact, it's just to the contrary. The Yukon government has been contributing to these discussions for a number of years in collaboration with the Government of Canada and in collaboration with provincial and territorial ministers of Finance.

The Yukon government at the end of the day — we support sustainable retirement income systems in the country and we have been working on that front on a number of different levels and fronts, of course.

Just more recently, Finance ministers' discussions have really been focusing on retirement income around introducing pooled registered pension plans, for example, as well as expanding the CPP.

In fact, this fall, those particular registered pooled pensions are actually a new retirement vehicle that is being offered in the territory, ahead of any province. We continue to work with the federal government on any and all possible enhancements to CPP.

**Ms. Hanson:** Mr. Speaker, pooled retirement pension plans are not the solution for those people who cannot afford to contribute to them. Two-thirds of working Canadians don't have a workplace pension. Only one in three Canadians have a registered retirement savings plan. For most middle-

income earners today, the current Canada Pension Plan, in combination with old-age security, will not provide adequate income in retirement.

The group most at risk are middle-income Canadians and that's the income level targeted by the Canada Pension Plan expansion plan proposed by Ontario and Prince Edward Island. Yukoners need to know that the Premier will deliver a clear message in support of — and strengthen — the Canada Pension Plan to its federal counterpart at the Finance ministers meeting on Monday.

Will the Premier tell the federal Finance minister that middle-income Yukoners want a strong and affordable Canada Pension Plan that will provide them with an adequate pension for security? Yes or no?

**Speaker:** Order please. The member's time has elapsed.

**Hon. Ms. Taylor:** Mr. Speaker, again, I'll reiterate for the member opposite that in fact the Yukon government has and will continue to work on this very important issue and has for the last number of years.

We continue to support sustainable retirement income systems in the country on a number of different fronts. When it comes to retirement adequacy, we focused on addressing retirement income adequacy when it comes to pension innovation. I mentioned the voluntary pooled registered pension plans.

We're also looking at financial literacy to encourage people to save for retirement through greater financial literacy. We're also continuing to focus on discussions regarding enhancement to the Canada Pension Plan enhancement.

I can say that this is a very complex matter. It is one where due diligence is required in order to facilitate good decision-making. We remain committed to working with all partners on this front, and we continue to be very much engaged in all discussions on the national, as well as the territorial-provincial, front.

**Ms. Hanson:** The fact is that Finance ministers across this country have been dealing with this issue for years. Focusing on pooled registered pension plans misses the point. The Canada Pension Plan is the only pension option for a growing number of middle-income Canadians, which is why it's so urgent that that plan be secured. The majority of provinces and territories support a modest, phased-in, fully funded enhancement to the Canada Pension Plan that would do just that.

So far, the Yukon government has been silent on the Canada Pension Plan. It's one thing to talk about the pooled registered plans, if you can afford that. We're talking about people who cannot. Yukoners want a clear answer. Will the Premier put the interest of Yukoners first at Monday's Finance ministers meeting and urge the Harper government to support an expanded Canada Pension Plan?

**Hon. Ms. Taylor:** Again for the member opposite, in fact in December 2011 at the Finance ministers meeting, it was agreed that there would be a modest and phased-in enhancement to the Canada Pension Plan and that it would be

reviewed. That review is currently underway. Those discussions continue. The Finance ministers are now actually looking at possible enhancement to the Canada Pension Plan.

Any enhancement would naturally have to take into account the current funding requirement of the existing Canada Pension Plan, as well as the state of the economy. Again for the member opposite, this is not either/or; it's not pick and choose. It is a complex matter and one that will require due diligence and is one that our Premier and all other Finance ministers are paying great due to.

#### **Question re: Death at Watson Lake hospital, public investigation of**

**Ms. Stick:** I rise on behalf of concerned citizens to ask questions about the public safety of Yukoners in our public health care system. That's my job.

A coroner's inquest into the deaths of Teresa Ann Scheunert and Mary Johnny has been called by the coroner. We've heard the inquest is to focus on the facts of the deaths of these two women. We are concerned that many important public safety issues that have been raised will be excluded from the coroner's inquest and believe that a public inquiry with a broad and inclusive scope, presided over by an independent judge, would better serve public safety.

Yesterday the minister asked — and I quote: "What could possibly be brought out in a public inquiry that won't be brought out during this coroner's inquest?" Can the minister assure this House that individuals with standing can ask questions about the two different judgments into the death of Ms. Scheunert and that the author, the coroner, can appear —

**Speaker:** Order please. The member's time has elapsed.

**Hon. Mr. Graham:** Mr. Speaker, once again I find it interesting from the member opposite that now I'm an expert on coroner's inquests and I can assure them what the coroner will do in an inquest. I can't do that.

What I can do is assure the member opposite that the coroner's office is an independent office. It is dedicated to finding and discovering the facts surrounding deaths that occur anywhere in the territory. It is up to the coroner to call an inquest, such as she has done. I believe that she has done the correct thing. I believe, as I have said previously, that the facts surrounding the deaths of these two women will come out during the course of a coroner's inquest.

Other than that, I can't assure the member opposite of much of anything.

**Ms. Stick:** The coroner originally found that the system had let down Ms. Scheunert and we asked the government to identify the parts of that system where failure had occurred. Other parts of the system that appear to have failed include the triggers that govern autopsy services and what policies need to be implemented with respect to handling the bodies of deceased persons awaiting autopsies. Far from serving the public interest on these issues, yesterday, the minister chose to dismiss the family's experience of what happened to the body of their mother and sister.

Mr. Speaker, can the minister assure Yukoners that a thorough investigation of policies and procedures around autopsies and handling the bodies of deceased patients will be included in the coroner's inquest?

**Hon. Mr. Graham:** I'm not attempting to diminish anyone's opinions about what has happened here, but what the member opposite continually does is bring forward information in this House that she presents as fact when there is no evidence supporting it.

All I have to do is go back to November 6, when the member opposite asked three questions of me in the Legislature that day — all three questions preceded by things that were untrue. They were not true and she presented them as if they were factual evidence.

I pointed out to her on a number of occasions: how do I trust what she has to say, when she won't even admit that she made these mis-statements, nor will she apologize for them? I find it extremely difficult to answer these kinds of questions when I'm not sure the member opposite is providing me with any kind of factual information.

**Ms. Stick:** Mr. Speaker, let's get back to Yukoners. They have valid concerns about the safety of our public health care system. We are listening to those people's experiences and the stories they have to tell and we believe their voices should be heard.

The minister constantly refers our questions about public safety to the coroner or the Hospital Corporation, or questions what we're asking. Now, the hospital's private consultant has added his opinion and cast doubts about the cause of death. In his opinion, it is something else. How can the minister say public safety is a top priority for this government if important issues like autopsies, handling of the body, two judgments into one death, and now yet another opinion? How can he convince us that these will be included in the coroner's inquest?

**Hon. Mr. Graham:** The coroner has a legal mandate to investigate deaths, provide facts surrounding those deaths and to look into facts surrounding deaths — to actually come up with recommendations. The coroner's jury may come up with recommendations for improvements to systems or improvements to perhaps even the Hospital Corporation.

I realize that the Leader of the Official Opposition is an expert in all things. However, what I'm trying to do here is explain the legislation. The legislation says that the coroner has this responsibility. We also believe that this process has to follow to its logical conclusion. To now pre-empt the process — the legal process that is now in place, that of a coroner's inquest — by jumping in and saying that we're now calling a public inquest, doesn't make any sense. Let the process follow its logical conclusion and, at that time, we can reassess the process.

For the Opposition to run ahead and say we should be calling a public inquest, prior to the coroner's inquest, is a ridiculous request.

### Question re: Hydroelectric dam project

**Mr. Silver:** Earlier this sitting, I asked about the Premier's July announcement that the government was working on a new hydroelectric dam. At the time, the Premier admitted that he had no specific project in mind and no idea when it might be built. He also had no idea where the money to build it was coming from. He did tell the *Globe and Mail* this summer that he thought the project would cost at least \$100 million.

At approximately \$10 million per megawatt, this is a 10-megawatt dam. Is this the ballpark cost for the project — \$100 million — that the government is looking at?

**Hon. Mr. Kent:** As members know, there have been a couple of actions that we've taken with respect to building a new hydroelectricity project. First and foremost, on the first day of this sitting, we introduced a motion that highlighted our vision for a clean power future for the territory. Subsequent to that, there was a directive issued to the Yukon Development Corporation to conduct the research and planning into a new hydroelectricity project here for the territory. The initial stage for that will be to come up with a workplan that will identify the financial and human resources necessary to conduct that research and planning. During the research and planning phase, issues will arise during that work that will address the members opposite's question.

**Mr. Silver:** The Premier told everyone in July that he did have a new priority and that was to start working on a new dam. It took them four months to formally ask officials to get this started. So far, we know the government wants a new dam, but it has no idea how big it should be or where it should be. Even without any new mines coming onstream, demand for electricity in the Yukon is continuing to grow at approximately one percent per year. There is also the possibility of a new mine or two opening in the coming years.

What assumptions is the government making regarding anticipating new demand for power in the coming years as it looks to building a new dam?

**Hon. Mr. Kent:** I know the directive that we have given to the Yukon Development Corporation with respect to this is available for members opposite. "In planning the project the corporation must ..." — and under section 2(b), "plan for scalability, so as to allow for the increase of energy supply over time to meet that projected demand growth." As well, the corporation must, under section 2(a) "evaluate the expected growth in residential, commercial, and industrial demand for electrical power in the Yukon."

We recognize that this is a long-term vision. I've mentioned on occasion that we don't expect this project coming on-line for perhaps 10 or 15 years.

So there are incremental demands that are going to have to be met. The Yukon Development Corporation and the Yukon Energy Corporation will work on projects as we move toward this larger project to meet those incremental demands in electricity and what we're going to need to meet the electrical demands for industrial and residential clients or customers here in the territory.

**Mr. Silver:** I do appreciate the minister's answers, but the \$100-million question on everybody's mind regarding this project is this: how is it going to be paid for? The Premier told the *Globe and Mail* that the project would be funded from — and I quote: “a variety of sources, including the federal government.”

Mr. Speaker, the last major energy project in Yukon, Mayo B, received a great deal of funding from Ottawa. It still required the government to borrow \$100 million and we are paying back \$5 million a year in interest on that loan for the next 30 years.

Is the government planning to borrow even more money to finance the construction of this new \$100-million dam?

**Hon. Mr. Kent:** Mr. Speaker, what we've initiated here is a process to plan and to research what a new hydroelectricity project in the Yukon will look like. We're looking at a number of aspects for that. Location and proximity to potential clients, the environment aspects, First Nation concerns and financing of the project are but a few of the things that will emerge over the next number of months as the Yukon Development Corporation conducts this research and planning.

We certainly recognize that a project of this magnitude cannot be borne by Yukon ratepayers. We also believe that a project of this magnitude has significant impact on the Yukon, but it also has significance for the country as a whole.

That's why we'll be looking to the federal government for support and we'll also be engaging with First Nations as potential partners. The exact answer to the member's question will emerge over the next number of months, as the Yukon Development Corporation conducts the research and planning into this project that we have asked them to do, with the directive that we initiated here — I believe it was in late November.

#### **Question re: Burwash Landing school**

**Mr. Tredger:** Every school day, students from Burwash Landing have to travel 20 kilometres down the Alaska Highway to attend the Kluane Lake School in Destruction Bay. Remarkably, all the students attending Kluane Lake School are from Burwash Landing.

There are 28 schools in the territory. Fourteen are situated in the rural communities. All these schools enhance and contribute to their communities. Yukon Party Education minister at the time, John Edzerza, announced \$200,000 for a new portable school in Burwash Landing in March 2006, but the government retracted the commitment soon after.

Will this government commit to begin the planning process for the promised school in Burwash Landing in collaboration with the Kluane First Nation?

**Hon. Ms. Taylor:** We are, in fact, working with Kluane First Nation on a number of initiatives to do with enhancing education for our student population on the north Alaska Highway. It certainly is a discussion that we have gone to work with enhancements to their community centre and we continue to work on enhancements to the delivery of programming that is responsive to the needs of those individual

student learners. We continue to work in collaboration — government-to-government — with Kluane First Nation, and I look forward to meeting with the chief later on — I should say, early in the new year.

**Mr. Tredger:** I thank the minister for that answer. Students, families and the community benefit from the presence of a school in their community in many different ways. Schools are vital to the fabric of Yukon communities. The Kluane First Nation is eager and actively working toward the goal of having a new school built in the community as part of a larger effort to strengthen community and to encourage people to come back to their community to raise families.

The First Nation government is preparing to move out of the current administrative building and has proposed to sell it to the Yukon government for use as a building for the school. Mr. Speaker, will the minister work with the Kluane First Nation to address the long-overdue need for a community school in Burwash Landing?

**Hon. Ms. Taylor:** We are actually working on a long-term assessment of all of our school facilities, including assessment on the ventilation systems, on the electrical systems and on the replacement values of those particular schools. We are putting the information together — which includes the seismic assessment that was just recently completed — that will help define where we go forward.

As the member opposite is very familiar with, we are working on a new school called the F.H. Collins replacement project, all of which I know the members opposite are completely opposed to. We on this side of the House are very much interested in delivering on improving learning outcomes for all students, including rural Yukoners, and are very proud to be able to deliver on a rural equity action plan, to be able to deliver on heightening those specific elements.

We are moving on a number of fronts and I look forward to meeting with Kluane First Nation in the new year — and all school communities, for that matter.

**Mr. Tredger:** I believe the promise was to begin building this school immediately after the construction of F.H. Collins. The Yukon Party has discovered a new way to procrastinate. In July, the Kluane First Nation and the Yukon government signed an agreement confirming which priorities the two governments will focus on together during the next five years. This agreement lists education as a priority for both governments.

Will the minister honour the government's commitment and do their part to ensure that Burwash Landing will have a community school like other Yukon communities?

**Hon. Ms. Taylor:** As I mentioned just previously in my other answer, our department is actually very much engaged with the Department of Highways and Public Works on long-term facility planning and a school revitalization plan. That plan takes into consideration assessments that have been undertaken over the past number of years, one of which includes facility audits addressing environmental health safety issues. We'll also take into consideration the seismic evaluation that was just recently completed. That work continues to be underway.

In the meantime, as I mentioned, I look forward to meeting with the Kluane First Nation, I look forward to meeting with the school community, seeing the school firsthand and being able to sit down and talk about how we can deliver on our commitments outlined within the intergovernmental accord that was recently signed between the Premier and the chief.

In the meantime, we are very excited about rolling out our rural equity plan going forward, and certainly very much working on the enhancement of cultural programming, experiential learning credits for on-the-land experiences and working to enhance a number of initiatives that we have underway in every single school community.

Yes, this is very much a priority for the Yukon government and we look forward to working with all school communities.

**Question re: Forest fire management**

**Mr. Barr:** A key component to fighting forest fires and ensuring the protection of fire crews is accurate weather monitoring. Wildland Fire Management has one mobile weather station that it uses at a major fire to determine overnight weather conditions. This information allows Wildland Fire Management to anticipate the movement of the fire and the potential danger to crews and public property. Yukon has only one mobile weather station and we often have multiple large fires throughout the territory with crews at the various fires. These mobile weather stations cost \$25,000 and Wildland Fire Management has requested a second mobile weather station for several years now.

Will the Minister of Community Services ensure that next year's budget plans for an additional new mobile weather station for Wildland Fire Management?

**Hon. Mr. Cathers:** I'm not sure where the member is getting his information, but that is not something that Wildland Fire Management staff or any of the staff of Community Services have identified to me at this point in time as a priority. I will work with them in addressing the priorities and the needs within Wildland Fire Management, based on the work they do and an assessment of needs, not on the basis of the member's opinion.

**Mr. Barr:** I will look forward to the minister catching up on what is happening with Wildland Fire Management.

In many areas of the Yukon, the first responders to forest fires are volunteer fire departments. Fighting forest fires, brush fires and grass fires requires specific training. This specific training is not standard for volunteer fire departments as it addresses the unique fire situation of wildland fires as well as safety. Wildland Fire Management, in coordination with the Fire Marshal's Office, tries to deliver this training to volunteer fire departments. This year, for example, because of the heavy fire season, the Southern Lakes wildland fire region does not have staff to train volunteer fire departments this winter and spring.

Mr. Speaker, will the minister ensure that regardless of the fire season, Wildland Fire Management will have a sufficient winter budget to allow them to keep needed staff so

they can work with volunteer fire departments to provide the necessary training?

**Hon. Mr. Cathers:** While I can certainly look into the perspective raised by the Member for Mount Lorne-Southern Lakes, the information that he has presented does not line up with what I have heard from officials. I would remind the member that we rely on the Fire Marshal's Office to identify needs to us, and in addressing those needs, we have increased the annual budget for the Fire Marshal's Office by \$1.9 million from its previous O&M funding level. We have recently commissioned —just in the summer, I believe it was — the new \$750,000 mobile fire training unit, which the Fire Marshal's Office has had out in virtually all, if not all, Yukon communities to help train staff of volunteer fire departments as well as municipal fire departments who partake in the training.

So, contrary to what the member is asserting, we have increased the training that is being made available to our volunteer fire department members and we will continue to do so, but we will do so based on what we hear from fire chiefs and from the fire marshal. I will do so on the basis of what I hear from them, not on the basis of what the member is bringing forward, which, to my understanding, is not factually correct.

**Question re: Affordable housing**

**Ms. White:** We want to look into one aspect in particular of the request for qualifications to construct and operate new affordable rental housing. Projects funded under this process must guarantee that rental rates will remain affordable for 10 years. After 10 years, affordable rental rates end.

The government has recognized that the lack of affordable rental accommodation is a problem, but the solution it has offered is only short term. Employers from small operations to large extractive companies have expressed the negative impact that the lack of employee housing has on their ability to do business in the Yukon. Attracting workers to all communities is also hard for governments, and a big part of retaining those employees is the availability of adequate and appropriate housing.

Can the minister responsible explain to employers trying to attract and retain employees why it has designed its rental housing solution to end in 10 years?

**Hon. Mr. Cathers:** What I would point out to the member is that the steps we're taking in the affordable housing area are based on what we've seen to date from initiatives that have taken place. For the initial program we ran with Lot 262, before it was divided into two and sold, we relied on some of the feedback we heard from companies in there as far as what types of solutions they would be prepared to offer. Rental housing at lower market rates — the work that's being done by the Housing Corporation responds to what we have heard both directly from that and through feedback from stakeholders over time.

What the member is completely failing to recognize, as the NDP members often do, is that everything has a cost to it.

How much taxpayers' money would the member like to commit in the long term to subsidizing rental housing versus what does it achieve in terms of reduced rates for Yukon citizens?

Again, what the members consistently fail to recognize is that the solutions to housing apply across a continuum, and it begins with availability of land, it includes the ability of companies and citizens to purchase property and to build houses — and the members fail to recognize all of the components within the housing spectrum.

**Ms. White:** It appears to me that for this government, housing is as difficult as schools.

Affordable housing is important to employers of recently graduated students and new arrivals to the Yukon. Affordable housing is also important to people already living and working in the Yukon, like people who make \$15 an hour.

Last night there was an open house at the food bank. Many people who use the food bank have jobs, but so much of their income is spent on rent that they don't have enough to buy food.

Can the minister responsible assure Yukoners, both employers and employees, that after 10 years, when guaranteed affordable rates end, there will be enough affordable rental units for people newly arrived in the Yukon, recently graduated students and people making minimum wage to live in dignity and security?

**Hon. Mr. Cathers:** I would again remind the member that, first of all, looking at 10 years down the road, while that is the aim of the housing action plan — and that will be an important part of that work involving stakeholders and NGOs, private sector, et cetera — predicting what the Yukon housing market will be like in 10 years is a challenge. We do know that there would be reduced prices of housing if it were under the NDP because they would do like they did before and send many Yukon families fleeing the territory as a result of the NDP tanking the economy again.

What we are doing through the housing action plan, which is already giving us good information, is in fact involving the many partners in this area. We are coming up with effective solutions in this area. The member consistently fails to recognize the significant investments we've made in expanding the availability of social housing stock and in building seniors housing in Yukon communities. Again, this work will continue. We will continue to make these investments, but the member suggesting that we should go beyond a 10-year commitment to subsidize the cost of housing — the question is: how much money would the NDP put toward this and why would they do this? We are proceeding in a prudent, managed, realistic way.

**Ms. White:** I'd remind the minister that most of the investments made under this government have been done with federal money, not their own out-of-pocket.

The way the request for qualifications to construct and operate new affordable rental housing is set up, is the government will match private sector expenses for up to 50 percent. The \$13 million remaining in the northern housing trust monies will be matched by \$13 million from the private

sector. In the end, it will be the private sector that owns 100 percent of \$26-million worth of rental units. We can see how this is attractive to the private sector, and we know there has been a lot of interest. The part of this initiative that seems short-sighted is that in return for the \$13 million in federal money, the government requires rents remain affordable for only 10 years.

Why only 10 years? Will the minister responsible confirm that 10 years after this rental stock is built, there are no guarantees that it will remain affordable?

**Hon. Mr. Cathers:** Again, the NDP jumps all over the map in terms of what they are asking for. I recall the members demanding — yes, the member should be ashamed of their inconsistency in this position. The fact is that they call for one thing one day and flop to a different position the next day.

I would point out the fact that in this case, the NDP have previously demanded things, including rent caps and price-fixing, which have shown to be failed policies in other jurisdictions and result in, over time, a net reduction in the availability of affordable housing stock.

We are proceeding in a way that is based on what we have heard from the private sector and from NGOs. The NDP don't support that approach clearly, because they don't recognize the facts and aren't interested in the feedback that we've heard from stakeholders, including the Yukon private sector and NGOs.

We are proceeding in a way that we are aiming to come up with something that will actually result in a successful product. I know that the members opposite will vote against these investments in housing, like they voted against every dollar that this government has invested in housing, including expanding social housing and seniors housing over the past 11 years.

**Speaker:** The time for Question Period has now elapsed.

We will proceed to Orders of the Day.

## ORDERS OF THE DAY

**Speaker:** We are now prepared to receive the Administrator of Yukon to grant assent to bills which have passed this House.

*Administrator Cameron enters the Chamber, announced by the Deputy Sergeant-at-Arms.*

## ASSENT TO BILLS

**Administrator:** Please be seated.

**Speaker:** Mr. Administrator, the Assembly has, at its present session, passed certain bills to which, in the name and on behalf of this Assembly, I respectfully request your assent.

**Clerk:** *Court and Regulatory Statutes Amendment Act; Health Information Privacy and Management Act; Child Support Administrative Recalculation Act; Insured Health Services Statutes Amendment Act.*

**Administrator:** I hereby assent to the bills as enumerated by the Clerk.

*Administrator leaves the Chamber*

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

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

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

*Motion agreed to*

*Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Chair (Ms. McLeod):** Committee of the Whole will now come to order. The matter before the Committee is Vote 27, French Language Services Directorate, in Bill No. 11, entitled *Second Appropriation Act, 2013-14*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

### **Bill No. 11: *Second Appropriation Act, 2013-14* — continued**

**Chair:** The matter before the Committee is Vote 27, French Language Services Directorate, in Bill No. 11, entitled *Second Appropriation Act, 2013-14*.

#### **French Language Services Directorate**

**Hon. Ms. Taylor:** Madam Chair, I will endeavour to say a couple of opening remarks en français and then I will just repeat them in English, as well.

*[Member spoke in French. Text unavailable.]*

Madam Chair, I'm very honoured to stand before the Assembly here today to speak to the budget with respect to the French Language Services Directorate.

Members will recall that, back in April, FLSD was established as a separate budget or a separate department within the Yukon government, meaning that the directorate now has its own budget vote, which is discussed here in the Assembly as we are here today giving it a more — what I would coin — prominent and important place within government.

I want to also acknowledge and welcome our new director of FLSD, Patrice Tremblay, who joined us back in May of this year. He comes to us after some 15 years with various federal departments in Ottawa. He also worked with a number of provincial government departments, and I can say that Patrice has been a very active member of the community since his arrival and it's with great pride that he has been able to accompany me — or I have been able to accompany him —

on many different community-related events and meetings over the past several months.

Madam Chair, overall, the directorate's key function is to be able to provide advice and support to Yukon government departments and corporations in the provision of French language services in the territory. We work with national, provincial and territorial counterparts with respect to francophone and official languages affairs.

Very much like the Women's Directorate, although we may not offer direct services to the public, the directorate plays a very important role in maintaining effective communication channels with our francophone community. As members opposite will know, this government is very much committed to strengthening our relationship with the territory's francophone community and to creating the kinds of services and programs needed to ensure that our French community continues to thrive.

We have all made our sentiments known about the francophone community and how much it has grown over the years. Statistics tell us we have one of the strongest thriving francophone communities in the country. As such, we have been able to make significant progress in terms of coming up with a more systematic approach to delivering French services here in the territory.

Earlier this year, members will recall that we announced an investment of just under \$300,000 to conduct a number of pilot projects to increase French language services in the Health and Social Services sector, as well as to develop a four-year corporate plan for French language services. The pilot projects are related to actively offering services in French, interpretation services in the development of policies and guidelines on identification, and staffing of bilingual positions.

We continue to work really closely in collaboration with l'Association franco-yukonnaise on these initiatives, with the goal of developing a more strategic approach and focus to the delivery of French language services and to be able to really better identify and respond to the priorities of the francophone community, through the delivery of improved front-line services provided by these particular areas.

We've also made a number of changes when it comes to the Advisory Committee on French Language Services. We've been able to strengthen its composition.

This body's very instrumental. It's related to the *Languages Act* and on the implementation of services in French. It facilitates consultation and dialogue with the French-speaking community on a number of matters. It is composed of representatives from l'AFY, a representative of the francophone public, a representative of the Yukon Employees Union, as well as three deputy ministers. It was last year that we were able to add a couple of additional seats. One included a representative of the Yukon francophone school board, as well as the Deputy Minister of Education, to further strengthen the committee's reach and influence as well.

There is a lot to report when it comes to this particular directorate. As I mentioned, we are making great strides on a

number of different fronts. We have been able to work on providing additional funding, which we are talking about there today — and which is supplemented within this year's budget. It relates to the salary and benefit increases for directorate personnel stemming from the new collective agreement.

I would be happy to take any and all questions on some of the progress that we are undertaking on each of these pilot projects. There's a lot going on and many different meetings and networks of influence as we go forward. I am proud of the work of the French Language Services Directorate. They are a dynamic team. Many are long-standing members of our community and their contributions are very much widespread and heartfelt.

Also with this year's budget that was delivered earlier this spring, we were able to add resources that include research services for one year to assist us in the development of this corporate-wide French language services plan. That's a very critical piece. It will help inform the road forward for the next four to five years in the territory and will also help inform our negotiations and our bilateral discussions with the Government of Canada on a go-forward basis.

When it comes to the actual pilot projects, as I mentioned, we're making progress. We've had a lot of strategic discussions with a number of members in the Health and Social Services sector, working on those three particular pilots — the active offer, interpretation services and guidelines on bilingual staffing.

We've comprised a team together of representatives of l'AFY, the francophone health network, our own directorate, the Department of Health and Social Services, the Whitehorse General Hospital, the Public Service Commission — all of these different parties are collaborating to make this a successful initiative.

We have chosen three pilot sites, based on their potential of importance of the francophone community, including the visiting specialist clinic at the Whitehorse General Hospital, along with home care and insured health services, through the Department of Health and Social Services. Active offer and interpretation services — we are also looking to forecast to be operational at the pilot sites next year, as well as the guidelines on identification and staffing bilingual positions. We are also looking for that to be completed next year as well.

With respect to the day-to-day work in addition to all of that, FLSD continues to make significant progress when it comes to the translation of many different websites. Since the last sitting, the Department of Education Public Schools website has been completely revamped and is now completely bilingual, in addition to a multitude of other departments. We maintain a high volume of translations in the amount of 2,000 documents translated for an approximate total of 1.2 million words per year. There is no lack of work for FLSD.

With that, I would be more than pleased to take any questions on this particular supplementary estimate from members opposite. I would like to thank our director and his staff for their continued expertise and their strategic vision for the delivery of a French language services in the territory. It has been a real pleasure to get to know the directorate over the

past couple of years and to be able to work with them and see their work flourish as a result of the strengthening of our partnership with the francophone community itself.

**Ms. White:** J'ai eu le plaisir de participer avec la Ministre à l'exercice de planification organisée par la Direction des services en français en collaboration avec l'AFY en Septembre dernier. J'aimerais remercier la DSF et l'AFY pour cette initiative de planification efficace et inclusive. L'exercice a permis de présenter les projets pilotes en matière de santé au niveau des soins à domiciles, des soins de spécialistes et des services au bureau de l'assurance-santé. Une discussion sur la livraison des services en français par le gouvernement a aussi eu lieu en vue de la préparation d'un plan global de quatre ans.

Je veux aussi remercier la députée fédérale du NPD, Éline Michaud, qui était aussi présente pour cet exercice de planification.

J'ai peu de questions pour la ministre mais j'aimerais obtenir une mise à jour des projets pilotes en matière de santé de la part de la ministre. J'aimerais aussi savoir quelles sont les prochaines étapes pour le développement du plan global de quatre ans pour la livraison des services en français par le gouvernement.

Merci.

It turns out "specialist" is hard to get out in French when you haven't practised in a while. With that, I'd like to acknowledge that the minister responsible for the French Language Services Directorate is doing a fantastic job of learning French later in life and the improvement is always noticeable, so congratulations on that.

I had the pleasure, along with the minister, to attend the planning exercise put on by the directorate and l'AFY in September of this last year. I would like to thank both organizations for an effective and inclusive planning initiative. The group was presented with the focus of the three health pilot projects: home care, access to specialists and the insured health services.

A discussion was also held on the priorities of the French Language Services Directorate for the next four years. I would like to thank Éline Michaud, a federal NDP member who also attended the planning exercise.

I have very few questions for the minister. Could we please get an update on the status of the pilot projects? Can she share with us the next steps to developing the four-year strategic plan?

**Hon. Ms. Taylor:** I'd like to thank the member opposite for her acknowledgement of my French. I am trying a lot. I just wanted to say my son goes to French immersion and is in grade 3, and you wouldn't believe the amount of French I'm learning from him every night. I think he's getting rather tired of being a good teacher, but it's a real joy. I just wish more Yukoners would subscribe to the francophone language because it does enrich our lives beyond measure.

With respect to the questions that the member opposite has referred to, the active offer — all three pilot projects are coming along. They are progressing. It has taken a significant amount of discussion and collaboration and, to be very clear, I

think this is a relatively new approach to being able to work with the francophone community.

I believe that we've made it a real priority to be able to work hand in hand with the community. This is not just a Government of Yukon-driven initiative. It needs to have the input of the francophone community. We need to be able to respond in a meaningful way to the priorities of the francophone community in a successful manner — one that's relevant and one that's realistic.

That said, on the active offer front, as I mentioned — and the member opposite referenced — there have been a number of sites that have been selected. We are looking to be able to roll those active-offer sites early in the new year. I don't have a specific date, but I can say that it will be earlier in the new year.

The interpretation services — we are actually working on signage. We're working on some information to be made readily available for public distribution, and we do have a contract in place with a company to provide this service. We're looking to be able to launch that early in the new year, as well.

With respect to the bilingual staffing guidelines, as I mentioned earlier, we've been working very closely with the Public Service Commission and we're aiming to have that prepared by — we're hoping — the end of the fiscal year, so not too far from now. Progress is being made. It has been a bit of a long road, but I think we're coming to a place where it's a very good start.

With respect to the strategic plan, we're working from a draft right now and, as I understand it, through FLSD we're working with all of their respected departments to be able to work with them. We're consulting effectively with each of the departments, as well. From there we will take all of that feedback and be able to share that with the francophone community — I think it's with l'AFY's management group, management committee. That is well underway.

As I mentioned, we had additional fiscal resources to make available for a position in FLSD, in addition to our current complement, to do that research and to pull it all together. There is a lot of information here and a lot of work, but we're moving along fairly rapidly and I'm very pleased with the progress being made.

**Mr. Silver:** Thank you to the official for his time here today. I don't know if he has had a chance to visit Dawson. There's an amazing francophone community in the communities and it's well-represented in Dawson. I won't make any attempt to speak French — you're welcome.

Growing up where I did in rural Nova Scotia, we were allowed to opt out of second-language programs way too early in the education system, and I'm very, very jealous, watching the youth in Dawson, for example, with the programming that they have — immersion, core French programming. It's great to see the bunch of different options. So I do commend this government on their approaches to education with second languages in general and, specifically, to French language services.

I do have a few questions for the minister responsible. One of the program areas under the French Language Services Directorate — and I quote from this: "We negotiate and manage funding agreements with the Government of Canada on the development, enhancement and implementation of French language rights and services."

My question would be: how much funding does the department receive from the Government of Canada to be managed and negotiated?

**Hon. Ms. Taylor:** Our annual amount is \$1.75 million from the federal government. That amount has remained fairly constant over the last number of years — I believe it's over the last several years.

One of the reasons why we are putting together this corporate plan is to really determine — and of course this is where the actual pilot projects feed into. The pilot projects will help feed into the development of the corporate-wide plan.

The pilot projects will help feed into the development of the corporate-wide plan on a go-forward basis. It will help us determine what is working, what isn't working, how we can work to expand that and, then, putting that together will help inform, as I mentioned, the next five years in a strategic plan. It will be really the first of its kind for our government and that will be very influential in being able to sit down with the Government of Canada to be able to negotiate accordingly.

The one thing I will say is that I am optimistic. We are trying to put the best business case forward to the Government of Canada. We recognize it's a shared responsibility, but the Government of Canada certainly does have obligations — as we do as well. But we have seen a significant increase in the amount of francophone individuals moving to the territory, and that's a good thing. We should welcome that and celebrate that, but also we need to work toward meeting their priorities.

So it is a work in progress and it is something for which we will be sitting down with Canada in short order — hopefully in the new year — and be able to articulate our broader vision.

I should also mention that the previous agreement did expire about 6 months ago or so — several months ago. So what we had asked for in the meantime, until such a time as we develop a corporate-wide plan, is if we could have a year extension. So that is in fact what we do have as we go toward negotiating a fuller agreement with Canada on that, if that makes sense.

**Mr. Silver:** Thank you for the answer from the minister. I have a couple of statistical questions. I would expect that these stats wouldn't necessarily be able to be provided right away, but if the minister and her department could endeavour to get it back to us, that would be much appreciated.

I was wondering if there was a possibility of letting us know what percentage of Yukon government employees are bilingual. Is this a stat that the government keeps? Do we have any stats on French language proficiency within the government? Is that something that we're monitoring? Also,

stats on the percentage of Yukon government services that are available in French. I did notice in doing some preparation here that there are some sections of the Yukon government website that are not in French — if they're expecting to be translating these in the near future.

**Hon. Ms. Taylor:** I'd like to thank the member opposite for his question. With respect to statistics, we do not have any specific statistics, but it is something that we have speaking with the Public Service Commission on incorporating that very question within their workforce profile.

It is something that they have been just recently reinvigorating for the territorial workforce, when it comes to Yukon government.

In addition, that is also some of the continued work that we will be doing, specifically emphasizing that work on proficiency. It goes hand-in-hand with self-identification of employees who are bilingual and their proficiency — their comfort — in providing French language services. That will be part of the plan going forward. It probably will start up as early as next year, as we move forward with that corporate-wide plan.

That is all part and parcel in terms of providing active offer and having self-identified individuals within the government to be able to step up to provide those services in a proficient and effective manner and in a manner that they are trained and that they feel comfortable to do so. That is part of our strategic plan going forward and working in collaboration with the Public Service Commission.

**Mr. Silver:** Thank you to the minister for her answers. Just touching on the website too, I can imagine that the work with ECO is also going to take that into consideration. I just have a couple more questions, Madam Chair.

Given the demand to translate government documents, how can we be assured that the directorate is adequately staffed and funded to complete translations in a timely manner?

**Hon. Ms. Taylor:** Just with respect to the member opposite's earlier question on government websites, there has been a significant amount of work being done, which is reflected in the annual plan put forward by FLSD. There are always going to be changes and there are going to be some websites that remain outstanding, but we've really stepped up the amount of translation services.

With respect to translation itself, we actually did increase the budget for FLSD in this line item. I don't have that at my fingertips but I believe it did go up by about \$120,000, if I'm not mistaken. It was to reflect the demand associated with education-related budget as well as others.

As we have a more systematic, formalized approach to delivering French language services, there's going to be additional demand and there's going to be additional clarity with respect to what is to be translated and not translated, how do we do that, and what is the prioritized list and so forth. This work, moving in a strategic fashion with the francophone community and identifying those priorities, will help continue to guide our work as we move forward.

I was just reminded that we do have 31 websites that are maintained, all French content, so it's a significant feat and kudos to FLSD for completing that important work.

**Mr. Silver:** I have just one final question and it's a great segue from the answer from the minister.

How does the director get feedback from the French community on whether it is focusing on priorities important to that community and that it is, for example, focusing on government services that are most used by the French community?

**Hon. Ms. Taylor:** What I can say is that, on an ongoing basis, I think we have a pretty good relationship with the francophone community through l'Association franco-yukonnaise and we have ongoing feedback between the two — our directorate and, of course, l'AFY itself.

We continue to meet at the officials level, administrative level. I have had also meetings and many occasions to speak forthright on many different issues of importance to the francophone community at different venues. We also have the Advisory Committee on French Language Services. That is also comprised of representatives of l'AFY, a member of the francophone public at large, and also representation from the Public Service Commission, the francophone school board, YGU, FLSD itself, and ECO. So that is another mechanism that has gathered as well to review progress, to come together and to be able to identify issues of priority on a go-forward basis.

As I said, I think that we have very much stepped up the communication over the past year and I'm very pleased to see the progress being made. We're getting a lot of good positive feedback from the community. It really is a privilege to be able to work with the community on many issues of importance, but being able to hear the feedback — the member opposite for Takhini-Kopper King was mentioning about the meeting that she and I attended. It was very good feedback. It was an excellent opportunity to see the board, full of comments on what's working, what isn't working and what needs to be strengthened. It was kind of a SWOT analysis. From there, we took that feedback and that's really helping us deliver, again, a more coherent, strategic integrated framework, leading to the work that we deliver from the Yukon government perspective. That hasn't occurred in the past and I think that it is a new way. It's a beginning and there is more work to be done on this front, but I do believe we're on the right track.

Again, I just want to thank l'AFY for their contributions and all the multitudes of stakeholders they work with as well. They have some strong leadership and a very dynamic leadership — hardworking individuals — but it has been a real pleasure to work with each and every one of them over the past couple of years.

**Ms. White:** Just one last question: is the department endeavouring to have all consultation documents translated into French? I notice that the *Landlord and Tenant Act* review is up en français, and that's fantastic. I was just wondering if for every department that has a consultation process now — if

we are giving the same background information in French as well as the comment documents?

**Hon. Ms. Taylor:** We've really been engaging with l'AFY, as I mentioned, with the development of the strategic plan going forward. The actual government consultation is but one area that is being covered in that strategic approach. We have seen an increase in the amount of content being translated in consultation documents, whether it has been electronic or paper hard copies being distributed, for major forms of consultation. We are working with all the departments and all the agencies in the government. There are a lot, and we are starting to try to have a more coherent approach to the delivery of French services in the territory from our government.

Developing this corporate-wide approach to delivering with the input of having all departments is a good step forward. As it's not just FLSD, our role is to be able to deliver on behalf of all government departments. Our role is to be able to provide that strategic advice and to be able to consult with departments and provide that framework. That's why we are taking time, now that we have a drafted strategic plan, and working that through each of the departments. It's going to take a bit of time, but I think there is a lot of good work being done by the departments. Moving forward this more strategic approach will help us find a more cohesive manner in how we respond to those consultations being undertaken.

**Chair:** Is there any further general debate? I'm going to move to line-by-line.

**Ms. White:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 27, French Language Services Directorate, cleared or carried, as required.

**Unanimous consent re deeming all lines in Vote 27, French Language Services Directorate, cleared or carried**

**Chair:** Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 27, French Language Services Directorate, cleared or carried, as required. Are you agreed?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

***On Operation and Maintenance Expenditures***

***Total Operation and Maintenance Expenditures in the amount of \$31,000 agreed to***

***On Capital Expenditures***

***Capital Expenditures in the amount of nil cleared***

***Total Expenditures in the amount of \$31,000 agreed to***

***French Language Services Directorate agreed to***

**Chair:** We are going to move on to Vote 52, which is the Department of Environment. Committee of the Whole will recess for 15 minutes.

*Recess*

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

The matter before the Committee is Vote 52, Department of Environment, in Bill No. 11, entitled *Second Appropriation Act, 2013-14*.

**Department of Environment — continued**

**Ms. White:** I'd like to thank the deputy minister for being here with us today and welcome him back. I have very few questions remaining in general debate. One of the questions I have is the mitigation of impacts of climate change for things like caribou habitat — or other large mammals.

Does the government have any sense of how climate change impacts — or will impact — the habitat in the next decade or two decades? If so, what actions will they be taking toward mitigating that?

**Hon. Mr. Dixon:** In a very general sense, I would say that climate change and the impacts of climate change inform our decisions across the department. We obviously do our best, through the Climate Change Secretariat and the establishment of that secretariat, to ensure that is not just limited to Environment, and that other departments take climate change and the impacts of climate change into consideration as well.

The work we do through the Climate Change Secretariat attempts to disseminate information across government so that decisions made in other departments take into consideration climate change.

More specifically to the question, the question essentially is about when we do habitat studies or animal monitoring studies, research and monitoring of various species throughout the territory, do we take into consideration climate change. The answer is yes, of course. We are consistently gathering information across the spectrum of species in the Yukon, including caribou. The member opposite mentioned caribou specifically, but it extends to other species as well.

Any of the body-composition monitoring we do — any of the snow surveys we do and any of the habitat assessment we do obviously take into consideration climate change, because we know that the climate changes we are experiencing do impact the habitat for these animals and do have different levels of impacts on the variety of species we have here.

I would say that just about any of the studies we do, whether it be assessing habitat sustainability for caribou and moose, bison studies, carnivore work — any of that work that is done does take into consideration climate change and it informs how we approach things that are happening.

For instance, there was some media attention around some work that we had funded a little while ago — around snowshoe hares or rabbits in the territory that had experienced some changes as a result of the change in climate. That particular study took into consideration the fact that we have a change in climate and that those climate changes can have impacts on the snowshoe hare.

It was a cooperative study that examined how snowshoe hares adapt to rapid changes in the timing and duration of snow cover. The snowshoe hare is a keystone species in

Yukon's boreal forest, and climate changes that impact snowshoe hare may greatly affect how animal communities in the area function, with possible impacts on key furbearers such as lynx and wolverine.

So by studying something at the — I don't want to say the lower end of the food chain, but that's basically what we are doing. We know that the impacts on those species have ramifications across the spectrum and across the food chain.

We have done work on the impact of climate change on different species. I've given one example with the snowshoe hare, but I would suggest that almost all the work we do on habitat and composition studies across the board will, at some point or another, take into consideration climate change.

I think that's what the member opposite was getting at. I look forward to hearing additional detail if I've missed something.

**Ms. White:** That was excellent — thank you. I've seen the new signs up to allow motorists to know about the Southern Lakes caribou, to try to decrease the road mortalities. The minister noted — and I'm guessing that it was probably during spring — that there were concerns from First Nations that lithium chloride used to keep caribou seeking salt off the roads will affect the quality of the meat.

I was wondering how the discussions have gone on with that and I'm wondering if there are other ways of dealing with the salt on the road. What discussions has the government had with the First Nations regarding the protection of the Southern Lakes caribou and the road mortalities?

**Hon. Mr. Dixon:** The member opposite has raised an issue that is an important one and that is the incidences of human-wildlife contact with regard to vehicle collisions in the southern area of Yukon, in particular caribou. I've noted previously that the Department of Highways and Public Works and the Department of Environment are working together through a joint working group that we've established between our two departments to do a number of things that mitigate and reduce the number and severity of collisions between ungulates in the southern Yukon and vehicles.

Some of that work, as correctly identified by the member, includes increased signage, lighting — a particular type of flashing lights that raise awareness of the potential of a high level of animals in the area.

As she did correctly note as well, there is some aversion among First Nations. Previously it particularly was among the Liard First Nation, but I think in a general sense, the First Nations that we have dealt with so far have a degree of reluctance to use chemicals like lithium chloride and salt to take measures to try to deter wildlife from being attracted to the highway. So we have been looking at alternative measures, particularly focusing on lights and signage.

The reason we do that of course is that vehicle collisions with wildlife on Yukon highways are a serious public safety, property damage and wildlife conservation concern. Highway mortality of mountain caribou is a conservation concern for local communities and First Nations, as many of these herds are small and thought to be declining. Collisions with moose

are also of considerable importance, as they often result in serious human injuries or, potentially, death.

So as I said earlier, the interdepartmental working group that we have established between the Department of Environment and Highways and Public Works has developed a collaborative workplan that outlines priority activities to help reduce wildlife collisions.

The working group has identified activities for the 2013-14 season that will focus on the Alaska Highway, from the B.C. / Yukon border to Whitehorse and the south Klondike Highway. The project activities include the identification and monitoring of areas of high collision, acquiring and locating alternative signage in areas of high wildlife activity throughout the winter months and developing a public messaging campaign to increase driver awareness to the presence of caribou on selected highways.

The effectiveness of this integrated strategy will be monitored over the winter — and next winter as well — to assess whether there is a change in highway collisions that can be detected. As you can see, Madam Chair, we are taking some action. We intend to monitor and review whether or not it has been effective and that will guide us forward.

I noted before that the reason we are taking these alternate measures is because there is some concern among First Nations about the use of alternative chemicals like lithium chloride, which can substitute for salt. I'm confident that the work that they are doing between the working group of Highways and Public Works and Environment will hopefully be successful. If it's not successful, we'll have to re-evaluate in the coming months and years to determine how to better take action to meet this goal and to be successful in reducing the amount of vehicle-wildlife collisions on Yukon highways.

**Ms. White:** This spring, the minister mentioned that the bison seals are now \$10 and that the department had opened up additional areas for the hunting of bison. Has the department seen any change in the bison population since the price drop of the seal and the new open areas?

**Hon. Mr. Dixon:** I believe that in the last hunting season there were 152 bison harvested throughout the Yukon. That is a new high for the Yukon, so I think it's fair to suggest that the lower permit or tag fee could have contributed to that.

What I should note, though, is that all the changes that we've made, including the permit fees — I'm corrected, it's 162 bison, not 152 bison that were harvested last year.

All of the changes that we've made with regard to bison in the Yukon come from the bison management plan that was passed last year and was done collaboratively with First Nations. The number, I think, that were harvested last year does indicate that there has been some effectiveness of those measures. I should note that they are still within the parameters of the management plan and that the numbers of bison are still robust and above the target number for that particular herd. I believe the bison management plan suggested that the Aishihik bison herd should be around 1,000 bison. I believe that number is still in excess of 1,200, so I think the bison population is still quite healthy.

I would note that it is difficult to assess if it was one measure or another that contributed to that increase of harvesting, because there are other things that contribute to whether or not hunters choose to hunt a particular species. For instance, in Yukon there has been an increasing level of comfort among hunters hunting bison. I think people are getting accustomed to hunting bison more than they may have been previously. It is becoming more of a target species for a lot of hunters who want to, first of all, get a heck of a lot of meat.

Bison provide a substantial amount of meat, especially compared to smaller ungulates like deer, or even elk. There are also other social trends that suggest that increasing the harvest of bison may be factored.

As I said, the fact that people are more comfortable hunting them is one aspect. Another aspect is the fact that they are hunted at different times of the year than species that are typically harvested. It provides an opportunity for folks to get out in the late fall or winter periods when otherwise they would not have the opportunity to hunt.

A lot more people are hunting bison year-round because of the fact that they have that opportunity to do so. Yes, I'm quite certain that the reduction in the fee would contribute to the increased number of bison harvested. I'm comfortable with that increase because it's still within the auspices of the bison management plan, which sets out the actions that are to be taken with regard to managing this species in Yukon.

**Ms. White:** I would be happily corrected if I have the organization wrong, but I went to public meetings around the idea of trying to control the bison population, and one was to bring down the cost of the seals.

Understanding how big a bison is and what they could do to an environment where the population control is an important aspect — I believe we've opened it up to the hunting of cows now, as well.

My question is, why is the season closed between January 1 and February 14?

**Hon. Mr. Dixon:** The break in availability of hunting for that six-week period that the member opposite noted is to provide relief to the herd from hunting during the coldest and darkest parts of the year. While that is important for the bison themselves, it's also important for other species as well because it means that there aren't folks out there on their snowmobiles hunting bison, which can then disturb other populations as well, whether they be moose or caribou or anything else.

The short answer is that it's to provide relief to the bison during the coldest months, the coldest time of the year, and also to limit the amount of backcountry activity in that similarly cold period of time for other species as well — so provide relief for the bison themselves and for other species that are co-located with them.

**Mr. Silver:** Thanks to the official today for his time — it's much appreciated. I'm going to start with a question on Marwell.

Can the minister provide an update on the cleanup on the Marwell tar pits?

**Hon. Mr. Dixon:** The Marwell tar pit is being cleaned up to enhance the quality of our environment for the benefit of present and future generations. We have completed an in-depth assessment of the site, including completion of a human health and ecological risk assessment. Cleanup activities will start once the remediation plan has been approved and permits are in place. That will commence with the beginning of phase 2. We are still in phase 1, which is the preliminary activities. We anticipate that phase 1 will take approximately four years. It started in the fiscal year of 2010-11. In 2014-15, we expect phase 2 to begin, which will include remedial activities.

We're continuing to ensure that affected First Nations, individuals and businesses are briefed regularly about the project and have an opportunity to be aware of what's going on in that site. I would also note that we've provided the opportunity for uptake to First Nations in the area that provides an opportunity for them to participate or to have folks participate with our staff on the site so that they can get some firsthand experience, not only so that First Nations can be aware of what's going on, but so that they can have individual experience with regard to cleaning up contaminated sites and getting that on-the-ground experience for themselves.

The project as a whole will take up to 12 years and has the three distinct phases that I suggested earlier. Phase 1, as I said, started in 2010-11 and will last four years. Phase 2 is the remedial activities that will begin in 2014-15 — and perhaps even 2016. Phase three would be the post-remedial activities, which could take as long as four years and end in the fiscal year of 2020-21.

In 2011, a project manager was hired and preliminary sitework took place. The phase 2 environmental site assessment and quantitative human health and ecological risk assessment was submitted to Environment Yukon. This remediation project completes work underway on other Yukon government-owned contaminated sites, pursuant to the environmental liabilities and remediation policy. Following this external review of the phase 2 assessment, we expect to develop remedial options and complete a plan of restoration that will address all known contamination on the site.

As I've said before, with regard to the SARU — the site assessment and remediation unit in Environment Yukon — we do our best to, quite simply: characterize a contaminated site; understand how the contamination is situated on a particular piece of land or how deep it is; understand if it's moving and, if so, how much it's moving; and then develop options for cleaning it up. That could include doing drilling work to characterize that. It could include digging up the site and hauling the contaminated dirt to a soil farm, either here in the territory or, if necessary, outside. It could just simply be — in the case of less-contaminated sites or contaminated sites that are less mobile — that we leave it as is and monitor it for movement and the potential of action.

In the case of Marwell, it's a fairly severely contaminated site. It's one that has visible contamination on the surface. There are a lot of hydrocarbons there, to put it bluntly. But

I'm pleased to note that our work to date shows that contaminants have not spread off-site at Marwell. The contamination is contained to the site, which is important because in the event that the contamination had spread or had been mobile — either on the surface or subsurface — that results in a whole new suite of problems that we have to deal with. But the most recent information that I have is that the contaminants have not spread off the site. That's a good thing. That information is critical for us to decide how best to clean it up, which is the next phase in the plan of the general cleanup for Marwell.

Once we have identified what those remedial activities will be, we will, of course, develop a budget for them and develop a workplan to implement the plan of restoration. At that point, once that's completed, effectively what you have is a clean site. That could take some time, though, in the case of Marwell. There is likely to be some post-remedial activities once it's cleaned up that will be required to ensure that there are no other side effects or ancillary effects as a result of the cleanup or as a result of the activities that we have undertaken in an effort to clean it up.

**Mr. Silver:** On May 13, I tabled Motion No. 474, urging the government of Yukon to publicly explain why the recommended Ddhaw Ghro Habitat Protection Area plan, submitted to the Government of Yukon in June 2006 for final ratification, had not been signed off.

It's my understanding that we still haven't really received an answer to that. I was wondering if the minister could provide some explanation here today.

**Hon. Mr. Dixon:** I don't have a whole lot of detail around Ddhaw Ghro, but I do know that we continue to work primarily with the Selkirk First Nation to eventually develop the management plan for that particular area. My understanding is that there may have been some issues in years past with regard to fire protection within that particular protected area. I don't have a whole lot of details around that, but I understand that those issues have been worked out and that we're fairly optimistic about moving forward with a plan for that particular protected area.

**Mr. Silver:** Just for clarification, has that been signed off or not?

**Hon. Mr. Dixon:** No, it hasn't been signed off.

**Mr. Silver:** The Premier said that the audit of the *Environment Act* would be ready this June, and it's now into December. Has the minister seen a draft of this audit?

If so, when has he seen it? When will this audit be completed and released to the public? When does he anticipate those amendments to the *Environment Act* will be tabled in this House? Will the Yukon Council on the Economy and the Environment continue to exist under the new legislation?

**Hon. Mr. Dixon:** My understanding is there has been a delay in regard to the audit unit and some staffing changes, so that's the cause for the delay in the audit. I'm sure that the Premier would have more details, as that's his department.

What I do know is about the proposed changes to the *Environment Act* that the Member for Klondike has asked about and I'm happy to speak a little bit about that.

Earlier this year, I was pleased to announce that we would be reviewing the *Environment Act* and proposing amendments to that act. There are obviously a number of regulations that are pursuant to the *Environment Act* that we're also considering making changes to, including the beverage container regulations and the designated material regulations. We've also introduced a new permit regime to do with some of the fees and timelines pertaining to permits under the *Environment Act* and *Environment Act* regulations.

With respect specifically to the *Environment Act* itself, we've proposed a number of different amendments. Those include enhancing the ability of government to ban certain hazardous substances.

In that case, there are federal lists of hazardous substances that are created and those lists enumerate the substances that are banned in Canada. Other provinces — and I believe other territories — throughout the country have legislation that allows them to enact their own specific bans to their own specific region, province or territory. We don't currently have that ability. The proposed changes to the *Environment Act* would allow for the ability to ban specific hazardous substances in Yukon — another change related to inspections and certain areas where government did not have the ability to conduct inspections of potential contamination issues.

One of the next amendments I'd like to talk about is the amendment that would allow for industry-led recycling programs. This is an important one, Madam Chair, because as it stands currently, the government has to be at the centre of any recycling program in the territory. In other jurisdictions — and I looked to the nearest ones for examples, like British Columbia or Alberta — you would see instances of industry-led recycling programs for various products. An example could be, in Alberta, they have an industry-led recycling program for used oil. In British Columbia, they've got one I believe for tires and electronics. There is any number of products that are out there that other jurisdictions have found creative solutions for, having industry lead recycling programs, and they have been quite successful.

I'm not suggesting that we are going down the path of any particular product at this time for an industry-led program, but what the amendment to the *Environment Act* would allow would be for us to at least contemplate that.

Another change that is contemplated and proposed for the *Environment Act* relates to contaminated sites. It would support redevelopment opportunities by third parties. As it stands currently, if you own a site and cause it to be contaminated — or if you purchase it and it is contaminated — the person who owns it has to clean it up. That's a good principle, but sometimes it can lead to difficulties in actually effecting the cleanup. For instance, if an individual owns a lot in downtown Whitehorse and it becomes contaminated through some event or some occurrence and the individual doesn't have the financial resources to clean it up, it has to sit

there. It can't be sold. They can't sell it as a contaminated site, because they are responsible for cleaning up the site.

The change that we are contemplating here would allow the transfer of the liability to a third party through a sale. So if an individual wanted to sell a contaminated site, they could sell that site, as well as the liability that is attached to it as a result of the contamination. What that means is, if you take an example like — I'm not going to pick a specific example. I'll use a hypothetical one, such as a gas station lot that is owned by an individual and they can't afford to clean it up. They want to sell it and they want to move on.

Then an individual wants to come in and purchase that lot, because they think it has value, but they know full well it's contaminated and that it needs to be cleaned up. The purchaser could come in and say, "I have the resources to clean that up and I want to clean it up and redevelop it, because I think that site has some value" — they can't do that right now, because that contamination and that liability has to stay with the original person who caused the contamination.

What this would allow is a third party to purchase a piece of land that may or may not be contaminated, and take with it that liability. So there's the opportunity, and we feel that opportunity would allow for the increased likelihood that the site will actually get cleaned up, because someone who has the financial resources to clean it up would be able to take control of the site.

The member mentioned the Yukon Council on the Economy and the Environment. The proposed changes are to give the government of the day the opportunity to call the Yukon Council on the Economy and the Environment, should it see a need to. Obviously we haven't had an active Council on the Economy and the Environment for a number of years now. I believe the last one was in 2005 or maybe 2006. I've explained a number of times why that is.

When the act came into effect in the early 1990s, there were a number of things that had not occurred. Land claims was one; devolution is another; the creation of YESAA is another; and a whole raft of changes to general practices that had changed as a result of progression since the early 1990s.

This change would simply allow for the flexibility of appointing a Council on the Environment and the Economy for the government. It would be up to the government to decide whether or not to appoint a Council of the Economy and the Environment, as is the case currently.

There are some changes contemplated with regard to the Yukon conservation strategy. Often in Environment and across government we do issue-specific strategies. I'll give examples of the climate change strategy, the water strategy or the solid waste action plan — any number of studies or strategies that we do are designed to inform our actions and our plans for a specific topic rather than being a broad-based, general conservation strategy, which is contemplated in the act. The government would be able to allow these issue-specific or topic-specific studies to inform that study. It's basically just allowing for additional information to be considered and additional sources to be considered.

Finally, there are some changes contemplated with regard to the solid- and special-waste management plans. That's simply just to bring into the legislation what is already a common practice. That's for experts in the department to approve very technical and detailed solid-waste or special-waste management plans, which is the practice currently but it's simply something that the legislation doesn't reflect. It's a fairly minor change.

I should note, as well, that there are additional changes being contemplated to the regulations that are pursuant to the *Environment Act*.

There are a number of regulations that are pursuant to the *Environment Act*. We aren't reviewing them all, but we are considering changes to a few of them. The beverage container regulation is one that we have had consultation about fairly recently, and we had some very good input from a range of stakeholders about the beverage container regulation and how it fits with the general goal of government to increase recycling and provide new opportunities for products to be recycled.

There is also the designated material regulation, which currently only applies to one product — that's tires — and it is fairly limited in its scope. I believe there are only two categories of tires currently, which obviously doesn't take into consideration the broad range of tires. Anything from your small car out in the parking lot to a big, industrial truck — there are any number of ranges in sizes and types of tires that necessarily are different, and having only the two categories is somewhat limiting. The consideration is being given as to whether or not we want to make changes to that and include additional sizes, or rates, for tires. No decision, exactly, has been taken yet, but I look forward to bringing forward that in due course.

And then, of course, there is the consideration given to whether or not we wanted to add products like e-products — electronic products — such as televisions, printers or any sort of electronic gadget that comes in its own individual packaging. Then we could allow for different rates to be charged, recycling, and additional revenue generated to cause efforts to recycle those to be enacted.

Additionally, there's some consideration to a number of other regulations, including the special-waste regulations, the air-emission regulations — there are a number of other regulations that we aren't currently considering changes to, but, of course, when groups of various types raise them with us, we're always willing to consider changes, if necessary. The *Environment Act*, the legislation itself — the work we're doing on regulations right now and the work we've done very recently on the permit regime have been fairly consuming for the department and the policy staff therein.

I look forward to hearing from other stakeholder groups in the near future about other potential regulations that we may want to consider reviewing and updating, or maintaining the status quo. Sometimes the determination for reviews of these regulations is that the status quo is adequate, and that's obviously a possibility as well.

I think that covered off the member's question as to the changes to the *Environment Act* and the regulations.

**Mr. Silver:** I appreciate the minister's endeavour to answer my raft of questions pertaining to the audit of the *Environment Act*. He did touch on many aspects of my question, except for whether or not he has seen a draft of the audit itself. The only reason I ask is that it has been six months since it was mentioned by the Premier that it would be ready — so back in June.

I guess the question is: is it out there already or is there a reason for the delay? I'll give him an opportunity to answer that question. I'll just throw in my last question as well. This is on climate change. The last *Climate Change Action Plan Progress Report* was released in September 2012, I believe, and I was wondering when will the next report be issued?

**Hon. Mr. Dixon:** No, I have not seen a draft or the report that the member referenced. My understanding is that the audit committee would forward it to Management Board and we'd see it at that point when it's appropriate for us to do so. I haven't personally seen it yet, and I don't believe that senior officials have seen it yet in Environment. I'm not sure who has seen it yet or where it is exactly, but I know that there have been some delays. Those delays, apparently, relate to changes in staffing in the Audit branch, I guess.

With regard to climate change, the member opposite is quite correct that in 2009 we issued a *Climate Change Action Plan* and last year — in September of 2012 — we issued a *Climate Change Action Plan Progress Report*, which did a number of things. It highlighted some of the work that had been achieved between 2009 and 2012 and noted some of the strides that have been taken by government to achieve the goals set out in the original action plan. As well, the progress report also set out new work that is going to be done that fits within the four goals that were originally identified within the action plan.

The progress report also charts out a number of targets and actions to support those targets. They are broken down into a number of different sectors throughout the Yukon.

I should note that government takes the issue of climate change very seriously and that is why we have undertaken these action plans and progress reports. We have these actions broken down into four goals: enhancing knowledge and understanding of climate change; adapting to climate change; reducing greenhouse gas emissions; and leading action and response to climate change.

In partnership with a number of different organizations, we have undertaken a number of actions in each of those prior to 2012. Subsequent to that, we have undertaken a number of new initiatives as well. I think the point that I would emphasize the strongest is the work that we have done around adaptation. Adaptation is one of the goals of the *Climate Change Action Plan* and the progress report and I think that we have made a considerable impact and a considerable contribution to not only what we're doing in Canada, but what the world is doing with regard to climate change adaptation. We are on the forefront of this issue. I think you could ask any Yukoner and they could point to examples of how climate

change has affected them or the area they live in, whether it's our roads, our buildings or — as I was discussing earlier today with the Member for Takhini-Kopper King — our wildlife and the impacts of climate change on various species.

I think some of the work we've done around adaptation is world-class. I suggested a few weeks ago, when we did a joint release with the federal government and the Department of Highways and Public Works, that some of the work we've done to date and some of the work we're going to do is leading-edge, not only for Canada, but for the world.

Currently, we are partnered with Aboriginal Affairs and Northern Development Canada to complete nine adaptation projects across the territory. These include: documenting ecosystem changes; mapping flood risk; co-hosting workshops on permafrost; predicting the impacts of mountain pine beetle on Yukon forests; examining the impact of thawing permafrost on Yukon highways; and examining the impact of thawing permafrost on agricultural capacity.

We are actively working to establish additional partnerships with Natural Resources Canada, CanNor, Health Canada and Transport Canada. These projects will help increase the awareness of the risks associated with climate change and help Yukoners develop and implement creative and innovative solutions. The Yukon government values the federal government's support of efforts to implement effective climate change adaptation measures across the territory.

I would add to that that I very much appreciate the considerable investment the federal government has made in this. While we have the human and physical resources here in the territory to do a lot of this work, at the end of the day it does require financial resources, as well. The federal government has been a willing and able partner when it comes to providing funding for these types of programs.

As I said, the most recent four-year partnership with AANDC provides just about \$500,000 a year, so that's a \$2-million investment over four years, which is considerable. They also made similar agreements with Northwest Territories and Nunavut, and those activities are ongoing as well. The projects are also supported by other departments within the Yukon government, including Highways and Public Works, Energy, Mines and Resources and Community Services. I know that this is an issue that is close to the Minister of Highways and Public Works because of the fact that — not only in his capacity as Highways minister, but as in his role as MLA for Kluane — there are a number of issues in the north Alaska Highway area that need a considerable amount of attention because of the effects of climate change. It is there that I would point to as an example of some of the world-class research that's being done in this field.

The work that we've done in partnership with Laval University and other post-secondary institutions has been incredible. We've learned a lot and, in fact, I think it's a testament to the calibre of the work that we had a couple of experts from Russia come over to review our work, because they knew that the work being done here in Yukon was indeed world-class and they wanted to learn from it. It's a testament to the work that's being done there, both by the folks in my

department as well as Highways and Public Works and the researchers who are out there — that the work they're doing is exceptional and is being noted across the world.

One of the other avenues that we are pursuing for action on climate change is actually the Arctic Council. As members know, the Arctic Council is currently being chaired by Canada. That in itself presents a number of opportunities for action through that body on the issue of climate change.

Because some of the issues we face in the north and across the Arctic are not unique to any one jurisdiction, we have an opportunity to work together and partner on these issues. The changes that are occurring in northern Russia, in northern Europe, and in Alaska are very similar to what is going on here in Canada and, more specifically, in Yukon. The Yukon government's Climate Change Secretariat is actively participating in Arctic Council initiatives focused on climate change adaptation and short-lived climate pollutants. Of course, we know the short-lived climate forcers are something that has come to the forefront of the discussion around climate change because of the impact they have in the immediate sense on climate change in the world. They are something that has not previously received a significant amount of attention, relative to the other issues that those talking about climate change have discussed. Obviously, we all know carbon dioxide is probably one of the leading topics of discussion, but black carbon, in particular, and other short-lived climate forcers, are probably equally, if not more, important when we consider our changing climate in the north.

So, to that end we have engaged, through the Arctic Council, in a number of efforts to deal with short-lived climate pollutants, forces or whatever you want to call them, and that work is ongoing.

One of the other topics that we are leading in through the Arctic Council is we are partnering with Natural Resources Canada to lead work on an adaptation portal, I believe. The Yukon government is co-leading with other Canadian agencies an Arctic Council initiative focused on climate change adaptation. The Arctic adaptation exchange information-sharing portal will enhance northerners' ability to effectively adapt to a changing climate by fostering innovation, learning by doing and sharing best practices. The impacts of climate change are felt intensely in Canada's north. Yukon government, through its *Climate Change Action Plan*, is dedicating attention, time and resources so that effective adaptation measures are taken across the territory and beyond.

Arctic Council ministers approve the creation of an on-line adaptation information portal in May 2013. Creation of this portal is a priority initiative of the Canadian Arctic Council chairmanship. Canada and the United States are co-leading the project within the Arctic Council process. Domestically, the project is being led by the Natural Resources Canada Adaptation Platform's northern working group, which is co-chaired by Natural Resources Canada and Yukon government Climate Change Secretariat.

Canada will lead the portal creation initial scoping with the United States, Arctic Council states, permanent

participants and user groups, and initial site creation and site population. The United States is contributing funds to support scoping workshops to inform the portal design, and expertise to enable the development of the interactive aspect of the portal.

A portal is a website that provides a single point of access to different resources and can both offer information to users and provide user-generated content. There is a niche for a portal that leverages the wealth of adaptation knowledge present in the Arctic region, including that generated by the Arctic Council.

Current regional and national websites fall short of effectively providing a network dedicated to adaptation for practitioners, decision-makers and communities in the circumpolar region. Preliminary work has begun to benefit from lessons learned and best practices from creators of other portals. A peer-assist organization, the Climate Knowledge Brokers Group, which is dedicated to enabling project leads to learn directly from leading experts in the design and development of information portals, will work with Canadian leads in November of this year.

In order for the portal to be as effective as possible, it is crucial that a broad spectrum of states and permanent participants provide input during the scoping and design phases. A project advisory committee will be established to guide the domestic approach to this project, which will include representatives from the territorial governments and indigenous groups. A scoping workshop will be held in February of next year, at the University of Alaska, to harvest ideas on portal framework, scope and content from potential end-users from the circumpolar region.

Canada's contribution to this initiative includes up to \$100,000 in cash and \$140,000 in kind from the federal and territorial governments. The Yukon government is committed to contributing \$60,000 of the in-kind contribution over the two-year period of Canada's chairmanship. The United States is contributing up to \$210,000 through the University of Alaska.

Arctic Council Sustainable Development Working Group approved the detailed project proposal in September 2013. On October 22, the project proposal was presented to senior Arctic officials for final approval. I should note that that particular work — the work that we've done in leading that portal — was recognized by the federal minister not too long ago in Warsaw.

I know that my time is running out, so I don't have time to speak too much about Canada's participation in Warsaw, but I did want to note that the Yukon delegation that included our assistant deputy minister, our director of the Climate Change Secretariat and a youth ambassador were granted an hour of the minister's time, which was very generous considering the fact that she was very busy over the course of those meetings. They had a chance to discuss this particular portal initiative and were very pleased with the response they got from the federal minister. It's a telling aspect of going to these kinds of conferences that our delegation was able to get

such good face time with the minister and able to present some of the work that we've done and receive accolades for it.

That's excellent, but I know that my time is running out, so I should turn to the final aspect of the member's question, which is moving forward with another action plan or progress report and when we might do that. I would suggest that we have more work to do with regard to the progress report issued just over a year ago. I think it provides a framework for us to continue to take action and for us to continue to monitor that action, measure it and determine its effectiveness. I would suggest that in the coming years — and it'll be a decision that will have to be taken by the government as a whole, not just by me — where do we go from here?

Once these actions and commitments are reached and once we've taken the necessary action to put us on the path toward these goals, what do we do then? That's something we'll have to take into consideration. I'm not able to commit to a specific time today in the Legislature, but I would suggest that in the coming years, as action continues and as the climate continues to change and as we become more aware of areas where Yukon can make a significant, meaningful contribution to this global challenge, we may identify new areas for us to target. At that point, I think something to consider is whether or not we need a new strategy or if the strategy we have may prove to be sufficient.

I can't commit to a specific date that we might enact a new progress report or a whole new action plan, but I would suggest that we have enough to do here as it is and we are doing some very remarkable work across the government. Specifically, I have to highlight the work done by the Climate Change Secretariat as they are the lead so often in this work. I would suggest that they have done excellent work to date. They have a plan moving forward, and if they do determine that they need to do more work, we'll consider it then.

**Ms. White:** The last question I asked before we adjourned during the last debate — I was speaking about extended producer responsibility in EPR. The minister just spoke about e-waste, which is really relevant. In October of 2009, the Canadian Council of Ministers of the Environment met and they came out with a Canada-Wide Action Plan for Extended Producer Responsibility.

My question to start is: has that plan been adopted — the Canada-Wide Action Plan for Producer Responsibility?

**Hon. Mr. Dixon:** The agreement mentioned by the member regarding the CCME's agreement is one that we are a full signatory to and participant in. What that agreement does is obligate all signatories and all governments that are participating in it to explore options for adopting extended producer responsibility within their own borders and within their own structures.

That is what each province and territory is doing currently. Some are further along than others. Some are just getting started at looking at how they would contemplate these sorts of things in their jurisdiction and some are already in full swing and have EPR programs established and running. Each of those governments — each of those jurisdictions — are able to share that information and learn from each other, so

that we can say, this is our experience and this is what we're doing; what are you doing, other provinces?

For instance, we might look at somewhere like Ontario or Manitoba or B.C. and learn from their experiences — both negative and positive — and take that information back to Yukon.

With regards to our obligations to explore our options, one of the things that we've done is propose these act changes that would allow us to provide the legislative structure for an industry-led recycling program and an extended producer responsibility program that would be led by industry. That's a system that has worked in other jurisdictions. I pointed to Alberta and B.C. and I'm sure there are others. Unfortunately they don't come to mind at the moment, but I'm sure that there are a number on other jurisdictions that I could point to for examples.

However, the work that we are doing now is getting the act changed to allow for even the possibility of extended producer responsibility and industry-led recycling programs. In order to allow for those, we need to have an amendment to the legislation and that is something that I hope we're able to bring forward in fairly short order. Obviously, we haven't committed to a specific time that we would bring forward that legislation, but we completed the consultation and we have some more work to do on that. I look forward to considering EPR as we move forward. I think it's something that a number of other jurisdictions have had both positive and negative experiences with and there's some opportunity for us to learn from them and to take into consideration those experiences, because we have a fairly good opportunity here in Yukon to start fresh and to learn from the positive and negative experiences of other jurisdictions.

I would just say that, yes, we're looking at options, we're considering legislative changes and we're consulting with our other neighbours who have experience with this.

**Ms. White:** In regard to those legislative changes or policy changes and all of the aforementioned things, waste experts have recognized that recycling of products with toxic components, such as electronic waste — so computers or printers or televisions that you referred to — one of the biggest problems for the waste disposal of them is that the recycling fee comes when you take it to the dump and it's not one that comes when you purchase the item.

What has been done to address that problem with tires — because before, when you used to have to pay at the dump to recycle the tires, you would find many tires in the woods, because people didn't want to pay that \$5 to have them disposed of — so the way it was addressed is now, when you buy a new set of tires, the \$5 recycling fee — or \$10 or whatever that fee is — is included in the price of the tire.

We've been really lucky in the Yukon that we have in-territory waste experts like Bryna Cable, who works for the City of Whitehorse. We've had some fantastic speakers come up to speak about waste diversion and dealing with things like this. The one recommendation that they all make is that, in order to be able to recycle those more toxic products — so the electronic waste — the suggestion is that there be the

recycling charge upfront. So when you buy your \$2,000 laptop or Apple computer or whatever it is, the \$15 is incorporated into that, because people won't hesitate when they purchase, but they'll hesitate on the recycling side when they go to dispose of it.

I was wondering if government had considered looking toward those solutions to dealing with the more toxic waste that gets missed — it doesn't go into the proper facility when it gets disposed of; it just gets used as common waste or, heaven forbid, put in the woods — has government looked at that?

**Hon. Mr. Dixon:** The short answer is yes. That's what we recently consulted on with regard to the changes we would propose to the beverage container regulations and the designated materials regulations. The three specific things we looked at were, as I said, beverage containers — which would consider the rate and list of products that would be applicable for that. Tires is the one that the member opposite correctly noted. Currently, only tires with a rim size of 24.5 inches or smaller are subject to the \$5 surcharge. The proposed change that we consulted on would expand the list of regulated tires to cover all types and sizes of vehicle and equipment tires, thereby providing funds to collect and recycle them. The proposal would consider adjusting the surcharge on the currently covered tires to a more sustainable level. That proposal responded to requests from AYC, as well as discussions we've had with the Department of Community Services, and reflects input that we received through those consultations with stakeholders in March and April earlier this year.

With regard to e-waste — electronic or electrical waste — obviously those items, as the member noted, represent a significant and growing portion of the waste stream and can be a drain on municipal, as well Community Services', operational budgets because they do cost more to deal with because, as she correctly noted, they do contain certain toxins and certain chemicals that have a deleterious effect on the environment and the dumps.

The proposed change that we were consulting on would establish a list of electronic and electrical items upon which surcharges would be collected at the time of sale, thereby providing funds to collect and recycle the products when discarded by consumers. This proposal responds to requests from the Association of Yukon Communities and from discussions we have had with the Department of Community Services, and also reflects similar input we received in the consultations we conducted earlier this year.

I should note that this is an issue that we do manage in conjunction with the Department of Community Services. Obviously Community Services are the boots on the ground — they are the folks who actually manage the facilities, who interact with the municipalities on a day-to-day basis. They are the ones who actually interact with the sites themselves — the landfills, or solid-waste sites, themselves.

Where Environment comes in is as the regulator. We are responsible for the regulations that I have suggested today, as well as other regulations, like solid waste, special waste and

air emissions regulations. It's a partnership that we are fairly happy with. The departments work together quite closely to ensure that the sites that are managed by Community Services are compliant with the regulations and are managed properly.

When it comes to making changes like the ones we are contemplating here, they have to be understood and agreed to and supported by both departments. It wouldn't be a good situation if the Department of Environment all of a sudden changed a bunch of regulations and they didn't work for what was happening on the ground with Community Services.

So we have to ensure that the work we're doing is synchronized with that of Community Services and, in this case, I think we are confident that these proposed changes would be a net benefit to Yukon, to Yukon solid-waste managers and to municipalities that also manage solid waste.

A range of things have been considered in terms of what those surcharges might be. I know the member was curious about whether we would apply surcharges, as we've done with tires, to other products. As I said, the answer would be yes, we are contemplating that. What that surcharge is remains to be determined. We've heard proposals of everything between \$1 and \$30, depending on the product. We've seen lists of hundreds of products, where each product has a different number, and we've seen categorized lists, where all laptops are the same surcharge and it's different from all headphones, which are charged a different surcharge.

We had to come up with something that is, first of all, appropriate and accurate, so that the surcharge corresponds to the level of hazard that comes with that product, but it also has to be simple enough for people to understand. It doesn't benefit anyone to have a series of surcharges and revenue-collection actions that aren't understood by people, and people don't understand them. I think you have that with beverage containers. Everyone understands that there's a surcharge when you buy a can of pop and, when you return it to the recycler, you get a refund. That's well-understood by everyone, I think, but because this is fairly new to Yukon, it may not be that well-understood for iPods or CD players.

So it's important that whatever we do, we do it in an appropriate and adequate manner, but also in a manner that is understood and communicated to the Yukon public. That's something that we are going to have to work closely with the Department of Community Services on.

To turn again back to the example that the member used of tires — yes, she is correct. When you charge a fee at the dump — or a tipping fee, for instance — you do see dumping occur in places that it shouldn't be happening. That's why we're always trying to find ways to be proactive rather than reactive and try to find ways to collect this money at other places rather than the dump, because it does lead to various pieces of garbage being thrown in gravel pits and down dirt roads and logging roads throughout the Yukon. I think this is particularly the case in areas just outside of Whitehorse, both north and south of Whitehorse. In the area that is outside of the municipality but characterized as "rural", there are instances where rogue dumping does occur, whether it's because of the tipping fees or not.

To circle back, I believe the question is, will we consider this? The answer is yes, but the details of what exactly it's going to be are yet to be determined. It's something for which we are going to have to work with Community Services and others to determine an appropriate and adequate level. Then, once that's established and once the regulations are changed, to implement those changes in a way that can be communicated to Yukoners, to stakeholders and to other levels of government, like municipalities.

**Mr. Tredger:** Madam Chair, I have a couple of quick questions for the minister.

First off, I want to thank the department and welcome the deputy minister to the Legislative Assembly. I was pleased to see the mapping and the monitoring of water levels and yearly flow rates and wondered whether a similar thing could be done for water quality monitoring. I know that it is now being done at various sites throughout the Yukon and I commend the Department of Environment for doing this. I know that this last session, it was announced that there would be a water monitoring program in the Rackla area as well as in the White Gold area.

I know also that in my area there is monitoring being done at the Faro Mine, at Capstone and at Keno and I assume at a number of other sites around the Yukon. An interactive map that would be user-friendly would be very beneficial to Yukon citizens. I can speak for people who live downstream from the Faro mine — that's a looming catastrophe that is there. I know that at various times there are rumours of escaping toxins into the river system.

I know sometimes the water monitoring reveals unacceptable levels of various heavy metals. One of the things that would reduce the stress for people throughout the Yukon is having such a map. It would also prevent rumours from spreading — sometimes inaccurate.

I'm wondering if there is a plan to develop a water quality monitoring system and put it on to an interactive map so that, when I hear a rumour of elevated zinc levels in Rose Creek at Faro, I can click on the map and look and see. Downstream there are farms, there are communities, and there are people who use the water in the river system. Many of these rivers are interconnected, so it affects a lot of people.

I know there's some reporting being done, but what I'm looking for is the potential or possibility of an interactive map that would inform the public and ensure an open and transparent process, so that if there is a spill or if there are elevated levels, people on the farm could ensure their cattle aren't watering in the river and people who are using the water to irrigate or to swim in or fish in, could ensure they're not doing that.

**Hon. Mr. Dixon:** Thank you very much, Madam Chair. Obviously, water is an issue of issue of great concern and of interest to many Yukoners and the ways, methods and systems we have for measuring water are many and complex, but I'm happy to walk through some of the ways that we measure water quality, as well as hydrology currently. I can also speak a little bit about what we envision possibly coming out of the work we're doing around the water strategy.

I'd start by talking about what we've got currently and how we take these issues into consideration. Environment Yukon uses information from 64 hydrometric stations, 54 snow survey stations and eight meteorological stations to forecast floods and monitor stream flow. About 100 samples are collected annually for water quality at 10 river stations by Environment Yukon and Environment Canada. The water quality index ratings for the Liard, Klondike, South McQuesten and Yukon River stations are mostly stable and ranged from marginal to excellent.

A water table study in the Peel watershed is underway, with 16 sites being sampled during the winter of 2012 and summer of 2013. A two-year study of cumulative effects in the White Gold area is underway, with 10 water sites being sampled for water quality.

There are currently 540 active water licences in Yukon. Of these, Environment Yukon Water Resources branch is responsible for inspecting 152 active licences. Sixty-seven inspections were completed in 2012 and 99 inspections are planned for 2013. One hundred and seven sites were sampled for water quality in 2012 to check for water licence compliance.

Since 2010, the Klondike River monitoring station was augmented by real-time sensor equipment that transmits several water quality measurements to a display screen set-up for public viewing in the Dawson Visitor Reception Centre between early May and early October. It also collects weather and hydrologic data, including flow and water level, webcam views and other visuals of the site, including surface images and underwater video. These displays and accompanying posters serve to raise the profile of water and promote water management. In its first year, the [yukonwater.ca](http://yukonwater.ca) website had over 7,000 visits seeking additional information about Yukon's water resources. The [yukonwater.ca](http://yukonwater.ca) website is a place I would point the member opposite to, to see in as up-to-date way as possible the way that government makes this data available.

The water quality index compiles important information about the state of water quality and identifies emerging trends. It reduces data about the quality of a water body to a number scale that corresponds to a rating, such as poor, good or excellent. The index evaluates the suitability of the rivers to support aquatic life.

For instance, "excellent" is a rating between 95 and 100 and, in that category, aquatic life is not threatened or impaired. Measurements never or very rarely exceed water quality guidelines. Aquatic life at the "good" level is between 80 and 94 and, at that level, aquatic life is protected with only a minor degree of threat of impairment. Measurements rarely exceed water quality guidelines, and usually by a narrow margin.

A rating of "fair" is between 65 and 79 and, at that level, aquatic life is protected, but at times may be threatened or impaired. Measurements sometimes exceed water quality guidelines and possibly by a significant margin. "Marginal" is when aquatic life frequently may be threatened or impaired. Measurements often exceed water quality guidelines by a

considerable margin. A “poor” rating suggests that aquatic life is threatened, impaired or even lost. Measurements usually exceed water quality guidelines by a considerable margin.

The Water Resources branch has a number of water monitoring networks that measure various parameters for both water quality and water quantity. The hydrology program is comprised of a hydrometric snow survey, meteorological river breakup and groundwater networks. The water quality program includes water licences, water quality audits and a water quality trend monitoring network. The [yukonwater.ca](http://yukonwater.ca) website features a water data catalogue that identifies all the known water monitoring networks in Yukon, as well as links to available data. In addition to established monitoring programs, three water quality studies are currently underway in the Peel and upper Porcupine watersheds, as well as the White Gold district. These are in response to heightened natural resource exploration activity.

The Wolf Creek research basin was established in 1993 to carry out water-related studies and has since evolved into a multi-disciplinary research project, which includes studies of climate and climate change.

The need for expanded hydrology and water-quality networks has long been acknowledged in response to the need for groundwater mapping, source-water plans, response to climate change — for example, extreme flooding events — and the acquisition of baseline water data in response to oil and gas development in parts of Yukon.

Information on water monitoring undertaken by other government departments or other government agencies can be found in the report *Yukon Water: A Summary of Climate Change Vulnerabilities*.

I would also like to point to a number of different networks we have that measure both water quality and water quantity. We, of course, have the hydrology network, which is operated by the Water Resources branch. The objectives of that program are to collect long-term hydrometric data on small drainage basins, which are defined as less than 500 square kilometres and provide baseline information for future development — for example, culverts, pipelines, hydroelectric, and quartz and placer mining developments. The network incorporates key stations representing the stream-flow characteristics of different hydrologic regions. Forty manual crest gauge stations were discontinued in the late 1970s and early 1980s when the network was converted to continuous monitoring. Currently there are 14 active stations on small streams in the Yukon as well as 83 historical stations.

The parameters measured and reported on that network are water level and stream-flow discharge. In collaboration with the Water Survey of Canada and Environment Canada, the Water Resources branch of Environment Yukon operates the Canada-Yukon hydrometric monitoring network. The objective of that particular program is to provide Yukon hydrometric information as a part of a national framework for hydrometric monitoring.

This was originally established in the 1940s to provide hydrometric information related to river transportation and expanded several times to allow for hydroelectric and mining

development. Currently there are 51 active stations in the Yukon. The parameters measured include water level and/or stream-flow discharge recorded at all stations, and sediment, which includes sediment concentration and loading, are recorded at 12 stations.

Other parameters such as river width, depth, velocity, water temperature, ice thickness, river conditions and pictures are collected during site visits and are available on request.

The Water Resources branch also operates the Yukon meteorological network, which has the program objective of collecting meteorological data in support of the Yukon snow survey network and the Wolf Creek research basin hydrological monitoring program. The current meteorological network includes eight stations, of which five have real-time snow pillow data. The three remaining micrometeorological stations were established in the 1990s at different altitudes within the Wolf Creek research basin to support ongoing research activities. This network measures temperature, precipitation, relative humidity, wind speed and direction, solar radiation and barometric pressure. Additionally, soil heat flux, air-snow interface temperature, soil temperature, snow depth and soil moisture are measured at the micrometeorological stations.

The data is maintained internally by the Water Resources branch and can be requested if someone is looking for it.

Environment Yukon’s Water Resource branch also operates the snow survey network, which includes field collection assistance from: Client Services and Inspections branch of Energy, Mines and Resources; the B.C. Ministry of Environment, Water Stewardship Division; the USDA Natural Resources Conservation Service; Highways and Public Works, Parks Canada; the Yukon Energy Corporation as well as some private contractors.

The objective of this program is to collect snow water equivalent data for runoff forecasting as well to assist in planning and design of development projects, wildlife studies, avalanche forecasting, highway maintenance, forest fire indexing and building design. The current network consists of 62 active snow courses in Yukon’s six major basins, including several stations in British Columbia and Alaska.

Measurements are taken three times annually: March 1, April 1 and May 1. The parameters measured in this program are snow depth, snow water equivalent and density. The number reported is an average of 10 samples.

The Water Resources branch of Environment Yukon also operates the water quality networks with Environment Canada. These include working with other agencies that include Environment Yukon, Parks Canada and, in a specific case, the Vuntut Gwitchin First Nation. The program objective of that water quality monitoring network is to provide information to assess long-term trends in water quality.

Information from this network is also used for a variety of other purposes, for example, the development of water quality guidelines, environmental assessments, reporting on environmental health and the assessment of water quality compliance with existing guidelines and objectives. There are eight active stations in Yukon and most stations are located on

drainages of interest to both federal and territorial governments. The parameters measured by this network are acid-base chemistry, carbon, carbon nitrogen compounds, major ions, metals, dissolved non-metals, nutrients, organic contaminants, oxygen and pathogens. Most stations are sampled every month.

The department's Water Resources branch also operates the water licence, water quality, reporting and audits system, which has the program objective of monitoring and auditing licensee compliance with the conditions of water licences issued by the Yukon Water Board under the *Waters Act* where licence activities pose a potential threat to water resources. Site visits and audits are prioritized based on the risk potential and activity level of the project, and typically include the collection of water quality samples, in situ water chemistry and flow measurements.

Approximately 70 sites are identified in a water quality database for licences that have identified water quality standards and sampling sites. These are mostly industrial, quartz mining and municipal licences. The parameters they measure are licence-dependent, but typically water chemistry, which includes the total or dissolved metals, is measured. Of course, that data is stored in a database maintained by the Water Resources branch.

I have spoken a little bit about some of the water quality work we've done in the Peel River area. That work has been done with the Na Cho Nyäk Dun. The objective of that program is in anticipation of increased resource exploration in the specific area. There is a two-part baseline water quality monitoring project being undertaken in partnership with that First Nation. In 2012, staff from both governments undertook winter low-flow sampling and collected water samples for full chemistry analysis in 15 locations. A few of these were in regions of known oil and gas reserves and hydrocarbon analysis was also conducted through additional financial support from Energy, Mines and Resources.

In 2013, the Water Resources branch and Na Cho Nyäk Dun sampled the same stations during summer flow conditions. In that case, you see an instance of the Yukon government working collaboratively with a First Nation to measure water quality and water quantity in an important region.

Also I should note that earlier this year, in October, we announced that there would be new water monitoring stations that would enhance the baseline data collection in the north Yukon. The government established three new hydrometric monitoring stations over last summer to help us ensure we have the information we need for good decision-making. This work supports the draft Yukon water strategy goal of strengthening our understanding of Yukon's surface and groundwater regimes.

One of the new stations is near the mouth of the Dalglish Creek in the Peel Basin. The remaining two are upstream of Old Crow in the Porcupine River Basin; one is on the Eagle River at the Dempster Highway and the other is near the mouth of McParlon Creek.

The Eagle River station was installed in partnership with Environment Canada.

The new stations complement the five hydrometric stations in place that have been there for several decades in the north Yukon area. The Department of Environment will install a groundwater monitoring station next year on the Eagle River. There will also be several water quality sampling campaigns in the area over the next three years in order to capture seasonal variations on water quality. The government is spending \$147,000 this fiscal year to install and operate the new stations with a further \$119,000 identified for the next budget year.

I should also note that Northern Cross Ltd. had contributed helicopter time and other in-kind services because it is already in the area exploring for oil and natural gas and will find the new data helpful. In addition to working with Northern Cross, the government has also invited the Vuntut Gwitchin First Nation, as well as the Na Cho Nyäk Dun and the Tr'ondëk Hwëch'in to observe and/or assist its water specialists in the field. Na Cho Nyäk Dun helped conduct field and baseline sampling in the Peel watershed in 2012 and 2013, as I mentioned before. The Department of Environment and Environment Canada together operate 64 hydrometric monitoring stations across the territory, which I've discussed already.

I know that the members opposite are interested in the specifics around water quality. The last time we were in Committee of the Whole debate, I believe the Member for Takhini-Kopper King asked what exactly we were sampling for. Unfortunately I don't have time to read it all, because I think we're running out of time, so I'll just get into some of the things that we test for.

We test for organic carbon that is dissolved, inorganic carbon that is dissolved, phosphorous, ammonia, dissolved sulphur, dissolved aluminum, dissolved antimony, dissolved arsenic, dissolved barium, dissolved beryllium, dissolved bismuth — my apologies to Hansard — dissolved boron, dissolved cadmium, dissolved chromium, dissolved cobalt, dissolved copper, dissolved lead, dissolved lithium, dissolved molybdenum, dissolved nickel, dissolved selenium, dissolved silver, dissolved titanium, dissolved strontium, dissolved thallium, dissolved thorium, dissolved tin, dissolved uranium, dissolved vanadium, dissolved zinc, dissolved zirconium, dissolved mercury, the total amount of mercury, the total amount of aluminum, the total amount of antimony, the total amount of arsenic, the total amount of barium, the total amount of beryllium, the total amount of bismuth, the total amount of boron, the total amount of cadmium, the total amount of calcium, the total amount of chromium, the total amount of cobalt, the total amount of copper, the total amount of iron, the total amount of lead, the total amount of lithium, the total amount of magnesium, the total amount of manganese, molybdenum total, nickel total, potassium total, selenium total, silicon total, silver total, sodium total, strontium total, thallium total, thorium total, tin total, titanium total, uranium total, vanadium total — I think my time has elapsed.

**Mr. Tredger:** My constituents look forward to a user-friendly system and I thank the minister for his answer.

I was going to ask this question later in Energy, Mines and Resources and I thank the Member for Klondike for bringing it up. I was having discussions with members of the Selkirk First Nation today and they were expressing their concern that the Ddhaw Ghro document had still not been signed. The minister had, in his response, referred to it and a number of things. I would like to refer to an open letter that was sent to the Premier, Darrell Pasloski on Friday, April 19, 2013. The letter is from Bob Hayes. He's a former chair of the Ddhaw Ghro Habitat Protection Area planning team.

"After more than 40 meetings over five years and many hundreds of thousands of dollars, the recommended Ddhaw Ghro Habitat Protection Area Plan was submitted to the Yukon government in June 2006 for final ratification. That was six years and nine months ago — and counting." I might interject that it's now over seven years.

"I was the independent chair of the planning team, and I was responsible to make sure the planning process followed the guidelines set out in the Selkirk First Nation Final Agreement. All the major and difficult hurdles to assign the area permanent protection were cleared including: closures to mining, outfitting, tourism, and forestry — a remarkable and rare result for Yukon conservation planning. Both Selkirk and First Nation of Na Cho Nyäk Dun agreed to the recommended plan years ago."

"So, why is the plan not final? The Yukon government has stalled ratification for nearly seven years because Energy, Mines and Resources staff refuse to agree to a plan recommendation to protect the Ddhaw Ghro hot springs from wildfire.

"The Northern Tutchone people believe their hot springs is a sacred healing place, and it was a primary reason the area was designated for protection in the first place. But because it has no permanent building and is a long way from any community, wildfire managers said they would not agree to protection. For this reason, the recommended plan and the protection of the area has languished nearly for seven years.

"Ddhaw Ghro is the jewel of the central Yukon and deserves to be fully and permanently protected. The hundreds of First Nations people in the area who attended the meetings and sat on the planning team deserve to be treated as if their voices meant something. Nearly seven years later, it [is] abundantly clear their voices are not being heard — in fact, it seems their voices have been forgotten.

"Many First Nation elders were involved in many community meetings. And like the protracted planning process for the Peel watershed, some of them have passed away without seeing their conservation efforts realized. Over the years, elders in Mayo, Pelly Crossing and Carmacks have asked me what has happened to the HPA plan. Is Ddhaw Ghro permanently protected? I am dismayed, embarrassed and disappointed to tell them — no it's not. Now, I want the Yukon government to explain why.

"Premier Pasloski, if you are serious about conservation planning, the first place you need to look is to your

government's legal commitments under the various land claim agreements for Habitat Protection Areas.

"The solution here is simple. Tell your EMR staff to agree to the recommended plan. Work with the communities to develop a workable fire management plan. Give the Ddhaw Ghro Habitat Protection Area a final plan. Respect the wishes of Northern Tutchone elders and citizens of Selkirk First Nation, Little Salmon-Carmacks First Nation, and First Nation of Na Cho Nyak Dun." This is signed by Bob Hayes, former chair, Ddhaw Ghro Habitat Protection Area Planning Team.

Over seven years have passed. I would ask the Minister of Environment to lobby both the Minister of Energy, Mines and Resources and the Premier to get this done. It's an important thing to the residents of Pelly Crossing, people who live in the area and the First Nations in the area. They're waiting and have been waiting for a response from the government on this. They haven't had any correspondence for some time now and they would like some. I'm asking the Minister of Environment to take this cause up, lobby his colleagues and ensure that a plan is in place as soon as possible.

**Hon. Mr. Dixon:** I guess to round out my response earlier — I did run out of time. The point I wanted to make was that the member does himself a disservice when he says we are not doing water-quality monitoring in the territory. We have a robust system and robust network for this type of monitoring, and that information, as best as we can, is made available to the public. I think it's simply unfair of him to suggest that we aren't doing any, and that's what he did earlier today in his question before.

With regards to his unfortunate comments about the Ddhaw Ghro Habitat Protection Area, the insinuation — and it was one that was made previously by his colleague in Question Period the other day — is that, without a permanent withdrawal and established management plan, these areas aren't being protected adequately. That is simply not true.

In the case of Ddhaw Ghro, there's an interim withdrawal. As far as I can tell, the management planning is very near to completion. The member, in the letter he recited, did accurately point out that there was an issue with regard to fire protection, which is done by Community Services, not by Energy, Mines and Resources — which he probably didn't know. My understanding is that issue has been resolved. There were subsequent issues that have come up since then, so the letter he read does not have the most up-to-date information.

That being said, I'm optimistic that we can come together and achieve a management plan and complete that management plan for the Ddhaw Ghro Habitat Protection Area. But absent a management plan, there's no less protection available than there would be with a management plan. These areas are identified. I know the Member for Takhini-Kopper King said they weren't protected because there was no legal designation, and I fundamentally disagree with that.

Once an area is identified in the land claims — which are constitutionally entrenched, I might add — it is very much legally protected. They are protected by those land claims.

Whether or not we have a management plan and a designation under the *Parks and Land Certainty Act* is irrelevant compared to the weight of identification of an area in a land claim.

So for her to suggest — and the Member for Mayo-Tatchun suggested — that these places aren't adequately protected because they haven't completed a management plan or been legally designated under the *Parks and Land Certainty Act* is simply inaccurate, and they ought to know better.

With regard to the member's constituents, if the First Nation in his riding, or any of the First Nations — the Selkirk or the Na Cho Nyäk Dun — have specific concerns, they are welcome to correspond with me. I've never received a letter from the chief of either of the First Nations saying they're upset with the lack of government action on Ddhaw Ghro. If I have received a letter, I'm not aware of it. If they would like to meet and discuss these things, I'm happy to do so, but I've never had a request for that.

My understanding is that discussions are ongoing; that we're nearing the conclusion of this plan. I know the Member for Mayo-Tatchun scoffs at that off-mic, but the reality is that these things do take time and they do take many parties to come to agreement. That is not always easy, but that is something we're committed to and that's something that we will continue to work toward.

For the members to suggest that there is a lack of commitment from the Yukon government is inaccurate, for them to suggest there is a lack of protection currently is also inaccurate, and for them to suggest that there is a lack of legal protection of these areas is terribly inaccurate. I would suggest they do some research, crack the UFA, crack the land claims, have a little read and learn a little bit about how the —

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

#### Point of order

**Chair:** Ms. White, on a point of order.

**Ms. White:** Standing Order 19(i) refers to using abusive or insulting language likely to create disorder.

**Chair:** Mr. Elias, on the point of order.

**Mr. Elias:** I believe this is a dispute among members because he was using language that was mostly factual and based on fact.

#### Chair's ruling

**Chair:** I believe that this is a dispute between members. Mr. Dixon, you have the floor.

**Hon. Mr. Dixon:** I would suggest that the members refer to the land claims that are pursuant to section 35 of the Constitution of Canada, which is, as far as I can tell, a fairly legal document. To suggest that the land claims don't provide enough legal protection for these SMAs or HPAs is, to keep it parliamentary, inaccurate. That being said, I believe that I have addressed the questions the member was asking regarding Ddhaw Ghro.

With regard to his scurrilous comments about the opinion of government with regard to the planning we have undertaken to date, I look forward to moving forward on the management planning of all of our special management areas in the territory and all of our habitat protection areas in the Yukon, and I'm keen to see these areas managed cooperatively between the respective First Nation and the Yukon government.

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

We will proceed with line-by-line debate.

**Ms. White:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 52, Department of Environment, cleared or carried, as required.

#### Unanimous consent re deeming all lines in Vote 52, Department of Environment, cleared or carried

**Chair:** Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 52, Department of Environment, cleared or carried, as required. Are you agreed?

**Some Hon. Members:** Agreed.

**Some Hon. Members:** Disagreed.

**Chair:** There is not unanimous consent, so we'll proceed with line-by-line debate.

#### *On Operation and Maintenance Expenditures*

##### *On General Management*

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

**Hon. Mr. Dixon:** The line item here is the general management and we see an increase of \$41,000, of which \$10,000 is for a collective agreement increase, which is effective January 1, 2013, a one-time \$2,000 and ongoing \$8,000, which are increases as a result of the collective agreement, and an additional \$31,000, which is accounted for managers salary increases, which include a one-time \$12,000 and an ongoing \$19,000 increase.

#### *General Management in the amount of \$41,000 agreed to*

##### *On Corporate Services*

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

**Hon. Mr. Dixon:** The increase in Corporate Services budget, as you see, is \$201,000. \$133,000 of that is accounted to collective agreement increases effective January 1, 2013, including a one-time \$22,000 increase and an ongoing \$111,000 increase. \$51,000 of that is accounted from managers salary increases, which are a one-time \$21,000 increase and on-going \$30,000 increase; \$20,000 is attributable to the *Inuvialuit Final Agreement* — the amount for the *Inuvialuit Final Agreement* was increased funding for indexation. Of course, this is 100-percent recoverable from Canada.

If the members are wondering about the math, there is also a \$3,000 reduction, which was an internal transfer from Environmental Sustainability, Fish and Wildlife, Policy and Planning to fund the *your*Yukon contribution agreement. Of course, the *your*Yukon is the article that appears in the newspaper locally with some regularity.

***Corporate Services in the amount of \$201,000 agreed to On Environmental Sustainability***

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

**Hon. Mr. Dixon:** This increase is \$747,000 and is broken down as follows: \$376,000 is for the collective agreement increase effective January 1, 2013; \$104,000 is for managers salary increases; \$10,000 is a revote, which was for a project that was approved but not yet completed at year-end, which was under the Fish and Wildlife branch, and it was a Yukon Fish and Game Association project, and that was an adjusting cash flow to complete work identified in the 2012-2013 workplan.

As well, under the Environmental Programs branch there was work done to complete the technical review for a mediation and restoration plan, which is 100-percent recoverable from the Third Party, and that amount was \$24,000. The total revotes were \$34,000. Approved for inclusion in the supplementary was work done by the Fish and Wildlife Branch for the following projects that were not completed at year-end.

The first was a moose survey in the Mayo area, which was delayed due to weather conditions. This particular moose survey was done in the Mayo area, and the Mayo area and areas to the north and east have been extensively staked for mineral exploration in recent years, and there are proposed roads to provide access to those claims. This moose study was to provide us information about important wildlife habitats in the area and allow us to assess potential effects of development. An aerial survey was conducted to locate moose in the area near Mayo where there was a high level of mineral staking. Knowledge of key areas for moose wintering will provide the basis for recommendations on avoiding impacts or mitigating mining activities in the region.

Key areas are used by wildlife for critical seasonal life functions and are defined for each species or species group. A fixed-wing aircraft was used to carry out a 10-day survey in late February or March, but unfortunately that was delayed due to weather. That caused this particular project to be delayed, which amounts to \$60,000.

There was also a delay in an elk survey of the Takhini and Braeburn herds, which was not completed due to weather conditions. As we know, elk were first introduced into the Yukon in the 1950s and occur in the two herds I mentioned — the Braeburn and Takhini. After maintaining relatively low and stable populations for many years, elk are now increasing in numbers. The first goal of the management plan for elk in the Yukon from 2008 is to maintain viable and health populations of free-ranging elk in the Yukon. Actions under this goal include the ongoing monitoring of elk to determine population size, composition and survival, as well as the occurrence of disease and parasites such as winter ticks. So what this project entailed was gathering hides through the fall and late winter in collaboration with hunters and the Conservation Officer Services branch.

The animal health program will process the hides to determine tick numbers. Composition and recruitment

assessments for the two herds during this winter will be used to support harvest management recommendations.

To identify annual elk distribution and movement patterns in key elk habitats, we're planning to do that with support from the Fish and Game Association and periodically monitor elk on their rutting and winter range.

We also plan to carry out aerial radio relocation flights to maintain current information about elk distribution. Unfortunately, that project was delayed due to weather, causing a \$47,000 amount here in this particular supplementary budget.

With regard to the bison management program, there was a delay due to the investigation required following two bison immobilization mortalities and due to delays — other related delays — causing an amount of about \$28,000.

There is a \$10,000 amount here for NatureServe Canada funding to support data enhancement and capture. That is 100-percent recoverable from Canada. There is an amount here of \$8,000 for the Porcupine caribou herd rut count and that project is recoverable from the Gwich'in Renewable Resources Board, which is 100-percent recoverable. There is also an amount here for NatureServe Canada funding to support data development that is 100-percent recoverable from Canada. There is the amount of \$25,000 here for the Southern Lakes trout project, which is 100-percent recoverable from Canada's Department of Fisheries and Oceans. There is \$8,000 attributable here from the Canadian heritage rivers project, which is also 100-percent recoverable from Parks Canada. Additionally, there is a \$3,000 internal transfer, which was a transfer from Corporate Services Policy and Planning to Fish and Wildlife to again fund the *yourYukon* contribution agreement. To provide some clarity there, we were able to find money within to fund that particular column and there are a few different sources of that, including the two that I've mentioned today.

***Environmental Sustainability in the amount of \$747,000 agreed to***

***On Environmental Liabilities and Remediation***

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

**Hon. Mr. Dixon:** The total is \$199,000 — \$10,000 of that is collective agreement increases, effective January 1. There is a revote for the Marwell tar pit remediation agreement to continue work that was not completed at the year-end. That is \$23,000 and — as we discussed earlier and as members will be familiar with the agreement — that is 70-percent recoverable from Canada. There is also work done on the Swift River highway maintenance camp remediation to complete the assessment work in the amount of \$106,000, and that was under the Environmental Liabilities branch.

The SARU branch — the site assessment and remediation unit — there is an additional \$60,000 here to complete phase 1 assessments of the following old dumps — Carcross, Deep Creek, Ross River and Tagish — for the total of \$199,000.

***Environmental Liabilities and Remediation in the amount of \$199,000 agreed to***

***Total Operation and Maintenance Expenditures in the amount of \$1,188,000 agreed to***

***On Capital Expenditures******On Corporate Services***

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

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

**Hon. Mr. Dixon:** The \$33,000 change here is an approved revote to continue system development work on the environmental licence administration and monitoring system, which is the electronic system we use for tracking permits and other monitoring of — sorry, I can't think of the other word.

*Information Systems, Equipment and Furniture — Information Technology Equipment and Systems in the amount of \$33,000 agreed to*

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

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

**Hon. Mr. Dixon:** This is an approved revote for the purchase of a river patrol boat in Carmacks. As members will recall, we recently expanded the conservation officer presence in Carmacks and have now co-located an office with the Department of Energy, Mines and Resources in that community. We needed to purchase a new boat for the conservations officers and environmental officials there in Carmacks. I'm sure members can appreciate the necessity of having adequate transportation services for our officials in the communities and for them to get out on the land or on the river and do the work that they need to do.

*Information Systems, Equipment and Furniture — Operational Equipment in the amount of \$50,000 agreed to*

*On Lands and Facilities — Capital Maintenance and Upgrades*

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

**Hon. Mr. Dixon:** Of this \$204,000, \$97,000 is a revote to complete the installation of a new roof on Haines Junction's Fish and Wildlife trailer and to complete planning and building repairs on 10 Burns Road. So \$25,000 of that is for the new roof in Haines Junction for the Fish and Wildlife trailer and \$72,000 was for some repair work up at 10 Burns Road. As well, \$107,000 was a transfer between departments from Education, \$102,000 in Executive Council Office and \$5,000 to install a peaked roof on the Fish and Wildlife trailer in Haines Junction, and \$35,000 for the septic upgrades in Mayo. That totalled \$72,000. So the combined total of those transfers and those revotes is \$204,000.

*Lands and Facilities — Capital Maintenance and Upgrades in the amount of \$204,000 agreed to*

*On Lands and Facilities — Watson Lake Conservation Office*

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

**Hon. Mr. Dixon:** This is to complete the planning work of the Watson Lake CO office — or the new building we are going to build in Watson Lake for our environment officials there. It is going out to tender, although I stand to be corrected on that.

It has gone out to tender — I stand corrected — and I look forward to seeing that constructed in Watson Lake. It's a building that needs to be replaced, as the current building in

Watson Lake is quite aged. I know we have issues with the quality of the workplace in Watson Lake as a result of that building currently. I'll look forward to seeing this new building completed and perhaps visiting it with the MLA for that area once it's completed.

*Lands and Facilities — Watson Lake Conservation Office in the amount of \$126,000 agreed to*

***On Environmental Sustainability******On Parks — Atlin Lake Campground***

**Mr. Elias:** Can I get a breakdown from the minister please?

**Hon. Mr. Dixon:** This is a topic that has seen a significant amount of discussion in this Legislature recently. This is our Atlin Lake campground and is a revote to continue some of the planning work that has been done. Members will be familiar with the fact that YESAB recently issued its recommendations with regard to this particular project and we are currently in the process of compiling and then issuing a decision document.

I should note that there are a number of things we'll have to consider as we move forward on this particular project because of the recommendations provided to us by YESAB. YESAB issued 16 recommendations that I think are all fairly reasonable.

I appreciate them recommending that this project proceed with these recommendations. The recommendations that they provided to us are as follows: first of all, they recommended that "The proponent shall avoid land clearing activities during the winter months when caribou and moose are known to be in the area."

The second recommendation is that "The proponent shall undertake the bear risk assessment prior to the construction of the campground. The risk assessment shall be considered in the construction, design, and management of the campground and shall be conducted during a time when forage is available and measurable."

The third recommendation is that "The risk assessment shall include (in addition to other factors) a consideration of: (a) the level of forage such as soapberry habitat available within and outside of the campground reserve; and (b) campground management and operations (e.g. response time to conflicts, etc.)."

"Consistent with the operation of campgrounds in the Yukon ...", the fourth recommendation reads: "... and taking into consideration the recommendations of the risk assessment, a human-wildlife conflict response plan shall be developed that outlines procedures to be followed in the event that human-wildlife conflicts do arise."

The fifth recommendation is: "Mechanisms for monitoring and if required, adapting, the measures implemented shall be incorporated into the approach to managing bear-human conflicts (e.g. including the attractant-management approach, human-wildlife conflict responses, and educational program)."

The sixth recommendation is that "The proponent shall report any raptor nests located on-site and shall [report them]

to the district conservation officer in Whitehorse-Southern Lakes.”

The seventh recommendation is that “If raptor nests are discovered in the project area during land clearing activities, the Proponent shall cease land clearing activities within 1 km of nests to avoid disturbance until chicks have fledged.”

The eighth recommendation is that “The Proponent shall delay the construction of the boat launch and related infrastructure until baseline data relating to fish population estimates and current harvest rates can be collected and analyzed, and appropriate management options have been developed to conserve fish populations and high-quality angling opportunities on Atlin Lake.”

The ninth recommendation is that “Should baseline fishery information suggest that the sustainability of the lake trout population is at risk as a result of the Project, the proponent shall not proceed with the construction of the boat launch.”

The 10<sup>th</sup> recommendation is that “The Proponent shall engage relevant fishery resources managers, as well as potentially affected First Nations and others relevant stakeholders in the implementation and analysis associated with recommendations 8 and 9 above.

The 11<sup>th</sup> recommendation is that “Sufficient flows for fish and fish habitat shall be maintained in High Creek during water withdrawal events.

The 12<sup>th</sup> recommendation is that “The Proponent shall provide an opportunity to potentially affected First Nations ... to comment on proposed upgrades to existing trails onsite with a view to minimizing any adverse impacts to heritage trails that overlap the Project area.

The 13<sup>th</sup> recommendation is that “The proponent shall engage Carcross Tagish First Nation and Taku River Tlingit First Nation in any further heritage assessment work that may be required at the Project site in order to ensure that heritage resources of value to First Nation culture are appropriate identified and managed.”

The 14<sup>th</sup> recommendation is that “While undertaking the Project, if the proponent discovers any ethnographic moveable heritage resources, or if it is unable to readily to determine whether a moveable heritage resource found is directly related to the culture and history of First Nations people, the proponent shall notify the Heritage Departments of the Carcross Tagish First Nation and Taku River Tlingit First Nation, in addition to notifying the Yukon Government Heritage Branch.”

The 15<sup>th</sup> recommendation is that “The Proponent shall develop a safety and security action plan that highlights actions the Proponent will take in the event that safety and security incidents are reported. This could include increasing Parks Officer patrols or ensuring that a full-time attendant is on site, if warranted.”

The 16<sup>th</sup> recommendation is that “The Proponent shall contact the placer claim holders as soon as practicable to manage and mitigate any potential conflict.”

So, Madam Chair, you see that these are what I would characterize as fairly reasonable recommendations that the

proponent, being the Yukon government, must respond to in our decision document. Some of these, like the recommendation to conduct a fisheries study before building the boat launch, I think is something that we have no problem doing. The boat launch, in my opinion, will be probably be one of the most utilized aspects of this particular campground, because Atlin is such a big and beautiful lake and it’s certainly going to be very attractive for people to go boating on.

Of course, we are happy to ensure that any activity we do doesn’t have a negative effect on the wildlife resources or the fisheries resources and, without prejudging what our decision document will say, I’m sure we will be responding positively to the request and recommendation that we do a number of studies.

It’s worth noting, as well, that there is some additional work that needs to be done with regard to the planning, and that is what this particular line item has identified. Before we do issue a decision document, we have to take into consideration the input we heard from First Nations in the area, including the Taku River Tlingit and the Carcross-Tagish First Nation. It’s worth noting that we have corresponded with the Taku River Tlingit First Nation a number of times and, earlier in this session, I responded to a petition that was signed by three individuals from the Taku River Tlingit, as well as one from Yukon.

In our correspondence with the Taku River Tlingit, we’ve indicated that we are willing and interested in entering a consultation protocol with that particular First Nation, in light of the fact that they would like to see a land claim established in the Yukon — a transboundary land claim here in the Yukon — as we’ve spoken about previously. The Yukon government is amenable to that and willing to come to the table when it is appropriate for us to do so.

However, we understand that it continues to be Canada’s position on transboundary claims, as well, and once significant progress has been made in the Taku River Tlingit First Nation’s negotiations with the B.C. treaty process and with the Government of Canada, we would be willing to consider entering into discussions regarding a transboundary claim. If I can quote the Premier in his letter to the Taku River Tlingit dated November 18: “Until that time, Yukon will continue to fulfill its obligations to TRTFN through consultation and, when appropriate, mitigation and/or accommodation with respect to potential impacts.”

So that’s exactly what we intend to do. We will consider the input we receive from the Taku River Tlingit about the potential impacts this project could have on their asserted aboriginal rights and take, if necessary, any sort of mitigative or accommodation efforts to reduce those impacts. However, in order for us to do that, we need to understand what the uses are of the area and what aboriginal rights will be impacted in order to mitigate against them. To do that, we’ve indicated to them that we’re willing and able to hold an information meeting to discuss these matters further, and I understand that the department officials will be meeting with the Taku River Tlingit in the coming weeks.

I would take this opportunity to reiterate the Premier's offer and extension of an offer to enter into discussions to develop a consultation protocol between the Taku River Tlingit First Nation and Yukon.

While a consultation protocol is not necessary in order for Yukon to fulfill its consultation obligations, I am confident that such a protocol would make future consultation processes better for both the Taku River Tlingit First Nation and the Yukon government. I would hope that the Taku River Tlingit would consider accepting that offer because I think it's something that would make the consultation between our governments that much easier.

However, I am hopeful that with the blessing and recommendation to proceed that was given by YESAB a few weeks ago, and with the recommendations that they have given to us, we will be able to mitigate any negative impacts of this campground and eventually, hopefully, build a campground that is in the best interest of all Yukoners and add to the suite of campgrounds we have available to us already.

As we know, Yukoners are very active folk and like to get out and enjoy the wilderness. One of the ways they do that is by going camping at one of the many territorial campgrounds throughout our territory. As we know, we haven't had a new campground in, I believe, decades. I am looking forward to seeing a new campground in the territory, and I am hopeful that the one at Atlin Lake will be one that we are able to build, once we've issued a decision document, responded to the recommendations of YESAB and fulfilled our consultation obligations to the Taku River Tlingit First Nation.

**Mr. Elias:** This line item was one of the reasons why I disagreed with the NDP request to deem all lines cleared and carried as required, because, in the spirit of democratic cooperation with the New Democrats on a consistent basis, bringing up this issue within Question Period, I thought it would be valuable to them for me to breakdown this line item — again, in the spirit of democratic cooperation so they can gain as much knowledge as possible and thus make informed comments on the floor of the House when the camera is on in Question Period.

**Ms. White:** The last time we had discussions about this line item, on November 26 during budget debate, the Taku River Tlingit had threatened litigation if planning had proceeded. Is that still the case and when is the meeting that you mentioned scheduled for?

**Hon. Mr. Dixon:** Can I get the member to repeat that question? I'm sorry, I must have —

**Ms. White:** The last time we spoke about this line item, on November 26, when we went through it in detail, the Taku River Tlingit had indicated there would be litigation if the Government of Yukon proceeded with the campground planning. My question is if that still stands. The minister mentioned that there was a meeting planned in the next couple of weeks. I was wondering if I could have the date for that please?

**Hon. Mr. Dixon:** I haven't received any subsequent correspondence from the TRT — the chief himself — although I do understand that the department has liaised with

representatives of the Taku River Tlingit. They set up a meeting. I don't have the date and I'm not prepared to share it today. However, the basis by which the Taku River Tlingit would take legal action would be if they felt that the Yukon government had not met its consultative obligations to them.

As I indicated in my earlier responses, I feel that we are in a position to meet our consultation obligations to the Taku River Tlingit and to mitigate if possible any of the impacts of this potential development on their asserted aboriginal rights. I'm confident in our ability to do that, but in order for us to better understand what those impacts are going to be, we've offered meetings. My understanding is that those meeting requests have been accepted and that we'll be able to have a meeting here in the near future. I'm not sure if it's before Christmas or after. If it's after Christmas, it will probably be in the new year to give the member an idea of the timelines. I would say in the coming weeks, it's likely that a meeting will occur.

That being said, Madam Chair, I would note that the law of the land in Yukon for the assessment of projects is that projects must proceed through YESAB and we are through that process now. YESAB has provided a recommendation that this project proceed with the terms and conditions that I outlined earlier. The 16 recommendations that they provided us will be taken into consideration.

The next steps for us then to summarize are to issue a decision document and to continue to meet with the affected First Nations, including the Taku River Tlingit, to try to understand the impacts of this development on their asserted aboriginal rights. Once we've done that and once we are comfortable that we have met our consultation obligations and once the decision document is issued that presumably would say that we intend to respond to each of these recommendations provided by YESAB, then we would have the potential to proceed forward.

As I said, I'm not prepared to give a specific date or whether or not this will be the only meeting. I don't know. That's really up to officials and the Taku River Tlingit. I feel optimistic that, if they are able to indicate to us how this development will impact their asserted aboriginal rights, I'm sure we can find ways to mitigate and accommodate them. If their position remains that no development may occur in their asserted area until they have a land claim, then that's problematic because of the reasons I suggested earlier; that land claims take quite some time to negotiate. In this case, it's not even in the Yukon government's hands to accelerate, because of the fact that they need to make substantial progress in British Columbia through the B.C. treaty process, and with Canada, in order to make progress on their primary claim, which is in British Columbia.

Once that progress has occurred and once there has been some movement forward on the British Columbia side of the border, the Yukon government is willing to come to the table to discuss the possibility of moving forward with a transboundary claim into Yukon. But until that time, we need to continue with the business of government here in the territory and continue to provide for the needs of Yukoners. In

this case, we want to provide for the ability of Yukoners to have a new place to go camping.

I'm hopeful that we can respond to our consultation obligations with the Taku River Tlingit, that we'll be able to respond to the recommendations of YESAB and that we'll be able to build a campground that Yukoners can enjoy on a regular basis throughout the course of our beautiful summers here.

I know that the NDP is probably hoping for more specifics around the dates, but I simply don't have that information. I'm sure that once we reconvene in the spring, we'll know very well what is going on with this particular project and we can perhaps debate whether or not the actions taken by government are viewed favourably by the New Democratic Party or not.

I think that answers the question and I look forward to carrying on.

**Ms. White:** On November 26, when we discussed this topic at length, I asked the minister if there was an existing trapline on the campground area and he acknowledged that there was. The Carcross-Tagish First Nation elder, who has held the trapline for decades, still hasn't been contacted by government. I was wondering if that's in the future plans for this park organization as well. Will they be contacting the First Nation elder who has held the trapline for decades?

**Hon. Mr. Dixon:** As I indicated last time we spoke, it is my understanding that there is a trapline in the area. I'm not sure as to whether or not it has been used in recent years or not. However, we of course will endeavour to reach out to the trapline holder. I don't know who the individual is — the member opposite seems to think it is an elder in Carcross, which could be true; I'm really not sure.

Our Parks branch, the folks who are doing this work, will of course be reaching out to that individual when they feel it's appropriate to do so. That's not something I have details on exactly here today, but I'm sure when they feel it's appropriate for them to do so, they will reach out and discuss the matter with the trapline holder.

**Ms. White:** On November 26, when we spoke about this at length, I had identified that the Carcross-Tagish First Nation elder had been out on it the previous winter, so the trapline is indeed still in use. He's looking very forward to a conversation.

Also on November 26, when we discussed this at length, we had identified this as one of the two park areas in the territory that has been staked or otherwise encumbered, so it's both Atlin Lake and Hanson Lake outside of Mayo. So it also has a quartz claim. I had asked at that point in time if government had contacted the claim owner and I was told that it wouldn't be a serious deal unless they had plans on moving forward. Has the claim owner been contacted yet?

**Hon. Mr. Dixon:** I don't believe the claim owner has been contacted, but these are things that will happen once there's a decision document issued and there's a plan forward. As it stands right now, until there is a decision document, there is no plan going forward, other than the recommendations that are in YESAB.

In order to respond to the recommendations of YESAB that we do a number of things — a number of studies and a number of consultations and various other things — the department and the government must first provide a decision document. Once that decision document is issued, that will chart out what is going to happen. If that decision document says that we are going to move forward with the construction of the campground, then the department staff will take the necessary measures and talk to the necessary people to achieve what they're obliged to achieve, which is the building of a campground in a way that benefits Yukoners.

What I would say is that, with regard to the placer claims, if an individual has a placer claim in the area and has no intent of renewing it or doing any work on it, then the matter is quite simple. If the claim owner plans to mine it next year, then we will have to find a way to accommodate that and to find a solution. These kinds of issues are not unsolvable. These kinds of issues are not show-stoppers. They are simply a part of the course of doing just about anything in this territory where there are multiple users of the land and multiple ways of proceeding on various projects.

I'm confident that we will be able to build a campground — if we come with a decision document that suggests we will — I'm confident we'll be able to build a campground in a way that is acceptable to all Yukoners and will best mitigate the impacts on existing users of the land — First Nations who have traditional uses of the land and the neighbours in the area, which include the Bible camp and other individual cabins that are there.

It's worth noting that this reserve for this campground has been there for 40 years. I think it's a positive step forward to see it developed.

With that, I would move that we report progress — seeing the time.

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

*Motion agreed to*

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

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

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order. May the House have a report from the Chair of Committee of the Whole?

#### Chair's report

**Ms. McLeod:** Mr. Speaker, Committee of the Whole has considered Bill No. 11, entitled *Second Appropriation Act, 2013-14*, and directed me to report progress.

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

**Some Hon. Members:** Agreed.

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

The hour being 5:30 p.m., this House now stands adjourned until 1:00 p.m. Monday.

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

**Written notice was given of the following motions on December 12, 2013:**

Motion No. 571

Re: Appointment to the Yukon Human Rights Commission (Nixon)

Motion No. 572

Re: Appointments to the Yukon Human Rights Panel of Adjudicators and designation of Chief Adjudicator and Deputy Chief Adjudicator (Nixon)