



Yukon Legislative Assembly

Number 237

1st Session

33rd Legislature

HANSARD

Tuesday, November 24, 2015 — 1:00 p.m.

Speaker: The Honourable David Laxton

YUKON LEGISLATIVE ASSEMBLY

SPEAKER — Hon. David Laxton, MLA, Porter Creek Centre

DEPUTY SPEAKER — Patti McLeod, MLA, Watson Lake

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Darrell Pasloski	Mountainview	Premier Minister responsible for Finance; Executive Council Office
Hon. Elaine Taylor	Whitehorse West	Deputy Premier Minister responsible for Tourism and Culture; Women's Directorate; French Language Services Directorate
Hon. Brad Cathers	Lake Laberge	Minister responsible for Justice; Yukon Development Corporation/ Yukon Energy Corporation
Hon. Doug Graham	Porter Creek North	Minister responsible for Education
Hon. Scott Kent	Riverdale North	Minister responsible for Energy, Mines and Resources; Highways and Public Works
Hon. Currie Dixon	Copperbelt North	Minister responsible for Community Services; Public Service Commission
Hon. Wade Istchenko	Kluane	Minister responsible for Environment
Hon. Mike Nixon	Porter Creek South	Minister responsible for Health and Social Services; Workers' Compensation Health and Safety Board
Hon. Stacey Hassard	Pelly-Nisutlin	Minister responsible for Economic Development; Yukon Housing Corporation; Yukon Liquor Corporation

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Yukon Party

Darius Elias	Government House Leader Vuntut Gwitchin
Hon. David Laxton	Porter Creek Centre
Patti McLeod	Watson Lake

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New Democratic Party

Elizabeth Hanson	Leader of the Official Opposition Whitehorse Centre
Jan Stick	Official Opposition House Leader Riverdale South
Kevin Barr	Mount Lorne-Southern Lakes
Lois Moorcroft	Copperbelt South
Jim Tredger	Mayo-Tatchun
Kate White	Takhini-Kopper King

Liberal Party

Sandy Silver	Leader of the Third Party Klondike
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**Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, November 24, 2015 — 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.

Are there any visitors to be introduced?

INTRODUCTION OF VISITORS

Ms. White: Thank you, Mr. Speaker. It gives me great honour to invite into the gallery today Ms. Bonnie Dalziel. She's a true Yukon pioneer, an entrepreneur, an artist, a world traveller, a social justice champion and advocate, and, I'm very lucky to say, a dear friend of mine. Thank you for coming, Bonnie.

Applause

Speaker: Are there any returns or documents for tabling?

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: Thank you, Mr. Speaker.

I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to improve opportunities for camping in Yukon by:

(1) building six new campsites at the Marsh Lake campground, nine new campsites at the Wolf Creek campground and seven new campsites at the Twin Lakes campground; and

(2) making facility upgrades at a variety of campgrounds throughout the Yukon, including roof repairs, replacing outhouse holding tanks, fixing boat launches and docks, replacing broken fire rings, fixing outhouses, removing hazardous trees and purchasing bear-proof food lockers.

Ms. McLeod: Thank you, Mr. Speaker.

I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to invest \$1.4 million to promote and enhance mineral prospecting and exploration activities in Yukon during the 2016 field season through the Yukon mineral exploration program.

Ms. White: Thank you, Mr. Speaker.

I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to gather and make public reliable information about the incidence and distribution of homelessness across the territory, and that it use the information to set a timeline for eliminating homelessness in Yukon.

Mr. Silver: Thank you, Mr. Speaker.

I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to inform Yukoners when the next Yukon Forum is to be held.

Speaker: Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Robert Campbell Highway improvements

Ms. Hanson: Thank you, Mr. Speaker. The investment of public money in infrastructure has the potential to benefit the Yukon's economy. Allocation of public money for needed infrastructure is most effective when there is a sound rationale and a demonstrated need.

For years the community of Ross River has demonstrated a need for repairs to the section of highway between Ross River and Faro and for years this government has ignored the community. The Robert Campbell Highway feasibility study makes no mention of tourism, the residents of Ross River, Faro, Watson Lake or any other development along the highway. The study states — and I quote: “All of the expenditures identified above are made necessary by the development of a single mining project.”

Will the minister acknowledge that the millions of dollars invested to upgrade the Robert Campbell Highway were not done for the people of Ross River, Faro or Watson Lake —

Speaker: Order, please.

Hon. Mr. Kent: Thank you very much, Mr. Speaker. Yukoners should obviously be very proud of the highway infrastructure that we have in place in this territory — almost 5,000 kilometres of all-season roads — the only road in Canada that crosses the Arctic Circle and the Dempster Highway. Many of those roads — we owe their development to the resource sector. In fact, any major highway that wasn't built for military purposes owes its existence to resource extraction and trying to access those resources. That said, Mr. Speaker, many other industries and many Yukoners have benefitted from those roads since that time, whether it's residents travelling between communities; whether it's our visitors taking part in some of the iconic drives that we have in the territory; or whether it's industry that takes advantage.

When it comes to the south Robert Campbell Highway, those are sound investments that we're making on behalf of Yukoners. They are putting Yukoners to work and allowing for industries to flourish, whether it's mining, tourism or other industries. We're proud of the investments that we have made in infrastructure and we're going to continue to make those investments in that infrastructure.

Ms. Hanson: Not exactly a flourishing investment so far.

This government has demonstrated time and time again that it doesn't understand its responsibility when it comes to effectively managing public money. When the government spends public money, it should be able to demonstrate a real return to the economy. There is no evidence that the Yukon government conducted either a business case or a cost-benefit analysis for the tens of millions of dollars invested into the Robert Campbell Highway to support Yukon Zinc's operations. At minimum, Yukoners have a right to know the information that demonstrates that the benefits from this mine are greater than the costs undertaken to support it.

Did the Yukon Party government conduct a business case analysis of this investment or was the decision to proceed purely political?

Hon. Mr. Kent: We have two very important corridors in this territory when it comes to taking our valuable resources to market. One, of course, is the Klondike — and south Klondike — Highway to the port of Skagway. The second and emerging corridor is the Robert Campbell Highway and the Stewart-Cassiar Highway down to the port of Stewart. Many mining companies are choosing that route, particularly those in the southeast Yukon. The Wolverine mine used that route. There are plans for the Selwyn property when and if it goes into production to use that, as well as those that are exploring at the Kudz Ze Kayah project just north of Wolverine. They are also planning on using the port of Stewart to move their goods to market.

When we invest in public infrastructure, not only are we improving that infrastructure to the benefit of industries, residents, visitors and others who travel those highways, but we're also making investments in jobs and opportunities for Yukoners. Again, like we said yesterday, I'm sure those individuals who work for the contractors that have been busy on the south Robert Campbell Highway will be very interested to hear the Leader of the Official Opposition saying there is no economic benefit. Certainly they realize that when they put food on their tables for their families or for those students who are working on those projects in the summer to help them get through school.

Again, we are proud of the investments we are making in infrastructure and we will continue to do so in spite of what the Leader of the Official Opposition says.

Ms. Hanson: Yukon businesses that lost hundreds of millions of dollars will also be interested in the minister's response.

Mr. Speaker, this year's Geoscience Forum saw a presentation by the Alaska Industrial Development and Export Authority. The organization's mandate is to encourage economic growth by providing various means of financial support for development, free from political interference. They require projects to satisfy certain criteria before receiving public money for infrastructure funding. Projects must be able to demonstrate economic benefit to the state and to the general public; also, that the project applicant is financially responsible and the project must be able to produce

revenue to repay the investment with which it is financed. Mr. Speaker, the Wolverine mine did not satisfy a single one of these criteria.

Has the government considered using a framework similar to Alaska to ensure Yukon's public money is invested in an intelligent manner —

Speaker: Order, please.

Hon. Mr. Kent: Thank you very much, Mr. Speaker. We'll continue to invest in public infrastructure, whether it's our highways or our airports; investing in new schools; investing in health care. Those are important investments that we make each and every year on behalf of Yukoners.

Mr. Speaker, again, this really, to me, illustrates the lack of understanding that the Leader of the Official Opposition and indeed, the entire NDP has when it comes to what a successful mining industry needs here in the territory. We've heard over and over again from individuals in that sector that infrastructure is one of the pillars that they need for us to improve to make ourselves competitive. We're fortunate here in the Yukon that we do have all-weather roads that access year-round ports — the one in Skagway and the one in Stewart. The Robert Campbell Highway is an important piece of infrastructure that is worthy of improving, not only for those industrial clients, but also for visitors and residents.

Again, Mr. Speaker, when it comes to heavy industrial traffic, the existing road would potentially have been a safety concern, so we want to make sure that anyone using that road is safe and has confidence in that road when they're travelling to feel safe when there's industrial traffic on there. Again, Mr. Speaker, the NDP will continue to criticize; the Leader of the Official Opposition will continue to show that she does not understand what the mining industry needs to be successful. We'll continue to make key investments in infrastructure, training and regulatory matters to ensure we have a strong and healthy resource sector.

Question re: Oil and gas development

Mr. Tredger: Thank you, Mr. Speaker. The Yukon Party approach to oil and gas development is neither clear nor balanced. *Yukon Oil and Gas: A Northern Investment Opportunity* is an oil and gas branch publication geared at investors. It states — and I quote: "Drilling mud and cutting disposal sumps will not require a water licence if the Alberta Energy Resources Conservation Board directive 50 is followed". But just last week, in response to a question about drill waste disposal sumps, the Minister of Environment stated and again, I quote: "Ultimately it's the Water Board that decides when a water licence is required".

Mr. Speaker, both investors and citizens want clarity, so when it comes to drill waste, which is correct — the oil and gas branch or the Minister of Environment?

Hon. Mr. Kent: Thank you very much, Mr. Speaker. Again, we in the government are excited by the opportunities that the oil and gas industry presents for Yukoners. There are many economic and business opportunities that will emerge from the development of this industry.

We're in a fortunate position here in the territory. When it comes to this industry, there have been a very limited number of wells drilled historically. It does go back to the 1950s, I believe, when the first wells were drilled. We did have producing wells in the southeast Yukon that contributed economically through royalties and other opportunities to the territory.

Again, I'm proud of the work that the oil and gas branch does, as the regulator for this industry. They continue to develop and ensure that we have robust and modern regulations in place, designed to regulate all development activities in a manner that protects the safety of the people and of our environment.

We heard this from the Leader of the Official Opposition a number of years ago. She criticized the individuals who work in the oil and gas branch and actually suggested on the floor of the House that she wasn't sure what exactly they did. That shows a very clear disrespect for our hard-working public officials when it comes to regulating oil and gas. We'll continue to work with our officials and ensure that we have a strong and robust regulatory system here in the territory.

Mr. Tredger: A Yukon oil and gas branch publication says that no water licence is required to dispose of drill waste from oil and gas exploration, as long as Alberta's directive 050 is followed, yet the Minister of Environment says it's the Water Board that decides when a water licence is required.

These messages are contradictory. The government is not creating a clear investment climate, nor is it protecting Yukon's water with robust regulations. When it comes to disposing of drill waste, does the government recommend that investors follow information from the oil and gas branch, or should they listen to the Minister of Environment?

Hon. Mr. Kent: Thank you very much, Mr. Speaker.

When it comes to individual projects, if there is a water licence that is deemed to be required, we will follow what the licence sets out, as far as what is needed. Some projects, whether oil and gas or others, require environmental assessments. Based on those recommendations, we have the ability to accept, reject or modify that through a decision document, and then there are other regulatory processes that are often in place, depending on the project.

Again, when it comes to assessments and licensing and permitting, we will follow what is laid out by the appropriate body and that is what we intend to do.

Mr. Tredger: This is about government contradictions, not a YESAA application. When the oil and gas branch says one thing about drill waste and the Minister of Environment says another, there is no clarity for industry and there is no robust protection for water. To dispose of drill waste in areas of extensive permafrost, it does not make sense to rely on Alberta's directive 050. That is because directive 050 does not address permafrost.

In the Northwest Territories, drill waste from oil and gas exploration was thought to be frozen into permafrost, but it is leaking into four lakes.

Why is the government planning to rely on drill waste regulations that are not suitable for Yukon's extensive permafrost?

Hon. Mr. Kent: Thank you very much, Mr. Speaker.

What the member opposite is really outlining for us is a hypothetical situation. This is very much a hypothetical question when it comes to activity in the Yukon. When it comes to our oil and gas resources, we do have a robust and modern regulatory system that's in place. We have the opportunity to borrow from neighbouring jurisdictions with respect to what type of regulations and what type of activity should be regulated and how it's regulated.

I am very confident in the officials who work in the oil and gas branch of Energy, Mines and Resources to ensure that our environment and human health and safety is protected. There are also interdepartmental collaborations within the government. The Department of Environment plays an important role in assisting Energy, Mines and Resources when it comes to these types of resources. As I said in a previous response, when a water licence is required or if a water licence is required, we will follow the terms and conditions, but we prefer to live in the real world rather than the hypothetical world outlined by the Member for Mayo-Tatchun.

Question re: F.H. Collins Secondary School reconstruction

Mr. Silver: Thank you, Mr. Speaker. This week I have been asking some questions about infrastructure projects that this government has had 13 years or so to address but has failed to do so. We know that the next new hydro project and the paving of the Dawson City runway and also the project to fix our Internet service are all going to be resolved by the next government, not this one. One project this government has tackled is the rebuilding of F.H. Collins. It was promised last election, restarted and should be ready if the tech ed wing comes in on time by the next election. In the spring the minister said that the cost for this project to date was \$46 million.

The question to the minister is: Does this figure include \$5 million spent on the scrapped design for F.H. Collins 1.0?

Hon. Mr. Kent: Thank you very much, Mr. Speaker. During departmental debate in Highways and Public Works, I believe the Member for Klondike asked a similar question. What I committed to at that time was that once we find out the final costs for some of the work that has yet to be completed, such as the tech ed wing, as well as the demolition of the existing school, we'll be in a better position to outline what the final costs are. I guess the one thing that is important to note is that on construction alone, the bids for the initial F.H. Collins design came in at \$48 million. The bids for the subsequent design and the new school that is on-site came in at approximately \$34 million. That gave us some flexibility. That \$48 million was approximately \$10 million over what the construction budget was.

I think it is also important to note that students and staff and parents and all of those in the F.H. Collins school community will have a fantastic facility to learn in, a very

modern facility, and they should be very proud of that. We look forward to the opening of that facility in the new year.

Mr. Silver: Thank you, Mr. Speaker. I am talking about money that has already been spent. We just want to know if the numbers that they are using involve that \$5 million from the project that was scrapped. If we add that \$5 million that was already scrapped and \$3.5 million to fix the tech ed wing, Yukon taxpayers are going to be paying just about the same amount of money as for that first original scrapped design. Of course, we are getting a much smaller school and we are getting it years behind schedule.

Recently the minister confirmed another problem with this project. Students are scheduled to move out of the old F.H. Collins in January. Unfortunately, the government will have to heat the entire building for the rest of the winter because the tender to fix the tech ed wing is so behind schedule. This could have been avoided if the project had been properly managed, and the tech ed wing tender had been ready when it was supposed to be.

How much extra cost is this adding to an already overbudget project? We must have some numbers.

Hon. Mr. Kent: Thank you very much, Mr. Speaker. I didn't think it was that long ago that we talked about Highways and Public Works in departmental debate, but clearly the member opposite has forgotten some of the answers that I provided to him at that time.

Again, with respect to the tech ed wing, there are some delays. We originally anticipated it being ready for move-in with the new school in the new year. The process that we chose to follow was a design/build bid, so we had to wait for the design to be completed before we could get bids and tenders. The tender has closed and we have yet to award it, but the numbers are in with respect to the tech ed wing upgrades.

When it comes to another aspect that the member opposite has forgotten — when it comes to heating of the tech ed wing in the meantime, we will be closing off parts of the existing F.H. Collins school so that we can minimize the amount of the new school that will have to be heated.

This is just an opportunity for me to remind the member opposite of what was said during departmental debate with respect to this project. I should repeat — an exciting project, an exciting new addition not only to Riverdale but for all Yukoners to take advantage of, and a new, modern learning facility for students both now and many years into the future.

Mr. Silver: If the minister wants to be forthright, he could tell us if that \$5 million was included in that \$46 million number.

We know that, at the end of the day, this project will be overbudget or cost just as much money as the design for the original scrapped design. The idea that this is going to save us any money — that's a Yukon Party myth.

We know that this project is years behind schedule. We know that millions were spent on a design that was never going to be used. We know that millions of dollars flowed out of the territory when the government proactively decided to award the contract to a construction company outside the Yukon. We know that the Yukon Party has a proven track

record of being unable to manage these larger projects. Two rural hospitals, the new LNG facility and the Dawson wastewater treatment facility — all examples of projects that were millions of dollars overbudget and plagued by project management issues.

The process has been repeated time and time again. Why do we have the same problems every time this government tries to accomplish a larger asset build?

Hon. Mr. Kent: Thank you very much, Mr. Speaker. Again, when the project is complete — the numbers are in place for the demolition of the old school as well as upgrades to the tech ed wing — we will be in a position to an apples-to-apples comparison of what the original design would have cost, given that \$10 million that we were over on construction, versus what we're getting with our new school. Of course, the sunk cost of the original design will be included in that comparison at that time.

I do find it interesting that the Member for Klondike — when the \$48-million bid first came in, the member issued a press release showing how outraged he was, calling on the government to either redesign the school or move the school, or to slow it down. I think it was last week when one of my colleagues mentioned that the only thing consistent about the Member for Klondike and the Liberal Party is their inconsistency.

Let's just take a look at the Dawson runway and his big rush to get that project done without all of the information in place. As I mentioned last week during debate on the Dawson City runway, the Member for Klondike really wants us to move forward without all the information — go ahead — but he would be the first to criticize if it were overbudget.

Again, we'll continue to do the hard work and the homework, and the member opposite can continue to criticize — but only on a case-by-case basis with different criticisms for each project.

Question re: Continuing care facilities

Ms. Stick: Yesterday I asked this government for evidence that it consulted Yukoners on the proposed Whistle Bend continuing care facility before putting the project out to tender. They either would not or could not produce this evidence.

In September's NDP town hall on continuing care in the Yukon, nearly 100 Yukoners came out to share their stories. They spoke strongly and clearly in favour of the right to safely age in place; 65 Yukoners completed a survey distributed during that evening, and two out of three respondents said they do not feel supported to age in place.

When we asked Yukoners where this government should invest its health dollars, they told us that their priorities are wellness and home care. Mr. Speaker, when will this minister listen to the two out of three Yukoners who want more of the supports they need to safely age in place?

Hon. Mr. Nixon: Thank you, Mr. Speaker.

Mr. Speaker, in addressing the member opposite, what this government has recognized is that there is a need today and a great need in the future for a facility such as this for

Yukoners. This facility will address some of the greater needs of Yukoners as they age — those Yukoners who are simply not able to stay in their homes any longer.

We've increased the budgets for home care by some 350 percent over the last number of years to address the need that the member is obviously talking about, to keep those Yukoners in their homes for as long as possible. But at a point in time when that is not possible any more, we need to move forward with a business case and the facility that we are building in Whistle Bend. We've completed two needs assessments and a business case. We continue to have dialogue with Yukon stakeholders, and we're very proud of this project as we move forward. Working with the Minister of Highways and Public Works and his department, I am confident that in the coming weeks we will have something very important to announce.

Ms. Stick: Thank you, Mr. Speaker. There are lots of needs but this government hasn't asked Yukoners what they want. Since this government announced their decision to build a continuing care facility in Whistle Bend, they keep pretending that this decision was a result of careful planning and public consultation, but e-mails and statements from continuing care management show the opposite. They raise doubts about the size and location of the facility and about the hastily organized information sessions over two years after the final report on this facility was completed.

Well, Mr. Speaker, only 13 percent of survey respondents think the Yukon government is on the right track. What will the minister do to gain back the trust of those Yukoners who feel ignored and overlooked when it comes to their continuing care needs?

Hon. Mr. Nixon: Thank you, Mr. Speaker. I would certainly encourage the members opposite to pay attention as this project moves forward. This government has had continual dialogue with stakeholders, including the medical association and seniors groups. We value that input as we move forward on this project. Certainly, we recognize that there are growing wait-lists and those wait-lists need to be identified. The new facility that we are building in Whistle Bend will include areas that will cover off palliative care, dementia and mental health, and we are looking forward to expanding those services. Some of those —

Some Hon. Member: (Inaudible)

Hon. Mr. Nixon: Sorry, Mr. Speaker — the Leader of the Official Opposition continues to talk off-mic, but we continue to make those investments in home care. We are looking forward to new programming around mental health to keep some of those seniors who have perhaps traditionally needed to leave the territory for specialized services — to keep them in the territory closer to the home. We have continued dialogue with stakeholders, as I have indicated on the floor of this House time and time again. We continue to work with our partners, including Highways and Public Works, and we are very much looking forward to this facility opening upon its completion.

Ms. Stick: Thank you, Mr. Speaker. That consultation with health care professionals is a pretty recent one.

The Yukon NDP cares about the community's vision for continuing care because we know that, although small in number, Yukoners have bold, intelligent and creative ideas — but the Yukon government is not listening. How do we know this? We asked and 91 percent of survey respondents said they oppose or have serious concerns about the government's Whistle Bend complex. Yet, yesterday, the minister said — and I quote: "We have talked to many seniors; they are excited about this project."

Where is the evidence? It is time for this government to slow down, listen to Yukoners and get this right. Will the minister take responsibility for this project and put it on hold until they have meaningful consultation with Yukoners from across the territory?

Hon. Mr. Nixon: Thank you, Mr. Speaker. For the member opposite, I do take responsibility for this project. This is an important project. As we move forward, this will address issues that we see in the hospital on a daily basis. It will address issues that we see in other continuing care facilities here in the territory and it will address issues that we expect to have with growing wait-lists and an increasing number of seniors who live in the territory. We're excited to see an expansion of programming in the new facility to cover the palliative care, dementia and mental health.

We're proud of the investments we've made in home care to keep those other seniors living in their homes as long as possible, but the member opposite clearly hasn't been paying attention. We've had input from stakeholders on this project for a number of years and, in fact, those discussions helped us form the needs assessment and the business case as we move forward.

We'll continue the dialogue with stakeholders; we'll continue to invest in seniors' and Yukoners' health; and we'll continue to forge relationships with other departments and other organizations in the territory. This Yukon Party government is proud of projects like this and certainly look forward to the opening of this facility in the coming years.

Question re: Dog Act application to unincorporated communities

Mr. Barr: In Yukon municipalities, it is fairly easy to deal with problem animals. When a resident needs to do so, they call the city to dispatch a dogcatcher to assess and remedy the problem. The process is legislated under Yukon's *Dog Act*. However, in Yukon's unincorporated communities, canine issues are more complicated. Since they are not included under the scope of the *Dog Act*, the RCMP often find themselves responding to dog issues, which usually involve a policeman destroying problem animals that are deemed to pose a threat to the public.

Mr. Speaker, it's 2015 and Yukon should not still be asking the police to shoot troublesome dogs in the street. Will the government work with unincorporated communities and First Nation governments to expand the scope of the *Dog Act* to include all of Yukon communities?

Hon. Mr. Dixon: Thank you very much, Mr. Speaker. The issue of dogs, and especially stray dogs, is something that

comes up from time to time in Yukon communities. We hear it at AYC often and from both our incorporated and unincorporated communities. There is a different mechanism in place for incorporated communities. They can pass bylaws and undertake action themselves, but in unincorporated areas it's more difficult to deal with some of these challenges. Obviously we work closely with LACs for areas covered by local advisory councils, but in other areas, the animal protection officers under the Department of Environment provide a number of services that include spay and neutering programs as well as working with the RCMP with regard to what some may consider problem dogs.

We're working at improving those services. We're undertaking a review currently of the animal protection officer programs and that review came underway with the transfer of that unit from the Department of Community Services to the Department of Environment. So I know that the staff in that department will continue to review those programs, determine how best they can be delivered and continue to improve services for Yukoners throughout the communities in this territory.

Mr. Barr: Thank you, Mr. Speaker. At the moment, Kona's Coalition is leading the way by offering services such as neutering and vaccinations to animals that are cared for by low-income families. They also play an important role in educating the community about the positive effects of animal welfare.

Yukon communities remain with little access to important resources like those promoted by Kona's Coalition that would go a long way to improving the quality of life for both animals and Yukoners.

Mr. Speaker, will the government expand animal welfare services in Yukon communities?

Hon. Mr. Istchenko: Thank you, Mr. Speaker. The animal protection program takes a graduated approach to enforcement, similar to that employed by other branches of the Department of Environment. We emphasize education, working with our partners — the member opposite just spoke of that — and early intervention to help animal owners to understand their responsibilities and to provide appropriate care for their animals. Our Yukon animal protection officer investigates allegations of neglect or abuse to animals under the authority of the *Animal Protection Act*.

So, Mr. Speaker, the Yukon animal protection officer and the veterinarians of the animal health unit are prepared to offer any assistance or expertise to support investigations by the RCMP and work with the communities.

Mr. Barr: Mr. Speaker, the difficulties in unincorporated communities has been going on for years. Just last week, animal issues boiled over in Ross River and a stray dog was destroyed in the street by an RCMP officer because there just isn't any other government remedy available in the community. The *Dog Act*, paired with adequate animal welfare programming like reproductive planning, vaccinations and public education have shown that they can create a safe environment in towns for both Yukoners and their pets.

Mr. Speaker, when will the Yukon government take action to fix this glaring gap in the role it plays in our unincorporated communities?

Hon. Mr. Istchenko: Thank you, Mr. Speaker, and I believe Yukoners need to know that we have taken action. The RCMP officers typically lead the response to the complaints about dogs in communities and I'm not going to speak to any individual cases. Our animal protection officer may also assist the RCMP — sometimes it's municipal officials or First Nations when requested — specifically controlling dangerous dogs when they are a threat to public safety. The Humane Society and other organizations currently are delivering the spay-neuter voucher project for the dogs in Yukon communities and through the spay-neuter voucher project, at least 39 dogs in Ross River have been sterilized over the last year, so we're working with all our partners in this and I think I have to give kudos to the department for the hard work they do when it comes to animals in the Yukon.

Speaker: The time for Question Period has now elapsed.

Notice of opposition private members' business

Mr. Silver: Thank you, Mr. Speaker. Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, November 25, 2015. That is Motion No. 1034, standing in the name of the Member for Klondike.

Ms. Stick: Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Official Opposition to be called on Wednesday, November 25, 2015. They are Motion No. 1080, standing in the name of the Member for Riverdale South, and Motion No. 1039, standing in the name of the Member for Mount Lorne-Southern Lakes.

Speaker: We will now proceed to Orders of the day

ORDERS OF THE DAY

Mr. Elias: Thank you, Mr. Speaker.

Mr. Speaker, 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): Order. Committee of the Whole will now come to order. The matter before the Committee is general debate on Vote 18, Yukon Housing Corporation, in Bill No. 20, entitled *Second Appropriation Act, 2015-16*.

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. 20: Second Appropriation Act, 2015-16 — continued

Chair: The matter before the Committee is general debate on Vote 18, Yukon Housing Corporation, in Bill No. 20, entitled *Second Appropriation Act, 2015-16*.

Yukon Housing Corporation — continued

Ms. White: I would like to welcome back the officials to the Chamber.

During the 2011 election campaign, in my experience, housing was the single biggest issue that was talked about on the doorstep, and not just by people who were renting — but predominantly by home owners themselves. Since 2011, I would suggest that housing is still in the forethought of many. Industry and businesses have since joined the conversation. Their commercial interests rely on the availability and affordability of housing.

In my riding, we have a diverse offering of housing choices. Mobile homes and parks — as a matter of fact, I represent three out of the six parks in Whitehorse. There are mobile homes on private lots within a condominium association set up by the Yukon Housing Corporation back in the day, I might add, to offer Yukoners a more affordable, secure and tenure housing option. Maybe this is something that the government could revisit. There are numerous condominium complexes — even a complex that is designed for an older population with aging in mind.

In Takhini-Kopper King, we also have older homes — some of the oldest in Whitehorse. Mine was built in 1958 as army housing in Camp Takhini.

We have the Barracks, which was originally owned by the federal government, and when it was sold, one of the stipulations attached to the sale was that rental prices remain affordable. It was a visionary stipulation to attach to the sale. The Barracks is a mix-use building that, on the lower floor, has private rooms with shared washroom and kitchen facilities. Bachelor and one-bedroom units are on the next two floors.

This is also an example of private enterprise and NGOs leaving government behind. Blood Ties Four Directions has partnered together with building management to secure housing for their clients. They act as the go-between between client and landlord and there have been some great successes since the program started. This is all without government assistance.

There are beautiful new houses up in Raven's Ridge — many designed with a view and mostly with energy efficiency in mind — and, out along the Fish Lake Road, we have houses and cabins that have been built off the grid.

Madam Chair, for years, and in the years before me, the community has been trying to understand the Yukon Party's stance on housing.

Things became clear when we learned that it's this government's view that housing isn't a human right. If housing was viewed as a basic human right, then it would only make sense to follow all the studies and the evidence saying that with safe, secure housing, other problems like addiction can be better dealt with, that even in the short term, Housing First is not the only right thing to do — it is also the fiscally responsible thing to do. When the so-called "hard-to-house" population has adequate shelter, there are fewer visits to the Emergency department, and fewer interventions by first responders.

I have recently been asking about homelessness, about housing affordability and what role government should play in resolving these issues. To be fair, Madam Chair, the current minister responsible for Yukon Housing Corporation has been the most accessible by far. It might be worthy to note that in the four years since the last election, he is also the third minister responsible for the Housing Corporation whom I've had the pleasure to work with.

Much of my casework has to do with housing and housing issues. I've highlighted concerns faced by mobile homeowners and their housing insecurity. I know that the *Residential Landlord and Tenant Act* rests within the Department of Community Services, but I believe that the fallout of its shortcomings will come to rest at the feet of the Housing Corporation when people are faced with impossible decisions. What role will the Housing Corporation play if mobile homeowners are forced to move? Will a funding stream be made available for the needed upgrades to meet the new building standards? Will help be made available to offset the cost of relocating? Who really knows?

When I started to get to know the seniors at 600 College Drive, I learned the importance of listening patiently to the problems that seniors face, understanding that the issues facing seniors aren't necessarily those faced by other tenants of Yukon Housing Corporation. I asked previous ministers about having a senior liaison who would work with seniors — seniors specifically — and help with applications and be their go-to person. I have no idea who in this Chamber has helped folks fill in an application form for Yukon Housing Corporation but I imagine there have been a few. The first time I helped an elderly couple with one — between bank visits, income tax searches and document searches at Service Canada — it took us the better part of an entire workday to get all the information gathered and, knowing that if I somehow misread something and their application was denied or deemed incomplete at the time of their intake, it really stressed me out, knowing they would have to start again. But I didn't want to leave them on their own to do it. They had already tried two times before and they had given up. Is that what we want for our seniors — for them to give up because the application process is so daunting?

Madam Chair, I know that the public servants within the Housing Corporation work hard. I know that they do their best

within the parameters that have been set out for them. I know that when I was left with dealing with my friend Earl's estate and his apartment, they showed me nothing but kindness and help, and I am still grateful for that. So my questions — I mean, there are many, Madam Chair: What can government, the minister and we, as elected officials, do to make the jobs of the front-line staff at Yukon Housing Corporation easier? Is it hiring more people? Is it more training? Is it more supports? Do we discuss with front-line staff the possibilities of suffering from vicarious trauma when, day-in and day-out, they deal with the tough situations of people coming to their desks? All possible answers are worth considering because secure shelter is an essential foundation for all people.

In the spirit of making housing work better for Yukoners, I have a bunch of questions that I would like to ask today. I'm going to start with policies. On the website, there are only three policies listed. We have the non-smoking policy, the pet policy, and the victims of violence policy. The Yukon NDP thinks it might be helpful if more policies were publicly available because when we're helping people go through the application process, we're told that they don't meet certain policies. Well, when we don't know what those policies are, it's really hard to help them understand that.

For example, as part of their application for more appropriate seniors social housing, some seniors were told to sell their existing homes prior to making that application. Responsibly following the advice they were given, these seniors proceeded to sell their homes before they secured a unit with the Yukon Housing Corporation. Then they ended up in insecure housing and inappropriate housing, having moved out of the home that they had sold, but not having received a unit within the Yukon Housing Corporation spectrum. Seniors were not at all told about the real policy, which says that they can sell their existing homes after they have secured a unit with Yukon Housing Corporation. Making policies publicly available would help seniors make this important transition more securely. It would also help their families understand the time frame and how to go about it.

Has the government considered creating a housing navigator specifically for seniors? Have they considered posting all their housing policies online?

Hon. Mr. Hassard: Madam Chair, that was a lot of questions, so if I don't get them all, the member will have to re-ask some of them.

To begin, I would like to again thank the officials for being with us here today. I would also like to clarify one of the questions from last time. The question was about the discrepancy between rural Yukon and Whitehorse for income limits for social housing. In accordance with the social housing agreement, CMHC — or Canada Mortgage and Housing Corporation — calculates and recommends housing income limits, or HILs, every two years for the Yukon Housing Corporation Board to consider and adopt for the social housing program.

In Whitehorse, HILs are based on the Yukon rental survey, which is conducted by the Yukon Bureau of Statistics, and utility factors provided by the regional CMHC business

centre. The Yukon Housing Corporation Board has adopted the latest HILs for Whitehorse as recommended by CMHC. For rural Yukon, however, since reliable rental data is not available for most small communities, CMHC instead quantifies HILs based on the annual cost to own, maintain and service a mobile home as well as the annual cost to own, maintain and service a four-bedroom constructed unit. Yukon Housing Corporation has considered these numbers, along with the cost-of-living factors in rural Yukon, and has adopted HILs for rural communities that it feels better reflect the cost of living. The amounts are 15-percent higher than in Whitehorse, and this means that the upper-income threshold for social housing eligibility in rural communities is currently 15-percent higher than in Whitehorse.

The HILs are as follows: for Whitehorse, a one-bedroom is \$49,500, a two-bedroom is \$54,000 and three bedrooms or more is \$61,500. In the communities, a one-bedroom would be \$56,925; a two-bedroom \$62,100 and three bedrooms or more is \$70,725. The Yukon Housing Corporation has a number of eligibility policies that ensure eligibility. We do, however, remove barriers for people who relocate to either flee domestic violence or relocation from a community for medical reasons. In these cases, a person would remain eligible for social housing in Whitehorse, even if their income exceeds the local threshold. When it comes down to it, the Yukon Housing Corporation is trying to help people who need housing most and has instituted a number of policies to allow for flexibility.

Back to the question at hand, as far as the moving of the house trailers that the member opposite talked about, the home repair program that we currently have in place would allow for house trailers, so house trailers would fit into that program.

In terms of a liaison for seniors, currently tenant relations officers deal with all tenants. There is no one specifically committed for seniors; however, I have told the member opposite that I would look into this, so I will continue to explore this as an option.

In terms of the policies — the policies to the *Landlord and Tenant Act* are currently being reviewed, and the Yukon Housing Board is also looking at policies this week when they have their meetings and this will be done in time for January 1, when the *Landlord and Tenant Act* comes into effect. In terms of policies on the website, we will ensure that all policies are on the website and all policies are also given to tenants when they sign a lease because we understand that some people are like me and aren't so great with the Internet, so they may not use the website.

I think that pretty much covers everything that the member opposite asked. I'm sure if it doesn't, she'll remind me.

Ms. White: Thank you, Madam Chair, and I thank the minister for the commitment both about checking into having a seniors liaison specifically and to getting the policies posted on the website. I agree about the accessibility of just having stuff available online because I work with many seniors who do not have online access.

The reasoning the minister just used for the discrepancy between the Whitehorse costs and the rural costs, I am going to use a real-world example because this is something that we're faced with in making these decisions. The example I have is: We have a rural senior who lived in a community and moved into Whitehorse because of medical purposes. Once in Whitehorse, due to aging and health — things escalated — that rural senior who only moved to Whitehorse for medical reasons has now made an application to Whitehorse Housing and has been told that, unfortunately, she earns too much money.

I actually think that the website has just recently changed because the wording is different on the page that talks about social housing. I'm just going to read this little bit and I'm going to tell you about the change: "Yukon's demographic is changing due to an aging population, and there are other factors that may influence persons to seek social housing services. These factors include rural seniors seeking housing in Whitehorse for medical reasons, victims of violence and abuse who are seeking accommodation away from abusers and persons experiencing mobility challenges in their existing accommodations."

In the example I have just given, we have a rural senior who has moved into Whitehorse because of medical reasons and, since being in Whitehorse, has now faced growing mobility challenges. This senior has no problems paying 25 percent of her income. The problem, as I understand it now, is that she has been flatly denied without explanation, based on income. Can the minister elaborate on that policy?

Hon. Mr. Hassard: As we both know, the policy, in the way it stands now, is for rural citizens moving into Whitehorse with medical conditions. But, understanding the situation that the member is talking about, it doesn't work. That's why we are currently reviewing all of our policies and that will definitely be one of the things that will be reviewed in the near future — to see how we can make it more effective, I guess.

Ms. White: I hope by "effective" we mean more inclusive. I mean, prior to fairly recently, I thought that we had seniors housing, and I have since learned that it is social housing for seniors, and that makes a big difference.

On the website it does say that, if there are challenges with mobility — and it doesn't say in that point that they have to meet a certain income requirement. If a person is willing to pay 25 percent and they would pay more rent, it would help subsidize, for example, the senior I know who pays \$38 a month. We could have a little bit of offset there.

I just hope that we put that in the back pocket for now and recognize that, in our changing demographic and without people retiring to warmer climates now — they are choosing to stay in the Yukon, which is amazing — we need to think about that. We need to think about how we're going to adjust our housing because there are not a lot of places for seniors to live right now that meet mobility challenges, that meet safety requirements for that aging population and that are private market. Until the Vimy place gets built, I think we're just

going to see more and more people with similar situations. I will just ask the minister to keep that in his back pocket.

I think it was in the last Sitting when the Housing Corporation made an announcement of their four new lending programs and of using up the last of the northern housing trust money. One of the things that was talked about was the rental quality enhancement grants. Just to recap on that, that is grant money, so that is money that does not need to be paid back and can be accessed by a landlord to improve their rental properties.

I have a question. It says that there is going to be a total of \$800,000 made available over two years. My question is: How many separate landlords have applied? There are different intake dates, so how many separate landlords have applied? How many have received the grant money? Are any of those overlapping? Do they have more than one unit or one project that they are working on with that grant money?

Hon. Mr. Hassard: If I could go back to the previous question in the previous discussion for a minute, part of those programs that we announced this summer are also for doing upgrades for accessibility to rental units. That was partly, hopefully, to resolve some of the issues that the member has just mentioned as well.

In terms of the rental quality enhancement grants, I don't have all of the information that the member opposite has asked for, but I can tell the member that 29 applications have been approved for a total of \$415,000, which is actually \$15,000 over what we had set aside for this year. We have 24 applicants for \$317,000 and are currently on the wait-list. We have another 10 applicants for \$100,000, and they have been told that they are on file. It has definitely been well-used.

Ms. White: In rolling out that program, what was the reasoning behind making it a grant — money that didn't have to be paid back — or making it low-interest loans like the home improvement loan?

Hon. Mr. Hassard: It was a two-part thing, I guess. Partially it was a boost for small business for the smaller contractors — the type of people who tend to do the upgrades on people's houses rather than bidding on F.H. Collins Secondary School or the like. The other reason was for safety. We wanted to try to ensure that the units out there on the rental market were safe and would meet the building standards under the new *Residential Landlord and Tenant Act* agreements. It was to help the economy and make places safer.

Ms. White: I didn't realize that a grant would be more valued in the building community than the home improvement loan that I accessed. I would have thought that money coming through for improvements would be valued equally by people who would be doing the work.

When the Housing Corporation received the applications, were the applications solely for health and safety purposes or were they cosmetic upgrades? Was there a strict guideline of what could be improved with that money or was it open to the landlord?

Hon. Mr. Hassard: I don't actually have the guidelines with me, but the applications were based on health and safety

concerns — certainly not for upgraded countertops or any of the flashy things that we like.

Ms. White: Going through the actual application form online, it doesn't actually stipulate — I mean, they can list what they're going to improve, but there is nothing that says that these are not things that would qualify for the money. Was there an overseeing process where someone within the department would look at what had been proposed and the cost and then evaluate it based on that merit, or was it done in a more blanket fashion?

Hon. Mr. Hassard: Of course, all applications are gone through by the staff at Yukon Housing Corporation and are approved only when they have ensured that they meet all the guidelines of the program.

Ms. White: I thank the minister for the answer.

Under the new housing programs that were listed, there were rental quality enhancement grants as well as the accessibility enhancement grants that the minister mentioned before. Were landlords able to access both pools of money through the accessibility enhancement grant and the rental quality enhancement grant for the same property?

Hon. Mr. Hassard: Of course they would have that option to apply for both, because they would be different projects, but I don't know that we actually had that happen.

Ms. White: I would just ask the minister to commit to getting back as to whether or not anyone accessed both floats of money.

With the accessibility enhancement grant — this is one I know quite well because it's also in casework — I have been helping with this paperwork in getting quotes and stuff, and getting the application made. Can the minister please tell me how many people have accessed the accessibility enhancement grant? How many people made applications? How many were accepted and how many were denied?

Hon. Mr. Hassard: Yes, I will commit to that first part. The second question — I can give the member most of the information.

I don't know how many were denied, but I know that 12 applications were received and approved by the Accessibility Advisory Committee, for a total of \$267,500 — that was in Whitehorse — and two applications were received and approved for rural Yukon totalling \$50,000. The Accessibility Advisory Committee just met and has gone through the next intake so I don't have that information, but when it becomes available I can certainly forward that information.

Ms. White: I thank the minister for that answer.

I know that in my work, we worked really hard to get the application in for the November 1 deadline and my friend is awaiting hopefully confirmation by December 15 — not exactly construction season, but I'm really hoping that it goes through because it will make his life infinitely better.

Prior to this announcement, we used to have a program that was a rent supplement. On the bottom of the website it said: "YHC also has a limited rent supplement program in Whitehorse (approximately 40 units) where social housing clients may rent private sector accommodation and YHC supplements the rent difference between the RGI amount that

the tenant pays and the market rent that the landlord charges." I understand that we had this program prior to the announcement of how we were going to spend the northern trust program money, so my question is: How much money did the Yukon Housing Corporation pay for the rent supplement program prior to the announcement?

Hon. Mr. Hassard: With the \$250,000 increase that the member opposite was talking about, it now brings us to just over \$520,000 annually in rent supplements.

Ms. White: I'm really glad to hear that the number increased from the \$250,000 and it wasn't just put at a cap because of the new program that was announced.

I'm not going to refer to families or singles, but can the minister please tell me how many units that supplements within the territory — so City of Whitehorse and rural Yukon? Could I have just a ballpark number please?

Hon. Mr. Hassard: All together, it's in the neighbourhood of 50.

Ms. White: Does that mean that it's only 10 more than was referenced prior to the announcement this last year?

Hon. Mr. Hassard: Yes, that is correct.

Ms. White: Can the minister please tell me the amount that was spent on the rental supplement program prior to the announcement this year?

Hon. Mr. Hassard: It was \$270,000 before; \$250,000 — so \$520,000. I know the member opposite said math was never her subject so —

Ms. White: It is okay, I did the scribbles before. I was just seeing if the minister also could do the math on the fly.

I have questions about when someone goes in to make the housing application. I appreciate that the rent supplement enhancement program has been increased; I think that's really important. Well, I have concerns about the way this program is publicized because I've written casework letters on behalf of people who would really benefit from this program. They're on the current Yukon Housing wait-list. We don't know where they are on the wait-list and until I mention it to them, they actually don't know that the program exists. So I was wondering if the minister could shed light into why it might be that some people are told about the rent supplement enhancement program and others are not. Then I guess my questions are: Is it adequately funding to meet the need? How long does the minister foresee this program being offered?

Hon. Mr. Hassard: Thank you, Madam Chair. I guess the reason it's not mentioned to all clients is because it depends on the requirement. Some people — if the Housing Corporation doesn't feel that it's going to fit that person, I guess they probably wouldn't mention it to them because if it wasn't going to work, there's not much point.

The other reason that it isn't being brought to tenants' attention currently is because we are fully committed, so we don't have any resources left for that program. I mean, we're continuously evaluating programs as we go, so I mean, it is a possibility that we could move money from one program to another to make that program go a little further if it works. It appears that it's something that is being fully utilized and could be utilized more, so it's definitely on the radar of the

Yukon Housing Corporation to try to determine how we could utilize it more fully. So yes, it is an option and it is being explored.

Ms. White: Thank you, Madam Chair.

The minister just mentioned “fit” of the program. I would have thought that anyone applying through Yukon Housing Corporation for social housing — it’s an affordability issue. They have made an application to Yukon Housing Corporation because they can’t afford private market rents, so would that not mean that they would be a fit for the program, which is a supplement to help them afford market rents?

There’s also the aspect — at this point in time, if we’re spending now half a million dollars or so a year to help people rent private market rentals, maybe it’s something where the minister talked about how he thought it was important that we give grants to landlords to help the building community. Well, I would think if we increase the program, would that not economically help landlords in the community? Maybe that would be incentive enough for private builders to build rentals, knowing that Yukon Housing clients and the Yukon Housing Corporation essentially would act as the go-between to be sure that rent was paid. Is that something that the minister has considered?

Hon. Mr. Hassard: If I can just go back to the previous question for a minute — when I talked about the requirements, I was referring to the size of the units. As well, it’s also important — we can’t move a program forward if the landlord is not willing to work under the requirements of the program.

Back to the question at hand, Yukon Housing also has in place a rental housing allowance for families, which provides support to families with core housing needs. This is \$1 million over four years. That’s an addition that provides support to 19 families.

I think along the lines of what the member opposite was talking about is the announcement with the Ta’an Kwäch’än, where we are using the rent supplement. That has given them enough incentive that they are willing to build the 42-unit social housing that they are currently undertaking in Whistle Bend. So yes, I guess is the short answer to your question.

Ms. White: When the minister mentioned that it is dependent upon the landlord being in agreement or not, has the department approached different landlords and been turned down? I would think that guaranteed rent payment is an attractive thing for a landlord. Are there many cases where the landlord is not in agreement with participating in the program?

Hon. Mr. Hassard: Apparently we only have a handful of landlords who are willing to participate in the program as it is now.

Ms. White: With the press release that came out on November 12 about the Ta’an Kwäch’än Council and their proposed 42-unit affordable rental housing development, can the minister tell me more about how that came about and what the Yukon Housing Corporation’s role will be when the building is completed?

Hon. Mr. Hassard: The Ta’an Kwäch’än, or the Da Daghay Development Corporation, approached Yukon Housing Corporation saying that they would like to build this 42-unit complex, and would Yukon Housing Corporation commit to a certain number of rent supplements to be housed in the new building. We agreed, and they determined that would be enough to make the project viable. That was entirely their prerogative and I guess they will build it.

Ms. White: How many units did the Yukon government commit to, and will these units be considered Yukon Housing units, or will they only be supplemented if an application is made?

Hon. Mr. Hassard: Thirty units — and no, it is not a Yukon Housing building.

Ms. White: Can the minister please help me understand this? In the press release, the talk is that they’re building a 42-unit affordable rental housing development, which is great. The minister just said that Yukon Housing had committed to offering a rent supplement program for 30 of those units. Can the minister just elaborate how he sees this relationship working? Out of the 42 units, 30 will be supplemented by Yukon Housing. Will that be with an application, or without an application? Will the department be paying it directly to the Ta’an Kwäch’än government? Can he just explain how that is going to work?

Hon. Mr. Hassard: Yes, people will still make their application to Yukon Housing. Yukon Housing will not own the building, but Yukon Housing will make the rent supplement payment directly to the owner of the building.

Ms. White: I don’t mean to go over the same ground, but will someone within one of those 30 units have to make the application to the Yukon Housing Corporation to access the rent supplement program, or is that how the plan is to keep the rents lower, more affordable?

Hon. Mr. Hassard: It will work just the same as any other landlord/tenant/Yukon Housing relationship. The tenant will apply through Yukon Housing and be screened just like any other tenant through Yukon Housing Corporation, and the landlord will be just like any other landlord in the Yukon who is dealing with Yukon Housing Corporation.

Ms. White: I thank the minister for that.

Is there opportunity for other First Nation governments to make the same pitch toward the Yukon Housing Corporation or, for example, a private developer in the City of Whitehorse? If they decide that they are willing to take the risk of building affordable rental housing, is the Yukon Housing Corporation open to having that conversation?

Hon. Mr. Hassard: Absolutely. Yukon Housing is open to talk to anyone — private, First Nation, whatever and wherever, not just in Whitehorse. I mean this is something that could be done in the communities. Any time that the building is owned by someone other than government, it is a building that we don’t have to pay to try to maintain. It’s a building that we don’t have to hire more maintenance people to look after. So we encourage the private sector to build these buildings and we’re more than happy to make these kinds of agreements or arrangements to work with them.

Ms. White: I hope there is a flood of conversations that come your way about affordable rental housing.

We've talked a lot in the Legislative Assembly — 2012 is probably when I started talking about it — about the concerns over the air at Closeleigh Manor.

Can the minister please give me an update as to where we are in that process? Were there repairs done this year or completed this year? What were they? Have there been air-quality tests? What have they found?

I will just give him an opportunity to elaborate on the Closeleigh Manor air issue.

Hon. Mr. Hassard: Over the past two years, there have been considerable upgrades made to Closeleigh Manor's ventilation system. These included moving the supply air and extending the chimney. They have had independent professional air-quality tests conducted in Closeleigh Manor. Yukon Housing Corporation technical staff tested various suites for air ultrafine particulate readings and carbon monoxide levels, tested various suites' ventilation air supply UP and CO levels, tested common areas for carbon monoxide as well as UP levels — and those reports are all available. They reset the air-handling unit number 1 motor electrical supply frequency. They adjusted the boiler room appliance combustion air ducting, cleaned all exterior door unit heater filters, changed all ventilation air filters, replaced unserviceable air handler drive belts, replaced various heating zone valves, thermostats, isolation valves and bleeders, and cleaned related heating fluid or glycol leaks. They inspected and sealed leakage found in AHUs cabinets and air ducting, tested tenants' cooking ranges for particulate production, replaced individual tenant cooking ranges where requested, provided tenants with three separate in-house project information and project progress sessions, and addressed each of the mechanical consultants' ventilation repair recommendations, and staff have met door to door on annual inspections this year, in 2015, to seek information from tenants about any concerns.

Ms. White: The minister made mention that the reports are all available. Could he tell me where, or could he commit to getting me copies of those reports?

Will there be ongoing air testing happening in the building on a more regular basis — once a month, once every couple months — and then moving the spots around?

Hon. Mr. Hassard: There are not any ongoing air-quality tests currently, and, yes, I will commit to getting those reports to the member.

Ms. White: In previous Sittings when we've talked about this issue and have gone over reports from the federal government and from other jurisdictions where they have encountered air quality issues, one of the things that was often talked about was the importance of independent assessments — so a group that was removed from the body who either owned the property or had the problems.

Is there any thought about doing any more independent assessments on the air quality of Closeleigh Manor?

Hon. Mr. Hassard: We hired an environmental consultant. There was a third party consultant hired to perform

further indoor air-quality testing. Testing included all aspects recommended by Health Canada for indoor air quality. All test results were within or below Health Canada guidelines, and that was completed in March of this year. There were no more tests conducted — or planned at this time.

Ms. White: I can't remember if it was in the previous Sitting or the Sitting before that, but we talked about the chimney liner. I acknowledge that the government has extended the chimney — now it goes past the peak, which is an important thing that I learned from Rod Corea during the inquest a number of years ago — but what I didn't get an answer to last time was about the age of the chimney.

Is the existing liner — the entire chimney — from the original construction of Closeleigh Manor or has it since been replaced? If it has, what year was it replaced in?

Hon. Mr. Hassard: I'm not positive on that one. I do, however, know that the chimney liner was inspected by both a certified inspector and Yukon Housing Corporation's on-staff red seal certified oil burner mechanic, and both have deemed the chimney safe to operate.

Ms. White: Can the minister tell me what year that was completed?

Hon. Mr. Hassard: To the best of my knowledge, it was sometime this year — I believe in March, but I'm not positive about that.

Ms. White: I ask the minister to get back with that information — thank you.

We've asked questions before about underground oil tanks in the territory, highlighting that there are issues, and it has been a big budget item to replace the underground oil tanks. Can the minister tell me if the oil tank at Closeleigh Manor is an underground tank and, if so, when it was last tested for leaks?

Hon. Mr. Hassard: Yes, it is an underground tank, and I can't tell the member when it was last tested, but I can find out.

Ms. White: I thank the minister for that answer. Can he tell me what year the tank was installed?

Hon. Mr. Hassard: That is one more that I'll have to get back to the member opposite on.

Ms. White: I thank the minister and his officials. I know that this is occasionally uncomfortable territory and I know that sometimes the minister won't have the answers in front of him, but I also know that I can count on the minister to get back to me. I would like know the age of the tank, when it was last tested for leaks and if it's slated for replacement at any point? That would be a great start.

We have talked before about the home improvement loan. I've said before that my 1958 house is substantially more energy efficient than it was prior to me accessing that home improvement amount. I have mentioned before that the \$35,000 got me insulation, but it hasn't touched the insulation in my attic. It hasn't touched my windows, my doors or my furnace replacement. Right now, the home improvement loan sits at \$35,000. I was wondering if the Yukon Housing Corporation has any intent to make that amount larger so that people like me, instead of being on the 13-year energy retrofit

program, could be on the 25-year payoff program, and be able to access the money in one go at the beginning as opposed to having to prioritize — or in my case, triage — what is the worst thing that needs to be repaired and then eventually getting to the point where it is all repaired. Could the minister talk about that please?

Hon. Mr. Hassard: That program is under development and it is on track for launch in April of 2016.

Ms. White: Can the minister tell me any more about what we have to look forward to in April of 2016, or is that a secret until the press release?

Hon. Mr. Hassard: It's currently still being reviewed and then it'll have to come forward to the board for any changes or recommendations. Once that is all completed, then we will all find out more.

Ms. White: I'll let the minister know that my birthday is the beginning of April, and I look forward to a new furnace in the future that doesn't involve oil. I will just put that out there.

Just to go back to the Ta'an Kwäch'än and Yukon government announcement, was consideration given to the location that the Ta'an Kwäch'än development is going to be in Whistle Bend as opposed to, for example, Whitehorse Centre, considering that in the official community plan, the Yukon government owns a piece of property on Fifth and Rogers that is supposed to be for mixed-use residential, including affordable rental property? Was there a reason why the focus was on the Whistle Bend property as opposed to Fifth and Rogers? What was the zoning for the Whistle Bend property prior to the announcement? I will leave it at that to start.

INTRODUCTION OF VISITORS

Ms. Hanson: Madam Chair, I would just like to take this opportunity to welcome to the Legislative Assembly a former friend of the Assembly — member of the Legislative Assembly; minister in this Legislative Assembly from Klondike and currently Carcross, Eleanor Millard.

Applause

Hon. Mr. Hassard: Currently the Fifth and Rogers — there is a group in place that is doing the planning there. The Ta'an Kwäch'än project was brought forward by the Ta'an, so we didn't tell them where they had to build. I'll continue, if that's okay. It was not Yukon Housing Corporation's project; it's was the Ta'an's project.

Ms. White: What was the zoning for the Whistle Bend property prior to that switch?

Hon. Mr. Hassard: Thank you, Madam Chair. I knew there was another part of the question and it escaped me. To the best of my knowledge, it was multi-residential.

Ms. White: To the best of my knowledge, it was single-family units. My question is: What is the financial implication for the City of Whitehorse when it goes from being multiple units that are paying city taxes to one unit that is paying city taxes? Does the minister have any idea what the financial implication might be for the City of Whitehorse?

Hon. Mr. Hassard: I don't. That would be a question you would have to talk to the city about.

Ms. White: Well, I already have talked to the city and they thought I should ask the minister about it. I'll leave it at that for now.

Just before I go on, I would like to point out that Eleanor Millard is actually the reason why there's a Women's Directorate. I've mentioned that in a tribute before, so that is pretty exciting that she's here, although we're not talking about the Women's Directorate.

I have other questions. Can the minister tell me how many people have accessed the down payment assistance program in this calendar year and to what amount?

Hon. Mr. Hassard: I don't know how many there were this year, but I know that currently there have been 50 down payment assistance plans with approximately \$715,000 in loans, but if the member opposite so wishes, we can get the numbers for this year.

Ms. White: I would appreciate that number. It has only been a couple years that it has been available. On the website, there is a section called: "Carbon monoxide awareness: seriously simple." I would challenge that, not being an oil-fired mechanic. It's not that easy to tell if my furnace is running properly or not.

Indoor air quality is not just an issue for Yukon Housing Corporation buildings, but for private homes as well. Are there definite standards for air quality? Is Yukon equipped to properly test and monitor indoor air quality if I was to ask, for example, someone to come to my house? I'll start with that.

Hon. Mr. Hassard: Of course Yukon Housing Corporation is doing the awareness program. We have invested \$285,000 in a three-year public education campaign. There is someone in the Yukon who does the testing, but I don't know it off the top of my head.

Ms. White: This is a completely different train of thought, but last time we talked about the number of people on the housing wait-list and I was wondering if there is anyone who is currently waiting for Yukon government staff housing. Is there a wait-list for staff housing?

Hon. Mr. Hassard: I could tell the member that there are 13, but then she is going to ask me where they are, so I'm going to try to go through it: three in Carcross; five in Dawson City; three in Haines Junction; one in Pelly Crossing; and one in Watson Lake, for a total of 13.

Ms. White: Just to be clear, that's staff waiting on a wait-list for staff housing? Perfect, I just got the thumbs up across the way.

I have a question, and I often tell people when they call and they're frustrated because they're on the wait-list and — to be clear, people don't come to the office asking for help with housing when they're not desperate, so I typically see people when they're desperate. They've tried to go through the process on their own. They've hit roadblocks. They're worried and they're facing housing insecurity. Sometimes I hear stories that I always say we have to take with a grain of salt, we can't know how many units are within a building and all the rest of it.

If someone was picked up and detained in corrections and they were a Yukon Housing client, how long is their unit held for them while they are incarcerated? Is there a timeline or a process that happens if that's the case?

Hon. Mr. Hassard: I guess it would depend entirely on an individual basis because if someone was incarcerated for 14 days, but continued to pay their rent, obviously Yukon Housing is not going to evict them, but I guess if they were going to be incarcerated for 14 years, then obviously we would look at it differently.

Ms. White: It was just mentioned by my colleague that there is a two-year limit at WCC, but I would hope that something would happen prior to that time.

We've talked often about empty units and about the time that it goes from being empty to being occupied, and to be perfectly honest, sometimes the answer of "it takes as long as it takes" is a harder one, knowing that there are people on wait-lists.

Is there an average time that a Yukon Housing Corporation unit is empty between one tenant moving out and the next one moving in? So while waiting for repairs, the painting of walls or minor upgrades, is there an average time that it remains empty?

Hon. Mr. Hassard: No, we don't have an average time. Obviously we try to have the units turned over as quickly as we can. As you can well imagine, there are sometimes some very strange circumstances. Sometimes people have passed away and we're unable to find next of kin, so there are belongings that you can't necessarily move or don't want to move or don't have anywhere to move them to.

Traditionally, as fast as we can have the units turned over, that's our preferred timeline. Obviously we want people in the units. It doesn't make any sense for anyone to have units sitting unoccupied.

Ms. White: Can the minister please tell me how many units are currently vacant or empty, waiting for repairs in both Whitehorse and rural Yukon?

Hon. Mr. Hassard: As of September 30 of this year, we had 16 units vacant — just in general turnover, people moving in and out — and 26 throughout the Yukon that were vacant for repair. There were 17 in Whitehorse, six in Watson Lake, one in Ross River, two in Mayo — and that's it.

Ms. White: Out of the 17 that were vacant in Whitehorse for repair, can the minister please tell me if they were single-person dwellings, if they were seniors units or if they were family units?

Hon. Mr. Hassard: I don't have that level of detail with me at this time. I could commit to getting back to the member, but that has all changed since September 30 anyway, so I don't know if it's really worthwhile, but that's up to the member.

Ms. White: If I could have current numbers for, let's say, November of this year at the end of the month, that would be great.

I have a question about the points system and how that works within the application process. Can the minister please

tell me the highest number of points that a person can have in an application and how those points are awarded?

Hon. Mr. Hassard: Unfortunately we don't have the points system stuff with us here today, so I can't give the member that today, but I can commit to getting that to her.

Ms. White: The reason I ask about the points system is that, when someone is in the application process and they are told, for example, that they have 32 points, I have no idea where that is on the list. They have no idea where that is on the list, and I understand that the list constantly changes.

I understand that, but having the criteria for how the points are awarded and what the highest level of points is next to the lowest number of points would be really helpful for probably every elected person who is helping people understand the process.

I thank the minister and the officials very much for the debate today. I will hand it over to the Member for Klondike.

Mr. Silver: Thank you to the department officials for their time here today and, of course, to the minister for answering the questions. I am going to be all over the map, as my colleague from Takhini-Kopper King has asked a lot of my questions. I might be going back to a few that the minister has talked about, but I am still not sure of certain answers.

I do want to start with the housing action plan. This is the first supplementary budget to be introduced since the release of the Yukon Housing action plan in June 2015. I want to thank the department for its hard work on this.

I have a couple of questions. In the supplementary budget, the housing action plan is not referenced. Can the minister explain how the housing action plan will be funded and give us an estimate of the total cost of implementation of that action plan? We will start there.

Hon. Mr. Hassard: It's \$480,000 from the northern housing trust fund — \$240,000 for this current year and \$240,000 for the next fiscal year.

Mr. Silver: Thank you for those numbers. What specifically will the money be spent on? Can the minister break down that a little bit further for us?

Hon. Mr. Hassard: We currently have an implementation committee, and they will be looking at short and medium goals and determining how the money will be allocated to covering those goals.

Mr. Silver: I guess this is a little bit of a work in progress.

This comes from the Association of Yukon Communities meeting — the AGM. The minister did announce the funds for matching of municipal incentives to promote more affordable and attainable housing. From there, can we find more information about that spending? There were concerns at that time from some of the municipal communities that weren't Whitehorse and that didn't necessarily have systems in place. Can the minister talk a little bit about uptake? How has that been? How many projects have been funded? Have any projects been approved outside of Whitehorse, or are we still waiting for this information to come rolling in?

Hon. Mr. Hassard: There have been 10 applications received. Four have been declined as they have not received municipal approval. That is in Whitehorse.

One is on hold in Dawson City pending further documentation. I know that Carmacks now has their program in place, and I believe that Teslin should shortly have theirs in place. I know they were looking at the Carmacks and Dawson model as well.

Mr. Silver: When the minister says they were looking at the Carmacks and Dawson model, are these models based on what Whitehorse has already set up? Is there some new motion forward that doesn't necessarily mirror Whitehorse? Could the minister explain a little bit about that please, seeing as how that was one of the bigger concerns? I think a lot of the municipalities were extremely excited to see this money. I know that, at that time, they were looking forward to more dialogue as far as how the ministry can help them to help themselves — that type of thing. If the minister can kind of draw down on some progress there, that would be great.

Hon. Mr. Hassard: Every municipality has the option to run the program however they see fit — if they want to give a certain amount or if they want to do it strictly in lieu of taxes or through infrastructure. I haven't really looked at Dawson or Carmacks as to what they're doing compared to Whitehorse, but every municipality had the option to do it — however best suited their community.

Mr. Silver: We'll move on then to the Alexander Street residence. I'm not sure if this was answered yet today, so my apologies if it has been. Is the project now complete and what was the final cost?

Hon. Mr. Hassard: 207 Alexander Street is complete, with the exception of one sidewalk that still needs to be done — obviously when the weather is a little better. The final price tag on that was \$8,438,836.04.

Mr. Silver: Down to the penny, I like that — it's good.

Thank you to the minister for his response. I'll move on to the Vimy Heritage Housing project. The Vimy Heritage Housing Society announced their proposal back in 2013. They were looking to build an independent living facility for seniors and have requested seed money and land from the government for this project. At their AGM, the discussion was how there's not just one group of seniors — that there are all different types of seniors from different socio-economic backgrounds — and there are seniors who, from this particular society, feel they can afford this type of housing and this type of project to keep them in their homes a lot longer, I guess.

I was wondering if the minister can provide an update on this project and where it stands. Again from the AGM, there were public conversations about how the society was working with the government, both on a land allocation — and also if there was going to be any help in seed money. Has a location been found and is there any commitment to funding for this organization?

Hon. Mr. Hassard: I can give the member opposite an update on that. It partially falls under the Minister of Energy, Mines and Resources portfolio, but I do know that the government and the City of Whitehorse are considering

development options for a large undeveloped parcel of approximately seven and a half acres. There was an RFP that I believe closed last week for the planning process. I don't believe anything has been awarded and of course Vimy is part of the group that sits on that planning committee for that area.

Mr. Silver: From that answer, I'm assuming that a specific location hasn't been picked. I'll let the minister answer that again. I guess we will bring it up as well at EMR and see if there is any more response.

I'll tag that on to another question about Korbo and the remediation up in Dawson — the Korbo Apartments. This is an issue that I bring up whenever the Housing Corporation is here. Can the minister please provide us an update on the Korbo Apartments remediation?

In the spring, when I asked the minister, he said — and I quote: “the remediation work will be ongoing until this fall, pending availability of space for additional contaminated soil in the local land treatment facility.” The question being begged is: Was the available space found for the contaminated soil and what is left to do with the remediation of this project?

Hon. Mr. Hassard: Yes, space was found for the remaining contaminated soil. We're just waiting now for the okay on the final reclamation, ensuring that all of the contaminants are gone. So fingers crossed, by spring that property will be available for use.

Mr. Silver: Good to hear.

I'm going to move on to — I know there were a couple questions from the Member for Takhini-Kopper King on the Ta'an partnership over the affordable housing units. The minister had stated earlier in the House that rent supplements were the contribution on the territorial government side. Is this the only financial contribution to the project from the territorial government?

Hon. Mr. Hassard: Currently yes. The only thing that would change that is if they fit under the municipal matching grant; then they obviously would be eligible through that program as well.

Mr. Silver: Yes, understandable. But there is not going to be a partnership of funding for the actual project is what I'm hearing from the minister. Also — and I'm not sure if this was answered earlier or not so, again, forgive me if it was — there was a land swap as part of this arrangement. What were the values of the land that changed hands? Were there appraisals done of those lands in that exchange?

Hon. Mr. Hassard: The member is forgiven, but I'm going to defer that question to debate in Energy, Mines and Resources.

Mr. Silver: I will bring it up with Energy, Mines and Resources.

I am going to move on to selling a portfolio to a bank. A number of years ago, the Government of Yukon looked into selling the Yukon Housing Corporation mortgage portfolio to a commercial bank. Has this been reconsidered in any recent years? Has this been an issue in the department or is this no longer the direction?

Hon. Mr. Hassard: No, that is not currently the direction, and I don't believe that has been discussed in a few years, to the best of my knowledge — certainly not with me.

Mr. Silver: Just a couple more questions here.

The opposition has already brought up the down payment assistance program, and I believe the question was about how many applicants. We are wondering if there have been any defaults under this program. I think I'll leave that as my final question for the day. I thank the minister and his departmental officials for answering our questions today.

Hon. Mr. Hassard: It's a great way to finish because I can say zero.

Chair: Does any other person wish to speak in general debate?

Ms. White: I just had a couple questions to follow up with. The minister mentioned that the corner of Fifth and Rogers was being looked at by other groups. Can the minister elaborate on that statement please?

Hon. Mr. Hassard: That's probably best answered by the Minister of Energy, Mines and Resources. It appears that he would be willing to answer that question at a later date.

Ms. White: It was just to follow up on something that the minister had said and I had written down.

When someone makes an application for the Yukon Housing Corporation and they're denied, there is an appeal process. Can the minister please explain what's involved in that process and how someone goes about starting and then going through that process?

Hon. Mr. Hassard: If it's in regard to tenancy, then the first level would be with the director of housing operations and then, if it went to the second level, it would be to the board's appeal committee. If it's in regard to a program or policy, it would go directly to the board's appeal committee.

Ms. White: If someone was denied an application to Yukon Housing Corporation, it would go to the board. How does someone appeal their denial or their being turned down for social housing?

Hon. Mr. Hassard: I think the member opposite is talking about the senior one? Okay, so that would be a policy, so they could just call the office and then they would direct them to the board's appeal committee.

Ms. White: I thank the minister for that, but what is the process to do the appeal? They get directed toward this other entity, but how does a senior go about appealing a decision?

Hon. Mr. Hassard: After they call the office, the office would set up the meeting with the board. They would then meet with the board appeal committee, give their presentation or their side of the story, or however they want to put it. They also have the right or option to have someone with them, so that if there are any issues, they can have someone with them at the time.

Ms. White: I thank the minister for the answer.

In the supplementary budget, we have \$1.175 million going toward the Salvation Army under "Joint Ventures under Affordable Housing." Can the minister elaborate on that please?

Hon. Mr. Hassard: It's a joint venture under the affordable housing — a revote — and approved funding will be transferred to the Department of Health and Social Services for the Salvation Army redevelopment project.

Chair: Does any other person wish to speak in general debate?

We are then going to go to 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 18, Yukon Housing Corporation, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 18, Yukon Housing Corporation, 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 18, Yukon Housing Corporation, cleared or carried, as required.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$250,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of \$5,851,000 agreed to

Total Expenditures in the amount of \$6,101,000 agreed to

Yukon Housing Corporation agreed to

Chair: We are going to be going on to Vote 53, but prior to that, 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. The matter before the Committee is Vote 53, Department of Energy, Mines and Resources.

Department of Energy, Mines and Resources

Hon. Mr. Kent: Before I begin with introductory remarks, I would like to welcome two officials to the Chamber here today: Shirley Abercrombie and Carolyn Relf, both assistant deputy ministers in the Department of Energy, Mines and Resources.

I would also like to just briefly take the time to thank Mr. George Ross, who has returned as of yesterday, I believe, to Ontario. He spent a year with us as the deputy minister and did a tremendous job. I thank him for all of his contributions to Energy, Mines and Resources during that time and welcome Stephen Mills to the position of deputy minister. I know that Stephen will do a great job as well. I've worked with Stephen in the past on the YESA Board and he's a great

asset for Energy, Mines and Resources. We're excited to have him and look forward to carrying on the good work of the department going forward.

Madam Chair, it's my pleasure to introduce the 2015-16 supplementary estimates for the Department of Energy, Mines and Resources. This supplementary budget reflects adjustments made to the 2015-16 budget as EMR continues its mandate to responsibly manage and regulate the development of Yukon's natural resources.

For this supplementary budget, EMR requests an overall increase of \$3.1 million for operation and maintenance expenditures and an overall decrease of \$2.6 million for capital expenditures.

For O&M, there is an increase of \$3.1 million to the department's \$85.3-million operation and maintenance budget, which represents an increase of 3.6 percent. Operation and maintenance expenditures for the Sustainable Resources division have increased slightly by \$323,000 from their original \$10-million budget, mainly due to increases in the Land Planning, Forest Management and Agriculture branches.

Specifically this breaks down as the following: \$126,000 increase for Land Planning to support ongoing work on the Fox Lake area plan; \$106,000 increase for the Forest Management branch for roadwork in the Lewes-Marsh area; a \$117,000 increase in the Agriculture branch for Growing Forward, which includes a \$70,000 recovery from the Government of Canada; and, finally, a minor decrease of \$26,000 for the Agriculture branch because funds were transferred into Corporate Services' capital budget to cover equipment purchases.

The operation and maintenance budget estimate for the Energy, Corporate Policy and Communications division has increased by \$171,000 from the original \$5.5 million due to increases under the division's Energy branch. The \$106,000 increase in the Energy branch budget is a request to carry forward funds from 2014-15 for the very successful residential energy incentives program. Announced in January 2015, the residential energy incentives program offers incentives to improve air tightness and insulation levels of existing homes, to achieve an EnerGuide rating of 85 or better in new homes, and to install renewable energy systems for generating electricity.

As per the agreement signed on August 24, 2015, and in collaboration with the Kluane First Nation to develop clean energy projects, \$50,000 is required as a first payment to support Kluane First Nation in their wind-diesel project. In support of energy efficiency initiatives, an additional \$15,000 in funds will go toward the Energy Solution Centre's refrigerator retirement program.

Operation and maintenance expenditures for the Oil, Gas and Mineral Resources division are increased by \$3.3 million, from the original \$59 million, primarily due to increased funding under the Assessment and Abandoned Mines and Mineral Resources branches. The Assessment and Abandoned Mines branch will see an increase of just over \$3 million due to care and maintenance work required for the Ketza mine site, \$1.7 million for work carried forward from 2014-15,

\$710,000 in maintenance transferred from the Compliance Monitoring and Inspections branch, and \$797,000 of security seized for mine site work.

The Mineral Resources branch received a \$240,000 revote for the mine licensing improvement initiative as well. This important work will ensure Yukon's mineral resources continue to be developed in a way that benefits all Yukoners. We are improving our mining regulatory system to reduce overlaps and increase clarity. For the Compliance Monitoring and Inspections branch, a reduction of \$688,000 is being sought. A \$710,000 reduction in funds is to support Ketza mine work, which has been transferred to Assessment and Abandoned Mines — I previously mentioned that — and a \$22,000 increase for the Yukon Placer Secretariat.

This is a revote of funds from the Government of Canada to support the watershed atlas. The watershed atlas is an online tool that provides information available on a geographic information system for fish and fish habitat, geology and mining, hydrology resources, mining and land use activities, mineral claims, First Nation traditional territories and settlement land, and the results of environmental monitoring. It is also a tool that placer miners can use when preparing project proposals and permit applications.

That is all to report, Madam Chair, on the operation and maintenance budget.

For EMR's capital budget, there is a total reduction of almost \$2.6 million in capital expenditures to the \$7.4 million estimate for the 2015-16 mains budget, primarily due to an almost \$2.8-million reduction from the Sustainable Resources division, offset by an \$181,000 increase in Corporate Services.

Starting with Corporate Services, capital expenditure estimates are increased by \$181,000 and consist of a \$26,000 transfer from Agriculture to cover the purchase of descaling and dehairing machinery for the mobile abattoir, and \$155,000 for a revote of funds allocated to the Dome Road project.

For this project, the Yukon government, the City of Dawson and owners of the Slinky mine negotiated a multi-party agreement. This agreement will enable development of country residential lots in the area, provide for a timely end to placer mining near the road and residences and result in a safer road for all users. The agreement specifies that the mining must be completed by December 31, 2017. The claims in the area will then be relinquished and the land made available for future residential development.

For the Sustainable Resources division, a \$2.8-million reduction in its capital allotment is required for the following: a \$35,000 increase in the Forest Management branch, which reflects a revote for building logging roads in the Bonanza Creek area; a decrease under the Agriculture branch by \$500,000 to facilitate funds being moved into the next fiscal year for agriculture land development — these funds will support projects in the Ibex and Sunnydale areas, which involve the surveying of lots and the construction and upgrading of access roads; and, finally, a \$2.35-million reduction in the Land Management branch's rural land

development unit's budget to reflect its revised annual workplan.

The rural land development unit develops, plans, designs, constructs and delivers Yukon government land development projects throughout the territory. Working closely with communities, First Nations, other government branches and private sector developers, the rural land development unit facilitates land development projects for all rural Yukon, including unincorporated communities and rural municipalities.

This concludes the capital budget items and my comments overall for the 2015-16 *Supplementary Estimates No. 1* for the Department of Energy, Mines and Resources. I now look forward to questions from the members opposite.

Mr. Tredger: I too welcome the officials to the Legislature and I look forward to hearing some answers and working with them as this goes forward. I would like to congratulate the minister and all of the civil servants who work in Energy, Mines and Resources. It is a very, very important part of our economy and of our territory. I know it generates a lot of interest and Yukoners have been getting increasingly involved and increasingly interested in how we are achieving our economy and how we are working on our land to balance development with the resources that we have, the energy that we need and the various attributes of the Yukon that we all have come to enjoy.

I have a number of questions and I will go immediately to them, but I did want to refer to a previous question in housing, when my colleague for Takhini-Kopper King asked about Fifth and Rogers and it was suggested that we ask the Energy, Mines and Resources minister.

Can the minister please tell us what is happening to the property at Fifth and Rogers?

Hon. Mr. Kent: We are excited about the progress at Fifth and Rogers and what is happening on that site. Of course, that is a site located in the City of Whitehorse and, together with the municipality, we are considering development options for a large, undeveloped parcel — about 7.5 acres at Fifth Avenue and Rogers Street. This development is consistent with City of Whitehorse zoning and the previously endorsed south downtown plan, which received full public input.

The parties have worked together to finalize criteria for a joint planning process that will help to guide future development. The Fifth and Rogers steering committee, which is a planning partnership between EMR, Yukon Housing Corporation and the City of Whitehorse, has prepared an RFP. As mentioned by the Minister of Yukon Housing Corporation, the tender closed for that — I believe it was last week or, potentially, the week before. To the best of my knowledge, they are still evaluating the number of proposals so there hasn't been an award yet. The purpose of the RFP is to produce a master plan and a planning brief for that parcel. It has the potential to provide a good mix of affordable housing and commercial development opportunities close to the Whitehorse downtown core.

In addition to Yukon government and City of Whitehorse members, the committee also includes members from the Yukon Contractors Association, the Vimy Heritage Housing Society — as mentioned in a previous response — and the Whitehorse Chamber of Commerce. This initiative is consistent with the goals of the housing action plan, which envisions a sufficient supply of a diverse range of housing options to meet the needs of Yukoners. We certainly recognize the high demand for land over the last decade, largely in part to some of the economic success that we have seen here in the territory and the increased population. The demand for multi-family residential and commercial lots has been high within the City of Whitehorse and that site at Fifth and Rogers is a large, undeveloped and valuable parcel of urban land located at the south end of downtown Whitehorse.

There is one construction project that is underway close to that site, and that is the new St. Elias adult residence. The detailed development plans for the St. Elias facility have been approved by the City of Whitehorse. Construction has commenced, and it is part of a YACA, so Kwanlin Dün First Nation was actually awarded the contract to proceed, and I believe they have hired a local contractor to do the work. For those who are familiar with the area, they will see the progress at the top end of Hoge Street in downtown Whitehorse on that facility, and we look forward to hearing from the planning committee. I do have a meeting scheduled with the City of Whitehorse for this Friday to discuss a number of topics, including this planning process that is underway for Fifth and Rogers. We are excited about the opportunities there and we look forward to the results of the work of the planning committee to determine what types of development will be placed on that site.

Mr. Tredger: I thank the minister for his answer. I have a number of questions around type 2 mines and mines that have recently closed. Can the minister provide an update for what is happening with the Wolverine mine? Is the mine in compliance with the temporary closure plan? Is there any flooding going on still? If it has been stopped, has the mine been pumped clear? If it is being allowed to continue, has the department identified whether or not there will be any additional costs for closure when the final mine closure plan is ultimately implemented? What interest has been shown with regard to the sale of the mine?

Hon. Mr. Kent: I thank the member opposite for his question with respect to the Wolverine mine site. I know we've talked about it on a number of occasions here in the Legislature. The latest information that I have in my briefing packages from October 27, 2015 — if any of the responses I provide have changed in the intervening time, I'll certainly get that updated information to the floor of the House as soon as I can by way of letter or perhaps at a future time when Energy, Mines and Resources is up for debate.

With respect to the Wolverine mine, we're certainly — and it bears saying again — deeply disappointed with the effect that closure has had on local suppliers and people who were employed at the mine. The creditor protection process has resulted in an approved plan of arrangement and a

commitment from JDC Group of \$15 million to fund the plan, which included payment of all outstanding financial security and property tax owed to the Government of Yukon. The monitor's 11th report to the court indicates that the company received \$13 million in restructuring funds rather than the \$15 million it was to receive under its loan agreement with its parent company. The monitor also indicates that the additional \$2 million may be advanced in the future. There's certainly no reason for us at this point to believe otherwise.

YG is closely monitoring Yukon Zinc's temporary closure activities and expects that the company will follow through on their commitments. On October 2, 2015, the outstanding financial security for the Wolverine mine was paid in full by Yukon Zinc. Yukon government now holds \$10,588,966 in financial security under Yukon Zinc's quartz mine licensing and water use licence. A YG working group continues to work with Yukon Zinc officials to monitor the mine site to make certain that regulatory requirements are met and to ensure that plans are implemented for public safety and environmental protection.

Yukon Zinc is fully secured at this point and has undertaken work to clean up the mine site and reduce its liability.

Madam Chair, I'm not aware of any potential purchasers for the site at this point. Obviously the MinQuest folks were in the public eye on their offer to purchase the site.

I know there were a number of private companies that sought information from us during that creditor process, but obviously we ended up with the mine site in the current form that it is.

I'm not sure if I answered all of the questions. Anything else that's outstanding from the member opposite with respect to flooding of the adit and pumping out of water, I'll get back to him on. I don't have that information — I don't believe — in the notes that I have here today, but I will commit to getting back to the member opposite with proper information on what's happening on the site.

Under the temporary closure, the company is the one on-site that is doing the work, and Energy, Mines and Resources, through Compliance Monitoring and Inspections and our minerals branch, continues to monitor the site and ensure that things are done in compliance with their temporary closure plan.

Mr. Tredger: I thank the minister for his answers and I would appreciate any update on the flooding. I know there was a real concern that the mine's closure plan was to not have flooding, yet during the time when the Wolverine mine owners could not keep it running, there had been some pumps that were flooded and there was a concern that, once that was flooded, the water would be contaminated and very difficult to safely dispose of. An update on that would be important.

I have just a question on security. Security is part of the mining regime, and security is taken by the government to ensure that the mining company remains and cleans up. Usually the security must be set high enough and appropriate enough — it's a balance, I understand, between the mine operators and the government. My understanding of security

is that it must be high enough so the company will find it beneficial to do the cleanup themselves, because certainly the government doesn't want to be the one left to clean up, as in this kind of case.

In the case of Wolverine mine, an independent assessment to establish security arrived at the amount of \$13 million. My understanding is that the minister then entered into negotiations with the company and arrived at a total of around \$10 million. When this situation was ongoing and it appeared the mine had only paid \$7.2 million, the minister stated in the House that he felt that was adequate and that all the liabilities would be covered.

That's quite a discrepancy from \$7.2 million to \$10 million to \$13 million. Can the minister review how security is determined? It was my understanding that an independent assessor would arrive at securities, and that was what was established. However, in this case, it doesn't appear to have been followed.

Could the minister refresh my mind and the public's mind as to how securities are determined and how we ensure that, over time, as mines expand or contract, the securities are adjusted to take that into account and take into account inflation problems that may be encountered so that the government is not the one left holding security and having to clean up with inadequate funding?

Hon. Mr. Kent: Just to start, the setting of security is not a ministerial responsibility. It's something that is done at the department level. Obviously we have experts and professionals who work on the setting of security. They determine how much is to be held so that the site can be returned to as close to its original state as possible.

A couple of things with respect to the Wolverine mine site in question. As I mentioned in my earlier response, we now hold \$10,588,966 in financial security, which is the full amount that was set by the department. There is some progressive reclamation that is underway reducing the costs of the final reclamation, so that may be one of the factors that has led from the independent amount that the member opposite referenced to where the security was set.

We did pursue charges against Yukon Zinc for its failure to comply with the security schedule that was set out — the maximum fine for which is \$100,000 and that was recently concluded in court as well.

Again, there are a number of factors that contribute to the setting of security, and many of the mine sites and mining companies — this is a particularly good time to talk about it as we are around geoscience time and the awarding of the Leckie Awards. Many of those companies that received Leckie Awards are doing progressive reclamation on their sites and cleaning up. In the case of the placer mining winners, of course, they cleaned up historic pollutants and contamination and some of the aspects associated with the mine originally.

Again, this is something that we rely on officials to do — to work with the companies to set the security and make sure that there is enough in place for us to do the work necessary upon the closure of the mine.

Mr. Tredger: A 30-percent discrepancy would, to my mind, be quite significant between what the independent assessor came up with and what EMR came up with. Is it common for EMR to now follow the recommendations of the independent assessor? Is this a usual procedure — that we go out and hire somebody to assess the costs of reclaiming a mine and then not have those costs met — or they would be varied by, in this case, 30 percent?

Hon. Mr. Kent: The Yukon mine reclamation and closure policy reflects the government's commitment to ensure that environmental protection, responsible economic development and fiscal responsibility are part of managing non-renewable resources in the territory. Every mining project needs a reclamation and closure plan that has been approved by Yukon government before proceeding with development. An updated reclamation and closure plan is required for submission at least every two years. As part of all reclamation and closure plan updates, we require estimates of financial liability associated with the site throughout the life of the project.

As far as the independent assessment work, there is that work that is completed and then there is work between the company and the Department of Energy, Mines and Resources' officials. We have an official in the department who determines security in consultation with an expert consultant as well as other officials in the department. Again, because of the ongoing reclamation work, the total reclamation costs are decreasing. That is one of the contributing factors, I believe, as to why sometimes the amount — initially thought to be necessary for closure — is less than that amount. It is done more on a case-by-case basis, but it is something that is not ministerial responsibility — rather it is the responsibility of the professional public service in Energy, Mines and Resources, working with consultants and experts on how to set the security.

Mr. Tredger: I guess I do have a concern that we would be hiring an expert consultant to come in and to give us advice and to make an assessment. In the case of Wolverine, certainly they were still in an expansion phase. I'm not sure how much progressive reclamation — although I do understand the term and have seen it work in other mine sites. Usually, as they go along, they do reclaim projects and stuff but, in the case of Wolverine, I believe most of the liabilities were still being incurred — let alone being resolved. To my mind, if anything, the amount should be going up.

However, I guess I can leave the minister with a recommendation that we review how securities are being determined and review what information goes into that to ensure that, as costs rise as inflation sets in, we aren't left with mines that the government of the day has to step in and reclaim. In the interest of building a sustainable industry, those good companies — as the minister suggested, the ones that we recognize, the ones who are reclaiming, the ones who are responsibly mining — don't need to wear the mistakes of companies that aren't doing that. It doesn't take many bad apples to ruin the reputation of the industry as a whole.

As the minister is well aware — and I am aware — the industry in Yukon and our industrial partners have a very good reputation. I only need to look in my area at Victoria Gold or at Capstone or at Alexco to see the kind of work that is being done to be appreciative of it. It's important that we look at securities very closely to ensure that our territory and the reputation of the industry are protected.

I will move on to the Ketz River mine. Last April, Veris Gold walked away from their care and maintenance responsibilities at the Ketz River mine. The government stepped in and took over. The situation at Ketz River shares some similarities with the Wolverine mine. Both companies went into creditor protection and YG had to step in and take some control. However, Ketz River mine is a type 2 mine site. It's a historic liability and we share the responsibility now with Canada. Presumably, the environmental liabilities occurred prior to devolution and the responsibility lies with the federal government. It is our understanding that some money has been allocated under Oil, Gas and Mineral Resources Division in the EMR supplementary budget, and that is for remediation work occurring at the Ketz River mine. Can the minister elaborate on what work has been done? Can he provide a timeline for future work?

Hon. Mr. Kent: Just stepping back to Wolverine, to turn the page on that, I would be interested to hear who the member spoke to about — or if he did speak to someone about the liability at the Wolverine mine. I certainly rely on information that I am fortunate to have from experts and officials in the department to talk to about that, but if there is someone out there who has suggested that the amount of security held for that project and the progressive reclamation didn't make up the balance, I would certainly be interested in hearing about that so we could reach out to them and address their concerns.

When it comes to the independent assessments, the Yukon government obviously seeks one. The companies, in many cases, will also have their own experts who provide numbers, and then there is work done between the parties to settle on a number. That's where we settled with respect to Wolverine. That security is held and none of it has been accessed to date with the activities — the temporary closure — and the activities being undertaken there are still the responsibility and are being funded by Yukon Zinc and their parent company.

Maybe what I will do with respect to type 2 mine sites, because I know the member opposite will have questions on a number of them — and I thank him for his question yesterday in Question Period. We did receive an updated note from the department with respect to the type 2 sites that we're managing, including Ketz River. This might take a little bit of time, but I'm just going to provide updates on the type 2 sites — what their status is and what work has been accomplished — especially with respect to the remediation plan and where we are, as far as that goes. I know it was a question brought up yesterday, I believe in Question Period, by the Member for Mayo-Tatchun.

Just to repeat, the Government of Canada remains responsible for the pre-devolution liabilities at all type 2 mine sites. Yukon government is committed to protecting human health, safety and the environment of the four abandoned type 2 sites in Yukon. That's Clinton Creek, Mount Nansen, Ketzana now, as well as Faro.

Starting with Clinton Creek, it is a site that's currently under care and maintenance. It's in the traditional territory of the Tr'ondëk Hwëch'in First Nation. It's accessible from the Top of the World Highway. Construction work recently completed at Clinton Creek involved the repair of a drop structure to control the flow of water discharging from Hudgeon Lake. The structure was damaged in 2010 due to high water flow. The drop structure repair work was designed by Worley Parsons in 2014 and the construction work was completed in October of this year by a local contractor following a competitive bidding process.

The work cost \$1.3 million and was funded by Canada. Due to ongoing health and safety concerns related to slope stability along Clinton Creek, the branch has closed the site to public access. Site access will remain restricted until an acceptable level of health and safety can be established.

Assessment and Abandoned Mines branch, the Government of Canada and the Tr'ondëk Hwëch'in are working together to develop and implement a cost-effective approach to remediating the Clinton Creek site. All parties recently identified closure options that would be acceptable and are preparing to evaluate these against the agreed-to closure objectives.

Moving on to Mount Nansen, which is in the member's riding, in the traditional territory of the Little Salmon Carmacks First Nation, the status of that site is that it is under care and maintenance. The overall remediation plan has been developed to a 30-percent level. The Government of Canada is leading the process to consider lower cost options for remediation.

Currently Denison Environmental Services is the contractor responsible for care and maintenance activities for the Mount Nansen site until March 31 of 2016. The work is being carried out under section 37 of the *Waters Act*. Yukon government has completed a 30-percent design for the overall remediation of the Mount Nansen mine site. However, the expected construction costs accompanying the 30-percent design are higher than the initial closure option evaluation estimate. The Government of Canada, as I mentioned, is leading a process to explore how to reduce the costs associated with the design before moving ahead.

The Government of Canada is also considering the sale of the residual claims and leases of Mount Nansen and passing the responsibility to design and execute the selected overall remediation plan on to the successful purchaser. This option may be submitted to the court by the former AANDC department — I believe they have changed their name with the recent federal election to Indigenous and Northern Affairs, I believe, so back to an INAC acronym.

While remediation options are being considered, Assessment and Abandoned Mines continues to monitor water

quality on a monthly basis and report results to Canada and the Little Salmon Carmacks First Nation. Yukon, the Government of Canada and Little Salmon Carmacks First Nation are currently reviewing options for implementation of the remediation plan.

Moving on to the Ketzana River mine site — the site was abandoned April 10, 2015. Care and maintenance is underway. Parties are examining approaches to site remediation. It is located in the traditional territories of the Liard First Nation, Ross River Dena Council as well as the Teslin Tlingit Council and the Kaska Dena Council.

When Ketzana River mine was abandoned in April of this year it created a requirement to distinguish between Canada's pre-devolution liabilities and any liabilities incurred post-devolution. Those post-devolution liabilities were associated with exploration work and we did receive a security against that. I don't have the amount with me but I believe I have spoken about it previously in the House.

Yukon government awarded a contract to Boreal Engineering for care and maintenance at the Ketzana River mine site using security funds held by Yukon following a public procurement process. Care and maintenance activities are currently being delivered under section 37 of the *Waters Act* and include management and maintenance of dams and diversions and treatment of contaminated water.

The Yukon government is also overseeing \$250,000 of additional work as part of care and maintenance that update critical site infrastructure to ensure protection of worker health and safety. The Yukon government is working with the Government of Canada to develop an approach to long-term remediation of the site. The Yukon government and the Government of Canada are engaging the affected First Nations that I mentioned whose traditional territory this project lies within with regard to care, maintenance and remediation. A contract for maintenance of the 42-kilometre public access road was awarded this winter.

I should say that the MLA for Pelly-Nisutlin and I visited the site as part of some mine site tours that occurred this summer and we were given a tour by Boreal Engineering, which has the contract, by officials who work for them. We were better able to get a determination ourselves with respect to that site about what we're dealing with.

The final one that I will talk about of course is the most complex that we have as far as type 2 sites in the territory and that's the Faro mine. Current status — the site is under care and maintenance. There is a remediation plan completed to 20-percent design definition. There are a number of emerging environmental issues requiring significant changes to previous plans.

This project is located within the traditional territories of the Liard First Nation, Ross River Dena Council, Kaska Dena Council and Selkirk First Nation.

Tlicho Engineering and Environmental Services Ltd. currently holds the contract for site care and maintenance until March 31, 2016. Care and maintenance costs \$10 million to \$12 million per year and is critical to protect human health and safety and the environment in the near term. Assessment

and Abandoned Mines is seeking bids through a competitive process for care and maintenance beyond March 2016. The tender is scheduled to close in December and a contractor must be in place by April 1, 2016. The four-year pre-contract estimate is approximately \$52 million.

CH2M Hill, which is an engineering firm, has been the design lead on the project since the fall of 2011. Their contract also expires in 2016. During their tenure, CH2M Hill designed and constructed a new \$16-million water treatment plant, replacing an aging converted-mill-based treatment process. Again, as I think I mentioned in Question Period yesterday, the MLA for Pelly-Nisutlin and I had the opportunity to visit that treatment facility last fall, and I believe it's now functioning at full capacity. CH2M Hill also advanced the overall remediation design from the feasibility stage to an approximate 20-percent level of design — however, with changing site conditions that have impacted remediation priorities and forced a change to remediation schedules. Specifically, elevated zinc levels sourced from the Faro waste-rock dump were discovered to be contaminating water in the north fork of Rose Creek late in 2013, leading to an inspector's direction issued by Environment Canada.

A \$5-million interim solution for the north fork of Rose Creek was designed and constructed in 2014, but unfortunately has proven to be insufficient to fully address the issue. Water quality and fish movement in the north fork of Rose Creek continue to be monitored, while planning and design work for a permanent solution for the north fork of Rose Creek is expedited as a priority. The permanent solution involved constructing the final remediation component for the north fork area and requires advancing this ahead of the overall remediation plan.

The permanent solution involves the construction of a new dam and diversion system and is expected to cost over \$100 million and take three to five years to complete. CH2M Hill is expected to deliver a 30-percent design by March 2016, with construction expected to start in 2017. Permanent upgrades to the major diversion and dam structure in the Rose Creek tailing facility have also been fast-tracked in the face of ongoing flood-related risk and are planned for construction starting in 2017.

Work is expected to cost \$50 million and take two years to construct. All activities at the Faro site are currently being carried out under section 37 of the *Waters Act*. Yukon is encouraging Canada to pursue a water licence for the remediation of the north fork of Rose Creek and other urgent works. The branch continues to keep affected First Nations and the Town of Faro apprised of the status of care and maintenance activities and of north fork of Rose Creek remediation.

I thank members for their patience in allowing me to go through a status summary of those four abandoned type 2 sites in the Yukon, and I'll look forward to further questions on that.

Mr. Tredger: I thank the minister for his answer.

I do have a number of questions around our type 2 sites and I will get to them. There were a number of issues that came up, as the minister was speaking.

First, I had asked last year whether or not there was a sunset clause with the Government of Canada. My understanding from some people was that around 2022 was a date that comes to mind. The minister said that he would look into that and come up with an answer.

Is the minister aware of any sunset clause, or whether the Government of Canada will remain fiscally responsible for all type 2 sites and all money incurred in perpetuity?

Hon. Mr. Kent: The only deadline that we are aware of is that the Government of Canada — and the department responsible — has to go back to Treasury Board in 2020 to seek further funds with respect to the type 2 mine sites. There is no sunset clause where they can walk away from responsibility. They do need to seek further funds in 2020.

Mr. Tredger: I just want to go back to the question on Wolverine mine. The minister wondered where I had gotten my information or if there was somebody who had expressed concern. It was merely looking at the figures that the minister himself had provided — the \$13 million that the independent expert consultant had given us, the \$10 million that we arrived at, and I believe it was about \$7.5 million that the minister said in the House was adequate. That is quite a change. That is why I was asking the questions around how security was determined and how we determined whether it's accurate. I certainly wasn't implying that I had information saying that what we do hold is adequate or not. I don't have the expertise to do that, and I rely on the minister and the Department of Energy, Mines and Resources for their expertise to ensure — my job is to ask some questions around that and to try to determine how solutions are arrived at, but I depend on the figures that the minister himself presents.

At Clinton Creek, there is a new control-of-water dam and it was completed in October. Is the water being tested and monitored for elevated levels of heavy metals? What is the timeline for the final closure plan?

Hon. Mr. Kent: My understanding from officials is that there is no active water treatment on-site and that the water quality is fine. I will regroup with officials in Assessment and Abandoned Mines just to ensure that this information is accurate.

As I mentioned during my summary, Assessment and Abandoned Mines branch, the Government of Canada and the Tr'ondëk Hwëch'in are working together to develop and implement a cost-effective approach to remediating that site. All parties recently identified closure options that would be acceptable and are preparing to evaluate these against the agreed-to closure objectives for that site. The work that was undertaken there with respect to the dropped structure was completed this year. It was to control the flow of water discharging from Hudgeon Lake. That structure was damaged in 2010 due to high water flow, but that was work that was carried out this year. The final remediation plan is yet to be developed between the parties.

Mr. Tredger: The minister is assuming that the water quality is fine. Is it being tested and monitored on a regular basis?

Hon. Mr. Kent: That's one of the things I will regroup with Assessment and Abandoned Mines on — just to determine the frequency of water testing on the site. As I have said, it is my understanding that there is no active treatment of that water but I will make sure that I get the information back to the member opposite with respect to the frequency of water testing and any other activities that are being taken under the care and maintenance activities currently underway there.

Mr. Tredger: The minister mentioned that a number of the sites were being worked under section 37 of the *Waters Act*. My understanding was that section 37 was to be used on an emergency basis. Can the minister explain the use of section 37, how many sites it is being used at, and how long each site has been under section 37?

Hon. Mr. Kent: Section 37 of the *Waters Act* is being used, in this case, in the absence of a water licence in place by the federal government. They would be the ones responsible for attaining a water licence.

It is currently being used, as I mentioned, at Mount Nansen, at Ketza River, for the care and maintenance activities there, as well as, I believe, at the Faro mine site — the three of the four. The one where it's not being used is at the Clinton Creek mine site but, as I mentioned, the Yukon is encouraging Canada to pursue a water licence at Faro for the remediation of the north fork of Rose Creek as well as other urgent works that are on that site.

Mr. Tredger: What enables us to use section 37 and not obtain a water licence? Under what conditions was that thought to be necessary?

Hon. Mr. Kent: Obviously this work is important and of an urgent nature. Attaining a water licence for that will require the remediation plan to be developed. It will require it to go through the YESAA process and then obtain all the necessary licences, including the water use licence.

That process could take — for a more complicated site, it could be a two- to three-year period, once it enters the assessment phase, let alone the design work that's being undertaken. I did mention where we were on Mount Nansen at 30-percent and Faro at 20-percent design, so there's still a substantial amount of work that needs to be done on the design for the remediation, and then the environmental assessment and water processes will have to be undertaken after that.

Again, in the interim, it's important that we continue to be active on the site, and that's why section 37 of the *Waters Act* has been used to remain active on the site, doing the work that we need to do to protect human health and the environment.

Mr. Tredger: I guess my understanding of section 37 was that it was put into the *Waters Act* to account for seasonal variations and temporary excess discharge, but I know Mount Nansen has been under section 37 for as long as I've been an MLA, so that's going on five years now.

I'm not sure about Clinton Creek or Faro. Can the minister tell us how long each of those type 2 sites have been under section 37? What does it mean, in terms of water quality, when we can't get a water licence and have to resort to section 37?

Hon. Mr. Kent: I don't have the information with me with respect to how long we've been using section 37 at the three sites where it's being used. Again, it's not being used at Clinton Creek; it is being used at Mount Nansen, Ketza River mine and the Faro mine. I visited two of those sites — Ketza and Faro — and there is active water treatment at those two sites. My understanding is that there is active water treatment at Mount Nansen as well.

As I mentioned with respect to Mount Nansen, there is the government's report on water quality — Assessment and Abandoned Mines continues to monitor water quality on a monthly basis and report results to Canada and Little Salmon Carmacks First Nation. I will get the frequency of that testing and reporting for Ketza and Faro, but when I was on-site at Faro with the MLA, there is certainly a significant amount of water testing that occurs at different sites throughout that complex on a daily basis.

Again, it's certainly not the ideal situation, but again in the absence of a remediation plan, the environmental assessment and the necessary assessments in place, it's the situation that we need to act under and we will continue to do that. My understanding is — again with the exception of the north fork of Rose Creek — that the water is tested and is within the Environment Canada limits and standards as well.

Mr. Tredger: I was going to ask about testing and water quality.

I think this highlights for me the need for water quality testing and data that is readily available to the public. I know that we're dealing with very complex sites and I know that the EMR people are working very hard on it and it is a complicated issue. However, for people living downstream, for people in the area and for people who have worked in the area, it would be important to have some sense of the water quality data.

I know I mentioned to the minister last year how useful I found the Geological Survey interactive map of the Yukon. I would suggest, ask or mention, in the interest of good governance and to ease the minds of many people, that the department develop an interactive map whereby individuals can click on, say, a Mount Nansen site and get the latest results in terms what heavy metals are being discharged, what turbidity there is, whether the water is safe to drink or whether, as in the case of Rose Creek, there are elevated levels of zinc or, as in the case of Mount Nansen, there is perhaps arsenic — also, how close these are to standards that the federal and territorial governments have set and whether the time-loading — because some of these, as I say, have been in place for at least five years. What might be under the regulations for water quality that the federal or territorial governments have set — over time, we know that heavy metals settle out and could present a problem in the future.

Has the minister or will the minister work on developing a means of reporting?

I asked about the reports I know about around Faro and the elevated zinc that was going into Rose Creek. Now, a year ago constituents raised concerns about it with me, and they had heard rumours and people were saying, "Don't go near the water at Pelly Crossing" and all types of concerns were being raised and my thought was — it's important to get the information out in an accessible manner so that people don't overreact and so that they can build trust.

We have spent \$238 million on remediation of type 2 sites. This should be a good news story. I think the Yukon public recognizes that it is complicated and we do have a big mess on our hands, but if they can get the information, they would have more faith in what is actually being done to remediate, so when I go down to the river at my home by Pelly Crossing, I don't have to wonder about whether there are elevated levels of zinc in the Pelly River. I don't have to wonder whether it has been defused enough or if, after five years, it has been defused enough, or after 10 or 20 years. Those kinds of results are very important. It is the same for our operating mines. If we are going to have industry, we need to have reliable, accessible data for the public. As I said in Question Period yesterday, the site for the Faro reclamation was down for the last couple of months. People don't have access to the latest results. The nearest thing that I could find was from the Yukon Conservation Society putting up their — albeit limited — results. The Yukon public should have access to that. We should have access to the results that are being determined at not only type 2 sites, but places like Keno, the Minto mine and operating mine sites around the Yukon. It would be important to have an interactive and accessible map. I wonder if the minister can comment.

Hon. Mr. Kent: I thank the member opposite for raising this point. Obviously, keeping Yukoners informed about issues of importance is something that's important to the Yukon government, and it's a responsibility, I believe, of the Yukon government as well. What I will commit to is looking into some of the various websites that we have, which ones make more sense, providing information that is understandable to lay people throughout the territory and trying to see if we can merge that information with some of the other interactive websites that we have, not only in Energy, Mines and Resources, but perhaps looking to Environment with some of their information flow as well.

I know that this something that is extremely important to the Member for Mayo-Tatchun, and I'll look into it and hopefully report back to the House perhaps in the spring with what we have done. I know internal discussions have already started in Energy, Mines and Resources between senior officials and those in our communications shop on how we can better inform and ensure that our websites are maintained and have the most current information possible with respect to the type of information that we provide and important information for Yukoners.

Mr. Tredger: If I could go back to Ketz River — the Yukon government seized Veris Gold's securities at one point to conduct repairs to a road to access the site.

My question is: Has environmental liability been seized by YG to fix bridges or roads in the past — I realize there is a need for accessibility to the site — and will that have any effect on the amount of money left over for remediation and care and maintenance that is occurring there now? Of the money that is in our supplementary budget, how much is for remediation work and how much is for site maintenance?

Hon. Mr. Kent: Just to take a bit of a step back, with respect to the Ketz road and the seizing of that security, obviously there was some work that was required at the mine site, but a portion of that money was seized to conduct work on the roads and, I believe, some of the bridges that were associated with the road as well.

Occupational Health and Safety, I believe at the time, had identified some safety issues with respect to the road. Rather than going through our internal processes of Management Board and other aspects, we determined that the best course of action was to use security to upgrade that road and do the work necessary at the site. Again, that work was completed and care and maintenance activity is underway at the Ketz River site right now. My understanding is that is the only activity underway — care and maintenance, mostly associated with water treatment. As I mentioned in my earlier remarks, the Yukon government is working with the Government of Canada to develop an approach to the long-term remediation of the site.

I will follow up, though, with the member opposite. I want to confirm with officials in Energy, Mines and Resources and Highways and Public Works whether an amount has been transferred back to the security fund from our general revenues to support the work on the road itself. I will look into that. It seems to me that it was something I was working with the previous Minister of Highways and Public Works on, prior to transition and prior to the Cabinet shuffle in January. I will beg the House's indulgence so I can get a better handle on exactly what transpired with respect to that money.

The supplementary budget itself — I mentioned in my opening remarks that we revoted \$1.74 million to address care and maintenance activities at Ketz. It is 100-percent recoverable from a third party and there was the seizure of \$797,000 from Ketz River Holdings for reclamation and a further internal transfer of \$710,000 from Compliance Monitoring and Inspections to Assessment and Abandoned Mines. I think I went through that in my opening remarks with respect to the supplementary budget.

Mr. Tredger: A quick question on Faro: There was a mandated steering committee. Have they been meeting on a regular basis and kept informed and involved? As a supplement to that, I know that a number of my constituents have expressed concern about not only Rose Creek, but the Pelly River. Can the minister give them assurances, through answering this question, that indeed the site at Faro hasn't been breached to the extent that it is affecting downstream

residents, and should they be taking precautions around fish and water?

Hon. Mr. Kent: With respect to the elevated zinc levels, they are sourced from the Faro waste-rock dump. They were discovered to be contaminating water in the north fork of Rose Creek late in 2013. That fork of the creek does flow into the main stem within the Faro mine complex. My understanding is that, by the time that water reaches that section of the creek, it is compliant. So there are no downstream effects for residents. Everything is occurring within the Faro mine complex itself.

The steering committee that the member opposite refers to, I believe it is Yukon government and First Nations and it last met in the summer. I know I've been personally approached by representatives of the Town of Faro. I haven't had a conversation with the newly elected mayor and council yet — but I intend to — about better ways to keep the people in the Town of Faro informed with respect to activities at the mine. We're endeavouring to undertake those types of meetings to try to find, as I mentioned, the best way to ensure that the people who live in Faro are very well-informed, as well as other affected communities around there.

That's something that I know is important to them, and I know officials from Assessment and Abandoned Mines have recently met with leaders in Faro. The director of the branch has met with the new mayor to discuss their involvement. This was after I had conversations with senior officials in EMR to find a better way to ensure that people who live in the Town of Faro are informed of the activity and what is happening at the Faro mine site.

Mr. Tredger: I believe that the steering committee involved a number of First Nations. There has been quite a bit of activity. How have the First Nations been informed and have they been involved on the steering committee? My concern — and I wanted the minister to be aware of it — is that the First Nations are feeling like they haven't been involved and they're concerned that there are events happening. The steering committee certainly hasn't been meeting on a regular basis, and much of this information would affect them and their traditional territories, as well as activities upon the land.

Is the minister also approaching the First Nations to reinvigorate or reinstitute the steering committee and ensure that it becomes active and the First Nations have the opportunity to be involved?

Hon. Mr. Kent: The committee that the member opposite is referring to last met in July. I'll find out when the next meeting is. Obviously First Nations are also interested in the potential economic opportunities with the impending closing of the care and maintenance contract tender, so they have been actively engaged with officials working through that tender process as we approach the closing date that is scheduled for September, and then the eventual award and start-up of the new care and maintenance contract in 2016.

Yes, we're engaged with the First Nations on a number of levels. The last meeting was in July with respect to this

project. As I mentioned, I'll find out when the next meeting is scheduled for.

Mr. Tredger: I would like to ask a number of questions about Keno at this time. It's my understanding that the well at Keno — the last well that has been safe — by the old fire hall has not been used. Residents have been told that the well will have to be purged. For the last three months, water has been trucked from Mayo to Keno. There's concern that, with approaching winter, delivery may be interrupted. As we're well aware, the roads are precarious at best, and I know that, at 40 below, water freezes. In the past there has been trouble with water delivery within the Town of Faro, let alone trucking it all the way from Mayo when it's cold.

The residents have asked why the water results haven't been posted, as agreed to. It may go back to what we were referring to earlier — that we don't have an easy way to get the information that we have to residents of the area. As far as I know, as of this morning, the results weren't posted. I realize there was a meeting about two or three weeks ago in which the residents were promised that they would be getting the results. They still don't have them. This is their water supply. This is the last remaining well. It's quite important to them.

Can the minister work with the inter-departmental agency — of which his department is one member — to ensure that the residents of Keno have the well results and the water-testing results posted? Can he tell me whether or not the results include testing for heavy metals — cadmium, et cetera?

Hon. Mr. Kent: My response is going to be brief on this because this is primarily the responsibility of Community Services.

I do have something in my notes with respect to this, though, so I will share that now. For any additional information required, perhaps members opposite can follow up with the Minister of Community Services.

The quality of water from the community well is a concern. It's operated by the Yukon government's Department of Community Services. As the member mentioned, water is being trucked from Mayo to Keno at this time.

Well water is sampled annually for a full suite of metals and quarterly for a subset of elements, and the test results are available through the Department of Community Services.

With respect to the meeting that took place a couple of weeks ago and any subsequent commitments, I would again refer members to the Minister of Community Services as he has the primary lead on this particular issue.

Mr. Tredger: I sense some of the frustration of the residents of Keno. I know the Member for Klondike asked the Minister of Community Services a question about the well.

When residents in rural Yukon — in urban Yukon too — work with the Government of Yukon, they are often aware that there has been a real silo effect and that it's difficult to determine which department is responsible.

I know one of the commitments that probably all three parties made in the last election — certainly our party did, as did the Yukon Party — was that they would work to lessen the effect of silos.

If we take Keno — several years ago a health assessment impact study was done by Dr. Hanley, and one of his recommendations was for an organized governance structure with a formal means of communication that would be a point of access for the government, for industry and for the community. This was again noted in Alexco's last YESAA application, and one of the recommendations — which was varied by the Minister of Energy, Mines and Resources — was for just such a committee that would release the information and would be a point of access.

For the Department of Energy, Mines and Resources to say that it's a Community Services' issue is a little bit disingenuous. All of the wells in Keno have been closed except this one. We are aware that one of the most toxic adits in Canada is the Onek 400.

In 2013, two key studies — and I will read from a report: “Two key studies are the basis to determine potential environmental effects from the Onek 400 adit. First, the mass balance load modeling study...shows approximately 47% of the cadmium in Christal Creek is from Onek, and 57% of the zinc in Christal Creek is from Onek. This is a significant percentage of the contaminant load that is recognized to be limiting the potential for a healthy fishery in Christal Creek in the future.”

Christal Creek is on the opposite side of Keno from the Onek adit. The water from the Onek adit is going to ground and somehow passing through Keno and getting to Christal Creek. The fact that the well is contaminated should come as no surprise. And yet, last year, falling through the government cracks, that well wasn't tested for over 14 months, despite assurances to the residents that it would be tested on a quarterly basis. When we ask questions in the House, one department points to another department. Meanwhile, the residents of Keno no longer have a well that isn't contaminated.

The report goes on to say that, “... adit drainage goes to groundwater within 100 meters of the adit, and that a groundwater well in the infiltration area has essentially the same chemistry as the adit, indicating that there is essentially no attenuation of metals along the infiltration route prior to reaching groundwater.” This adit water remains untreated.

My question for the minister: Is the water that is coming out of the adit another one that section 37 applies to? Is there a plan for treatment of that water?

Hon. Mr. Kent: I guess, with due respect to the member opposite, when questions are asked on the floor of the House during Committee of the Whole, I am able to provide information that Energy, Mines and Resources has. As I mentioned, the primary lead on the particular file of the community well is the Department of Community Services. The member can wait until that department is up or perhaps he could talk directly to the minister.

Yukoners should know that there are opportunities and occasions when members from opposite sides of the House talk outside of the floor. If there are specific concerns that he would like to bring up with the Minister of Community Services prior to debate in that department, I am sure the

minister would welcome that. The member engages, and all members from both sides of the House engage, with ministers on specific actions related to their portfolios.

I did supply the information to the member opposite on the floor of the House that I have before me. If he is seeking further clarification or further answers, I would certainly invite him to take that up with the Minister of Community Services. Whether he chooses to wait and do it on the floor of the House or do it outside of the House is certainly his decision.

When it comes to the Keno mine site, I do have some additional information to share. I would like to take the opportunity to thank the management of the Elsa Reclamation and Development Company Ltd. and Alexco for touring me and the Minister of Environment through the site this year. We had a good opportunity to get an idea of what Alexco's plans are for continued mining when the silver market rebounds and some of the exciting discoveries that they are making — some of the things that are underway — but I guess a lot of their current work is focused really on the care and maintenance for the Keno site and the remediation design efforts.

So just to give an update on the Keno site, it is of course under care and maintenance. There is a remediation plan that has been developed by ERDC and YESAA's submission is in preparation. Assessment and Abandoned Mines branch, the Government of Canada, the First Nation of Na Cho Nyäk Dun, whose traditional territory this mine is in, as well as the Elsa Reclamation and Development Company — ERDC — are working together on the remediation of the Keno site. ERDC is the care and maintenance operator for the Keno site and leads remediation design efforts. Care and maintenance includes activities such as maintenance and management of dams and diversions, treatment of contaminated water and health and safety management.

YG, ERDC, INAC and the First Nation of Na Cho Nyäk Dun have selected a closure approach to address the historic liabilities. Again, to remind members, the Keno Hill silver district has been a producer of approximately 217 million ounces of silver from over 5.3 million tonnes of ore. The time frame was from 1913 to 1989 and there has been additional silver produced there more recently by the Alexco group.

Local residents have expressed two main concerns related to water quality. The first relates to the discharge of untreated waste water from the Onek 400 adit. There is no section 37 allowance in place there because there is a water licence. The discharge is allowed under that water licence — the number is QZ12-057 — as long as the water is discharged to ground, as outlined in clause 22 of the water licence. The second concern is the one related to the quality of water from the community well, again operated by the Department of Community Services.

The one thing that we learned when we visited the site this year is that the remediation plan does contemplate treatment of the water from the Onek 400 adit. As that moves through the environmental assessment phase and into the water licensing phase, that will be something that is hopefully

done. Again, under the current water licence, the discharge of untreated waste water from that adit is allowed, as long as the water is discharged to ground.

Mr. Tredger: As the minister said, it is a complicated issue, and sometimes I raise things with one minister in hopes that ministers responsible for other departments are listening and have the desire to serve the people of Yukon.

The Onek adit goes to ground within 100 yards. However, in the last couple of years there has been more runoff and, as I pointed out to the minister last year, in the spring that runoff builds up, because the culvert crossing the road has been crushed and the water can't go through it. So in the spring freshet, it takes that water and it pools behind the road. There it evaporates and the chemical-laden dust blows around town. Residents have been told to wash their vegetables, not to use the water on their gardens and things like that.

I pointed that out to the minister last year and received assurances that it would be looked at. I just want to update him on the situation now. The culvert remains in place and crushed. However, a new culvert has been brought and laid beside the road. It hasn't been installed yet. So next spring we're going to have the same problem that we have had for the last couple of years if we continue to get a similar amount of runoff. The water from Onek doesn't go to ground, it runs across and, if the water is high and there's lots of rain, it runs across the road and on through people's yards. I'm not sure of the exact technicalities around whether or not section 37 is imposed or not, but the reality is that the water is not going to ground. Perhaps there's an exemption over time, but I would ask the minister to look into that so he can assure the residents of Keno that this is being looked at. I realize it's now late for that culvert to be put in place. I'm not sure what the plan is for putting it in place. However, it remains adjacent to it.

If the minister responsible for Energy, Mines and Resources doesn't feel it's his department's responsibility, perhaps he can talk to the Minister for Highways and Public Works.

Hon. Mr. Kent: That Highways and Public Works guy is hard to talk to sometimes.

Again, with respect to what the member opposite raised, it's something that we'll take a look into. When I visited the site with the Minister of Environment, my thoughts from that Onek adit — that the water flowed to ground and away from the community and away from yards. But I could certainly be mistaken on that, and I will take a look into that and I will get a sense for when that culvert is going to be installed. If it is on-site, I will get a plan for that. It may be the responsibility of Highways and Public Works or Community Services, but it may also be the responsibility of the company that is doing care and maintenance on the site.

Just again to repeat, I want to thank officials from Alexco ERDC. They were very accommodating in touring us around and showing us the site. I would encourage members opposite, if they haven't done so, to contact the company and take advantage of the opportunity to take a look at what they've done and how they've improved the water treatment facilities.

They gave us a good run through of the remediation plan that they were workshopping at open houses in Mayo, and perhaps Keno, just after we were there. They're a very well-respected company — not only in Canada but also in the United States — for the work that they're doing and they should be commended for what they're doing there as far as taking a very complex and historic mine site that, as I mentioned, goes back to 1913 for initial production, and obviously under very different regulations and rules at that time and doing what they're doing with that site.

Again, I can't thank them enough for the tour that they provided to us and I encourage other members, if they haven't done so, to reach out to them and get their sense of what's happening on that site and what type of work they're undertaking and take advantage of the same type of tour that the Minister of Environment and I were able to do this past fall.

Mr. Tredger: I too would like to thank all the people from industry and from Energy, Mines and Resources for the work they are doing on our type 2 sites. These are complicated, these are complex, and they are a real liability and there are no easy solutions.

I just would encourage the minister and those responsible to develop a way to keep the public informed, to give assurance that the work being done is working or not, so that people are aware of it.

I would like to just ask a couple of quick questions about situations in Selkirk First Nation. I know I talked about Ddhaw Ghro before.

I will just read a little bit from a letter around Ddhaw Ghro: "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... 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 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 Nacho Nyak Dun." That letter was written by Bob Hayes on April 19, 2013.

The other area that needs work on is the buffer area around Fort Selkirk. I know the minister has been working a bit on that. It has been several years in the making. Selkirk is very concerned about it, and I'm wondering if the minister has a timeline on when that buffer zone can be finalized — or even an update as to where negotiations and conversations are around that?

Hon. Mr. Kent: I'll have to look into the Ddhaw Ghro issue. I wasn't aware that Energy, Mines and Resources had any issues with it. That's not to say that there aren't, but Environment, of course, is responsible for parks and

Community Services is responsible for wildland fire, so I'll have to get a better, more fulsome answer for the member opposite. As I mentioned, I'm not 100-percent sure what Energy, Mines and Resources' role would be in that, or if what the writer of the letter is saying is accurate, but I'll certainly endeavour to find out.

With respect to the Fort Selkirk historic site and the request for a staking prohibition, obviously this is an important site. It is certainly a special part of the heritage of the territory. Our government remains committed to working jointly with Selkirk First Nation to protect, preserve and promote that site for the benefit of current and future generations. This is a partnership that Energy, Mines and Resources has with Tourism and Culture. Our role at EMR, with respect to the Fort Selkirk historic site — that site itself is permanently withdrawn from staking under the *Quartz Mining Act* and the *Placer Mining Act* in accordance with the *Selkirk First Nation Final Agreement*. We're continuing to have discussions with Selkirk First Nation on a buffer area for Fort Selkirk for withdrawal from staking, so that associated historic values in the area will be protected.

It is a co-owned and co-managed site of Selkirk First Nation and the Yukon government. As I mentioned, it has been withdrawn under the QMA and the PMA in accordance with chapter 13 of the final agreement.

YG and Selkirk First Nation jointly developed and approved the Fort Selkirk historic site management plan in May 2000, including outlining the boundary of a buffer for the site. The management plan covers the full management area as defined in the *Selkirk First Nation Final Agreement*, including both lands visible from the historic townsite and undefined lands required to buffer the site and control access, and includes both public and settlement lands. The site was, in the interim, withdrawn from staking in 2003 and permanently withdrawn in 2005. In 2013, Selkirk First Nation requested that the area for the buffer zone around the site be withdrawn from mineral staking. During 2013 and 2014, a joint working group — YG and Selkirk First Nation — looked at heritage values in the area and recommended a refined buffer zone boundary to encompass identified historic values. The draft buffer area recommended by the joint committee area covers two lapsed partial claims that were formerly held by a junior mining company.

Selkirk First Nation has subsequently requested a significantly larger buffer than was contemplated in the committee's November 2014 recommendation. The larger area outlined by the Selkirk First Nation encompasses parts of three active quartz claims that are owned by a junior company.

A 2015 letter from the Premier maintains that we remain interested in working with Selkirk First Nation to define an appropriate area of withdrawal to protect the historic site and values associated with it. Again, work continues to come up with a compromise and a solution to this important issue, and Energy, Mines and Resources will continue to play its role in coming up with something that's sufficient, as far as a buffer

zone and a staking withdrawal around the Fort Selkirk historic site.

Mr. Tredger: I thank the minister for that answer and would encourage consultation or work with Selkirk First Nation on both those issues.

Changes to the territorial *Lands Act* gave the minister the authority to restrict or prohibit the use of off-road vehicles in sensitive areas on terms and conditions the minister considers necessary. The minister said that the selection will allow the government to address some of the more sensitive areas while we are waiting for regulations to be put in place.

The minister went on to acknowledge that it will take some time to put the regulations in place. During the extensive consultation process leading up to the drafting of the act, many sensitive areas — such as Trout Lake, Sifton Mountains and Miners Range — were identified. It's now several years later and, each year, we see more and more trails opened up and more impact on sensitive ecological areas. We will need regulations that create proactive mechanisms for protecting these sensitive areas, but until such regulations are in place, the minister has the authority to use that authority under the act to restrict new trail-building in identified sensitive areas. What we're seeing is that ORVs are causing habitat fragmentation and destruction, ever more encroaching into wilderness areas.

We need baseline data — aerial photos that show the actual spiderweb of trails extending into our wilderness areas on a time-lapse area. We need information to make informed decisions. The encroachment is causing pressures on wildlife and leading to conflicts between area residents, First Nation governments, hunters and outfitters. One saw this come to the fore just last week, I believe, when the Fish and Wildlife Management Board addressed sheep-hunting regulations.

We can't afford to wait any longer. The minister was given authority to protect our sensitive areas until regulations are in place. If we wait too long, irreparable damage will be done, especially in the sensitive areas above the treelines and wetlands.

If we wait too long, we will find ourselves in the situation of Alberta, which did not want to make regulations and eventually had to close down large segments of the foothills of the Rockies. An area that I used to visit, Kananaskis, is now closed to vehicle traffic. We're in a fortunate position — that we are able to see what has happened in other jurisdictions and act proactively.

My question for the minister — yes, there is a comparison — is: Can he ensure that we get the data set necessary and aerial photos that will determine the gradual degradation and segregation of the area? Will he take the baseline data to establish and determine which areas are under the most pressure and take interim measures until we can come up with regulations that will protect these valuable areas — the areas that all Yukoners like so much?

This doesn't mean we're denying access in the Yukon to many areas. What it means is that we are acting proactively so we can protect them and thereby not have to deny access, like many other jurisdictions have done.

Hon. Mr. Kent: Seeing the time, Madam Chair, I move that you report progress.

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

Motion agreed to

Mr. Elias: I move that the Speaker do now resume the Chair.

Chair: It has been moved by Mr. Elias 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. 20, entitled *Second Appropriation Act, 2015-16* 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.

Mr. Elias: I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 5:27 p.m.